

Why is it essential to have specialised golf insurance?

Golf Monthly

Fergus Bisset April 11, 2013 4:41 pm

When you step onto a golf course you're entering an arena where multiple projectiles are repeatedly being fired in all directions. You then proceed to fire projectiles, probably in multiple directions, with a number of people, houses and cars in the near vicinity. You'll do this for a period of four hours before retiring to the clubhouse for a drink, leaving £2,000 of equipment sitting, unlocked, by the back door.

It would be pretty reckless to undertake such activity without suitable insurance, yet the vast majority of Britain's four million golfers are not sufficiently covered against damage, accident or injury when they take to the fairways. We golfers like to think we're special but I'm afraid, like it or not, we too need to be insured.

Society is becoming more litigious, as extensive advertising confirms and perpetuates. People are increasingly aware of the possibility of seeking compensation through Court and a growing number follow that route. The most compelling reason for taking out specific golf insurance is against personal liability.

In November 2011 Anthony Phee was awarded damages of nearly £400,000 after he lost an eye during a round of golf.

Mr Phee was walking to the 7th tee at Niddry Castle Golf Club, West Lothian in August 2007 when he heard a shout of "Fore." He ducked and put his hand up for protection. While in that position he was struck in the eye.

Mr Phee sued the man who hit the shot, James Gordon, together with Niddry Castle Golf Club.

The Court of Session in Edinburgh awarded Mr Phee £397,000 in damages, Lord Brailsford deciding that Mr Gordon was 70% liable and the Golf Club 30% liable.

"I think it was a wake-up call for golfers," said Colin Whitehead, a director of Golf Care, a leading golf insurance provider offering policies to cover golfers for up to £5 million in personal liability. "We estimated then that as few as 1 in 10 golfers were adequately insured."

Sean Rowcliffe, an expert in personal injury and litigation and a partner at Hegarty LLP Solicitors, points out the potential repercussions of being found liable in such a case, without suitable insurance.

"In addition to the damages, there would be costs to both sides and, on most occasions, the winning party would be able to recover these," he says. "If the losing party was uninsured and unable to pay the judgement, a Court Order would allow the victim to recover compensation by way of a Charging Order against the individual's property. Possibly then an Order for Sale; the instruction of Bailiffs; the deduction of monies directly from the individual's bank account and/or earnings directly from their employer. So the consequences of being found responsible without suitable funds or insurance in place are potentially life-changing."

Despite the Phee vs Gordon precedent, each golfing case going to Court would be decided on its own merits and no two cases would ever be the same.

“If you play a ball into a green occupied by the group ahead and hit a golfer, you are very likely to be found responsible,” says Rowcliffe. “But if you genuinely play a bad shot and have no way of knowing the errant strike could come into contact with other players and shout ‘Fore,’ the court would be unlikely to find you responsible.”

But there is a large grey area between those two scenarios and this ambiguity should be a compelling reason for golfers to seek adequate cover for personal liability rather than an excuse not to. Another of Golf Care’s directors John Woosey sums it up when he says, “When you can be covered for just over £30 a year, why take the risk?”

A strong argument for having adequate cover is a moral one. If you’re responsible for an accident at your home club, it’s quite likely you might know, even be friends with, the injured party. If you’re uninsured, this could present a difficult problem. Does the injured party pursue a claim through the courts knowing the potential financial repercussions for you? If they don’t, how would you feel if they suffered a loss of earnings or medical costs as a result of the accident? If properly insured, such a situation would be far less delicate.

There are reasons to be insured for golf other than personal liability. Covering your equipment is one of them.

“We deal with a number of damage claims,” says John Woosey. “And, unfortunately, a number of instances of theft. One such settled claim involved an individual who left his clubs in front of a green before going to search for his ball. Whilst his back was turned, someone ran out from the surrounding woodland and made off with his clubs. A claim for just over £1,500 was settled.”

Specific golf insurance policies will also cover personal accidents on course, damage to third party property (a ball through a car windscreen for instance,) even holes-in-one.

“In December 2012 one of our policy holders scored two holes-in-one during the same round at his home club in Leicestershire” says Colin Whitehead. “Golf Care settled the celebratory bar bill for over £150.

Read more at <https://www.golf-monthly.co.uk/news/why-is-it-essential-to-have-specialised-golf-insurance-4023#MhMglXqrWJjlz4xT.99>