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FAREWELL SITTING FOR THE CHIEF JUSTICE

16 July 2010

(Speech by Huen Wong, President of The Law Society of Hong Kong)

Chief Justice, Secretary for Justice, my Lords, ladies and gentlemen,

This is a historic occasion and I am very honoured to be a part of it.

By now, you have heard many citations of the Chief Justice's past contributions to the bench, to the legal profession and to the community. I apologise if there are repetitions, but I feel obliged to highlight, on this memorable occasion, some of the distinguished achievements the Chief Justice has made.

International recognition

The Chief Justice took over in an era of uncertainty. He faced an unprecedented task of being the guardian angel of Hong Kong's judicial system under the new constitutional concept of "one country, two systems".

For the first time, Hong Kong has its own Court of Final Appeal. The Chief Justice quickly saw the need to establish the Court of Final Appeal on a firm footing right from the beginning. With his ability to secure appointment of prominent justices from the Commonwealth countries to sit as non-permanent judges of the Court delivering high quality judgments, the Chief Justice enabled the Court to gradually earn itself recognition and credibility within the common law world and build up an international reputation.

The Chief Justice fearlessly safeguards the independence of the judiciary. It is to his credit that after more than a decade since the Reunification, public confidence in the judiciary and the rule of law remains high. All agree that the Chief Justice has certainly been a forthright and courageous judge in a very unique jurisdiction.

The presence this morning of so many distinguished guests is proof beyond reasonable doubt of the high regard in which your Lordship is held.

Judicial system - CJR

A much quoted saying goes: “*Justice which is not affordable or delayed will amount to a denial of justice.*” On the basis of this principle, the Chief Justice embarked on a transformation of the legal landscape to ensure that all citizens have access to justice at reasonable cost and speed. The Civil Justice Reform was the culmination of strong determination and years of effort of a dedicated team under the leadership of the Chief Justice.

Administration of the Judiciary

The Chief Justice’s achievements are not only confined to the administration of justice, they also extend to the administration of the Judiciary.

To give practical assistance to judges dealing with matters relating to judicial conduct, the Judiciary published a Guide to Judicial Conduct in 2004.

The management and service quality of the Judiciary have evidently improved. The Registries in the Lands Tribunal and the Small Claims Tribunal, the Bailiff Section, the Registries and Support Services of the Magistrates Courts have all obtained ISO 9001:2000 certification for many years.

With all his achievements, the Chief Justice is rightly held in the highest esteem not only in Hong Kong SAR but throughout the People’s Republic of China and internationally. Your Lordship has succeeded in instilling confidence in our judicial system. This is evident by your being recognised as one of the ten most trusted people in Hong Kong early this year.

Retirement

Your departure from this Court, my Lord, will mean that you will have more time for your many interests outside this Court.

Modeling on the Chief Justice’s visionary thinking, I venture to be forward looking – into the days of his long and happy retirement:

- (a) We all know your Lordship’s passion for good food. Your good friends all laugh about your first question at any social gathering – that is “Has anyone discovered any good restaurant lately?”. Chief Justice, on the first day of your retirement, you may wish to try out this fantastic new restaurant somewhere in Yau Ma Tei.

Please make sure we have your e-mail address so that we can send you the name and address and the dishes we highly recommend.

- (b) Your strong leadership as the Chief Justice in the uncharted territory of “one country two systems” is enlightening. Your tireless effort in mentoring the new entrants of the legal profession and breeding the highest professional qualities are admirable.

Upon your retirement, I understand that you may go back to breeding again, but obviously of a different kind. May I wish that you achieve the same level of satisfaction in breeding pedigree horses!

- (c) Chief Justice, you have been highly successful in maintaining the international reputation of Hong Kong by upholding the rule of law and the independence of the judiciary.

You are well known as an experienced trail walker. Perhaps you may continue to promote the international reputation of Hong Kong upon your retirement by sharing your wonderful hiking experiences in the beautifully maintained hiking trails and country parks in Hong Kong.

You will no doubt have plenty of different choices - happy trail walking!

- (d) Your family must have always longed to have a bigger share of your time in between your busy work schedule. They must be very pleased as you will now be able to give them more time which they well deserve.

This reminds me that His Lordship does not always practise what he preaches. Despite his firm belief in the importance of impartiality, at the wedding of his younger daughter, His Lordship made a speech in which he recalled many things about his daughter's childhood, his final advice to his son-in-law was "Just say yes to all the things she asks for".

Most of us may be more familiar with the solemn side of His Lordship in the course of our work and practice. Yet, I find His Lordship's quick and gentle wit more unforgettable. I have heard that at the annual dinner of the Hong Kong Journalist Association, the Chief Justice was asked for his views on "free speech" and it was reported that he replied, "*I fully support it, I never charge anything for my speeches.*". During the dinner, he made everyone laugh when he spoke of freedom of speech and commented that the news articles in the press were "generally" accurate and unfortunately, "generally" which is "一般" in Cantonese can also mean "not always".

- (e) Apart from the above, should you be dedicating your time to the worthwhile cause of enhancing coordination of pro bono legal services after your retirement, you can rest assured that the Law Society is well positioned to support your efforts. The Law Society's Pro Bono Committee focuses on building a structured framework for coordinating the pro bono efforts by solicitors.

Chief Justice, we are all indebted to your 13 years of invaluable contribution and service to the Bench, to the legal profession and to the people of Hong Kong. Your commitment to your job, your intellect, independence, impartiality, humanity, past experience in the law and in life, courtesy, compassion, wisdom and humour will be sadly missed. On behalf of all members of the Law Society, I wish you a long, fulfilling and satisfying retirement!