

Speech by Secretary for Justice at HK Jockey Club Scholarship Scheme presentation ceremony (English only)

Following is the speech by the Secretary for Justice, Mr Wong Yan Lung, SC, at the Hong Kong Jockey Club Scholarship Scheme 2008/09 Presentation Ceremony today (March 19):

Winfred, William, Professors, distinguished guests, scholars, parents, ladies and gentlemen,

Thank you for inviting me to today's scholarship presentation ceremony. First of all, may I extend my warmest congratulations to the 27 scholars for your outstanding performance. It is always refreshing to be among young people and it is an even greater privilege to be among some of the brightest young people we have in Hong Kong.

In a similar ceremony more than 26 years ago, though much smaller in scale, I was awarded the Prince Philip Scholarship to study law at Cambridge. Quite a few things have happened since then. So what can I tell you from my own experience which you may find relevant?

Cambridge Days

Some of you came from the Mainland and inevitably there are adjustments to be made. Some of the Hong Kong ways may not necessarily be what you are comfortable with. However, the cultural gap you have to bridge is unlikely to be wider than the one I encountered after I arrived at Cambridge.

I still remember vividly my first dinner at Ramsay Hall – the dining hall of my College at Cambridge. When I entered the Hall, almost every seat in the Hall was occupied. Most students were dressed in suits, many three-piece ones, chatting on their own. It took me quite a lot of courage to ask someone to move a bit down the bench for me to squeeze in. No one spoke to this Chinese fellow during the entire meal.

In those days, it was not at all easy to start a conversation. Your English was still limited but more importantly your knowledge about England and the local culture was even more wanting. It would be very easy to withdraw and to seek shelter among other Hong Kong students. But I was quite determined not to stay in the comfort zone. I told myself that three years will pass by very quickly and I must seize every opportunity to enrich myself beyond the academic studies.

So I took the initiative to break the ice. I ended up gaining many friends from different countries and backgrounds. Cambridge is really very cosmopolitan when it comes to student population. Apart from my English friends who introduced me to authentic newspaper-wrapped fish and chips, I had an Iranian friend who taught me the Middle Eastern way of drinking tea (you put the cube of sugar in your mouth and drink the tea), and a Russian friend who spoke to me in fluent Putonghua which put

me to shame. I deeply treasure all these friendships and the experience to reach out and to enlarge my territories.

With these friends, friendship usually started with questions. I was genuinely interested in their background and their stories. I was particularly interested in meeting with people outside the law school.

I remember coming across this quote from Buckland early on in my legal studies: “A man is a better lawyer if he is also well informed in areas other than the law”. I believe it is true in all disciplines.

We all talk about globalization and the need to keep abreast of international trends and developments nowadays. But it does not need to be pursued in a very utilitarian way. It does not have to be a means to an end. It can be an end by itself. It is truly enjoyable and stimulating to be able to think and discuss issues in a much wider context. Your way of thinking and method of analysis can be challenged and refined. You would be able to develop more perspectives and dimensions. So, be brave and be inquisitive.

I know what it is to be a scholar. Behind the fame and glory there is also a tremendous burden to prove that you are indeed worth your salt. Quite naturally you are concerned as to how you may perform in the eyes of others. But the obsession with performance can stifle your study and your interest in it.

I give you my example. In my first year, I had to do Roman Law. There were three of us in the supervision and three questions would be discussed every time. It was always in the order of Stockwell, Potheary and Wong, religiously followed. In other words, I was always responsible for Q3. It was a very hard subject for me with a lot of Latin. I always prepared well for Q3 in order not to make a fool of myself. Inevitably I spent less time on the other questions and kept very quiet at discussion to avoid showing my ignorance.

This went on well until one day, without prior notice, the Professor asked me to deal with Q1. What happened next was absolutely disastrous. I got very upset for some time but after a while I came to an important awakening: I was so obsessed with my performance before the eyes of others that I had not been “learning” my Roman Law properly. I was learning only one third of my syllabus, and definitely not enjoying it. Through this experience I was liberated from the fear of being judged and looked down upon. I am not afraid of exposing my insufficiency. I talked and asked questions. As a result, I learned and I enjoyed my learning. I got a high 2:1 for my Roman Law. So, my advice is to be liberated from your scholar status.

Legal Practice – Reflection on Competition

As you may know, I have been a barrister in private practice for almost twenty years before joining the Government. You can imagine how competitive the life as a barrister is. You engage in adversarial advocacy in court – you are competing against the opponents to persuade the judge to accept your submission. The profession is also very rank-conscious. Each year, senior barristers compete in the appointment as senior counsel. In the application forms, you have to list out your earnings in the past

three years and important cases you have done. Judges involved will be consulted on your performance. Of course, the most difficult entry is to articulate why you think you are good enough to take silk.

At the beginning of the career, competition was very threatening. However, with time I began to appreciate competition when I came across opponents who were better than me. Because they were better, I had to do better with my own preparation and I derived much greater satisfaction in the legal battle. The feeling of having fought a good fight is wonderful. Of course, it is even better if you are on the winning side.

The feeling was strongest shortly after I was appointed a Senior Counsel back in 2002. It was like transferring from the top of the B League to the bottom of A League. The cases you handled were bound to be more complex and the opponent was most of the time a more Senior Counsel. You have to stretch yourself to true “silk” standard and to demonstrate that you are worth the salt or the silk.

But it is when I sat on the Bar Council that I have come to view competition among barristers in a different light. I saw myself not just as an individual barristers but one of hundreds of barristers in Hong Kong. I became concerned about the quality of the barristers’ profession as a whole and how we fared vis-à-vis barristers from other jurisdictions. Hence I spent quite a lot of time in improving the PCLL curriculum in different universities for would-be barristers.

Now in my position as Secretary for Justice, I am concerned about how each lawyer in Hong Kong can do better to ensure that Hong Kong’s legal services are world-class, and how they can contribute to strengthening the rule of law in Hong Kong.

Do we truly believe there is something more important than winning? When we are able to switch our focus away from ourselves, and to see ourselves as part of a wider group or community and contribute towards its well-being in our pursuit of excellence, we will reap the benefit of healthy competition.

Sense of Responsibility and Community Service

Some says one underlying cause for the current “Financial Tsunami” is that a new generation of young economics scientists applied their intellectual excellence and innovation to expand the territory of investment products. Their single aim was to maximize returns, income and bonus, without giving due regard to the risks and the overloading, or any sense of social responsibility or even morality.

In some way, this phenomenon is not unforeseen. The US is reaping the harvest of an education maximising excellence without a soul. In his book “Excellence without a soul – How a great university forgot education”, Professor Harry R. Lewis of Harvard, said this:

“[Universities] succeed, better than ever, as creators and repositories of knowledge. But they have forgotten that the fundamental job of undergraduate education is to turn eighteen- and nineteen-year-olds into twenty-one- and twenty-

two-year-olds, to help them grow up, to learn who they are, to search for a larger purpose for their lives, and to leave college as better human beings. So totally has the goal of scholarly excellence overshadowed universities' educational role that they have forgotten that the two need not be in conflict. Peruse the speeches of the leadership of any university and you will see plenty of talk about the world's problems, about the pursuit of knowledge, about hard work and success. Rarely will you hear more than bromides about personal strength, integrity, kindness, cooperation, compassion, and how to leave the world a better place than you found it."

And this phenomenon is by no means confined to the US. It is experienced in China, and dare I say, in Hong Kong as well. However, there are signs of awakening. I had lunch with a gentleman who was formerly a senior person from the Goldman Sachs Asia. I asked him what would happen to the States after the Financial Tsunami. He said firstly and as expected, recession. Secondly, to my pleasant surprise, he said there was a silver-lining: an awakening among the Americans to stop insatiable greed and indulgence and to restore the appreciation for family and simple but precious things in life. And we know President Obama in his inaugural speech also called for a new era of responsibilities and a return to values like honesty, hard work, courage and fair play, which are old but true.

So I appeal to you, outstanding young men and women, think on what you can do beyond personal prosperity. Be excellent with a soul. It is important to keep nurturing a sense of service while you are young. Do not let the ideals be watered down as you go up the social ladder and through the vicissitudes of life. One thing I found useful is to continue to be exposed to the needs of those who are less fortunate. The sense of somebody's needs will help prevent indifference and selfishness from taking root.

I worked as a volunteer visiting homeless people around Yau Ma Tei and Jordan back in the 90's. When you were out there meeting these people, you would realise buying them rice boxes was easy, but trying to be a friend was not the same. Stripped of your education, your degree, your money, what else do you have to offer them?

It is important that social services must not be treated as something to be added to your CV only. Professor Lewis in his book said this about students' participation in community service. "[Community service] has become so professionalized and technical that many students drew more managerial than spiritual value from volunteering." Over the years when I worked among the homeless, there were students who came only on a one-off basis to complete a "project" or just to get the experience. The homeless people dreaded it. True care and service is not just to be sympathetic but to identify with the people you serve.

The former Chairman of a local charitable organization Cedar Fund, gave me a book called "Good News about Injustice" written by Gary Haugen. Haugen used to be a lawyer in the US Department of Justice, and was the director of the United Nations genocide investigation of Rwanda. He recounted from his experience injustices occurring in various parts of the world, including genocide, cruelties, forced prostitution, and child labour, etc. I was challenged as to what we could do in Hong Kong to relieve some injustice in the world. So I joined Cedar Fund as a director, to

help the organization utilise donations received to run literacy programmes for women and children in Africa, prevention of AIDS in India, construction of water supply facilities in the Mainland, disaster relief for earthquakes, tsunami, and drought, etc.

My experience in Cedar Fund opened my eyes to even greater needs of the world and many problems stemming from economic infrastructure, political conditions, injustice and inequality on a more global level. I also see how important it is to help effectively: not just to keep feeding them, but to help them to be on their feet, and to give money strategically.

Conclusion

So it is with admirable foresight that the Jockey Club Scholarship Scheme attaches great importance to the scholars' sense of responsibility and involvement in community service. I understand that an Alumni Association for Jockey Club Scholars was inaugurated in December 2004 to further develop the scholars' spirit of volunteerism and commitment to the community. The Association has launched commendable community service projects for under-privileged groups like single-parent families, at-risk youth, disabled children and ethnic minorities.

Keep the fire burning and think of our anti-drug campaign as well. Be a positive influence wherever you are. Many university students have become our anti-drug ambassadors, helping to spread the "Say No to Drugs" message and to foster a caring culture for the vulnerable youth.

Finally, to the Jockey Club, thank you again for your generosity and sterling work in nurturing top talents for Hong Kong. And to you, Scholars, the future, including the future of Hong Kong, belongs to you. I wish you all every success, good health and great spirit.

Thank you very much.

Ends/Thursday, March 19, 2009