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The new president of FOIL on his path into the legal profession & catching the gardening bug

Partner and head of catastrophic injury at DAC Beachcroft, Duncan Rutter, is the new president of the Forum of Insurance Lawyers (FOIL)



What was your route into the profession?

I was inspired by the beautiful Scammonden Bridge over the M62 at the Deanhead cutting near Elland to become a civil engineer. Unfortunately civil engineering at Bristol University involved rather more pure mathematics than I could stomach (or manage). That prompted a switch to philosophy and three wonderfully carefree years thinking about thinking. In the end it was my tutor, a brilliant and shrewd Canadian, Professor Adam Morton, who, during my final year, suggested that as I needed to earn a living—and given there are few philosophers who manage that—I should try law.

What has been your biggest career challenge so far?

Early in my career I had the good fortune of dealing with a case that went all the way to the House of Lords (*Roebuck v Mungovin*). I can still vividly recall the hours spent preparing the various documents and bundles for their lordships and the search for cornflower blue fibrex board (it had to be that particular shade of blue for civil appeals to the appellate committee of the House) to encase them. As every junior solicitor knows the only mistake in the bundle is always the first document referred to in court and so it proved. Despite that, we won the case. Happy days, but pretty stressful at the time.

Which person within the legal profession inspires you most?

I started my career with Brian Thompson & Partners in Manchester where I learnt my trade as a personal injury lawyer. At that time (the late 1980s)

Pauline Chandler was already a legendary figure in the north west, particularly in the pioneering work she did in disease litigation. Her extraordinary passion and commitment to her work inspired me to develop a life-long love for personal injury litigation.

If you weren't a lawyer, what would you choose as an alternate career?

At university I was involved in student politics and spent a sabbatical year as treasurer of the Student's Union. I met my wife through politics and would probably have enjoyed a career as a politician.

Who is your favourite fictional lawyer?

My favourite fictional lawyer has to be Frank Galvin, played by Paul Newman, in *The Verdict*. Galvin is an alcoholic ambulance chaser who has fallen on hard times and is reduced to networking by posing as a friend of the deceased at funerals ("if there is anything I can do..."). He is given a medical malpractice case which is expected to settle by a friend and takes on the might of the Catholic Church and a formidable defence team. Laura, played by Charlotte Rampling, offers solace but betrays him in an interesting twist to the story. Galvin shuns the defendant's attempts to settle, unearthing a cover-up and running the case to trial where, of course, he triumphs.

What change would you make to the profession?

Somehow we've got to get back to being more professional and acting less like businessmen and women. Much of what some lawyers do these days seems to be centered on money and treating clients as commodities.

How do you relax?

As a boy growing up in Yorkshire I was introduced to gardening by my grandfather. He grew roses in his front garden and vegetables at the back. Although I don't have much success with roses (the air in Hampshire is too clean) I still have the gardening bug. Running helps me unwind and stay healthy and reading American novels provides escapism and a connection with the country where my son now lives.

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