

DAVID BENNETT AC QC

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- **Areas of practice**
- [Constitutional Law](#)
- [Alternative Dispute Resolution & Arbitration](#)
- [Administrative Law](#)
- [Banking, Securities and Insolvency](#)
- [Commissions and Inquiries](#)
- [Corporate and Commercial](#)
- [Professional Conduct](#)

### **Admissions**

Solicitor March 1964

Barrister (NSW) May 1967

Subsequently, all other states, ACT and NT

Ad hoc admissions in Singapore and Malaysia

Member of the Honourable Society of King's Inn (Ireland)

Queen's Counsel (NSW) 1979

Subsequently, all other states, ACT and NT

### **Education**

BA (Sydney) 1961

LL.B. (Sydney) 1964

LL.M. (Harvard) 1965

SJD (Harvard) 1970

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### \*Professional Career\*

Dr Bennett was the Solicitor-General of the Commonwealth of Australia, appointed for a five-year term in August 1998 and for a second five-year term in August 2003. In August 2008, Dr Bennett returned to private practice at 5 Wentworth.

David Bennett AC QC was a member of 5 Wentworth between 1982 and 1998. Dr Bennett was appointed as a Queen's Counsel in 1979 and practised in the areas of appellate law generally, constitutional law, administrative law, revenue law, trade practices and competition law, among others. Dr Bennett served as president of the New South Wales Bar Association from November 1995 to November 1997 and President of the Australian Bar Association from November 1995 to February 1997.

He has twice led groups of barristers to teach advocacy to young lawyers in Bangladesh.

Dr Bennett was appointed as an Officer within the Order of Australia on 12 June 2000 for service to the law and the legal profession in the areas of administration, education, and practice. Dr Bennett was appointed a Companion in the Order of Australia in the Queen's Birthday Honours List 2008 for services to the law, particularly as Commonwealth Solicitor-General, through the provision of advice on matters of national interest and the international promotion of Australian legal services and education. He was also the recipient of a Centenary Medal in 2003.

In \*April 2014\* David Bennett was named in Best Lawyers in Australia for Constitutional Law and Banking & Finance.

### \*Selected Cases\*

"NSW Registrar of Births, Deaths and Marriages v Norrie [2014] HCA 11; (2 April 2014)":<http://www.austlii.edu.au/au/cases/cth/HCA/2014/11.html> (legal professional privilege)

Senate inquiries concerning Justice Lionel Murphy

"Church of the New Faith v Commissioner of Payroll Tax (VIC) [1983] HCA 40; (1983) 154 CLR 120":<http://www.austlii.edu.au/au/cases/cth/HCA/1983/40.html> (what is a "religion"? - the "Scientology case")

Street v Queensland Bar Association (1989) 168 CLR 461 (Interstate admission of barristers - Queensland "dingo fence" struck down)

"Baker v Campbell [1983] HCA 39; (1983) 153 CLR 52":<http://www.austlii.edu.au/au/cases/cth/HCA/1983/39.html> (legal professional privilege)

"Wik Peoples v Queensland [1996] HCA 40; (1996) 187 CLR 1; (1996) 141 ALR 129; (1996) 71 ALJR 173":<http://www.austlii.edu.au/au/cases/cth/HCA/1996/40.html> (land rights)

Numerous constitutional cases as Solicitor-General including:

"Re Wakim [1999] HCA 27; 198 CLR 511; 163 ALR 270; 73 ALJR 839":<http://www.austlii.edu.au/au/cases/cth/HCA/1999/27.html> (judicial power)

"Shaw v Minister for Immigration and Multicultural Affairs [2003] HCA 72; 218 CLR 28; 203 ALR 143; 78 ALJR 203":<http://www.austlii.edu.au/au/cases/cth/HCA/2003/72.html> (Australian citizenship)

"Thomas v Mowbray [2007] HCA 33":<http://www.austlii.edu.au/au/cases/cth/HCA/2007/33.html> (terrorism - control orders)

"The Workchoices case":<http://www.austlii.edu.au/au/cases/cth/HCA/2006/52.html> (validity of Workchoices legislation)

"Roach v Electoral Commissioner [2007] HCA 43":<http://www.austlii.edu.au/au/cases/cth/HCA/2007/43.html> (prisoners' voting rights)

\*Memberships and Associations\*

President, Association of Lawyer Arbitrators and Mediators 1998

Council Member, International Commission of Jurists since 1989

Vice-President, South Pacific, International Academy Estate and Trust Law 1988-1996

President, Medico-Legal Society NSW 1988-1990

President, Australian Academy of Forensic Sciences 1999-2001

Member, International Legal Services Advisory Committee 2005-20

Member, Takeovers Panel 2009-2012