



### Laywers and public life

My editor's note in the last issue of *Bar News* commenced by quoting some observations of the late Jeff Shaw on the skills and techniques barristers could bring to politics. In this issue, we are pleased to publish the inaugural Sir Garfield Barwick address delivered earlier this year by Senator George Brandis SC, the current shadow attorney general. This is a most interesting address indeed and focuses on Sir Garfield Barwick's career in federal politics but is much more than a biographical account of that. The theme of the address is captured in the title 'The lawyer's duty to public life'.

Contributions by lawyers to public life can, of course, and do extend far beyond parliamentary membership. Many members of the bar are involved, often at a senior level, in cultural, charitable and educational endeavours on top of their principal occupation. One of the great virtues and privileges of the bar is the liberty and flexibility that permits such participation.

### This issue

Much has been written over the past decade about Bills of Rights. Much of that writing is repetitive and familiar. Against that trend is the original and illuminating essay published in this issue by Brian Rayment, QC on the topic of 'Entrenching rights in the US and Canada' which is, as one might expect, a serious and incisive piece of scholarship.

Tony Cunneen continues to make a significant contribution to the legal history of the profession with his article on the *Women's Legal Status Act* of 1918 which gave women the legal right to become lawyers and to be elected to the New South Wales Legislative Assembly. His article is complemented by an important oral history project currently being undertaken and which is described by Jenny Chambers in her article 'The First Women to Clear the Bar in New South Wales'. Despite the passage of the *Women's Legal Status Act* of 1918, only 26 women had been admitted to practice at the New South Wales Bar between 1924 and 1975. The numbers have changed radically since then with approximately the same number of women being admitted to the bar in 2010 alone, representing approximately 40 per cent of all new barristers.

The current issue of *Bar News* features a number of important matters relating to practice. Topics covered include reflections on the 'hot tubbing' of experts by Justice Rares, a description of an important new initiative in relation to the proof

of foreign law in disputes involving New South Wales and New York law, a description of the pro bono referral program directed at offering assistance to complainants in sexual assault proceedings and, finally, a comprehensive article by Hugh Stowe on security for costs which will become the first port of call for junior barristers seeking or resisting orders for security for costs.

### 25<sup>th</sup> anniversary

Assuming that the constituency might permit a modicum of self-indulgence and self-congratulation, *Bar News* celebrates its 25<sup>th</sup> birthday in this issue with a little retrospective compiled by Kate Williams and Ingmar Taylor. All past issues of *Bar News* are now available on the Bar Association website. For those who compare the earlier issues to more recent publications, it will be evident that *Bar News* has grown from an excellent but relatively brief bulletin into a regular and diverse journal which seeks to speak to the entire Bar, endeavouring to focus on all segments of the bar and to touch all practice areas. *Bar News* strives to be a forum in which senior and junior members alike feel free to contribute to a discussion of a diverse range of legally related topics. This issue illustrates that goal.

I am pleased to report that Bar Council has recently endorsed *Bar News* moving to three issues per year. Thus, from next year, *Bar News* will be published in April, August and December. Contributions are always welcome.

**Andrew Bell SC**  
Editor