

plaintiff in a professional negligence case, *Hawkins v Clayton*. The case was unsuccessful before the Supreme Court judge and was also unsuccessful 2:1 in the Court of Appeal. The High Court, however, upheld the appeal and decided in my client's favour by a majority of 3:2. In all, nine excellent judicial minds had heard that case, yet five of the nine decided the case differently to the majority of the High Court.

His Honour also referred to the creation of the Federal Court:

The Constitutional debates refer to the Federal Supreme Court and other federal courts. The Federal Supreme Court was created in 1903 by the Judiciary Act, and is now known as the High Court of Australia. Since the High Court was invested with both appellate and original jurisdiction, the creation of this court lay dormant for over 60 years. However, in 1964, two barristers of the Sydney Bar, Maurice Byers and Paul Toose, published an article drawing attention to the need to create the Federal Court.

Its creation in 1976 by the Federal Court of Australia Act was timely. In 1975, I appeared in a matter in the original jurisdiction of the High Court. The hearing lasted 10 weeks. It could scarcely be contemplated today that the High Court could hear such a case. Instead, the Federal Court now hears such disputes. Additionally, the volume of Commonwealth law is rapidly increasing. When created, this court had jurisdiction in respect of 17 statutes. That number has increased to 167.

The Act creating this court in 1976 was the 4882nd Act passed by the Commonwealth Parliament. Now, more than 10,700 Commonwealth statutes have been enacted. This means that the number of laws passed by the Commonwealth in the last 30 years is more than the entire number passed in the preceding 75 years.

Sydney University Law School new building appeal

By Peter Garling SC & Andrew Bell

The New South Wales Bar and the University of Sydney Law School have an extraordinarily strong historical association. The law school has provided well over half of the current members of the New South Wales Bar and, prior to the establishment of law schools at the University of New South Wales, Macquarie University, the University of Technology and elsewhere, it was from the University of Sydney Law School that the vast majority of New South Wales barristers received their legal training.

The relationship has been far from 'one-way'. Over its entire life, the Bar has supplied any number of lecturers and tutors to the University of Sydney Law School. That tradition continues today. It is a tradition which has been made practically possible by the close proximity of the law school to the Bar. As is now well known, that proximity will largely cease in 2009 when the Faculty of Law will move to the main university campus (although most post-graduate courses will still be taught from Phillip Street). This move has been much debated over a significant period of time. It is no longer up for debate. In the words of Professor Ron McCallum AO, Dean of the Law School:

The ambitious new law complex will give students access to

purpose-built facilities and the latest technology supporting innovative teaching and cutting-edge research. A state of the art moot court, mediation training rooms and the comprehensive law library will provide much needed resources that are critical to the teaching and understanding of law and legal issues in the new millennium. ... As Australia's oldest law school, we have made an enormous contribution to the country's intellectual and legal life. Now we have the opportunity to generate fresh ideas, set new standards and raise the bar for every future law student. Coming home to the campus community will give our students a more-rounded education that will help them develop their values, reach their potential and become passionate and informed members of our society.

These are worthy aspirations and it is hoped that the philanthropic tradition which has and continues to underpin and enrich the greatness of both Oxbridge and the universities of the United States of America will recommend itself to members of the New South Wales Bar. A donation of as little as a day's fees (fully tax deductible) will greatly enhance the achievement of this worthy and worthwhile project.

Details in relation to, and images of, the new building are available at www.law.usyd.edu.au/about/new_building.shtm

Gifts may be given online at www.alumniandfriends.usyd.edu.au/unauthmakegift.asp

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