

Secretary for Justice'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 (June 11):

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,

Senior Counsel is a badge of sublime advocacy, both in substance and style, as well as a recognition of one's contribution to the legal profession. On behalf of the Department of Justice, I would like to extend to Miss Anna Lai, Mr Richard Khaw, Mr José-Antonio Maurellet and Mr Alexander Stock our warmest congratulations on their much deserved appointment as Senior Counsel.

On this joyful occasion, it is the tradition to give an account of the background and achievements of each new silk. I am more than happy to perform this task, as it is perhaps the only occasion where one can, in open court, say whatever one wants to say about the new silks, good or bad, without running the risk of being sued for defamation.

Let me start with Miss Anna Lai. I can confidently say that everyone in the Department of Justice is very proud of Anna for what she has done and achieved as a public prosecutor. Anna's name will remain in the legal history of Hong Kong, as she is the very first female Senior Counsel ever appointed in the history of the Department of Justice (and the Attorney General's Chambers as it was called before 1997).

Law is the third profession of Anna. She started off as an accountant before becoming a Police Inspector in 1980 and then a Chief Inspector in 1988. Anna read law in Hong Kong and became an Assistant Crown Counsel in 1991. She is

currently one of our Deputy Directors of Public Prosecutions.

Anna has devoted her entire legal career to criminal prosecutions, having handled hundreds of criminal cases involving a wide range of offences. Whilst her opponents can testify her superb advocacy in both English and Cantonese, our colleagues can testify Anna's diligence as she is found from time to time staying overnight in office preparing for cases.

Apart from criminal law, I am told that Anna has a keen interest in high-heel shoes. Not only can Anna walk at ease in her high-heel "Adidas" fashion sports shoes, she can run like an Olympic 100-metre athlete on a 3-inch Jimmy Choo.

Mr Richard Khaw, the second graduate of the City University who attained the rank of Senior Counsel, is a well-known practitioner in the fields of civil and commercial law. Court litigation aside, Richard appears in both arbitration and mediation. Recently, Richard acted as one of the counsel for the Commission of Inquiry into Excess Lead Found in Drinking Water and provided us with a shining example of fair but highly effective advocacy.

Over the years, Richard has devoted much of his time on a wide spectrum of public duties. Apart from having served on the Bar Council and various Special Committees of the Bar, Richard has been very enthusiastic in offering assistance to law students, both in Hong Kong and in the Mainland.

Any introduction about Richard would not be complete without mentioning his keen interest in good food and cuisine of all kinds. Maybe you would say that is obvious, judging from his size. Further, his appetite for food is also self-evident from the status of Richard's WhatsApp account, which always states "Can't stop binge-eating". I can, however, assure you that Richard is an amazing walking "OpenRice" search engine, and can tell you where to eat what in as

effective a manner as he recites cases in court.

Mr Maurellet, aged 37, the youngest silk appointed today, is a graduate of the University of Oxford and a Hong Kong Bar Scholar of the year 2000. Over the years, not only has José established himself as a high-power practitioner in commercial disputes including company and insolvency cases, he has served extensively in various public bodies including the Inland Revenue Board of Review and the Independent Police Complaints Council.

José's pursuit of excellence is not confined to his practice. He is a collector of fine wine and cigars. Indeed, he often brings a cigar box with him when he appears in court, although you would only find his stationery instead of cigars inside.

Most members of the Bar would know the kind of challenges that one faces when one first starts private practice. José, however, has been a high-flyer ever since he started practice. Apart from his competence, there was probably another reason for his early success. Rumours (and I stress rumours) have it that many young female solicitors were eager to brief José as they wanted to see for themselves how good-looking José was, although some male members of the Bar (for one reason or another) sought to suggest that such rumours might well be self-generated.

Mr Alexander Stock obtained his first law degree from the University of Oxford and his Master of Laws (First Class Honour) from the University of Cambridge. Alex started pupillage in London, but decided to return to Hong Kong. It turned out to be one of the best decisions he has ever made in his life, since it was during his pupillage in Hong Kong when he met a charming trainee solicitor, who has since become his wife.

Alex has a busy practice in a wide range of civil cases,

including commercial disputes and public law cases. People who do not know Alex well as an advocate might well be deceived by his soft-spoken style and the fact that he is a perfect gentleman. However, once you have seen him conducting cross-examination and making submissions in court, you would know what is meant by "Killing You Softly", albeit in a style of poetic elegance because poetry is the other strength of Alex.

My Lords and My Ladies, the Bar exists to serve the community. Diversity (whether in terms of diversity of gender, background or beyond) is important in ensuring that the Bar can serve the society well and maintain a sustainable development. Whilst I am certainly not in the best position to explain the challenges faced by practising female barristers, may I say a few words about gender diversity in the Bar since today we witness the appointment of a female Senior Counsel. Gender diversity is a topic which affects not just the Bar but which may also have an impact on judicial appointment, and has attracted considerable attention in jurisdictions such as England and Wales as well as Australia.

Indeed, experience in other jurisdictions may throw light on the importance of this subject, although Hong Kong has to map out its own strategy.

In November 2013, the Victorian Bar Council adopted a package of measures designed to support the retention of female barristers and addressed the reasons why they leave the Bar.

In May 2015, the Law Council, the Australian Bar Association and all state and territory law societies and bars in Australia formally recognised that diversity are critical to the well-being of the profession and that it is not just a "women's issue".

In July the same year (that is 2015), the Bar Council

of England and Wales published the report known as "Snapshot: The Experience of Self-Employed Women at the Bar". Among others, this report looked into the questions of support as well as work/life balance and family life and made various recommendations.

Of course, one should not achieve gender diversity at the expense of merits. However, diversity and merits are not necessarily incompatible concepts. The question of how to achieve an appropriate degree of diversity in the Bar, such as how to attract the best and brightest female law graduates to join the Bar and to retain them is an issue which deserves our serious study.

On this note, may I wish the new silks every success in the new chapter of their life, and look forward to joining hands with them in upholding the rule of law and in assisting the profession to meet the new challenges that lie ahead of us.

Thank you.

Ends/Saturday, June 11, 2016