



**SPEECH OF MR RODEN TONG  
PRESIDENT OF THE LAW SOCIETY OF HONG KONG  
AT THE OPENING OF THE LEGAL YEAR 2025  
20 JANUARY 2025**

Good afternoon, Chief Justice, Secretary for Justice, Chairman of the Bar, Members of the Judiciary, Members of the Legal Profession, Distinguished Guests, both local and overseas, Ladies and Gentlemen,

1. The Ceremonial Opening of the Legal Year is the most important annual event for the legal profession.
2. May I first extend a warm welcome to all distinguished guests and express my gratitude to all those who have travelled long distances to support us.
3. I am immensely honoured to address you in my capacity as President of the Law Society for the first time.
4. In the inaugural speech of our first Chief Executive of the Hong Kong Special Administrative Region (“HKSAR”) on 1 July 1997, Mr Tung Chee Hwa said that “The resumption of sovereignty over Hong Kong under “One Country, Two Systems” is an ingenious and novel concept .....we, as one nation and one people, will implement the “One Country, Two Systems” concept; it is entirely within our prerogative to make it work.”.
5. Around that time, an international best-selling news magazine proclaimed on its cover "The Death of Hong Kong" with a conclusion that Hong Kong would lose its position as an international financial centre after the handover.
6. Looking back now after more than two and a half decades, although “One Country, Two Systems” faced many challenges, it has worked well.

7. Hong Kong ranked third globally, and first in the Asia-Pacific region, in the Global Financial Centres Index (GFCI) 36 Report jointly published in September 2024 by Z/Yen from the United Kingdom and the China Development Institute from Shenzhen.
8. The Basic Law of the HKSAR of the People's Republic of China ("Basic Law"), our constitutional document, has provided the constitutional basis upon which Hong Kong has continued to protect its capitalist system, as well as the way of life and the rights and freedoms of its residents.
9. With regard to the legal system, Hong Kong continues to be a common law jurisdiction under the principle of "One Country, Two Systems". The Basic Law expressly provides that the laws previously in force, including the common law, shall be maintained, except for any that contravene the Basic Law, and subject to any amendment by the legislature.
10. Judicial independence is expressly provided under Article 85 of the Basic Law and the common law continues to thrive.
11. President Xi has reassured time and again, and recently at the inauguration ceremony of the sixth-term administration of the Macao Special Administrative Region on 20 December 2024 that the policy of "One Country, Two Systems" is here to stay. President Xi has nevertheless noted that "One Country, Two Systems" has entered a new era.

### **New era, new role**

12. Under this new era, the legal profession, which forms the backbone of society, should reflect on its role and contribute its fair share in making the unique policy of "One Country Two Systems" shine even brighter than before.

### **Educate**

13. In recent years, geopolitics has intensified. Some parties have made unsubstantiated comments that seek to influence public opinion regarding our well-established systems, which can overshadow the realities of our governance.

14. Since assuming the presidency in June 2024, I have conducted official visits to various countries and cities, including the UK, Australia, and France. Throughout these discussions, Hong Kong has consistently been a focal point. While some comments arise from a genuine interest in the current situation in Hong Kong, it is regrettable that many remarks can be oversimplified and rooted in misconceptions, often shaped by incomplete or, at times, biased media coverage.
15. I call upon every member of our profession to take on, in this new era, an educating role, whenever a suitable opportunity arises, to correct misunderstandings of our governance systems reflected in some public commentaries.
16. Let me clarify, for instance, some serious misinformation regarding alleged unchecked executive power under “One Country, Two Systems”.
17. Under the Basic Law, the functions and powers of the executive authorities of the HKSAR are expressly provided in Article 62. Further, Article 64 of the Basic Law provides that the executive authorities must abide by the law and be accountable to the Legislative Council.
18. Where the executive authorities are alleged to have improperly acted beyond their legal power, there are legal procedures which aggrieved parties can adopt to seek remedies in accordance with the law.
19. Examples of legal procedures taken out to challenge executive actions and decisions are abundant in Hong Kong. Judgments of these legal challenges with detailed reasoning are all publicly accessible.
20. Another educational point that I would like to highlight is equality before the law, a core principle embodied in the rule of law as articulated in Article 25 of the Basic Law. Under this principle, all individuals who breach the law will face justice through our independent legal and judicial systems, regardless of their status. No one is above the law.
21. Our courts adjudicate impartially on the legal and factual issues involved in each case according to the law, regardless of the nature of the controversy or the parties involved. If a party is dissatisfied with a court’s ruling, there are legal avenues available, including the right to appeal. It is essential to remember that public commentary on cases currently under trial or appeal is inappropriate, as it

undermines the sub judice principle. Comments made with the intent to pressure judges to deliver a specific outcome blatantly distort the course of justice and are a direct affront to the rule of law.

### **Think Big**

22. Another aspect of the legal profession's role under this new era that can be enhanced is the scale and impact of its work.
23. Think Big.
24. Under "One Country, Two Systems", HKSAR is the only common law jurisdiction in China, and the only English-Chinese bilingual jurisdiction in the world. Hong Kong lawyers, proficient in both languages, play the role of "super connectors" between their Mainland and international clients. Coupled with extensive international experience, familiarity with global standards, and an expansive global network, we adeptly address complex legal challenges.
25. With these distinctive advantages, the legal profession possesses all the necessary qualities to think big.
26. As part of China, we benefit from an expansive Mainland market, while simultaneously being a globally recognized international financial and legal service hub with extensive connections worldwide.
27. Hong Kong has been enjoying preferential treatment to gain greater access to the Mainland market under the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA).
28. On the business level, Hong Kong legal professionals provide the necessary legal support to help Mainland enterprises expand outside China and foreign investors to tap into the vast potential of the Mainland market.
29. On a macro level, through collaboration with their counterparts in the Mainland and acting as navigators and advisors to Mainland's outbound investors, Hong Kong legal professionals are instrumental in accelerating the Mainland's integration with the world economy using Hong Kong as a springboard, enriching

the Mainland's foreign-related capabilities and aligning domestic governance standards with international standards.

30. In this way, not only can we make Two Systems work within One Country, we can also create impactful synergy between the Two Systems for the benefit of One Country.

### **Stay independent**

31. As the President of The Law Society of Hong Kong, I now wish to address the role of the Law Society in this new era.
32. The solicitors' profession in Hong Kong is a self-regulatory profession.
33. As the professional body for a self-regulatory profession, the Law Society deals with three aspects of regulation, namely admission to the solicitors' profession, legal practice as solicitors and discipline for professional misconduct.
34. Apart from these regular roles, I recognize that our additional responsibilities are becoming increasingly important in this new era.
35. Self-regulation is seen as vital to the maintenance of the independence of the profession.
36. The independence of the profession will give the public confidence that it can take an objective view and effectively uphold the rule of law. This is particularly important when our systems are under close scrutiny in the geopolitical climate and the Law Society will strive to preserve the profession's self-regulatory status.

### **Inspire and nurture**

37. The rapid advancements in technology continue to astound us, the latest being the power of generative artificial intelligence (AI), particularly for professions that rely on cognitive and linguistic skills like the legal profession.
38. I have often been asked whether law is still a career worth considering. As stated in the Law Society's Position Paper on "The Impact of Artificial Intelligence on the Legal Profession" issued in January 2024, AI will not

replace lawyers, it will only augment legal practice. It is imperative that we understand, apply, and ethically integrate this technology while managing its associated risks.

39. While much attention has been placed on AI these days, I wish to highlight another equally important aspect under this new era. My lifelong passion has always been to raise awareness of the uniqueness of legal practice under “One Country, Two Systems” and to help nurture a new generation of legal professionals who appreciate the differences of the two co-existing systems and are therefore able to leverage the strengths and contain the limitations.
40. I believe cultivating this cadre of “super connectors” through educational programs and professional exchanges is an important long-term strategy. The Law Society has organised many youth activities facilitating exchanges and interaction between the two jurisdictions to deepen mutual understanding of areas where the two can complement each other to create greater impact.
41. During my recent duty visit to the UK in October 2024 for the Opening Legal Year, I had the privilege of hosting a sharing session with the Economic and Trade Office. It was inspiring to meet students studying abroad who expressed their commitment to returning to Hong Kong to practise law after their studies. This enthusiasm is a testament to the enduring spirit of “One Country, Two Systems,” as these future legal professionals are eager to contribute to our unique legal landscape and help bridge our systems with the world. Together, we can nurture a vibrant legal community that not only upholds our values but also inspires the next generation to reach new heights.
42. Being one of the safest cities in the world, Hong Kong has long been distinguished by its citizens’ profound respect for and love of the law. According to the World Justice Project Rule of Law Index 2024, out of 142 jurisdictions, Hong Kong ranks 9<sup>th</sup> for Order and Security reflecting how well a society ensures the safety of persons and property and 16<sup>th</sup> for Regulatory Enforcement, which assesses the fairness and effectiveness of regulations.
43. The legal profession plays a vital role in supporting the fair administration of justice and upholding the rule of law. Not only are lawyers legally trained but also, as Sir Thomas Bingham said, “*It is required of lawyers practising in this country that they should discharge their professional duties with integrity, probity and*

*complete trustworthiness*<sup>1</sup>. I was deeply moved when I recently witnessed the solemn oath sworn at the admission ceremony by our new members, who committing to conduct themselves in the practice of solicitor, according to the best of their knowledge and ability. The public holds high expectations for the legal profession, and I am confident that we can live up to that expectation.

44. The implementation of “One Country Two Systems” in accordance with the Basic Law has enabled Hong Kong to continue to flourish, enjoying unwavering support under “One Country” and the unique advantage of maintaining its common law tradition and existing way of life under “Two Systems”.
45. We should be proud. Let us strive to bring it to a new height. Thank you.

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<sup>1</sup> Bolton v Law Society [1994]1WLR 512