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# Team in the Spotlight – Shipping & Logistics

LA Marine is the specialist marine law team at Lester Aldridge, offering expert legal advice to the shipping, logistics, superyacht & leisure marine sectors.

On the Shipping & Logistics side, our team consists of one partner (Linda Jacques), and her assistant (Elisabetta Scanferla a paralegal)

We have individuals on the team who speak Italian and Turkish, which is invaluable in dealing with international clients.

## What would a typical day in your team look like?

No two days are ever the same. For example, in shipping, we could be dealing with a problem with a ship stuck in port or an issue with some cargo on board. The shipment could be anything from liquefied natural gas, sugar/molasses, fertilisers/cement clinker, or steel. Alternatively, we could deal with a ship that has sunk or collided with something or has run into problems towing something.

There are a lot of disputes about how long it takes to load and discharge cargo (ships need to get into and out of a port pretty quickly), as well as a range of other issues, such as damaged cargo, engine breakdowns, illegal immigrants found on board ships, problems with armed guards who have to be used to keep vessels safe when moving around some of the world's ports, to off-specification fuels supplied to ships, war risk premium issues or, problems with clean emission zones around ports, where certain fuels cannot be burned by boats.

On the logistics side, we might get contacted about cargo in containers or goods in trailers/trucks that have got stuck at a port/airport, been liened, or are dangerous. We do a lot of urgent work for international freight forwarders and importers. There are always problems in logistics caused by the weather, port closures, shortages, market issues, and companies failing to collect or pay for goods. One of our team found the word "Logisticians", which sums us up quite nicely; we are constantly solving problems for others so that they keep goods moving 24/7.





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## What would be a typical client for your team?

Typical clients include shipowners, charterers, insurance companies offering specialised insurance for ships/importers/exporters, and freight forwarders.

## Do you have any other types of clients?

Mining companies, energy companies, steel producers, and manufacturers, to name a few. Most clients use the London insurance market to underwrite their shipping activities.

## Where are most of your clients based?

Many clients are based outside the UK but may have insurers in the UK and Central Europe.

## Do you work with any other teams internally?

We work closely with the Marine team in Soton and the Employment team

## What would be a typical case/matter for your team?

A contractual dispute about the use of a ship moving around the world loading/discharging cargo or a freight forwarder requiring help to deal with problems caused by carrying cargo for Asda or Next, or one of the other household names. Many issues have an English Law angle because the companies trading with each other have decided their contracts should be subject to English Law. However, the ships and the parties involved in a dispute could be anywhere worldwide. We do a lot of cross-border disputes/litigation, which might include arresting vessels anywhere in the world or enforcing an arbitration in another jurisdiction because a shipping company has a bank account in that jurisdiction. We work pretty closely with shipping lawyers around the world.

## What more unusual cases have you worked on?

We assisted a freight forwarder who allegedly helped ship 41 containers of used mattresses from the UK to Colombia in breach of international regulations. A former employee appeared to have agreed to the shipment violating the company's rules, and the shipping line involved should have never agreed to ship the consignment. The containers were never collected from the port in Colombia, and when customs opened them up, they claimed they found medical waste amongst the mattresses. This proved to be inaccurate, but the whole fiasco caused an international schism between the UK and Colombia, as the Colombians rightly claimed the UK was shipping its rubbish out to them. Following that global spate, the shipping line transported all of the containers back to the UK so that the contents could be appropriately destroyed.



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We acted for a freight forwarder who had fallen out with the United Nations Procurement Department over several large contracts involving the movement of military equipment to the UN's peacekeeping forces in Mali. We successfully helped them negotiate their way around a UNICTRAL arbitration with the UN, and a problem was caused when a local trader on a trumped-up debt claim detained the UN's equipment. The issues got successfully resolved.

Some of the cases we handle are pretty harrowing. For example, on one of our files, several seamen were detained for almost a year when some bags of drugs were found in cargo being discharged from a bulk carrier. The dispute between the ship owners and the ship's charterers is being arbitrated in London. The claim submissions (which make pretty uncomfortable reading) reveal how hard everybody had to work at local and international levels to ensure the seafarers received support in very harsh conditions.

## What is the most unexpected thing that has happened in your working day?

In those cases, a party holds up its hand and does exactly what you want them to do in the stipulated time frame. That could be a container line releasing containers or waiving large demurrage bills. For example, we recently persuaded a shipping line to write off USD800,000 in demurrage or a fuel supplier to agree to remove contaminated / off-specification bunker fuel from a ship and replenish the energy at their cost without having to start an arbitration.

## Where do most of your cases come from?

It is a team effort when dealing with clients, from getting results to handling all of the admin we must do, and positive client feedback is pretty standard. There is a lot of stress involved in moving goods around the world, trying to get them from A to B, so when we can fix things and get cargo/ships moving again, clients are genuinely grateful.

We have some lovely clients – one of our large energy clients, who have an in-house legal team, recently sent us the following: "we are so grateful for your efforts and patience in this dispute and feel lucky and privileged working alongside you and your team."

Find out more about our Shipping & Logistics services.



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