



## RICHARD SIBERRY QC

Born 1950

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### Practice

- Arbitration
- Commercial Litigation
- Commercial Fraud and Asset Recovery
- Commodity Disputes
- Conflict of Laws
- Energy and Utilities
- Insurance and Reinsurance
- International Trade and Transport
- Oil and Gas
- Rail Disputes
- Shipping

Richard Siberry has a broad based practice in commercial litigation in line with Chambers' profile. In particular: shipping and carriage of goods, international trade and finance, insurance and reinsurance, banking (letters of credit, swaps, derivatives) and financial services, commodities, oil and gas and other contractual disputes, international and domestic arbitration, Brussels Convention and other jurisdictional disputes. He has appeared regularly as advocate in the Commercial and other Courts including the House of Lords and Privy Council and has considerable experience of heavy commercial litigation, having been involved in a number of cases of eight weeks or more duration. He has an extensive international arbitration practice, involving shipping, oil and gas, insurance and reinsurance, commodity and other arbitrations before a variety of tribunals such as the International Chamber of Commerce, the London Maritime Arbitrators Association, the London Court of International Arbitration, and an arbitration panel in Beijing. He has chaired a Lloyd's Disciplinary Tribunal in a lengthy case and has sat as arbitrator, both as sole arbitrator and as a member of a tribunal of three, in ICC, LCIA, LMAA and other arbitrations. He has given papers on Shipping Law and Insurance and Reinsurance Law topics and on the Brussels and Lugano Conventions.

### Career

Call: 1974 Middle Temple (Bencher)  
Silk: 1989

2002 Deputy High Court Judge Commercial Court and Admiralty Court  
2001 Recorder  
1996 Assistant Recorder  
1975 Essex Court Chambers  
1973 Law Fellow, Pembroke College, University of Cambridge  
-75 teaching law of contract, equity and legal history

Education	1975 MA, Pembroke College, University of Cambridge 1973 LLB (First Class Hons, with distinction), Pembroke College, University of Cambridge 1972 BA (Law) (First Class Hons with distinction), Pembroke College, University of Cambridge
Languages	French (working knowledge)
Member	Bar European Group Commercial Bar Association (COMBAR) (Committee Member and former Executive Member) Electricity Arbitration Association (Panel) London Common Law and Commercial Bar Association London Court of International Arbitration London Maritime Arbitrators Association (Supporting Member)

## Specific Areas

### **Arbitration**

Richard Siberry has an extensive international arbitration practice, involving shipping, oil and gas, insurance and reinsurance, trade mark licencing, commodity and other arbitrations, before a variety of tribunals such as the International Chamber of Commerce, the London Court of International Arbitration, the London Maritime Arbitrators Association, ARIAS, and other insurance and reinsurance tribunals, and an arbitration panel in Beijing. He sits regularly as arbitrator (both as sole arbitrator and as a member of a panel of three), in ICC, LCIA, LMAA and other arbitrations, and has chaired a Lloyd's Disciplinary Tribunal. He also has experience as an arbitrator under the (Railtrack) Access Dispute Resolution Rules. He is a member of the LCIA, and a Supporting Member of the LMAA. Recent cases involving issues of arbitration law include *Hussman (Europe) Ltd v Ahmed Pharaon*, *LG Caltex Gas Co Ltd v China National Petroleum Corp*. See also separate arbitrationCV.

<http://www.essexcourt.net/arbitrators/cvs/rsibe.pdf>

### **Commercial Fraud and Asset Recovery**

Richard Siberry has considerable experience of freezing and tracing injunctions, having been involved in some of the early cases on tracing injunctions (eg. *A v C*) and on worldwide freezing injunctions, and having advised and appeared in many subsequent cases involving tracing and freezing injunctions, including cases of asset-tracing following commercial fraud.

### **Conflict of Laws / Jurisdictional Disputes**

Richard Siberry has advised and appeared in numerous cases involving issues arising under the Judgments Conventions, including appearing in the House of Lords in three cases arising under the Conventions, most recently *Agnew v Lansforakrinsbolqaens AB*. He has given papers on the Conventions, and acted as expert in a jurisdictional issue arising before the Scottish Courts.

### **Insurance and Reinsurance**

Richard Siberry has been involved in a wide variety of insurance

and reinsurance disputes, ranging from marine insurance total loss cases such as *Piermay Shipping v Chester (The Michael)* to coverage disputes arising out of product liability/mass tort litigation in the US. He was involved in the Lloyds litigation (the Devonshire case, and issues relating to Equitas), and has advised and appeared in a large number of cases involving issues of non-disclosure and misrepresentation, in various forms of insurance, most recently, directors' and officers', and securities claim, insurances, as well as coverage and other issues arising under various forms of reinsurance. He has chaired a Lloyd's Disciplinary Tribunal, and has given papers at British Insurance Law Association Seminars. Recent reported cases include *Agnew v Lansforsakringsbolagens AB*, *James Budgett Sugars Ltd v Norwich Union Insurance Ltd*.

### **Oil and Gas / Commodity Disputes**

Recent cases include major international arbitrations involving the processing and supply of natural gas, and the procurement of raw materials and production and export of steel products for and by a major steel works, and *Amoco UK Exploration Co v British American Offshore Ltd*, an 86-day Commercial Court trial arising out of the cancellation of a contract for the hire of a jack-up rig, the Rowan Gorilla V, for drilling in the North Sea. He has considerable experience of petrochemical processing and supply disputes. He acted for various sovereign states in the litigation arising out of the collapse of the International Tin Council, and has advised and appeared in commodity disputes ranging from sugar to precious metals.

### **Shipping / International Trade and Transport**

Throughout his 28 years in practice, Richard Siberry has maintained a particular interest in shipping and international trade law, specialising in charterparty and bill of lading issues, sale and purchase, shipbuilding and repair disputes, limitation of liability, international trade finance, and jurisdictional issues. Reported cases include *Armagas v Mundogas (The Ocean Frost)*, *The Pina*, *The Bay Ridge*, *Schiffahrtsgesellschaft Detley von Appen v Voest Alpine*. He has been a Panel Member and has given papers at a number of London Shipping Law Centre seminars. Recent experience includes arbitration and court proceedings involving unsafe port disputes, issues arising under the Carriage of Goods by Sea Act 1924 and cases involving termination of long term time charters and contracts of affreightment. He regularly sits as an LMAA arbitrator and on other shipping arbitration panels.

### **Commercial Litigation**

Apart from the subjects mentioned above, Richard Siberry has advised and acted in a wide range of commercial contract disputes. Recent experience includes arbitrations relating to the cancellation of a major aerospace project, and to the development of computer software for the petroleum industry, litigation involving "springboard injunctions", and advisory work in connection with state aid funding and with satellite broadcasting.

If you require further information please contact

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