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• **UKIP MEP Marta Andreasen** reflects on the differences between the continental and the British mindsets after participating last week in the first face-to-face exchange of views on the Hedge Fund Directive (AIFM) between the Parliament, the Council and the Commission.

[In her article](#) Ms Andreasen observes that during discussions over the issues of liability of depositories "we could see English common law rubbing up against what I will call positive Roman law. Would the depository be responsible for losses unless they could PROVE they were not negligent, or would a common law standard of 'reasonable care' be applied?"

"The system of English law is very strong because it is based on the needs and actions of a reasonable man. On the contrary the continental or Roman legal system is prescriptive: you do what you are told and do not think too much," Ms Andreasen writes.

"Here is the very nub of the problem with the EU. British people do not need more and standardised legislation, but rather can decide for themselves because they know they may be called on to explain themselves and consequently responsibility is ingrained in them. It works for them: why must they change it?"

"The discussion brought the European Public Prosecutor back to my mind - the British being judged on continental laws!" Marta Andreasen concludes.

[Read entire article: "Reasonable care - The Man on the Clapham Omnibus"](#)