



## Summary

Sir David Steel is an international commercial arbitrator. He acts as party appointed member of tribunals, chairman and sole arbitrator in international commercial disputes of a wide-ranging subject matter, including sale of goods, banking, insurance and reinsurance, joint ventures, carriage of goods, oil and gas and shipbuilding. He has been appointed in over 240 references leading to over 70 awards.

He has been appointed under the auspices of LCIA, ICC, LMAA, HKIAC, SMCA, KLRCA, Bermuda Form, DIAC etc as well as ad hoc including under UNCITRAL rules. Sir David was called to the Bar in 1966 and had a prestigious career, becoming a judge of the Commercial and Admiralty Courts in 1998, he was Judge in charge from 2004-6. He was Chairman of the European Commercial Judges Forum from 2009-2011.

Sir David was Deputy Chief Justice of the DIFC between 2011 and 2018.

## Experience

### Judicial Career

Judge of the Commercial and Admiralty Courts London: 1998- 2011

Judge in charge of the Commercial and Admiralty Courts: 2004-2006

Chairman of European Commercial Judges Forum: 2009-2011

Deputy Chief Justice of the Dubai International Financial Centre Court: 2011 – present

### Career at English Bar

Called to the Bar: 1966

Commercial law practitioner: 1968-1998

Head of chambers at 2/4 Essex Court: 1995-1998

Junior counsel to the Treasury: 1978-1981

Bencher of Inner Temple: 1995

Also appeared in courts of Singapore, Hong Kong, Gibraltar and US.

### Other experience

Associate of Coudert Brothers New York – 1967 to 1968

Presiding Judge of the Western Circuit – 2004 to 2006

Member of panel of Lloyd's Arbitrators – 1990 to 1998

Commissioner for Wrecks – 1990 to 1998

Conducted Judicial Training in Thailand, Kazakhstan, Abu Dhabi and Dubai

Member of the Advisory Committee on Legal Education 1995 to 1998

## Recent Arbitration experience

- » Since 2011 have been appointed arbitrator in over 200 hundred references leading to over 50 awards.
- » Appointments have been variously as party appointed member of tribunals, chairman and sole arbitrator.
- » Appointments have been accepted under auspices of LCIA, ICC, LMAA, HKIAC, SMCA, KLRCA, Bermuda Form, DIAC etc. Other appointments have been made ad hoc including under UNCITRAL rules.
- » Topics have included shipbuilding, insurance (marine and casualty), reinsurance, joint ventures, charterparties, oil and gas, sale of goods

## Earlier experience as Judge and Counsel

### Arbitration

As counsel appeared in numerous arbitrations and also acted as arbitrator regularly.

Decisions:

- » Pacific Inter-Link SDN BHD v EFKO Food Ingredients Ltd (2011)
- » Nurdin Jivraj v Sadruddin Hashwani : Sadruddin Hashwani v Nurdin Jivraj (2009)
- » Sanhe Hope Full Grain Oil Foods Production Co Ltd v Toepfer International Asia PTE Ltd (2007)
- » Kazakhstan v Istil Group Inc (2006)

### Oil and gas – including joint ventures and pollution control.

- » Ineos Manufacturing Scotland Ltd v (1) Grangemouth CHP Ltd (2) Fortum O&M (UK) Ltd (2011)
- » Buncefield Litigation – Colour Quest Ltd & ORS v (1) Total Downstream UK PLC (2) Total UK Ltd (3) Hertfordshire Oil Storage Ltd: (2009)
- » BP Exploration Operating Co Ltd v Dolphin Drilling Ltd (2009)
- » 3c Waste Ltd v (1) Mersey Waste Holdings Ltd (2) Merseyside Waste Disposal Authority (2006)

### Shipping – Including cargo carriage, ship operation and shipbuilding.

- » As counsel acted in numerous shipping claims including cargo claims, charterparty disputes, limitation disputes, oil pollution, collisions and salvage as well as wreck inquiries such as those into loss of bulk carrier Derbyshire and capsized of Herald of Free Enterprise

### Judicial Decisions

- » Acergy Shipping Ltd v. Societe Bretonne de Reparation Navale SAS (2011)
- » Nanjing Tianshun Shipbuilding Co Ltd (2) Jiangsu Skyrun International Group Co Ltd v Orchard Tankers PTE Ltd (2011)
- » Tryggingarfelagio Foroyar P/F v CPT Empresas Maritimas SA (2011)

- » Glory Wealth Shipping PTE LTD v North China Shipping Ltd (2010)
- » Zodiac Maritime Agencies LTD v Fortescue Metals Group Ltd (2010)
- » Cargo lately laden on board the M.V.Sun Cross (owners of) v M.V.Rickmers Genoa (renamed the Rickmers Dalian) (owners and/or demise charterers of) [2010] EWHC 1949 (Admlty) (30 July 2010)
- » Owners, Demise Charterers & Time Charterers of “Western Neptune” Et Al v Owners & Demise Charterers of “Philadelphia Express” (2009)
- » Rimpacific Navigation Inc. v Daehan Shipbuilding Co Ltd : Wonder Enterprises Ltd v Daehan Shipbuilding Co Ltd (2009)
- » Seagate Shipping Ltd v Glencore International AG [2008] EWHC 1904 (Comm) (31 July 2008)

## **Insurance -including underwriting, brokerage and reinsurance.**

As counsel instructed in a variety of insurance disputes including the Lloyd's litigation representing Wellington names, Poland managing agents, and Outhwaite syndicate

### Decisions

- » Gard Marine v (1) Lloyd Tunnicliffe (on his behalf & on behalf of all other members of Lloyd's syndicate 780 for the 2005 year) (2) Glacier Reinsurance AG (3) Agnew Higgins Pickering & Co Ltd (2011)
- » Persimmon Homes Ltd (2) Persimmon (city developments) Ltd v Great Lakes Reinsurance (UK) PLC (2010)
- » Masfield AG v Amlin Corporate Member Ltd (2010)
- » Persimmon Homes Ltd (2) Persimmon (City Developments) Ltd v Great Lakes Reinsurance (UK) PLC (2010)
- » Nicholas G Jones v (1) Environcom Ltd (2) Environcom England Ltd & MS PLC (t/a Miles Smith Insurance Brokers) (third party) (2010)
- » (1) Markerstudy Insurance Co Ltd (2) Planet Insurance Co Ltd (3) Symphony Insurance Co Ltd (4) Markerstudy International Holdings Ltd ) v Endsleigh Insurance Services Ltd (2010)
- » David Harris & 48 ORS v Society of Lloyd's : Heather Mary Adams v Society of Lloyd's (2008)
- » Scottish Coal Company Ltd & ORS v Royal and Sun Alliance Insurance PLC & ORS [2008] EWHC 880 (Comm) (28 April 2008)

## **Aerospace – including carriage by air, overhaul and crash investigation.**

As counsel instructed by war risk underwriters in Air India 747 bombing

### Decisions

- » Gamit Ltd v (1) Saudi Arabian Airlines Corporation (2) MTU Maintenance Hannover GMBH (2011)
- » Kuwait Airways Corp v Iraqi Airways Corp [2005] EWHC 2524 (Comm) (14 November 2005)

## **Commodities –including trading in oil, feed and minerals.**

- » Marex Financial Ltd v (1) Fluxo-Cane Overseas Ltd (2) SA Fluxo Comercio e Assessoria Enternacional (2010)
- » ED&F Man Commodity Advisers Ltd & Anor v Fluxo-Cane Overseas Ltd & Anor [2010] EWHC 212 (Comm) (11 February 2010)

## **Banking – including derivative trading, currency futures and compliance**

- » TMT Asia Ltd v Marine Trade SA (2011)
- » Titan Steel Wheels Ltd v Royal Bank of Scotland PLC (2010)

- » Investec Bank (UK) Ltd v (1) Arnold Zulman (2) David Zulman (2009)
- » Uzinterimpex JSC v Standard Bank PLC (2007)

## **Disaster Investigation – including shipping and air casualties, oil pollution.**

- » As counsel in Herald of 'Free Enterprise and Derbyshire'.
- » Instructed by Exxon in Exxon Valdez
- » Acted as chairman of inquiry into loss of trawler Gaul (2004)
- » Trial judge in Buncefield explosion litigation

## **White Collar Crime**

- » As counsel in Ikarian Reefer and in Mundogas v. Armogas