

# Karen Maxwell

CALL: 1992

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Languages: French; German (conversational)



## Overview

Karen practises in commercial law and international trade, with a particular focus on arbitration and shipping.

After being called to the Bar, Karen practised at Twenty Essex where she established a commercial law practice. She then spent time at Practical Law, establishing and leading Practical Law Arbitration. Following the acquisition of PLC by Thomson Reuters, she was appointed Head of Current Awareness, with responsibility for updates published in Lawtel, Westlaw and Practical Law. Karen returned to resume her practice at Twenty Essex in 2016.

Karen is regularly instructed to advise and appear in shipping, shipbuilding and arbitration disputes. She has particular experience in arbitration-related court proceedings including: various award challenges under sections 67, 68 and 69 of the Arbitration Act 1996; various issues relating to limitation, commencement of arbitral proceedings and validity of notice of arbitration; numerous cases raising issues as to scope of arbitration agreement; anti-suit injunctions and other remedies for breach of arbitration agreement; section 44 applications for interim injunctive relief; New York Convention award enforcement proceedings. Karen also has extensive shipping law expertise, and has recently been instructed in several off hire disputes arising from Covid 19 infections on board vessels.

Karen is a sought after and directory-ranked arbitrator sitting in maritime and commercial arbitrations. She has sat as chair, sole and party-appointee and has acted under the LCIA and LMAA Rules and in ad-hoc arbitration. She is also a qualified mediator.

## Publications

- 'Interim and Emergency Relief - In Support of Maritime Arbitration Under English Law' TDM 1 (2021) (co-authored with Clare Ambrose and Michael Collett QC).
- *London Maritime Arbitration*, published by Informa Law and now in its fourth edition (2017) (co-author).

## Professional memberships

- LMAA: Supporting Member
- The Baltic Exchange: Member

## Lectures/talks

Karen delivers talks and lectures regularly on topics including:

- Antisuit injunctions
- Interim orders in arbitration
- Amendments to the Arbitration Act 1996
- Competing jurisdiction and arbitration clauses
- Confidentiality in arbitration

She writes and lectures widely on arbitration, private international law and shipping topics. Karen is the co-author of *London Maritime Arbitration*, the fourth edition of which was published in 2017. She accepts appointments in maritime and commercial arbitration references.

- Cyber unseaworthiness

## Education

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- University of Oxford, St Hugh's College: MA in Jurisprudence, First Class; Bachelor of Civil Law, First Class

## Counsel instructions

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Recent instructions include the following:

### Maritime

- Confidential arbitration (2024): instructed by Charterers in section 68 challenge proceedings following maritime arbitration.
- Confidential arbitration (2024): instructed by Charterers in off hire/damages dispute.
- Confidential arbitration (2024): instructed by Owners in dispute relating to conclusion of charterparty/repudiatory breach.
- Confidential arbitration (2024): instructed by Owners in dispute relating to failure to take delivery/arrest of vessel.
- (2024): Instructed by P&I Club in connection with potential contempt of court issues arising in anti-suit injunction proceedings.
- Confidential arbitration (2024): instructed by Charterers in dispute arising under Supplytime charter.
- Confidential arbitration (2024): instructed by Charterers in jurisdictional dispute relating to commencement of arbitration.
- Confidential arbitration (2023): represented Charterers in off hire/breach dispute arising out of COVID19 issues.
- Confidential arbitration (2023): instructed by Charterers in off hire and ICA dispute.
- Confidential arbitration (2023): represented Owners in dispute concerning conclusion of charterparty/arbitration agreement .
- Confidential arbitration (2023): represented yard in ship conversion dispute.
- Confidential arbitration (2022) represented Owners in off hire dispute arising out of COVID19 issues.
- Confidential arbitration (2022) represented Charterers in repudiatory breach dispute under charterparty.
- Confidential arbitration (2022) instructed by Owners in dispute arising out of early termination of tanker charterparty.
- Confidential arbitration (2022) instructed by Charterers in cargo contamination dispute.
- Confidential arbitration (2022) instructed by Charterers in dispute relating to conclusion of charterparty.
- Confidential arbitration (2022): represented buyers in ship sale dispute.
- Confidential arbitration (2022): represented shipyard in ship conversion dispute. Confidential arbitration (2021): represented shipyard in shipbuilding dispute.
- *Lavender Shipmanagements Inc v Ibrahima Sory Affretement Trading SA (The Majesty)* [2020] EWHC 3462 (Comm) : s67 Arbitration Act 1996.
- *Korea Shipbuilding & Offshore Engineering Co Ltd v F Whale Corp* [2020] EWHC 631 (Comm), [2020] EWHC 1792 (Comm): shipbuilding contract; application to set aside judgment under CPR 39.3.
- *Tricon Energy Ltd v MTM Trading LLC* [2020] EWHC 700: s69 Arbitration Act 1996.
- Confidential arbitration and mediation (2020): represented respondent Owners in dispute arising from fire on board vessel.

- Confidential arbitration (2020): instructed by Charterers in bareboat redelivery dispute.
- *Quiana Navigation SA v Pacific Gulf Shipping (Singapore) Pte Ltd "Caravos Liberty"* [2019] EWHC 3171 (Comm): time charter withdrawal clause.
- *Grindrod Shipping Pte Ltd v Hyundai Merchant Marine Co Ltd*[2018] EWHC 1284 (Comm): s 68 Arbitration Act 1996.
- Confidential arbitration (2018): represented respondent in application to strike out under s 41 Arbitration Act 1996. Confidential arbitration (2017): represented cargo claimants in title to sue dispute.
- Confidential arbitration (2017): represented disponent owners in charterparty dispute relating to war and piracy risks.
- Confidential arbitration (2017): instructed by owners in dispute relating to repudiation of charter and quantum of damages.
- Confidential arbitration (2017): represented shipyard in shipbuilding dispute raising issues relating to scope of guarantee and measure of damages.
- Confidential arbitration and associated court proceedings (2016): represented respondent bareboat charterers in dispute relating to option to purchase/sell vessel and quantum of damages.
- Confidential arbitration (2016): represented claimant owners in bill of lading cargo shortage claims raising title to sue issues.
- Advised shipyard in dispute relating to delivery under amended Shipbuilders' Association of Japan shipbuilding contracts.

### **Commercial**

- Confidential arbitration (2024): advised award creditors in connection with enforcement proceedings.
- Confidential arbitration (2023): instructed by third party funders in connection with section 67 and 68 proceedings following ICC arbitration.
- Confidential arbitration (2022) represented buyers in dispute relating to the sale/supply of cranes.
- *Buheiry v VistaJet Ltd* [2022] EWHC 2998 (Comm): Arbitration Act 1996 ss67, 68.
- Confidential arbitration and associated court proceedings (2019): represented claimant in connection with freezing injunction ancillary orders.
- Confidential arbitration (2019): application for leave to appeal (s69). Confidential arbitration (2019): represented buyer in CFR sale contract dispute.

### **Arbitrator appointments**

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Recent appointments include the following:

#### **Maritime**

Appointment in numerous charterparty, bill of lading and ship sale disputes, including:

- Chair in LMAA arbitration commenced under ship sale agreement; issues of fraud, misrepresentation, breach of contract, quantum.
- Chair in LMAA arbitration raising issues relating to effect of sanctions on sale of goods contract; effect of assignment on underlying cause of action; claims for injunctive relief and damages.
- Chair and party-appointed arbitrator in sub and head references commenced under chain of charterparties; dispute concerned with demurrage, freight and issue of bills of lading.
- Chair in LMAA arbitration concerned with cancellation, seaworthiness, force majeure, quantum of damages and mitigation.
- Chair in LMAA arbitration concerned with dispute under pool agreement.
- Party-appointed arbitrator in LMAA arbitration concerning claims under charterparty and related guarantee; jurisdictional challenge arising out of existence of overlapping parallel reference.
- Party-appointed arbitrator in LMAA arbitration concerned with claims under bill of lading; jurisdictional challenge arising out of identity of carrier.
- Party appointed arbitrator in LMAA arbitration concerned with demurrage, damages and contractual time bar.
- Party appointed arbitrator in LMAA arbitration concerned with demurrage, damages for detention and exercise of

contractual lien.

- Party appointed arbitrator in LMAA arbitration under sale of goods contract; issues of agency, actual and apparent authority
- Party appointed and sole arbitrator in a number of LMAA arbitrations concerned with crew claims against ship operators, including references under the SCP.
- Party appointed arbitrator in LMAA arbitration concerned with hold preparation and claims for despatch.
- Party appointed arbitrator in LMAA arbitration concerned with cancellation, repudiatory breach, waiver and estoppel. Party appointed arbitrator in LMAA arbitration concerned with NAABSA clause, off hire and quantum of damages.
- Several appointments in LMAA arbitrations raising underperformance and off hire claims.
- Several appointments in LMAA arbitrations concerned with suspension of service under a time charter. Party appointed arbitrator in LMAA arbitration concerned with unseaworthiness, general average, MARPOL.
- Party appointed arbitrator in LMAA arbitration concerned with demurrage and damages arising from collision incident.

### **Commercial/international trade**

Appointed in several sale of goods/commodities/international trade disputes, including:

- Chair in LMAA arbitration raising issues relating to effect of sanctions on sale of goods contract; effect of assignment on underlying cause of action; claims for injunctive relief and damages.
- Sole arbitrator in LCIA arbitration under sale and purchase agreement; jurisdictional challenge based on identity of contracting parties/novation; award on claim for award in respect of unpaid advance payment of costs.
- Sole arbitrator in two connected ad hoc references under sale and purchase agreement; jurisdictional challenges; quantum.
- Chair in LCIA arbitration commenced under sale of goods contract: repudiatory breach, quantum of damages.
- Sole arbitrator in LCIA arbitration under sale and purchase agreement. Issues relating to repudiatory breach and termination, quantum of damages, and costs.
- Party appointed arbitrator in LCIA arbitration under oil sale and purchase agreement.
- Party appointed arbitrator in LMAA arbitration under sale of goods contract; issues of agency, actual and apparent authority.

### **Recommendations**

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Karen is really fantastic. She really knows her stuff and she's very good at dealing with the parties in tough cases. She creates a great atmosphere and drives things forward in a really nice way. [Chambers UK Bar 2025](#)

Karen is brilliant. She has an excellent legal mind, and is very calm and experienced. She engages in highly complicated and challenging issues. [Chambers UK Bar 2025](#)

Karen is a superb barrister with fine judgement and extremely hard working. She is very knowledgeable on all aspects of dry maritime law and turns around paperwork very quickly. [The Legal 500 UK Bar 2025](#)

Karen has a fantastic knowledge of the Arbitration Act and great insight into its application. She is creative in identifying solutions and an excellent, clear advocate. [The Legal 500 UK Bar 2024](#)

Karen is a very experienced, bright and knowledgeable barrister with a strong commercial acumen. [Chambers UK Bar 2024](#)

She has a brilliant mind and can find commercial solutions even in very complex matters. [Chambers UK Bar 2024](#)

She is very knowledgeable and very user-friendly. [Chambers UK Bar 2024](#)

Karen is efficient and very effective. [Chambers UK Bar 2022](#)

She is personable and down to earth. [Chambers UK Bar 2022](#)

Extremely bright, approachable and knowledgeable. [Chambers UK Bar 2022](#)

Karen is extremely responsive and always on hand for ad hoc queries. She is quick to get to grips with the finer details of a

matter and provides robust and clear-cut advice. [Chambers UK Bar 2021](#)

Her written work is phenomenally good and well received. [Chambers UK Bar 2021](#)