



John Denis-Smith

Year of call: 1998

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"It absolutely was a pleasure to work with John – he added considerable value in getting us to where we are." FTSE100 enterprise client

John is a solutions-driven practitioner with a singular focus on helping his clients to achieve a swift and pragmatic result in any dispute. His approach is to explore all angles, persistently building on the evidence to identify the best options for a successful resolution. Both in his commercial practice as well as in construction disputes, he dedicates his energy, knowledge and ingenuity to getting clients the quickest and most favourable results. His approach is informed by previous experience as a construction litigator in top tier solicitors' firms, which has given him a closer understanding of a client's needs and a grasp of the best strategic approach to managing high-value disputes. John has developed niche expertise, especially in fire cases and fire prevention works, in particular in relation to construction and insurance issues arising.

He has been praised for his "coolness and tenacity" in arguing his client's case. During a mediation, his pragmatism led a solicitor client state "we'd have you in the room on our side anytime" and another was delighted with "our successful working relationship".

John's experience is wide and ranges across all dispute resolution areas, including mediation and arbitration, as well as various sectors, from construction and energy to professional negligence and insurance. He receives instructions in disputes as counsel, either on his own or led by some of these chambers' highly-regarded silks, or instructions for advisory work. He also receives instructions from clients under the Direct Access scheme.

Areas of expertise

Construction
Commercial

Commercial

John has a wide ranging experience of general commercial disputes. Experience includes:

- Supply chain contractual disputes
- Property damage disputes, including fire damage and insurance coverage issues

- Enforcement of overseas court orders
- Share purchase agreement disputes
- Utilities contractual disputes
- Securing injunctions and other equitable remedies

Cases of note:

- Advice and acting in property damage disputes, including negotiations leading to successful settlement of, claims by building owners against contractor and specialist sub-contractor, including fire damage and insurance coverage issues, on matters ranging from a warehouse fire in commercial premises to a fire in a town hall/museum in London;
- Successful defence of claim to enforce overseas court order against individual directors arising out of contract between company and claimant: *Firematic Engineering (M) SDN.BHD.(507499-W) v ASL Air Exchanger Services Limited and Others*;
- Acting for a defendant in claim of fraud arising out of investment in mining resources in developing state.

Memberships

- The Technology & Construction Bar Association (Tech Bar)
- Society of Construction Lawyers (SCL)
- ComBar
- The London Common Law & Commercial Bar Association

Qualifications

Education

- 2003-2005/ King's College London/ MSc Construction Law & Arbitration (Distinction)
- 1996-1997/ Inns of Court School of Law/ Bar Vocational Course
- 1995-1996/ City University, London, Postgraduate Diploma in Law (CPE)
- 1989-1993/ St John's College, University of Oxford/ BA English Language & Literature (First Class Honours)

Scholarships and Prizes

- 2004/ King's College Construction Law Association Prize for best performance by a second-year student, MSc in Construction law & Arbitration
- 2004/ King's College, Society of Construction Law Prize for best dissertation, MSc in Construction law & Arbitration)
- 2003/ King's College, The Bickerdike Allen Prize for best performance by a first year student, MSc in Construction law & Arbitration
- 1997/ Gray's Inn, Prince of Wales Scholarship
- 1993/ St John's College, Oxford/ Book Prize

Appointments

- Fellow of the Chartered Institute of Arbitrators

Publications

- Contributor to Practical Law and Westlaw Insight on construction law issues.
- Contributor (chapters on Standard Form Contracts and Litigation) to Wilmot-Smith on Construction Contracts (Fourth Ed, 2021).
- Contributor (chapter on Brexit and Construction) to Doing Business After Brexit: A Practical Guide to the Legal Challenges (Second Ed, 2022).
- UK contributor to Arbitration World, Sixth Ed, 2019.
- Contributor of articles/papers/webinars for LexisNexis and SCL.
- 2002-04 Co-Editor of the Construction Industry Law Letter ("CILL") Informa Group, London (involved commissioning, editing and writing reports with commentaries on recent case law of importance for the construction field).

Languages

- French (intermediate)
- Romanian (basic)
- German (basic)

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