

Introduction

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Barristers have always faced changes in technology. When Sir Garfield Barwick first came to the Sydney Bar in 1927 opinions were delivered in handwriting, usually on the back of the brief. The brief was contained on large sheets of paper, twice the size of A4. Barwick said of the oversized paper:

This was a device which ensured that the solicitor or client could not use the original opinion apart from the facts and instructions on which it had been given. But the business of secretaries, typewriters and dictating machines was soon to alter all that.¹

In 1932 Barwick moved to larger chambers. As was typical at the time, a telephone was mounted on the wall of his room. Barwick took it down and put it on his desk. This was regarded as remarkable. Barwick didn't stop there. His biographer, David Marr says:

Later, when he [Barwick] hired a stenographer, his business arrangements were the talk of Phillip Street. Barwick and Percy Spender, who worked on the same floor of Chancery, were the first men at the Sydney Bar to organise their practices on a business basis and set up chambers on the lines of a modern office. They rejected the leisurely, almost academic, ethos by which their colleagues worked. They planned their time, gave appointments and delivered typed opinions.²

Barristers today face equally significant changes. We don't just type opinions any more – we research them electronically, transmit them on devices, access them remotely and store them on clouds. We seem to be moving away from paper and into an age of electronic practice.

Not everyone embraces this change. Lawyers tend to be conservative. Many of us instinctively tend to the view that a lot of electronic gadgetry is unnecessary and superfluous. We didn't need it before, so we don't need it now. If it ain't broke, etc.

But this approach can only take us so far. Changes are taking place, whether we like it or not. Solicitors and their clients are using the new technologies. They expect us to as well – or they soon will.

And sometimes the times just march on and we have to go with it. The fax machine wasn't broke. Nor was the postal service.

It all comes down to this: do these new technologies actually make the practice of law more efficient? What's in it for barristers? More to the point, what's in it for our clients?

In the following feature Nicolas Kirby discusses all the ways in which an iPad can revolutionise a barrister's practice – as it has his. Kylie Day and Carolyn Dobraszcyk look at the storage of documents in clouds, and at electronic briefing. Susan Cirillo examines electronic discovery. Kathryn Millist-Spendlove talks about websites and social media. Catherine Gleeson discusses social media and the courts. And Danny Moujalli looks at how to conduct legal research in this new electronic age.

Endnotes

1. Sir Garfield Barwick, *A Radical Tory*, Federation Press, 1995 at 29-30.
2. David Marr, *Barwick*, George Allen & Unwin, 1980 at 27.