

**Farewell Sitting for the Honourable Mr Justice Tang PJ**  
**on 22 October 2018 (Mon)**

**Speech by The Honourable Mr Justice Tang PJ**

Chief Justice, Chief Justice Li, Solicitor General, Chairman of the Bar and President of the Law Society, Ladies and Gentlemen

1. Thank you for your kind and generous words. I know it is customary to speak well of the person concerned and I was expecting no less nevertheless your very kind and generous words touched me deeply.

2. I am also deeply touched by the presence, this afternoon, of so many friends, relatives, colleagues and members of the profession.

3. After almost a half century in the law, the last 14 of which as a judge, it would not be true if I tell you I do not feel sad at leaving. The time has come but I am comforted by the thought that Mr Justice Andrew Cheung will be taking over.

4. I have been blessed in my career. I had the best pupil master anyone could hope for. I have been trying ever since to live up to the high standard of the

late Robert Wei. I still remember vividly, the first day of my pupillage, when Robert Wei was led by Oswald Cheung QC, another great help and influence in my life.

5. I was also lucky in my career at the Bar, helped by many friends and colleagues and by my belief in the rule of law and that justice will prevail, which sustained me. I must also thank the many judges before whom I appeared as advocate, for their tolerance and patience. I confess I must have been trying as an advocate. If only I, as judge, have behaved as well as many of the judges I had appeared before, I would have done well. Unfortunately, I couldn't. So I take this opportunity to apologise to my colleagues and advocates who had appeared before me for my impatience and occasional, I hope, only occasional, rudeness.

6. I have had great help in the judiciary and in private practice. They are too many to name individually. I will mention only those who have been with me the longest. Mendy Lee, my secretary at the CFA, a kind and caring person. Ingrid Lam, my clerk, who came with me from the Court of Appeal, who has to take care of lovely twin daughters as well as to help me with my work. May Chan, Sister May, for her help and kindness. Wong Ka Hing, my driver, who is an unfailing source of useful information. I must also mention, Ms Agatha Lau, my personal secretary of many years, who continued to help me part time after I became a judge.

She has been a great help in getting my new office ready and will continue to help me in my new career.

7. Above all else, I have been lucky in my personal life, I have been surrounded by love. My parents loved me dearly. My father who always supported me and my mother with her unreasoning faith in me. My brother and sisters and their families love me. Those who can, are here today.

8. My wife, Cissy, the best thing which has ever happened to me. Her love, care, support and honest criticism have been the mainstay of my life. I don't know what I will do without her. Luckily, we don't have to deserve our good fortune.

9. Our children, Hilary and Charles who are here today on their half-term. They are 14. They are happy, kind, loving, caring, thoughtful and sensible. They are also good students. Cissy must take all the credit, not least, because, she gave them priority over her practice and imbued them with her values. We are very proud of them. Now that they are in boarding school, Cissy is in full swing again.

10. I have been a judge for some 14 years, the last 6 in the CFA. I enjoyed them all, but the last 6 was special. Apart from its importance, being the highest court in the land, I also greatly enjoyed sitting with judges from other common law jurisdictions. Overseas NPs bring with them great experience and specialist knowledge. They also help to ensure that whilst the common law in Hong Kong must develop according to local circumstances, we remained anchored in the common law tradition. Their contribution to Hong Kong is rightly acknowledged. Their presence also bolsters confidence in the independence of the judiciary and the rule of law in Hong Kong.

11. Lord Neuberger of Abbotsbury has likened overseas NPs to canaries in coal mines. I agree. However, I might add canaries can warn but cannot save the miners.

12. I believe the independence of the judiciary and maintenance of the rule of law must depend on the local judges. The buck must stop at us. Happily, we, the Hong Kong judges are fully aware of our duties and responsibilities. We are aware that faith in the judiciary once lost, can never be regained. We know we must be independent and be seen to be independent. I was until recently a member of the

Judicial Officers Recommendation Commission so I know that judges are chosen on merit and not for political reasons.

13. As I retire from being a permanent judge, I can say with confidence and in good conscience, judges are independent and the rule of law is strong in Hong Kong.

14. But that does not mean we should let our guards down.

15. We have lived under the rule of law for a long time. It is often said the rule of law lies at the core of our society and I know that is not a mere slogan. The odds are good but judges cannot do it all on their own.

16. Nor is the fact that we use the common law in Hong Kong enough. Common law can be used oppressively. Its protean power, unless adequately controlled by the proper application of human rights law, can be misused.

17. I therefore say, although judges are prepared to uphold the rule of law as it has always been understood and applied in Hong Kong, the community must be willing to support them.

18. In what form the support should take? I think the support should be all embracing.

19. If the judiciary is unfairly attacked, you should hold firm and stand up for them. But, support should not only be events driven. That is not enough. It may be too late. You should endeavour to nurture an atmosphere friendly to the rule of law. We have a free press and free elections in Hong Kong. Make your voice heard and your vote count. Believe me, the price of freedom is indeed eternal vigilance. Above all else, do not give up or underestimate your strength. If we as a community insist on the rule of law, it cannot be taken from us easily. Do not make it easy.

20. As this draws to an end, I want to say how happy I have been in my career. How grateful I am to all those who have helped me. Time does not permit individual acknowledgment but they have not been forgotten, to each and all, and to you who are here today, a big thank you.