

# **REACTIVE RISK AND RATIONAL ACTION**

## **MANAGING MORAL HAZARD IN INSURANCE CONTRACTS**

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Anne Heimer, 1985 **Harvard Law Review: Volume 130, Number 6 - April 2017** Harvard Law Review, 2017-04-10

Computer Misuse Stefan Fafinski, 2013-05-13 This book is concerned with the nature of computer misuse and the legal and extra legal responses to it It explores what is meant by the term computer misuse and charts its emergence as a problem as well as its expansion in parallel with the continued progression in computing power networking reach and accessibility In doing so it surveys the attempts of the domestic criminal law to deal with some early manifestations of computer misuse and the consequent legislative passage of the Computer Misuse Act 1990 This book will be of interest to students of IT law as well as to sociologists and criminologists and those who have a professional concern with preventing computer misuse and fraud

*Insurance, Climate Change and the Law* Franziska Arnold-Dwyer, 2024-04-03 The insurance industry has found itself at the front line of climate change challenges providing insurance cover in relation to risks associated with climate change As risk carriers insurers pay claims for climate change related losses such as property damage caused by windstorms flooding and wildfires which have been increasing in frequency and severity As major institutional investors insurance companies invest in assets that may be increasingly vulnerable to climate risks Insurance regulators across the globe have therefore started to require insurance companies to identify manage and report on climate change risks that could pose a threat to their financial stability However managing and reporting on the effect of climate risk on an insurer's balance sheet is an inward looking perspective that does not stem climate change It needs to be paired with an outward looking perspective that takes account of the insurance industry's impact on the environment and the insurance industry's capacity to influence what policyholders investee enterprises and other business partners do to address climate change challenges For the insurance industry the key components of positive outward impact are impact underwriting and impact investment This book sets out the current legal and regulatory landscape for impact underwriting and impact investment Whilst the focus of research and regulatory interventions to date has been on inward impact in this book it will be argued that to take positive climate action that supports the Paris Agreement goals and the national and international Net Zero targets the debate should now move on

to considering the positive outward impact the insurance industry can make and how we can create a legal environment to facilitate this The book puts forward the case for a new vision of the role of the insurance industry as climate action enablers and makes proposals for insurance products and risk transfer and loss resilience structures that can support policyholders in their transition to a Net Zero economy The audience for this book will include legal practitioners insurance industry professionals financial and insurance regulators policymakers and interested academics Managing Risk in Reinsurance Niels Viggo Haueter, Geoffrey Jones, 2017 Reinsurance was a global business from the start the method of spreading and balancing risks in international markets But this also meant that reinsurance was more heavily exposed to global trends than many other industries This book gives detailed accounts on how reinsurers dealt with all these challenges Charity and Mutual Aid in Europe and North America since 1800 Bernard Harris, Paul Bridgen, 2012-04-06 International in perspective the essays in this volume are primarily concerned with two facets of the mixed economy of welfare charity and mutual aid Emphasizing the close relationship between these two elements and the often blurred boundaries between each of them and commercial provision contributors raise crucial questions about the relationship between rights and responsibilities within the mixed economy of welfare and the ties which bind both the donors and recipients of charity and the members of voluntary organisations The volume critically assesses the relationships between the statutory and voluntary sectors in a variety of national settings including Britain the United States the Netherlands Sweden Norway Canada and Germany during the last two hundred and fifty years making the book as topical as it is significant Insurable Interest and the Law Franziska Arnold-Dwyer, 2020-04-28 This book assesses the role of the doctrine of insurable interest within modern insurance law by examining its rationales and suggesting how shortcomings could be fixed Over the centuries English law on insurable interest a combination of statutes and case law has become complex and unclear Other jurisdictions have relaxed or even abolished the requirement for an insurable interest Yet the UK insurance industry has overwhelmingly supported the retention of the doctrine of insurable interest This book explores whether the traditional justifications for the doctrine the policy against wagering the prevention of moral hazard and the doctrine's relationship with the indemnity principle still stand up to scrutiny and argues that far from being obsolete they have acquired new significance in the global financial markets and following the liberalisation of gambling It is also argued that the doctrine of insurable interest is an integral part of a system of insurance contract law rules and market practice Rather than rejecting the doctrine the book recommends a recalibration of insurable interest to afford better pre contractual transparency to a proposer as to the suitability of the policy to his or her interest in the subject matter to be insured Providing a powerful defence for the retention of insurable interest this book will appeal to both academics and practitioners working in the field of insurance law *Changes in the Air* Eleonora Rohland, 2018-10-19 Hurricanes have been a constant in the history of New Orleans Since before its settlement as a French colony in the eighteenth century the land entwined between Lake Pontchartrain and the Mississippi River has been

lashed by powerful Gulf storms Time and again these hurricanes have wrought immeasurable loss and devastation spurring reinvention and ingenuity on the part of inhabitants Changes in the Air offers a rich and thoroughly researched history of how hurricanes have shaped and reshaped New Orleans from the colonial era to the present day focusing on how its residents have adapted to a uniquely unpredictable and destructive environment across more than three centuries *The Future of Risk Management, Volume II* Paola De Vincentiis, Francesca Culasso, Stefano A. Cerrato, 2019-05-23 With contributions presented during the Second International Risk Management Conference this second volume addresses important areas of risk management from a variety of angles and perspectives The book will cover two separate tracks financial risk management and risk management and corporate strategies and will be of interest to academic researchers and students in risk management banking and finance Business and Climate Change Governance T. Börzel, R. Hamann, 2013-09-12 How and why do business organisations contribute to climate change governance The contributors findings on South Africa Kenya and Germany demonstrate that business contributions to the mitigation and adaptation to climate change vary significantly Tangled Loyalties Susan P. Shapiro, 2002 An empirical study of how conflicts of interest arise in the private practice of law and how law firms respond **Insuring Cyberinsecurity** Shauhin A. Talesh, 2025 A free ebook version of this title is available through Luminos University of California Press s Open Access publishing program Visit [www.luminosoa.org](http://www.luminosoa.org) to learn more Despite the massive costs associated with data breaches ransomware viruses and cyberattacks most organizations remain thoroughly unprepared to safeguard consumer data Over the past two decades the insurance industry has begun offering cyber insurance to help organizations manage cybersecurity and privacy law compliance while also offering risk management services as part of their insurance packages These insurers have thus effectively evolved into de facto regulators yet at the same time they have failed to effectively curtail cybersecurity breaches Drawing from interviews observations and extensive content analysis of the cyber insurance industry this book reveals how cyber insurers risk management services convey legitimacy to the public and to insureds but fall short of actually improving data security rendering them largely symbolic Speaking directly to broader debates on regulatory delegation to nonstate actors Shauhin A Talesh proposes a new institutional theory of insurance to explain how insurers shape the content and meaning of privacy law and cybersecurity compliance offering policy recommendations for how insurers and governments can work together to improve cybersecurity and foster greater algorithmic justice **For the Sake of the Children** Carol A. Heimer, Lisa R. Staffen, 1998-07-20 For the Sake of the Children examines the social organization of responsibility by asking who takes responsibility for critically ill newborns Drawing on medical records and interviews with parents and medical staff the authors take us into two neonatal intensive care units showing us the traumas of extreme medical measures and the sufferings of infants The accounts are by turns heroic and disturbing as we see people trying to take charge of these infants care thinking about long term plans redefining their roles as adults and parents and coping with sometimes awful

contingencies Rather than treating responsibility as an ethical issue the authors focus on how responsibility is socially produced and sustained The authors ask How do staff members encourage parents to take responsibility but keep them from interfering in medical matters and how do parents encourage staff vigilance when they are novices attempting to supervise the experts The authors conclude that it is not sufficient simply to be responsible individuals Instead we must learn how to be responsible in an organizational world and organizations must learn how to support responsible individuals **Crime and Security** Lucia Zedner,2017-07-05

The pursuit of security is now central to the development of public policy and a driving force behind the spread of private policing Just as new theoretical frameworks are needed to deal with the increasing tendency of crime control policies to focus on risk reduction new forms of governance are also required to deal with the rapid growth of the private security industry This volume brings together a wide range of contributions from leading scholars in the field and includes international and comparative perspectives on the challenges posed by the rise of the security society

Regulation and Deregulation in European Financial Services David Knights,Glenn Morgan,1997-02-07 During the 1980s deregulation became adopted as a slogan and set of practices which by setting market forces free could increase the efficiency of market systems This was particularly the case in the financial services where national systems which had been closed through government and industry collaboration were now opened up to more internal and international competition This book examines the consequences of deregulation in retail financial services It shows that organisation and actors sought to adapt to this process often with unexpected results **Research Handbook on the Economics of Torts** Jennifer Arlen,2013-11-29

Focusing on issues of vital importance to those seeking to understand and reform the tort system this volume takes a multi disciplinary approach including theoretical economic analysis empirical analysis socio economic analysis and behavioral anal **Insurance Redlining** Gregory D. Squires,1997

Redlining refers to discrimination in the homeowners insurance market based on racial or ethnic characteristics of neighborhoods or individuals that are unrelated to risk This book brings new evidence to bear on the issues that have framed almost 30 years of debate over insurance redlining providing a framework for the development of public policy private industry practice and partnerships with community based organizations that can help make insurance available Contributors include academics community organizers private attorneys and staffs of government agencies and nonprofit organizations Contributors include Tom Baker and Karen McElrath Stephen Dane Robert Klein George Knight William Lynch Richard Ritter Jay Schultz D J Powers and Shanna Smith and Cathy Cloud **Embracing Risk** Tom Baker,Jonathan Simon,2010-02-15

For much of the twentieth century industrialized nations addressed social problems such as workers compensation benefits and social welfare programs in terms of spreading risk But in recent years a new approach has emerged using risk both as a way to conceive of and address social problems and as an incentive to reduce individual claims on collective resources Embracing Risk explores this new approach from a variety of perspectives The first part of the book focuses on the interplay between risk and insurance in

various historical and social contexts The second part examines how risk is used to govern fields outside the realm of insurance from extreme sports to policing mental health institutions and international law Offering an original approach to risk insurance and responsibility the provocative and wide ranging essays in *Embracing Risk* demonstrate that risk has moved well beyond its origins in the insurance trade to become a central organizing principle of social and cultural life

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