



Navigating the legal risk

In a wide-ranging interview with World
Commerce Review Hanno Tolhurst provides an
overview of the ASW advantage

Please describe the history of the firm

ASW Law Limited (formerly Attride-Stirling Woloniecki Barristers & Attorneys) was established over 18 years ago, primarily as a commercial litigation firm with a focus on reinsurance disputes. Since then, ASW has built on these foundations to become the premier commercial litigation and arbitration practice in Bermuda and has grown its corporate practice such that our corporate team is recognised as among the best in Bermuda.

What key areas of expertise exist within the firm?

The firm's practice is divided into three principal areas: Corporate, Insolvency and Litigation.

Our barristers and attorneys have extensive legal experience in both Bermuda and a number of foreign jurisdictions. Many of our lawyers have practiced at the Bar in England or at leading law firms in London, New York, Frankfurt, Argentina, Canada and the Cayman Islands.

A number of our partners and senior counsel hold or have held senior positions within the Bermuda Government and the Bermuda regulator, the Bermuda Monetary Authority, or sit on a number of Bermuda Government advisory committees.

Our thriving corporate and insolvency groups are internationally recognised by clients and peers. We also have the premier commercial litigation and arbitration practice in Bermuda and are widely considered to be pre-eminent in insurance and reinsurance law. We also have detailed knowledge and extensive expertise in the areas of corporate,

aircraft registration and finance, banking and hedge fund litigation, fraud litigation, shipping and admiralty disputes, telecommunications disputes, trusts disputes and international arbitration.

The firm is ranked highly in all of the major legal research directories, including Chambers & Partners, Legal 500, Who's Who Legal, IFLR 1000, Euromoney's Legal Media Guide to the World's Leading Lawyers and Practical Law Company. Of the firm's lawyers, Rod Attride-Stirling, Jan Woloniecki, Neil Horner and Kehinde George are listed as leaders in their respective areas of practice.

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What benefits are conferred by a Bermuda base?

Bermuda is a politically and economically stable offshore jurisdiction, with many international businesses and their advisers based in Bermuda, specifically in the (re)insurance sector. A sophisticated business environment exists in Bermuda that benefits from a legal framework based on English common law and a regulatory regime that is recognised as Solvency II equivalent by the EU, one of only three jurisdictions worldwide to be so. Bermuda's reinsurance market is the world's third largest, the captive insurance industry was first developed in Bermuda and the domicile is a leader in this field, and Bermuda's insurance linked securities (ILS) market is the largest globally.

How has the captive industry developed in Bermuda?

The Bermuda insurance industry has its origins in the late 1940s but rapid development only started to take place with the advent of the captive insurance company, the first truly Bermudian insurance product, developed by Fred Reiss, the creator of the captive concept, in the early 1960s. Bermuda has since developed and grown into the world's leading captive domicile.

How does the global ASW network benefit the client?

ASW has developed informal and formal relationships with a number of legal firms around the world, particularly in the US, UK, Asia and reputable offshore jurisdictions, which our clients can draw upon. We also have a network of contacts at other key advisers and service providers in Bermuda and globally, which our clients benefit from.

How do you develop relationships with the client?

ASW has developed client relationships in Bermuda and globally by providing first rate, responsive legal advice. We see our clients as partners, with whom we seek to help develop their business interests. ASW also has an excellent network of contacts within Bermuda's international business sector, such that clients benefit from our relationships with other key advisers and service providers in Bermuda.

In conclusion, what is the ASW advantage?

ASW harnesses the collective wealth of knowledge and experience of its lawyers to provide expert legal advice in a timely and responsive manner. ASW has a particular focus on international clients and matters requiring Bermuda legal advice, whilst also servicing the local Bermuda market. Many of our lawyers have previous experience working for large, international law firms based in key jurisdictions such as New York and London, which makes ASW particularly adept at understanding the needs of our international clients and their onshore counsel. Clients benefit from a best in class service unrivalled by any other legal firm in Bermuda. ■

Hanno Tolhurst is a Corporate Counsel at ASW Law Limited, a leading, specialist corporate and commercial law firm based in Bermuda. Hanno's practice focuses on corporate insurance and reinsurance and general Bermuda law corporate advice.