

# David Owen QC

SILK: 2006 | CALL: 1983

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Languages: French (proficient)



## Overview

David is a full-time arbitrator and mediator, with a practice covering a wide range of international commercial disputes. The Chambers UK Guide has described him as “a figure right at the heart of the commercial dispute resolution world”.

## Arbitration

David is regularly appointed as a chairman, panel member and sole arbitrator in arbitrations conducted under the rules of international arbitral institutions, and on an “ad hoc” basis. His appointments include appointments under the rules of: the LCIA, ICC, LMAA, SIAC, SCC, NAI, and UNCITRAL.

His recent appointments have included disputes in areas such as: shipping and shipbuilding, commodities and international sale of goods, energy, oil rigs, finance, securitisation, derivatives, share sales and warranties, corporate fraud, joint ventures, limited liability partnerships, insurance/reinsurance, and international infrastructure projects.

He is a Full Member of the LMAA, and chaired the drafting committee responsible for the 2017 revision of the LMAA Terms. He is a Fellow of the Chartered Institute of Arbitrators, and has been appointed to the panels of numerous arbitration institutions.

## Mediation

David has been mediating disputes since being accredited as a mediator in 2002.

The cases which he mediates are often international, and

## Publications

- Joint editor of *MacGillivray on Insurance Law* (9th-11th edns, Sweet & Maxwell 1997-2008).

## Professional and panel memberships

### Arbitration panel memberships

- ARIAS – Insurance & Reinsurance Arbitration Society
- EMAC – Emirates Maritime Arbitration Centre
- HKIAC – Hong Kong International Arbitration Centre
- KLRCA – Kuala Lumpur Regional Centre for Arbitration
- MOOGAS – Marine Offshore Oil and Gas Association
- PIAC – Pacific International Arbitration Centre
- SCMA -Singapore Chamber of Maritime Arbitration
- Shenzhen Court of International Arbitration
- SIAC – Singapore International Arbitration

frequently factually or legally complex. His experience as an arbitrator and barrister means that he can provide robust reality testing where appropriate. He is committed to working with parties to find pragmatic solutions to apparently intractable disputes.

David has conducted mediation 'virtually', working with the parties to ensure a fair and effective process.

Recent mediation appointments have included disputes in the areas of: shipping and maritime claims; superyachts; commodity sales; finance and derivatives; fiduciary asset management; corporate fraud; joint ventures; company acquisition; international legal services; pharmaceuticals; public procurement; product liability; and infrastructure projects.

He has regularly been involved in training mediators internationally, and has been appointed to numerous mediation panels.

David is also listed within *The Legal 500 Hall of Fame* for mediation, which highlights individuals who have received ongoing praise, from clients, for their continued excellence.

### Professional background

David was a barrister for over 30 years before becoming an arbitrator and mediator, and was appointed as Queen's Counsel in 2006. His practice involved advocacy and advisory work in arbitration and litigation relating to a wide spectrum of international cases, including complex technical issues, and cases involving states and state bodies.

### Education / training

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- Advanced Mediator Training & Mediation Mastery Training – MATA (2006 & 2011)
- Mediator accreditation – CEDR (2002)
- Inns of Court School of Law (1983)
- Ver Heyden Advocacy Prize; Astbury Scholar & Lloyd Jacob Memorial Exhibition, Middle Temple (1982–84)
- City University: Postgraduate Diploma in Law (1982)
- University of Oxford, Merton College: Scholar, MA Hons in History, First Class (1979)

### Recent appointments

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#### Arbitration

- Chairman of tribunal – dispute relating to loan agreement linked to vessel purchases and Central Asian oil interests (LMAA: London seat).
- Chairman of tribunal – dispute relating to long term commodity supply contract (LMAA: London seat).
- Chairman of tribunal – investment dispute (investor/sovereign state) in Caribbean region (ICC: London seat).
- Chairman of tribunal – numerous shipbuilding disputes involving vessels constructed in Asia (LMAA: London seat).

Centre

#### Mediation panel memberships

- CEDR – Centre for Effective Dispute Resolution
- EMAC – Emirates Maritime Arbitration Centre
- IMI – International Mediation Institute
- JIMC – Japan International Mediation Centre
- MOOGAS – Marine Offshore Oil and Gas Association
- SIMC – Singapore International Mediation Centre

#### Other memberships

- ARIAS
- Chartered Institute of Arbitrators: Fellow
- Civil Mediation Council
- International Bar Association: Arbitration and Mediation Committees
- LCIA: Member
- LMAA: Full Member

#### Lectures / talks

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David lectures on arbitration and mediation in England and elsewhere. He has been a member of CEDR's mediator training faculty, and has taught on the Cologne University Summer Arbitration & Mediation Course.

Recent lectures:

- 'The LMAA 2017 Rules: Continuity & Change'
- 'Does fraud unravel all? – Procedural Problems in International Arbitration'

- Chairman of tribunal – dispute relating to North Sea oil production agreement (LCIA: London seat).
- Chairman of tribunal – negligence claim against accountants by investment fund (BVI seat).
- Co-arbitrator – dispute concerning corporate governance issues in the energy sector in Ukraine (LCIA: London seat).
- Co-arbitrator – dispute concerning securitisation of Russian debt (LCIA: London seat, issues of Russian law).
- Co-arbitrator – dispute concerning oil drilling contract and deployment of oil rig (Paris seat, issues of Venezuelan law).
- Sole arbitrator – dispute concerning alternative energy investments and development activities in Asia (SIAC: Singapore seat, issues of Indonesian law).
- Sole arbitrator – dispute concerning limited liability partnership in finance sector (London seat).
- Sole arbitrator – dispute involving partners in international law practice (LCIA: London seat).

## Mediation

- Dangerous cargo dispute involving Russian, Japanese and Indian interests.
- Dangerous cargo dispute involving a major vessel fire in Asia.
- Dispute concerning members of a partnership in an international law firm.
- Dispute concerning sale of international retail business with operations in Asia.
- Pharmaceuticals dispute concerning licensing and marketing of drugs in US and European markets.
- Superyacht – dispute as to alleged delivery defects.
- Superyacht – dispute as to liability for repairs.
- Dispute concerning joint venture involving carriage and processing of scrap metals.

## Additional recommendations

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Directory quotes relating to his work as an arbitrator include:

- “Truly excellent as an arbitrator according to sources. They effuse *“he is very responsive and always on top of procedures”*”
- “Immaculate reputation for his work in commercial arbitration”
- “A popular arbitrator in Singapore and Malaysia”
- “Tactically superb, whose notable strength in the commercial arena translates into a respected international arbitration practice”
- “A perfect gentleman, who is extremely measured, thorough and tough”
- “A skilled litigator, arbitrator and mediator of shipping disputes. Favoured by solicitors as he is really good to work with, and has a great response time”

Directory quotes relating to his work as a mediator include:

- “A *“standout Silk”* considered *“stunningly good”* in mediation proceedings across a range of sectors including shipping, energy and pharmaceuticals”
- “In high demand as a mediator both in England and abroad. Recommended for his pragmatic advice and resolute focus”
- “A measured and persuasive mediator who sources say is both an excellent lawyer and highly tactful. Solicitors favour him in a range of shipping, insurance, energy and international trade disputes”

Mediation feedback includes:

- “A wonderful mediator. He is extremely intelligent and adept at using it to both sides’ benefit in mediations. He gets

results cleverly.”

- “Immensely hard-working and very user friendly”
- “The best that I have encountered in my career of some 14 years since qualification. Since using Mr Owen as a mediator, I have recommended him to colleagues on every occasion when a recommendation has been sought”
- “Exemplary mediator...approachable, direct and thoughtful”
- “... a paradigm example of how a mediator can solve a seemingly intractable dispute”
- “He came to the mediation incredibly well-prepared and he quickly grasped the issues presented. He also appreciated and dealt effectively with the significant emotional aspects of the case. He did some very effective reality testing without threatening the trust developed with the parties. David has all the qualities of a successful mediator. He is smart, patient, kind, attentive and thoughtful. He is both a good communicator and a sensitive listener.”

## Recommendations

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An excellent advocate and a skillful tribunal chair." "He is good with the details and a very hard worker. [The Legal 500 UK Bar 2022](#)

An excellent arbitrator. [The Legal 500 UK Bar 2021](#)

Very classy, well prepared, and he commands the hearing room. [The Legal 500 UK Bar 2020](#)

Truly excellent as an arbitrator according to sources. They effuse “he is very responsive and always on top of procedures.

A “standout Silk” considered “stunningly good’ in mediation proceedings across a range of sectors including shipping, energy and pharmaceuticals.

A wonderful mediator. He is extremely intelligent and adept at using it to both sides’ benefit in mediations. He gets results cleverly.

Immaculate reputation for his work in commercial arbitration.

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Immensely hard-working and very user friendly.