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forum non conveniens:
a reminder

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**Forum non conveniens/
proper place**



Foreign Defendant served:

- within the jurisdiction
- out of the jurisdiction

The Spiliada

- Spiliada Maritime Corporation v Consules Ltd [1987] AC 460

Lord Goff:

“The effect is, not merely that the burden of proof rests on the plaintiff to persuade the court that England is the appropriate forum for the trial of the action, but that he has to show that this is clearly so.”

Vedanta Resources plc v Lungowe

Lord Briggs:

“a conclusion that a foreign jurisdiction would not provide substantial justice risks offending international comity. Such a finding requires cogent evidence, which may properly be subjected to anxious scrutiny.”

- Jalla v Royal Dutch Shell [2020] EWHC 459 (TCC)
- Brownlie v Four Seasons Holdings [2019] EWHC 2533 (QB)
- VTB Capital v Nutritek International Corporation [2013] UKSC 5
- Wink v Croatia Osiguranje D.D. [2013] EWHC 1118 (QB)
- Pike v Indian Hotels Co Ltd [2013] EWHC 4096 (QB)