

Speech of the Hon Chief Justice

The following is the address delivered by the Hon Chief Justice Mr Andrew Kwok-nang Li at the Ceremony for the Admission of New Senior Counsel today (May 10):

On behalf of all my colleagues on the Bench, I would like to extend a warm welcome to all of you to this annual ceremony for the appointment of Senior Counsel.

We would like to extend our sincere and heartiest congratulations to you, Mr Yan, Mr Chan, Mr Yuen, Mr Chua, Mr Shieh and Mr Zervos, on your achieving the rank of Senior Counsel. And to Professor Chan on his achieving the rank of honorary Senior Counsel.

Through years of hard and dedicated work, you have achieved this eminent rank. Your appointments are well earned and fully deserved. This is an important stage, a milestone, in your professional career. It is important to recognise it as such. The striving for professional excellence should be never ending. I am sure you will continue to strive for improvement so as to realize your fullest professional potential as a lawyer and advocate.

Throughout your career, each of you must have enjoyed great encouragement and unstinting support from your family who had to make allowances and sacrifices. Your family's devotion and loyalty must have played a crucial part in your success. Today, they must be very happy and they have every justification to be extremely proud of you. To them, we also wish to extend our warmest congratulations.

The rank of Senior Counsel is a badge of honour and a mark of distinction. It commands a status at the top of the legal profession which is well recognised and respected by the profession, by the courts and by the community. But, it is fundamental to understand that apart from the status which it confers, the rank of Senior Counsel is a substantive one. It is not only a recognition of past achievements. Much more importantly, it carries challenging and onerous duties and responsibilities for the future.

On this occasion, it is right that we should all be reminded of them. They include: setting and maintaining the highest professional standards of integrity and competence, carrying on the finest traditions of the Bar and its strong commitment to the rule of law, a commitment which is greatly valued by the community, setting an example to and helping pupils and young practitioners, contributing to the affairs of the Bar and making time available for public service when called on.

The appointment of Professor Chan is the first appointment of honorary Senior Counsel made and it is an appointment which is richly deserved. The statute provides that, after the requisite consultation, a barrister may be so appointed if, being a member of the academic staff of a faculty of law of a university in Hong Kong, he has provided distinguished service to the law of Hong Kong. Under the statute, to be eligible for appointment, an academic lawyer must be a barrister.

Professor Chan's distinguished contribution to the law is well known and well recognised. As has been well said, a teacher affects eternity; one can never tell where the teacher's influence stops. The most important and heavy responsibility of educating future generation of lawyers rest on the shoulders of Professor Chan and his fellow academics in both our law schools. It is crucially important to the continued vigour of the rule of law that those who go through the portals of our law schools acquire not merely knowledge of legal rules. Much more importantly, they must gain an understanding and appreciation of the spirit and the values that underpin our legal system. Professor Chan plays a pivotal role in legal education. He and his fellow academics no doubt understand the high expectations of the profession and the community in relation to legal education and its reform. I have every confidence that they will rise to the challenges ahead with determination.

This is the sixth year in which Senior Counsel have been appointed under statute since 1 July 1997 and it may be of interest for the profession and the public to be informed of the relevant statistics.

Taking barristers practising at the Bar and as advocates in the Department of Justice together, during the six year period, a total of 26 barristers have been appointed out of a total of 58 applications, including repeat applications. The success rate has ranged between 25% to 75%, with about 45% being the overall success rate over the six year period.

The number of applications lodged has ranged between four to nineteen. For four of the six years, it was between eight to nine applications. As far as successful applications are concerned, the number has ranged between two to six appointments.

This year saw the highest number of applications, namely 19, nearly doubled that of any previous year. With six appointments, the success rate was about 32%. This year's appointments bring the total number of silks at the private Bar (that is excluding those in the Department of Justice) to 63, about 8% of its total size of just over 780.

With these remarks, on behalf of the Bench, I wish the Senior Counsel and the honorary Senior Counsel appointed this year every happiness and success in the future.

End/Saturday, May 10, 2003

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