

ANDREW J BLACK
Principal & Director
Austral Marine Insurance Services Pty Ltd

Andrew has worked at a senior level within the Marine Branch of the general insurance industry, both in Australia and New Zealand, for over thirty years.

Originally commencing his career in New Zealand, Andrew relocated to Sydney, in 1992. He has been directly responsible for establishing and managing a number of highly successful specialist marine underwriting companies, and associated insurance portfolios, on both sides of the Tasman.

Andrew is a widely regarded marine underwriter within the Australian and New Zealand marine insurance markets. Those underwriting organizations with which Andrew has and continues to be associated have developed enviable reputations as professional marine insurers consistently delivering much valued specialist marine insurance products and services.

Over the course of his career Andrew has participated extensively in various marine insurance industry associations. He has tutored in marine insurance, served as a member of the respective Marine Technical Committee's of both the New Zealand and Australian Insurance Council's, as well as being a past member of the International Union of Marine Insurers (IUMI) Cargo Loss Prevention Committee (1992-95).

In 2000, Andrew established Austral Marine Insurance Services. Austral provides marine insurance consultancy services as well as marine claim survey/settling representation for a number of insurers, throughout Australia and New Zealand.

KEVIN BYRNE

Insurance Assessor, Auckland

Kevin Byrne started his investigative career in 1970 as the third generation of his family to join the NZ Police. Within 14 months of graduating he was accepted into the Auckland CIB, and graduated as a detective 2 years later. He went on to achieve a successful career in the CIB between 1971 and 1986 which included;

- His attainment of the ranks of Detective, Detective Sergeant and Detective Senior Sergeant which included service as a prosecutor presenting Police cases in the Magistrates Courts in Auckland, Rotorua and Tauranga in the mid to late 70's.
- His being the founder head of the VIP Protection Squad responsible for all diplomatic, head of state and royal security operations, including his appointment as the PPO (Personal Protection Officer) for HRH Prince of Wales for his 1981 NZ tour and PPO to numerous visiting heads of state, Prime Ministers and Presidents including George Bush Snr (as VP).
- The Officer in Charge at various times of the Auckland Break (burglary) Squad, Fraud Squad and the Company Fraud Squad, (the forerunner of today's SFO).

Kevin left the Police in 1986 to pursue a career in insurance adjusting. This led to an inevitable drift towards the investigation of suspect insurance claims, a path he has elected to follow exclusively since then. He was one of NZ's first insurance claims investigators, and remains one of the few in NZ to restrict his expertise solely to the insurance industry.

Kevin quickly became involved in the investigation of maritime fraud early in his insurance career, which led to the defeat of numerous maritime insurance frauds through the 80's, 90's and into the new millennium. They include the scuttling of the luxury launch Altimira by former millionaire Christopher Gate and several other high profile cases.

Apart from his forte in the field of maritime fraud, Kevin also specialises in marine liability claims and insurance litigation support.

Kevin is married, lives in Auckland, enjoys boating, rugby and golf and has two sons and a daughter who are either married or about to be.

CAPTAIN GRAHAM BOTTERILL
Maritime Lead Auditor,
Specialist Advisor to the House of Lords on Ship Safety

CAPTAIN GRAHAM BOTTERILL SPENT THIRTY FOUR YEARS FROM APPRENTICE THROUGH TO BECOMING OPERATIONS DIRECTOR OF CUNARD STEAMSHIPS. HE SPENT TWENTY THREE YEARS AT SEA THROUGH TO COMMAND SERVING ON ALL TYPES OF SHIPS, FOLLOWED BY ELEVEN YEARS ASHORE PROGRESSING FROM MARINE SUPERINTENDENT THROUGH ALL DEPARTMENTS – PERSONNEL, TECHNICAL, CHARTERING AND OPERATIONS TO BEING APPOINTED TO THE BOARD AS OPERATIONS DIRECTOR.

CAPTAIN BOTTERILL FORMED FERRIBY MARINE IN 1991 AND, BEING AN EXPERIENCED MASTER MARINER AND EXPERT IN MARINE OPERATIONS, WAS APPOINTED AS A SPECIALIST ADVISOR TO THE HOUSE OF LORDS COMMITTEE FOR SHIPPING, DESIGN AND TECHNOLOGY AND THE REPORT THAT WAS PUBLISHED AS A RESULT OF THIS COMMITTEE LED TO THE INCEPTION OF THE ISM CODE AND ALL RECOMMENDATIONS BECAME MANDATORY.

CAPTAIN BOTTERILL NOW TRAVELS THE WORLD AS AN EXPONENT OF AND LECTURER IN QUALITY, SAFETY, SECURITY, OH&S AND ENVIRONMENTAL MANAGEMENT SYSTEMS IN THE MARINE INDUSTRY, ASSISTING COMPANIES TO IMPROVE STANDARDS AND IMPLEMENT QUALITY AND SAFETY MANAGEMENT SYSTEMS AND AUDITING BOTH SHIPS AND OFFICES FOR COMPLIANCE TO THE ISM CODE, ISPS CODE, ISO 14001, ISO 18001 AND ISO 9001:2000

REAR ADMIRAL RUSSELL CRANE

Royal Australian Navy



Russell Crane began his naval career as a Junior Recruit at HMAS LEEUWIN in 1970. Training as an Electrical Mechanic in aircraft communications, in 1971 he went to serve in the Aircraft Carrier, HMAS MELBOURNE. Following selection for officer training in 1972, he began training as a Seaman Officer serving in numerous RAN establishments and ships including HMA Ships ANZAC, DUCHESS, SYDNEY, STALWART, and BRISBANE. He was awarded a full bridge watchkeeping certificate in 1975 while serving in HMAS DERWENT.

Following a further posting to sea in HMAS STUART Sub Lieutenant Crane pursued Clearance Diving as a sub specialisation, completing the Minewarfare and Clearance Diving Officers Course at HMAS PENGUIN and HMS VERNON in UK during 1977. He was appointed as Minehunting Control Officer in the Minehunter HMAS CURLEW, in 1978 and promoted to Lieutenant during the same year. In 1979 he was posted to HMAS MELBOURNE as the Carrier Air Group Explosive Ordnance Disposal Officer and as a bridge watchkeeping officer. In 1981 after a short period in charge of the RAN Experimental Diving Unit, Clearance Diving Team 2, Lieutenant Crane was posted to HMS VERNON as a Minewarfare Instructor on 2 years exchange service with the Royal Navy.

On return to Australia in 1983 he was promoted to Lieutenant Commander and appointed in command of HMAS CURLEW. Following a period of 2 ½ years in Command, Lieutenant Commander Crane was posted as the Staff Officer Minewarfare to the Commander Australian Minewarfare and Patrol Boat Forces. He was posted to HMAS TORRENS, a Sydney based Destroyer Escort, as the Executive Officer in 1988 and on completion of this appointment was promoted to Commander and posted to the Equipment Acquisition Division in Navy Office Canberra.

Commander Crane was appointed as the inaugural Project Director for the Australian Minehunter Coastal Project in 1991 before being selected for the Major Fleet Unit Command. In 1993 he was posted as Commanding Officer HMAS DERWENT, a Destroyer Escort based in Western Australia. He decommissioned HMAS DERWENT in August 1994 and on completion, returned to Navy Office Canberra for a short period, before being posted as the Director of the Maritime Intelligence Centre in Sydney in late 1994. Following a period of reorganisation in the provision of intelligence support to the fleet during which Commander Crane was responsible for the transition of the Maritime Intelligence Centre to Headquarter Australian Theatre, he was promoted to Captain in January 1996 and appointed as the Chief Staff Officer Command and Control, Communications and Intelligence in Maritime Headquarters.

Captain Crane assumed command of HMAS SUCCESS on 24 November 1998. During his period in command SUCCESS conducted a number of deployments to the South East Asia region including, in September and October 1999, Operation Stabilise in support of peacekeeping operations in East Timor. Awarded the Conspicuous Service Medal in early 2000 for his time in HMAS SUCCESS, he was promoted to Commodore in March 2000 and posted to Australian Defence Headquarters in Canberra as the Director General Intelligence, Surveillance, Reconnaissance and Electronic Warfare. Commodore Crane was posted as the Commander Australian Naval Systems Command in October 2001. He was promoted to the Rank of Rear Admiral on 1 May 2004 in preparation for his posting as Director General Coastwatch. Under a Joint Directive by the Chief of the Defence Force and the Chief Executive Officer of the Australian Customs Service, RADM Crane was appointed inaugural Commander of the newly formed Joint Offshore Protection Command in January 2005.

Rear Admiral Crane lives in Canberra, is married to Michelle and has three daughters.

LISA CUNNINGHAM
Solicitor
Jones Fee

Lisa Cunningham graduated from Otago University in 1993 and joined Chapman Tripp where she quickly developed an interest in maritime law. In 1997 she left the firm to join a specialist maritime firm in London. She returned to Chapman Tripp in 1999 to head the firm's maritime practice in the Auckland office acting primarily for ship owners and their P&I Clubs. She also advised the firm's corporate clients on all aspects of civil litigation and assisted on a major product liability arbitration.

Lisa has been with Jones Fee since March of this year where she specializes in insurance and maritime litigation.

She is currently a committee member of the New Zealand Branch of MLAANZ and a Member of the Chartered Institute of Logistics and Transport (MCILT). She has served several terms on the CILT committee.

MATTHEW FLYNN

Partner

McElroys Insurance Lawyers, Auckland

Matthew graduated in Law in New Zealand and then began what was to be an extended traditional Kiwi OE in 1985. Initially getting a flavour for things greek and nautical by working in the yacht charter business in Greece, Matthew moved to London where he began work in the City with Moore Fisher Brown, specialist marine lawyers as a solicitor. After five years of experience almost exclusively for Ship Owners and their london P&I Clubs, he moved firms to join Nicholas Fisher as a partner in a newly established maritime firm, Fishers. His work continued to focus on P&I Clubs, particularly defence club work.

Another 5 years in London with Fishers and it was time to return to NZ after nearly 13 years away. Matthew joined McElroys in Auckland and is a partner there. He heads a team of four working on a wide range of maritime matters, with a particular focus on the Cargo insurance market.

As well as being a kiwi lawyer, he remains on the role as a UK lawyer, is a member of the LMAA in London, is an accredited tutor for the London Institute of Chartered Shipbrokers on Maritime and Shipping Law, and takes an active role in community law projects. He is also forever trying to understand the Yachting New Zealand Racing Rules of Sailing.

COMMANDER CHRISTOPHER JOHN GRIGGS
MA (Hons), LLB, RNZN
New Zealand Defence Force

Commander Chris Griggs was born in Colchester, England on 8 June 1971 and joined the Royal New Zealand Navy in January 1989. Commander Griggs graduated from Victoria University of Wellington with a Bachelor of Laws in 1992. He was admitted as a barrister and solicitor of the High Court of New Zealand in 1994.

Commander Griggs served in HMNZ ships *Wellington* and *Canterbury* as a junior supply officer.

Since becoming a legal officer in 1995, Commander Griggs has held a range of specialist appointments in the Directorate of Legal Services in Wellington and elsewhere, including as legal advisor to the commander who formerly commanded the operational forces of the Royal New Zealand Navy and Devonport Naval Base. He has also participated in exchanges with the legal branch of the Royal Australian Navy and the Judge Advocate General's branch of the Canadian Forces.

Commander Griggs has appeared for the prosecution in courts-martial on a regular basis since 1998 and has also appeared as junior counsel for the Crown in the Courts Martial Appeal Court.

Commander Griggs was appointed Senior National Officer of the RNZN Detachment to the Multinational Interception Force in the Arabian Gulf in December 1998, spending three months embarked in USS *Carl Vinson* as an adviser in international law on the staff of the Commander, Carrier Group 3.

Commander Griggs is a former Military Studies Institute Fellow in Military Law and in 2003 he graduated from Massey University with a Master of Arts with First Class Honours in Defence and Strategic Studies.

Since arriving at Headquarters New Zealand Defence Force in November 2002, Commander Griggs has been employed as the Military Justice Review Project Officer and latterly as Deputy Director of Legal Services – Personnel Law.

Commander Griggs is entitled to wear the New Zealand Operational Service Medal, the New Zealand General Service Medal (Arabian Gulf) and the New Zealand Armed Forces Award. He has been a member of the American Society of International Law since 1993 and is the Vice President of the Armed Forces Law Association of New Zealand. He has published a number of articles and spoken at various conferences on military and operations law.

Commander Griggs is married and lives with his wife Miriam and daughters Georgia and Francesca in Plimmerton, just north of Wellington.

CHRIS HOWSE

Senior Partner
Richards Butler

NAME: Chris HOWSE
ADDRESS: Richards Butler
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Alexandra House
16-20 Chater Road
Central
Hong Kong
TELEPHONE: 2810-8008
DIRECT LINE: 2507-9888
FAX NO.: 2810-1607
DATE OF BIRTH: 17th September 1952
PRESENT POSITION: Senior Partner, Richards Butler, Hong Kong

QUALIFICATIONS:

Legal:	<u>1978</u>	-	Admitted as a solicitor of England and Wales
	<u>1981</u>	-	Admitted as a solicitor in Hong Kong
	<u>1982</u>	-	Partner - Richards Butler London
	<u>1989</u>	-	Admitted as a solicitor in Australia (ACT)
	<u>1983 - to-date</u>	-	Senior Partner, Richards Butler, Hong Kong

AREAS OF SPECIALISATION:

1. Shipping

All aspects of maritime litigation and arbitration including charterparty and bill of lading disputes; MOA disputes; shipbuilding disputes; oil shortage and contamination claims; marine insurance disputes; all types of P&I Club and Defence Club work; extensive experience of maritime disputes in the PRC both in the maritime courts of the PRC and in CMAC and CIETAC arbitrations.

2. Commercial Litigation and Arbitration

International trade, commodities and sale of goods disputes; extensive experience of trade disputes in China; presented numerous international trade conducts and commodities disputes before CIETAC and CMAC arbitrators in Beijing.

3. Professional Indemnity Insurance

Represents wide range of professionals (solicitors, barristers, architects, doctors, dentists and other professionals) in respect of professional negligence claims; extensive experience of advice to professionals appearing before disciplinary bodies.

4. Medical

Represents doctors and dentists in Hong Kong in respect of negligence claims, complaints before The Medical Council and The Dental Council; advice in respect of inquests; general ethical and medico-legal advice.

KATE LEWINS
Senior Lecturer
Murdoch University, Perth

B.Juris., LLB. from University of Western Australia (1988). LLM in maritime law from Southampton University (1991).

Before joining academia in 1997, Kate was a senior associate at the transport and insurance division of the Perth office of Phillips Fox. She practised primarily in the areas of marine insurance, carriage of goods and general transport law.

At Murdoch University, Kate is currently Associate Dean and teaches maritime law, insurance law, commercial law (including trade practices law), as well as court procedure. Kate has written articles on topics related to carriage of goods by sea, sub-bailment, marine insurance and admiralty. A particular interest of hers is the interrelation between the Trade Practices Act and commercial maritime law.

Kate's interest in the maritime area comes as no surprise given her family background. Kate's father is a master mariner who before he retired, had his own consultancy in transport logistics, specialising in heavy lift cargo. Kate's maternal grandfather, John Erlwell Worrall, was employed by Union Steamship Co. all his life. When he retired in the 1970's, he was a director and Australian Manager of Union Steamship Co as well as a director of several other Australian shipping companies.

Profile

Michael McCarthy

LLB

Partner

Michael is a partner with Hesketh Henry Lawyers where he specialising in the areas of transportation, insurance and trade law. He has practiced law for 20 years including 8 years working as a solicitor in London.

Michael advises, amongst others, ship operators, port companies, stevedores, P&I Clubs, hull insurers and cargo insurers. His clients include Adsteam Marine Limited (he acted for Adsteam in claims arising from the grounding of the "Jody F Millennium" in Gisborne), Sea-Tow and MSC Mediterranean Shipping Company S.A.

He advises on contractual disputes, collisions, oil spills, statutory investigations and defending prosecutions, vessel sale and purchase and the drafting of shipping/transport contracts and terms and conditions.

Michael has been selected for inclusion in the Legal Media Group Experts Guide to the World's Leading Shipping and Maritime Lawyers. He is a member of the Maritime Law Association of Australia and New Zealand, the Marine Industry Association, Logistics and Transport New Zealand and the Insurance Law Association.

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HESKETH HENRY
Lawyers

JOHN MCKELVIE
Operations Manager
Vero Marine

John McKelvie is a law graduate from Dundee University in Scotland, where he studied both English and Scots law, and Oil & Gas law in Honours years. He worked in marine insurance in the companies' market at Lloyds, emigrating to New Zealand in 1987. He is now the Underwriting & Risk Manager in Vero Marine, New Zealand's largest marine underwriters, having been the Claims Manager. He still has a major input into large marine claims. He is a member of the Insurance Council of NZ's Marine Committee.



PETER MCQUEEN
Partner
Blake Dawson Waldron

Peter McQueen has practised trade and transport law for over 25 years. In particular, Peter specialises in aviation and maritime law, aviation and marine insurance, freight forwarding, logistics and international trade law. He also advises and represents transport and logistics operators and their insurers in the aviation, maritime, logistics, road and rail industries both domestically and internationally.

He successfully led a variety of aviation law litigation proceedings including the landmark High Court of Australia ruling in *Siemens v Schenker* involving interpretation of the air waybill relating to carriers liability.

Relevant Experience – Maritime Specific

Peter's recent maritime experience includes:

- Acting for Shell in the Sydney Harbour oil spillage relating to the "Laura D'Armato".
- Acting for the carrier interests in the leading Full Federal Court of Australia decision on the application of cargo package limitation formula under the *Hague-Visby Rules*.
- Representing members of the Australian Government insurance program in respect of marine liability risks.

Peter prepares submissions on behalf of such operators and their insurers to government on international transport conventions and domestic legislation.

Peter has been acknowledged as The Best of the Best 2005 (Maritime and Shipping) – *Euromoney's Expert Guide to the World's Leading Lawyers*; Leading Expert in Maritime and Shipping Law in *Euromoney's Guide to Maritime and Shipping Lawyers, 2004 and 2005*; Leading Expert in Aviation Law – *Euromoney's Guide to Aviation Lawyers, 2005*; International Who's Who of Aviation Lawyers – *International Who's Who Legal, 2005*.

Peter is a member of the following organisations:

- Aviation Law Association of Australia and New Zealand.

- Maritime Law Association of Australia & New Zealand.
- International Trade & Business Committee, International Section, Law Council of Australia.
- Committee A (Maritime & Transport Law) and Committee B (Aeronautical Law).
- International Bar Association, Business Law Section, Committee A (Maritime & Transport Law) and Committee B (Aeronautical Law).
- The Chartered Institute of Logistics and Transport.

Peter has a Bachelor of Arts and a Bachelor of Laws and is an accredited mediator. He is admitted in NSW, Victoria, Western Australia, Papua New Guinea, England and Wales. Peter has given numerous presentations at workshops and conferences and, regularly contributes to legal journals and industry publications on trade and transport related topics.

CAMERON MOORE
Associate Lecturer
University of New England, Armidale

Cameron Moore BA (Hons) (UWA) LLB (UNSW) LLM (JCU) joined the Permanent Naval Force as a legal officer in 1996 and served in Naval Support Command HQ in Sydney, HMAS STIRLING (Fleet Base West), HMAS TORRENS (destroyer escort), and the Directorate of Operations and International Law (DOIL) and Navy Headquarters in Canberra. His operational legal experience included service at sea for planned evacuation operations in Indonesia in 1998, and in DOIL for the operations in East Timor, the Solomons and Afghanistan, the Olympics, ongoing fisheries and border protection operations and the TAMPA incident. He was also a member of the Australian delegation to meetings of the ASEAN Regional Forum on piracy during 2000 and 2001. In Navy Headquarters, Cameron advised on environmental law and regulation of naval aspects of ports and shipping. Cameron left the RAN in January 2003 and moved to Armidale, NSW. After a year in private practice, he is now in the School of Law at the University of New England as well as being an active Navy Reservist. He published the book "ADF on the Beat: A legal analysis of offshore enforcement by the Australian Defence Force" in 2004.

PAUL MYBURGH, BA (Hons), BLC, LLM
Senior Lecturer, Faculty of Law
University of Auckland

Paul is currently a Senior Lecturer in the Faculty of Law at the University of Auckland. His teaching and research interests include maritime law, conflict of laws, international banking and trade finance, international trade law, contract law, electronic commerce and comparative law. He is the author of the New Zealand transport law monograph in the International Encyclopaedia of Transport Law (2 ed, Kluwer Law International, Deventer, 2002) and has contributed a chapter in AN Yiannopoulos (ed) Ocean Bills of Lading: Traditional Forms, Substitutes, and EDI Systems (Kluwer Law International, Deventer, 1995). He has published numerous articles on maritime law in international journals and maintains a web site on New Zealand maritime law.

Before joining the Faculty of Law, Paul tutored in the Classics Department at the University of Pretoria (1985), and lectured in the Department of Private Law at the University of South Africa (1986-88), the Faculty of Law at Victoria University of Wellington (1988-94), and the Department of Commercial Law at the University of Auckland (1995-1999). He was a visiting researcher at the Scandinavian Institute of Maritime Law at the University of Oslo in 1994. Paul is a member of the Maritime Law Association of Australia and New Zealand and the Society for Nautical Research (UK).

NEIL WHEELER
Partner
P & I Services, Auckland

Neil Wheeler is a Master Mariner and the Auckland partner of P&I Services.

P&I Services are the correspondents in New Zealand for all of the members of the International Group of P&I Clubs.



**HIGH COURT OF NEW ZEALAND
P O BOX 60
AUCKLAND**

HON. JUSTICE HUGH WILLIAMS

Qualifications:	LL.M (Hons)	1966
	Appointed Queen's Counsel	1988
	Fellow Arbitrator & Mediators Institute of New Zealand	1995 - current
Career:	Master (now Associate Judge) of the High Court	1989-1993
	Judge of the High Court of NZ (including Judge in charge of the Commercial List)	1995 – current
	Criminal Practice Committee (chair)	1998 – current
	Standing Committee on Courthouse Design (chair)	2000 - current
	<i>New Zealand Law Society</i> Council member (and numerous Law Society Committees)	1979-1982
	<i>Manawatu District Law Society</i> All offices up to President (and Council member 1970-1990)	1979-1982
	<i>Massey University</i> Chancellor (and Council member 1970-1990)	1990-1997
	<i>Palmerston North City Council</i> Councillor	1983-1989