

penalty for Australian citizens. Others have spent their vacations in the poorest of countries like Bangladesh and Tonga teaching advocacy, or trying to establish or re-establish the rule of law in nations torn apart by war, like East Timor. Since 2006, the Regional Assistance Mission to the Solomon Islands (RAMSI) has engaged 10 barristers from jurisdictions around Australia to help rebuild the legal system in that country. Recently, Bar councillors Nye Perram SC and Rachel Pepper were engaged by the ousted prime minister of Fiji, Laisenia Qarase to appear in Fiji before its High Court to challenge his removal and his replacement by the coup leader and self-appointed interim prime minister, Frank Bainimarama. The case was broadcast on Fiji television. The assistance Perram SC and Pepper provided was acknowledged as 'yet another inspiring example of how the great engine of the law can be enlisted to give hope to victims of injustice in our region of the Pacific and of military oppression in Fiji in particular' – 'advocates prepared to devote [their] skills and learning to overcoming tyranny' – 'in the finest traditions of the profession'.

These experiences suggest that the barrister class is alive and well, doing what it does best.

Endnotes

1. The Hon Justice Michael Kirby, 'Rediscovering Rhetoric: Rhetoric in Law – A case for optimism?'
2. David Lemmings *Gentlemen and Barristers, The Inns of Court and the English Bar 1680-1730*, Oxford Historical Monographs, Clarendon Press, 1990, pp 71-2; Blackstone *Commentaries*, i, 33.
3. 'The Challenge of Independence', A paper delivered at the inaugural World Bar Conference, Edinburgh, 28 June 2002
4. There is a fused profession in Zimbabwe these days but a small de facto independent Bar continues to operate there.



This issue of *Bar News* highlights the diversity of issues and interests which engage the Bar.

An annual feature of *Bar News* is the publication of the Maurice Byers Address, this year delivered by the Right Hon Dame Sian Elias, chief justice of New Zealand, on the topic of 'Judicial Review Today'. The paper tracks the developments in judicial review over the last 50 years and, of particular interest, engages in an extended comparative law analysis and reflection.

Feature articles in this issue focus on environmental law and climate change with papers by Clifford Ireland, a new member of the Bar, and Dr Jane Macadam of the University of New South Wales whose paper was originally delivered as part of the continuing legal education programme. That programme has proved to be one of the great innovations in the corporate life of the NSW Bar in the last five years. The quality of the papers is invariably high, and the breadth of topics covered impressively diverse. The seminars also represent an excellent opportunity for members of the Bar to interact in a collegial atmosphere.

Richard Beasley follows up his interview with Stephen Kiem, featured in the last issue, with an interview with David McLeod, the lawyer for David Hicks. This makes for quite compelling reading, and McLeod does not hold back in his views as to the former government's consideration for the rule of law in the context of that case.

There is also a wide-ranging interview with the new Commonwealth attorney-general, the Hon Robert McClelland whose views as to the role of the attorney-general vis-à-vis the judiciary will be viewed by many as a welcome return to orthodoxy.

A spotlight is also shone upon a small but dedicated band of barristers who have an active engagement as reservists with the armed services. Gregory Nell SC has contributed a piece in relation to the navy legal panel, whilst recent recruit, Kate Trill, recounts her personal experiences at Jervis Bay. These articles coincide with the establishment of a new Australian military court, the details of which are set forth in a piece by Cristy Symington. It is to be hoped that this new body debunks the view, variously attributed to Georges Clemenceau and Groucho Marx, that 'military justice is to justice as military music is to music'. As a counterpoint to Kate Trill's travails, and taking advantage of the lapse of copyright, I have also reproduced the account by that famous barrister, W S Gilbert, as to how Sir Joseph Porter KBE rose to the rank of First Lord of the Admiralty without ever going to sea.

Outstanding commitment to public service is exemplified in the careers of the recently retired Keith Mason and the late Kim Santow. The recording of the details of such careers in a journal such as *Bar News* is important not simply for the historical record but also because their contributions speak volumes for the great contributions which public spirited lawyers can and routinely do make to the wider community. As Chief Justice Spigelman observed, on the former's retirement, 'Today marks the culmination of 23 years of public-spirited service to the legal system of this state that has rarely been surpassed.' If his retirement address (partly reproduced) was anything to go by, the future observations of the former president on the development and course of Australian law will be eagerly awaited.