

LCQ12: Support for small and medium-sized law firms and young barristers

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 (May 7):

Question:

There are views that, as Hong Kong is the centre for international legal and dispute resolution services in the Asia-Pacific region and where the International Organization for Mediation is located, the development of the legal profession is crucial to enhancing Hong Kong's business environment governed by the rule of law and giving full play to the unique advantages of Hong Kong's common law. It is learnt that small and medium-sized law firms and young barristers in Hong Kong face many challenges in terms of market competition, resource allocation and professional development. Regarding the support for small and medium-sized law firms and young barristers, will the Government inform this Council:

- (1) whether it has currently formulated specific policies or measures to assist the professional development of small and medium-sized law firms and young barristers; if so, of the details; if not, the reasons for that;
- (2) whether it has assessed the effectiveness of the policies or measures mentioned in (1); if it has assessed, whether there are statistics or examples showing that such policies or measures have effectively enhanced the quality and competitiveness of the professional legal services provided by small and medium-sized law firms; and the number of small and medium-sized law firms and young barristers that have benefited so far; if it has not assessed, of the reasons for that;
- (3) whether it has assessed the response of the legal profession to the policies or measures mentioned in (1); what specific measures will the Government implement in the future to further support the professional development and enhance the competitiveness of small and medium-sized law firms and young barristers; and
- (4) whether it has formulated key performance indicators for supporting the professional development and enhancing the competitiveness of small and medium-sized law firms and young barristers; if so, of the specific details (including the indicators set); if not, the reasons for that?

Reply:

President,

In response to the enquiry raised by the Hon Maggie Chan, the consolidated reply is as follows:

A self-regulatory regime is applied for Hong Kong's legal profession. On the premise of fully respecting the self-regulatory regime of the legal profession, the Department of Justice (DoJ) has all along been implementing various initiatives and new policies to foster an environment conducive to the professional development of the legal sector and create opportunities for them. According to statistics from the Law Society of Hong Kong (Law Society), nearly 90 per cent of law firms in Hong Kong are sole proprietorships or consist of no more than five partners. In formulating and introducing policies, the DoJ will take into account the needs of small and medium-sized law firms.

Over the years, the DoJ has devised various policies and/or measures to support the professional development of solicitors from small and medium-sized law firms and young barristers with details set out below:

Understudy Programme (Civil/Prosecution Work)

Launched in mid-2020, the programme aims to provide training opportunities for the less-experienced barristers and solicitors (i.e. with less than five years' post call/admission experience) to handle civil and prosecution work of the Government in order to broaden their horizon, enrich them with valuable experience and improve their case management skills. The trainings include drafting of legal opinions, conducting legal research, observing lawyers in action in different levels of courts and various hearings, participating in hearing preparation works, acting as junior counsel to senior counsel or counsel or Government Counsel, and assisting in handling more complex cases conducted in the District Court or the Court of First Instance or magistracy cases with lengthy trials. As at March 31, 2025, a total of 297 solicitors and barristers with less than five years' qualification participated in various civil and criminal works through the programme with satisfactory response. The DoJ has, from time to time, received expressions of interest from solicitors and barristers to participate in the programme, reflecting the continued support and participation from the sector. The DoJ will continue to review and select suitable work to provide more training opportunities to participating solicitors and barristers.

Professional Exchange Programme

The programme aims to facilitate the exchange of best practices between lawyers in the private sector and DoJ. Qualified private sector lawyers can apply through their law firms/chambers for attachment to DoJ; law firms/chambers interested in accepting exchange lawyers from DoJ can also contact DoJ.

The feedback of participants on the programme has been positive. Participants considered that their attachment facilitated cross-fertilisation of knowledge and experience and the exchange of best practices.

The programme was launched in September 2019. As of 2024-25, a total of 19 lawyers (eight lawyers in the private sector and 11 government counsel) have participated in the programme.

The Professional Exchange Programme has been well-received by the legal sector since its launch. We will continue to maintain close communication with law firms/chambers to facilitate the formulation of suitable exchange arrangements; and will continue to review the implementation of the programme and make refinement in a timely manner.

Secondment Programmes to Relevant International Organisations

The Hong Kong Special Administrative Region has, with the support of the Central Government, made standing secondment arrangements with the Hague Conference on Private International Law and the International Institute for the Unification of Private Law, which are open to application by all qualified local legal professionals from the public and private sectors (irrespective of the size of the law firms they work in). Since the said secondment arrangements have been put in place, a total of six local barristers and solicitors from the private sector, who have worked in law firms of different sizes, have participated. The DoJ will continue to promote to the legal sector (including young legal professionals) the relevant secondment programmes.

Hong Kong International Legal Talents Training Academy

Capitalising on Hong Kong's bilingual common law system and the unique strengths and advantages under the "one country, two systems" principle, the Hong Kong International Legal Talents Training Academy was launched on November 8, 2024. The Academy will make the most of Hong Kong's bilingual common law system (in English and Chinese), as well as the international status, regularly organise different practical legal courses, seminars and international exchange initiatives, so as to promote talent exchanges in the region and beyond, and provide foreign-related legal talent training for our country, and practical training for the local solicitors and barristers (including young legal professionals) for professional development.

The capacity-building programmes that the Academy will organise include the "Mainland Civil and Commercial Legal Practice Training Course 2025" from June 13 to 14, 2025, which aims to enable the local legal industry to fully understand the latest developments in civil and commercial practice in the Mainland, the procedures and practical arrangements for handling relevant cases by the Mainland courts and arbitration institutions, and to promote cooperation between local and the Mainland legal industries, so as to provide more comprehensive services to clients; and a seminar on criminal prosecution for prosecutors from the country and Association of Southeast Asian Nations member states, and local solicitors and barristers in September 2025, etc.

The Academy will design and organise short-term training programmes taking into account the practical needs of small and medium-sized law firms and young barristers. By flexibly arranging the course content and format, the training programmes will address the diverse professional development needs of participants, thereby achieving more focused and effective training outcomes, and fostering the professional growth of

small and medium-sized law firms and young barristers.

Guangdong-Hong Kong-Macao Greater Bay Area (GBA) Legal Professional Examination (GBA Examination)

Since 2021, eligible Hong Kong and Macao legal practitioners may provide legal services in the nine Mainland municipalities in the GBA on certain civil and commercial matters to which Mainland laws apply (including litigation and non-litigation matters), after passing the GBA Examination and having obtained the Lawyer's License (GBA). In September 2023, the General Office of the State Council published the revised pilot measures for Hong Kong and Macao legal practitioners to obtain Mainland practice qualifications and to practise law in the nine Mainland municipalities in the GBA (the revised pilot measures), which lowered the practice experience threshold for Hong Kong and Macao legal practitioners to enroll in the GBA Examination from five years to three years. DoJ has worked closely with the Mainland authorities and continued to keep close contact with the two legal professional bodies as well as encouraging more Hong Kong legal practitioners to enroll in the GBA Examination.

There are now Hong Kong legal practitioners who are GBA lawyers taking up court cases of the nine Mainland municipalities in the GBA and appearing in court as litigation representatives, as well as taking up GBA arbitration cases, with cases being duly completed. With the benefit of the lowered practice experience threshold, from 2024, more Hong Kong and Macao legal practitioners, including young Hong Kong barristers and solicitors, would be eligible to enroll in the GBA Examination, thus obtaining dual qualification in the Mainland and Hong Kong, and be able to seize the unlimited opportunities brought by the developments in the GBA.

The GBA Examination has been held four times. As at the end of March 2025, over 550 Hong Kong and Macao legal practitioners have obtained the Lawyer's License (GBA).

Hong Kong legal practitioners have responded enthusiastically towards the GBA Examination. Before September 2023, there were some legal practitioners interested in practising in the nine Mainland municipalities but were unable to enroll in the GBA Examination due to the practice experience threshold. The revised pilot measures lowered the practice experience threshold for Hong Kong and Macao legal practitioners to enroll in the GBA Examination, responded to the aspirations of young Hong Kong legal practitioners and encouraged them to participate in the construction of rule of law in the GBA.

GBA Mediator Training Course of Hong Kong

To promote the interface of the non-litigation dispute resolution services in the GBA and to enhance the understanding of Hong Kong mediators regarding the mediation systems in Guangdong and Macao, the DoJ held the GBA Mediator Training Course of Hong Kong on August 16, 2024. Since the number of registered participants far exceeded

the maximum capacity of the event venue, the DoJ specially introduced online mode to accommodate more participants. More than 400 participants have attended the Course, including young lawyers from Hong Kong. Mediation experts from Guangdong and Macao were invited to share the respective mediation systems, culture and experience of Guangdong and Macao, as well as to explore the latest developments of cross-boundary disputes mediation in the GBA and the cultural difference and integration in mediation of the three places. The course discussed topics including the means and skills in handling cross-boundary disputes, enhancing Hong Kong lawyers' understanding of handling cross-boundary disputes in the GBA. The DoJ will consider conducting further relevant courses as necessary in the future.

The Deputy Secretary for Justice led delegations of young lawyers to visit GBA Mainland cities

The Deputy Secretary for Justice led two delegations of young representatives from the legal sector to visit GBA Mainland cities, including Huizhou, Shenzhen and Foshan in September and November 2023. The visits helped young legal professionals and law students deepen their understanding of the legal systems of the GBA Mainland cities and that of the Mainland, further connect their career development with the overall national development and deepen their collaboration with the legal sector of other GBA cities, so as to jointly promote high-quality national development. Number of delegates of the two delegations exceeded 70 people, including young representatives of the Law Society and the Hong Kong Bar Association, young government counsel of the DoJ, and law students from the three law schools.

Updating the Talent List

The Government announced to update the Talent List to include "Legal Knowledge Engineers". The new arrangement took effect on March 1, 2025 in response to the legal profession's need for artificial intelligence. The introduction of "Legal Knowledge Engineers" helps improve the efficiency of legal professional services and promote high value-added development of Hong Kong's economy and society.

By developing artificial intelligence systems, "Legal Knowledge Engineers" act as a bridge between lawyers and other general programmers, developing artificial intelligence systems specifically for law firms. They can help law firms (including small and medium-sized law firms) improve work efficiency, for example, when conducting due diligence, the searching of key terms within huge volumes of documents can produce highly accurate responses within a short period of time.

ROLE Stars Train-the-Leaders Programme (TTL Programme)

Since the launching of the TTL Programme in November 2023, through collaboration with relevant organisations and stakeholders, three phases of courses have been developed. Young lawyers have been invited as speakers and facilitators. The DoJ enhances the law-abiding awareness of young people and the public in a holistic manner,

and to increase the understanding of the rule of law principles and the legal system through the TTL Programme. Since its launch, the TTL Programme has attracted over 350 trainees, including 36 young lawyers as facilitators.

DoJ i-Day

The event was led by young in-house lawyers of the DoJ "DoJ Fellows" in August and September 2023, and there are plans to hold a similar open day in June 2025. The event provided young lawyers with an opportunity to meet young people who aspire to join the legal profession, and also allowed those who have not yet joined the legal sector to deepen their understanding of the legal field and the work of the DoJ. The event in 2023 attracted more than 330 trainee solicitors, trainee barristers, legal professionals, law-degree students and students from other degrees and the general public to participate.

Given the nature of the work of the DoJ, the benefits of a measure or policy to society may not be entirely quantifiable, the DoJ does not possess the relevant key performance indicators on the above measures or policies in support of the professional development of solicitors from small and medium-sized law firms and young barristers. The Government will continue to introduce measures or policies at appropriate times and update existing ones from time to time to align them with the latest development of the profession.

Ends/Wednesday, May 7, 2025