

Tim Marland - A Tribute

Matthew Reeves

5 August 2022

Tim Marland

1970-2022



Tim was different, gloriously so; a roiling swirl of colour in a staid, grey, landscape. He was a natural disruptor, challenging (and changing) our assumptions as to what it means to be a great barrister. He was riotously good company as a friend and colleague.

Tim came to the Bar the hard way, experiencing more before starting his professional career than most encounter in a lifetime. After reading classics at Manchester, his joyous appetite for life was ignited and fanned as a member of the Spiral Tribe organizing free festivals – combining pagan beliefs, new age traveller culture and raves across Europe. Its most notorious event was at a warehouse in Acton Lane, which was finally broken up by the Metropolitan Police Territorial Support Group... driving a JCB through a wall after the doors were barricaded. It is no wonder that he later found some professional parties to be a little bland.

From there, Tim moved to the City working in the Aviation section of the Lloyd's Claims Office for about 5 years – working with a band of professionals who have since become leaders in the Aviation market and have supported him loyally ever since. At the same time, he was studying at night and at weekends to get his Bar qualifications.

His next manoeuvre was to join Chambers (then 4 Essex Court) as a pupil, a role which was mischievously entitled “*experience only*”. When he was refused a tenancy at the first go, with typical energy he changed the angle of attack and applied as a lateral hire. By then Chambers had realised (commendably, if belatedly) what it would lose if Tim went elsewhere and took him on. Experience shows that we got by far the better of the deal, saved from future regrets.

Tim, was above all a brilliant barrister, recognised as the best in Aviation, a star performer and a global thought leader. I have been fortunate in having a ringside seat, in that most of my cases (particularly over the last 5 years) were against each other or alongside each other. He was a courageous, confident and fiercely irreverent advocate.

But he was also incredibly hard working. He was always at his desk before 7am, regardless of the previous night's activities. In all of our cases together I never located a page of the trial bundles which he had not read, and he always came pre-prepared with his own spin. His legal knowledge was extraordinary and he was always prepared to share it. As one of my colleagues has said: “*Like many, I have countless tales of Tim rescuing me with his encyclopaedic knowledge of insurance law and his no-nonsense practical insight.*”

He was by far the most knowledgeable aviation lawyer I know, and he leveraged that knowledge in every case, often freely supplementing his expert's piloting evidence from the Bar. He was the obvious choice as the barrister editor of *Margo* on “*Aviation Insurance*”. He was a committed and energetic force in the RAeS's Air Law Committee, proud to follow his father, the late great Ross Marland. He served as a member from 2011, as vice-chair in 2016 and then its Chairman for 3 years from 2017-2020.

Tim had a unique ability to frame an apparently outrageous proposition and sell it successfully to a judge. I can say, as someone often on the receiving end, it was both compelling and infuriating. Our last major trial together was in the BVI about an Airbus A350 helicopter which crashed while landing on a superyacht off Norway. Tim had to cross-examine the pilot, my client, to put an improbable case of pilot contributory negligence. Only he had the skills to find an anonymised AAIB report from 20 years previously where the same pilot had run out of fuel over the south Atlantic on an attempt to break the record for a helicopter flight to the South Pole. And only Tim had the chutzpah to put the report to the witness. When asked by the Judge why it was relevant, Tim, without pausing and with complete conviction, uttered the immortal line: ***‘My Lord, its another example of Capt [X] ditching in the Sea as a result of poor planning.’*** The Judge let him continue. I was left, as on many other occasions, wondering how he got away with it! The judges trusted him and relied upon him.

In his last major appearance, at the *Sala* Inquest in February, Tim appeared in swashbuckling style mid-way through the hearing, for the aircraft insurers. He breezed into a packed court, mid-morning, brandishing a file of previously unseen crumpled documents, nodded jauntily at me, and launched into a full insurance non-disclosure cross-examination of the aircraft owner. He then exited before anyone had time to object. It was a *tour de force*, a precision attack on behalf of his clients.

Whilst Tim delighted in his directory billing as a *“sophisticated bruiser”* the truth was that, however kinetic the court-room encounter, all of Tim’s opponents (and sometimes their clients) ended up as his friends, charmed by his warmth and his ability to find humour in every forensic situation, however tense.

Tim was a legendary bon viveur. He lived his social life to the full – with an intensity that none of the rest of us could have survived for a month. There were too many humorous escapades to repeat them all now. Two of Tim’s quips are enough:

“Nothing is as useless as one bottle of wine.”

And in a Soho club, to a well-known actor, whom he had never met:

“Not now Idris, I’m in the middle of a conversation.”

I will miss him as a friend, colleague and co-conspirator. He is deeply missed in Chambers, no more so than by all of his pupils whom he encouraged, with his own iconoclastic approach, to express themselves as advocates. And he is a great loss to the Bar, which is a paler place now.

Our heartfelt sympathies go out to his family.

Matthew Reeve

Quadrant Chambers