

CJ's Address at Ceremony for the Admission of the New Senior Counsel

The following is the full text of an address by the Hon Chief Justice Andrew Kwok-nang Li at the Ceremony for the Admission of the New Senior Counsel today (May 8):

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

We would like to extend to you, Mr Bell and Mr Yu, our sincere and heartiest congratulations on your achieving the rank of Senior Counsel.

The Bar is a tough profession and the journey to success is an arduous one. Apart from ability, strong determination and firm commitment are required. Through years of hard and dedicated work, you have achieved this eminent rank. Your appointments are hard earned and well deserved. As Senior Counsel, the work you will be undertaking and the responsibilities involved will be much more demanding and onerous. I am confident that you will rise to meet these new challenges successfully.

Throughout your career, each of you must have enjoyed great encouragement and loyal 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. In particular, "she who must be obeyed" should take great pride in your appointment. To them, we also wish to extend our warmest congratulations.

Well over half of Mr Bell's practice is criminal and Mr Yu practises virtually entirely in the criminal area. These appointments will add much strength to the Senior Bar in the criminal field.

There were 10 applications this year and the success rate was 20%. With the two appointments this year, the total number of practising Senior Counsel stands at 84, representing about 8% of the total size of the Bar.

With my impending retirement, this is the last batch of silks appointed during my tenure. Since July 1, 1997, there have been 13 rounds of appointment. A total of 50 appointments have been made from the practising Bar. Assuming all of them have remained in practice, this represents about 60% of the present practising silks. And a total of 6 appointments have been made from members of the Department of

Justice. Over the 13 years, the overall success rate was 38.6%; 38.5% for applicants from the practising bar and 40% for applicants from the Department.

The statutory responsibility vested in the Chief Justice to appoint Senior Counsel is an important one. The institution of Senior Counsel is a well-established part of the structure of the Bar. It 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, the courts and the community.

Great care is exercised over the appointment of Senior Counsel. There is wide consultation with the Judges. As required by statute, the Chairman of the Bar and the President of the Law Society are consulted. The Secretary for Justice is also consulted. I wish to express my gratitude to all concerned for the invaluable assistance they have given to me in the course of consultation throughout the years.

Senior Counsel, as leaders of the profession, have important responsibilities. The administration of justice depends to a large extent on the confidence which judges at all levels of court could repose in the competence and integrity of the advocates appearing before them. Whilst fearless in advancing their client's cause, advocates must discharge in full their duties to the court. The discharge of these duties is of fundamental importance to the fair and effective administration of justice. Senior Counsel have the responsibility of setting the highest standards in this regard.

Further, as leaders of the Bar, Senior Counsel have the responsibility of ensuring that the Bar rises to meet the many interesting challenges it faces in the years ahead. In particular, these include ensuring that the objectives of Civil Justice Reform are met, adapting to the increasing use of mediation, improving and enhancing the standards of entrants and practitioners, enforcing ethical standards and ensuring access to legal advice and justice to all.

In a world of rapid change, the challenge for the leaders and members of the Bar is to manage change in a forward looking and dynamic way, whilst at the same time remaining faithful and holding steadfast to its essential values and ideals as an honourable profession, with its deep commitment to the rule of law and to ensuring justice for all citizens in an open and free society.

With these remarks, on behalf of the Bench, I wish both of you every happiness and success in your careers as Senior Counsel.

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