

Mr Emblin

[39] This witness spoke to two reports which he had prepared. His qualifications to provide expert evidence in the field of insurance broking and underwriting is set out in section 6 of his second report. On this basis he is more than qualified to assist the court in forming a view about whether the defender complied with the duties incumbent upon an ordinarily skilled and careful insurance broker. The witness' expertise was not challenged. The opinions which Mr Emblin gave were both clear and well-reasoned. As Mr Young submitted much of what he had to say was simple common sense. I found him to be credible and reliable. His evidence fully supported the conclusion that the defenders breached their duties in the following respects: not recognising that it was not the pursuer who had the insurable interest but rather the company; in not advising the pursuer to obtain a realistic rebuild value for the property and to insure for that amount; failing to give advice about combustible materials and security measures and in failing to furnish the pursuer with the policy terms and an appropriate explanation of those. In no sense was his evidence disturbed by what was put to him in cross examination.