

Mr. Chairman, Chief Justice, Former Chief Justice, Judges, Members of the Bar,

I am deeply indebted to you, Mr. Chairman, and to your members for the honour which the Bar Association has conferred upon me by granting me Honorary Life Membership. The fact that no stranger to the Association has been previously honoured in this way is an indication of how much this occasion means to you and for that very reason how much more it means to me.

I thank you also for your more than generous remarks. I shall take pleasure in repeating them to my wife who may now see me in a new and shining light.

Mr. Chairman, it is a long time since I was a member of the Bar. It was in 1951 that I was called to the Bar in Sydney, well before some of you present were even a gleam in your parents' eyes. And I left the Bar in a practical sense when I became Solicitor-General for Australia in 1964 and moved to Canberra. Despite the lapse of time, I still recall the excitement of my time at the Bar, particularly the early days.

There is nothing quite like life at the Bar. You are master of your own destiny and yet you are part of a dedicated community, united by common interests and the professional ideal of service to the client and society. Life as a Judge, even as Solicitor-General, is more lonely and isolated. The great virtues of judicial life are that there is no telephone on the Bench and there are no solicitors beating at your door.

I have lively recollections of life at the Bar, its camaraderie, its rivalry, its humour and all the gossip – most of it defamatory and much of it at the expense of the judges. Phillip Street in Sydney, the main location of the barristers' chambers, is, aptly known as “the street of tongues”.

I confess that, as a member of the Bar, particularly early on, I was more critical of judges than I am today. In those days I regarded every adverse decision and ruling as a gross affront to fundamental principles of justice. All the more so when I suspected, sometimes for good reason, that the judge or magistrate had decided the case in favour of my more senior opponent because he was presumed, on account of that seniority, to know more about the law than I did. It was a presumption entirely without foundation but one which later began to work in my favour.

I hasten to add, in case the Chief Justice should think that I am still critical of judges, that I am no longer so. Once I became a judge I took a more benign view of them, even those at whose hands I had previously suffered.

Mr. Chairman, the experience of sitting as a Judge here in Hong Kong has been priceless. I have greatly enjoyed working with the Judges of the CFA and wrestling with the arguments of counsel. It is remarkable how similar it has been to working on the High Court of Australia. The one substantial difference has been that the atmosphere here is more collegial and less

individual, with the result that here the focus of commentary is on the Court rather than its individual judges.

In Hong Kong the relationship between the Bench and the Bar is excellent, as it is in Australia. The quality of the work of the courts depends very much upon the quality of the work of the Bar, much more so than you may realise. Sir Owen Dixon, Australia's finest judge, was once reputed to have said in an off-hand remark "You can't expect too much of counsel. They may put in your possession of the facts in a shorter time than you would take yourself but that is all". I don't agree. I think that counsel can make a very great difference to the work of a court and the quality of its judgments and in one of his judgments Sir Owen made that point or one very similar to it and that, I think, reflected his real view.

In Hong Kong the Bar's role in supporting the rule of law, the role of the courts, and defending the independence of the Judiciary is of very great importance. That is another reason why I am gratified to be an Honorary Life Member of your Association.

So, in conclusion, Mr. Chairman, I thank you and your members and I look forward to a continuation of my enjoyable relationship with the Hong Kong Bar.

Sir Anthony Mason

16 February 2012