

OUR PEOPLE

William Birch

CALL 2021



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William Birch is a commercial junior with a broad practice in line with 4 New Square's specialisms.

Will's main areas of interest are professional liability and general commercial litigation, civil fraud, insurance, 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 (led by [Will Harman](#)).
- 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:

- Representing the ITIA in respect of doping charges brought against two players (led by [Kendrah Potts](#));
- Advising a well-known Olympian on the operation of UKAD's Whereabouts system (led by [Kendrah Potts](#));
- Representing a football player charged with doping offences before the Swedish Supreme Sports Tribunal (led by [Kendrah Potts](#));
- Advising on the operation of a personal guarantee following settlement of a claim involving a vintage racing car (led by [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 high profile SDT proceedings, led by [Helen Evans KC](#), on behalf of a former partner of a large law firm. The proceedings concerned AML failures;
- 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 (led by [George Spalton KC](#));
- Advising on and drafting statements of case in a multi-party fraud dispute involving allegations of knowing receipt and claims for personal/proprietary remedies;
- Document review in a large commercial court action involving allegations of fraud.

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 (led by [George McDonald](#));
- Acting in a complex multi-million pound claim concerning the design and construction of a well-known building in London (led by [George McDonald](#) and [Roger Stewart KC](#)).

Property Damage

Will welcomes instructions in claims involving damage to property. His current experience includes:

- Defending a multi-party claim against an Italian component manufacturer arising out of the supply of a combination valve;
- Defending a leading railway owner on a number of Japanese Knotweed claims.

Company & Insolvency

Will regularly advises on insolvency and company law issues relating to the cases in which he is involved. His recent work includes:

- Presenting a Creditor's Bankruptcy Petition under Part 10 of the Insolvency Rules 2016 at both uncontested and contested hearings;
- Applying to set aside a statutory demand under Part 10 of the Insolvency Rules 2016.