

From Learning to Earning

Successive generations of very capable lawyers the Legal Trainee Scheme has produced since 1994 have made me as proud as ever to advertise that I came from its first crop. Many, like me, continue with their chosen course in the government legal service, with some having since joined the bench. The solid foundation attributable to this well-devised (and, from time to time, suitably revised) programme allows at least as many to otherwise pursue a successful career down the road in private practice. This means that, for those who may become Legal Trainee (Barristers), it will not be a leap in the dark for there are already plenty who have been through it all before them.

My eight months *in toto* spent at the Civil and Prosecutions Divisions at the Department were short but substantial. Experienced mentors at both stints were always ready and willing to impart their rich knowledge in both law and practice. Along the way, they also showed me how to survive the strains and stresses of professional life both as a legal adviser as well as an advocate for many years to come.

The public law litigation work I had the privilege to be engaged in with seasoned practitioners was important. Time has proved conclusively that the government has little shortage of them – I mean both the cases and the seasoned practitioners, from either there is always a lot to learn. Public law cases are important not because they hit the news headlines, but because whatever their outcome, it is often through them that local jurisprudence of constitutional or human rights significance is developed. This does not mean, however, that there have ever been not enough private law claims which form the bread and butter of any civil practice to go round for pupils.

Two things had positioned me in good stead when I was later catapulted to prosecute on my feet under appropriate supervision at the magistrates' courts. The first was the chance to have been junior to some of the best advocates before various first instance and appellate courts. The second was the completion of the Criminal Advocacy Course which even to this day hallmarks what a world-class prosecution service can provide. The now demolished San Po Kong Magistrates'

Courts building was where I fought, even before I was qualified for full practice, my first trial against a silk the accused for whom he acted was convicted, no doubt, because of the strength of the evidence rather than the parity of counsel's years of call. It was in any event no part of my brief to secure a conviction at all costs. Each of us as prosecutors whose role it is to be ministers of justice, are brought up ingrained with the mission to go about our task responsibly in the fair presentation of the prosecution case in respect of which there can be no compromise.

Bearing witness from the perspective of the bench did not fail to inspire me either. The very judge whom I served for a full month as his marshal happens also to be a household name in the arbitration community. I could not possibly have, at the time, imagined that we still come across each other these days in my latest calling to promote, taking obvious advantage of his wise counsel then as I can now, what Hong Kong has to offer in terms of its legal services and as an international dispute resolution centre.

Serving the rest of my pupillage with a practising barrister permitted me to start looking at things from very different perspectives and to become a more balanced person. Just his subsequent appointment as leading counsel and, later, taking up chairmanship of the bar may have easily earned him the respect he deserves from the private bar and beyond but it is our common pupil master's patience and his firmness in practising what he has taught us from day one which have kept us (and his pupils' pupils) together all these years.

The Department is like a large family within which there is always someone to turn to. Legal trainees are never left to sink or swim on their own. I must confess that the tutelage from which I benefited and the exposure I had under the scheme prepared me well for the opportunities which have come my way and whatever challenges that still lie ahead of me.

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