

OUR PEOPLE

William Birch

CALL 2021



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William Birch is a commercial junior with a broad practice.

Will's main areas of interest are commercial litigation, civil fraud, insurance, professional liability, regulatory & disciplinary, and sports. He has already had exposure to appearing alone both in the High Court and at full trial in the County Court.

Will's recent highlights include:

- Acting for the University of Portsmouth in defence of a claim for breach of contract involving allegations of dishonesty, alleged to be worth over £100m: *Innovate Pharmaceuticals Ltd v University of Portsmouth Higher Education Corporation* [2024] EWHC 35 (TCC) (led by [Clare Dixon KC](#));
- Acting for Nissan in an ongoing, high-profile civil fraud claim against Carlos Ghosn (led by [George Spalton KC](#));
- Defending a former partner of a large firm in SDT proceedings concerning AML failures (led by [Helen Evans KC](#)).

Privacy Policy

Click here for a [Privacy Policy](#) for William Birch.

Expertise

Commercial Litigation

Will continues to develop a broad commercial practice, with experience of both litigation and arbitration. He has appeared as sole counsel in the High Court and regularly in the County Court. His recent work includes:

- Advising on claims under section 90A FSMA alleging dishonesty in connection with information and statements published

- to the market by a major issuer of securities (with [Will Harman](#));
- Acting for a series of Claimants in the substantial s. 90/90A FSMA claim against Glencore Plc (with Andrew Onslow KC and [Shail Patel KC](#));
 - Resisting an appeal against a mortgage provider: *Mortgage Express v Ramsay* [2023] EWHC 566 (KB) (Freedman J);
 - Defending a claim for damages for wrongful termination of a services contract: *Abbey Wood Services Limited v Intelligent Resource Limited and Ors* (21 October 2022, unreported, HHJ Monty KC);
 - Advising on the frustration of a contract for the provision of an online video recruitment platform during the Covid-19 pandemic;
 - Appearing on behalf of an international brewer in an unjust enrichment claim;
 - Defending a leading UK bookmaker at trial on a claim for breach of contract;
 - Defending a well-known high street bank at trial on a claim for breach of contract;
 - Applying to strike out a claim for breach of contract against a recruitment company;
 - Defending a leading mobile network operator at trial on a claim for breach of a commercial lease.

Professional Liability

William is regularly instructed to draft pleadings, advise on, and appear in both applications and trials in professional negligence claims. Recent examples of his work included:

- Defending a firm of conveyancing solicitors following subsidence on a property;
- Defending a firm of tax advisors on a counterclaim pleaded at over £200,000;
- Defending a firm of solicitors at trial on a claim arising out of an application for a High Court interim injunction;
- Resisting an application to join a conveyancing solicitor to proceedings;
- Defending a claim against a surveyor following the discovery of asbestos at a property;
- Applying to strike out a claim against a surveyor arising out of the Party Wall Act 1996;
- Defending a claim on installation of a Cavity Wall Insulation system.

Sports Law

Will handles a wide variety of disputes relating to the sports industry. He is a keen sports fan, who played rugby at county and then Varsity level. His experience to date includes:

- Acting in an FA Rule K arbitration (with [Daniel Saoul KC](#));
- Representing the ITIA in respect of doping charges brought against two players (with [Kendrah Potts](#));
- Advising a well-known Olympian on the operation of UKAD's Whereabouts system (with [Kendrah Potts](#));
- Representing a football player charged with doping offences before the Swedish Supreme Sports Tribunal (with [Kendrah Potts](#));
- Advising on the operation of a personal guarantee following settlement of a claim involving a vintage racing car (with [David Turner KC](#));
- Representing a jockey charged with breaches of the British Horseracing Authority Rules of Racing.

Regulatory & Disciplinary

Will has a particular interest in and is keenly developing a disciplinary and regulatory practice. His experience to date includes:

- Acting in SDT proceedings, with [Helen Evans KC](#), on behalf of a former partner of a city law firm charged with failing to comply with money laundering regulations: *SRA v Clyde & Co* and *Mills-Webb*;
- Advising insurers of the fact and consequences of a firm's various breaches of the Solicitors Accounts Rules.

Civil Fraud, Asset Recovery & Injunctive Relief

Will has a particular interest in litigation involving allegations of conspiracy, deceit, secret commissions and dishonest assistance.

His experience to date includes:

- Acting for Nissan in an ongoing, high-profile civil fraud claim against Carlos Ghosn (with [George Spalton KC](#));
- Acting in a multi-party fraud dispute involving allegations of knowing receipt and claims for personal/proprietary remedies.

Construction

Will is building up a construction practice and is involved in both adjudication and general construction litigation. His experience includes:

- Drafting (as sole counsel) submissions in an adjudication following a dispute over renovation works at a residential property in Wales;
- Acting in a claim following a fire on a large industrial estate in the north of England (with [George McDonald](#));
- Acting in a complex multi-million pound claim concerning the design and construction of a well-known building in London (with [George McDonald](#) and [Roger Stewart KC](#)).

Insurance & Reinsurance

Will has a growing insurance practice. Recent highlights include:

- Acting in a c.£8m claim against multiple insurers following a fire on business premises (with [Ben Elkington KC](#))
- Acting in a c.£7m arbitration concerning aggregation under the SRA's Minimum Terms (with [Ben Hubble KC](#))

Publications

[Pension problems—seeking *Bacci v Green* relief in the High Court \(*Cohen v O'Leary*\)](#)
