

Why Maritime Claims Are Built on Documentation — Not Opinion

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In many maritime matters, opinions tend to emerge very quickly after an incident.

What is often more important, however, is not the early opinion itself, but whether the underlying documentation actually supports it.

Maritime claims are rarely won through assertion alone. They are built through:

- contemporaneous records,
- properly preserved evidence,
- clear timelines,
- technical documentation, and
- disciplined reporting.

The difficulty is that, in the early stages of an incident, documentation is often incomplete, fragmented, or created without a clear understanding of how it may later be scrutinized.

Photographs may lack context. Logs may not align with reported timelines. Communications may become inconsistent between parties. Critical records may simply not be secured early enough.

In reality, the “wish list” of requested documents is often not immediately available and, in many cases, only partially completed at the early stage.

Whichever party you represent, it is generally understood within the industry that the vessel owner or operator will often retain control over what records are released, when they are released, and the speed at which documentation becomes available.

Maintaining a professional, calm, and measured approach during this process is important.

Very often, the “boots on the ground” attending the incident are simply the starting point for collecting records and evidence for onward transmission to supporting technical teams, insurers, and legal counsel located elsewhere in the world.

Potential proceedings may ultimately move forward years later, and possibly in another jurisdiction entirely.

This is one reason why maintaining discipline, professionalism, and commercial awareness at the early stage matters so much.

Equally important is understanding the commercial environment surrounding the claim itself.

In maritime matters involving owners, operators, charterers, technical managers, insurers, and terminals, the dispute rarely exists in isolation from the broader business relationship.

An aggressive position unsupported by clear documentation can sometimes create unnecessary commercial friction while offering little practical advantage.

The strongest approach is usually a measured and evidence-led one:

- secure the records,
- understand the technical position,
- establish a reliable chronology,
- and allow the documentation to guide the development of the matter.

Limit the drama.

The maritime industry is smaller than many people think, and roles often reverse over time. Today’s opposing representative may well become tomorrow’s client,

correspondent, or commercial partner.

It's not personal — it's business!

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