

# CJ's address at Ceremony for the Admission of the New Senior Counsel (with photos)

The following is issued on behalf of the Judiciary:

The following is the full text of an address by Chief Justice Andrew Cheung Kui-ning, Chief Justice of the Court of Final Appeal, at the Ceremony for the Admission of the New Senior Counsel today (May 11):

Secretary for Justice, Chairman of the Bar, President of the Law Society, fellow judges, ladies and gentlemen,

On behalf of the Judiciary, I would like to extend a very warm welcome to all of you to this year's Ceremony for the admission to the rank of Senior Counsel of Mr Benson Tsoi, Ms Frances Lok, and Miss Queenie Lau.

First of all, congratulations are in order to each of our three new Silks on all your accomplishments and on your appointments as Senior Counsel. The appointments are hard-earned, and well deserved. To become a Silk is no simple achievement. It is the culmination of many years of rigorous study, tireless work, and countless hours spent in the preparation of cases and appearance in court. It demands a deep understanding of the law, the ability to navigate complex legal and factual matrices, and the skill to present attractive arguments that best portray a client's case. I am sure you have all sacrificed much to reach this significant career milestone. Equally, I must extend my congratulations to your families, friends and colleagues, for whom this must also be a proud moment. No doubt they will also have made sacrifices to support each of you so that you might reach this point, and it is appropriate and quite right to take this moment to express gratitude for their support.

The Inner Bar is not merely an exclusive rank or title. It is a longstanding tradition of the independent Bar, a reflection of Hong Kong's longstanding common law tradition that is preserved by the Basic Law and the "one country, two systems" arrangement. Along with that common law tradition comes the maintenance of a split profession, between barristers and solicitors. Similarly, the rank of Senior Counsel has also been maintained in Hong Kong, and the appointment of Senior Counsel is enshrined in statute. Not only does Hong Kong maintain the benefit of being a common law jurisdiction in a civil law country, and a bilingual legal system that ensures ease of accessibility for those wishing to enforce or defend their rights before the Courts, all persons who seek to do so have a deep pool of Silks to choose from where their case is particularly difficult, complex or specialised.

As has been said before, the rank of Senior Counsel is both a badge of excellence and a badge of responsibility. As a mark of distinction, it represents a public recognition by the Judiciary and the legal profession of

an appointee's achievement to date, of his or her excellence, experience and expertise. As a badge of responsibility, it denotes our community's trust and expectation that an appointee will put his or her excellence and experience to good use by faithfully discharging the responsibilities placed on them, thereby serving the public interest. Members of the Inner Bar are therefore chosen with care every year, and indeed there is no obligation to make any selection at all. The appointment process involves consulting not only with the senior ranks of the Judiciary, but also the two branches of the legal profession. Thus, each candidate for Silk must demonstrate not only expertise and eminence in their fields of practice, but also industry and integrity, and one must also consider each candidate's potential contributions to the Bar and the law, as well as to the rule of law and future of Hong Kong.

Each of today's new Silks specialises in different areas of the law, and their admission to the Inner Bar will serve to reinforce and reinvigorate the senior end of the Bar. The fact that their appointments were well supported during consultations is a sign of the respect each of them commands in their respective practices.

Mr Benson Tsoi was called to the Bar in England in 2005, and subsequently returned to Hong Kong and was called here in 2007. He specialises in criminal law, with a particular emphasis on white-collar crime, having appeared in a number of big money laundering and fraud cases. His expertise in criminal law is generally recognised in the legal field.

Ms Frances Lok was a Rhodes Scholar in 2002 and a Bar Scholar in 2006. She was called to the Hong Kong Bar in 2007 and the New York Bar in the following year. She practises in commercial, company and insolvency law, specialising in company law, construction and arbitration, and probate and trusts.

Miss Queenie Lau was previously qualified as a solicitor in both Hong Kong and England before being called to the Hong Kong Bar in 2008. She closely carries on a general civil and commercial practice, which includes audit and professional negligence, defamation, employment disputes and probate litigation. She is actively involved in a very substantial number of public or statutory bodies, thereby demonstrating a strong spirit of public service.

The respective backgrounds of each of today's three appointees serves to illustrate the quality that the title of Senior Counsel implies. It can thus be seen that the Inner Bar will be greatly strengthened with the addition of such talented and well recognised members. Moreover, with such depth of legal talent continuing to be available in Hong Kong, the rule of law is also strengthened by a thriving and competitive market for legal services. We are all no doubt delighted by their appointments.

Beyond their legal expertise and experience, members of the Inner Bar must also set and maintain the highest standards of personal and professional integrity as well as advocacy, legal research and analysis. Members of the Inner Bar are first and foremost leaders of the independent Bar, and they must lead by example, in thought and deed, as well as by word. Silks must

always apply themselves fully to the cases that they do, whether they are instructed to act alone or with juniors. Indeed it is worth remembering that a Silk is almost by definition regarded as a source of inspiration, a mentor and a guiding light for the younger generations of lawyers. And rightly so. Therefore, whether a Senior Counsel likes it or not, whatever he or she says or does in or outside court is often closely observed and even mimicked by those they are leading or working with, and maybe by those on the opposite side also. Senior Counsel must uphold a high standard of court etiquette, be courteous not only to the court but to all other court users and staff, and never be rude and overbearing. It goes without saying that in addition to the wisdom and maturity that their expertise and experience has brought them, they should also always be professional and fair, and contribute to the affairs of the Bar and public service when there is a need to do so. A Senior Counsel must in this way be generous with their time and public spirited. Not only do Hong Kong's Senior Counsel appointees strengthen the Bar with their knowledge and expertise, many ultimately bring those strengths with them to the Judiciary, further enhancing the pool of knowledge and expertise at the Bench and thus the rule of law in Hong Kong. This must ultimately be the highest calling for any legal professional.

In short, as the most pre-eminent amongst members of the independent Bar, Senior Counsel must be prepared to uphold the rule of law and ensure the proper administration of justice, speak out against those who would seek to undermine the rule of law, maintain the highest standards of professional conduct, discipline and etiquette both in court and outside it, and protect the right of all persons to have access to the Courts, apart from being highly capable and reliable advocates when appearing in Court.

So returning to our three new Silks today, your appointments as Senior Counsel represent public recognition that you possess the necessary qualities to discharge these responsibilities, thereby upholding the best of the independent Bar. They also mark how much trust and confidence the Courts, your clients, and even opposing counsel may have in you and your work. On this occasion when you don the traditional dress of the Inner Bar for the first time, it is apposite to be reminded that the robes of the silks are a symbol of an important office. As Silks, you now have different wigs and gowns. You now have the privilege of being listed ahead of ordinary counsel on the Bar List, illustrating how seriously the rank of Senior Counsel is taken at the Bar, and indeed in Hong Kong. We are confident that with these trappings of your new titles, you will also take on your new roles and duties as leaders at the Bar with the same industry and integrity that has brought you to this moment. On behalf of my colleagues and myself, I wish each and every one of you success in your new careers as Senior Counsel.

