



## Prof. Nicholas Gaskell

Nicholas Gaskell is Emeritus Professor of Maritime and Commercial Law at the TC Beirne School of Law at the University of Queensland in Australia. He formally retired from his teaching and research post at the School on 30 March 2020, having held a full time post since September 2009.

Prior to that, Professor Gaskell worked for some 33 years at the University of Southampton and, from 1994, held the titled post of "David Jackson Professor of Maritime and Commercial Law". From 2003-2007 he was the Head of the School of Law. He was a founder member of the Institute of Maritime Law at the University and, from 1996-1999, served as Director of that Institute. He continues to be a Visiting Professor at the University of Southampton.

Professor Gaskell has taught maritime law to students and practitioners within the maritime legal and shipping professions both within the UK (e.g. in Southampton and London) and internationally (e.g., Australia, Belgium, China, Denmark, Finland, France, Germany, Greece, Holland, India, Italy, Japan, Korea, Malta, New Zealand, Norway, Pakistan, Poland, Singapore, South Africa, Sweden, and Yugoslavia).

He has represented the International Union for the Conservation of Nature and Natural Resources (IUCN) at the International Maritime Organisation's Legal Committee and the IOPC Funds. He has attended and participated in many diplomatic conferences which have produced international maritime law Conventions, including the 1989 Salvage Convention, the 1992 Protocols to the CLC and Fund Convention, the Hazardous and Noxious Substances Convention 1996, the LLMC 1996, the Arrest Convention 1999 and the Bunker Pollution Convention 2001. He was a member of the U.K. delegation at the 2002 diplomatic conference which agreed the Athens Convention 2002.

He is a Titular Member of the Comité Maritime International (CMI) and has been a member of the Executive Committee of the British Maritime Law Association (BMLA) and various Sub-Committees (including those on Environmental Damage, and Limitation of Liability). He has been a BMLA representative on numerous U.K. Government Consultative Committees on CMI/IMO draft Conventions, including the HNS Convention 1996, the Arrest Convention 1999 and the revisions to the Athens Convention 1974 and has acted as a consultant to the U.K. Department for Transport (previously the DETR) on salvage, wreck, passenger liabilities and limitation of liability. He is now a member of the Maritime Law Association of Australia and New Zealand (MLAANZ).

His professional practice as a barrister has mainly been in the form of consultancy, often in cases where opinions are required about the application of English law in proceedings before foreign courts. He has advised in a wide range of disputes concerning bills of lading, charterparties, pollution liabilities and limitation of liability.

He has written widely on areas of maritime law, including carriage of goods by sea (bills of lading and charterparties), collisions and liabilities (including pollution damage, salvage, wreck, passenger claims, and limitation of liability) and shipping regulation. He is the main author of *Bills of Lading: Law and Contracts* (Informa, 2000) and his writings on bills of lading have been cited with approval in the courts in the U.K. and internationally, including the House of Lords in *The Starsin* [2003] UKHL 12. He has written extensive commentaries on U.K. merchant shipping legislation since 1988, and on new areas of law such as that applicable to autonomous underwater vehicles.

In November 2019, Informa Law published the major practitioner work *The Law of Wreck*, jointly authored with Craig Forrest. This work examines in detail the legal and commercial consequences of a shipwreck, including a detailed analysis of the Nairobi Wreck Removal Convention 2007 as enacted in English law.

## Publications

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The Law of Wreck (2019, Informa Law from Routledge, 810 pp), with C Forrest.

"The Empress of Ireland and Imo Collisions: Then and Now", Chapter 1 in Mitchell and Watterson (eds) *The World of Maritime and Commercial Law: Essays in Honour of Francis Rose* (Hart, 2020)

"Liability and Compensation Regimes: Pollution of the High Seas", Chap 8 of Beckman, McCreath, Roach, Sun (eds), *High Seas Governance: Gaps and Challenges* (Brill/Nijhoff, 2018)

"Limitation of Liability and Division of Loss in Operation" in Gault (Ed) *Marsden and Gault on Collisions at Sea* (14th ed, 2016, Sweet and Maxwell) pp. 973-1020

"Compensation for Offshore Pollution: Ships and Platforms", Chapter 4 in Clarke (ed) *Maritime Law Evolving*, (Hart 2013)

"Bills of Lading in an Electronic Age" [2010] *Lloyd's Maritime and Commercial Law Quarterly* 233-284.

"The Bunker Pollution Convention 2001 and limitation of liability" (2009) 15 *Journal of International Maritime Law* 477.

"Private Law Rights Applicable to Seafarers" (with C. Smith), Chapter 5 (pp. 169-226), in Fitzpatrick, Anderson (eds), *Seafarers' Rights*, (OUP 2005).

"Charterers' Liability to Shipowner – Orders, Indemnities and Vessel Damage" in Schelin (ed), *Modern Law of Charterparties* (2003).

*Bills of Lading: Law and Contracts* (LLP 2000, 821 pp), with R Asariotis and Y Baatz.

*The Law Relating to Autonomous Underwater Vehicles* (with E Brown) (2000), 182 pp.

"Merchant Shipping Act 1995" (482 pp) and "Merchant Shipping and Maritime Security Act 1997" (157 pp) *Current Law Statutes*.

*Limitation of Shipowners Liability-the New Law* (Sweet & Maxwell, 1986), Editor.

*Chorley and Giles Shipping Law* (with C Debattista and R Swatton) (8th ed, Pitman, 1987).