

# SJ's address at Ceremony for the Admission of the New Senior Counsel (English only)

The following is the address by the Secretary for Justice, Ms Teresa Cheng, SC, at the Ceremony for the Admission of the New Senior Counsel today (May 29):

Chief Justice, members of the Judiciary, Chairman of the Bar, President of the Law Society, fellow members of the legal profession, ladies and gentlemen,

As Secretary for Justice, I am in the most privileged position to offer my congratulations to those members of our profession that are "taking silk" today, and I warmly congratulate the four newly minted Senior Counsel for their achievements as they reach another significant milestone of their career.

The post-nominal letters now behind your name is a recognition of your depth of expertise and the eminence you have achieved in your particular field of law. It is also a mark of recognition of your distinction in the art of advocacy in Court and importantly, your relentless dedication to the rule of law with impartiality, professionalism and integrity. Henceforth, as silks, the title bestows upon you, more than before, the duty to continue to uphold and practise these values by example and leadership, and to come forth without hesitation to defend the judiciary from attempts to interfere with the proper discharge of their duties.

This tradition of admitting members to the inner Bar in Hong Kong is indeed, most significant. It provides clients with comfort that their advocate has demonstrated a high standard of consistent competence, knowledge and excellence that is expected of a senior member of the profession. Leading counsel is expected to play a crucial role in upholding and promoting the rule of law in Hong Kong. Further, it also provides inspiration for younger members of the profession to pursue excellence, thereby nurturing and developing the future generation.

Congratulations must be extended to your families, friends and colleagues for their support, confidence and trust in you. By today's ceremony the legal profession is expressing just that too.

Traditionally, it is now time for me to say a few words about each of the new members. Before I do so, however, let us not forget that last year we did not hold a Senior Counsel Admission Ceremony due to the pandemic, and I would like to take this chance to give my belated congratulations to Mr Jonathan Chang SC, the sole appointee last year. Since taking silk, Jonathan has been extremely busy, with a search on the Judiciary's judgments website showing that he has appeared in around 30 judgments just in the past year,

acting both for and against the Government. I have no doubt his practices as a silk will continue to prosper and the Department of Justice would prefer to work with him, than against, as he is without a doubt a formidable opponent!

Mr Philip Chau Ka-chun

Turning now to Mr Philip Chau. Philip is a seasoned specialist criminal trial lawyer, and his services have been engaged by the Department of Justice with him being a counsel on fiat since 1997, prosecuting cases at all levels of courts. Colleagues at the Department have described him as being a no-nonsense prosecutor, meticulous in his craft, and having no patience, justifiably, for opponents who have not prepared their cases fully or properly.

Philip is also keenly engaged in educating the next generation of lawyers and advocates, being a part-time lecturer in criminal procedure and trial advocacy at the University of Hong Kong and City University. I have it on good authority that his students are always impressed by his punctuality, having never been late for any of his classes, and being equally punctual in ending them.

Mr Law Man-chung

The second new silk, MC, was without a doubt one of the most sought after "Senior Junior Counsel" with extensive experience in working with top silks across a range of subject matters, and is no stranger to being involved in high-profile and landmark cases. One such case involved MC appearing as a junior in the first ever discrimination case reaching the Court of Final Appeal, where the question at issue was whether the Court had the power to order an unwilling defendant to apologise for unlawful conduct under the Disability Discrimination Ordinance. This case in some way helped lay the foundation for the eventual enactment of the Apology Ordinance in 2017, Hong Kong being the first jurisdiction in Asia to do so.

I have, in my previous life in private practice, also had the opportunity to observe MC's diligent preparation of the case up close on one side of the Bar table when he was a junior to Barrie Barlow SC in the case of TNB Fuel Service v China National Coal Group, a seminal case that confirmed that state-owned enterprises cannot plead crown immunity generally.

Mr Norman Nip Sum-ping

Next we have Norman. Norman is an experienced advocate in the areas of securities, regulatory, banking, commercial, company and insurance litigation. He is also a keen contributing editor of the Hong Kong Civil Procedure since 2009 and of the Hong Kong Securities and Futures Ordinance, Commentary and Annotations since 2015; and in the past few years showing an interest in having a taste of life in the Judiciary, having been appointed "Temporary Deputy Registrar" of the High Court and "Deputy District Judge". I have been told that Norman has a penchant for a particular noodle chain famous for their signature spring rolls and having lunch there on a regular

basis, sparking the curiosity of his chamber-mates (and now also myself) in exploring how good the food there really is.

Having been recognized as a "Future Leader" by Who's Who Legal last year as being an expert in securities and financial litigation, I dare say that by taking silk, Norman has demonstrated that he is already a leader in the profession.

Ms Vinci Lam Wing-sai

Saving the best for last, we now turn to Vinci. Vinci as a lawyer is 'born and bred' by the Department of Justice, having trained with us as a solicitor and spending her whole career (so far) in the Prosecutions Division of the Department. Her conscientiousness and skill had been recognised in her early days at the Department, with the then Director of Public Prosecutions Mr Grenville Cross assigning her to be his assistant between 2004 and 2008.

Outside of the courtroom, Vinci is able to de-stress through tennis and swimming, even winning three medals for the Department in the Corporate Games.

Vinci's skills as a criminal advocate is not in doubt, and I am sure that your Lordships and Ladyships would be very familiar with Vinci's work, both oral and written. Despite her well-proven qualities and abundant advocacy experience, Vinci, admitted initially as a solicitor, was not eligible for appointment as a silk under the current regime. For her to gain the ticket to today's recognition, Vinci, as one of the Deputy Directors of Public Prosecutions, had to put aside her heavy duties and spend her leave for three months so as to complete her pupillage at the Bar with Mr Stewart Wong, SC. Today's honour is indeed hard-earned and well-deserved for Vinci, and the Department is immensely proud of her.

My Lords and Ladies, it has been my honour to have the privilege to welcome the four new silks. May I just conclude by wishing them the very best in their new role in the pursuit of rule of law and justice for all, and every continued success as they reach new heights in the profession.

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## **CJ's address at Ceremony for the Admission of the New Senior Counsel**

The following is issued on behalf of the Judiciary:

The following is the full text of an address by the Chief Justice of the Court of Final Appeal, Mr Andrew Cheung Kui-nung, at the Ceremony for the Admission of the New Senior Counsel today (May 29):

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

It gives me great pleasure to extend to all of you, on behalf of my colleagues, a very warm welcome to this annual ceremony to mark the occasion of the admission to the rank of Senior Counsel of Mr Philip Chau, Mr M C Law, Mr Norman Nip and Ms Vinci Lam. Together, the new silks cover to a significant extent the breath of legal practice in Hong Kong in both the civil and criminal fields. They would add further strength to the senior Bar.

To our new silks, we would like to extend to you our sincere and warmest congratulations on your appointment as Senior Counsel. Your appointments are hard-earned, well-deserved and popular. This marks not only an end to an important stage of your professional career at the Bar, but even more importantly, a starting point and threshold of your becoming a leader of the Bar. This new stage of your career is not only important to you and your clients, but also of great potential importance and significance to the Bar as an established institution in our society and indeed to society at large. I have every reason to believe that you will continue to develop yourself professionally and rise to the challenges and opportunities that this new stage of your professional career brings with it.

Not only is this an extremely happy occasion for you, it is also an occasion of great joy to your loved ones, your families, colleagues and friends. And indeed I can see happy faces all around you – those of your spouses and children, parents and family members, colleagues and friends. I am sure they all feel, most justifiably, proud of your achievement and happy for you. Indeed your appointments represent a reward to their unfailing love, timely encouragement, generous help and unceasing patience over the years towards you. It is simply right and fitting that they are present today to witness this occasion and to share with you your joy and happiness upon your admission to the rank of Senior Counsel.

The appointment of Senior Counsel is a discretionary power vested in the Chief Justice by law. Whilst the common law institution of Senior Counsel is steeped in tradition going back centuries, it is a substantive rank specifically provided for by statute in modern day Hong Kong. The power of appointment, like all public law powers, must be exercised for the furthering of the public interest. Indeed it is this public interest that underscores the unique status and responsibilities of the rank of Senior Counsel. These responsibilities include, it has been pointed out, setting and maintaining the highest professional standards of integrity and competence, carrying on the fine traditions of the Bar and its commitment to the rule of law which is a cornerstone of our society, setting an example to and helping pupils and young practitioners, contributing to the affairs of the Bar and making time available for public service when called on.

When making an appointment for silk, the Chief Justice therefore looks for candidates who have by their practice at the junior bar demonstrated not only their depth of expertise and eminence in their areas of practice but also characters, qualities, abilities and potentials that make them suitable

persons to discharge the responsibilities I have just outlined in the service of the public interest. The rank of Senior Counsel is therefore 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 achievements 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.

Amongst the responsibilities outlined, the first and foremost responsibility of a Senior Counsel is to set and maintain the highest professional standards of integrity and competence. In our common law system, the courts place great reliance on the assistance of counsel in the administration of justice. Senior Counsel are role models for our junior bar. A Senior Counsel must set an example in terms of his or her integrity, ability and respect for the law when arguing cases before the courts. Judges are entitled to expect a high quality of assistance from Senior Counsel in court, and they are entitled to expect that such assistance is reliable. Likewise, juniors, instructing solicitors, lay clients and the general public expect our Senior Counsel to display a very high standard of competence, advocacy and integrity. Amongst other things, this would help boost public confidence in our legal system and the proper discharge of the courts' function in the administration of justice.

A second responsibility that is worthy of a specific mention today is that as leaders of the Bar, Senior Counsel are expected to contribute to the affairs of the Bar, particularly in the training and nurturing of junior members of the Bar, whether of their Chambers or not, and helping them in establishing their practice at the Bar. Senior Counsel are also expected to make time available for public service when called upon. By reason of their training and experience, and even more importantly, by reason of the characters, qualities and abilities that they possess, Senior Counsel are valuable members not only of the Bar but of our community. In our highly developed and sophisticated society, there are many public functions and roles that require the service of our Senior Counsel. A Senior Counsel must therefore be public spirited and be ready to make professional and personal sacrifices by taking on public duties in the service of our society. Amongst other things, I hope it is not too premature to point out, the community looks very much to the rank of Senior Counsel to help fill the ranks of the Judiciary.

In Hong Kong, our judges administer justice strictly in accordance with the law, without fear or favour, self-interest or deceit. The judicial power is exercised independently by the courts, not subject to any interference. Repeated and gratuitous questioning of the Judiciary's independence, whether domestic or from abroad, which is based on nothing but disagreement with court decisions, is damaging to the rule of law and maintenance of public confidence in our courts. As leaders of the Bar, who know from intimate first-hand experience how the courts actually function even in the most difficult and controversial of cases, Senior Counsel bear

the responsibility, whenever the opportunity arises, of speaking up for the Judiciary, not only in protection of judicial independence, but also in defence of its local and international reputation as an independent judiciary. This is very much in the public interest and for the good of Hong Kong.

Our four appointees today are equally split in their areas of practice, two being on the civil side and the other two on the criminal side. Of the two criminal practitioners, Mr Chau is in private practice specialising in criminal trial work, and Ms Lam is a Deputy Director of Public Prosecutions appearing frequently in our appellate courts. Both are held in very high regard by the judges before whom they frequently appear. As for our two new civil silks, they were among the cream of our junior bar, and enjoy extremely large and successful practices in their respective areas of specialty. Mr Law has a general civil and commercial practice, focusing on cross-border disputes, company and other general civil matters. Mr Nips practice focuses on securities and regulatory, banking, commercial, company and insurance litigation. You will no doubt hear more about their practices in the addresses to follow. Suffice it to say, they are welcome addition to the Inner Bar and I am delighted by their appointments.

To our new Senior Counsel, I would repeat that the judges, the legal profession and our society have high expectations of you, and I am confident that you will rise to the challenges ahead. I congratulate all of you, your families, colleagues and friends once again. It is a special day for all of you, for all of us on the bench and for the Hong Kong community. Thank you.

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## [Transcript of remarks by SFH at media session](#)

Following is the transcript of remarks made by the Secretary for Food and Health, Professor Sophia Chan, after attending a radio programme today (May 29):

Reporter: A developer is offering a flat for lucky draw by people who have been vaccinated and people seem to be quite excited about it and more people made appointment yesterday. What do you think of it and would you encourage other businesses to do the same and offer incentives?

Secretary for Food and Health: Vaccination is in fact a very important intervention, not only in Hong Kong but also globally, to control and prevent the current epidemic situation. This is really something we should focus on, especially at this stage of our epidemic situation. It seems that from a number of surveys, there are people who are in the process of wait-and-see, that is they are probably contemplating whether they are going to get vaccinated or not, and haven't taken any action. In this regard, any

intervention that is able to motivate people, the Government actually welcomes. So for example this lucky draw or any other intervention or incentives that would be able to motivate people to get vaccinated, it is important to change any health behaviour because in the theory of changing health behaviour, we need to look at how to target people who are in the stages of pre-contemplation, contemplation or preparation. For those who are taking action, they are fine. But for all those who are in these different stages, we need to do more in order to help them take and move towards action. Obviously, one of the intervention is to provide transparent information and publicity events so that people understand. But that is not enough, we do need other incentives in order to move people to think about vaccination. The next step is not only about thinking but actually taking action. So these intervention and incentives by more corporations and all the employers are actually welcome. I think the more people do, the better it will be, so that everybody in Hong Kong is moving towards a higher target of vaccinating at a higher rate to protect the public. Thank you.

(Please also refer to the Chinese portion of the transcript.)

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## **Over 2 400 vacancies on offer at Creating New Opportunities Job Fair**

The Labour Department (LD) will hold the Creating New Opportunities Job Fair, a large-scale recruitment event at MacPherson Stadium in Mong Kok on June 1 and 2. Vacancies in retail, manufacturing, property management and other industries will be offered. Online recruitment will be conducted concurrently during the event.

A total of 48 organisations will participate in the two-day job fair and offer over 2 400 vacancies. Twenty-four organisations will set up booths and conduct recruitment activities on the spot each day. The vacancies cover a wide variety of positions including shop assistant, clerk, customer service officer, engineer, technician, vehicle detailing trainee, care home health service worker, security guard, driver, storekeeper, waiter/waitress, chef, cashier and packer.

Around 79 per cent of the vacancies are full-time jobs. Most vacancies offer monthly salaries ranging from \$11,000 to \$19,000. About 98 per cent of the vacancies require a Secondary Six education level or below. Around 73 per cent are open to job seekers without relevant work experience.

Job seekers can submit job applications during the event and may be selected for on-the-spot interviews. They can also make enquiries on the employment services provided by the LD at its counter inside the venue.

The job fair will be held from 11am to 5.30pm at 1/F, MacPherson Stadium, 38 Nelson Street, Mong Kok (near Mong Kok MTR Station Exit E2). Admission is free, with the final admission time at 5pm each day. Appropriate infection control and crowd control measures taking into account the latest epidemic developments and number of visitors will be implemented at the venue. All visitors are required to scan the venue QR code using the "LeaveHomeSafe" mobile application, or register their names and contact numbers as well as the date and time of entry by completing a personal particulars form.

Online recruitment will be held concurrently from June 1 to June 2 6pm. Job seekers must first register as a user of the LD's Interactive Employment Service (iES) before submitting online job applications to the participating organisations during the job fair. More information on the event and the job vacancies can be found on the iES website at [www.jobs.gov.hk](http://www.jobs.gov.hk).

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## [Red flag hoisted at Hung Shing Yeh Beach](#)

Attention TV/radio announcers:

Please broadcast the following as soon as possible:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department announced today (May 29) that due to big waves, the red flag has been hoisted at Hung Shing Yeh Beach in Islands District. Beach-goers are advised not to swim at the beach.