

Speech of Mr Wesley Wong, SC
Solicitor General
At the Farewell Sitting for
The Honourable Mr Justice Robert Tang, GBM, SBS
22 October 2018 (Monday)

Chief Justice, Judges and other Members of the Judiciary, Chairman of the Bar, President of the Law Society, ladies and gentlemen,

The Secretary for Justice has asked me to send her apologies for her absence today because of a duty visit outside Hong Kong. The honour is therefore mine to have the utmost pleasure and privilege to be on my feet today and pay tribute at the farewell sitting for My Lord, the Honourable Mr Justice Robert Tang, as a permanent judge of the Court of Final Appeal after some 14 years of distinguished service to the Judiciary of the Hong Kong Special Administrative Region.

2. Hong Kong has witnessed vast changes in outlook on the economic, social and political spheres through these years. One thing that remains unchanged is Your Lordship's firm commitment in respecting and upholding the rule of law which is a core value of this community. In a lecture delivered at Oxford last February, Your Lordship reaffirmed your optimism in these words,

“The success of One Country, Two Systems depends on everyone playing his part. The Judges’ part is to decide cases properly, in a principled way, without fear or favour. I think for as long as Hong Kong judges do so fairly, impartially, and explaining carefully why

they decide the way they did, any dissatisfaction will be temporary and both the Central Government and Hong Kong will appreciate this clear demonstration of the rule of law. Happily, I have no doubt that judges have the whole-hearted support of the Hong Kong Special Administrative Region Government and the community and that they realise that unswerving adherence to principle is the hallmark of the rule of law.”

Your Lordship’s confidence is not misplaced as the Department of Justice is committed in upholding and maintaining the rule of law and will defend judicial independence in all ways it can.

3. Your Lordship’s long and illustrious practice at the Bar was cut short by the start of a full time judicial career since 2004. With a wealth of experience and expertise in civil practice, particularly in the areas of land law, town planning matters and defamation, Your Lordship was a revered leading counsel and in which capacity you appeared together with the Madam Secretary for Justice, then also a practising silk, in the *Hong Kong & Yaumati Ferry* case in 2000. I am sure the learned Madam Secretary would have more stories to tell had she been here, but that will have to be left to another day.

4. Before joining the bench, Your Lordship nurtured generations of legal talents for Hong Kong and, not the least, Your Lordship’s role as a leader was punctuated by being Bar chairman from 1988 to 1990.

5. As a permanent judge of this Court, Your Lordship has sat on a number of notable cases. The most recent ones which attracted significant media coverage include the *QT* appeal and two appeals from

the sentencing reviews concerning protestors who entered the Forecourt of the Central Government Offices on 26 September 2014 and those outside the Legislative Council on 13 June 2014. Your Lordship also gave separate judgments in the *T* case which construed the meaning of the provisions governing the ambit of control under the *Places of Public Entertainment Ordinance* and the *PCCW* case which concerned the levying of licence fees under the *Telecommunications Ordinance* and the *Trading Funds Ordinance*.

6. One must not be left with the impression that Mr Justice Tang's contribution to the well-being of Hong Kong is limited to His Lordship's presence in one role or another at our courts. His Lordship, for example, served, whilst still in private practice, at the Independent Police Complaints Council, ICAC Complaints Committee and Standing Committee on Legal Aid, all of which are also intimately related to the criminal justice system in particular and the administration of justice generally.

7. While the list of public service engaged is too long to reproduce here, it is Your Lordship's chairmanship of the Standing Committee on Legal Education and Training which I must mention on this occasion. Since August last year, Your Lordship has managed the progress of the comprehensive review exercise seamlessly, leading to the publication of the consultants' final report in May. We all look forward to Your Lordship's continued leadership at the helm of the Standing Committee and your participation in the International Advisory Board of the Hong Kong International Arbitration Centre to help us all face the challenges when Hong Kong enhances its status as a leading international legal and dispute resolution hub.

8. On a more personal note, I have first-hand knowledge of an exchange between a young member of the profession and Mr Justice Tang at a reception sometime ago involving the former's indication of yet having the opportunity to appear before His Lordship. My Lord, Mr Justice Tang, responded to this effect, "Then, you'd better be quick as I am retiring". Today, I can imagine how the look of disappointment on the face of that young member of the profession would have been erased by the welcomed announcement that Your Lordship will still sit as a non-permanent judge of this Court for a term of three years commencing this Thursday.

9. It remains for me to expressly acknowledge and thank, on behalf of the Department of Justice, the dedicated service of Mr Justice Tang and His Lordship's unimpeachable integrity, extraordinary achievement and unswerving commitment in safeguarding the rule of law from which, luckily, Hong Kong will continue to benefit.

10. And, may I also wish Your Lordship continued good health, happiness and every success in all your new or renewed pursuits in what will be a long but hopefully less busy life.