



MSc in Law and Finance (Oxon)
Bachelor of Laws (Hons I) (UTS)
Bachelor of Business (UTS)

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Admitted to the legal profession 2016
Admitted as a barrister in NSW 2018
Also entitled to practise in All Australian jurisdictions (Commonwealth, State and Territory)

Principal areas of practice

Administrative Law	Corporations and Securities
Arbitration	Equity
Banking and Financial Services	Insurance and Reinsurance
Civil and Human Rights	International Law
Commercial Law	Personal Injury
Commissions of Inquiry	Product Liability
Conflict of Laws	Professional Negligence
Constitutional Law	

Professional experience

Nicholas accepts a wide range of briefs in both private and public law. Prior to coming to the bar, Nicholas worked at Freshfields Bruckhaus Deringer LLP in International Arbitration, and at King & Wood Mallesons and HWL Ebsworth in commercial litigation. In 2014 Nicholas was Tipstaff to the Honourable Justice David Davies in the Supreme Court of New South Wales.

Nicholas studied law and business at the University of Technology Sydney and also holds a MSc in Law and Finance (MLF) from the University of Oxford. While at Oxford, Nicholas was Editor of the Oxford University Commonwealth Law Journal and a Mini-pupil at Blackstone Chambers, Fountain Court Chambers, One Essex Court and 3 Verulam Buildings in London. Nicholas teaches corporate law and evidence at UTS and is an adjunct lecturer at the University of Notre Dame Law School.

Academic experience

- Casual Academic teaching Evidence and Corporate Law, UTS Law Faculty, 2018 – present
- Adjunct Lecturer, University of Notre Dame Australia Law School, 2019 – present
- Author, Australian Company Law Commentary (CCH), Wolters Kluwer, 2020 – present
- Author, Australian Corporation Practice External Administration Chapters, LexisNexis, 2020 – present
- Case Noter, Butterworths Corporations Law Bulletin (BCLB), LexisNexis, 2018 – 2020
- Editor, Oxford University Commonwealth Law Journal (OUCLJ), 2016 – 2017
- Research Associate, UTS Business School, 2015 – 2016

Publications

- N Bentley, 'Moubarak by his tutor Coorey v Holt: The Court of Appeal permanently stays proceedings seeking damages for alleged historical child abuse' (2019) (Winter) *Bar News* 18.
- N Bentley, 'The High Court again considers the admission of tendency evidence' (2019) (Autumn) *Bar News* 24.
- N Bentley, 'The Queen v Bauer: an attempt to clarify the law surrounding the admission of tendency evidence' (2018) (Summer) *Bar News* 66.
- N Bentley, 'Producing Leisured Laborers: Developing Higher Education Courses for the Digital Creative Industries' (2017) 47(2) *The Journal of Arts Management, Law, and Society* 148.
- N Bentley, 'War on two fronts: Does the public and private enforcement of Australia's corporate disclosure laws need to be harmonised?' (2016) 34 *Company and Securities Law Journal* 567.
- N Bentley, 'Contracts for the Sale of Land – When does a deposit paid via instalments constitute a penalty?' (2016) 25 *Australian Property Law Journal* 40.
- N Bentley and G Lewis, 'The quantification of loss for negligent financial planning advice: a case note on *Westpac Banking Corporation v Jamieson* [2015] QCA 50' (2015) *Banking & Finance Dispute Resolution Quarterly*, 2nd Ed.
- S Ivantsoff and N Bentley, 'Admissibility of covertly obtained audio recordings in commercial litigation' (2014) 28(1) *Commercial Law Quarterly* 18.

Professional memberships

New South Wales Bar Association

Professional profiles

<https://www.linkedin.com/in/nicbentley/>
<https://www.uts.edu.au/staff/nicholas.bentley>

Recent matters as counsel

- *Coffey v Murrumbidgee Local Health District formerly known as Greater Murray Area Health Service* [2019] NSWSC 1265 (led by R Cheney SC & J Downing) – successful defence of allegation that hospital was negligent in failing to transfer mother and properly care for neonate.
- *Ardestani v Doss* [2019] NSWCA 13 (unled) – dismissal of appeal for want of prosecution and order that costs payable forthwith, appellant subsequently withdrew the appeal.

Matters as solicitor

- Acting for a global US restaurant franchisor in a post-M&A ICC arbitration dispute with its former Turkish franchisee.
- Acting for the Republic of Kenya in an ICSID arbitration proceeding brought by an investor in relation to a geothermal project.
- Acting for a bank and appointed receivers and managers of a company following the discovery of court orders setting aside the transfer of a collateral security. Advising on the ongoing trade and sale of the business, and the related litigation.
- Acting for a mezzanine lender in proceedings where the liquidators of the responsible entity of a managed investment scheme contested the validity of securities granted to the lender.
- Acting as instructing solicitor and appearing in the Supreme and Federal courts on behalf of listed companies, as well as major banking and finance clients, in non-lending loss exposures, priority disputes between creditors, security enforcement and general insolvency and bankruptcy proceedings.