

Report of the Special Committee on Code of Conduct

The Special Committee on Code of Conduct was re-established in 2006 with a view to drafting a new and more extensive Code of Conduct in a more user friendly format, which would provide greater guidance to junior members of the profession and which would seek to address issues raised by members with the Bar Council, as well as take cognizance of the development of the referral bar world wide and the need to meet the challenges faced by an independent bar in the years to come.

This task has been helped immeasurably by the wide range of skill and experience of committee members and thanks go to Michael Blanchflower, SC, Joseph Tse, SC, Lisa Wong, SC, Graham Harris and Bernard Mak for their continuing support.

The review has covered all aspects of the Code and has taken into account guidance on professional conduct provided in other common law jurisdictions as well as guidance provided to members of the Law Society of Hong Kong to ensure compatibility and to avoid confusion. With the advent of Civil Justice Reform, it may need further consideration and amendment to take into account the extended duties upon legal representatives eg in respect of statements of truth and the duty to advise the suitability of alternative dispute resolution.

A first draft of the revised code was available as a basis for further discussion by April of this year. It now falls to the Bar Council to take that revision into consideration when discussing the various issues which arise for individual consideration throughout the year. There are a number of matters currently under review including supplemental occupation; practice promotion and provision for the supervision of mediators.

A P Campbell-Moffat
Chairman
Special Committee on Code of Conduct

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