



SEMAPHORE

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Association of Australia and New Zealand



Q&A with Ron Salter

Retired commercial and maritime arbitrator and mediator

Do You Recall What First Attracted You to a Career in Law and Was There Any Previous Family History in the Profession?

No previous family history in law.

With all due modesty, I have to say that I was a top student at school, so that it was expected that I would go on to university. In those days, the number of options was fairly limited, and I was not qualified for things like medicine, science or engineering. This left me with law, arts or commerce, and I chose the law.

Are There One or Two Particularly Interesting Cases Over the Years of Your Involvement You Would Like to Briefly Reference – Focusing on Your Personal Outtakes From Those?

The aging memory makes it difficult to recall any highlights, but I certainly recall being instructed in relation to a bulk ore carrier which had run aground off Dampier in Western Australia. I spent several days on the ship while salvage arrangements were being negotiated, and while boarding from a pilot boat and subsequently disembarking were not too bad, via the pilot ladder – that was because the ship was standing solidly on the seabed. Eventually, a salvage agreement was negotiated, involving some eight or more vessels pulling simultaneously, and that was successful!

That meant that the vessel was towed out to an anchorage some kilometres from land, we remained at anchor for some considerable time, while surveyors etc carried out internal inspections of the hull. Eventually, late in the afternoon, the “all clear” was given for the vessel to sail for Japan or wherever she was heading, and it was time for yours truly to leave, again by way of the pilot ladder, which was now bobbing around at a considerable height above the water. Obviously enough, I made it to the spot where I had to jump on to the pilot boat, but to say that this was a “hairy” experience for a then inexperienced and overweight lawyer is an understatement!

I recall also being involved with a vessel which had run aground off Rossel Island in the east of Papua New Guinea. After a lengthy salvage battle she was refloated and towed to Cairns, where she remained at anchorage, some distance off



Ron Salter

the port. As I best remember it, I was instructed by cargo interests to investigate – but my opponent, Denis Worrall, acting for the P&I Club, was reluctant to let me near the ship. My clients managed to persuade the ship and the club to let me aboard, so I had to hire a vessel to take me out there and I then had to board, again by way of the pilot ladder. I did what I had to do and then returned to the comfort of my hotel in Cairns, again by the same means. I eventually made my report and while I cannot now recall the detail, my recollection is that the vessel was subsequently destroyed.

Over the years, most of my work involved cargo claims, not many of which were exciting. I do, however, recall some substantial claims involving container losses, which kept me, counsel instructed by me, the P&I representatives and the courts busy for some time! I can't remember all the detail, but a case involving a ship *Susanne* stands out – numerous containers were lost overboard and the subsequent litigation kept me busy for a long time!

If Not Covered Above, What Events/ Highlights During Your Career Are You Most Proud of and/or Have Provided the Most Satisfaction?

On the non-marine side, one case I remember involved the collapse of a bridge in Israel at the opening of the Maccabiah Games in 1997. A number of Australian athletes preparing to compete at the event were killed or injured, and the law firm in Tel Aviv dealing with the consequent litigation sought my advice on various aspects of Australian law. All went along in a fairly standard way until the case was approaching trial, when my principals required me to travel to Israel and give evidence about Australian law.

I duly flew to Israel, only to find that the opposing lawyers accepted that the Australian law was as I had asserted and I was not required to give evidence. Nevertheless, I had a most interesting week in Haifa, where the trial was taking place, giving such assistance to my instructors as required!

Back to the marine side, I should recall that in 1991, I was the first Australian appointed to the Executive Committee of Comité Maritime International (CMI), where I served for some nine

Brief Bio

Ron Salter is a retired arbitrator and mediator. Previously a Fellow of the Chartered Institute of Arbitrators and a Chartered Arbitrator, a Fellow of the Australian Centre for International Arbitration, and when previously a member of the Institute of Arbitrators and Mediators Australia, was accredited as a Grade 1 Arbitrator. He was a member of the Institute of Chartered Shipbrokers and also a member of arbitration panels operated by a number of institutions such as the Hong Kong International Arbitration Centre, the Singapore International Arbitration Centre, the Singapore Chamber of Maritime Arbitration, the China Maritime Arbitration Commission, and MLAANZ. He was also a member of 18th Commission of the China Maritime Arbitration Commission.

He was a director of the Australian Centre for International Commercial Arbitration (ACICA), director of the Melbourne Commercial Arbitration & Mediation Centre, councillor and director of the Chartered Institute of Arbitrators (Australian Branch), and national councillor and director of the Institute of Arbitrators & Mediators Australia (IAMA). In 2013-2014, he served as chair of the organising committee for the tenth anniversary conference of the Asia Pacific Regional Arbitration Group (APRAG).

Mr Salter regularly acted as arbitrator or mediator, both domestically and internationally, in a variety of commercial disputes, including in the fields of shipping, aviation, insurance, trade, commodities, partnerships, travel, property, professional liability, and infrastructure projects. He has been listed in four separate Euromoney Guides to the World's Leading Lawyers (shipping and maritime, litigation, insurance and reinsurance, and commercial arbitration), as well as in publications such as *Who's Who Legal Arbitration*, the *International Who's Who of Shipping Lawyers*, the *Asia Pacific Legal 500*, *Best Lawyers*, and *Asialaw Leading Lawyers*.

years, being appointed as a titular member and particularly enjoying my regular all-expenses paid travel to various Northern Hemisphere destinations!

Separately, I recall being vice-chair of the Maritime and Transport Committee of the International Bar Association Section on Business Law, a member of the Commonwealth Attorney-General's Admiralty Rules Committee and a member of the joint committee of the Law Council of Australia and MLAANZ on the admiralty jurisdiction of Australian courts.

Hello from Ron Salter (Teaser Vid)

From maritime practice, I moved into arbitration and mediation, where I enjoyed a reasonable amount of work outside Australia, and particularly in Singapore and Hong Kong.

The final highlight I should recall is my involvement in our firm's rather unique Vietnam office. My involvement came about when our principal in Vietnam, who had been there for some time, resigned and the-then managing partner of our Melbourne office asked me to travel to Hanoi to try and sort out what should happen to our newly-purchased building. I went to Hanoi with a couple of assistants, and I am pleased to say that not only was our building saved, but I managed to persuade my Hanoi partner to withdraw his resignation. I remained involved as part of our Vietnam team for five or six years, regularly travelling to Hanoi and Ho Chi Minh City for meetings, functions etc.



Mr Salter (second from front at right) pictured with some of his former partners at a recent reunion lunch, including Andrew Tulloch (front left), an ongoing active MLAANZ member

Have There Been One or Two Colleagues in Particular Over the Years Who Have Held Particular Place in Heart?

I began my legal career as an articled clerk at what was then Phillips, Fox & Masel, a Melbourne law firm of about 15 people. I worked principally with Geoff Masel, who was the younger son of the senior partner, Alec Masel, and who at that time practised in general insurance work, mainly involving motor car personal injury cases. However, from time to time, Alec Masel – who, amongst other things, worked in the marine insurance field – recruited me to run documents up to the court in his cases and subsequently, upon apparently being satisfied of my capacity and ability, instructed me to actually make simple applications. In those days, the only court with Australia-wide jurisdiction in admiralty was the High Court and I became quite experienced at appearing before the-then chief justice Sir Garfield Barwick, to make applications to effect service of proceedings out of the jurisdiction. One thing led to another and soon I became involved in running the actual cases once service was effected and the defendant appeared.

The colleagues who have held a particular place in my heart, apart from the above-mentioned Masels, include Andrew Tulloch who was a partner of mine for a long time and who is still active in maritime law, the previously-mentioned Denis Worrall, then of the firm of Middletons, and his partners, including Bob Desmond, Rob Springall, David Roylance and Gavin Valley. Alec Masel did something which was incredibly innovative in 1972 and arranged for me to work in London with Gordon Blacker, senior partner of Clyde & Co. The several months which my wife and I spent in London were particularly important in my career development, both in terms of learning important principles of maritime law and developing career-long personal connections.

Have There Been Any Difficult Moments in Your Career That You Might Care to Also Reference?

To be honest, I cannot think of anything in particular. The best that I can come up with at the moment is my recollection of the year before I was elevated to partnership, when a number of my friends, working at other firms, were in fact appointed as partners in their respective firms. After spending the next year in a grizzly mood, I eventually got the nod and made it to the big time!

Do You Have Any Particular Personal Mantras or Processes You Swear by?

A bit boring – work hard and keep the clients happy!

What Have You Personally Most Enjoyed/Valued About Membership to MLAANZ?

Membership of MLAANZ provided me with a wide range of contacts, who became friends.

Would You Also Like to Include a Brief Mention of Your Family and Your Non-Work Activities?

My wife, Cynthia, and my children, have always been very supportive. Although, my two children – then quite young – may not have been that excited when Cynthia and I left them in the care of grandparents while we spent some months in London in 1972. I'm pleased to say that they duly recovered and we have had a wonderful family relationship ever since.

As for non-work activities, I played golf (badly) for many years, I was involved with a number of organisations – for example the Boy Scouts, the Australian-British Chamber of Commerce, the Australia Indonesia Business Council, the American Chamber of Commerce in Australia, the Australia Vietnam Business Council, and the Melbourne University Law School Foundation.

My major non-work activity for the last 30 years or so is our weekend home on the Mornington Peninsula, which we have much enjoyed.

What Are Your Plans Now and for the Future?

In retirement and not in the best of health, I can't say that I have any plans other than to enjoy every day!

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