



KAREN PETCH

Master of Corporate Law (First Class) - University of Cambridge
Bachelor of Laws (Hons 1) - University of Technology, Sydney
Bachelor of Arts (Communication) - University of Technology, Sydney

T +61 2 9151 2053

F +61 2 9233 1850

E petch@newchambers.com.au

in [karen-petch](#)

Clerk of Chambers

Angela Noakes

T +61 2 9151 2080

F +61 2 9233 1850

E noakes@newchambers.com.au

Admitted to the legal profession in NSW
2010

Admitted as a barrister in NSW
2017

Also entitled to practise in
All Australian jurisdictions, England &
Wales, Singapore International
Commercial Court

Karen is a commercial barrister with specialist experience in insolvency and corporations law. She is most often briefed in large commercial litigation and arbitrations involving cross-border issues and complex financial transactions.

She has received recognition as a leading commercial junior. In 2023 she was included by The Legal 500 in its 2023 Australian Bar rankings as a leading junior in commercial disputes (Tier 3) where she was described as “*responsive, commercial and intellectual*” and in Doyle’s Guide as a Recommended Insolvency & Restructuring Junior Counsel. In 2022 she was recognised as one of the world’s leading young insolvency and restructuring specialists by the Global Restructuring Review in its 40-under-40 list. In 2021 she was named ADR Practitioner of the Year at the Australian ADR Awards. In 2018 she was awarded the Christopher Gee QC Memorial Prize for achieving the highest result on the NSW Bar Practice Course.

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 (Hons 1) 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. She was a tipstaff to the Hon. Justice McDougall of the Supreme Court of NSW (Equity Division).

Karen is admitted to practise in all Australian jurisdictions and in England and Wales and she is registered as a foreign lawyer and entitled to appear in the Singapore International Commercial Court.

In 2023 she was appointed to the ACICA Legislative Committee for a 3-year term. She serves on the NSW Bar Association’s International Committee and Diversity and Equality Committee and the ABA’s International Committee.

PROFESSIONAL EXPERIENCE

2012 – 2017: Allen & Overy LLP, London and New York (Restructuring & Insolvency; Derivatives)

2011 – 2012: Tipstaff to the Hon. Justice R. McDougall, Supreme Court of New South Wales

2010 – 2011: Minter Ellison, (Corporate Finance & Restructuring)

AWARDS OR PROFESSIONAL RECOGNITION

2023: The Legal 500 Australian Bar Rankings, Commercial Disputes
Doyle's Guide Recommended Junior Counsel in Insolvency and Restructuring

2022: 40-under-40, Global Restructuring Review

2021: ADR Practitioner of the Year, Australian ADR Awards

2018: Christopher Gee QC Memorial Prize, NSW Bar Association

2016: Jennings Prize, University of Cambridge

PUBLICATIONS

Annotated Corporations Legislation 2023 (Thomson Reuters) (contributing author)

Stewart, A. and Petch, K. 'Cross-border insolvency law in Australia and shipping insolvencies: unique challenges or issues of wider significance?' (2018) 19 ILB 114

Petch, K. '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

Petch, K. 'Insolvent Trading in Australia: The case for advance relief' (2011) 29 C&SLJ 197

SELECTED CASES

Corporations, Insolvency and Financial Services

[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)

Acting for a major creditor of entities related to [Greensill Capital UK](#), led by R Higgins SC and R Newlinds SC, instructed by Gilbert + Tobin (cross-border insolvency)

[Duncan \(Trustee\) v Shrestha, in the matter of Shrestha](#) [2022] FCA 1601, unled, instructed by Gilbert + Tobin (cross-border insolvency)

[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)

[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)

[Krejci, in the matter of Union Standard International Group Pty Ltd \(in liq\)](#) [2021] FCA 1483, led by S Gollidge SC, instructed by Bartier Perry (financial services insolvency)

[Australian Securities and Investments Commission v McCabe](#) [2022] FCA 475, unled, instructed by ASIC (travel restriction orders)

[Michele Bottiglieri Amatore SpA, in the matter of Michele Bottiglieri Amatore SpA](#) [2021] FCA 795 unled, instructed by HWL Ebsworth (cross-border 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)

[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)

[In the matter of Plutus Payroll Pty Limited & others](#) [2017] NSWSC 1854, led by J White, instructed by AGS (appointment of provisional liquidators)

[In the matter of DSG Electronics Pty Ltd \(in liq\)](#), unled (public examinations, unfair preferences), instructed by Colin Biggers & Paisley

Commercial, Equity & Arbitration, Shipping

Acting for [Hancock Prospecting Pty Ltd](#) in proceedings in the Supreme Court of Western Australia (Civ 3041 of 2010 and CIV 2617 of 2012), 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)

Acted for [LOGOS](#) in a dispute concerning the Moorebank Industrial Precinct, led by L Livingston SC, instructed by Herbert Smith Freehills (contract)

[Maersk A/S v Patti](#) [2022] FCA 663, led by J Hogan-Doran SC, instructed by HWL Ebsworth (shipping, strike-out of defence)

[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)

[Delor Vue Apartments CTS 39788 v Allianz Australia Insurance Ltd](#) [2021] FCAFC 121; (2021) 396 ALR 27; [2020] FCA 588; led by D A McLure SC, instructed by Holman Webb (estoppel, election, waiver and insurer's duty of utmost good faith)

[Network Ten Pty Ltd v TX Australia Pty Ltd & ors](#), in the Court of Appeal [2018] NSWCA 312, led by D R Sulan, instructed by Addisons (review of expert determination)

Domestic and international commercial arbitrations, including as Australian counsel in a SIAC international arbitration (financial services); and acting for [SAI Global](#) in a commercial arbitration, led by I M Jackman SC, (review of expert determination)

Taxation

Acting for the [Deputy Commissioner of Taxation](#) in promoter penalty and Part IVC matters

[Deputy Commissioner of Taxation v Lee](#) [2023] FCAFC 22; [2022] FCA 1307, unled at first instance, led by M O'Meara SC on appeal (Division 355 of the Taxation Administration Act 1953)

Civil Fraud

[The Commissioner of Australian Federal Police v Omar](#) [2021] NSWSC 366; [2020] NSWSC 1944; [2020] NSWSC 155; [2020] NSWSC 418, led by G J O'Mahoney (proceeds of crime)

As a solicitor:

Acting for certain creditors with claims in the Lehman Brothers International Europe administration at first instance, in the Court of Appeal and in the Supreme Court

Acting for a creditor in the MF Global special administration proceedings

English counsel for ISDA on its industry legal opinions and client clearing addendum
