

Anti-suit injunctions: foreign proceedings in breach of an (alleged) English jurisdiction agreement.

In HAPPY LUCKY -v- FESCO VOYAGER, [James Watthey](#) successfully defeated an anti-suit injunction application in the Commercial Court in September. Judgment was given *ex tempore* and the transcript has just been approved. The application arose out of a collision off Vietnam. There were negotiations over applicable law, jurisdiction and security, but in due course owners of FESCO VOYAGER arrested HAPPY LUCKY in Singapore. HAPPY LUCKY interests alleged that the arrest was wrongful and the commencement of proceedings in Singapore was a breach of an exclusive English jurisdiction agreement. Moulder J found that the P&I Club claims handlers had intended to finalise a putative jurisdiction agreement only upon execution of the Admiralty Solicitors Group ASG2 “Collision Jurisdiction Agreement” form. As the form was not executed, it followed that there was in fact no concluded agreement and there would therefore be no injunction to restrain the Singapore proceedings. James worked with Siiri Duddington, Rosie Goncare and Jack Redrup of Hill Dickinson’s London office.

[Full judgment here](#)