



This is the first of what will be three issues of *Bar News* for 2011 following the welcome decision by Bar Council to endorse the tri-annual publication of *Bar News*. I have no doubt that the quality of the publication will be able to be maintained over three issues and encourage contributions from all members of the bar to ensure that *Bar News* remains both interesting and informative. The current issue, I trust, satisfies both of those criteria.

The centrepiece of this issue is Justice Heydon's lecture on the subject of 'The influence of Sir James Stephen on the law of evidence', a survey of the life and work of one master of the law of evidence by another. Indeed, reading this account of Stephen's prodigious output and academic energy, coupled with the discharge of teaching responsibilities, an active practice at the bar and then judicial office, certain parallels may be detected. The author's well-known and unabashed fascination with late Victorian England and

its values also shines through and informs the narrative of a remarkable and influential life.

The redoubtable David Ash also weighs in with the next instalment of his project of profiling, in an always diverting way, the life and times of those New South Wales barristers who have been appointed to the High Court of Australia. His subject in this issue is Sir Adrian Knox who was acknowledged by Sir Owen Dixon as one of the greatest appellate advocates the High Court has known. As the essay reveals, Knox was no mere lawyer but had diverse interests and abilities beyond the law, and a wide engagement in Australian society in its transition from a set of disparate colonies to federal union. Ash is correct to describe his work

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as 'prosopography', defined by one source 'as an independent science of social history embracing genealogy, onomastics and demography' and by another as 'concerned with the person, his environment and his social status, that is, a person within the context of family and other social groups, the place or places in which he was active and the function he performed within his society.' What one reads, therefore, is much

more than a standard biographical account but rather high quality social and economic history of the most fascinating kind. I was also going to add 'painstakingly researched' but one's strong impression is that researching these pieces gives Ash no pain at all but only pleasure!

Also published in this issue is the text of Chief Justice Spigelman's Opening of Law Term address on the subject 'Global engagement and Australian lawyers'. No one has been more consistent or insightful in his appreciation of this topic than the current chief justice who in this address brings together a number of themes that he has pursued with vigour over the last decade. A full tribute to his contribution as chief justice of New South Wales will

appear in the next issue of *Bar News* following the announcement of his retirement at the end of May.

This issue also includes a 'self-interview' by Nicholas Cowdery AM QC, the prominent and highly respected outgoing director of public prosecutions, reflecting on his 16 year 'tenure' – a deliberately provocative description. For those wishing a 'compare and contrast' experience, the 1995 issue of

Bar News in which the director interviewed himself some 16 years ago on taking up his post under the heading 'DPP: Hot Seat or Siberia?' can be electronically consulted on the New South Wales Bar Association website. His has been a very distinguished term as DPP and his regular insistence on the need for independence of his office from executive interference has contributed significantly to the wider community appreciation of the rule of law throughout the country. It may confidently be predicted that Mr Cowdery QC will continue to be a prominent and highly articulate public commentator.

On a lighter note, Bullfry contemplates the end of orality, a

matter that is not, on reflection, such a light-hearted topic. As ever, Lee Aitken's sharp perceptions about aspects of the modern profession examined through the sometimes jaundiced, sometimes melancholy and occasionally bloodshot eyes of Jack Bullfry QC are on show. Poulos QC's brilliant illustrations are reproduced in full-blown colour.

David Jordan has invoked the spirit of the late John Coombs QC by re-establishing the 'Bar Cuisine' section in a whimsical reflection on a long lunch with someone referred to only as 'Rabbit'. That in itself ought be sufficient to whet the appetite to read his piece and work out Rabbit's identity.

There is also a great collection of photographs celebrating Paul Daley's 50 years as a barristers' clerk. In recognition of his 'exceptional service to the Bar Association and the profession of law' the Bar Council resolved to make Paul an honorary life member of the Bar Association at its meeting on 7 April 2011.

The next issue of *Bar News* will take as its theme 'The state and practice of criminal law in New South Wales'. Any contributions, particularly in the form of short opinion pieces on that topic, are invited.

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Editor

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