



Ship fire series: webinar 3

“Containership fires: clearing the mess”

Wednesday 17 March | 8:30am London (GMT)



The webinar will begin shortly after 8:30am (GMT) as we wait for all attendees to join. Please get in touch regarding any technical issues via the chat function in your control panel.



Initial steps

- Ensure safety of life and property
- Ensure environmental protection

Is there sufficient information?

Appoint representatives

- P&I Club/insurers, correspondent, local lawyer
- Surveyors
- Fire expert
- Lawyers/master mariners

Manage crew

- Crisis experience
- Repatriation

Managing multiple interests

- Control flow of information
- Media
- Time/slot charterer
- Terms of access & ASG indemnity forms
- Access to port/vessel
- Authorities
- Salvor
- Jurisdiction, limitation
- Criminal
- Civil/commercial

Evidence collection

- Documents/inspections/interviews

Thorough investigation is vital. Knowing the cause leads to future prevention.

Key considerations

Early access

Evidence collection

Current state of the fire

Input from other experts

NDA

Who controls the site?

Access, or lack of, can be seen as a double-edged sword.



Images supplied by Nick Haslam, Brookes Bell

What are the other considerations?

Cargo & dangerous goods

Packaging

Decomposition products

State of the containers

Chemical reactions

Mix of firefighting water and leaked liquids

Stagnant water

Strategy

- Berth time / port costs
- Off-hire
- Storage
- Losses / mitigation?
- Cooperation
- Early view on liability/ causation?
- Breaks in the chain?
- Disposal
- Sale of abandoned cargo?

Salvage and Wreck Removal

- Collecting Security
- ISU2 Guarantee needed?
- LOF/SCOPIC?
- Wreck Removal more appropriate?
- Waste removal GA expense but not disposal

General Average

- Average Adjuster and GA surveyor appointed?
- Cooperation, joint surveys, GA v PA
- Collecting security
- Bridging guarantee?
- GA absorption clauses?

Collecting evidence

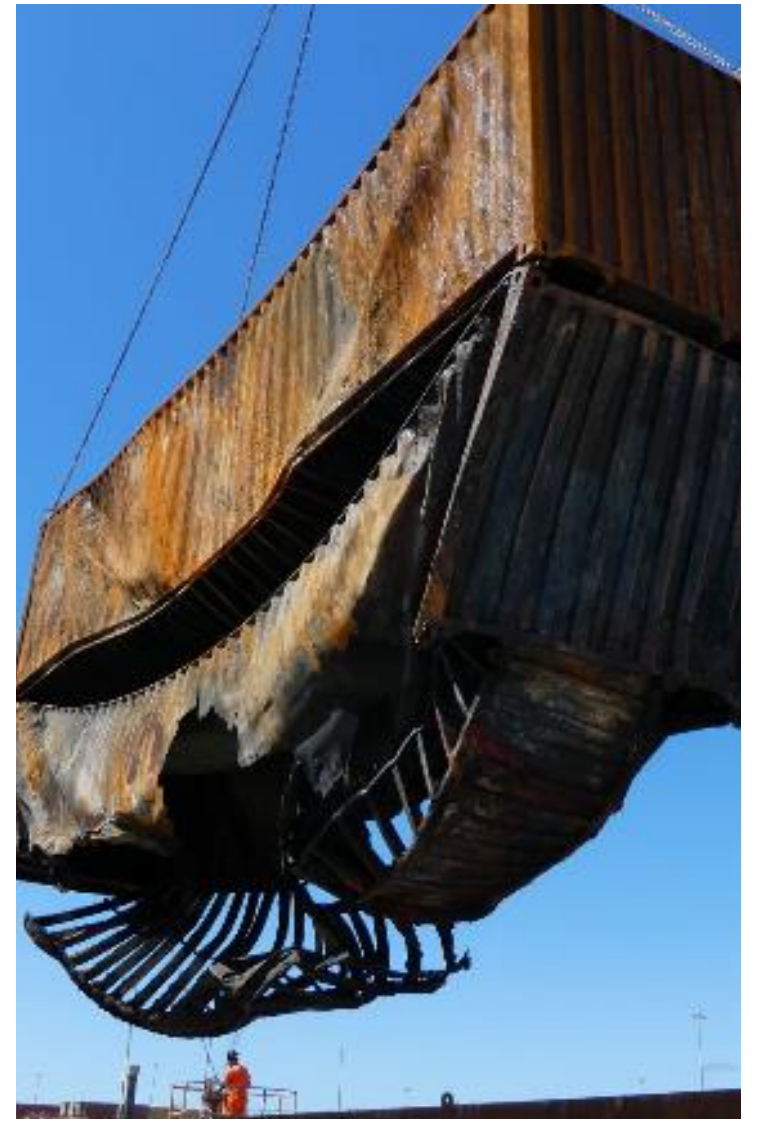
Photographic

Written

Witness accounts

CCTV

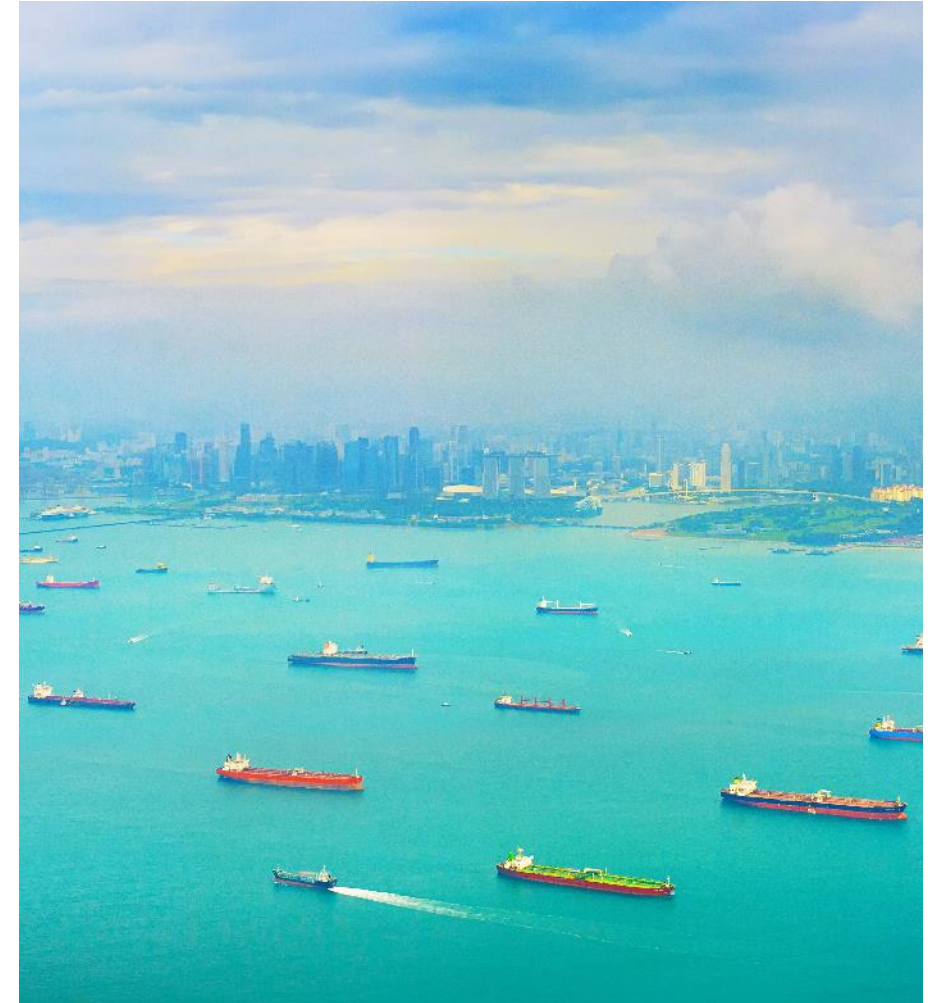
Alarm/maintenance records

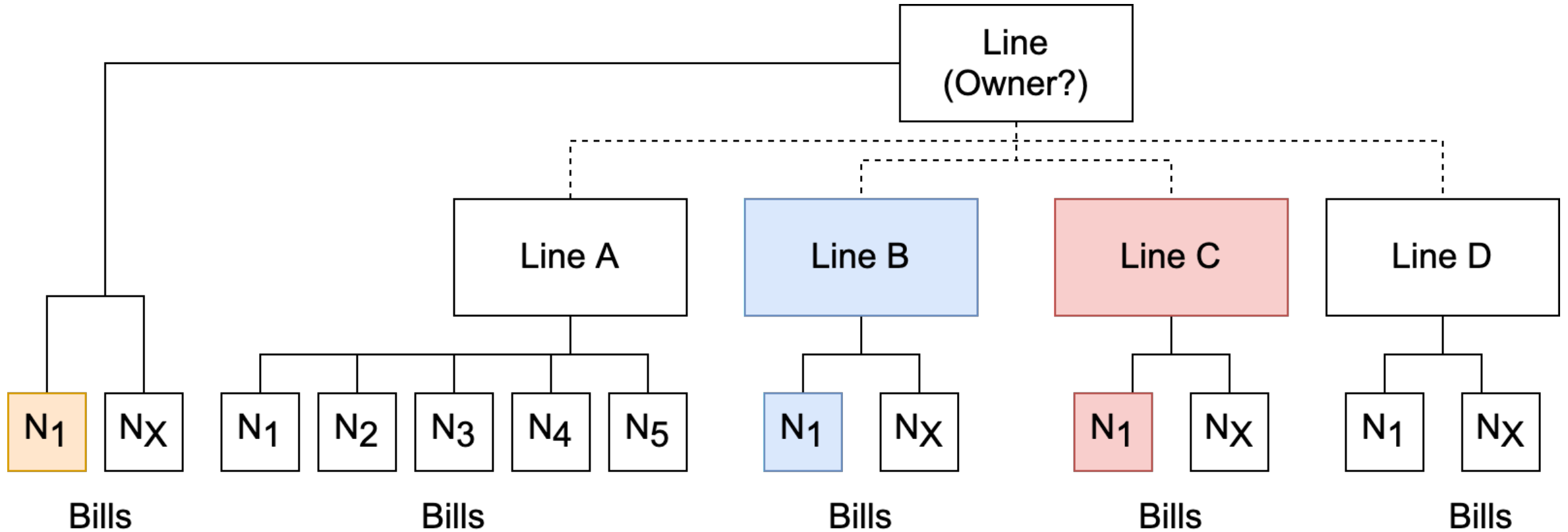


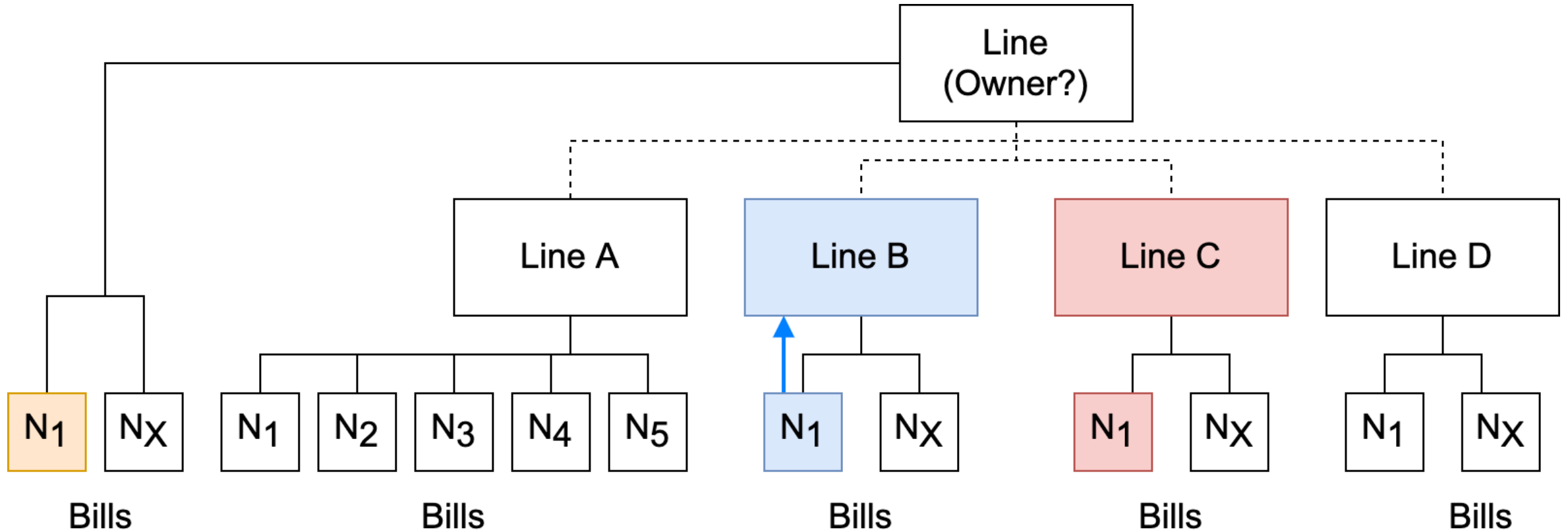


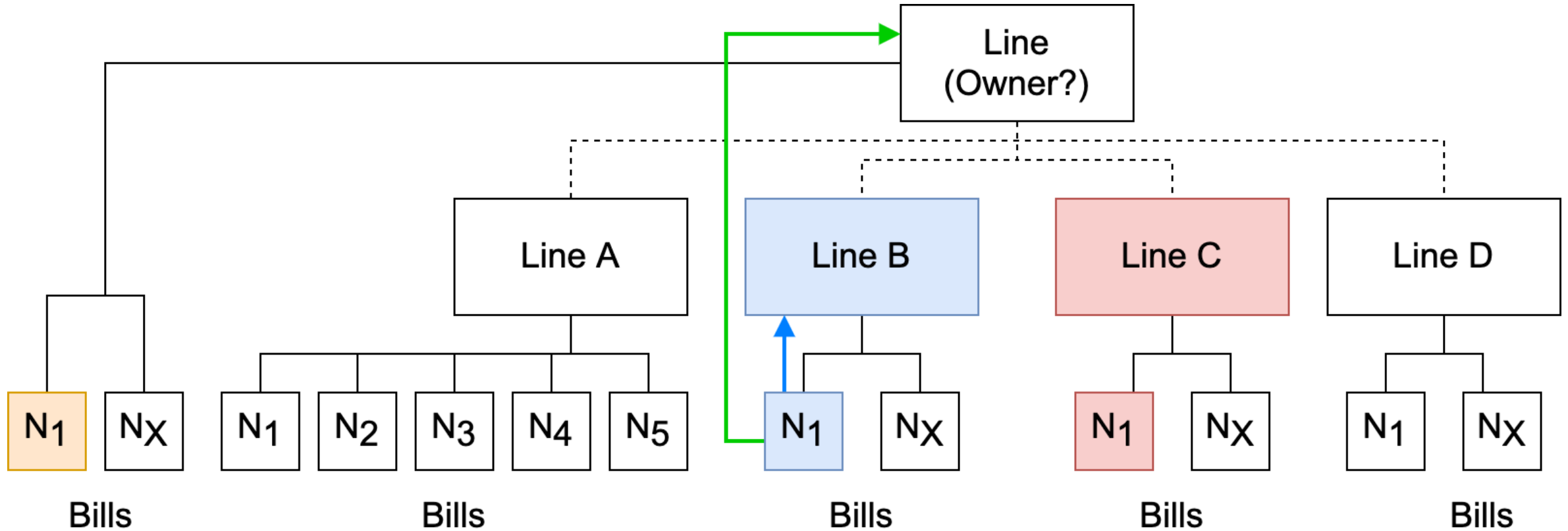
Preparation for litigation

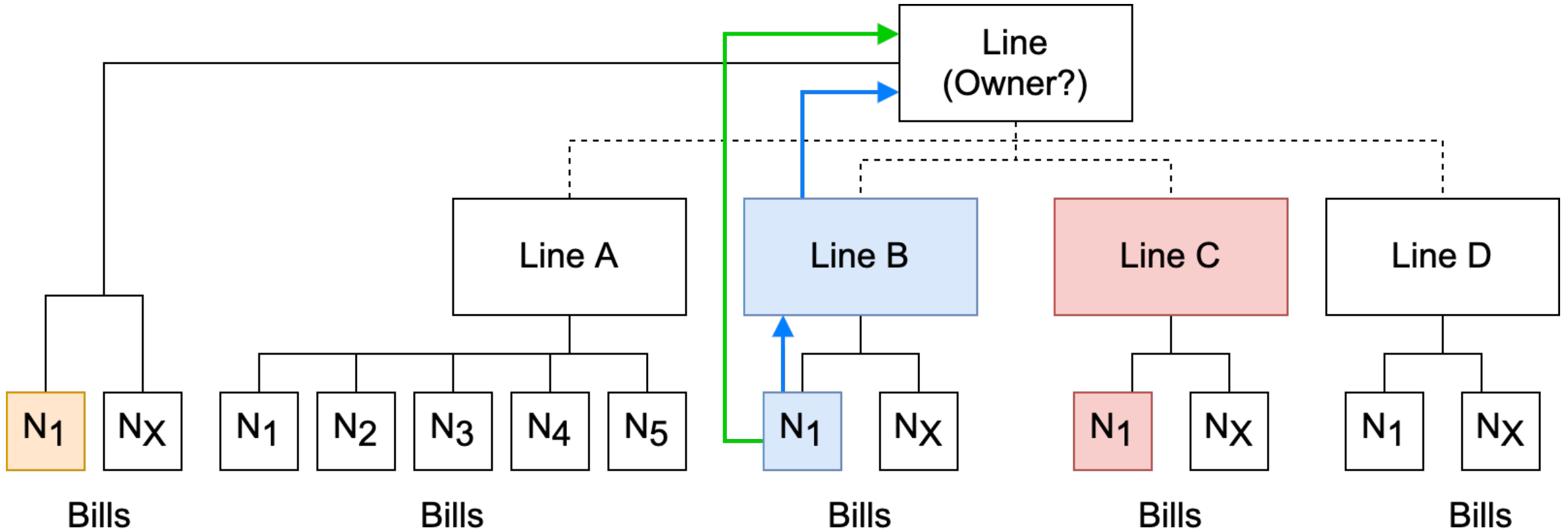
- Preserving evidence/documents
- Analysis results – custody chain of samples
- Internal reports v legally privileged documents – clash of cultures
- Expert evidence
- Evidence of due diligence or for limitation?
- Fact, evidence and expert heavy = litigation risk
- Inter Club Agreement? Liability regime under slot agreement/Cross-Slot CP's?
- GA recovery – actionable fault?

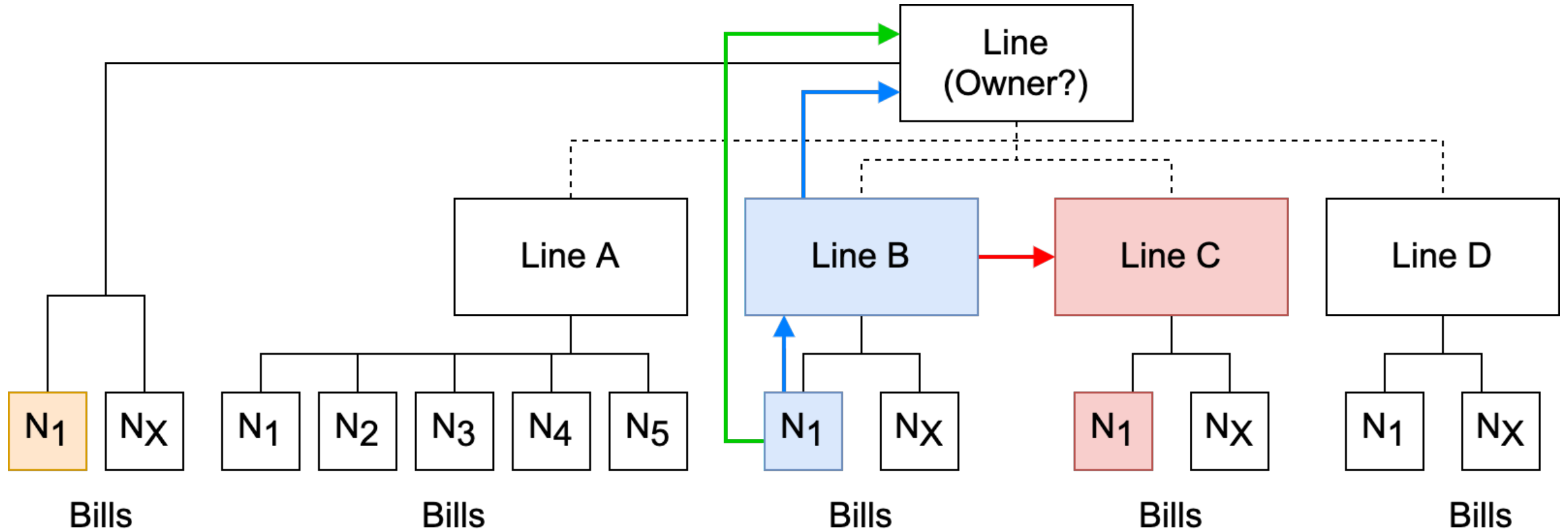


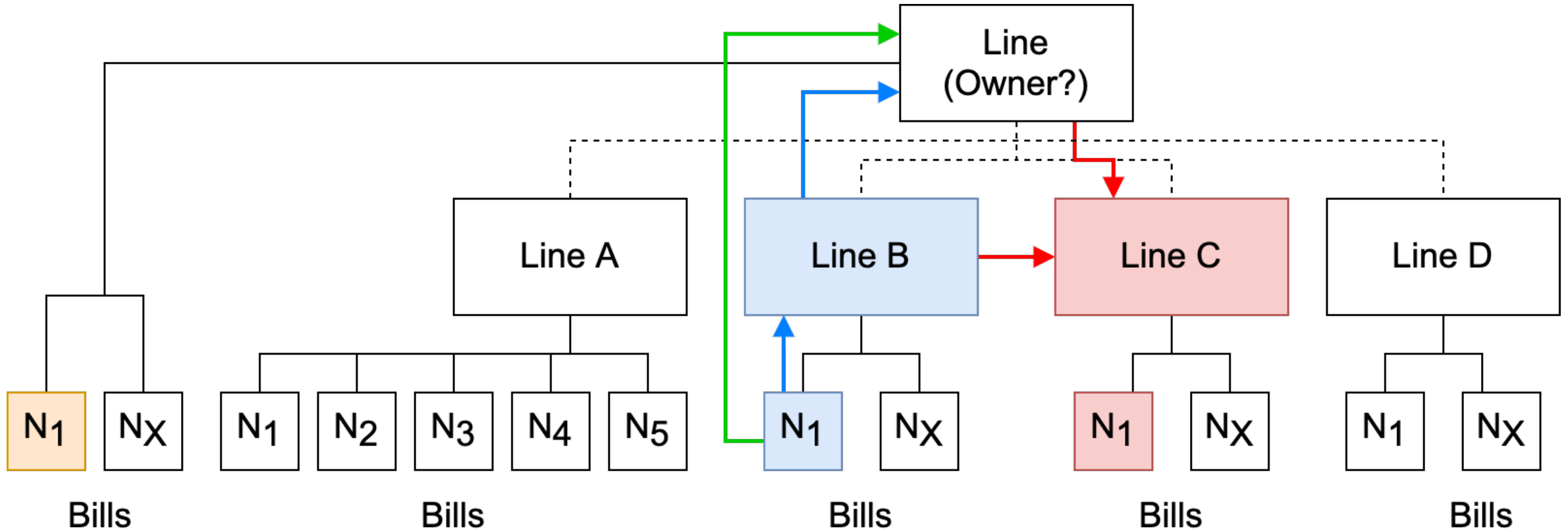


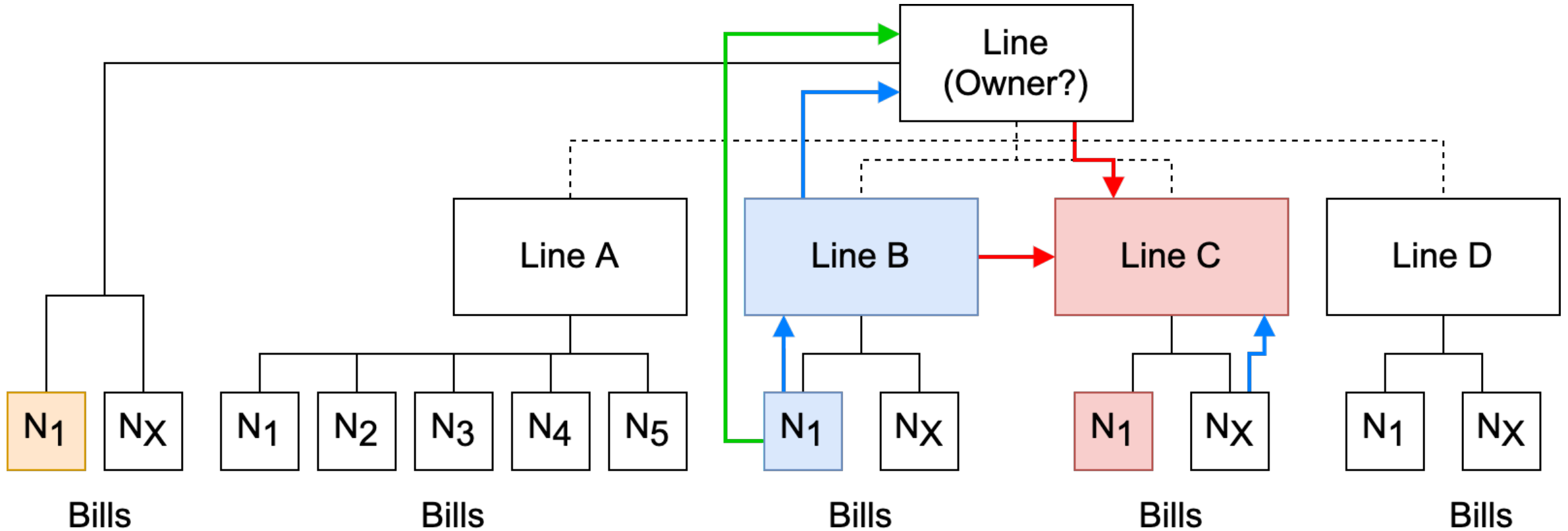


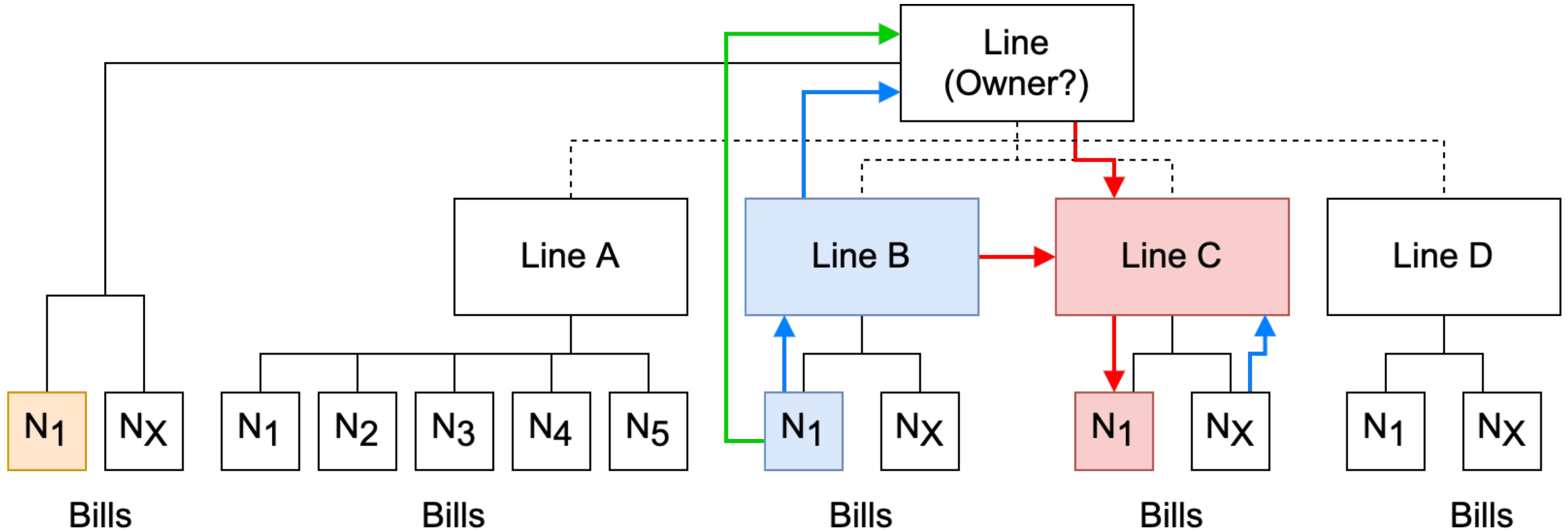


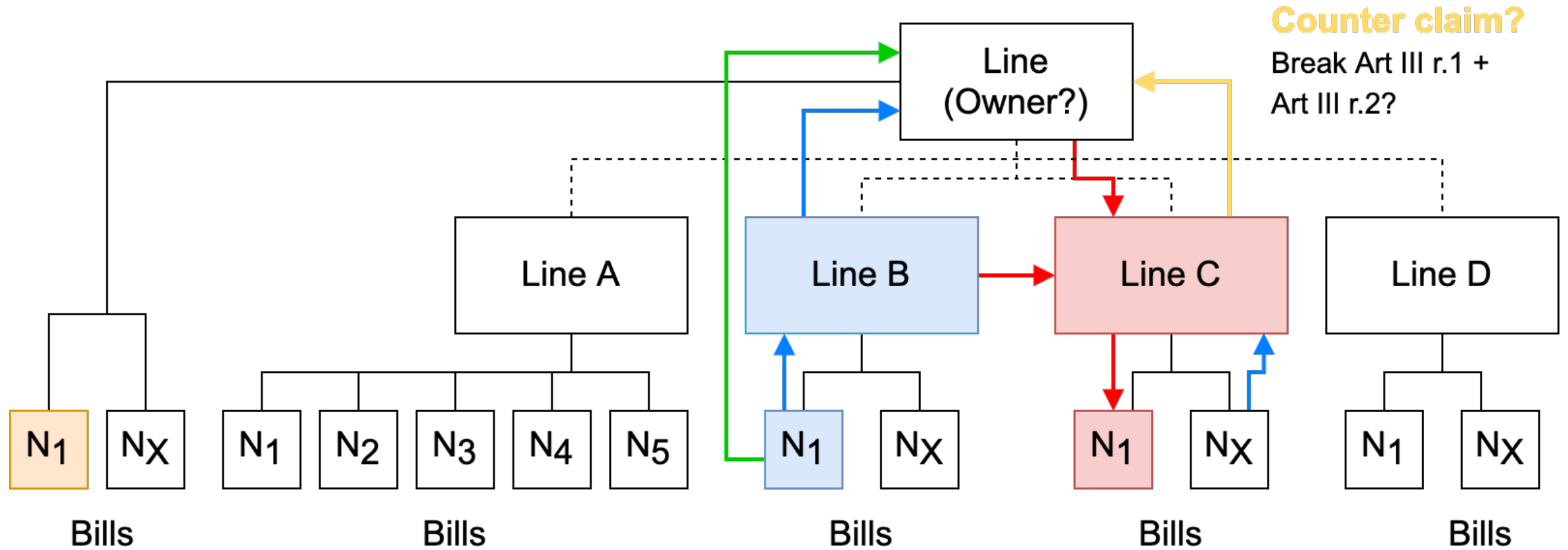












Creating a report

Expert evidence will always involve a report

- Detailed
- Relevant
- Peer-reviewed

Preparing for court

If the report is not enough there is preparation for court

- Cross examination



Thank you