

*City University of Hong Kong*  
*School of Law Commencement*

*11<sup>th</sup> May 2023*

Speech by the Hon. Mr Justice Joseph Fok<sup>1</sup>

Acting Dean Lin, members of the Faculty, graduating students, distinguished guests, ladies and gentlemen,

It is a privilege and honour to have been invited to address you on this happy and meaningful occasion. I am particularly pleased to be here today since I was originally due to speak at the graduation ceremony that should have taken place on 30<sup>th</sup> November 2019 but had to be postponed.

It would have been tempting for me today just to use the speech I had already prepared for that 2019 graduation ceremony. Tempting, but lazy and, besides, a lot has happened in the meantime.

Not least is the fact that those students who were starting their degree courses back in the autumn of 2019 will now be graduating or have already graduated. And of course, more significantly, Hong Kong, like the rest of the world, has experienced a viral pandemic and is now suffering the economic and social after-effects of Covid. On top of that, all around us disruption is a hallmark of our times; whether it be the war currently being fought in Eastern Europe and the resulting geopolitical upheaval, or the phenomenon of artificial intelligence and the emergence of AI generated content.

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<sup>1</sup> Permanent Judge, Hong Kong Court of Final Appeal.

So, a new speech was called for. And, in case you are wondering, not one generated by chatbot.

Let me begin by congratulating each of you graduating today. Whether you are receiving an LLB, JD or LLM, a great deal of hard work and dedication will have been involved in getting you to this point and today you will receive the rewards of your labours. To your families and loved ones, some of whom will have made significant sacrifices to help you achieve the success you are now celebrating, I also offer my congratulations. They have good reason to be very proud of you.

I speak to you today as someone who, a long time ago now, was once also a newly graduating law student. As such, I remember being filled with a mixture of excitement and optimism but also, at the same time, like some of you today perhaps, a sense of anxiety at the challenges ahead.

Those challenges should not be underestimated. I have already referred to the disruption around us, including AI, which quite literally could replace many of the jobs humans now undertake, including being a lawyer or a judge, and certainly a guest speaker at a graduation ceremony.

But I mention the challenges not to dampen your spirits or introduce an air of gloom to today's celebrations. Instead, I want to give you some encouragement by reminding you of some of the advantages you enjoy by virtue of the education you have received at law school and why, notwithstanding disruption, you are well placed to adapt to new developments and flourish in the modern world.

As law students, you have been taught the fundamentals of jurisprudence and acquired an understanding of the role of the law in the workings of society. You will have discovered, if you did not know it already, the extent to which law is a complex system and how it regulates almost every aspect of human existence and interaction. You will have studied the legal rules and principles that apply both generally and specifically in many diverse areas of law.

In addition, during your respective degree courses, you will have become skilled in the research and assimilation of large amounts of information and data. You will have been trained to build strong oral and written communication skills and to develop techniques of advocacy and persuasion to enable you to present arguments in a clear, effective and confident manner. And you will have learned to approach problem solving in a reasoned and logical way.

Importantly, for those of you who will pursue a career as practising lawyers, you will have learned the process of applying legal principles to the facts of a particular case in order to arrive at a principled answer consistent with past precedent and fitting into the legal mosaic that guides the resolution of future disputes in our, now, mature legal system here in Hong Kong.

Armed with these skills and attributes, you are well placed to begin your post-education careers. Some of you will go on from here to use your talents as practising lawyers, whether as solicitors, barristers or as in-house counsel. Some of you will pursue further legal studies and proceed to a life in academia in which, in turn, you will teach future generations of law students. Others may follow different career paths, opting instead for a whole range of different occupations for which a law degree, and the discipline that employers know is necessary to acquire that qualification, makes you eminently suitable.

Today, as you are about to set out on the next steps of those exciting and hopefully satisfying careers, let me offer you a few thoughts, gathered over the course of my legal career, that I hope will be of practical benefit. Much of what I am about to say is basic common sense, but the points may not be obvious to everyone, and some of these lessons come from seeing others make the mistakes they are designed to avoid. I have collected these thoughts into the following ten points. They are primarily directed to those of you who will practise law, but they can also be adapted to apply to many other careers.

- (1) First, recognise that your education in law, and in life, is a long term and ever continuing process. Merely because you have graduated today, your education does not end here and now. On the contrary, as a lawyer, you will not, and must not, stop learning. Law is an evolving subject and our legal system, being a common law system, is particularly so.
- (2) Second, you will not always be right. One of my law tutors taught me early on in my university days that a good lawyer should always be prepared to admit when they are wrong. However clever you are, you will not always be right and it will happen that your initial view on a legal issue will not be correct. If you are so inflexible as to be unprepared to be persuaded to change your mind, you will be unlikely to make a good lawyer. So, always keep an open mind and be ready to question your own conclusions in order to test them. And know when to admit you are wrong.
- (3) Third, although you cannot always be right, you do have it in your power always to be honest, ethical and principled. As a lawyer,

you will be part of a profession whose rules are designed to uphold these qualities. You can, and must, maintain those qualities to the highest standards and to the utmost of your abilities. In the practice of law, integrity is indispensable. The courts, clients and the public generally are entitled to look to lawyers to act honestly and responsibly within the bounds of both the letter and the spirit of the law.

- (4) Fourth, remember that just as integrity is indispensable, your reputation for telling the truth, if lost, can seldom, if ever, be recovered. An advocate, for example, who misleads a court by misrepresenting evidence or who deliberately fails to draw a relevant decision to the court's attention will, rightly, gain the reputation that he or she simply cannot be trusted. That sort of reputation will spread quickly within the legal profession and will stick.
- (5) Fifth, another quality you have in your power to control is the diligence and industry with which you approach your work. Over the course of a legal career, there will be occasions when luck plays a part in any success you may enjoy. However, overall, there is no substitute for hard work and thorough preparation.
- (6) Sixth, treat others with respect and dignity. Legal issues often lead to legal disputes. By definition, these can be confrontational and require dispute resolution techniques to resolve them. The sometimes difficult resolution of complex disputes is not assisted by disrespectful or undignified behaviour towards opposing lawyers or clients or, I might add, the court.

- (7) Seventh, be reasonable in your dealings with others. In legal dispute resolution, there will often be times when the parties will have to make requests of each other as part of the process. Remember, when faced with a reasonable request to you for some indulgence that lies in your power to agree to, that you may one day be the person making the request. Remember that how you have treated others may affect how they treat you.
- (8) Eighth, do not be afraid to ask for help or advice. Just as you must be open to the possibility you may be wrong, you must recognise you cannot know everything. Sometimes, especially as a young lawyer, you will find yourself facing a situation in which you are unsure how to react. Without compromising your professional independence, and keeping within the bounds of client confidentiality, do not be shy about calling on your mentors and peers for help or advice, for that is not a sign of weakness.
- (9) Ninth, as a corollary to the last point I have mentioned, when you yourselves have progressed to the stage of being a mentor to younger lawyers, be generous to your mentees and, where possible, give them help and advice when they ask for it. You will likely have benefited from the wisdom and experience of your own mentors, so repay the assistance you received in kind.
- (10) Tenth, as you prosper in the future, show gratitude for your good fortune by giving back to our community. The practice of law is not only intellectually rewarding; it can also be highly lucrative. If you are fortunate enough to reap material rewards from your

practice of law, consider giving something back to society whether in the form of your time and effort or financially.

I do not pretend that these are the only pieces of advice that you will need in your future careers, but they are, I believe, all points worthy of your consideration.

Let me conclude with the reminder that, in Hong Kong, we are privileged to live in a society governed by the rule of law and in which an independent judiciary is given the task of administering the law.

In these challenging times, take comfort from the fact that we have a mature and well-developed legal system. In the future, many of you will become lawyers working in that system. As for today, take time to pause and celebrate the successful completion of this stage of your legal studies.

I offer you my congratulations again and thank you for listening.

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