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## Editor's Note

This issue of *Bar News* commences with a message from the President, Bret Walker SC, on the topic of the role of barristers as part of the planned 'national legal profession' and continues with two strong opinion pieces. The first is from Anna Katzmann SC on the question of conflict of interest and the proper role of the Bar Council. A question she poses is whether the Bar Council should continue to be given the role of removing practicing certificates from delinquent barristers. Colin McDonald QC of the Northern Territory Bar raises a proposal that the Australian Bar Association — of which this association and all of the other independent Bars in Australia are members — should take a more active role in being an independent advocate for the rule of law and the strengthening of national institutions in the weak and disorganised states of the Asian and South Pacific region.

Features of this issue include Alister Abadee's article on the professional liability of barristers; Michael Joseph SC's thesis that the value of a lost cause of action should be measured by the likely settlement, not likely verdict, had the matter proceeded; and a punchy and constructive proposal by Richard Button, Andrew Haesler and Chrissa Loukas to fix the *Crimes Act 1900* (NSW).

As proof the Bar Association is not mired in the 19th century, the Bar Council has approved a pilot proposal advanced

by the Equal Opportunity Committee for a child care scheme. It is outlined by Rashda Rhana. Rena Sofroniou continues her career as celebrity interviewer in a fascinating interview with Phillipa Gormley, and produces the answers on how a busy barrister juggles a burgeoning commercial practice, the raising of four children, part-time judicial membership of the ADT and multiple sclerosis. It should be noted by way of advance warning that Chief Justice Gleeson has agreed to be interviewed by Rena in the forthcoming Summer 2003 *Bar News* edition. Volunteers are called for to interview Rena after that 'interview' occurs.

The cover of this issue features the famous photo of Frank McAlary QC as 'The dancing man'. McAlary QC receives a further mention in this edition courtesy of Andrew Bell. David Ash provides us with clerihews for the High Court (and even explains what a clerihew is).

Bar sport contains the report by Lachlan Gyles on the defeat of the New South Wales Bar Cricket team by the Queensland Bar. Gyles ends with a stirring plea for younger members of the Bar to come forward and to continue the cricketing tradition set by original players such as the late Jack Hartigan. One can almost hear the older Gyles speaking!

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### LETTER TO THE EDITOR

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Dear Sir,

Over the Christmas vacation, whilst the second Mrs Bullfry was in therapy, I followed with interest the media frenzy surrounding Biscoe QC's ejection from the Bondi Swimming Classic. As a contemporary of Biscoe's, all that I can say is that 'he should know better at his age'.

Bullfry QC

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Biscoe QC is rescued by Forster SC.



Biscoe QC takes a dip at Birchgrove.

Photo: Peter Morris/Sydney Morning Herald