

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, Ms Teresa Cheng, SC, at the Ceremony for the Admission of the New Senior Counsel today (June 9):

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

My Lord, this is a day of joy, pride and solemnity. It is a privilege for us all here to witness our distinguished members of the Bar be admitted as senior counsel.

It is a day of joy for each of the four senior counsel as the call to the Inner Bar is a recognition of their ability, integrity and professionalism. No doubt their families, friends and chamber mates all join in sharing their happiness, as evidenced by the enthusiasm of their participation in this ceremony here.

It is a day of pride for the legal profession to have them added to the list of silks, strengthening the legal fraternity thereby reinforcing our legal system. We are proud to see you reach the peak of your legal profession – maybe not quite the peak yet, as you will no doubt aspire to be elevated to the bench one day.

Importantly it is a day of solemnity for Hong Kong. Having taken silk, the legal profession and indeed Hong Kong expects that you will continue to discharge your duty of upholding the rule of law without fear or favour, and to do so with added determination, professionalism and dedication. When you embarked upon the study of law, I am sure like most, you hoped that you are part of a system that sees that justice be done – not by your own or anyone's standards, but by the laws. Today, with the two letters, SC,

after your names you have the increased burden to partake in this important mission as leaders of the legal profession, setting examples for the juniors and where necessary to come forth and defend against arbitrary and baseless accusations and attacks on our legal system and judiciary and, as the Chief Justice said, to help properly inform the public the law and how the law operates. Apart from discharging your duties as officers of the court, in pronouncing the proper analysis of the law and the fair and objective application of the facts, I hope that you will also be ready and willing to serve the community using your legal skills and assume roles that will contribute to the advancement of the society of Hong Kong.

As tradition would have it, I will say a few words about each of our new silks. But before that, I must express gratitude to all those who have relentlessly given them the support and guidance, without which they would not have achieved their goals and status here today.

Most will suspect that I have no direct knowledge about the criminal silks – and to be honest, you are right. But I have reliable hearsay evidence. This is the beauty of working in DoJ (Department of Justice) – it has a good and wide source for information and a corporate memory. Hence I can assure you that whilst it may be hearsay, you can properly afford adequate weight to it.

Ms Maggie Wong Pui-kei

Let me start with Ms Maggie Wong.

She was pupil to Mr Justice Andrew Macrae when she first joined his Chambers. At that time Andrew did not know much about her. He told Maggie to take a look at two of his briefs when he left for an overseas trip. On his return, Andrew found the two briefs lying tidily at their original position, so he thought Maggie had not read them at all. But

when he looked at the papers, he found in each of them Maggie's notes on the law, the legal issues involved and detailed analysis of the case. Since then he took her as his junior in every case, including the one in Brunei which lasted for several years.

I can summon my colleague Mr David Leung, SC, DPP (Director of Public Prosecutions) to testify if so directed by your Lordships. But he told me this. About 10 years ago when Mr Justice Macrae was still in private practice and Maggie was his junior, there was an appeal in which David was acting for the respondent. Shortly before the hearing of appeal, the appellant decided to abandon the appeal. Apart from ringing up David informing him of the intended abandonment, Maggie took the time and trouble to deliver, in person, the notice of abandonment to the office of David and he was impressed by Maggie's dedication and meticulousness in seeing the proper discharge of her professional duties.

Mr Edwin Choy Wai-bond

The second new silk, Mr Edwin Choy was identified at a very early stage to be one of great potential. In 2004, he argued a case before the Appeal Committee for leave (FAMC 56/2004). There were only 2 paragraphs in the judgment. The first sentence reads:

"This application has been argued by Mr Edwin Choy with great ability..."

The last sentence reads:

"...With an expression of our indebtedness to Mr Choy for his able arguments, we refuse leave to appeal"

These short paragraphs have succinctly spelt out Edwin's high competence in advocacy even in his early days.

Mr Pao Jin-long

Coming to our third new silk, Mr Pao is one of the youngest and brightest practising barristers being called to the inner Bar.

As a law student, Jin took up the habit of winning scholarships. I would not list them out here as he has an unbeatable record of receiving as many as 21 scholarships and prizes. Having been called to the Bar in 2002, Jin, in one of his very first cases, acted for an environmental organisation in its successful challenge against intended harbour reclamation works in Wan Chai. This case, as I understand it, is one which Jin has found to be most memorable, as it was his first judicial review in the growing important area of environmental protection which went all the way to the Court of Final Appeal.

Jin is well-known for his quick thinking and wittiness, as demonstrated by his superb advocacy skills which have gained him points at all levels of courts. I also hasten to add that his mahjong skills are just as stunning which have earned him a second place in the World Series of Mahjong 2010.

Mr Derek Chan Ching-lung

The next new silk was a very hotly sought-after junior, so much so that criminal trials has to be fixed because Mr Derek Chan, as opposed to the leading counsel, is fully engaged professionally until around six months thereafter.

Derek has appeared as junior counsel in a number of high profile criminal cases including the trial of the ex-Chief Executive of the HKSAR, the murder trial of Nancy Kissel, the criminal prosecution arising out of the consent scheme sale of flats in a residential development in Tuen Mun and in

one of the earliest criminal proceedings brought in the District Court under the Securities and Futures Ordinance against defendants accused of large-scale market manipulation.

I wonder if some of the SCs might have invited your lordships to defer Derek's appointment as senior counsel so that they would not lose such a good junior.

My Lords and My Ladies, the institution of silk has a long history in the common law system. The tradition began when the title of Queen's Counsel was first conferred on Sir Francis Bacon more than four centuries ago, giving him precedence in the bar. It gives me the distinct pleasure to witness our new silks carrying forward this fine heritage.

On this note, it remains for me to warmly welcome the four of you to the rank of silks on this auspicious and joyful day, and wish you all continuing success in a new chapter of your life.

Thank you.

Ends/Saturday, June 9, 2018