

SJ's address at Ceremony for the Admission of the New Senior Counsel (English only)

The following is the address by the Secretary for Justice, Mr Rimsky Yuen, SC, at the Ceremony for the Admission of the New Senior Counsel today (May 2):

Chief Justice, members of the Judiciary, Chairman of the Bar, President of the Law Society, fellow members of the legal profession, distinguished guests, ladies and gentlemen,

On behalf of the Department of Justice, may I extend to each of the new silks our warmest congratulations on their well-deserved appointment as Senior Counsel.

It is customary, at the Formal Call of Senior Counsel, to give an account of the credentials of each new silk, their areas of practice and their achievements. This year, we have 10 appointments. This breaks the record of the highest number of appointment in a year. Accordingly, do forgive me if the account to be given is rather brief, though I would venture (as far as I may) to tell you the lesser known anecdotal stories of the new silks.

To begin with, Mr Nigel Kat was admitted to the Bar of England and Wales in 1977 and the Hong Kong Bar in 1984. He was a member of the then Attorney General's Chambers from 1983 to 1988. Mr Kat has a busy practice in a wide range of areas, including commercial litigation, public law as well as arbitration. The cases that he handled include many landmark decisions. The latest example is the case of Designing Hong Kong Ltd. v The Town Planning Board, unrep., HCAL 49/2014 (30 April 2015) (Au J) which is the very first application for a protective costs order in the history of Hong Kong.

Mr Hectar Pun was admitted to the Hong Kong Bar in 1995. He is the very first graduate of the City University Law School

achieving the rank of Senior Counsel. Mr Pun is a well-known figure in the field of public law, and regularly appears in judicial review applications. Like Mr Kat, many of the cases handled by Mr Pun are landmark decisions, especially on the Basic Law as well as important areas of administrative law.

Mr Jeremy Bartlett was admitted as a barrister and solicitor in New Zealand in 1984 and in Victoria, Australia in 1986. He was later admitted as a solicitor in Hong Kong as well as in England and Wales in 1988. Prior to joining the Hong Kong Bar in 1999, he practised as a solicitor in an international law firm in Hong Kong. Mr Bartlett is a household name in the area of commercial litigation, including company disputes, insolvency and private international law. His achievement today proves that his decision to change from the solicitor branch to the Bar is probably one of the best decisions he ever made in his life.

Mr Douglas Lam was called to the Hong Kong Bar in 1999. Before joining the Bar, he was a management consultant with McKinsey & Company. After turning to law and armed with his strong commercial acumen, Mr Lam has become a well-known practitioner in the field of cross-border commercial litigation and corporate insolvency. In addition, he is also much sought after in banking and securities disputes, as well as regulatory matters involving the Securities and Futures Commission.

Mr Victor Dawes, aged 38, is one of the two youngest silks appointed today. Mr Dawes was admitted to the Hong Kong Bar in 1999, and specializes in commercial disputes including arbitration and mediation. Apart from appearing in many landmark cases, Mr Dawes is also well known to be a very caring pupil master. In addition to teaching them the practice of law, Mr Dawes gives advices on grooming and attire, including taking his pupils to his own tailor so that they can appear in court in a dress-to-kill style. My intelligence also reveals that advice on facial treatment was also offered by

Mr Dawes to at least one of his pupils. So, my Lords, if you want to know more about facial treatments, perhaps you may consider consulting Mr Dawes.

Mr Bernard Man, also aged 38, is the other youngest silk appointed today. Mr Man has been a high-flyer since he was admitted to the Bar of England and Wales and the Hong Kong Bar in 2000. He is an exemplary advocate with a high-power civil practice in various fields including commercial disputes, insurance and breach of fiduciary duties.

Mr Man's pursuit of excellence is not confined to his practice of law. I wonder if Mr Man's opponents notice that every time he goes to court, most, if not all, of his accessories, such as brief case, pencil case or the little leather case for his yellow-stickers (post-it), are of the same brand, which is a brand of top luxurious products. As I do not want to be accused of advertising for that particular brand, I should refrain from disclosing its name. However, I guess the ladies in this court room would have no difficulty in figuring out the brand since it is very famous for its series of Birkin bags.

If I may now move on to the new silks who are my colleagues in the Department of Justice. This year is a year of good harvest for the Department as we have a total of four new silks, which is also a record in the history of the Department.

Starting with Mr Martin Hui if I may. Mr Hui is a formidable advocate for both trials and appeals, and is our in-house criminal law and human right expert. Apart from being well known in the field of criminal prosecution, Mr Hui is well known in two other aspects. First, he is generally regarded as the most handsome counsel in the Department of Justice, especially in the Prosecutions Division (although I know our Director of Public Prosecutions would hate to admit that). Second, Mr Hui is a good sportsman. Apart from being the captain of our soccer team, he does wakeboard in the summer

and snowboard in the winter.

Mr David Leung, one of our Deputy Director of Public Prosecutions, is our in-house expert on the law relating to public order events. He is also an expert on costs matters and has been annotating the Costs in Criminal Cases Ordinance since its inception. Apart from law, Mr Leung has a keen interest in sports and martial arts. Amongst others, he is the mastermind behind our Dragon Boat racing team and has a huge collection of comic books and associated figurines relating to martial arts.

This year is certainly a year of "double-happiness" for Mr Leung. Not only is he appointed silk today, he has recently assumed the role of a father. His newly born son is named "Ethan". For those who are fans of Tom Cruise would find this name familiar as Ethan is the key figure in the "Mission Impossible" movies. As observed by our Director of Public Prosecutions, the fact that Mr Leung is able to find time to create Ethan amidst his extremely heavy workload is truly "Mission Impossible".

Mr William Tam, another of our Deputy Director of Public Prosecution, is our voice in the Criminal Court Users' Committee. As the Chief Editor of Criminal Appeals Bulletin, Mr Tam is a walking encyclopaedia of criminal law. On behalf of the Department of Justice, Mr Tam has handled many complex criminal appeals in the most able manner and has made significant contribution to the development of our criminal jurisprudence.

Mr Wayne Walsh started his career in Hong Kong as a police inspector in the 1980s. After studying law in New Zealand, he returned to Hong Kong to join the Prosecutions Division of the then Attorney General's Chambers in 1992. He subsequently joined the International Law Division in 1998 and is currently the head of its Mutual Legal Assistance Unit. Mr Walsh is an expert in mutual legal assistance in criminal

matters including surrender of fugitives. When dealing with the Edward Snowden case, I derived superb and unfailing assistance from Mr Walsh.

Earlier on I said Mr Martin Hui is being regarded as the most handsome counsel in the Department. Mr Walsh is probably one of the few who can compete with Mr Hui. Mr Walsh is dubbed as the "James Bond" or "007" of the Department. Apart from his James Bond look, the fact that he speaks fluent Russian adds to his style of a special agent.

My Lords and My Ladies, the new silks appointed today came from different jurisdictions and different background. We have legal talents from England and New Zealand. We also have locals who were educated locally and overseas. As an international and cosmopolitan city and to remain as a leading centre of international legal and dispute resolution services in the Asia Pacific region, it is crucial that Hong Kong's legal circle should comprise talents from different backgrounds.

Taking silk is of course an achievement of great personal glory. But it is far more than that. As our new silks would appreciate, the status of Senior Counsel comes with heavy responsibilities. Not only do juniors in the Bar look to them for leadership, Senior Counsel have the responsibility to stay in the forefront to defend the rule of law. Apart from the fact that the legal community is facing rapid changes in the legal landscape, Hong Kong as a whole is facing great challenges (both domestically and internationally). Defending the rule of law and maintaining the proper administration of justice are the top priorities of the Department of Justice. I look forward to working closely with the new silks in achieving these important objectives so as to serve the best interests of Hong Kong. On this note, it remains for me to wish the new silks every success in their new chapter of life, and also to wish their families many happy returns.

Thank you.

Ends/Saturday, May 2, 2015