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Editorial

We live in uncertain times. Perhaps in this edition we will provide a bedrock to help you understand what is going on in the world.

The question of how to deal with asylum seekers has created great legal and political debate. Professor Mary Hiscock provides some perspectives in her article *Shipwrecks, Asylum Seekers, and the Rule of Law: The Tampa Case.*

In the 100 years since Federation our Constitution has been important in the moulding of a vibrant, stable and democratic country. Associate Professor Gerard Carney discusses this journey in his article on *Australia - Federal Story.* Did you know New Zealand was almost part of an Australasian federation? Imagine our rugby union team if that had happened.

Jim Corkery in *The English Courts and the Rise of Equity* explores the rise of equity through its dim past to the modern day. Often when you go to court you are relying on principles of equity that had their source from hundreds of years ago. Read Professor Corkery's interesting anecdotes and strange tales about the persons involved in the rise of equity.

We welcome a contribution from Carol Ronken and Robyn Lincoln on the implications for society of laws requiring the notification to communities of the presence of convicted sex offenders. In their article on *Civil Liberties and Sex Offenders Laws* they indicate that there are lots of implications for this practice for the community and the offender. Sometimes it may not achieve what the community hopes it will achieve.

One for the teachers as well. Associate Professor Jan McDonald explores the duty of care of teachers and schools to students in her piece on *Protection at School - the liability of school authorities for Teacher Misconduct.* Is a school responsible if a student is hurt? This should be interesting reading for students and teachers.

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Did You know

Logic in argument

A young barrister began to recite a long speech before Lord Ellenborough, when his memory failed him. "My Lord, the unfortunate client who appears by me- my lord, my unfortunate client...." The Lord Chief Justice intervened gruffly: "You may go on sir; so far the court is quite with you."

The element of Surprise

John T Bevins, an archetypal country lawyer from Pearsall, Texas, was pleading for a continuance of his case, because he was missing two witnesses.

"I think, Mr Bevins" the judge interrupted "that your witnesses have just entered the courtroom."

"Then Your Honour, may I still apply for a continuance?"

"On what grounds?" asked the judge.

"On the grounds of surprise," Bevins drawled. "Both of these rascals promised me that they wouldn't appear."

The Book of Legal Anecdotes Peter Hay Facts on File New York 1989

Calendar of Events

Friday 7 December

Mock Trial Competition Final

9.00 am, Wesley Centre, 220 Pitt St Sydney
Presented by NSW Law Society
More information via Tel 02 9926 0253,
Email rnc@lawsocnsw.asn.au

Friday 10 May

National Legal Studies Conference

Bond University School of Law and the Law Society of NSW will present the first National Legal Studies Teachers'Conference on 10-12 May 2002. The conference will be held at Bond's campus on the Gold Coast.
To register your interest or for more information contact:
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