

LCQ5: Training foreign-related legal talents

Following is a question by the Hon Maggie Chan and a written reply by the Secretary for Justice, Mr Paul Lam, SC, in the Legislative Council today (April 24):

Question:

To better leverage Hong Kong's advantage of being "backed by the motherland and connected to the world" and nurture high-quality foreign-related legal talents with an international perspective, the Hong Kong Special Administrative Region has, with the support of the Central Government, built close co-operative relationships and made standing secondment arrangements with various international legal bodies, including the Hague Conference on Private International Law (HCCH), the International Institute for the Unification of Private Law (UNIDROIT) and the United Nations Commission on International Trade Law Regional Centre for Asia and the Pacific. Nine young solicitors, barristers and Government Counsels have been seconded to the HCCH and the UNIDROIT so far. In this connection, will the Government inform this Council:

(1) how the Department of Justice (DoJ) selected legal professionals in the public and private sectors who applied for various secondment programmes to international organisations (secondment programmes) in the past three years;

(2) of the number of solicitors at local small and medium-sized law firms selected for various secondment programmes in the past five years;

(3) whether the DoJ has plans to build co-operative relationships with more international legal bodies, so as to provide continuous training opportunities in the practice of foreign-related legal affairs for local legal talents; if so, of the details; and

(4) how the DoJ plans to integrate the Hong Kong International Legal Talents Training Academy to be established with various existing secondment programmes, so as to enhance Hong Kong's function as an international legal services centre?

Reply:

President,

(1) Regarding the secondment programmes to the Hague Conference on Private International Law (HCCH) and the International Institute for the Unification of Private Law (UNIDROIT), information about the secondment programmes (including eligibility criteria and application procedures) and promotional materials will be posted on the website of the Department of Justice (DoJ) during the application period. Through the relevant open recruitment procedures, legal professionals from the public and private sectors may apply to participate in the secondment programmes. The present arrangement (including eligibility criteria for the secondees) was the outcome of discussion between the Administration and the international organisations concerned. In the selection process, through the written applications submitted and various rounds of interviews, the applicants are assessed as to whether they possess the required knowledge and skills and their suitability evaluated.

(2) Regarding the secondment programmes to the HCCH and the UNIDROIT, all qualifying legal professionals from the public and private sectors (irrespective of the size of the law firms they work in) are welcome to apply. Since the standing arrangements have been put in place, a total of nine local legal professionals have participated in the said secondment programmes, three of them are solicitors in private practice (i.e. one third of the said total) who have worked in law firms of different sizes.

(3) Apart from establishing close collaborative relationships with the HCCH, the UNIDROIT and the United Nations Commission on International Trade Law, the DoJ has also developed co-operative linkages with the Asian-African Legal Consultative Organization (AALCO) Hong Kong Regional Arbitration Centre and the International Organization for Mediation (IOMed) Preparatory Office. The AALCO Hong Kong Regional Arbitration Centre officially settled in the Hong Kong Legal Hub in May 2022 and, for the first time, organised the third AALCO Annual Arbitration Forum 2023 on December 5 and 6, 2023, in Hong Kong. The DoJ further looks forward to establishing a closer collaborative relationship with IOMed after its establishment and official settlement in Hong Kong.

The DoJ will continue to actively explore the development of and deepen the collaborative relationship with various international legal organisations, including seconding local legal personnel to these organisations, jointly organising various practical

legal courses, seminars and international exchange activities, with a view to providing local legal personnel with continual training opportunities on foreign-related legal matters, and to facilitating local legal personnel to enhance professional exchanges of experience with the counterparts, experts and academics in the Mainland and overseas.

(4) The DoJ will set up a dedicated office and an expert committee within 2024 to facilitate the establishment of the Hong Kong International Legal Talents Training Academy. Riding on the existing foundation of a capacity building centre, the Academy will organise regular practical legal courses, seminars, international exchange activities, etc, in order to actively nurture legal talents, facilitate talent exchange along the Belt and Road regions, and nurture legal talents conversant in international law, common law, civil law and national legal systems for our country (including the Greater Bay Area) and other Belt and Road countries.

The DoJ anticipates that the Academy will co-ordinate the existing capacity building programmes and relevant resources and, together with the current secondment programmes with various international legal organisations, strengthen the role of Hong Kong as an international legal services centre and fully utilise Hong Kong's unique advantages as a common law jurisdiction. The dedicated office to be set up within 2024 will holistically review the relevant factors and formulate a long-term plan, which would include the training of talents conversant in foreign-related legal matters, secondment and training opportunities, as well as the resources requirements of the Academy.

Ends/Wednesday, April 24, 2024