

Building Legal Cases

The challenges of developing legal cases in an ever-changing industry



Reliable resources

Whether supporting or refuting a claim, having the right information available to support your work is vitally important. Without reliably accurate case histories and specialist market intelligence, the likelihood of success is diminished, which will reduce client satisfaction and can potentially harm your reputation and the future success of your business.

Finding the right information is about accessing comprehensive market intelligence – knowing where to look for it but also how to accurately interpret it.

And putting too much focus on a particular angle of any case risks an oversight elsewhere that could leave you vulnerable to an unfavourable result.

“Bear in mind that should the case involve multiple jurisdictions, it will require input from multiple international factions with knowledge of local laws, so having a connection – and the right relationship – with those factions is imperative,” says Daniel Eckersall, Global Customer Manager at Lloyd’s List Intelligence.

For that reason alone he says it is important to have access to the most relevant market data and the right connections across the globe, rather than rely on an organisation that might present you with a particular specialism or approach.

Having a broad range of data will strengthen your case. But to make it irrefutable, or as near to that point as is possible, you need thorough, detailed analyses of all the resource material relating to it. Failure to do so will leave other parties better informed and, ultimately, decrease your chances of success.

Knowledge is power

Finding the right information is about accessing comprehensive market intelligence – knowing where to look for it but also how to accurately interpret it.

To further complicate matters, in legal cases there is always a deadline, so it’s not just a question of finding and interpreting the right data, it’s a matter of doing so at pace, in order to save money, resources and time. Lawyers must both advise their clients in a timely manner and meet the demands of an ever-evolving legal landscape.

Once the data has been obtained and analysed, the next step is knowing how to use it. Eckersall says: “An in-depth knowledge of law and its many jurisdictions, complexities and eccentricities is crucial in order to be able to present your case in the most advantageous way possible.”

The data in question should allow you to focus on specific legal points without having to conduct a detailed examination of important changes in legislation, regulations and conventions, alongside studies of relevant industry concerns and issues.



You need knowledge, expertise and a vast range of industry contacts at your disposal. You also need to be able to ask for a specific data set to be analysed in a certain way or a focused piece of research to be conducted on your behalf.

Creating opportunities

It is essential to have the most comprehensive data available that's both correctly analysed and interpreted. With this data it is then perfectly plausible that you could bring action or defend your case in an entirely original way, a way that supersedes all existing protocol and case histories and could be used as a benchmark for future cases.

This would provide both industry presence and prestige, but more importantly, trust, respect and a distinct competitive advantage. All this combines to create more – and better – business and therefore revenue.

But even beyond corporate advantage, your actions and the resulting judgment have the potential to change the way both your organisation and the wider market operate – to the benefit of all – in the future.

Acknowledging the wider impact

The market is very much reactive to legal outcomes. They can affect costs but also insurance in terms of its price and the likelihood of being insured in the first place. In a commercial context such as the maritime industry, the rates for transporting the cargo could also be affected.

Legal case outcomes can also have a wider impact on future guidelines and legislation as well as how business is conducted, depending upon who is found guilty of what, and who you can engage with in the future as a result.

Without specialist knowledge not only of the legal outcomes but their context and some indication of what further legal actions or legislation might be triggered as a consequence, legal researchers may be unable to anticipate the full implications and plan accordingly.

The importance of a watertight case

Without a complete picture and every piece of relevant data, the best you can offer are reasonable assumptions. These can stand up in a court of law but are nowhere near as accurate as knowing the facts unequivocally with incontestable evidence to support your case.

Ideally this evidence must be black and white with no margin for interpretation or error.

To obtain this, you need knowledge, expertise and a vast range of industry contacts at your disposal. You also need to be able to ask for a specific data set to be analysed in a certain way or a focused piece of research to be conducted on your behalf, in order to obtain the very precise evidence required for your case.

Ekersall adds: "If incomplete data is unavoidable then there must be a finite number of reasons as to why that is the case, and this should be the anomaly. Without this level of critical observation and examination the best possible outcome is an assumption, which is incomplete, vague and fallible."





The conviction of robust information

Eckersall says it's important to have absolute confidence in the legal team that has gathered and interpreted the data on your behalf. This is not only in terms of integrity, but also number and strength of global contacts, access to exclusive data sources and ability to 'cleanse' the data as it is processed, thus performing a further layer of due diligence when preparing legal cases. It is only with this depth of examination and knowledge that an organisation can be assured of compiling a watertight legal case.

This guide was brought to you by the experts at Lloyd's List Intelligence, part of Informa PLC, a leading global provider of business intelligence.

To find out more, please get in touch.
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