

SOUNDINGS

October 2013
125 Years New

The UK Defence Club's annual seminar roared into Singapore following the F1 night race in September



The UK Defence Club's annual seminar roared into Singapore on 25th September, 2013, the week following the F1 night race. This year the seminar took the form of a lively panel debate with industry experts on the question, "**What is the Relevance of Maritime Arbitration in 2013?**".

Against a background of criticism from some about the cost and speed of the arbitration process generally, and experience suggesting that arbitrations are beginning to resemble court proceedings with complicated procedures for pleadings, discovery and submissions, the Club's 125th anniversary year seemed an appropriate time for it to lead this debate. Being the largest Defence Club, the club represents a significant proportion of the industry and is therefore well placed to canvass the views of Members who, after all, are the users of the system, on what they want from a dispute resolution forum and how the current system of maritime arbitration could be changed or overhauled to meet the needs of its users.

The Singapore seminar was but one of the ways in which the Club will be gathering views on these issues over the coming months.

The panel leading the debate comprised of Mr. Lye Chow Kheng (Claims Director of APL Singapore) who provided the shipowner/charterer's view and Mr. Chan Leng Sun (Senior Counsel and Head of the Dispute Resolution Practice Group of Baker & Mackenzie. Wong & Leow) gave a lawyer's perspective. They were joined by Mr. Lee Wai Pong, the Executive Director of the Singapore Chamber of Maritime Arbitration and our own Sean Geraghty who is a Senior Claims Director of Thomas Miller Defence. Kenneth Lie (Director of Thomas Miller Singapore) was the debate moderator.

“What is the Relevance of Maritime Arbitration in 2013?”

The debate was an unqualified success with nary a pause as the speakers argued and sparred over a wide range of topics including the alleged benefits of arbitration over court litigation, whether lawyers or non-lawyers made better arbitrators, confidentiality of arbitral proceedings leading to a dearth of legal precedents, and finality versus the right of appeal.

On the last point, a quick vote by show of hands was taken and, perhaps surprisingly, finality won by a narrow margin.

Daniel Evans (Club Manager of Thomas Miller Defence) hosted the event and many colleagues from London and the other regional Thomas Miller offices also attended in support including, Hugo Wynn-Williams (Chairman of Thomas Miller Holdings, London), John Morris (Chairman of Thomas Miller Asia Pacific, Hong Kong), Andrew Jones (Regional Director, Thomas Miller Asia Pacific, Hong Kong), Paul Pelling (Senior Underwriting Director, Thomas Miller London), Motohiro Sugiura (UK P&I Club Japan Representative), Aki Tsukui (Senior Claims Executive,

Thomas Miller London), and Andrew Ward (Director of Underwriting, Thomas Miller War Risks Services, London).

After the seminar, guests were treated to a sumptuous cocktail reception with a generous buffet spread where good food, drinks and lively discussions on the issues raised by the debate continued into the evening. As a leaving gift, guests were presented with a copy of the UKDC's 125th anniversary book, charting the Club's history through some of the key cases that it has been involved in over the years. The book highlights the Club's contribution to maritime law in a number of jurisdictions and is a fascinating read. Copies of the book are available from the Managers on request.



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