

## SPEECH AT THE GUANGZHOU LEGAL SERVICES FORUM ON 13.9.2012

This year marks the 15<sup>th</sup> anniversary of the establishment of the HKSAR under the unique concept of “One Country Two Systems”. It also marks a watershed occasion which highlights the incredible flexibility, maturity and ability with which the legal profession in Hong Kong has risen to the challenges and opportunities that have been placed in their way over these 15 years.

It is well recognised that the foundation underpinning the success of the Hong Kong Special Administrative Region under the umbrella of the new constitutional order since 1<sup>st</sup> July 1997 has been the international recognition and acceptance of the fact that Hong Kong has been well served by the existence of an independent judiciary and an independent and fearless Bar which is prepared to strenuously and steadfastly fight for and to preserve and maintain the rule of law in Hong Kong. This international perception and the actual implementation of that perception in reality has largely been instrumental in buttressing the confidence of international investors whilst at the same time also providing assurance to the people of Hong Kong that the promises made regarding Hong Kong’s future until 2047 under the Joint Declaration and the Basic Law are not just rhetoric.

Hong Kong has begun to establish itself as the principal services-orientated city and the gateway for conducting business in the People's Republic of China. The responsibility on the legal profession to provide highly efficient, competent and a high standard and quality of legal services is not only necessary but vital. It is therefore particularly appropriate that the theme of this Legal Services Forum is "Think Global: Think Hong Kong".

The Global Village of the legal profession is becoming smaller. This is because, unlike in the past, the practice of law is no longer insular and local. On the contrary, the practice of law has accrued an international facet and momentum in recent times which is reflected by the number of international and foreign firms who have set up offices in Hong Kong as well as in many of the major cities in the People's Republic of China.

Furthermore, in the field of arbitration work, there has been a recent trend of overseas barristers setting up offices/Chambers in Hong Kong and offering themselves to act as arbitrators as well as to act as the legal representative for parties in the arbitration. They have been able to do this without seeking the consent of the Hong Kong Bar Association by virtue of using the loophole under section 63 of the Arbitration Ordinance (cap 609). The Bar sees this both as a challenge and an opportunity to showcase the quality and ability of its own members against such international competition.

In this new spirit and era of internationalism it is important that the legal profession in Hong Kong be prepared and be in a position to provide the highest standard and quality of service to their clients, whether they be a multinational corporation, a public listed company or an just an ordinary individual who needs legal assistance. The Hong Kong Bar is fully aware of the challenges and demands that lie ahead and this is why a greater emphasis on training and raising the standards of pupils and young barristers is its paramount focus and concern.

This is why we have recently established the Hong Kong Advocacy Training Council (HKATC) 「香港訟辯培訓學會」 which will focus on providing intensive advocacy training as well as organise seminars, talks and workshops in order to inculcate and polish the advocacy skills and legal knowledge of the younger members of the Bar. Quality and focused training is, as I see it, the best way to prepare the next generation of barristers to be able to attain and maintain the very high standards that is expected of them by Judges, their clients and the public as a whole.

This Forum provides an ideal platform for the legal profession of Hong Kong to explain, disseminate and display the range of skills that we are able to provide to our clients. I am particularly pleased to be invited to participate in this Forum and help

develop and strengthen closer ties between the Hong Kong Bar and the legal professionals and business leaders in Guangzhou. Closer cooperation and understanding between us will, I am sure, be not only to our mutual benefit but will hopefully also help to widen the range, depth and quality of legal services on offer in the Pearl Delta region.

Finally, I would like to thank the Hong Kong Trade Development Council and the Department of Justice for their support and help in organising this Forum. I hope you will find the Forum instructive, interesting and most importantly enjoyable, while also providing everyone an opportunity to network and discuss matters of common interest with the lawyers from Hong Kong.

Kumar Ramanathan SC

Chairman