

sirable or beneficial, and it is accepted that the logic of events and the times have made it necessary and for reasons that are all too familiar. Nor is it questioned that similar trends may be found in other corporate groups or societies. What is raised here is that the tendency is more vital for the Bar than other organisations by reason of the unique and important function of the Bar in society in the presentation of a point of view in the Courts and whether the individual barrister is likely to be toughened and tempered into an instrument of independent judgment, courage and resource, in such an atmosphere, or is more likely to seek his strength and views through his adherence to the group. The quality of the Bench will ultimately reflect the quality of the Bar from which it is drawn. All this may be one thing in terms of a prosperous Bar, but a little adversity might find security and uniformity more acceptable than independence, inquiry and criticism. A tame Bar is by no means unknown, although in British communities it may be difficult to find.

A related matter to this is that a certain amount of re-thinking may be required as to future control and administration of the empire that the Bar has acquired. These problems again are not exclusive to the Bar, but their possible effect upon the barrister make it more fundamental that the Bar should be aware of them and endeavour to resolve them in such a way as will maintain and foster those qualities which are developed by diversity, conflict, inquiry and non-conformity.

All this, of course, can be dismissed as an over-simplification. Obviously, there are many other forces at work in society which can explain much of the nature of the Bar, but nevertheless the suggestion is that, perhaps imperceptibly, the Bar may change from its reflection of an individualistic form of society, and that changes and trends in that society and in the Bar's organisation, will be demonstrated not only in the Bar as an institution, but also in the individual barrister, and in the administration of justice.

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## Legal Education in New South Wales

### A Crisis

Legal education in New South Wales is in a state of crisis. The solution of existing problems requires urgent and top-level attention.

Lawyers are coming to feel that the facilities for the teaching of Law in the universities are not receiving the attention to which they are entitled, and that the balance, which has been tipping heavily in the direction of other Faculties, should be restored.

The Sydney University Law School has always been located in the city, in the precincts of the courts and in the midst of the legal profession. There is a very strong traditional element associated with the matter of locating the Sydney Law School.

Not unconnected with this question of a Law School site are traditional policies about the nature of Law School courses.

There is very strong support in Sydney within the profession, not only for the continued location of the Law School "down town", but also for the preservation, to some extent, of the principles whereby practical experience in legal offices is obtained concurrently with at least part of the Law School course. Without going into details about the nature of the existing Law School courses, it is sufficient to say that professional opinion is against the establishment, with no alternative courses, of a four-year period of full-time study.

In other universities throughout Australia, this strong traditional desire to retain the Law School within the city of Sydney, and to retain the type of courses at present in existence, is perhaps difficult to understand. Nevertheless, the professional point of view which is dominant in Sydney, has to a significant extent, been re-

flected in the policy of the Senate and of the Faculty of Law within the Sydney University.

So far as the siting of the Law School is concerned, it is common ground that the existing building in Phillip Street is totally inadequate for the purposes of a modern Law School. It is critically important for arrangements to be made to vacate the existing premises.

It is for this reason very unsatisfactory that no plans have been developed in the current triennium, 1964-1966, for finance to be provided for the building of a new Law School.

The matter is not an easy one to handle and has been complicated to some extent by changing Faculty policies. Some years ago the Faculty decided that the correct policy was to move the Law School into the University grounds. A site on the tennis courts in front of the Great Hall was provided, but, after considerable controversy, this site was withdrawn by the Senate and an alternative site offered in the old Deaf, Dumb and Blind premises in City Road. In due course the Faculty reviewed its policy decision and decided to revert to the traditional policy of remaining down-town. This has resulted in difficult questions arising about the actual site upon which to build and about the way in which the obtaining of a city site is to be financed. This is not the place to discuss the intricacies of this problem, but despite the very great urgency in getting proper premises and equipment for the Law School, and despite the completely unsatisfactory nature of the present premises, no arrangements have been made to deal with the matter during the triennium 1964-66.

In the result it has long been apparent that the Law School cannot, with its existing facilities, handle the students who are offering. A further ingredient in the current crisis has accordingly developed, and a big issue now arises as a result of the reduction of the quota of intake into the Faculty for First Year from 350 students to 300 students.

Recent attempts to avoid this reduction have not been wholly successful and it remains to be seen, as this issue of the Gazette goes to press, whether the reduction will operate or not. In any event, looking at the matter over the next ten years, it is obvious that a Law School with a First Year intake of 300 will not be able to cope with the students offering.

In this situation the University of New South Wales has been endeavouring to establish a Law School, and both branches of the profession have been co-operating with the University to that end.

If Sydney University is to have a quota of 300, then another Law School will be immediately necessary unless big groups of students are to be forced out of the University and into the courses conducted by the Barristers and the Solicitors Admission Boards. Whether this happens or not, and whether the numbers of students doing the last mentioned courses increase or not, some attempt will have to be made to provide help and tuition to the students reading Law for the examinations of the two Boards. However, for present purposes, this question will be left aside because it is the crisis in University legal education with which we are immediately concerned.

The University of New South Wales has not been able to obtain from any quarter finance to enable it to establish, during the current triennium, a Law School within that University.

Nevertheless, that University is planning some inaugural work aimed at establishing a Law School during the later part of this triennium.

Those responsible for the provision of finance for legal education within the Universities in New South Wales will have to consider whether they are to plan for the construction of two Law Schools in the immediate future, with all the attendant consequences in relation to premises, plant and library and so on, or

whether the Sydney Law School is to be developed upon the basis that, say, for the next ten years it will be the only Law School. There will probably be two Law Schools.

If Government policy were to be settled on the basis that only one Law School will be provided during the next ten years, Sydney University Law School will presumably have to plan to obtain a building and equipment to enable it to cope with the student load over that period. If, on the other hand, there are to be two Law Schools built or provided contemporaneously, then a different basic policy will be possible for Sydney University Law School.

One thing that is quite clear is that these problems simply cannot be left to drift along unsolved. Basic policies must be immediately settled. The Sydney Law School clearly requires the help of the whole profession to ensure that reasonable provision is made for legal education within the University of Sydney, and there are signs of an awakening interest in the Law School and its affairs throughout the profession. If it is to be the only New South Wales Law School during the sixties and early seventies, friends of that Law School will have even greater reason to get together to give it real help.

Relations between the Law Faculty and the profession have not, during the last twenty years, been as intimate as they should have been. It is to be hoped that steps to be taken to assist the Law School to get through its current crisis will lay the foundation for more intimate and constructive future association between those teaching Law and those practising Law.

It may well be that the critical situation in legal education which exists in New South Wales is, to some extent, mirrored elsewhere, as, for example, in Victoria. It is understood that no funds have been provided for capital expenditure in the current triennium either for the Melbourne University Law School or for a Law School at Monash University. Perhaps what is really needed is a thoroughgoing attack at the national level upon the whole question of premises, plant and equipment for legal education within universities. A national policy is probably needed with regard to the desirable number of Law Schools, their optimum size, their needs and the timing of the establishment of future Law Schools.

## International Bar Association

The International Bar Association will be holding its Tenth Conference in Mexico City between 27th and 31st July, 1964.

Topics to be discussed at the Conference will be:

1. Protecting individual rights under the various laws governing administrative procedure and codifying the basic procedural safeguards.
2. The client's right to secrecy in his dealings with the legal profession.
3. Anti-trust problems in international trade.
4. The form and legal effect of wills made by the same person in different countries.

5. Legal aspects and consequences of the Treaty of Rome (European Common Market), the Treaty of Montevideo (Latin-American Association for Free Trade, ALALC), Alliance for Progress and other regional programmes.

6. World habeas corpus and international extradition.

Registration forms and information as to the Conference may be obtained upon application to the Honorary Secretary, Law Council of Australia, Owen Dixon Chambers, 205 William Street, Melbourne. Those wishing to attend the Conference should arrange with their Society or Association for approval of accreditation to be forwarded to the above address together with an accreditation fee of £3 3s. and the registration form.