



Emma Hilliard

Call: 2006

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"She is extremely bright and very able"

Legal 500 2020

Practice Profile

Emma Hilliard has been described as *"a rising star"* (Chambers and Partners UK Bar 2014) and specialises in commercial litigation and arbitration with particular emphasis on various types of contractual disputes (having previously been a Supervisor in Contract Law at Gonville and Caius College, University of Cambridge, 2005-2006).

Her areas of practice include insurance and reinsurance, shipping, aviation, arbitration, energy, sale of goods, professional negligence, banking, conflict of laws and other general commercial disputes. Emma was called to the Bar in 2006 and joined 7KBW as a tenant in 2007, following the completion of her pupillage here. As well as appearing in Court (the Court of Appeal, Commercial Court, Queen's Bench Division, London Mercantile Court and County Courts), Emma has substantial experience of appearing in confidential arbitrations. She acts as sole counsel in smaller disputes in Court and arbitrations and as junior counsel (including as part of a team of counsel) in larger trials and arbitrations. For several years Emma has been recommended in the legal directories for aviation – she has been recommended for aviation in Chambers & Partners UK Bar in 2013, 2014, 2015 and 2016 and in Legal 500 in 2014, 2015, 2016, 2017 and 2018. She is currently ranked in band 3 for aviation in Legal 500 2018 and in band 3 for aviation in Chambers & Partners UK Bar 2016. Emma has been described in the following terms:

- *"Emma Hilliard is, according to solicitors, someone who "knows her subject inside out, is very diligent and understands the commercial context of any case."* Chambers and Partners 2013.
- *"Emma Hilliard is a junior impressing the aviation market. Sources appreciate her strong industry knowledge and down-to-earth approach. Emma is very keen and a rising star."* Chambers and Partners 2014.
- *"Has a strong technical knowledge of the market and is particularly active in complex aviation insurance cases. She shows great attention to detail and is very good on the paperwork."* Chambers and Partners 2015.

- “An aviation insurance and reinsurance specialist with a growing practice in the area.” “She is very bright and has a strong reputation.” Chambers and Partners 2016.
- “An excellent junior for aviation matters.” Legal 500 2014.
- “Very determined and user-friendly.” Legal 500 2015.
- “Excellent.” Legal 500 2016.
- “First rate.” Legal 500 2017.
- “She is a very able barrister.” Legal 500 2018.

Selected cases include:

- Emma recently appeared as junior counsel for the First to Fourth Defendants who successfully defended claims in a 5 day trial in the Commercial Court (led by Robert Bright Q.C.), the sums involved being approximately US\$10.9 million – ***Navig8 Inc v South Vigour Shipping Inc & Ors***[2015] 1 Lloyd’s Rep 436 (Commercial Court).
- Emma was instructed as junior to Gavin Kealey Q.C., Stephen Kenny Q.C. and John Bignall representing 18 major aviation insurers in a \$150 million aviation insurance dispute in the Commercial Court (***PK AirFinance US Inc v Chartis & Ors***; and ***Blue Sky One Limited & Ors v Chartis & Ors***). It was claimed by the alleged owners and mortgagees of three Boeing 747 aircraft that the aircraft were lost when misappropriated by an Iranian airline.
- Emma appeared in the Court of Appeal as junior counsel for the successful appellants (led by David Bailey Q.C.) in an appeal from the decision to grant an anti-suit injunction: ***Oceanconnect UK Ltd & Anor. v Angara Maritime Ltd [2011] 1 Lloyd’s Rep 399 (Court of Appeal)***.
- Emma was instructed as junior counsel acting for insurers in relation to a multi-million pound Commercial Court claim brought by a bank providing invoice discounting and factoring services (led by David Bailey Q.C.).
- Emma has been instructed as junior counsel in a number of confidential arbitrations, including arbitrations on LMAA terms and insurance and reinsurance arbitrations.

If you are interested in instructing Emma on any particular matter, please contact her clerks.

Aviation

Emma Hilliard has been recommended for Aviation in the legal directories for several years – she has been recommended for Aviation in Chambers & Partners UK Bar in 2013, 2014, 2015 and 2016, and in Legal 500 in 2014, 2015, 2016, 2017

and 2018. She has been described as “a junior impressing the aviation market”, “a rising star”, “An excellent junior for aviation matters”, “very bright and has a strong reputation” and “particularly active in complex aviation insurance cases” – see further the “In the Directories” section below for quotations. She is currently ranked as a Leading Junior in band 3 for Aviation in Legal 500 2018 and in band 3 for Aviation in Chambers & Partners 2016.

Selected cases:

- Acted as junior counsel (led by Gavin Kealey Q.C., Stephen Kenny Q.C. and John Bignall) for 18 major aviation insurers in a \$150 million aviation insurance dispute in the Commercial Court (***PK AirFinance US Inc v Chartis & Ors***; and ***Blue Sky One Limited & Ors v Chartis & Ors***). It was claimed by the alleged owners and mortgagees of three Boeing 747 aircraft that the aircraft were lost when misappropriated by an Iranian airline.
- Instructed in a confidential arbitration.
- Appeared as sole counsel representing FedEx in a trial on quantum concerning carriage of goods by air.
- Appeared as sole counsel representing Air Canada in a dispute concerning refusal to allow a passenger to fly.

Banking & Finance

Selected cases:

- Emma was instructed as junior counsel (led by David Bailey Q.C.) acting for insurers in relation to a multi-million pound Commercial Court claim brought by a bank providing invoice discounting and factoring services.
- Appeared as sole counsel representing Barclays Bank Plc in a County Court trial concerning the termination of a customer’s banking relationship.
- Appeared as sole counsel representing Barclays Bank Plc in a County Court trial concerning its procedures for identifying customers.

Commercial Litigation

Emma Hilliard has been instructed in a range of commercial disputes including a range of different types of contractual disputes covering areas including sale of goods, banking, aviation, energy, insurance and reinsurance, shipping and commodities. Prior to commencing practice, Emma was previously a Supervisor in Contract Law at Gonville and Caius College, Cambridge University (2005-2006).

Selected cases:

- ***Navig8 Inc v South Vigour Shipping Inc & Ors*** [2015] 1 Lloyd’s Rep 436 (Commercial Court) –

- Emma recently appeared as junior counsel for the First to Fourth Defendants who successfully defended claims in a 5 day trial in the Commercial Court (led by Robert Bright Q.C.), the sums involved being approximately US\$10.9 million.
- Acted as junior counsel (led by Gavin Kealey Q.C., Stephen Kenny Q.C. and John Bignall) for 18 major aviation insurers in a \$150 million aviation insurance dispute in the Commercial Court (***PK AirFinance US Inc v Chartis & Ors***; and ***Blue Sky One Limited & Ors v Chartis & Ors***). It was claimed by the alleged owners and mortgagees of three Boeing 747 aircraft that the aircraft were lost when misappropriated by an Iranian airline.
- Acted as junior counsel for insurers in relation to a multi-million pound Commercial Court claim brought by a bank providing invoice discounting and factoring services (led by David Bailey Q.C.);
- Emma was instructed as part of a team of counsel in relation to a substantial shareholders dispute;
- Appeared in the Court of Appeal as junior counsel for the successful appellants (led by David Bailey Q.C.) in an appeal from the decision to grant an anti-suit injunction: - ***Oceanconnect UK Ltd & Anor. v Angara Maritime Ltd*** [2011] 1 Lloyd's Rep 399 (Court of Appeal).
- Appeared (as sole counsel) in two County Court trials heard together. The two claims were brought by self-employed owner-drivers each alleging breach of contract for services.

Commodities

Selected cases:

- Emma has been instructed as junior counsel in several confidential arbitrations concerning commodities.

Insurance & Reinsurance

Emma Hilliard has experience of a wide range of insurance and reinsurance disputes. Emma has been described as follows in the Aviation section of the Chambers and Partners UK Bar Guide 2016: *"An aviation insurance and reinsurance specialist with a growing practice in the area. She is very bright and has a strong reputation."* Prior to commencing practice at the Bar, Emma previously studied Commercial Insurance Law as a postgraduate at Cambridge University as part of her Commercial LLM (First Class, 2004-2005).

Selected cases:

- Emma has been instructed in a number of confidential insurance and reinsurance arbitrations.
- Acted as junior counsel for the defendants in a claim brought in the Commercial Court against insurance brokers (led by Richard Southern Q.C.). Appeared as sole counsel at a CMC.
- Acted as junior counsel (led by Gavin Kealey Q.C., Stephen Kenny Q.C. and John Bignall) for 18 major aviation insurers in

a \$150 million aviation insurance dispute in the Commercial Court (***PK AirFinance US Inc v Chartis & Ors***; and ***Blue Sky One Limited & Ors v Chartis & Ors***). It was claimed by the alleged owners and mortgagees of three Boeing 747 aircraft that the aircraft were lost when misappropriated by an Iranian airline.

- Acted as junior counsel for insurers in relation to a multi-million pound Commercial Court claim brought by providers of invoice discounting and factoring services (led by David Bailey Q.C.).
- Acted for a number of insurers in a reinsurance dispute in the Commercial Court.
- Acted as junior counsel for a company in a dispute with insurance brokers.
- Acted as junior counsel (led by Julia Dias Q.C.) for a company in a claim relating to the provision of claims handling services.
- Instructed as junior counsel in a high value reinsurance dispute in the Commercial Court relating to pharmaceuticals (led by S.J. Phillips Q.C.).
- Acted for the insured, an exporter, in a Commercial Court action concerning an insurance policy with the Export Credit Guarantee Department.
- Acted as junior counsel (led by Robert Bright Q.C.) for insurers in 2 Commercial Court cases in relation to claims made for alleged loss of containers.
- Acted as sole counsel for the insured in a marine insurance dispute.

International Arbitration

Emma Hilliard has substantial experience of acting as counsel in arbitrations and has appeared at the final hearings in a number of substantial confidential arbitrations as well as a number of interlocutory hearings. Emma has been instructed in arbitrations in a variety of sectors including a number of insurance and reinsurance arbitrations, shipping arbitrations conducted in accordance with the rules of London Maritime Arbitrators' Association and LCIA arbitrations (see also the Insurance and Reinsurance, Aviation, Shipping and Commodities sections). Emma also has experience of various types of applications in the Commercial Court including applications under section 68 and section 69 of the Arbitration Act 1996.

Jurisdiction/Conflict of Laws

Selected cases:

- Appeared in the Court of Appeal as junior counsel for the successful appellants (led by David Bailey Q.C.) in an appeal from the decision to grant an anti-suit injunction: - ***Oceanconnect UK Ltd & Anor. v Angara Maritime Ltd*** [2011] 1 Lloyd's Rep 399 (Court of Appeal).

Professional Negligence

Emma Hilliard has been instructed in a number of cases involving claims against professionals, including in particular insurance brokers.

Selected cases:

- Acted as junior counsel for the defendants in a claim brought in the Commercial Court against insurance brokers (led by Richard Southern Q.C.). Emma appeared as sole counsel for the defendants at a CMC.
- Acted as junior counsel for a company in a dispute with insurance brokers.

Shipping & Transport

Emma Hilliard has experience advising, settling statements of case and appearing in Court and in arbitrations (including on LMAA terms) in shipping disputes. She has been instructed in a wide variety of charterparty disputes.

Selected cases:

- Recently appeared as junior counsel for the First to Fourth Defendants who successfully defended claims in a 5 day trial in the Commercial Court (led by Robert Bright Q.C.), the sums involved being approximately US\$10.9 million - ***Navig8 Inc v South Vigour Shipping Inc & Ors [2015] 1 Lloyd's Rep 436 (Commercial Court)***.
- Appeared in the Court of Appeal as junior counsel for the successful appellants (led by David Bailey Q.C.) in an appeal from the decision to grant an anti-suit injunction - ***Oceanconnect UK Ltd & Anor. v Angara Maritime Ltd [2011] 1 Lloyd's Rep 399 (Court of Appeal)***.
- Appeared as junior counsel (led by Dominic Kendrick Q.C.) at the final hearing in a confidential arbitration.
- Appeared as junior counsel (led by Timothy Salomon Q.C.) at the final hearing in a confidential arbitration.
- Appeared as junior counsel (led by Richard Southern Q.C.) at the final hearing in a confidential arbitration.
- Appeared as junior counsel (led by Richard Southern Q.C.) at the final hearing in a confidential arbitration.
- Appeared, as sole counsel, in a 1 day Commercial Court application to set aside judgment in a charterparty dispute worth several million US\$.
- Instructed as junior counsel (led by S.J.Phillips Q.C.) in a large dispute concerning the payment of commission to ship brokers. Emma appeared as sole counsel at a CMC.
- Appeared in a two day County Court trial involving 3 parties and relating to damage to a vessel on a slipway.

Education

MA in Law (Cantab) LLM in Commercial Law (Cantab) Emma read Law at Sidney Sussex College, University of Cambridge, both as an undergraduate (2001-2004) and postgraduate (2004-2005). Emma gained a First in the LLM in Commercial Law, coming top of her year at Cambridge University in International Commercial Litigation and second in her year in Commercial Insurance Law. Emma was selected to represent the University of Cambridge at both mootings and debating. Emma was awarded the Leonard Coling Scholarship and Lyndon Stanford Prize from Sidney Sussex College, Cambridge University. Emma was awarded the Denning, Cassel and Hardwicke Scholarships from Lincoln's Inn. Emma was a Supervisor in Contract Law at Gonville and Caius College, University of Cambridge (2005-2006).

Memberships

Emma is a member of the British Insurance Law Association (BILA), the London Shipping Law Centre (LSLC).

Directories

- 'She has a quick mind, is enthusiastic and is hardworking.' Legal 500 2021
- 'She is a very able junior.' Legal 500 2021
- 'A very clever and competent junior.' Legal 500 2021
- "She has a quick mind, is enthusiastic and is hardworking." Legal 500 2020
- "She is extremely bright and very able." Legal 500 2020
- "A very able junior." Legal 500 2020
- "She is a very able barrister." Legal 500 2018
- "First rate." Legal 500 2017
- "Excellent." Legal 500 2016
- "An aviation insurance and reinsurance specialist with a growing practice in the area." "She is very bright and has a strong reputation." Chambers and Partners 2016.
- "Very determined and user-friendly." Legal 500 2015.

- “Has a strong technical knowledge of the market and is particularly active in complex aviation insurance cases. She shows great attention to detail and is very good on the paperwork.” Chambers and Partners 2015.
- “An excellent junior for aviation matters.” Legal 500 2014.
- “Emma Hilliard is a junior impressing the aviation market. Sources appreciate her strong industry knowledge and down-to-earth approach. Emma is very keen and a rising star.” Chambers and Partners 2014.
- “Emma Hilliard is, according to solicitors, someone who “knows her subject inside out, is very diligent and understands the commercial context of any case.” Chambers and Partners 2013.