

# Thomas Steward

Call 2011



Tom's practice encompasses all areas of international arbitration and commercial litigation, including shipping, international trade, shipbuilding, commodities, and fraud. For several years now he has been ranked in the legal directories, including the current edition of The Legal 500 and Chambers & Partners, where he is described as "*absolutely brilliant.*"

Tom is instructed to appear in arbitration or in the High Court, both led and un-led, and has often appeared on his own against leading silks. He has undertaken secondments at several of the major law firms in London, and has deep and wide-ranging experience of all aspects of litigation and arbitration.

Tom's experience covers arbitrations under LMAA Rules as well as under LCIA, SIAC, SCMA, ICC and other institutional and ad hoc arbitrations. He is also regularly instructed in applications relating to the enforcement and challenges to arbitration awards.

He has a particular specialism in urgent applications for injunctions and related relief in the High Court, and has wide experience of asset freezing and tracing (including freezing injunctions, both domestic, worldwide and under the Court's Chabra jurisdiction, applications for Norwich Pharmacal orders and related applications for disclosure).

He is also a co-author of *Cyber Risks and Insurance: The Legal Principles*, a co-editor of the recent edition of Atkins Court Forms (Civil Procedure), and co-contributor to the Civil Court Practice (Green Book).

## Shipping, Trade and Commodities

Tom has acted in a huge number of cases across all areas of shipping and international trade, including transport by sea, air and road. Most of his work is in confidential arbitrations (LMAA, LCIA, HKIAC, SIAC, HKMAG), and he is regularly instructed in associated applications in the High Court, including applications for interim relief and appeals under the Arbitration Act 1996.

Much of Tom's work is conducted in confidential arbitrations. Recent experience includes: a 4-week arbitration concerning redelivery of two ro-ro passenger ferries at the end of long-term bareboat charters; a 3-week arbitration in a dispute worth around SGD350 million, arising out of the cancellation of a contract for the construction of a semi-submersible drilling unit; a week-long arbitration concerning damage caused by off-spec bunkers.

## Featured Shipping, Trade and Commodities cases

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*Macquarie Bank v. Banque Cantonale Vaudoise* [2024] EWHC 114 (Comm): Tom was led by Sean O'Sullivan KC acting for the successful respondents on a challenge to the jurisdiction of the English Courts.

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*The Maersk Chennai* [2023] EWHC 2203: Tom acted for the successful Defendant in a 3-day trial in the Commercial Court concerning a claim for alleged damage to a cargo of cocoa beans.

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*The Aquavita Eternity* [2022] EWHC 892 (Comm): Tom acted for the successful applicant for an anti-suit injunction, in this important case which examines the boundaries of anti-suit relief.

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*The Falcon Trident* [2022] Lloyd's Rep. Plus 36: Tom acted in a claim for unpaid costs following the conclusion of a settlement under CPR Part 36.

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*The Pola Devora* [2022] Lloyd's Rep. Plus 14: Tom acted for the successful respondents to a challenge to the jurisdiction of the English Courts.

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*The Nortrader* [2021] 1 Lloyd's Rep. 429: Tom acted for the successful appellants against an arbitration award on jurisdiction, under s. 67 of the Arbitration Act 1996, led by Simon Rainey KC.

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*The MTM Hong Kong* [2020] 2 Lloyd's Rep. 559: Tom acted as sole counsel for the successful appellants against an arbitration award, under s. 69 of the Arbitration Act 1996.

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*Rubicon Vantage International Pte Ltd v KrisEnergy Ltd* [2020] 1 Lloyd's Rep. 383: Tom acted for the successful claimants in a guarantee claim, led by Vasanti Selvaratnam KC.

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*Cortesi (deceased) v Chubb European Group Ltd* [2019] I.L.Pr. 3: Tom acted for the successful applicant on an application for registration of a judgment. The case sets out important guidance on when enforcement may be made conditional on provision of security.

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*Deutsche Bank AG v CIMB Bank Berhad* [2018] 2 Lloyd's Rep. 510: Tom was led by Vasanti Selvaratnam KC in a claim for reimbursement under a letter of credit

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Tom also regularly advises on all aspects of commodity sale and purchases, including GAFTA arbitrations. He has a particular interest in letters of credit: he has recently advised in a substantial dispute in Singapore arising out of the collapse of the commodity trading company, Hin Leong, and acted for the applicants in *Macquarie Bank v. Banque Cantonale Vaudoise* [2024] EWHC 114 (Comm) (led by Sean O'Sullivan KC), and in *Deutsche Bank AG v CIMB Bank Berhad* [2018] 2 Lloyd's Rep. 510 (led by Vasanti Selvaratnam KC).

Tom is often asked to give opinions for use in foreign proceedings, and his advice has been sought for proceedings including Spain, Italy and Japan.

He previously taught the International Trade module at BPP Law School.

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## Salvage, Collision and Admiralty

Tom has advised and acted in numerous “wet shipping” disputes before the Admiralty Courts. His experience includes salvage claims (including Lloyd’s Open Form), wreck removal, collision claims and quantum references, vessel arrests and court-ordered sales of vessels.

Recent work includes acting in a number of claims for limitation under the Convention on Limitation of Liability for Maritime Claims 1976, and acting in a multi-million dollar collision case, with particular focus on issues surrounding the constituting of a limitation fund, and acting for the contractors under a WRECKHIRE 2010 form.

### Featured Salvage, Collision and Admiralty cases

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*The Falcon Trident* [2022] Lloyd’s Rep. Plus 36: sole counsel in a claim for unpaid costs following the conclusion of a settlement under CPR Part 36

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*The Rejoice* [2020] 1 Lloyd’s Rep Plus 21: sole counsel for the Claimant in a 4-day trial in the Admiralty Court for damages arising out of an injury onboard a fishing vessel

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*Giles v Polarcus* [2016] EWHC 1843 (Admlty): Tom acted for the successful Defendant in an application brought by the Claimant for substitution of parties after the expiry of the limitation period, in a maritime personal injury matter

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## Shipbuilding, Offshore Construction and Energy

Tom has extensive experience of energy-related disputes involving the construction and sale of vessels, (including claims for variations, delay and disruption, financing, and cancellations) and the sale and transportation of natural resources.

### Featured Shipbuilding, Offshore Construction and Energy cases

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Acting for the successful buyer in a dispute worth around SGD350 million, arising out of the cancellation of a contract for the construction of a semi-submersible drilling unit.

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Advising on a dispute arising out of the development of a hydrogen-production plant.

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Advising and acting in numerous cases concerning damage to subsea cables.

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Acting for the charterer of an offshore support vessel chartered under the SUPPLYTIME 2017 form.

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*Rubicon Vantage International Pte Ltd v KrisEnergy Ltd* [2020] 1 Lloyd’s Rep. 383: Tom acted for the successful claimants in a guarantee claim arising out of a bareboat charter of a floating storage and offloading facility, led by Vasanti Selvaratnam KC.

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Acting in a confidential arbitration surrounding the sale of two FPSOs for scrapping / recycling.

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Advising and acting in several disputes concerning loss of cargo on LNG carriers.

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Acting in a 5-day arbitration in Seoul, South Korea, for the purchasers of coal.

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Advising on a dispute concerning the conversion of a tanker into an FPSO.

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Advising on potential *force majeure* consequences on shipbuilding contracts.

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Advising on the settlement of guarantee claims.

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Advising on issues surrounding a vessel's Rightship approval.

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## Injunctions, Civil Fraud and Asset Recovery

The majority of Tom's work in this area is confidential or private, but Tom has acted in a huge number of applications for urgent injunctive relief, and he has been described by one firm of solicitors as the "go-to" counsel for urgent injunctions.

He is often instructed as sole counsel for urgent applications for injunctions and related relief in the High Court, and has wide experience of applications for delivery up, asset freezing and tracing (including freezing injunctions, both domestic, worldwide and under the Court's Chabra jurisdiction), urgent relief following APP frauds, applications for Norwich Pharmacal orders and related applications for disclosure, and urgent injunctions in support of arbitration under s. 44 of the Arbitration Act 1996.

Tom is also regularly instructed on applications for anti-suit relief, and has several reported cases in the area, including *The Aquavita Eternity* [2022] EWHC 892 (Comm); *Amelie Navigation Corp v Ugo Hannah Energy Limited* [2017] 12 WLUK 15; *The Anna Bo* [2015] 2 Lloyd's Rep 578.

He is also a co-author of *Cyber Risks and Insurance: The Legal Principles*

## Education

2011 – MA (Oxon)

2011 – BPTC, City University: Outstanding

2010 – Diplock Scholarship, Middle Temple, BPTC year

2010 – GDL, City University: Distinction

2009 – Diplock Scholarship, Middle Temple, GDL year

2008 – BA, Classics, Brasenose College, Oxford: Double First

2006-2008 – Scholar, Brasenose College, Oxford