

Bernard Gross QC

Welcome to the world of Bernard Gross QC. His is the world of law and sport. His knowledge and understanding of tort law is second to none. His interest in sports and his special knowledge of sports law has made him a leader in the field. Advocacy is his game, that is, in the sense of being "the art of persuasion". He has learnt his art "in the middle".

Bernard was admitted to the NSW Bar in 1973 after six years as a Solicitor. He took silk in 1984. He has an extensive trial and appellant practice in the common law. His special love has always been torts law, appearing in numerous leading cases which have tested the reach of the law. For example in *Gibson v Parkes District Hospital* (1991) 26 NSWLR 9 he persuaded the Court to recognise the existence of a civil action in relation to an insurer's duty of good faith.

Bernard's special knowledge of sports law has led to him being professionally engaged in many of the leading cases involving rugby league players over the past decade, including the Rugby League Player Draft (*Adamson & Ors v NSWRL*), the Canterbury Four case (*Paye & Ors v Canterbury Bankstown RLFC & Ors*) which challenged the legality of the Super League playing contracts, and the ARL Player Loyalty Agreement case (*Carter & Ors v NSWRL & ARL*).

His experience is widespread. He was Counsel assisting the NSW Royal Commission into Drug Trafficking, Senior Counsel for the Department of Housing in the Royal Commission into the Building Industry, Senior Counsel for the NSW Police Association in the

Wood Royal Commission and Senior Counsel assisting the Privileges and Ethics Committee of the Legislative Council in its enquiry into the conduct of the Honorable Franca Arena MLC.

Further, Bernard has had a very considerable involvement in medico-legal cases. He was President of the Medico-Legal Society of New South Wales between 1996 and 1998. He was a Foundation Member of the Editorial Board of the *Torts Law Journal* 1993 - 1997.

There is a need for a legal system which provides to the ordinary person a reasonable opportunity of pursuing a legal right against the powers that be. For that purpose there needs to be lawyers who are prepared to take on the hard cases. Bernard Gross QC has taken on the hard cases, and continues to do so, to his great credit. Just by way

of example he appeared for the Nyngan residents affected by the destruction of the dam caused by the 1990 floods, taking the claim all the way to the High Court.

Bernard has an active sporting life, especially in skiing, running and gym work. His wife is a barrister and mediator, and they have two sons aged 20 and 17. He is frequently sighted in Sydney's Eastern Suburbs walking a scarcely obedient soft coated wheaten terrier called "Woodrow" who Bernard says probably thinks his name is "No no bad dog".

During the football season he is frequently heard on "ABC Grandstand" on Radio Station 702 commenting upon Rugby League issues.

Bernard is currently President of APLA NSW, a challenging position he greatly enjoys. The legal system needs lawyers like Bernard Gross QC. **PL**

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NRL player Jarrod McCracken and Bernard Gross QC. Reproduced with permission. News Limited.

