

Karen Petch

CALL: 2017 (NEW SOUTH WALES); 2024 (ENGLAND AND WALES)

✉ redteam@twentyessex.com

☎ +44 (0)20 7842 1200



Overview

Karen is a commercial barrister with specialist experience in insolvency and company law. She is most often briefed in large international commercial litigation and arbitrations involving complex financial structures.

Karen holds a Master of Corporate Law (First Class) from the University of Cambridge, where she was awarded a Jennings Prize for first class performance in the final examinations. She holds a Bachelor of Law (First Class) and a Bachelor of Arts (Communication) from the University of Technology, Sydney.

Prior to coming to the bar, Karen was a solicitor at Allen & Overy LLP in London and New York.

Karen is admitted to practise in England and Wales, all Australian jurisdictions and is registered as a foreign lawyer of the SICC.

Awards

- “40-under-40”, *Global Restructuring Review* (2022)
- ADR Practitioner of the Year, Australian ADR Awards (2021)
- Christopher Gee QC Memorial Prize, NSW Bar Association (2018)
- Jennings Prize, University of Cambridge (2016)

Education

- Master of Corporate Law (First Class) – University of Cambridge, Jennings Prize (Wolfson College)

Publications

- Annotated Corporations Legislation 2023 and 2024 (*Thomson Reuters*) (contributing author)
- ‘Cross-border insolvency law in Australia and shipping insolvencies: unique challenges or issues of wider significance?’ (2018) 19 *ILB* 114, with A. Stewart
- ‘Derivatives and the elusive ‘principles of insolvency’ in Australia: a post-Belmont Park Investments Pty Limited v BNY Corporate Trustee Services analysis’ (2012) 30 *C&SLJ* 253
- ‘Insolvent Trading in Australia: The case for advance relief’ (2011) 29 *C&SLJ* 197

Professional memberships

- NSW Bar Association
- ACICA Legislative Committee
- Australian Bar Association
- International Insolvency Institute (Next Gen)
- INSOL (presently undertaking INSOL Fellowship Course)

- Bachelor of Laws (First Class) – University of Technology, Sydney
- Bachelor of Arts (Communication) – University of Technology, Sydney

Lectures/talks

- Sydney Forum: Shareholder disputes and insolvency (ARITA, 2024)
- Recent developments in cross-border insolvency (Association of Corporate Counsel – 2023 Inhouse Counsel Day)
- An Introduction to International Commercial Arbitration with Karen Petch and Jesse Kennedy (BenchTV, 2022)
- What to put into an Arbitration Agreement and how to enforce it with Karen Petch and Jesse Kennedy (BenchTV, 2022)
- Behind the Bench: illuminating arbitration practice in the Courts (ARITA, 2021)
- Judicial oversight of insolvency practitioner discretions (University of Sydney, Ross Parsons Centre Law & Business seminar, 2020)
- Attacking (or defending) subrogation claims (Trail and Associates, 2019)

International cases

- Acting for *Credit Suisse Asset Management* in connection with some of its exposures to Greensill Capital UK, (2022 and 2023), led by R Higgins SC and R Newlinds SC (now Judge Newlinds), instructed by Gilbert + Tobin (cross-border insolvency).
- Advising *Accolade Wines* on Australian law in connection with a global restructuring (cross-border restructuring).
- *Kelly (liquidator), in the matter of Halifax Investment Services Pty Ltd (in liquidation) v Loo* [2021] FCA 531; In the matter of Halifax New Zealand Limited (in liquidation) [2021] NZHC 1113 led by R Scruby SC, instructed by Gilbert + Tobin (cross-border insolvency; financial services insolvency).
- Acting for a listed Singapore company in a SCMA arbitration, (ongoing) led by R Cordara KC, instructed by HFW (commercial shipping).
- *Michele Bottiglieri Amatore SpA, in the matter of Michele Bottiglieri Amatore SpA* [2021] FCA 795 unled, instructed by HWL Ebsworth (cross-border insolvency).
- *Duncan (Trustee) v Shrestha, in the matter of Shrestha* [2022] FCA 1601, unled, instructed by Gilbert + Tobin (cross-border insolvency).
- *In the matter of Rizzo-Bottiglieri-de Carlini Armatori SpA (trustees in bankruptcy appointed) (no. 2)* [2018] FCA 1067, led by A M Stewart SC, instructed by HWL Ebsworth (cross-border insolvency).

Australian cases

- Acting for Hancock Prospecting Pty Ltd in proceedings in the Supreme Court of Western Australia (Civ 3041 of 2010 and CIV 2617 of 2012), (ongoing) led by N Hutley SC, P Brereton SC, J Lockhart SC, C Bova SC, C Colquhoun SC and J Hutton SC (and others), instructed by Corrs Chambers Westgarth (partnership, contract, directors' duties).
- Advising Hancock Prospecting Pty Ltd in connection with a domestic arbitration, led by N Hutley SC, C Colquhoun SC, J Hutton SC (and others) instructed by Corrs Chambers Westgarth (trusts, directors' duties).
- *Commissioner of State Revenue v Gleeson, in the matter of Dalma Form Specialist Pty Ltd (subject to deed of company arrangement)* [2024] FCA 908, unled, instructed by Craddock Murray Newman (termination of deed of company arrangement).

- *Australian Securities and Investments Commission v Bit Trade Pty Ltd* [2024] FCA 953, led by J Giles SC (cryptocurrency regulation).
- *Seven Gamma A/S* in connection with its exposure to the collapse of the Callide C Power Station, 2023, led by S Doyle KC, C Withers SC, leading M Gvozdenovic (appointment of special purpose administrator).
- *In the matter of Pental Group Limited* [2022] NSWSC 1575; [2023] NSWSC 14, led by J Sheahan KC, with R Jameson, instructed by Herbert Smith Freehills (scheme of arrangement).
- *Shiny (Trustee), in the matter of Navigate Global Payments Pty Ltd (Receivers and Managers Appointed)* [2023] FCA 1089, unled for the Receivers and Managers, instructed by Marque Lawyers (termination of a deed of company arrangement).
- *Magellan Asset Management Limited as responsible entity for the Magellan Global Fund* [2023] NSWSC 1332, led by C N Bova SC, instructed by Allen & Overy (shareholder dispute).
- *Maersk A/S v Patti* [2022] FCA 663, led by J Hogan-Doran SC, instructed by HWL Ebsworth (shipping, strike-out of defence).
- *Australian Securities and Investments Commission v Westpac Banking Corporation (Omnibus)* [2022] FCA 515, led by D Hogan-Doran SC and J Hewitt, instructed by AGS (financial services regulation).
- *Krejci, in the matter of Union Standard International Group Pty Ltd (in liq)* [2021] FCA 1483, led by S Golledge SC, instructed by Bartier Perry (financial services insolvency).
- *In the matter of Colour Metal Pty Ltd* [2021] NSWSC 1012 unled, instructed by HFW (set-aside statutory demand).
- *In the matter of Pacific Steelfixing Pty Ltd* [2021] NSWSC 655 unled, instructed by McInnes Wilson (unfair preference; insolvent transaction); [2021] NSWSC 1129, (personal costs against liquidator).
- *Strawbridge, in the matter of Virgin Australia Holdings Ltd (administrators appointed) (No 8)* [2020] FCA 1344, led by A McGrath SC, instructed by Gadens (deed of company arrangement).
- *Hutson (liquidator), in the matter of WDS Limited (in liq) (Receivers and Managers Appointed)* [2020] FCA 299, led by F Assaf SC, instructed by Gilbert + Tobin (liquidation; pooling).
- *Aberdeen Bear Pty Ltd v MJJK Investments Pty Ltd; MJJK Investments Pty Ltd v Calvert* [2024] NSWSC 722, led by D A McLure SC, (shareholder dispute / contractual interpretation).
- *Chandrasekaran v Western Sydney Local Health District & Charterhouse Medical Pty Ltd* [2023] NSWCA 288; [2021] NSWSC 920, unled at first instance and in the appeal, instructed by Norton Rose Fulbright.
- *Lepcanfin Pty Ltd v Lepfin & ors* [2020] NSWCA 155; [2019] NSWSC 1328, led by V Whittaker SC, instructed by HFW (review of expert determination; interpretation of dispute resolution clauses).
- Other domestic and international commercial arbitrations, including as Australian counsel in a SIAC international arbitration; and acting for SAI Global in a commercial arbitration, led by I M Jackman SC.

Recommendations

A great strategic thinker, highly responsive and hard-working. She is widely admired for her insolvency work but her practice extends to all areas of commercial law. She is often the first choice as a commercial junior in large cases [The Legal 500 Australian Bar 2024](#)

Responsive, intellectual and commercial [The Legal 500 Australian Bar 2023](#)

Recommended Junior Counsel in commercial litigation [Doyles Guide 2024](#)

Leading Junior Counsel in insolvency and restructuring litigation [Doyles Guide 2024](#)