

MARINE PROFESSIONALS

CASUALTY INVESTIGATION > CONSULTANCY > CLAIMS SUPPORT

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CAPTAIN JOHN L. DAVID: C.V. 2017



1. Personal profile

I was born in London, England on 10th November 1956.

I went to sea aged 16, and then spent 21 years sailing on deep-sea, commercial vessels, which included 5 years in command, world-wide.

Whilst at sea, I served on tankers and bulk carriers of all sizes, plus an assortment of general cargo, and container carrying vessels, plus some short sea trade vessels.

After leaving the sea, I spent 9 years with the leading International London maritime law firm, Clyde + Co. working as an investigator, casehandler, and in-house consultant.

In 2004, I jointly set up Marine Professionals, which specialises in independent Casualty Investigation and Marine Consultancy, across a wide spectrum of marine-related matters.

I have advised insurers and assureds on Risk Assessment; Operational Management; Reporting Systems; Emergency Response; Salvage; SCOPIC, Casualty Management; and Wreck Removal.

I also provide forensic, desk-top, analysis of existing claims, reviewing evidence and reports, developing tactics and strategies, and advising clients on the way forward.

I work mainly for H+M, Liability, War, K+R, P+I, and cargo insurers, plus their brokers and adjusters, as well as for ship owners and charterers.

Through the combination of my sea-going experience and the investigation and assessment of a broad range of marine claims, I am able to advise upon the evidential issues involved in assessing and establishing liability, and the pursuit of recovery actions against third parties. I am also able to advise and act upon the most appropriate and effective methods of obtaining evidence, the sources, standards, and quality of evidence required and how to gather, preserve, and analyse evidence within the applicable legal framework.

As a result, I am able to assist clients to formulate and develop strategies geared towards negotiated settlements and mediation of disputes.

2. Services

2.1. Lloyd's Special Casualty Representative ("SCR")

On Lloyds approved SCR Panel (of 50 persons, world-wide), authorised to attend major casualties under Lloyd's Open Form of Salvage Agreement ("no cure no pay"), and the SCOPIC clause, acting on behalf of international property and liability interests.

2.2. Casualty management

Emergency 24 hour response, investigation, and on-site liaison with salvors, contractors, local authorities, officials, surveyors, technicians, experts, and lawyers; plus I have worked on several wreck removals.

2.3. Investigation

I basically provide "Liability Investigation" and advice on causation, liability, and quantum on all types of marine-related insurance claims, disputes, (and potential disputes), including; collision; allision; grounding; fire and explosion; engine, steering and machinery breakdowns; deck machinery and crane failures; major cargo losses, damage and contamination; tug operation, towage and salvage; personal injury; ship and port ISPS security; piracy, (Somalia and West Africa); phantom ship and fraud; wind turbines; car-carriers; super/mega yacht; pollution and oil spill response; and third party liabilities, as well as investigating the human factors, and root cause analysis of casualties, and numerous unseaworthiness issues.

2.4. Other investigations

I have investigated and advised on numerous and various, charterparty disputes, including cargo stowage, securing, and lashing; draught surveys, stability and squat; safe port/safe berth liabilities; lay-time; navigation; passage planning; tug and Pilot issues, and the Master-Pilot relationship; speed/consumption claims; plus other contract-related problems associated with ship building; dry-docking and painting; ship repair disputes; as well as bunker/fuel/lub arguments.

2.5. Desk-top forensic analysis

I carry out desk-top forensic analysis of established claims, to review the facts, evidence and reports, and advise on the additional evidence required, and possibly how to obtain it; plus identify and locate potential witnesses; and recommend on how to progress with the claim.

I have drilled down into ISM, ISPS, VDR/sVDR, Planned Maintenance, and ECDIS systems, analysing the information and data on who did what, when, where, and particularly, why.

I advise on third party recovery actions.

I have been both witness of fact and acted as an expert witness, working with local and international lawyers and adjusters in the English, South African High Courts, and in London Arbitration, bringing and defending actions.

2.6. Dispute Avoidance

I have been involved in formulating and developing strategies and advising clients on the way forward and ways to settle and avoid disputes and litigation.

2.7. Risk Assessment

I have carried out pre-risk surveys and follow-up audits of ports; terminals; fleets; plus provided focussed marine consultancy on unique, untried and innovative, marine-related projects.

2.8. International Presentations

I have given lectures, and workshops on various insurance problems and maritime flavours of the month, including; hull policy issues; ISM; the (over) reliance on computers and technology; piracy and its evolution; effective casualty management; the methodology of investigating vessel and cargo casualties, Cat Fine damage to engines; and how to obtain witness evidence.

3. Education

- Henley Grammar School, Henley-on-Thames (1969-1971)
- "TS INDEFATIGABLE", Llanfairpwllgwyngyllgogerychwyrndrobwilllantysiliogogoch (1971-1972)
- South Glamorgan Polytechnic, Cardiff (variously, between 1973 to 1987)
- Clean Driving Licence (!) and non-smoker

4. Qualifications

- Master Mariner Grade 1 (FGN) (1987)
- Intermediate chartered and ship-broking (1987)
- Lead ISM Auditor (1998)
- Cognitive Interviewing Course (2002)
- Southampton University Maritime Law Short Course -25th (1998)
- ECDIS, (Electronic Chart Display and Information Systems) STCW 95/MCA course (2011)
- Valid Seafarer Medical Certificate, (ENG 1 – STCW - MLC)

5. Career + Experience

December 2004 to present	Marine Professionals, London Marine Investigator + Consultant
2002 – 2003	Global Claims, London/Fort Lauderdale Marine Investigator + Consultant
1994 – 2002	Clyde + Co, London Marine Investigator + Consultant
1989 – 1994	Transocean Maritime Agencies, Monaco: Master on Bulk Carriers/Multiflex and Panamax vessels, trading to Australia, Great Lakes, Far East, the Americas, and Europe. Cargoes carried included; steel coils and slabs; swarf; coal; forest products; grain; cattle feed; 20', 40', and flat-rack containers; heavy-lift project and general cargoes. Involved in on-board product testing of new marine paint systems, plus the development and implementation of on board maintenance and Safety Management Systems, (ISM).
1987 – 1989	Transocean Maritime Agencies, Monaco: Chief Officer on similar vessels, trades and cargoes as above. Promoted within company to Master in May 1989, aged 32.
1985 – 1987	Several trips on various smaller "coastal" vessels in European waters, including on a cable recovery vessel, where responsible for ship-handling, locating, recovering, and stowing of redundant trans-Atlantic sub-sea telephone cables.
1982 – 1985	London and Overseas Freighters, Plc, London: Served on VLCCs with responsibilities such as the load and discharge of crude oils, carrying out major maintenance projects at sea, including the overhaul of entire pipeline and anodic protection systems; and the full grit blasting and application of paint protection systems; and the writing of a Crude Oil Washing Manual.
1973 – 1985	London and Overseas Freighters, Plc, London: Joined first ship as a Navigating Cadet, aged 16, serving between 1976 and 1982 as 2 nd and 3 rd Officer on VLCCs, clean parcel-product tankers, bulk carriers, and heavy-lift general cargo vessels engaged on liner trades.

6. Professional Interests + Fun

- Fellow of the Nautical Institute, FNI, (Vice Chairman, London Branch)
- International Federation of Shipmasters' Association (IFSMA)
- City of London Sea Cadets on "HMS BELFAST" (Chairman)
- Freeman of the City of London
- Liveryman of Worshipful Company Of Shipwrights, and of Honourable Company of Master Mariners
- Photography
- What my father would call "inappropriate" music

7. **Presentations and Public Speaking** *(This is not a complete list)*

- Nautical Institute (2016): "Operational Challenges with car carriers"
- London Re-Insurance Group (2014): "COSTA CONCORDIA issues"
- IUA, London (2014): "Underwriters need salvors"
- Åland Insurance Seminar, Finland, (2014): "Low Sulphur vs Engine Claims"
- IUMI, London (2013): "Catalyst Fines"
- IMCC, Dublin (2013): "10 years of Marine Claims; Whatever next?"
- MIC, Moscow (2012): "Piracy and Armed Guards"
- Insurers Moscow, (2012): "A Marine Investigator's Life"
- Joint Hull Committee, London (2013): "Catalyst Fines"
- LMCC, London (2013): "Investigating Marine Casualties"
- IUA, London (2011): "Piracy: It is getting worse"
- Le Rendez-Vous De L'assurance Transports, Cannes (2010): "Piracy: It is still here".
- ICAP Conference, Amelia Island, Florida, (2010): "Piracy: Update from high seas"
- IUA, London (2010): "Catalyst Fines Eat Engines"
- Surplus Lines, Lloyds Library, London (2009): "Piracy: Rogues + Rotters"
- IMCC, Dublin (2009): "Lay up or Stitch Up?"
- Marine Insurance, Moscow (2009): "Pirates have not come a long way"
- ITIC, London (2008): "Investigation Report Writing"
- Informa, London (2007): "Maritime Emergency Response"
- Discovery Channel's "The Wreck Detectives" (2006). Investigator, contributor and participant on the "DUKE OF BUCCLEUGH" collision in the English Channel in 1889, that ended up in what was then, a 4 Judge House of Lords split decision
- IMCC, Dublin (2006): "2 Captains Collide"
- IMCC, Dublin (2005): "Confessions of a Marine Investigator"
- Informa, London (2004): "Maritime Emergencies"
- AON Re, Cartagena, Colombia (2004): "Hull Policy Issues"
- Nautical Institute, Southampton (2003): Organiser + Chairman: "The Mariner and Marine Insurance Seminar - Perils of the Sea"
- Clyde's, London (2002): "Voyage of Doom" series
- Clyde's, London (1999): "The Y2K Computer Peril"

8. **Contact**

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