This editorial was written soon after the Bench and Bar Dinner. That function each year, with over 700 in attendance, underlines the 'collegiality' of the profession and, also, the historic link between Bench and Bar. As has been observed on numerous occasions, that particular relationship is symbiotic and the competent and ethical discharge of the respective functions of Bench and Bar are rightly seen as essential ingredients in the administration of justice in NSW.

The relationship between Bench and Bar is often discussed in the context of judicial appointments with the Bar being, of course, the traditional breeding ground for the Bench. That is highly likely to remain the case for reasons which have nothing to do with professional preferment. Rather, it is for reasons that flow from the basic fact that, in our common law tradition, citizens' rights are determined by judges in court proceedings. Cases are conducted according to technical rules of evidence and procedure, which have profound and entirely legitimate rationales. In such a situation, it is not only entirely appropriate but essential that the person presiding on the occasion of the determination of rights and obligations has a deep familiarity with and mastery of the trial process.

That observation is not, however, to advance the proposition that the necessary skills for judicial office are to be found solely within the realm of barristers. It is in that context that Justice McColl's recent paper 'Women in the Law', reproduced in this issue, warrants careful study and is a very valuable contribution to what is rapidly becoming an important public debate on the topic of judicial appointments, most notably in Victoria and, more recently, in the federal sphere. That debate will be given added piquancy in New South Wales if the March announcement by Attorney General Debus to put a Charter of Rights for NSW 'on the agenda for discussion' gains traction. Passage of such an Act would inevitably intensify media scrutiny of judicial decisions, making it all the more important that only judges of the highest calibre are appointed to the Bench.

Any erosion of confidence in the judiciary (including confidence in appointments to the judiciary, and the mode of such appointments) at state and/or federal levels inevitably undermines respect for the rule of law and the role of the courts as a bulwark of liberty. Any erosion of public confidence in the mode of judicial appointment also has the clear potential to undermine institutional morale. The matters touched upon in Justice McColl's paper are likely to excite and deserve further debate. *Bar News* invites contributions in forthcoming issues to that debate.

This issue of *Bar News* has as its focus the junior Junior Bar and it is hoped that what is written will be of interest not only to junior practitioners but also to more senior members of the Bar involved formally or informally in the mentoring or tutoring of junior barristers. But there is much else besides in this issue which highlights the richness and diversity of the profession across many fields. In particular, there are a number of forcefully expressed opinion pieces, perhaps symptomatic of the fact that, in the current political era, there is an increasing call and role for the expression of articulate and independent points of view.

The engagement of members of the Bar in wider public affairs is exemplified by none more so than Hughes QC who, in this issue, contributes a reflection on former judges of the Supreme Court which, for younger practitioners, brings to life and lends colour to many of the names one reads in and cites from in the *New South Wales Law Reports*. This issue also features the publication of Jackson QC's masterly Sir Maurice Byers Address – 'Implications of the Constitution'.

The theme for the Summer Edition of *Bar News* will be expert witnesses, a topic that has recently excited not only debate but also changes in the rules and practices of certain courts. Contributions on this important practical topic, which also has potentially important implications in terms of principle for our adversarial tradition, are invited. They may or may not be placed in a hot tub.

Andrew Bell

Apology to Justice Sheahan

The Summer 2005/2006 issue of *Bar News* published an article by Anna Katzmann SC entitled 'Restricting access to justice – Changes to personal injury laws: the New South Wales experience'.

The article was critical of the results of an inquiry, the terms of reference of which included identifying 'ways to reduce the incentive for pursuing common law claims'. In publishing this material it was not the intention of either the author or the New South Wales Bar Association to criticise or call into question the integrity or independence of the chair of the inquiry, the Hon Justice Terry Sheahan AO.

The New South Wales Bar Association apologises for any unintended distress caused to Justice Sheahan from the publication of this article.