

## Speech of the Chief Justice

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The following is the address by the Hon Chief Justice Andrew Kwok-nang Li at the Ceremony for Admission of the New Senior Counsel today (May 12):

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 to you, Mr Barlow and Mr Burns, our sincere and heartiest congratulations on your achieving the rank of Senior Counsel.

The Bar is a demanding profession and the road to success is an arduous one. Your appointments are well deserved, having been earned through years of hard and dedicated work. This marks the end of a stage in your professional career and the beginning of an exciting stage. It is important to recognise it as such. In this new stage, the work you will be undertaking and the responsibilities involved will be more challenging and demanding. As with all legal professionals, including judges, the striving for excellence should never cease. I am confident that you will continue to develop so as to realise your full professional potential.

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.

For this year's appointment exercise, there were a total of 11 applications. This was less than the 14, 13 and 17 applications received in the last three appointment exercises. With two appointments, the success rate is only about 18 per cent. This is the lowest success rate in the last decade. Since July 1, 1997, a total of 46 Senior Counsel have been appointed and the overall success rate is about 40 per cent.

The rank of Senior Counsel is a badge of honour. It commands a status at the top of the legal profession which is well respected by the profession, by the courts and by the community. It must be appreciated that it is not only a recognition of past achievements but much more importantly, it carries challenging responsibilities for the future.

A fundamental responsibility of Senior Counsel is setting an example in maintaining the highest professional standards of integrity and competence. With a Bar of over 1,000 barristers, competition is intense. And many junior counsel are relatively inexperienced. In these circumstances, the exemplary role of Senior Counsel in maintaining professional standards assumes an even greater significance. Indeed it is of critical importance in upholding the reputation of the Bar.

It must be strongly emphasised that the advocate plays a pivotal role in our courts. 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. Judges expect and have a right to expect that submissions made by advocates relating to law and the evidence are well considered and are justified by the authorities and the evidence. The conduct of counsel, particularly Senior Counsel, should leave no room for any doubt that their duties to the court have been fully discharged.

Further, as Senior Counsel, you have to carry on the Bar's strong and well respected commitment to uphold the rule of law. You must play your part in the Bar's affairs and in assisting pupils and young practitioners. And you must make time available for community service when called on.

The practice of law is getting increasingly commercialised and treated as a business. But notwithstanding commercial pressures, the legal profession is and must remain an honourable profession. We live in a fast changing world, with rapid change being the only certainty. It is all the more important that the legal profession led by its leaders should hold steadfast to its enduring values and ideals, values and ideals that ensure justice for all citizens in a free society.

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

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