



Australian launch of “The law and practice of admiralty matters”

Authors Sarah Derrington and James Turner; Oxford University Press, 2007

Friday, 20 April 2007, 5.30pm, Banco Court

The Hon Paul de Jersey AC Chief Justice of Queensland

It is a signal recognition of Dr Sarah Derrington’s scholarship in maritime law that her work, written with James Turner, has been published by Oxford University Press: many are called, few are chosen. Indeed very few and only, I venture, if their contribution is unique, unquestionably accurate, and progressively developmental.

No, this is not a promo for a book publisher, even one august enough to operate from Great Clarendon Street, Oxford. Rather, it is no more than an appropriate acknowledgement of a Queenslander who, in her selected, refined field, has developed an acute expertise worthy of international recognition. And I should add, a contribution offered together with that of a distinguished English practitioner in this field.

There is a second point of distinction. To attract a foreword from the Master of Rolls says nothing about influence and power. It speaks to an acknowledged maritime law leader’s respect for a work he has read.

And if you read the foreword, you will realise that, in my launching the book this evening in this country, I enjoy a particular advantage over Sir Anthony Clarke. That is, that I have actually met Sarah Derrington and count her as a respected legal colleague and good friend.

Sarah is immensely well qualified to write a seminal work of this character. We heard earlier of her high qualifications and extensive experience, here and overseas. And her presentation here this evening exuded high scholarship. (As most of us would know, she teaches Maritime Law at both undergraduate and post-graduate levels, and Equity and



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Commercial Law to undergraduates, at the University of Queensland. She is Australian Vice-President of the Maritime Law Association of Australia and New Zealand. She has published in various high level journals, including the Law Quarterly Review, the Modern Law Review, Lloyds Maritime and Commercial Law Quarterly, the Insurance Law Journal and the Journal of Maritime Law and Commerce. And there is a strong international dimension to her experience. From 2002 to 2006 she was a visiting lecturer at the University of Nottingham, teaching International Carriage of Goods by Sea in that University’s LLM programme. More recently, she has been a visiting professor at the University of Aix-Marseilles in France, delivering seminars to students in the Master of Maritime Law and Master of International Law programmes.) She brought a wealth of research to the preparation of this volume.

Reading the authors’ preface, I was struck by the sincerity – more apparent in this preface than in many – of the acknowledgement of the support of spouse and children. Producing a detailed and prospectively definitive work of this character commands enormous discipline from the author, and that inevitably constrains the family relationship. The understanding support of Roger, Nicholas, Stephanie and Emily, should this evening be acknowledged, with gratitude, by those of us who will benefit from this enormously educative work.

Some years ago, I think in April 1991, I determined a shipping case in Cairns called *Ocean Industries Pty Ltd v The Owners of the Ship MV “Steven C”*. To my surprise, the Full Court, on appeal, disagreed with my resolution of the issue. My self-esteem in the area of maritime law consequently remained in the doldrums for the ensuing 16 years until somewhat revived, only last week, when I read an extremely wise line in this new production. Our authors refer to the Full Court decision at p 84. Immediately following, our authors observe: “It seems doubtful that that decision would be followed in England and Wales, following the decision of the House of Lords in *The Indian Grace (no 2)*.” But of course I acknowledge that if, on that busy morning in the steamy courthouse at Cairns, I had had the advantage of recourse to “The law and practice of admiralty matters”, my decision in 1991 would much more likely have been correct and unappealable.



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I will not this evening presume to speak to the content of this important volume, and especially not where the co-author has herself delivered a relevant and informative lecture.

It suffices for my part, now, to launch in Australia, with considerable pleasure, a work which will quickly assume international relevance and importance, quite apart from its undoubted utility here... “The law and practice of admiralty matters”.