



Year of Call

1992

Year of Silk

2008

Devil Masters

DI Mackay QC

Practice Profile

The nature of Marian's highly specialised practice complements and consolidates her invaluable technical expertise acquired in her significant career before coming to the Bar. Marian is chiefly instructed in cases concerning clinical negligence, aviation, mental health, personal injury (particularly high value claims such as those involving serious head injuries), occupational stress, disciplinary and regulatory hearings, and fatal accident inquiries. She regularly applies her in-depth knowledge of medical, pharmaceutical, and aeronautical engineering matters in the course of her work.

Marian's experience as a Mental Health Tribunal convenor has provided insight into psychiatric disorders and their treatment. Her aviation practice in particular has required her to analyse considerable foreign law material in a variety of languages. She also draws upon her first-hand experience of military matters: Marian's husband was at one time an aeronautical engineering officer in the armed services.

Education & Professional Career to Date

Senior Legal Counsel, GlaxoSmithKline

Legal Adviser, Westland Aircraft Ltd

Legal Adviser, Societe Generale

LLB (Hons) (Edinburgh); DESU (Aix-Marseille); Dr de L'Univ (Aix-Marseille); Vans Dunlop Scholar (Edinburgh); Scholarship to Harvard Law School

Appointments

- Convenor, Mental Health Tribunal for Scotland (2004–present)

- Legal Assessor, Nursing and Midwifery Council (2006–present)
- Chair, Police Appeals Tribunal (2013–present)
- Convener, Pensions Appeal Tribunals for Scotland (2015–present)
- Faculty Appointee to National Co-ordinating Committee, Diploma in Legal Practice
- Member, Legal Education and Admission Committee
- Member, Strategy Committee

Selected Cases

- **Abnett v British Airways Ltd / Sidhu v British Airways Ltd [1997] SC (HL) 26**
Aviation
- **King v Bristow Helicopters Ltd / Morris v KLM Royal Dutch Airlines [1999] SLT 919 (OH); [2001] SLT 126 (IH); [2002] SC(HL) 59**
Aviation
- **Shaher v BAE Flying College Ltd [2002] SLT 833 (OH); [2003] SC 540 (IH)**
Aviation
- **Fatal Accident Inquiry into crash of Bell 206 Jet Ranger Helicopter (2008)**
Aviation
- **Fatal Accident Inquiry into death of Danielle Scott (2010)**
Medical negligence
- **Aitken v Scottish Ambulance Service [2011] SLT 822**
Medical negligence
- **Cross v HIE and WIE [2001] SLT 1060**
Personal injury
- **Duff v East Dunbartonshire Council [1999] GWD22-1072 (OH); [2002] REP LR 98 (IH)**
Personal injury

Areas of Practice

- Clinical and Professional Negligence
- Commercial
- Personal Injury
- Public and Fatal Accident Inquiries
- Public Law

Publications & Seminars

Stable seminar on no-fault compensation

Additional Information

French, Italian

Diploma in Trial Advocacy; advocacy instructor

Attachment to the French Bar

Prepared Faculty response to Scottish Government Consultation Paper on Mental Health (Care and Treatment) (Scotland) Act 2003

Prepared Scottish Law Commission's response to English Law Commission Consultation Paper 'Damages for Wrongful Death'

Translation of ECHR judgements for publication by W Green