

Report of the Standing Committee on Young Barristers 2016

Introduction

The Standing Committee on Young Barristers (“YBC”), consisting of 20 members all within 7 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.

The Dragon Advocates

The Dragon Boating Team for the Hong Kong Bar Association named “the Dragon Advocates” achieved unprecedented results this year. On 9 June 2016, the Dragon Advocates participated in the Sun Life Stanley International Dragon Boat Championships 2016 and placed in the Gold Plate Finals for the first time. On 19 June 2016, the Dragon Advocates also participated in the RSCP Dragon Boat Race and came third amongst 7 teams. On 26 June 2016, the Dragon Advocates came first in the Legal Professional Cup organized by the Law Society.

We would like to thank Mr. Kelvin Tang, the Team Captain of the Dragon Advocates, for organizing water training sessions and leading regular land training sessions, as well as the paddlers of the team this year.

The International Weekend organized by the Junior Lawyers Division of the Law Society of England and Wales, the Young Barristers Committee of the Bar Council, the European Young Bar Association and the London Young Lawyers Group (London, United Kingdom)

On 22 to 25 September 2016, 3 members of the YBC, namely Deanna Law, Albert Chan and Fiona Chong, were sent on behalf of the Hong Kong Bar Association to attend the International Weekend 2016, an annual event organized by the Junior Lawyers Division of the Law Society of England and Wales, the Young Barristers Committee of the Bar Council, the European Young Bar Association and the London Young Lawyers Group. The Conference provides delegates with a mix of technical seminars, skills-based seminars, an overview of the legal system in England and Wales and an introduction to the City of London.

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. Other topics covered during the Conference included Brexit and cyber law.

While in London, the participating YBC members met with other junior lawyers from the UK, the USA and Europe and discussed differences between the lives and practices of the young Bar in Hong Kong and their counterparts in other countries. The YBC will follow up with the

contacts obtained from this Conference and to explore potential mutual exchanges in the future.

Guided Visit to Stanley Prison and Cape Collinson Correctional Institution

In the afternoon of 10 June 2016, the YBC held a Guided Visit to Stanley Prison and Cape Collinson Correctional Institution, giving young barristers a glimpse into the realities of these two facilities. This visit was the first of its kind offered to young members of the Hong Kong Bar Association.

Participating members first visited Stanley Prison (a maximum security institution) where they experienced the chill of daily life behind bars. YBs visited the cells of different security levels and were introduced to the different jobs given to inmates, which ranged from the manufacture of leather boots to graphic design of posters. Before leaving, the YBs were treated to a taste from the prison's kitchen menu.

The YBs then moved on to the Cape Collinson Correctional Institution, where male young offenders underwent correctional training in the form of both educational and vocational classes. Whilst there, inmates engaged in a presentation of what they learned in their educational courses. Notably, participants were told that one inmate had a stellar performance in his public examination in mathematics. The YBs were also introduced to the vocational training offered, which included hair-cutting, electrical work, and basic cooking.

We are very grateful that the Correctional Services Department (CSD) has been very kind in agreeing to provide our YBs an inside-look at the correctional facilities and a greater understanding of the criminal justice system in Hong Kong. Notwithstanding that access to these facilities is highly restricted, the CSD was able to accommodate 25 YBs on the Visit on a first come first served basis. As the number of responses far-exceeded the 25-person limit and the feed-back from those on the Visit has been enthusiastic, we look forward to re-organizing the YBC Prison Visit again in the near future for our YBs.

Guided Visit to the Hong Kong Court of Final Appeal

On 2 September 2016, the YBC organized a guided visit to the Hong Kong Court of Final Appeal. 35 members (the upper limit set by the Judiciary) were able to participate in the visit. This visit was the first of its kind offered to young members of the Hong Kong Bar Association.

Attendees were able to visit the courtrooms, the library, and various halls in the Court of Final Appeal. Towards the end of the visit, attendees also had the privilege of speaking with The Honourable Chief Justice Geoffrey Ma.

We would like to express our gratitude to the Judiciary for agreeing to and leading such a memorable guided visit. Attendees enjoyed themselves immensely and learnt much about the history and current practice of the Court of Final Appeal. The number of responses far exceeded the 35-person limit and the YBC is also looking into organizing another visit to the Court of Final Appeal.

Welcome Sessions for Pupils

L16, Hong Kong Park, on 5 May 2016

This year, the YBC hosted a pupils' drinks event on 5 May 2016, at L16 Cafe and Bar, Hong Kong Park. The event was once again able to attract a good number of pupil barristers, as well as other members of varying seniority. Around 50 members signed up before the event, and an additional 20 turned up during the evening.

It was decided to continue the theme of "Welcome to the Bar", as the event took place during the 'admission season' and once again provided an informal opportunity for members to welcome, as well as to interact with, those who have recently been called. Indeed, we were told that whilst it is not easy for members of different seniority (and different Chambers) to get to know the newly-admitted batch of pupils, it is equally rare for all the pupils to get together (except during ALEs). Overall, it was a very enjoyable evening and we certainly hope to continue the event (in a similar format) next year.

Plat du Jour, Pacific Place, on 7 September 2016

In light of the very positive turn out at the various events organised by the YBC in 2015 and 2016, an additional event was held in September 2016 to coincide with the timing of new pupils beginning their pupillages in September.

These events have provided opportunities for pupils and young barristers to converse with other members of the Bar, including more senior members, in a casual and relaxed atmosphere. The YBC has received very positive feedback from various members that they hoped for more casual events organised by the YBC to achieve similar purposes.

The event at Plat du Jour was a great success, with over 65 pupils and members attending.

Christmas Drinks 2016

The YBC's annual Christmas Drinks was held at the China Club on 7 December 2016. Even though the event fell on a weekday, over 130 guests attended the gathering. We were most honoured that The Right Honourable Lord Hoffmann, the Chief Justice, Judges from the Hong Kong Court of Final Appeal, the High Court, District Court, various Senior Counsel and members of the Bar attended the event.

Like last year, the event aimed to mark the beginning of the holiday season and provide an opportunity for members of the Bar of various levels of seniority and the Judiciary to get together. We thank all guests who have taken their time out of their busy schedules to attend the drinks this year.

World Bar Conference

The World Bar Conference was held from 14 April 2016 to 16 April 2016 at the National Museum of Scotland in Edinburgh. The theme for the Conference was "The independent referral Bar: retrospective and perspective".

The Conference brings together members of various independent Bars of the International Council of Advocates and Barristers for a programme of seminars and various social events, with the aim of enhancing the practice of referral advocacy around the world.

The Conference offered an opportunity to reflect upon the changes in practice and circumstances, with an eye to the future of the independent Bar.

Speakers included the heads of independent referral Bars from around the world, distinguished judges and practitioners from England and Wales, Zimbabwe, Northern Ireland, Australia, South Africa, New Zealand and Scotland.

The YBC sent 2 members of the Executive Committee of the YBC to join the Conference, namely, Lareina Chan and Fiona Chong. This provided a valuable opportunity for YBs to observe how their counterparts in different jurisdictions cope with challenges at the junior Bar, and how they position themselves to gain further business opportunities in this increasingly competitive profession, within the context of this increasingly technology-focused world.

Besides our 2 YBC members, over 10 other senior and junior members of the Hong Kong Bar also attended the Conference, including the Chairman, Winnie Tam S.C. The attendance of the Conference as a larger group was particularly fruitful for promoting the Hong Kong Bar.

YCPG Networking Party

The Young Coalition Professional Group ("YCPG") held a joint professional networking party on 30th June 2016 to provide a platform for members of 11 different professional bodies to meet, network and interact.

There were altogether 12 members from the HKBA participating in this event and it was a wonderful opportunity, especially for junior members, to share ideas with and learn more about the professional lives of people with medical, construction and business background. The YBC will continue to co-operate with the YCPG in enhancing the welfare of young members within the profession.

Law School Talks

The YBC held a career talk for law students from the City University of Hong Kong on 21 September 2016. A similar event was held at the University of Hong Kong on 10 November 2016. Students from the LLB, JD and PCLL programmes were all invited. Both talks have resulted in a good turnout.

Participants were split into small groups of around 5 to 9 students. This allowed students to have the opportunity to more directly engage with the YBC members who attended. During the course of the talks, YBC members moved around different groups so that students could hear from YBC members who had different experiences in securing pupillage and tenancy, and practised in different areas of law.

It is expected that a similar talk for students at the Chinese University of Hong Kong will be held in early 2016.

YBC Talk by the Chief Magistrate, Mr. Clement Lee

On 1 December 2016, the YBC organized a talk on procedures and practical tips in the Magistracies.

The YBC was thrilled to report that over 80 members attended the event. The focus of the talk was on what is expected of practitioners during mention, PTR and trial, starting a Magistracy appeal and recent changes to sentencing practice following *HKSAR v Ngo Van Nam* CACC 418/2014 (unrep) (2 September 2016) and *HKSAR v Abdou Maikido Abdoukarim* CACC 327/2015 (unrep) (2 September 2016). 3 sets of handouts were prepared by Mr. Clement Lee and given to attendees.

We wish to take this opportunity to sincerely thank Mr. Clement Lee for his time and dedication to this event. Attendees benefited tremendously from his guidance and sharing.

HKBA Debating Competition 2016

A passion for debating often provides the spark for a career as a legal advocate. The annual Debating Competition, now in its 12th year, aims to nurture just that. 32 schools from across Hong Kong sent in their debating teams to participate in the tournament, divided into English and Chinese divisions.

As with previous years, the debate motions revolved around socio-legal issues. Debaters sank their teeth into topical issues concerning retirement protection, copyright law and the Internet, and interaction between the PRC and HK jurisdictions.

In order maximize participation, and also to encourage participation from different levels, restrictions as to the grade and choice of team members were relaxed. Debaters from all different grades were therefore allowed to participate, and team members could be substituted flexibly rather than having the same designated members represent a team for each round of the competition.

After 3 rounds of intense debating, 2 teams each for the English and Chinese divisions respectively emerged as the finalists. The motion for the Grand Finals was “This House believes that court proceedings in Hong Kong which are open to public should be broadcasted on television”. This issue has been debated extensively in other common law jurisdictions, and it was perhaps time for ours to consider it as well.

The English Grand Finals was adjudicated by the Honourable Chief Justice Ma and the Honourable Mr. Justice Chow, while the Chinese Grand Finals was adjudicated by the Chief Magistrate, Mr. Lee Hing-nin, Clement and the Chief District Judge, His Honour Judge Poon.

To take the experience one step further, for the second time the Grand Finals this year took place in an actual courtroom in the High Court, on 21st May 2016. As before, this was widely welcomed by all the schools, who relished the chance to simulate what it was like to appear in real court.

This year’s English Grand Finals was especially exciting, since it was the incumbent champion, St. Paul’s Convent School, defending their seat against a challenger. The results

were close, but unfortunately there could only be 1 champion. Impressively, St. Paul's Co-educational College emerged as victor of both the Chinese and English division respectively. Big congratulations to both its debating teams!

The success of the tournament would not have been possible without the dedicated help from all the adjudicators and helpers, in particular the committee members of the Law Association of the University of Hong Kong, and all the judges, counsels and pupils who selflessly gave up their Saturdays to help in the event. We would like to use this opportunity to express our heartfelt gratitude for all their time and efforts.

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 20 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 2016-2017

1. Deanna Law (Chairman)
2. Hugh Kam (Vice Chairman)
3. Carol Wong (Vice Chairman)
4. Lareina Chan (Secretary)
5. Fiona Chong (Treasurer)
6. Tanie Toh
7. Alan Lo
8. Adrian Wong
9. Emerald Shek
10. Robert Chan
11. Kinsey Yanan Kang
12. Ernest C.Y. Ng
13. Justin Ho
14. Kerby Lau
15. Ryan Law
16. Albert Chan
17. Prisca Cheung
18. Peter Chiu
19. Michael Lok
20. Sabrina Leung

Deanna Law
Chairperson, Standing Committee on Young Barristers

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