You, admiralty and casualty response & Ince
You, admiralty and casualty response & Ince, in any case
The maritime sector is facing unprecedented challenges including sanctions, cyber-risk, terrorism, data ownership, digitalisation and ESG. You need a proactive business services partner that has the ability to move your company forward. Someone who understands these challenges and the importance of commitment.

Meet Ince, your trusted partner, in any case.

From our offices in Europe, the Middle East and Asia, our dedicated team of legal and business services professionals are able to guide you in developing and delivering on your roadmap for sustainable success and provide you with advice that will not only safeguard your business interests but ensure you reap commercial rewards.

Providing you with strategic guidance and well considered advice, we are renowned for the depth and breadth of our legal services and our understanding of the industries in which you operate. We recognise your needs and offer business focussed legal services, together with advice that makes commercial sense.

One firm, in any case

With over 150 years of experience, we have cultivated a seamless ‘one-firm’ approach that is tailored to your personal needs and pairs you with the best legal and strategic business professionals in your field; whenever, wherever, and in any case.

Support, every step of the way

By leveraging our sector expertise, legal skills and market experience, you can feel safe in the knowledge that we will handle complex legal issues on your behalf while providing you with expert strategic advice when the need arises.
Ince has been synonymous with maritime law for over 150 years.

We advise on all aspects of maritime law including admiralty, dry shipping, insurance, financial and corporate shipping matters. We advise the world’s leading shipowners, charterers, off-shore contractors, builders, traders, banks and insurers on both contentious and non-contentious matters.

Our experience is unparalleled and our constant legal and technological innovation has broken new ground in many areas of maritime law. Our global network of offices across Europe, Asia and the Middle East means that we can deploy international lawyers to give advice and provide our clients with the best solutions.

Admiralty and casualty response team

Our Admiralty and Casualty Response Team is one of the largest specialist marine casualty practices in the world.

Our team of experienced partners and mariners are strategically placed across the globe to deal with casualties as and when they arise. We are committed to ensuring that Ince keeps up to date with technological and regulatory changes. The size of our shipping practice means we can offer our clients a comprehensive and flexible service from some of the most highly regarded lawyers in their fields. This includes advising our clients where there have been injuries or fatalities associated with a casualty in circumstances where there can be media interest, along with multi-jurisdictional issues.

As well as responding to maritime crises, we work with our clients to ensure they are prepared to handle whatever an emergency situation demands, advising on pre-planning, effective response and crisis communications, including dealing with the media.

Full service support

Our team has the depth of experience to support you through the wide range of complex legal issues which arise from marine and offshore casualties and events, such as collisions, groundings, salvage & wreck removal operations, environmental pollution incidents, fire & explosions, maritime security and piracy.

“They are excellent to work with, provide to-the-point advice, are swift, creative and sensible, and give excellent quality legal advice.”

- Chambers and Partners UK
Remote investigation and back-up services

Our team is supported by our unique and longstanding Shipping Intelligence Unit (SIU), which has instant access to a wide range of vessel data analysis software covering every major bridge equipment provider of VDR software programmes. This gives us the ability to carry out professional and experienced VDR reviews and analysis both onsite and remotely. The latter is particularly important due to the Covid-19 pandemic, where restrictions are still variably in place in different parts of the globe. Consequently, we have had to adapt to meet the needs of our clients and our flexible approach to remote investigations means that we are still able to provide a first-class casualty response and evidence collection service, even where travel is restricted. Our SIU also has the ability to investigate and obtain data on company assets worldwide.

Our team has full access to one of the world’s largest online Automatic Identification System (AIS) Data Stores which gives us instant access to a vessel’s position, track history and basic AIS data statics. This service allows us to:

- Create incident reconstructions (collisions, groundings, berth damage, putting-by, allisions);
- Track and monitor vessel movements;
- Arrest (liaising with our overseas offices);
- Liaise with a network of local authorities, port agents, correspondents and local lawyers;
- Analyse and monitor vessels avoiding detection (i.e. going dark for sanctions-busting, illegal trading etc.); and
- Perform vessel data analysis - from electronic track data,

24 hour emergency response

Our team of highly experienced casualty response lawyers and master mariners are contactable 24 hours a day, 365 days a year on our dedicated Emergency Response number and are available to travel globally at immediate notice.

+44 (0) 20 7283 6999
Collisions

Ince has investigated and advised on the majority of significant collisions worldwide throughout its long history and the team’s depth of experience enables us to deal quickly with any issues that arise and to provide swift advice on navigational fault, limitation of liability and jurisdictional issues.

Having a prompt evaluation of the case is crucial to ensuring that the right decisions are taken in the short and medium term, which will have a significant impact on the long-term financial outcome.

Our global network of casualty investigators means that we can respond and attend a collision, anywhere in the world ordinarily within 24 hours of a notification of an incident. We also have the technology and the means to conduct casualty investigations remotely should attendance be difficult or should on-site attendance not be required.

Our Shipping Intelligence Unit (SIU) has immediate access to the most comprehensive collection of worldwide Automatic Identification System (AIS) data provided to us by the world leader in AIS data. We use this AIS data in our plotting software to create a collision reconstruction playback which we initially use to assess liability so that our clients can make quick decisions at the outset of a collision.

Recent cases include:

- “Ever Smart” c/w “MV Alexandra 1” – Collision off the coast of Jebel Ali, resulting in the significant damage to both vessels. Advising on all issues arising out of the collision, including casualty response & investigation, liability & quantum and litigation through to the Supreme Court.
- “Saga Sky” c/w “Stema Barge II” – Collision off the coast of Dover, between a general cargo carrier and an unmanned rock carrying barge, resulting in the damage to two subsea power cables. Ince advised on causation, liability and limitation.
- “Maritime Maisie” c/w “Gravity Highway” – Collision between a new build car carrier and a chemical carrier, off South Korea resulting in substantial damage to the “Maritime Maisie”. Advising on collision liability, limitation of liability, third party claims and collision quantum.
- “Flinterstar c/w Al Oraiq” – Collision between a general cargo vessel and a fully laden LNG carrier off Antwerp, resulting in the total loss and wreck removal of “Flinterstar”.
- “Jag Laadki” c/w “Al Khattiya” – acting in US$50 million legal proceedings in the UAE and London High Court following a three-way collision in the Gulf of Oman.
- “Khaliija 3” c/w “MSC Chitra” – Collision between a bulk carrier and a container ship, in the approaches to Mumbai which resulted in a high profile salvage of the MSC Chitra off Mumbai, India. Advising clients on all issues arising out of the collision including, casualty response & investigation, inter-ship liability, LOF salvage and pollution.
Shipping casualties

Groundings / fire & explosions / dangerous cargo / main engine breakdown

Our team has the depth of experience to support you through the wide range of complex legal issues which arise from all types of maritime causalities such as groundings, fire and explosions, and cargo liquefaction.

Recent cases include:

- Acting on behalf of the owners and insurers of SSL Kolkata, a containership which suffered an explosion and fire off the approaches to the Kolkata pilotage area. She subsequently grounded and became a total loss.

- Acting on behalf of the owners and insurers of Bulk Jupiter, a bulk carrier carrying 46,400 tonnes of bauxite which capsized and sank off the coast of Vietnam causing the loss of life of 18 of her 19 of her crew members.

- Acting on behalf of the owners and insurers of Stolt Valour, a chemical tanker which suffered an explosion and subsequent fire, off Jubail, Saudi Arabia. The fire was eventually extinguished but the vessel was forced to drift in the Gulf for several months awaiting a port of refuge.

- Acting for owners and insurers of Great Aspiration which demolished a jetty and ran aground following a tropical storm in the Philippines. We advised clients on all issues arising out of the incident including, casualty investigation, salvage, unsafe port claims and limitation.

- Acting for H&M in respect of very significant losses arising from the grounding of the Ultra Large Ore Carrier at Ponta da Madeira, Brazil.

- Acting for Owners, H&M and P&I of Hansa Brandenburg which suffered a fire and explosion off Mauritius giving rise to LOF services and cargo transshipment at Port Louis. The vessel was declared a CTL. We advised on all issues arising out of the incident, including casualty investigation, salvage, cargo issues and dangerous cargo recourse action against charterers.

- Acting for time charterers of Nasco Diamond which sank with a full cargo of nickel ore with the unfortunate loss of all its 21 crew members.

- Acting for the slot charterers and contractual carriers of a large proportion of the cargo in this major fire case, onboard Maersk Honam which resulted in the largest ever general average collection.

- Acting for the owners and insurers of Ocean Victory, which was wrecked in a storm off Kashima, Japan. The owners’ unsafe port claim went to the Supreme Court and is the leading authority on the ‘abnormal occurrence’ exception, liability as between co-assureds and limitation of liability between owners and charterers.

“Their depth of knowledge and expertise in all aspects of shipping, whether transactional, adversarial, or regulatory, is unparalleled.”

- The Legal 500 UK
Damage to fixed / floating objects and dock damage

Fixed and floating object claims arise from liability for interference with or damage to an object that is not a vessel, i.e. docks & berth, bridges, gantry cranes, buoys, etc. Ince has wide experience of dealing with the legal issues that arise from these types of cases, acting for owners and insurers and advising on the consequential losses sustained whilst the berth and cranes are out of use and the security demand that often comes with it.

We liaise with surveyors (civil, structural or mechanical) to assess the physical damage so that reasonable steps are taken by the claimants to mitigate the loss and to carry out prompt repairs.

Recent cases include:

- Acting on behalf of the owners of Milano Bridge, and her sister ship CMA CGM Musca, (the latter having been arrested for jurisdiction and security for the Pusan port’s US$91 million claim for damages) which allided with gantry cranes at Pusan, South Korea.
- Acting for owners of the vessel Tian E Zuo to engage with the Iraqi Port Authorities in order to settle a claim following damage to the vessel whilst in the process of discharging gas oil in the port of Khor Al Zubair, Iraq, when it was struck by the crane barge, Abathar, owned by the local authorities.
- Advising a UAE-based oil storage terminal, in relation to an allision with our client’s berth by the vessel. Ince brought a claim against the vessel owners in Fujairah Court for the damage and managed to settle the matter with a favourable outcome for our client, saving them significant legal fees.
- Acting for the owners and insurers of Ocean Treasure, a bulk carrier which allided with a jetty, during maneuvering operations, in San Lorenzo, Argentina causing extensive damage. We advised clients on a variety of issues including causation and unsafe port.
- Acting for the owners and insurers of Privocean, a Kamsarmax bulk carrier. She broke free from her moorings, drifted across the Mississippi river, and collided with a berthed oil tanker. The incident resulted in extensive damage to one hold in tug, destruction of the berth, and personal injury. Ince advised clients in relation to unsafe port.
- Acting for the owners and insurers of a vessel which allided with a berth in the Suez Canal, Egypt, resulting in damage to the berth itself as well as to gantry cranes and nearby containers. We advised clients on all issues arising out of the incident including causation, unsafe port and business interruption.
- Acting on behalf of our client and bare boat charterers in relation to an allision of the vessel CMA CGM Centaurus with the Jebel Ali Port container terminal, which caused substantial damage to the port facilities. This matter is important as it involved one of the largest ship owning companies in the world, but also because it has provided welcome guidance on limitation of liability in the UAE and the ability to establish a limitation fund by way of P&I Club Letter of Undertaking.
- Acting for Owners of FPMC P Fortune which allided with terminal infrastructure at BP Jet Oil Terminal, UK in respect of claims from the terminal, cargo interests and charterers.
- Acting for Owners and H&M of Pierre LD which allided with a berth at a Vale Terminal in Brazil. We acted in defending the Owners in respect of claims by the terminal and in prosecuting an unsafe berth claim against the charterers.

“The shipping team at Ince have a deep knowledge of the commercial realities within which a shipping business has to operate”.
- The Legal 500 UK
Salvage and wreck removal

Ince has wide experience of dealing with the legal issues connected with salvage operations.

Our lawyers have in depth experience of drafting and negotiating all types of salvage agreements, including Lloyd’s Open Form, SCOPIC, common law and general commercial agreements and also of all forms of wreck removal agreements.

We have experience acting for all parties that may be involved in salvage operations, including owners, charterers, insurers, salvors, government and local interests.

“The Ince shipping team is responsive, commercial and practical. They act as a true team; referring you to the best person within their team to get the job done.”

— The Legal 500 UK

Recent cases include:

- Acting for the owners and insurers of the Cheshire, a bulk carrier carrying a full cargo of several grades of NPK (ammonium nitrate based fertiliser) from Heroya, Norway to Kohsichang, Thailand, when the crew identified a problem with the cargo, originating in hold 4. The cargo was undergoing self-sustaining thermal decomposition. The crew were unable to stop the reaction and the vessel had to be evacuated. While the ship drifted the reaction spread, eventually consuming the cargo in all five holds. Cheshire was towed to Puerto Motril in mainland Spain, where the cargo remnants were removed and Cheshire was declared a CTL. Ince advised on causation, liability, salvage, seaworthiness and cargo claims.

- Acting for the owners and insurers of Magellan Spirit, a fully laden LNG carrier which went aground during her outbound passage from Bonny, Nigeria. This was the first case of its kind and threw up some complex issues regarding the salvage operation which culminated with the first LNG ship to ship transfer of a vessel aground. Ince advised on causation, salvage, security issues and resultant cargo claims and charter disputes which arose from this casualty.

- Acting for the time charterers and contractual carriers of the cargo on-board RENA which went aground in New Zealand. This was a major high profile grounding case which involved complex questions of limitation of liability and wreck removal amongst other issues.
Pollution

Marine pollution is a specialist field in which Ince has unrivalled expertise and experience. We acted for the owners and insurers of the Torrey Canyon in the world’s first major oil spill in 1967, and since then have acted on instructions from shipowners and their liability insurers in most of the major pollution incidents of international significance.

We regularly advise also on accidental bunker spills and contamination, ship recycling, environmental damage and wreck removal issues.

We have been closely involved through the CMI, IMO and other organisations in the development of new laws which have followed in the wake of landmark pollution cases. We have been instructed by leading representative bodies in the shipping and insurance industries, acted for many years for the oil industry-funded CRISTAL scheme, the International Group of P&I Clubs and a coalition of shipping industry organizations challenging the validity of EU legislation on criminal liability for ship source pollution.

Recent cases include:

- Acting for a shipowner and an International Group P&I Club with respect to direct actions brought by victims of accidental marine pollution with a total value of €4.3billion, involving proceedings in several jurisdictions. The incident resulted in substantial pollution to the coastlines of Spain and France. The casualty dominated the front pages of the trade press and led to a Europe-wide review of many issues, including the obligation on states to provide a port of refuge, rights of passage for ships in territorial waters and the viability of a complete European ban on single skin tankers.
- Acting for the Government in relation to pollution claims against a Japanese owned bulk carrier, which went aground on coral reefs offshore of Pointe d’Esny, south of Mauritius and, unfortunately, at least 1,000 metric tonnes of oil was spilled.
- Acting for the owners and insurers of an oil tanker which broke away from a multi-buoy mooring, during bad weather, in Chile, resulting in damage to an underwater oil pipeline and pollution. We advised clients on all issues arising out of the incident including causation, unsafe port and pollution claims.
- Acting for the owners and their P&I insurers of a bulk carrier which was struck by a bunker barge whilst casting off in heavy weather, off Busan, South Korea, resulting in an oil spill of approximately 200 metric tonnes of heavy fuel oil.
- Acting for owners and conducting MARPOL investigations following instances of magic pipe cases and whistleblowing notifications as a result of bad practices on-board vessels in contravention of MARPOL regulations.

“The shipping team at Ince provide a best-in-class service across the spectrum of legal issues, from collision to charterparties”.
- The Legal 500 UK
Marine insurance / total & constructive total loss

Our insurance and reinsurance expertise and maritime background, complemented by the skills of our Admiralty, Dry Shipping, Energy and International Casualty Response teams, enables us to provide pre-eminent service to all parts of the insurance community.

We provide contentious and advisory services to Lloyd’s syndicates and company market insurers, in London and internationally, as well as international broking houses and intermediaries, captives, shipowners, charterers and cargo owners.

Our established marine insurance practice covers the full spectrum of expertise including:

- Hull & Machinery
- War Risks
- Cargo
- Builders’ risks
- Mortgagees’ interest
- Owners’, charterers’ and ship repairers’ liability
- P&I

By their nature, marine insurance claims may arise anywhere in the world. We regularly advise on marine casualties and our network of overseas offices and strong industry relationships provides us with a global reach affording us worldwide local expertise.

Recent cases include:

- Acting for London and Overseas Market insurers in respect of a substantial alleged CTL caused by fire and seawater ingress, involving a complex analysis of fire expert evidence and naval architectural evidence on rate of ingress, and an investigation of potential terrorist motives.
- Advising on War Risks coverage, where the insured owner has been deprived of use of the tanker vessel. The case spans ten jurisdictions and concerns matters of alleged fraud.
- Appointed by Marine Liability Insurers in respect of a US$100 million grounding loss, involving proceedings in multiple jurisdictions and ultimately successfully defending the underlying claim.
- Advising insurers on Hull coverage and extensions thereof where the insured owner has been accused of acting illegally in a failure to comply with international waste disposal regulations and has subsequently been deprived of use of the vessel.
Maritime security and piracy

Our experience acting on some of the high-profile piracy cases in Somalia, the Niger Delta and the Malacca Straits means we are well-placed to give advice to all interests. Recently we were involved with a number of high level attacks on merchant vessels in the Gulf of Arabia.

We advise owners, charterers and cargo interests on all aspects of piracy and maritime security incidents, covering the legal and practical aspects of responding to a hijacking, release of vessels, insurance and mitigating the risk of such incidents reoccurring. In terms of the significant impact piracy has on a ship's crew, we are experienced in assisting owners to take steps which could help to avoid claims from crew for physical and psychiatric injury (including Post-Traumatic Stress Disorder) and advise them if such claims are brought.

Recent cases include:

- Acting for the owners and insurers of a client’s vessel following two explosions. Ince were instructed to provide support to owners on war risk hull insurance to protect their interests. Ince were heavily involved and dealt with every aspect of this emergency given that the crew ships were returned to Dubai where they were interviewed by numerous government authorities including the US, UK, and UAE authorities. The damaged vessel was also towed to the UAE where she underwent an STS operation. This case is of major importance as it was highly publicised in the media and political leaders across the world were commenting on the incident and were constantly issuing reports on this. The lawyers attended a number of interviews to protect the crew and the ships interest.

- Acting on behalf of owners following discovery of a large quantity of drugs and a drug mule hidden inside the rudder trunking whilst alongside the berth in Trinidad & Tobago. Ince conducted an investigation and assisted the crew during police interviews.

- Instructed by owners and their P&I Clubs to advise on claims brought by crew with diagnosed psychiatric injury associated with piracy attacks. We assisted with making arrangements to address crew welfare issues post-piracy attack / vessel release and put in place counselling facilities for affected crew both online and ashore.

“Involved in most of the leading cases in the evolution of insurance and reinsurance law... And virtually every major maritime casualty”.

- Chambers and Partners
Defending claims for personal injury and death

**Ince** has a specialist Marine Personal Injury Team which is experienced in handling the full range of personal injury claims brought against vessel owners by crew, passengers and shore-based workers such as stevedores. We are instructed by ship owners and their various liability insurers.

We are regularly instructed to advise on cases involving multiple catastrophic injuries including spinal and brain injury as well as fatal claims. Often multiple and complex issues arise out of these incidents which can be overwhelming for an owner and we aim to quickly address and advise our client, provide assistance to and protect them as fully as possible. Insurance and policy coverage issues can also be part of these types of claims which we are experienced in handling, as well as liaising with the vessel’s Flag State in terms of investigations and complex law and jurisdictional issues frequently associated with injury and fatal claims.

**Recent cases include:**

- Instructed to represent the vessel owner to defend a claim arising out of an offshore incident when a crew member sustained significant back and knee injuries. Following thorough investigation with an excellent relationship with the vessel owner, as well as strong negotiations, the claim was recently settled for small fraction of its potential value.

- Acted on behalf of owners’ liability underwriters in relation to several claims from crew for damages for physical and psychiatric injury arising from a support craft capsize where one of the claims was almost fatal.

- Advised owners and insurers in a sensitive case of an unexplained engine room death. It was necessary to arrange a further post-mortem outside the UK, consider and advise the client on various potential causes of death, consider the deceased’s medical records to establish any pre-existing medical issues and then liaise with specialist experts and Counsel. We also advised on the issue of compensation within the seafarer’s policy and whether this was payable to the deceased’s family given the various potential causes of death.

- Instructed by underwriters on behalf of a European terminal operator to investigate and act on their behalf in relation to a crush injury to a stevedore whilst unloading steel coils. We advised on liability and quantum and achieved a favourable settlement. We then successfully recovered a significant contribution from a third party.

- Acted on behalf of owners and insurers in a claim for significant damages made by an injured crew member following a mooring incident. Liability was not in issue but there were multiple potential jurisdictions. We successfully secured an agreement in relation to the most favourable law and jurisdiction for the damages to be assessed in accordance with English law and recently settled the claim for less than 5% of the damages originally sought.

- Acted on behalf of owners and insurers in a brain injury claim made by a crew member arising out of a collision. Instructed to defend the quantum and causation aspects of case in which the sums sought are significantly exaggerated. Liaising with specialist medical experts and counsel to determine the true nature and extent of the claimant’s capacity and neurological capabilities.