

ELEVEN WENTWORTH



David Birch

David has a BA and LLB from the University of Sydney, and an LLM from the University of Cambridge. He was awarded the University Medal in Philosophy at Sydney University, and the Chancellor's Medal for English Law at Cambridge.

Prior to coming to the Bar, David was the tipstaff for Justice J C Campbell in the NSW Court of Appeal and practised as a solicitor in the Commercial Litigation group at Clayton Utz for 4 years.

David has also been a casual tutor at the University of Sydney in public law, constitutional law and equity.

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Admission to the Bar:

2016 (New South Wales)

Principal areas of practice:

- Commercial
- Equity
- Corporations
- Banking
- Insolvency / administration
- Competition
- Insurance
- Trade Practices
- Administrative & public law
- Constitutional law

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Academic background:

BA (Hons I & University Medal, University of Sydney)

LLB (Hons I, University of Sydney)

LLM (Chancellor's Medal for English Law) (Cantab)

Professional background:

2012 –2016 **Clayton Utz – Lawyer (Commercial Litigation)**

2015 –2016 **Commonwealth Bank of Australia – Legal Counsel (secondment)**

Feb 2011 – Dec 2011 **New South Wales Court of Appeal – Tipstaff to the Honourable Justice J C Campbell**

Academic positions and publications:

University of Sydney – Casual Tutor

UK Supreme Court Yearbook, Managing Editor

D Birch, "Validity of Asymmetric Jurisdiction Agreements in England, Australia and New Zealand" (2016) *Journal of Civil Litigation and Practice* (forthcoming)

D Birch & A Zheng, "Private Law" [2015] *UK Supreme Court Yearbook* 332

D Birch & A Zheng, "Private Law" [2014] *UK Supreme Court Annual Review* 283

D Birch & A Zheng, "Cutting the Gordian Knot or entangling it further?" (2012) 86 *Australian Law Journal* 748

D Birch, "The *Cleaver* principle: Re-uniting mutual wills and secret trusts" (2011) 5 *Journal of Equity* 288

D Birch, "The slippery nature of a constitutional guarantee: acquisition of water rights in *ICM Agriculture v Commonwealth*" (2011) 13 *Constitutional Law and Policy* 58

D Birch, "*Tabet v Gett*: The High Court's own lost chance of a better outcome" (2011) 19 *Tort Law Review* 76

D Birch, "The Justifiability of Criminal Responsibility for Negligent Conduct" (2010) *Pandora's Box* 48 – 1st place in 2010 Australian Legal Philosophy Students' Association National Essay Competition