

SPECIAL COMMITTEE ON YOUNG BARRISTERS 2015 REPORT

Introduction

The Special Committee on Young Barristers (“YBC”), consisting of 21 members all within 5 years’ of call, is responsible for promoting the interest and welfare of young barristers in Hong Kong. We also serve as a channel of communication between the Young Bar and senior members of the Bar – to ensure that any ideas, issues or concerns affecting both ends of the Bar can be addressed effectively and efficiently.

This year, the YBC continues to achieve this aim by organising and participating in local and international events of the Bar and to prepare for new challenges and initiatives for the benefit of the future Young Bar.

HKBA Debating Competition 2015

The annual HKBA Debating Competition, now in its 11th year, aims to encourage and promote a passion for debating and advocacy. 32 high schools from across Hong Kong sent teams of 3 to participate in the Competition, which was divided into English and Chinese divisions.

As with previous years, the debate motions revolved around current socio-legal issues. With a particular focus on topical issues garnering attention amongst the wider society this year, the debate motions for this year’s Competition surrounded areas such as restricting parallel exports, tax discrimination and national education.

In order to maximise participation and encourage participation from a range of students, debaters from all different grades were invited, and team members could be substituted flexibly to represent a particular school’s team for each round of the Competition.

After 3 rounds of impressive debating amongst the various teams, 2 teams for each of the English and Chinese divisions were put forward for the Grand Finals on 25 April 2015. For the first time, the Grand Finals were held in a courtroom at the High Court on 2 April 2015. The motion for the Grand Finals was “This House would enact legislation to require local primary and secondary schools to reserve quotas for admitting students from ethnic minorities”. It is believed to be an important and live issue affecting Hong Kong society today.

The English Grand Final Round was adjudicated by the Honourable Chief Justice Ma and the Honourable Mr. Justice Lam, while the Chinese Grand Final Round was adjudicated by Winnie Tam S.C., the current Chairperson of the Bar Association, and the Honourable Mr. Justice Au.

Wah Yan College (Hong Kong) and St. Paul's Secondary School respectively emerged as the winners of the Chinese and English divisions. The success of the Competition would not have been possible without the dedicated help from all of the adjudicators and student helpers, in particular the committee members of the Law Association of the University of Hong Kong. We also greatly appreciate the time and assistance from all of the judges, counsel and pupils who selflessly gave up their Saturdays to help ensure the smooth running and success of the event. We would like to use this opportunity to express our heartfelt gratitude for all of their time and efforts.

YBC Discussion with Mr. Jern-Fei Ng: “Practising at the Bar in Hong Kong and England – A Comparison”

On 7 May 2015, the YBC hosted a panel discussion between Mr. Jern-Fei Ng of Essex Court Chambers in London and Ms. Deanna Law, Chairman of the YBC. The context for the discussion was life at the Bar in England and Wales and life at the Hong Kong Bar. Ms. Lareina Chan of the YBC acted as the moderator. We were honoured to have around 25 attendees to this event.

Mr. Jern-Fei Ng was called to the Bar in England in 2002, and has a broad commercial litigation and arbitration practice. The discussion surrounded topics and issues such as day-to-day life in the respective jurisdictions, paid pupillages in the UK, and ways in which members of the junior Bar can build their practice. Of particular interest was the topic of modernisation of the Bar in England and Wales, and how the Bar will develop in 20 years' time. In the UK, Jern-Fei discussed the shrinkage of publicly funded work and the loss of opportunities for criminal junior barristers. In Hong Kong, Deanna discussed the “fusion” of the profession in light of Higher Rights of Audience for solicitors. Once again, we thank Mr. Ng for his time and sharing.

Annual YBC Pupils' Drinks

This year, the Annual YBC Pupils' Drinks took place on 13 May 2015 at L16 Café and Bar, located in Hong Kong Park. The event was held in the partly alfresco area of the venue, which attracted an attendance of over 50 pupils and members.

This event provided a unique and casual opportunity for pupils and members to meet and have a drink after work. The theme for this year's event was "Welcome to the Bar" as the event took place in the midst of the "admission season". It was therefore particularly delightful for the YBC to be joined by members of various levels of seniority, sharing their memories and experiences with junior members and newcomers to the profession.

Dragon Boating Competition

On 20 June 2015, the Dragon Boating Team for the Hong Kong Bar Association named "the Dragon Advocates" broke records, breaking into the Final Round of the Silver Plate category with a race time of 1 minute and 22 seconds. The Team was awarded a trophy for their success in the Competition.

We would like to thank Ms. Katy Chung and Mr. Kelvin Tang, the Team Captains of the Dragon Advocates, for organising 10 water training sessions and leading regular land training sessions on Wednesdays.

HKU Space Summer School Programme: "Thinking of studying Law?"

As part of a summer school programme organised by HKU Space titled "Thinking of studying Law?", on 4 August 2015, members of the YBC were invited to deliver a talk about life at the Bar and advocacy in Court. The attendees consisted of secondary school students who are considering whether to read law.

Members of the YBC shared their insight on the path towards becoming a qualified barrister, from completing pupillage to developing a practice. After members of the YBC explained the basic procedure of criminal trials and tips on examining witnesses, students were given an opportunity to prepare for and to observe a mock trial, content of which was prepared by members of the YBC, including demonstrations of cross-examinations of witnesses and the making of legal submissions.

Talk for Overseas Law Students

On 24 August 2015, the YBC held a talk specifically catered for overseas law students, ranging from Year 2 to Year 4 students and PCLL students studying abroad.

Members of the YBC shared their experiences and took on questions from students on topics including whether to join the Bar or to qualify as a solicitor and current

market trends. YBC members also shared their views and experiences on life at the junior Bar.

In particular, the following topics were discussed:

1. The pros and cons of extended pupillages over and above the minimum 12-month requirement;
2. The variety of factors that students should consider when applying to pupil masters;
3. Challenges of being a young barrister in light of increasing competition; and
4. The developing trend of training and/or qualifying as a solicitor first or spending one year as a Judicial Assistant, and then joining the Bar later on in one's career.

Talks for Local University Students

On 9 October 2015, the YBC held a talk for students of the Law Faculty at the University of Hong Kong. On 27 October 2015, a similar event was held at the City University of Hong Kong. Such talks were held in the 2nd Semester in previous years. This year the talks were held soon after the start of the academic year and the YBC was pleased to see high turn out rates at both events.

During the course of the talks, YBC members split the participants up into small groups of around 3-4 students so that the students were given an intimate opportunity to ask questions and to hear from the sharing of YBC members who attended.

Due to time constraints and difficulty in accommodating a time slot complementary to the academic scheduling, a similar talk for students at the Chinese University will be held in early 2016.

YBC Talk: Interlocutory Applications by Master H. Au-Yeung and Mr. Vincent Lung

This talk on interlocutory applications on 16 November 2015 marked the first of a series of practical, hands-on talks organised by the YBC, hosted by practitioners and judges, to provide useful practical tips for young barristers. Such talks are intended to be practical as opposed to theoretical.

The YBC was thrilled to report that over 80 members attended the event. The focus of the talk was on the common interlocutory applications, including striking out applications, further and better particulars, security for costs, and expert directions. Practical tips were also provided on preparation for substantive hearings, including both skeleton submissions and oral submissions. A 4-page handout prepared by Master H. Au-Yeung was given to attendees,

We wish to take this opportunity to sincerely thank Master H. Au-Yeung and Mr. Vincent Lung for their time and dedication to this event. Attendees benefited tremendously from their guidance and sharing.

YCPG Joint Professional Career Day

On 21 November 2015, members of the YBC attended a Joint Professional Career Day held at True Light Girls' College in Yau Ma Tei, organized by the Young Profession Coalition Group. Representatives from other professional bodies were also present at the event.

After explaining the branches of the legal profession and how one could become a solicitor or a barrister, the participating secondary school students were separated into small groups of around 5-6 students. The students were then given an opportunity to discuss various hypothetical case studies touching upon professional ethics. Students were also given a chance to ask any questions of concern, including future career paths, subject or study concerns, and other general questions in relation to one's professional life.

International Conferences

On 17 October 2015, 2 members of the YBC were sent on behalf of the Hong Kong Bar Association to attend the 30th Annual Bar and Young Bar Conference in London. This Conference marked the first time where the annual Bar and annual Young Bar conferences were held at the same time. The theme of the Conference was "The Advocate: Our role in the balance between state and citizen". After the keynote opening speeches, there were various small group specialist sessions on different areas of law.

The Conference provided a unique opportunity for members of the YBC to gather ideas and insight into how the Bar of England and Wales has and is being modernised, and the changes that are being put in place. Practitioners shared their views on both the positive and negative effects of such developments.

While in London, upon introduction by Ms. Winnie Tam S.C., the 2 participating YBC members met with a junior barrister in London and discussed differences between the lives and practices of the young Bar in Hong Kong and their counterparts in England. Further ideas were exchanged on the modernisation of the Bar. The YBC would like to take this opportunity to thank Ms. Tam S.C. for her thoughtfulness and her support in making this very fruitful exchange happen.

Following the trip to London, a Special Task Force was set up by the Bar Council. Various reports were drafted by the participating YBC members for the Bar Council, including one on barristers' secondments to law firms, and one on Continuous Professional Development (CPD).

YBC Christmas Drinks

On 4 December 2015, the YBC hosted its annual Christmas Drinks at the China Club. The event was a great success with over 130 attendees, including Judges and senior members of the Bar.

The event marked the beginning of the holiday season and provided a comfortable and enjoyable opportunity for members of the Bar of various levels of seniority and the Judiciary to meet and greet. Many junior barristers and pupil barristers also attended the event and were able to get to know other members of the Bar.

Note of Thanks

The YBC is immensely grateful to the Bar Council, members of the Bar and members of the Judiciary for their constant guidance and support in the work, events and ongoing projects of the YBC and in promoting the general welfare and interests of our young members. We would also like to express our deepest gratitude to the 21 dedicated committee members who have devoted so much of their time and energy in executing our activities smoothly and efficiently this year. Finally, thank you to Ms. Ava Wong, Ms. Fiona Kwok and the rest of the Bar Secretariat for their kind assistance throughout the year.

Members of YBC 2015-2016

1. Deanna Law (Chairman)
2. Hugh Kam (Vice Chairman)
3. Carol Wong (Vice Chairman)
4. Tanie Toh (Secretary)

5. Robert Chan (Treasurer)
6. Alan Lo
7. Kerby Lau
8. Ryan Law
9. Edward Chow
10. Ernest Ng
11. Newton Mak
12. Justin Ho
13. Adrian Wong
14. Emerald Shek
15. Kinsey Kang
16. Michael Lok
17. Peter Chiu
18. Prisca Cheung
19. Lareina Chan
20. Albert Chan
21. Fiona Chong

Deanna Law

Chairperson of the Special
Committee on Young Barristers

7 December 2015