

CJ's address at Ceremony for the Admission of the New Senior Counsel (with photos)

Secretary for Justice, Chairman of the Bar, President of the Law Society, fellow judges, ladies and gentlemen,

It is a great pleasure to be able to welcome you all on behalf of the Judiciary to this annual ceremony to mark the occasion of the admission to the rank of Senior Counsel of Mr Bruce Tse, Mr Anthony Chan, Mr Mike Lui and Mr Christopher Chain. These appointments will undoubtedly strengthen the Inner Bar, as between them, the new Senior Counsel cover a broad range of practice areas.

I take this opportunity to first extend to our new silks the heartiest and most earnest congratulations on your appointments as Senior Counsel. This is no doubt a moment for celebration for your families and friends, but also your colleagues and peers. It is, after all, the culmination of a long journey to the pinnacle of your career at the junior Bar, one that is more marathon than sprint. But as this journey ends, another begins.

A career at the Bar is a unique one in many senses, one of which is that there really are very few conspicuous milestones, perhaps apart from the annual revision of one's hourly rate and fees. So it is certainly remarkable when one is called to the Inner Bar. But being called to the Inner Bar is no ordinary career milestone.

It is hard to believe that it is now nearly 420 years since the office of the first King's Counsel in the ordinary, Sir Francis Bacon, was established. That the title of Senior Counsel has been sought for so long provides some idea of how significant the title is. But the title is not just significant to the legal profession alone.

Formally, members of the Inner Bar are given precedence and a rank superior to that of ordinary counsel. However, the role of Senior Counsel in Hong Kong is far more significant than that. Under the "One Country, Two Systems" arrangement, the common law institution of the Inner Bar has been maintained along with Hong Kong's common

law traditions. The maintenance of the split profession between the Bar and solicitors ensures that clients have the benefit of independent legal advice and representation, particularly at trial. The cab-rank rule ensures the availability of legal representation to all, even those whose cases public opinion might be against.

Since 1997, members of the Inner Bar have held high public offices and served in various statutory bodies as chairpersons and members.

This illustrates that not only are Senior Counsel sought after for their legal services, but how seriously the rank of Senior Counsel is taken in our society. It is a mark of quality, and of credibility. Above all this, however, this also demonstrates how important the public service performed by members of the Inner Bar is to Hong Kong. Much of this work is unpaid, or token remuneration is given – payment for these public service roles is certainly a far cry from what the Senior Counsel could charge for their time. Yet I am pleased to say that many members of the Inner Bar have given generously of their time and expertise to public service in one form or another.

The title of Senior Counsel is not merely an independent indication of professional excellence and integrity, but comes with it the responsibilities of leadership of the independent Bar and all its best qualities, including the upholding of the rule of law and the proper administration of justice, the highest standards of professional conduct, discipline and etiquette, and the right of all persons to be legally represented in a court of law. Much is expected of those holding the title – in particular, as leaders of the Bar, there is an expectation of Senior Counsel to give back to the profession, and to the community. Like those before you, we have no doubt that you will discharge this obligation with distinction.

In this regard, the Bench too, draws heavily from the Inner Bar, not only for its generosity and public-mindedness, but also for its strong independence and depth of expertise. But not only that. Our society looks very much to members of the Inner Bar to

help fill the ranks of the Judiciary. This in turn strengthens not only the Judiciary, but more importantly, the rule of law in Hong Kong.

Whilst on this topic of strengthening the rule of law in Hong Kong, it is impossible not to mention that it is a duty of all lawyers, but in particular the Inner Bar, to protect the rule of law against those who would seek to undermine it. It is their duty to speak out in defence of Hong Kong's legal system, including the independence of the Judiciary, and to stand up against any attempt to interfere with the due administration of justice by our judges.

Thus, although your journey to the zenith of the junior Bar has come to a close, for Mr Bruce Tse, Mr Anthony Chan, Mr Mike Lui and Mr Christopher Chain, a new phase of your lives and careers now begins.

Mr Bruce Tse has been a member of the Bar since 1997, and is a specialist in criminal matters. He now brings with him a rich experience in the criminal law to the Inner Bar.

Mr Anthony Chan was called to the Bar in 2005, carrying on a broad civil litigation and advisory practice, with an emphasis on public law and commercial law that will no doubt continue to flourish.

Mr Mike Lui has had a general civil and commercial practice since he was called to the Bar in 2006, and his expertise in judicial review, discrimination and employment litigation will certainly add to the breadth of the Inner Bar.

And last but certainly not least, Mr Christopher Chain was admitted to the Bar in 2008, having specialised in commercial and company litigation, an area that remains key to Hong Kong as a legal jurisdiction.

The responsibility of the Chief Justice in appointing new Senior Counsel is an onerous one, one that requires a large degree of looking to the future, not only of the applicants' professional careers and maturity as a person, but of their potential contributions to the Bar, the law, and to the rule of law and future of Hong Kong. It is a process that involves consulting not only within the senior ranks of the Judiciary, but also the legal profession. I feel confident that the four successful applicants this year have not only enjoyed support from the Bench and the profession, but will in due course also enjoy the support of the wider public.

It would be appropriate for me at this juncture to extend my congratulations to your spouses and children, parents and family members, colleagues and friends. No doubt they have supported you all greatly through late nights and long weekends lost to the preparation of cases in court.

This is rightly a proud moment for them. As I mentioned, the title of Senior Counsel is an independent indication of professional excellence and integrity, as well as its public dimension. It is an acknowledgment of the experience, expertise and eminence of each of you in your respective areas of law. As barristers, it is also a mark of distinction in your practice of the art of advocacy, in presenting and defending your clients' cases.

I once again congratulate our four new Senior Counsel on their accomplishments. We are all, I am sure, looking forward to their further accomplishments in future, and their contributions to the rule of law and to the community of Hong Kong. This is indeed a special occasion for everyone. Thank you.

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The ceremonial proceedings for the admission of the newly appointed Senior Counsel took place at the Court of Final Appeal today (May 20). Photo shows the Chief Justice of the Court of Final Appeal, Mr Andrew Cheung Kui-nung (centre), with the newly appointed Senior Counsel Mr Bruce Tse Chee-ho (second left), Mr Anthony Chan Ho-ki (second right), Mr Mike Lui Sai-kit (first left), and Mr Christopher Chain Siao-liang (first right).



The ceremonial proceedings for the admission of the newly appointed Senior Counsel took place at the Court of Final Appeal today (May 20). Photo shows the Chief Justice of the Court of Final Appeal, Mr Andrew Cheung Kui-nung (fourth right); the Secretary for Justice, Mr Paul Lam, SC (fourth left); the Chairman of the Hong Kong Bar Association, Mr Victor Dawes, SC (first left); and the President of the Law Society of Hong Kong, Mr Chan Chak-ming (first right), with the newly appointed Senior Counsel Mr Bruce Tse Chee-ho (third right), Mr Anthony Chan Ho-ki (third left), Mr Mike Lui Sai-kit (second right) and Mr Christopher Chain Siao-liang (second left).