



## Marion Smith KC

Year of call: 1981 | Silk: 2015

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*“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

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 prowess 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 regularly appointed as an arbitrator (sole, party and president) by commercial parties and the major institutions, including the ICC, LCIA and SIAC, and as an adjudicator. She has handled 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 Middle East 2023 for Construction, The Legal 500 2023 for Construction and Professional Negligence and Chambers and Partners 2023 for Construction.

Marion’s expertise and experience in international dispute resolution is reflected by her present roles. These include representing the Chartered Institute of Arbitrators as Chair of the Trustee Board and the Bar of England and Wales as the 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

Adjudicators

Arbitrator

Commercial Contracts

Construction

Energy and Natural Resources

## Professional Negligence

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Marion's professional negligence practice encompasses both construction and non-construction professionals. She is often instructed in difficult and high-value cases involving solicitors, architects, engineers, project managers and environmental consultants.

### Cases of note

- Lead counsel, representing the project manager in a multi-party TCC action arising out of the development of a mixed-use retail and residential project: ***Standard Life Assurance Ltd v. Gleeds (UK) [2022] EWHC 1310 (TCC)***
- Lead counsel, representing a local authority in a TCC action against the design and build contractor and architect in relation to cladding issues in residential tower blocks in London.
- Lead counsel, in connected TCC proceedings, representing the architect defendant in claims relating to the design of the cladding for residential accommodation in the UK.
- Lead counsel, representing the main contractor in an ICC arbitration on a design and build project relating to a desalination plant in the MENA region.
- Lead counsel, representing the main contractor in an arbitration arising from the design and construction of a port in Asia.
- Lead counsel, representing multiple claimants in the Business and Property Court proceedings against solicitors and various corporate vehicles and directors for professional negligence arising out of an advance purchase gold investment scheme.
- Advising homeowners in a claim against its solicitors in relation to the conduct of construction litigation claims against various construction consultants.

### Recommendations

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Marion is listed in The Legal 500 Middle East 2023 for Construction, The Legal 500 Asia Pacific 2022 for Construction, Energy and Infrastructure, The Legal 500 2023 for Construction and Professional Negligence and Chambers and Partners 2023 for 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

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- Commercial Bar Association
- Inter-Pacific Bar Association
- Professional Negligence Bar Association
- Society of Construction Law
- TecBar

## Qualifications

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

## Appointments and Awards

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- Aston University: Aston Law School Advisory Board, member.
- Bar Council of England and Wales: International Committee, a Vice Chair
- Chartered Institute of Arbitrators: Fellow, Trustee and Chair of the Board of Trustees
- Doctor of Laws, honoris causa, Aston University
- Gray's Inn: Bencher and Master of Advocacy

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