

**SPEECH OF MR C M CHAN
PRESIDENT OF THE LAW SOCIETY OF HONG KONG
AT THE CEREMONIAL OPENING OF THE LEGAL YEAR 2022
24 JANUARY 2022**



Good afternoon, Chief Justice, Secretary for Justice, Chairman of the Hong Kong Bar Association, Members of the Judiciary, Members of the Legal Profession, Distinguished Guests, Ladies and Gentlemen,

25th Anniversary

1. It is a great privilege to me to have the opportunity to speak to you at this year's Ceremonial Opening of the Legal Year. This year is particularly memorable, because it marks the 25th Anniversary of the establishment of the Hong Kong Special Administrative Region since 1997.
2. It is thus timely for us to reflect on the development of our profession over the years.

Development of the legal profession

3. The Law Society of Hong Kong is the professional body of the solicitors' branch of the profession and this year will be the 115th anniversary of its establishment in 1907.
4. Our membership has almost tripled from around 4,500 Hong Kong solicitors in 1997 to about 12,800 at the end of 2021. For foreign lawyers, the number

has more than tripled from about 450 coming from 17 jurisdictions in 1997 to nearly 1,500 from 34 jurisdictions in 2021.

5. Hong Kong's open door policy has successfully attracted legal talent from around the world, enriching the diversity of Hong Kong's legal services market.
6. The steady growth of Hong Kong solicitors and foreign lawyers is also evident of the increasing demand of legal services to support the city's rapid development as an international legal service and dispute resolution hub.

Strength of the legal and judicial systems in upholding the rule of law

7. Apart from the support provided by an abundance of local and international legal practitioners offering a wide range of professional legal services to meet multi-jurisdictional needs, the success of Hong Kong as a world class legal and dispute resolution service hub is also attributable to the strength of Hong Kong to uphold the rule of law.
8. Compared to 1998, Hong Kong advanced its percentile rank for rule of law in the World Bank's Worldwide Governance Indicators from 82.5 to 91.8 in 2020. Further, in the 2021 Rule of Law Index of the World Justice Project, Hong Kong ranked 19th across 139 jurisdictions.
9. Such achievement is particularly impressive considering the increasing challenges to the rule of law.
10. In recent years, the city has been repeatedly confronted with open defiance of law and order, intimidation against judges and legal practitioners, abusive graffiti against named judges, life threatening calls and mail to judicial officers, impulsive and unsound public criticisms of court judgments as well as political interferences in the independence of the legal profession and the criminal justice system.
11. These incidents attempted to improperly influence the independent decision-making process of judges, tarnish the global reputation of Hong Kong's robust legal and judicial systems and isolate the city from the long-standing support by eminent senior judges around the world who serve as non-permanent judges ("NPJs") in Hong Kong's Court of Final Appeal ("CFA").
12. The positive side effect of these attempts is that their failure has highlighted the strength of our legal and judicial systems and reinforced our confidence in their staunch ability to uphold the rule of law and to carry on their proper functions under "One Country Two Systems" in accordance with the Basic Law.
13. The participation of overseas NPJs in our final appellate court is an important avenue through which the Hong Kong Judiciary draws on foreign experience and develops Hong Kong's own jurisprudence. Having overseas judges on

the CFA also demonstrates diversity and inclusion. The fact that Hong Kong is able to attract eminent foreign judges is also an acknowledgement of the CFA's stature in the international legal community.

14. It is reassuring to note that during the past year, six NPJs from other common law jurisdictions, including the former Chief Justices of Australia and Canada respectively and two former Presidents of the UK Supreme Court, have shown their support and confidence in the Hong Kong Judiciary by extending their term of office for another three years.

Self-regulatory profession

15. An independent legal profession is fundamental to the maintenance of the rule of law. The steady development of a strong and independent solicitors' profession in Hong Kong is largely attributable to its well-established self-regulatory regime.
16. Self-regulation is vital in buttressing the independence that lawyers need to fulfil their professional and legal roles.
17. An important pre-requisite with respect to a self-regulatory regime is the demonstration of the profession's ability to uphold the credibility of the regime. The fact that the Hong Kong solicitors' profession is allowed to shoulder the responsibility of regulating itself speaks volumes about its high standards and the trust that the profession commands in society.
18. Our current regulatory system is an effective and balanced regime and there is no case for any fundamental change. The well-established regime benefits with appropriate involvement of other stakeholders, like the Judiciary and the Legislative Council in vetting the legislative framework within which the profession exercises its self-regulatory functions, as well as the public through their membership on the Solicitors Disciplinary Tribunal Panel.

Maintain highest standards

19. The practice of law in Hong Kong is a highly regulated profession because lawyers play an important role in society in protecting the lawful rights of clients and in facilitating access to justice.
20. As the regulatory body of the solicitors' profession, the Law Society is vigilant in ensuring solicitors' compliance with professional practice requirements. In the past decade between 2012 and 2021, the Law Society has exercised its statutory powers pursuant to the Legal Practitioners Ordinance to intervene in the practices of 25 law firms. Although this involved a very tiny fraction of the solicitors' profession considering that there are over 940 Hong Kong law firms, the Law Society takes a serious view of the situation and has formed a Steering Committee to conduct an overall review aiming to enhance its compliance role and functions.

Forward looking

21. The COVID-19 pandemic has brought unprecedented challenges to every walk of life. We are blessed that the legal sector has demonstrated exceptional agility in adapting to changes to their practice to tackle the disruptions caused by the pandemic. The Law Society has been taking proactive actions to assist the profession in these challenging times by, for instance, initiating the Legal Talent Recruitment Scheme (Trainee Solicitors) and securing government funding (with the assistance of the Department of Justice) to facilitate the recruitment of trainee solicitors to retain talent within the legal sector and to ensure that the required manpower resources are in place when the market picks up.
22. Unfortunately, the pandemic situation is still fluid, but let us stay united in our fight against the virus and be hopeful that the battle will be over soon.
23. Looking forward, opportunities arising from the National 14th Five-Year Plan and national development plans such as the Greater Bay Area development and the Belt and Road Initiative present immense potential for market expansion for the legal sector. The first batch of dually qualified Hong Kong and Greater Bay Area lawyers are undergoing practical training currently. Once in practice, their clientele may expand to the entire Greater Bay Area. Those aspiring to bring their legal practice to the next level will find many opportunities open to them in Hong Kong.
24. On this note, I wish everyone a fulfilling 2022. Please stay safe and healthy. Thank you.