AUSTRALIAN SUPERYACHTS | CASE STUDY

Expert Witness and Valuations

Independent marine expert evidence and vessel valuations for courts, insurers and lenders

Service	Independent marine expert evidence and vessel valuations
Expert	Captain Richard Morris, Master Mariner (Unlimited), AMSA Accredited Surveyor No. 124757
Instructed by	National and Sydney law firms, insurers, secured lenders, banks and finance companies
Courts and codes	NSW Supreme Court (Expert Witness Code of Conduct) and Federal Court of Australia (Expert Evidence Practice Note), including admiralty proceedings
Valuations	Superyachts, motor yachts and commercial vessels, for finance, importation, insurance and litigation

Why it matters

When a vessel is damaged, lost, arrested or in dispute, the court, the insurer or the lender needs an expert who understands how vessels are actually built, surveyed, operated and sold, and who can explain it plainly and independently. Captain Richard Morris brings decades at sea and in the superyacht industry, an Unlimited Master Mariner certificate and AMSA surveyor accreditation to that task.

Recent matters

All matters are confidential. The examples below describe the work without identifying any party or vessel.

1. Value before and after a catastrophic engine failure

The problem: In a NSW Supreme Court claim against a repairer, the owner of a commercial vessel needed evidence of the vessel's market value before the failure and after a competent overhaul.

What we did: Richard prepared an expert report and a supplementary report built on comparable vessels and a physical inspection, and conferred with counsel on how pre-purchase inspections and recent rebuilds affect second-hand value.

The result: Expert evidence delivered under the NSW Expert Witness Code of Conduct.

2. A vessel under arrest

The problem: A 53 m expedition cruise vessel had been arrested in Federal Court admiralty proceedings and ordered to be sold. The lender needed to know whether the estimated costs of keeping her under arrest were reasonable.

What we did: Within about 48 hours, Richard prepared a sworn expert affidavit setting out a supervised lay-up that would maintain the vessel and protect her value, and costed it.

The result: An alternative at about 55 percent less than the original estimate, in evidence for the hearing.

3. A vessel swamped in a following sea

The problem: After a vessel was swamped and the incident drew regulatory scrutiny, the operator's insurer needed an independent view of how the vessel had been handled.

What we did: Richard reviewed the evidence, including video, gave his opinion, and tested it against further information from the master on trim, speed and throttle.

The result: The regulator advised that it would take no further action.

4. Valuations for disputes, finance and importation

The problem: Courts, insurers, lenders and owners often need to know what a vessel was worth at a particular moment: just before a storm, at a past date, or landed in Australia in commercial survey.

What we did: Richard prepares valuations from comparable sales, condition, survey category and, for imported yachts, the full landed cost including shipping, duty, GST and re-flagging. Recent work includes a European-built commercial superyacht valued for importation and for a private bank, a 25 m motor yacht for an asset-finance company, and storm damage and past-date valuations for litigation.

The result: Valuations that stand up to scrutiny because they are built on market evidence.

Also: desktop reviews of incidents on commercial passenger vessels, opinions given in conference with counsel, and ballpark views for solicitors deciding whether to brief formally.

In their words

> *"This is very helpful and we will need to get this into evidence that we can present to the Court Thursday."*
>
> Partner, national law firm, 2023

> *"Look forward to working together again soon."*
>
> Partner, national law firm, 2026

What this shows

The best expert evidence comes from someone who has done the work: commanded vessels, surveyed them, managed them through their regulators, bought and sold them. Repeat instructions from the same firms, and referrals from the bar, are the measure of it.