

3PB Barrister Profile



David Marshall

Call 1981

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Academic Qualifications

MA (Oxon)

David Marshall's practice has always been concerned with property in the widest sense. For many years he mainly undertook cases concerning building and engineering. This involved both builders and developers and also professional negligence claims against architects, engineers and other construction professionals. This has given him a thorough understanding of buildings, their construction, and the issues that arise in property development at every scale.

Currently David's work is more focussed on legal issues affecting land, such as boundaries, easements, nuisance and party wall matters. He has extensive experience of all kinds of neighbour dispute, both residential and commercial. Whether it is a property developer whose project has been stalled, or a residential occupier with an obnoxious neighbour, he strives to achieve a rapid and satisfactory outcome.

David is a strong proponent of mediation in neighbour and property disputes. Mediation offers a much wider range of acceptable outcomes than a court can offer. It is usually cheaper and quicker and, where the dispute has caused personal distress, it usually produces a more acceptable result for the parties than a court case fought to the bitter end.

In theory, a good mediator should be able to help with any kind of dispute even if he is not familiar with the subject matter. However, in a highly technical area like property law it is very helpful to have a mediator with a thorough knowledge of the legal principles. This saves time: the mediator can immediately understand what the dispute is about, what legal remedies are possible and what aren't. It allows bad points to be discounted and good ones promoted without delay. It means that the parties can be represented at the mediation by generalist, rather than specialist, lawyers. Very importantly, it helps to ensure that any agreement reached between the parties is valid, workable and will endure. Property rights and liabilities last a long time.

David Marshall is a practising and accredited mediator and mediation advocate. In both roles he tries to bring the qualities of patience and wisdom to bear on seemingly intractable problems. Time spent talking things through round a table - whether it be a boardroom table or a kitchen table - is seldom wasted. David advises and appears at trials and mediations involving property in all parts of the country, but particularly the eastern half of England from Northumberland to Hampshire. He is always happy to undertake a site view.

David Marshall also has a deep understanding of computers, information technology and the design and publishing of websites. He advises and acts in computer and Internet-related matters in appropriate cases.

In appropriate cases, David Marshall accepts instructions directly from members of the public or non-solicitor professionals such as surveyors. This can be for advice or to appear at a trial or mediation. For more information please see the [Public Access](#) page on this website.

Professional Qualifications and Appointments

- Accredited Mediation Advocate
- Accredited Mediator
- Legal Adviser to the General Pharmaceutical Council
- Legal Assessor to the General Chiropractic Council
- Legal Assessor to the General Dental Council
- Legal Assessor to the General Medical Council
- Legal Assessor to the General Optical Council
- Legal Assessor to the Nursing and Midwifery Council

Professional Bodies

- Association of Regulatory & Disciplinary Lawyers
- Professional Negligence Bar Association (PNBA)
- Property Bar Association
- Pyramus and Thisbe Club
- Technology & Construction Bar Association (TECBAR)