

EDITOR'S NOTE

Every now and then *Bar News* has the opportunity to publish an important piece of bar history. This issue's article by Sir Anthony Mason on the late Sir Garfield Barwick is one such piece.

It is not easy now to appreciate Barwick's significance during his time at the bar. These days the bar is much larger and more diversified. New chambers have opened up. Barristers practise in different geographical areas and in different specialities. They don't all know each other. There is no one dominant figure, the way Barwick was. There may not be again.

Barwick practised at the New South Wales Bar from 1927 till 1958. He went on to become both attorney-general of the Commonwealth and chief justice of Australia. He died in 1997, aged 94

Sir Anthony Mason knew Barwick well. While still a law student he watched Barwick on his feet in court. In due course he was briefed as Barwick's junior in many matters, as his article relates.

Through this article we can glimpse Barwick the barrister at work: confident, eloquent, precise, extraordinarily efficient. Few lawyers have had so long and illustrious career as Sir Anthony Mason. He says of Barwick: 'In my long experience in the law he was the finest advocate I ever heard. This view was widely shared.'

Elsewhere in this issue we look at the important question of a barrister's role in mediations. We are delighted to include an address on this topic by the chief justice, the Hon T F Bathurst AC, entitled 'Off with the wig'. Among other things, the chief justice observes that in the light of recent decisions of the High Court it is unlikely that the conduct of a barrister in a mediation will be protected by the advocate's immunity. David Ash has also contributed an article which examines comprehensively all aspects of a

barrister's work in mediations.

Geoffrey Watson SC has contributed another excellent piece on legal history, this one examining the version of justice meted out to Bob White, an African-American accused of raping a white woman in Texas in 1937. Jane Needham SC has a piece on succession law, with diversions into Dickens, Trollope and Harry Potter. This issue also includes an examination of the law of equitable compensation for breach of confidence by Dr Peter Turner, with commentary by the Hon Justice Mark Leeming.

Since the last issue there has been a changing of the guard at Bar Council. *Bar News* thanks the outgoing president, Noel Hutley SC, for all his work during his time in office. And we congratulate and thank the incoming president, Arthur Moses SC, on taking over the post and wish him the very best of luck in meeting the challenges that will come his way. Arthur's inaugural column as president appears on the next few pages.

This will be my last issue as editor. I would like to thank all those who have contributed to *Bar News* over the years, most particularly the various members of the committee, past and present who have given so generously of their time. *Bar News* is the New South Wales Bar's journal of record. It has been a privilege to have been in charge for the last five years and to have served on the committee for quite a number of years before that. I wish the incoming editor, Ingmar Taylor SC, the best of luck in his new role.

Jeremy Stoljar SC
Editor