

The Dabelstein & Passehl Shipping & Marine Insurance Scholarship
27 September – 8 October 2004

I was of course very delighted to have been successful in my application for the Dabelstein & Passehl Shipping and Marine Insurance Scholarship and I therefore arrived in Hamburg on a Sunday afternoon in September in high spirits.

I am glad to say that when I left Hamburg two weeks later, I felt my expectations had been met. I had acquired a deeper knowledge of German law in the various areas in which I work every day – transport and insurance – and I had the opportunity to visit such diverse offices as that of a surveyor, a reinsurance company and a pilot station. In addition, I gained an insight into the work carried out by your office by talking to the lawyers in your office and, not least, I was part of a group of scholars from different backgrounds but all working in the same line of business – and this all took place in one of my favourite cities of the world – Hamburg.

I will in this paper aim to describe my scholar experience and, although I deeply regret I did not do it any earlier, the time which has elapsed since I returned has made me realise that I gained a lot of knowledge and insight into the industry, which I would not have been able to had I been sitting behind my desk for two weeks this autumn instead.

On my arrival in Hamburg I picked-up the keys to what was to be my home for next two weeks. I was very pleased with the flat – spacious and very well-situated close to the U-

bahn station at Hallerstrasse and in an area which appeared safe to venture into day and night.

The programme itself provided a good amount of interesting lectures held in your office combined with field trips. Due to my everyday work I, of course, very much benefited from the lectures which were held on the first day. A day which finished with an enjoyable trip on board a little boat taking in the sights in the port area including a few containerships, which appear so gigantic when you sail underneath the anchor! I must however mention that I was pleased that I understood a little of the German language, as the commentary was in German. In fact, I found that my basic skills in German helped me throughout the stay, as it is always nice to have a basic understanding of what is going on around you whether you are in a bus, asking for directions, watching the news on television or buying a pint of milk in Spar!

The programme continued with a string of other interesting lectures in your office and likewise exciting visits such as the one Thursday morning when we visited Mr Klaus Foerster. Our visit was timed to perfection, as they were off to survey a consignment of wet coffee beans. As we joined them in their inspection of the cargo, we were given hands-on experience of a simple – yet in many incidents vital – exercise, namely to gain evidence of the alleged damage as soon as possible. Of course the inspection of a small consignment of wet coffee beans does not lead to a full-blooded legal action or a claim of high value but the visit made me aware of the importance of ensuring from my side that clear instructions are given to an appointed surveyor in order to be able to piece a proper cause-of-alleged-claim picture together at a later stage and, indeed, if the claim will result

in a legal battle. A more fun episode, which we had with the surveyors, was when we called into one of the cocoa bean warehouse in the port area and we were giving a bit of surveyor insight into which ones of the German chocolate manufacturers are happy to accept damaged cocoa beans for their chocolate bars!

One of the highlights of the scholarship was the visit to Munich Re. Thank you to all in your office who planned our visit and arranged for our flights. Although, it was an early start, it proved to be worth getting up at 4:00 am on a grey and miserable Friday morning. We were of course privileged that Peter was part of the group, as he ensured that the trip to Munich not only became an insight into what "the insurance companies' insurers do" but we also packed in a bit of sight-seeing (which proved to be very valuable for those who stayed on in Munich for the weekend). The day at Munich Re was well-planned with lectures examining the various lines of activities carried out by a reinsurance company. The day finished with a well-prepared case study prepared by Peter, which gave us all an introduction to claims handling in the claims department of the world's largest reinsurance company. It was of course a visit that I in particular found of great value, as the word "reinsurance" is a part of my daily vocabulary working for an insurer.

I would like to mention here that I found it very motivating that for this year's intake you decided to choose three lawyers practicing and two from the industry, as it provided the basis for many exciting discussions exchanging different views, which of course were determined on which side of the table you might find yourself!

The second week was slightly more hectic than the first week. We had a string of field trips including a day trip to Bremen and we were all working on our presentation of arrest and maritime liens, so the majority of us all kept a low profile on the social scene the first few days of the second week.

The visits in the beginning of the second week varied in quality and appeal to the group. No doubt we could have benefited from a "chaperone" during our visit to Bremen to introduce the companies to us and to have facilitated better Q&A sessions, as we felt we quickly ran out of questions without a guiding hand. Perhaps it was due to the fact that the majority of us spent more time than usual in the flats in the beginning of the week preparing our arrest paper and our minds - and even talks among ourselves on the train to/from Bremen - were bursting with arrest in rem! In any event, we were "back on track" Wednesday morning, as the visit to Schlimme & Partner was of high quality, which ensured a good Q&A session. The reason being that although, the subject of general average might be dull in lectures, it is a different story when two enthusiastic and engaged average adjusters open with the storyline of phone calls in the middle of the night followed by exchange of hundreds of emails about fire on board a vessel (needless to say which casualty they referred to!) and then go on to show a few photos of some well-known ship casualties (and again needless to say a few of us kept very quiet!).

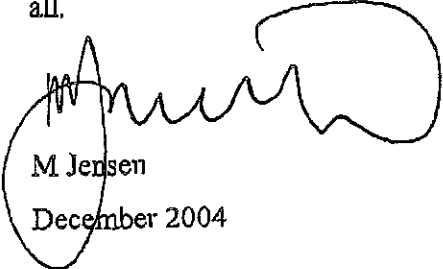
In the afternoon, we each delivered our presentations on arrest and maritime liens. As I am not involved in my everyday work with arrest of ships (although of course on my return to the office I suddenly found myself assisting a Member taking steps to lift an arrest order in India!), it was a challenge to research for the paper prior to travelling to

Hamburg. And although it was not a subject which had my greatest interest, I enjoyed the challenge.

Any excuse seemed to be made by the scholars for enjoying Hamburg's bar scene and nightlife - and after the presentations we all had a good excuse for a pilsner! Here should also go a big "thank-you" to all at your office, who took part in social events including the lunches and dinners which the office kindly hosted and which often lead to spontaneous "let's-go-for-a-last-one" among the scholars!

The final two days of the second week were busy with visits. Among the visits, I enjoyed the morning we spent at Blohm & Voss. We were given a good introduction at their office followed by a walk around the shipyard with several stops at the various workshops including a stop at one of the dry docks. However, the final visit Friday morning to the pilot station is one of my fondest memories from the scholarship. Not only was it fascinating to go out with one of the pilots that morning (although a boat trip for some of us perhaps was a little too ambitious a project considering the previous evening we had enjoyed!) but it also served as a nice way of saying "goodbye" to Hamburg after two exciting weeks spent in the field of my interest - international transport law and insurance.

My thanks to all involved in making the Scholarship 2004 a fantastic experience for us all.



M Jensen
December 2004