

## High Court business interruption claims battle forges ahead

Some welcome horseplay during case to determine billions in Covid-19 insurance payouts



Blacksmith, farrier or both? Neither is a working from home option © FT Commission

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### **Gavin Kealey QC**

#### **Covid insurance rider**

In the [High Court case](#) to decide billions of pounds of Covid-19 insurance payouts, light relief has been in shorter supply than loo roll was in March. But some came this week from the [counsel for the insurers](#), Gavin Kealey QC. His almost Wodehousian delivery and very slight resemblance to The Fast Show's comedy barrister Sir Rowley Birkin made this exchange — about blacksmiths' claims — a delight:

**Lord Justice Flaux:** Insofar as forges, in one sense, are a rural concept, the requirements for those things that are made in forges continued throughout the lockdown.

**GK:** Well, indeed, it is quite difficult to take your furnace and everything home, and start making iron works and weather vanes and goodness knows what from one's drawing room.

**Mr Justice Butcher:** Well, horseshoes . . . ?

**GK:** Horseshoes are much more farriers. You don't normally go to a forge . . . your farrier normally comes to your horse.

**LJF:** Yes, well, you would know.

**MJB:** But doesn't the forge have to make the horseshoe?

**GK:** Not necessarily, no, my lord. No. If you ever come across a farrier, you'll find that the horseshoes there . . . the farrier will have made them himself. Now, whether he has a personal forge or not, I do not know. But of course he then heats them up very considerably and moulds them to your horse's hoof. And hammers away. And normally gets bitten by the horse. Or, at least, he does in my case!