



Marion Smith KC

Year of call: 1981 | Silk: 2015

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'A phenomenal communicator and people person, allowing Marion to make the most complicated of points into something we can all follow. Extremely hardworking and never lets you down.' The Legal 500 2025 Construction

'Level headed and attention to detail. A calming influence in fraught situations.' The Legal 500 2025 International arbitration: arbitrators

'She always brings a fresh approach to things and is very commercial, and clients love her.' Chambers and Partners 2025 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 regularly 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 2025, Chambers and Partners 2025 and Who's Who Legal UK Bar report 2024 for Construction; and The Legal 500 2025 for Energy and International arbitrators.

Marion's expertise and experience in international dispute resolution is reflected by her present roles including representing the Bar of England and Wales as Vice Chair of the Bar Council's International Committee.

Marion is also an Honorary Professor of Law, in the School of International Arbitration, Centre for Commercial Law Studies at Queen Mary University of London and a Professional Fellow at Aston University. She contributes to various publications and is in demand as a speaker at international arbitration and dispute resolution conferences worldwide.

Areas of expertise

Mediators

Adjudicators

Arbitrator

Commercial Contracts

Construction

Energy and Natural Resources

PPP/PFI

Professional Negligence

PPP/PFI

Marion is often appointed as counsel in relation to private finance initiatives (PFI) and public private partnerships (PPP) disputes.

Marion advises on operational, strategic and tactical issues, taking PFI/PPP disputes through all types of formal dispute resolution processes. She has over 20 years of experience across multiple sectors: education, energy, health, road maintenance, social housing, street lighting and waste. This substantial experience means she is well placed to address the legal issues involved in these disputes in the financial and political context in which they arise.

She is also appointed as an adjudicator on PFI/PPP disputes.

Cases of note

- Lead counsel, advising three councils in a dispute relating to an EfW project and deductions for facilities management services
- Lead counsel, advising an NHS trust in respect of defects in the fire compartmentation in its PFI hospital and facilities management issues.
- Lead counsel, advising a local authority in relation to the impact of Covid-19 on its road maintenance programme and services.
- Lead counsel, advising an NHS trust in relation to the provision of building, maintenance and engineering services and service variations.
- Lead counsel, advising a local authority in relation to a waste contract procurement project in a dispute involving design, installation and termination issues.
- Lead counsel, advising a government on the construction and operation of military facilities in a dispute involving the reduction of services and termination.
- Lead counsel, advising an NHS trust in relation to a benchmarking exercise connected with facilities management and the provision of the helpdesk.
- Adjudicator in a dispute between a further education college and its provider of project management services in relation to fees for a substantial urban development project.
- Adjudicator in a dispute between NHS trust and project co/service provider in relation to the adjustment of service fees.

Recommendations

Marion is listed in The Legal 500 2025 for Construction, Energy, Arbitrators and International arbitration; arbitrators; Chambers and Partners 2025 for Construction, and Who's Who Legal 2024 for Construction.

- *"Marion's advice is focused on the client's objectives and she also has an awareness of wider issues and commercial considerations."* Chambers and Partners 2025 (Construction)
- *"She always brings a fresh approach to things and is very commercial, and clients love her."* Chambers and Partners 2025 (Construction)
- *"She is highly intelligent, hands-on and a pleasure to have as part of a team."* Chambers and Partners 2025 (Construction)
- *"Marion is brilliant."* Chambers and Partners 2025 (Construction)
- *'Marion is an excellent arbitrator. She is very conscientious, hard working, and diplomatic.'* The Legal 500 2025 (Arbitrators)
- *'A phenomenal communicator and people person, allowing Marion to make the most complicated of points into something we can all follow. Extremely hardworking and never lets you down.'* The Legal 500 2025 (Construction)
- *'She is very commercial and gets to the heart of a case. Clients love her engaging communication style.'* The Legal 500 2025 (Energy)
- *'Level headed and attention to detail. A calming influence in fraught situations.'* The Legal 500 2025 (International arbitration: arbitrators)
- *"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)

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

- Honorary Professor of Law, School of International Arbitration, Centre for Commercial Law Studies at Queen Mary University of London
- 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

Publications

- Contributor Wilmot-Smith and Darling on Construction Contracts (4th Edition OUP), Chapter 18 Mediation and Alternative Dispute Resolution
- Contributor to GAR Guide to Construction Arbitration (5th Edition), Chapter 9 Alternative Dispute Resolution in Construction and Infrastructure Disputes
- Contributor to Foskett on Compromise (10th Edition Sweet & Maxwell) Chapter 31 Construction Disputes
- Contributor to Net Zero and Nature Positive, (1st Edition LPP) Chapter Construction Professionals Duties

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