

From Learning to Earning

Successive generations of very capable lawyers the Legal Trainee Scheme has produced since 1994 have made me as proud as ever to advertise that I came from its first crop. Many, like me, continue with their chosen course in the government legal service, with some having since joined the bench. The solid foundation attributable to this well-devised (and, from time to time, suitably revised) programme allows at least as many to otherwise pursue a successful career down the road in private practice or academia. This means that, for those who may become Legal Trainee (Barristers), it will not be a leap in the dark for there are already droves who have been through it all before them.

My eight months *in toto* spent in the Civil and Prosecutions Divisions at the Department were short but substantial. At these stints, experienced mentors were ready and willing to impart their rich knowledge in both law and practice. They also showed me along the way how to survive the strains and stresses of professional life whether as a legal adviser or as an advocate for many years to come.

The public law litigation work I had the privilege to be engaged in with seasoned practitioners was important. Time has proved conclusively that the government has little shortage of them – I mean both the cases and the seasoned practitioners, from either there is plenty to learn. Public law cases are important not because they hit the news headlines, but because whatever their outcome, it is often through them that local jurisprudence of constitutional or human rights significance is developed. This does not mean, however, that there have ever been not enough private law claims which form the bread and butter of any civil practice to go round for pupils.

Two things had positioned me in good stead when I was later catapulted to prosecute on my feet under appropriate supervision at the magistrates' courts. The first was the chance to have been junior to some of the best advocates before various first instance and appellate courts. The second was the completion of the Criminal Advocacy Course which even to this day hallmarks what a world-class prosecution service can offer. Shortly thereafter, I had my first taste of a contested

trial against a silk before I was even qualified for full practice. It was no part of my brief to secure a conviction at all costs and, no doubt, the accused in that case was convicted because of the strength of the evidence rather than the parity of counsel's years of call. Each of us as prosecutors, whose role it is to be ministers of justice, are brought up ingrained with the mission to go about our task responsibly in the fair presentation of the prosecution case in respect of which there can be no compromise.

Bearing witness from the perspective of the bench did not fail to inspire me either. The very puisne judge whom I served for a full month as his marshal happens also to be a household name in the international dispute resolution community. I could not possibly have, at the time, imagined that I would still be tapping into his wise counsel just as I did well more than two decades ago when we later come across each other in the context of strengthening Hong Kong's status as a legal hub.

Serving the rest of my pupillage with a practising barrister opened the door for me to also network with my pupil master's previous, contemporaneous and subsequent chambermates as well as other pupils, many of whom have moved on, reaching the full spectrum of the legal sector (including the making and the teaching of the law). It also permitted me to look at things through the lenses of those of very different persuasions which is useful also when reflecting on what the law should be when reform is warranted.

The Department is like a large family within which there is always someone to turn to. Legal trainees are never left to sink or swim on their own. I must confess that the tutelage from which I benefited and the exposure I had under the scheme prepared me well for the opportunities which have come my way and whatever challenges that still lie ahead of me. To me, pupillage under this bespoke scheme is something to be enjoyed rather than endured.

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