



Marion Smith KC

Year of call: 1981 | Silk: 2015

Email: marion.smithkc@39essex.com

Phone: +44 (0)20 7832 1111

"Marion is an excellent advocate, with a profound grasp of how to simplify complicated scenarios and obtain an effective outcome for clients.." The Legal 500 2024 Construction

"Marion is outstanding in every respect. You want her in your corner."
Chambers and Partners 2024 Construction

Marion is experienced as counsel representing and advising national and international clients in a wide range of business sectors, including construction, energy, engineering, infrastructure, insurance, media and transport matters. She is recognised for her expertise in adjudications, Technology and Construction Court (TCC) proceedings and international arbitration. She is well known for her ability to establish excellent working relationships with clients, experts and the legal team. Her in-depth experience in advocacy in document-heavy cases includes disputes in which the relevant law is not English law.

She is appointed as an adjudicator, arbitrator (sole, party and president) and mediator handling matters across a wide range of industry sectors, legal issues and geographical regions.

Marion is recognised as a leading lawyer in many of the legal directories including, The Legal 500 2024 and Chambers and Partners 2024 for Construction, The Legal 500 Middle East 2024 for Construction, and The Legal 500 2024 for Energy and Professional Negligence.

Marion's expertise and experience in international dispute resolution is reflected by her present roles including representing the Chartered Institute of Arbitrators as Trustee (since 2016) and Chair of the Trustee Board (2023), and the Bar of England and Wales as Vice Chair of the Bar Council's International Committee.

Marion is also a Professional Fellow at Aston University, contributes to various publications and is in demand as a speaker at international arbitration and dispute resolution conferences worldwide.

Areas of expertise

ADR (contractual and statutory adjudication, expert determination and mediation)

Arbitrator

Commercial Contracts

Construction
Energy and Natural Resources
PPP/PFI
Professional Negligence

Arbitrator

Marion is frequently appointed as an arbitrator in a wide variety of disputes, including aircraft, bonds/guarantees, construction, energy, engineering, media and shareholder/joint venture.

- President in an ICC arbitration relating to the purchase of shares and a contractual valuation mechanism in the healthcare sector.
- Co-arbitrator in an SIAC arbitration relating to a sewer diversion for a metro extension.
- President in an ICC arbitration relating to commission payments in the marine industry.
- President in a SIAC arbitration relating to an exclusive distributorship agreement in the home appliance market in the Middle East.
- President in a DIAC arbitration concerning mechanical, electrical and plumbing works on a development project in Dubai.
- Co-arbitrator in an ICC arbitration relating to a shareholders' agreement in the media and entertainment industry
- Co-arbitrator in an ICC arbitration relating to delay in civil works for a waste-water treatment plant in the Middle East.
- Co-arbitrator in an ICC arbitration relating to upgrading and expansion works at refineries in the Middle East and North Africa (MENA) region.
- Co-arbitration in an ICC arbitration relating to works at a military establishment in the Association of Southeast Asian Nations (ASEAN) region.
- Co-arbitrator in a multi-party LCIA arbitration in a dispute relating to a development and shareholders agreement in the renewable energy sector.
- Co-arbitrator in an LCIA arbitration relating to a claim under a guarantee letter in the aircraft parts manufacturing sector.
- Co-arbitrator in consolidated LCIA arbitrations relating to claims for contractual charges under procurement contracts in the aircraft parts manufacturing sector.
- Co-arbitrator in five connected LCIA arbitrations relating to claims for unpaid invoices relating to goods and services supplied in the aircraft parts manufacturing sector.
- Sole arbitrator in a DIFC-LCIA arbitration concerning a collaboration agreement in the media and entertainment industry
- Sole arbitrator in an ICC arbitration concerning a claim under a parent guarantee in the mining equipment industry.

Recommendations

Marion is listed in The Legal 500 Middle East 2024 for Construction, The Legal 500 2024 and Chambers and Partners 2024 for Construction and The Legal 500 2024 for Energy.

- *"She is extremely conscientious, thorough and assiduous in her work, which she approaches with charm and dedication."* The Legal 500 2024 (Construction)
- *"Marion is an excellent advocate, with a profound grasp of how to simplify complicated scenarios"*

and obtain an effective outcome for clients."The Legal 500 2024 (Construction)

- *"Very persuasive and great with clients."*The Legal 500 2024 (Construction)
- *"Marion is incisive, with a strong dose of common sense and an advocacy style which pleases an international tribunal."*The Legal 500 2024 (Construction)
- *"Marion is outstanding in every respect. You want her in your corner."*Chambers and Partners 2024 (Construction)
- *"Marion really puts clients at ease and communicates very clearly with them. She can identify what clients want to get out of the issue, and the clients can feel like they're in very safe and capable hands."*Chambers and Partners 2024 (Construction)
- *"Marion Smith has a great commerciality about her."*Chambers and Partners 2024 (Construction)
- *'Marion is outstanding in all areas and really gets what is needed to persuade a court or adjudicator. She is brilliant in client-facing situations as well.'* The Legal 500 2023 (Construction)
- *'Extremely knowledgeable, with a calm advocacy style.'* The Legal 500 2023 (Professional Negligence)
- *'She is extremely conscientious, thorough and assiduous in her work, which she approaches with charm and dedication.'* The Legal 500 Middle East (Construction)
- *"A very experienced and respected silk. She has a serene disposition, even in the most pressured of situations."*The Legal 500 2022 (Professional Negligence)
- *"Very experienced and respected, even by opponents. She has a very pleasant and calm disposition, even in the most pressured of situations."*The Legal 500 2022 (Construction)
- *"Marion Smith QC is a quality silk who is recognised for her prowess in adjudications, TCC proceedings and international arbitration. She is sought after to advise on a variety of matters, including PFI, energy and engineering disputes. She is noted for her ability to establish excellent working relationships with clients."*Chambers and Partners 2021 (Construction)
- *"She produces clear, measured advice."*Chambers and Partners (2021)
- *"An absolute pleasure to work with and very on the ball, she knows her stuff and is very good with clients."*Chambers and Partners (2020)
- *"She gets to grips with the paper quickly, is really client-focused and actually very commercial too."* Chambers and Partners (2020)
- *"Provides first-rate advice which considers the client's objectives throughout."*Chambers and Partners 2020
- *"She is able to distill complex themes and extensive documentation into something that is unfailingly understandable."*The Legal 500 2020
- *"An outstanding speaker and advocate."*The Legal 500 2020

Memberships

- Civil Mediation Council
- Commercial Bar Association
- Inter-Pacific Bar Association
- Professional Negligence Bar Association
- Society of Construction Arbitrators
- Society of Construction Law

- TecBar

Qualifications

- University of London, Queen Mary College: LLB (1978)
- University of London, London School of Economic & Political Science: LLM (1979)
- Chartered Institute of Arbitrators, Fellow.
- IMI Qualified Mediator

Appointments and Awards

- Doctor of Laws, honoris causa, Aston University
- Aston University: Aston Law School Advisory Board member.
- Bar Council of England and Wales: International Committee, a Vice Chair
- Chartered Institute of Arbitrators: Trustee
- Council of the Inns of Court: Trustee
- Equal Representation in Arbitration (ERA) Pledge Bar Sub-Committee: member
- Gray's Inn: Bencher and Management Committee member

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com