How to master your ship

CAPTAIN Michael Lloyd has written a remarkable book. After 50 years at sea – 35 of them in command – he has written In Command, subtitled ‘200 things I wish I’d known before I was captain’.

And that’s exactly what it is. It is aimed at newly appointed masters – although many of long standing will find much to savour in its pages – and covers everything from the master’s relationship with his company to making the right impression when arriving on board (‘Don’t carry your bags onboard … Don’t join in jeans and a T-shirt’) to piracy, medical emergencies, crew welfare and abandoning ship.

It is written in a straightforward style that combines Lloyd’s personal views with references to relevant laws and examples. He intersperses his remarks with personal anecdotes that underline the points he makes.

The book is illustrated with cartoons and photographs that add to its readability. And readable it is. This reviewer found it an engrossing account of the practical decisions and responsibilities that face a master on any voyage.

It deserves a wider readership than Lloyd suggests. Charterers, managers and owners would all benefit from this insight into how their masters respond to situations. And no master would deny that this would be a good thing.

The book is also available in an audio form, read by its author. Each of its 30 chapters can be downloaded separately to make an 11-hour MP3 recording.


Updating maritime law

ALEKA Mandaraka-Sheppard’s classic Modern Admiralty Law, published in 2001 as a textbook for post-graduate students and academics, has become “a vital work for everyone interested in shipping law” says Sir Anthony Clarke, master of the rolls and former admiralty judge.

Since then, the speed of change in shipping – legal and political – has been dramatic, not least in the author’s own expert field of safety at sea and risk management.

This newly revised and extended edition includes these developments. Maritime has replaced admiralty in the title to reflect its wider scope. It contains, in one volume, the principles and leading decisions of all aspects of maritime law, and claims to be the first to focus on the importance of risk management in 21st century shipping.

As well as lawyers and academics, its target audience includes non-legal shipping practitioners – from owners, managers, salvors and brokers to average adjusters, insurers, builders and port authorities.

“Knowledge of how things went wrong in previous cases will increase awareness of how to avoid the same circumstances,” the author writes.

Young though it is, this century has offered plenty of material for Sheppard’s area of expertise. 9/11 created a new dimension for terrorism; worldwide reaction to the Erika and Prestige oil pollution disasters has encouraged the criminalisation of seafarers and well-intentioned but controversial pollution regulations like the 2005 EU Oil Pollution Directive, plus a range of new safety and seaworthiness international regulations.

The new Modern Maritime Law includes chapters on liability limitation and general average. Criminal proceedings against corporations are discussed, under both the ISM Code and the long-proposed UK Corporate Manslaughter Bill (still not enacted).

A leading London counsel, Elizabeth Blackburn, has contributed a special chapter on civil liability for marine pollution, compensation and liability limitation, for hazardous and noxious substances and nuclear incidents as well as oil.

No legal textbook stays completely up to date for long because of the inconvenient habit of the courts of creating new precedents.

Sheppard points out that the controversial question of ‘anti-suit injunctions’ in the Front Comor is awaiting consideration by the European Court of Justice.

As one of the most ‘international’ of human commercial activities, shipping inevitably creates conflict between national courts as to their jurisdiction and legal systems. In an epilogue on risk management, the author poses, and answers, fundamental questions: What is a risk? Its management? Exposure? Profile? Tolerance? Safety culture?

Based on Mandaraka-Sheppard’s definitions, she analyses the relevant infrastructures, internal and external; corporate interrelations; evaluation and management of risks at the various stages of the operation; and the hierarchy of responsibilities at all the stages up to and including dispute resolution.

“By any standards, a magnum opus … its range is breathtaking,” Sir Anthony says.