

New Municipal Insurance Association of B.C. Executive Director – Tom Barnes

Ken Olive, the only Executive Director the Municipal Insurance Association has ever known, retired at the end of March this year. Tom Barnes was appointed to replace him. Mr. Barnes' has a long history with the MIA, providing legal and consulting services to it since its inception.

Mr. Barnes is a B.C. native, who was educated at the College of New Caledonia in Prince George as well as the University of British Columbia, from where he graduated with a law degree in 1978. He then spent more than ten years, first as an associate and ultimately as a partner, at one of British Columbia's leading insurance law firms. His practice focused on the field of civil litigation concentrating primarily in the defence of municipalities and construction design consultants.

In 1991 he founded Barnes Craig & Associates, a liability adjusting, claims management and litigation management consulting firm. In that role, he provided many local governments with advice on litigation services. In 1997 he sold his interest in the firm to the minority shareholders in its Vancouver and Toronto offices and returned to the practice of law.

From that point until his appointment with the MIA, Mr. Barnes practiced as a partner in the Vancouver firm of Barnes, Twining & Short. Originally from large, established firms in Vancouver, all three partners were looking for a new and more flexible approach to practicing law and dealing with clients. The firm's practice concentrated on the field of insurance litigation. Areas of expertise included construction disputes, municipal liability, professional negligence, environmental law, and insurance coverage advice.

The MIA appointed Mr. Barnes as its Claims Advisor and he has sat on its Claims Committee for many years. His advice to municipal clients has covered policy development, bylaw drafting and the tendering of legal services.

In addition to his ongoing position as Claims Advisor, Mr. Barnes has performed a number of roles for the MIA – these include acting as its corporate solicitor, investigating claims as an adjuster, directing claims as a contract claims manager, providing litigation management consulting services, and representing MIA members as defence counsel.

His two most significant achievements as MIA defence counsel have come in the Court of Appeal with the successful decisions in *Armstrong v. West Vancouver* and *611404 B.C. Ltd. v. Dayhu Investments Ltd.* As a result of these two cases, local governments cannot be sued for design and construction deficiencies in buildings completed outside of the ultimate limitation period.

He is perhaps best known to MIA members for his work on the Building Bylaw Project, the largest risk management initiative ever undertaken by the MIA. The Core Building Bylaw Provisions, which were the Project's result, have been, or are being, adopted by 90% of the MIA's members, as well as many other local governments.