This letter began life as a December valediction to 2005. Publication problems mean that it takes on a new life as a missive heralding the New Year - the Chinese New Year that is. I still think an element of retrospection is called for, particularly as I have been re-elected as Chairman for another year.

When one year ends and another begins it is a time for retrospection and thinking on what might have been and what actually transpired. Time to think of the question put to a witness that was a question which blew up in a damaging answer and ruined your case. Time also to think about the penetrating submission that was full of legal acumen which, unfortunately you did not make but only thought about when trudging disconsolately back to chambers after yet another defeat. Time, above all, to speculate on the year ahead and wonder about what setbacks and disappointments the next year holds.

I cannot dispel personal tendencies to gloom and doom. I can only recommend therapeutic diversions such as a trip to Disneyland which will surely persuade you that there are worse things in life than facing a morose judge with a near hopeless case on a wet Monday morning. I can, however, attempt to lift the morale of the profession as a whole. I cannot say that there will not be difficult challenges ahead for the Bar but I can say that the Bar is well-equipped to handle those challenges when they arise. They include tackling the long overdue reforms to publicly-funded criminal work and dealing with the recommendations in a couple of Law Reform Commission reports which deal with hearsay evidence in criminal cases and conditional fees. It is also likely that we will have to deal with a rushed package of legislation to address the problems recently exposed by the lack of proper surveillance and telephone-tapping laws.

I say this with confidence because I have been impressed with the contribution that members of the Bar Council have made to the work of the Association. I have much to thank them and the members of the special committees that do a lot of the Council’s work behind the scenes. Their devotion needs acknowledgement. So too does the individual skills that members bring to bear on their tasks. I am confident that there is a reservoir of talent that successive Bar Councils can draw upon in years to come. I would ask members to write or speak to me or any future Chairman if they wish to volunteer their time and serve on a special committee that happens to deal with their individual interests.

I need also to say some words in praise of the Bar Secretariat. The Bar Association has grown slowly but surely over the past decade or so. There are now about nine hundred

Chairman’s Letter

主席的信
and fifty members. Meeting all their needs, particularly the needs of pupils and newly called barristers is quite a task. I need to thank Mandy Chong, the Administrator, for leading the administration team so well. Also, I have to thank Ka Wong for doing such a splendid job in running the ALE courses and finding the time to fit in a fearsomely concentrated advocacy training session in October 2005.

I see much work needed to be done on the recent Law Reform Commission report on conditional fees. Governments everywhere love to save money wherever possible and if they can do so by transferring the responsibility of funding public service to the private sector they will do so. The public service in question here is civil litigation presently funded by legal aid. The profession will be asked to bear part of the funding responsibility through conditional fees. I expect the Bar to approach the matter in its usual principled way and concentrate on the public interest and not narrow professional concerns. Where public interest and professional interests overlap though the Bar should be astute enough to point that out to the government and the public at large.

I hope that the Year of the Dog has started well for you all and that fortune favours you for the rest of the year. But remember what Louis Pasteur said, 'fortune favours only the prepared mind'.

Philip Dykes SC
February 2006

此信誕生於去年12月告別2005年之際，但由於印刷安排，變成一封迎接新一年來臨（即農曆新年）的信，又再獲予新生命。我認爲仍必須作一點點回顧，特別是因我再次獲選為新一屆公會主席。

一年之結亦是一年之始，正是回顧及思考過去一年可能發生及已發生之事的時候。此際是回想當向讀者提問或盤問時，突然引發出一個個不禮的答案而損毀了你的案情。亦是反思一次敗訴後回程途中為自己沒有將深思熟慮的精明法理一一表達在陳詞中而耿耿於懷的時候。又或是推想來年會有哪些不如意、令人失望之事的時候。

我無法消除個人的悲觀傾向，只能推薦一些有治療功效的消遣，如到迪士尼樂園遊樂，必定能令你覺得世上總有一些事，比在一個下雨的星期一早上就一宗近乎無勝訴機會的案件出庭，面對一個脾氣不大好的法官，相比更壞。但我可嘗試提高整個大律師專業的士氣。我不能說大律師專業的前路沒有艱鉅的挑戰，但當挑戰出現時，我能說我們都已具備足夠的能力應付。那些挑戰包括處理遲遲未有進行的法援刑事案件的改革，及法律改革委員會就刑事案件的傳聞證據及按條件收費所作的建議。我們很可能需要回應近年因欠缺合適的現行例法針對監察活動及竊聽電話進行監管而引起的問題，及為針對該些問題而倉促立法的方案。

我如此有信心是因香港大律師公會執委會委員對公會所作出的貢獻打動了我。我很感謝他們及各委員會委員為執委會在背後所做的一切。他們的貢獻應記一功。每位委員在處理他們的職務時的個人技能亦然。我有信心香港大律師公會人才濟濟，來屆的執委必能得益甚善。我邀請願意付出時間在個人感興趣的範圍內不同委員會服務的會員來信或直接聯絡我或來屆的公會主席。

我還必須讚揚香港大律師公會秘書處。公會於過去十年緩緩地平穩增長，現已有約九百五十名會員。迎合會員所需，特別是滿足實習大律師及剛剛獲認可的大律師的需要，實非易事。我要感謝本會行政幹事張文迪小姐及有關其他方的女方。我亦要感謝黃嘉俊先生，他能幹地推行高級法律進修課程及編配時間在去年十月份舉行了一個極度密習的試辨培訓環節。

我相信法律改革委員會最近有關按條件收費之報告將會帶來很多工作。每個政府也將愛在可行的情況下節省開支，如能夠將經營公共服務的責任轉至私人機構，他們必願意之。現受關注的公共服務是正值由法援支付的民事訴訟。法律專業人士將被要求在按條件收費的制度下承擔部份開支。我預期香港大律師公會將以其一貫做法，有原則地研究有關事宜，注重公眾利益而非大律師專業的私有利益。但當公眾利益及專業的私有利益重疊時，香港大律師公會應精明地向政府及普羅大眾指出該情況。

祝願你在狗年已有個好開始，在未來的月份裡萬事如意。但，請記著路易巴斯德（Louis Pasteur）一句話：「天助自助者」。

戴啓恩資深大律師
寫於二零零六年二月
In this Spring issue, the Editorial Committee will take readers through a journey in time on the Bar’s “Starlight Express”. Starting off with the Hong Kong Bar Association’s annual official visit to Beijing in November 2005, on which the delegation met numerous VIPs from the Mainland legal scene (Report of the Mainland Affairs Committee), we move on to the Bar Mess in January this year at which members were dazzled by the special appearance of Wong Yan Lung SC JP, Secretary for Justice, at this fraternity celebrating event (Feature on the Bar Mess).

As the Easter break draws near, not only the Hong Kong Bar, but our counterparts from around the world are poised for a big conference highlighting the many key issues characteristic of a referral bar. The Hong Kong Bar Association is very proud to host the World Bar Conference 2006 and our Vice Chairman, Rimsky Yuen SC, will tell us all about it.

Our Young Bar has been actively seeking out advocacy prodigy stars too. The Hong Kong Bar Association Debating Competition, now in its second year, has opened up opportunities for secondary school students to speak out for and against hot socio-legal topics and conversely for counsel, to get themselves enthused in “timed advocacy” (which they may not be too good at in court) by acting as adjudicators in the various rounds of competitions (Young Baristers Committee Feature).

In the previous issue, we promised a move towards lighter concerns. What best to signify this development but to launch a Food & Wine Column, not only to introduce special eating places (whether for their grandeur or simplicity or convenience), but to make recommendations for liquor and even to obtain special promotions and discounts for the Bar brotherhood. Do check out our “star-value savers”!

Cutting short a basketful of thanks (in anticipation of colourful Easter eggs) that is due to the Editorial team and the translation support we received from the Bar Secretariat, may I invite our readers, who must be impatiently wanting to finish this section, to sit back, relax and embark on the “Starlight Express” excursion with us: enjoy!

Jennifer Tsang
2006 began with the good news that the Bar Council resolved that there be no increase to the membership subscription and fees for the issuance of Practising Certificates. More heartening news followed as the Bar was able to negotiate a reduction in premium for professional indemnity insurance with our insurers.

The Annual General Meeting of the Hong Kong Bar Association was held on 19 January 2006 when business was transacted and completed in a record time of twelve minutes.

After a three-month trial run of the distribution of the Pamphlet and Complaint Form on "Lodging a Complaint against a Barrister", the Bar Council resolved on 23 March 2006 to formally launch the use of the materials in view of the benefit accrued in more efficiently and effectively dealing with complaints and the absence of any discernible increase of complaints made through the use of the Forms in the trial period. The Forms will only be obtainable from the Bar Secretariat although the Pamphlet can be downloaded from the Bar website.

In response to the gazetting of the Interception of Communications and Surveillance Bill in March 2006, the Hong Kong Bar Association prepared a Paper which was submitted to the Legislative Council and the Security Bureau on 24 March 2006.

The annual general meeting of the Hong Kong Bar Association was held on 19 January 2006 when business was transacted and completed in a record time of twelve minutes.

After a three-month trial run of the distribution of the Pamphlet and Complaint Form on "Lodging a Complaint against a Barrister", the Bar Council resolved on 23 March 2006 to formally launch the use of the materials in view of the benefit accrued in more efficiently and effectively dealing with complaints and the absence of any discernible increase of complaints made through the use of the Forms in the trial period. The Forms will only be obtainable from the Bar Secretariat although the Pamphlet can be downloaded from the Bar website.

In response to the gazetting of the Interception of Communications and Surveillance Bill in March 2006, the Hong Kong Bar Association prepared a Paper which was submitted to the Legislative Council and the Security Bureau on 24 March 2006.

二零零六年的開始即帶來喜訊，因香港大律師公會執委會通過維持會員會費及申請執業證書的費用不變，更令人振奮的是公會亦成功與保險經紀商議降本年度的專業責任保費。

香港大律師公會之會員週年大會於二零零六年一月十九日舉行，並查閱了會議時間記錄，在短短十二分鐘內已把各項議程處理妥當。

繼三個月前，香港大律師公會執委會試行推出「投訴大律師」的簡易小冊子及投訴表格後，執委會於二零零六年三月廿三日通過正式使用這些資料，小冊子可於本會網頁下載，但投訴表格必須於公會秘書處索取。法院決定將此措施有系統地使用這些資料，可更有效地處理公眾的投訴及在試用期內並沒有察覺到投訴個案因而不顯著的增幅。

為回應二零零六年三月份刊憲的《截獲通訊及監察條例草案》，香港大律師公會已於本年三月二十四日向立法會及公安局提交了意見書。
Visit to the Capital

The Bar Chairman led a delegation of 32 members of the Bar to Beijing from 14 to 17 November 2005. This was the seventh visit to the capital by the Hong Kong Bar Association since 1994. The delegation met with Mr Li Fei, the Vice-Chairman of the Legal Affairs Commission of the Standing Committee of the National People’s Congress, Mr Zhang Xiaoming, Vice Minister of the Hong Kong & Macao Affairs Office of the State Council, Mr Duan Zhengkun, Vice Minister of the Ministry of Justice, Mr Wang Songyou, Vice President of the Supreme People’s Court, Mr Yu Ning, President of the All China Lawyers Association (ACLA), and Professor Wang Zhenmin, Vice Dean of the School of Law of the Tsinghua University and other representatives of these organizations. The Bar was warmly received and implementation of further exchange and co-operation with these organizations had been mapped out. We were again honoured by the sumptuous banquets prepared for us by our hosts.

Kunming

The Beijing trip was followed by a visit between 17 to 20 November 2005 to the charming city of Kunming, Yunnan Province, a renowned golfers’ paradise with a population of some 50 minority groups in its neighbourhood. A delegation of 10 was led by the Bar Chairman and again warmly received by Mr Zhou Huchang, Deputy Director-General of the Yunnan Department of Justice and also Standing Vice-Chairman of the Yunnan Lawyers Association. Our short visit has brought about a very friendly exchange with Yunnan lawyers some of whom have already been conducting their practice in Hong Kong. It is anticipated that further cooperation with the Yunnan Lawyers Association will be in the pipeline soon.

Background

With the entry of China into the WTO in 2001 and Hong Kong’s closer economic relationship with China through CEPA, the Special Committee on Mainland Affairs ("the Committee") has in the past few years been actively promoting the profession as a specialist advocates profession in China. In the same period, there has also been a consistent increase of cross border civil and criminal practice. Granted Hong Kong’s long tradition and experience in both common law and international practice, and the specialist nature of the Bar, the Hong Kong Bar has long been well placed to offer citizens and enterprises on the Mainland that may face or are already facing challenges in their dealings either in Hong Kong or outside China the requisite legal expertise.

Review & Development

The visit to Beijing has witnessed a number of new developments and it is hoped that further progress may be fostered in Mainland relations :-

(a) the Bar was warmly received by the NPCSC Legal
Affairs Commission in exchanging its legal experience on Hong Kong law on private property rights, and a draft bill is now being circulated on the Mainland;

(b) the Bar has expressed to the Central Government its concern on some of the matters in the administration of justice that affect the legal profession in criminal legal aid;

(c) the Bar has been asked to provide detailed proposals to the Ministry of Justice on access of Hong Kong barristers to Hong Kong citizens being detained on the Mainland, in the presence of Mainland lawyers;

(d) the Bar will be expected to be consulted by the People's Supreme Court at a suitable juncture on the subject of mutual enforcement of civil and commercial judgments in Mainland China and Hong Kong;

(e) the Bar will be liaising closely with the ACLA to identify areas and forum where Hong Kong barristers may offer its expertise in specialist advocacy skills;

(f) the Bar has been asked to donate old law books to the School of Law of the Tsinghua University.

We hope these new developments will fill up the agenda for yet another busy year of the Committee, if not for many more years to come.

On this optimistic note we need to return to a realistic question: how could we achieve more in the future. While those matters that have been achieved and the profession's position in practising in China looks optimistic, I would draw attention to the problems ahead. Market situation associated with the progress of the rule of law in China is an obvious problem although it is gratifying to say that of the people both in the government and the profession we have met in China, we were impressed by their support, their quality and their insistence on the rule of law. How soon and if so how could our members practise in the courts of China, doing litigation work? How could barristers, together with our counterparts, visit Hong Kong citizens detained in China and deal with their affairs in Hong Kong? All these matters require more work, further discussions and negotiations. No doubt our resources are limited and China is large. Without support from our members, these questions could and would remain unanswered. Their advice would be most invaluable for the work of the Committee.

Andrew Mak
Chairman of Special Committee on Mainland Affairs

拜訪首都

公會主席在2005年11月14至17日率領由32位公會會員組成的代表團到訪北京，是香港大律師公會自1994年起第7次訪京。代表團見了全國人民代表大會常務委員會法制工作委員會副主任李飛、國務院港澳辦常務副主任張曉明、司法部副部長段正坤、最高人民法院副院長黃松有、中華全國律師協會會長於寧、清華大學法學院副院長王振民及相關機構的其他代表。公會代表團受到殷切款待並與有關機構接達進一步交流及合作的範圍。公會亦十分榮幸獲相關機構盛情款待。

昆明

緊接北京之行，公會代表訪問了雲南省首府昆明市。昆明四季如春，是著名的高爾夫球愛好者天堂，亦是50多個小數民族的聖居地。公會主席帶領30位公會會員訪問雲南，代表團榮獲雲南省司法廳副廳長及雲南省律師協會常務副會長的周樂昌先生熱情招待。在短短數天的旅程中，公會代表與雲南省律師進行了友善的交流，部份雲南省律師更在港有相關業務，我們期望在不久將來能與雲南省律師協會落實進一步的合作。

隨著中國於2001年加入世貿及透過《內地與香港關於建立更緊密經貿關係的安排》建立香港與內地更密切的經濟關係後，內地事務委員會在過去數年致力推廣大律師專業為訴訟專家。過去幾年涉及跨境民事及刑事執業數目亦持續上升。憑藉香港對處理普通法及國際法有着悠久的傳統及豐富的經驗，加上大律師的專業素質，大律師一直對協助內地市民或企業處理在港或國外貿易時可能或已面臨的難題佔有優勢。

北京之行見證了數項新發展，期望公會將來與內地能開展更緊密的關係。

（甲） 公會收到全國人民代表大會常務委員會法制工作委員會熱情款待，並就香港私有產業權的法例互相交流意見，內地現正修訂相關的條例草案.
（乙）公會亦向中央政府表達了對某些司法事宜的關注，此等事項對法律界處理法律援助刑事案件具影響。

（丙）司法部請公會就香港大律師在內地律師陪同下探訪被扣留在內地的香港市民一事提出詳細建議。

（丁）公會預期最高人民法院在適當時機會就內地及香港所頒布的民事及商業案件判決的相互執行諮詢公會意見。

（戊）公會將就香港大律師在內地能提供專業辯護技巧的範疇與中華全國律師協會作緊密磋商。

（己）公會將安排捐贈已用法律書籍予清華大學法學院。

我們深信這些新發展能為內地事務委員會立下未來年的工作大綱，並為委員會帶來忙碌的一年（或數年）。

樂觀之餘，需考慮一個實際問題：我們將來怎樣能取得更多。雖然公會在內地所達到的及大律師專業在內地執業的前景看似充滿希望，我需指出所要面對的問題。儘管我們能高興地說，在在內地政府官員及業界人士會面時，他們的質素及對法治的堅持均打動了我們，中國的市場環境及法治的發展顯然地是一個問題。公會會員何時及如何能中國法庭執業，處理訴訟工作的大律師如何能在內地同等一起探望在內地被拘留的港人，並處理他們在香港的事務？這些事宜需要進一步工作、討論及交涉。

無容置疑，公會資源有限，中國地大物博，沒有會員的支持，以上的問題可能將會無法解決。會員的意見對委員會而言最為無價。

麥萊成大律師
內地事務委員會主席
Friday the thirteenth is not usually regarded as an auspicious day, but 13th January 2006 which happened to be a Friday is more than a memorable and exciting day for the Hong Kong Bar Association. More than 275 barristers, judges and their guests packed the Hong Kong Club to celebrate the fraternity of the Bar: attending a Bar Mess in honour of one of their brethren, Wong Yan Lung SC JP, who has been appointed as Secretary for Justice of the HKSAR since October 2005.

Although many pretty ladies in dazzling evening gowns attempted to steal the limelight, none could outshine the jewel showcase as the Secretary for Justice gave a warm and inspiring speech when called upon (somewhat unexpectedly) by the Bar Chairman to address his brethren.

Yan Lung (if we may be permitted to address him affectionately) began by telling the audience how he had moved from a set of two men strong chambers to a huge department (the Department of Justice) and how the first twelve weeks of his office as Secretary for Justice had led him to meet more than he had met in the last twelve years. While reading the newspapers used to be a leisure activity, it had become a daily task and duty, together with reading a mountain of files. He assured us that as every day would bring something new, his personal horizon would be so much broadened too. Indeed, when often asked the question of whether he had second thoughts about the career move, Yan Lung unhesitatingly confirmed that he had never regretted taking up the appointment.

Yet, he missed the Bar, and very much so, particularly the fraternity and fellowship among its members. He recalled his pupillage days when senior members would voluntarily give up their time to coach and assist junior members with a case they had in hand. Yan Lung recounted the experience he had at the Dragon Boat Bar when the late Paul Dinan (though not his pupil master) missed dinner and spent three hours to analyse and go through a case he had just been briefed to do the following day. That was the first criminal brief Yan had ever had in his limited practice and was one on loan-sharking which he had not forgotten to this day.

On another occasion when Yan Lung was led by the late Mr Justice Ching, before the latter’s elevation to the bench, he remembered how he had been impressed by the enthusiasm demonstrated by Charles Ching QC, as he then was, for his work. What Ching PJ shared with Yan Lung, he now shares with us, “As a professional, consider it a privilege that your client has let you participate in the affairs of his life.” So Yan Lung exhorted all to enjoy our vocation.

The speeches were rounded off with a reminiscence of his days serving on the Bar Council and how together with his comrades, they had combated livelihood issues and advocated to uphold the Rule of Law. With the implementation of CEPA, the Secretary for Justice saw how his department’s and the Bar’s common interest would be served by opening up further avenues for barristers to enter the Mainland, whether for academic or professional exchange.

As the evening lingered on, more jokes were cracked, more flash photography lit the background and more glasses were raised: to proclaim the brotherhood of the Bar.

Jennifer Tsang

13號的星期五通常也不被認為是吉祥的日子，但二零零六年一月十三日星期五香港大律師公會而言卻是既難忘又令人興奮的一天。超過275名大律師、法官及他們的賓客擠身香港會慶賀同業的時刻：出席為二零零六年十月獲委任為香港特別行政區律政司司長的同僚，黃仁龍資深大律師，太平紳士而設的晚宴。

雖然晚宴上佳人們香氣中飄，惹來不少人的注目，但都比不上司長接受的公會主席即席講話，向同業發表發人深省的肺腑之言時，這顆明珠所散發的一時無兩的光芒。

仁龍（讓我們獲准親切地稱呼他）的肺腑之言分享他如何由一所只有兩人共事的大律師辦事處進入了一個龐大的機構（律政司），及在就任律政司司長後十二個星期以來他曾見過的人比過去十二年還多：講話時分享了一種樂趣，現今卻變得多了每天的工作與職責，還要翻閱堆積如山的文件，他深信不疑地道出每天所遇到的新事物不斷擴闊了他的眼界。事實上，每當被問及他在接受律政司司長之任命時有否猶豫，他總是毫不遲疑地確定自己從沒後悔。

儘管如此，他很懷念當大律師的日子，特別是公會會員們的手足之情。他回想當實習大律師的日子，資深的會員自願付出個人時間勵導及協助新晉會員處理他們的案件。仁龍憶述在龍船吧（Dragon Boat Bar）的往事，已故Paul Dinan先生雖然不是他的師傅，但也慷慨晚餐，花上一小時與他分析及研究他剛接受轉職第二在第二天要進行聆訊的案件。這是仁龍在具限定範圍執業後的首份刑事案件職務，其是一宗有關高利貸的案件，至今仍歷歷在目。

仁龍回想另有一次，就是在已故法官沈澄晉升為法官前，他跟隨當時還是資深大律師的沈澄先生處理案件，而他對工作的熱誠深深感染了仁龍。仁龍與我們分享這位後來成為終審法院常任法官的沈澄資深大律師與之分享的一句話：“作一個專業人士，你應為你的當事人讓你參與他生命中的經歷而感到榮幸。”因此，仁龍鼓勵各位敬業樂群。

最後，他以回憶服務公會執委會的日子，及如何與同僚就同事業生計事宜議論多端，維護法治，為講話作結。隨著《內地與香港關於建立更緊密經貿關係的安排》的施行，律政司司長期望能透過為大律師進一步拓闊內地法律市場，不論是學術或專業交流，迎合律政司及香港大律師的共同需要。

晩宴繼續進行，席間笑聲不絕，閃光燈此起彼落，鼓掌交錯，象徵著大律師同業間的友誼永存。

曾昭珍大律師
From left to right:

Philip Dykes SC, Chairman of the Hong Kong Bar Association presenting a silver platter to Mr. Wong Yan Lung SC, Jt. Secretary for Justice.

The Hon. Mr. Justice Stephen J., Michael Blanchflower SC, and Livingstone SC.

Clive Stanford SC, Vice-Chairman of the Hong Kong Bar Association and the Hon. Mr. Justice Hartmann J.
Elaine Liu, the Hon Mr Justice Ma, Chief Judge, High Court, the Hon Madam Justice Yuen M and Simon Leung.

从左至右：

Audrey Eu SC, the Hon Mr Justice Sim, William Fung, Jacqueline Leong SC and the Hon Mr Justice Ritha Pik at the Court of Final Appeal.

从左至右：

Joyce Leung, ShekWai Wong, Ambrose Ho SC and Alice Mok SC.

从左至右：

Professor Johannes Chan SC (Hon), Kwong-Chuen SC and Alan Leong SC.

从左至右：
The third World Conference of Advocates and Barristers ("WCB 2006") will be held in Hong Kong and Shanghai from 15 to 19 April 2006. The Hong Kong Bar Association has the honour of hosting the WCB 2006 and, on behalf of the Bar Council, I write to invite all our members to take part in this important event.

The WCB 2006 is organised by the International Council of Advocates and Barristers ("ICAB"), which is an organization formed by the Bar Associations in jurisdictions where there is a separate profession of an independent referral Bar. Its members are currently the Bar Associations of Australia, England and Wales, Hong Kong, the Republic of Ireland, New Zealand, Northern Ireland, Scotland, South Africa and Zimbabwe. The objects of ICAB include the promotion and maintenance of the rule of law and the effective administration of justice. It focuses on matters which are of particular relevance to the independent referral Bar worldwide, including: regulatory issues, better training for the profession and strengthening the independent Bar as a prerequisite to an independent judiciary.

The first World Conference of Advocates and Barristers was held in Edinburgh in June 2002, whilst the second one was held in Cape Town in April 2004. These previous two conferences proved to be huge successes, and each attracted extensive participation by barristers from the member jurisdictions and eminent international speakers.

WCB 2006 programmes in Hong Kong comprise social events, panel sessions as well as training sessions for the young Bar. The social events include the World Bar Conference Cup Race at the Shatin Racecourse, a Welcome Reception on the Peak and a Gala Dinner hosted by the Hong Kong Bar Association at Renaissance Harbour View Hotel. Panel Sessions will cover topics which are of importance to the Bar, namely: the roles of the attorney general in maintaining the rule of law; jurisdictions with more than one official language; conflicts and resolutions; public and private financing of litigation; the referral and the media; and the essence of a referral Bar. Without diminishing the importance of the other topics, the last topic regarding the essence of a referral Bar is of particular importance to our profession. Some of our counterparts in other jurisdictions are facing pressure to move towards a fused profession. Speakers of that session will examine the essence of a referral Bar and discuss the way ahead. For the young Bar, I would strongly recommend them to participate in the training sessions that will be held as part of the WCB 2006. A team of about 10 leading barristers from various jurisdictions with extensive training experience will provide in-depth training on analysis technique and handling witnesses in both civil and criminal cases. Not only will these sessions be of great educational value, they will provide a good opportunity for the young Bar to see how our counterparts in other jurisdictions handle cases.

The Information Session in Shanghai, on the other hand, aims at promoting a better understanding about the legal system and legal profession in China, with an emphasis on dispute resolution involving foreign investors and lawyers and also discussion on the roles and prospects of foreign lawyers in the legal services market in Mainland China.

On the whole, the WCB will be an excellent opportunity for meeting barristers from other jurisdictions. Look forward to seeing you at the WCB 2006.

Rimsy Yuen SC

第三屆世界大律師會議（“2006世大會”）將於二零零六年四月至五月之交在香港及上海舉行。香港大律師公會榮幸地獲主辦2006世大會。我謹代表香港大律師公會執委會邀請所有會員參與這個重要的會議。

2006世大會是由國際大律師公會（International Council of Advocates and Barristers）（“ICAB”）舉辦。ICAB是沿用獨立轉聘律師制度的司法區的大律師公會所組成。它目前的成員包括澳洲、英格蘭及威爾斯、香港、愛爾蘭共和國、新興國家及北愛爾蘭，蘇格蘭，南非和新巴布韋的大律師公會。ICAB的目的包括倡導及維護法治精神和有效地維持公義。它專注世界各地獨立轉聘律師相關的議題，包括：規管問題，為專業提供更好的培訓，以及鞏固大律師的獨立性，這些都是一個獨立司法體系的必要條件。

第一屆世大會在二零零二年六月於愛丁堡舉行，而第二屆則在二零零四年四月在開普敦舉行。該兩屆的會議均非常成功，每一屆都吸引到各會員地的大律師廣泛參與，以及國際上具聲望的講者主講。

2006世大會在香港的節目包括聯誼節目、講座環節和為新晉大律師而設的培訓環節。講座節目包括在沙田馬場舉行的世界大律師會議，由主辦單位的歡迎酒會，以及由香港大律師公會在麗都環球酒店宴請的晚宴。講座環節將涵蓋對大律師重要的議題，包括：律政司司長在維護法治精神所扮演的角色、於一般官方語言司法區相關的議題，使用公帑和私有款項支付公務，轉聘律師與媒體，和轉聘律師行業的要素。我無意減低他議題的重要性，但最後一個議題，即轉聘律師行業的要素對我們的專業特別重要。

在其他司法區的轉聘律師正面對轉為合併專業的壓力，該環節的講者會檢視轉聘律師的要素及作前瞻性的討論。我強烈推薦新晉律師參與2006世大會中的培訓環節。大約十位來自不同司法區具有豐富培訓經驗的頂尖大律師將就民訴和刑事訴訟案件中研究案件的技巧和處理案卷的技巧提供深入的培訓。這些環節不僅富有很大的教育價值，亦提供一個良好機會讓新晉大律師認識其他司法區的同業處理案件的技巧。

另一方面，在上海舉行的實務環節則以促進社會者對中國的法制及律師業的認知為目標。當中包括在華投資商及律師的解決糾紛的方法而討論外資律師在中國大陸法律服務市場所擔當的角色和前景。

總而言之，2006世大會提供一個極佳的機會與其他司法區的大律師會面。期待在2006世大會上與你見面。

袁國強資深大律師
The Special Committee on Secondary Schools Education Project continued running the "Rule of Law" Project for the fifth year in 2005, with a result that the Hong Kong Bar Association was able to visit a total of 13 secondary schools, reaching an audience of over 3700 students in the course of the year. Below are highlights of some of the visits:

By 中學法律教育計劃委員會籌劃的「法治精神推廣計劃」進入了第五個年頭。於二零零五年間，香港大律師公會一共到訪了十三所中學，接觸超過三千七百多學生。在此，我們把我其中一些精彩片段轉載下來：

Joseph Vaughan, centre, conducted a talk on "A Career at the Bar" together with Tim Wong, left, and Eugene Yim, right, at the Ahern Church Tong Hok Memorial College on 24 January 2005.

二零零五年正月廿四日，汪仁懷大律師（中）在榮華會楊拔頭紀念中學主講 <<大律師的職業>>，伍志高及洪展輝（左）和黃永民大律師（右）陪同。

Bernard Mok delivered a talk on "How the Law relates to our Daily Lives" to the students of P.K. Wavood K.T. Cheng Sixth Form College on 4 April 2005.

二零零五年四月六日，孟兆強大律師於張永康義學校附屬書院主講<<法治如何影響我們的日常生活>>。

Anthony Chan SC gave a Rule of Law talk at Carmel Bumun Tong Memorial Secondary School on 14 October 2005.

二零零五年十月十四日，陳卓賢資深大律師在長安隱覓中學主講<<法治精神>>。

Professor Johannes Chan SC (Hon) received a souvenir from Di Pong Tai Yiu, Principal of SHK All Saints Middle School, after giving a Rule of Law presentation on 21 October 2005.

二零零五年十月廿一日，陳文浩資深大律師在聖安會聖伯多祿學校主講<<法治精神>>後接受黎小寶博士贊助紀念品。

Alvin Lusong SC gave a Rule of Law talk at St. Marks School on 7 November 2005.

二零零五年十一月七日，盧耀賢資深大律師在聖馬可中學主講<<法治精神>>。

Kent Yee (2nd right) presented a talk on "How the Law relates to our Daily Lives" at Clementi Secondary School on 16 November 2005, together with Teresa Wu (center) and Daisy Yu (2nd left).

二零零五年十一月十六日，陜泰義大律師（右二）在文來志中學主講<<法治如何影響我們的日常生活>>。同行的還有魏惠賢大律師（中）和陜泰義及大律師（左二）。

Rimsky Yuen SC received a souvenir from Mr. Hui Wai Tin, Principal of Queen Elizabeth School Old Student's Association, after delivering a Rule of Law talk on 23 November 2005.

二零零五年十一月廿三日，袁國強資深大律師在伊利沙伯中學校友會中學主講<<法治精神>>後接受黃會賢校友會紀念品。

Jio Sow Tong SC gave a Rule of Law talk at St. Francis Xavier's School on 14 December 2005.

二零零五年十二月十四日，顧容諦資深大律師在聖方濟各中學主講<<法治精神>>。
The 2nd Hong Kong Bar Association Debating Competition drew to a close on 11 March 2006. This Competition was organized by the Young Barristers Committee ("YBC") with an aim to promote, amongst the younger generation, a greater understanding for the rule of law and awareness concerning socio-legal issues.

The issues for the motions of this year’s debate include: criminal liability of downloaders of BitTorrent, whether public health shall override basic human rights, justification for covert surveillance, legal protection on invasion of privacy by the media, sanctions for effective deterrence of domestic violence, restriction on contingency fees and the interpretation of the Basic Law by the Standing Committee of the National People’s Congress etc.

The YBC is most encouraged by the positive response from local secondary schools. After drawing lots due to over-subscription, 32 teams entered the respective Chinese and English sections of the Competition. The preliminary rounds of the Competition were held in October 2005, followed by the quarter-finals round in November 2005, the semi-finals round in February 2006, and the grand finals in March 2006. Altogether, 30 competitions were held.

The participants demonstrated their thorough research and good advocacy skills in the debate. They also demonstrated their ability to respond quickly and sensibly to the floor question and free debate sessions which were introduced this year. After several rounds of exciting competitions, the champions this year are St. Teresa Secondary School in the Chinese section and Heep Yunn School in the English section. St. Francis Canossian College and St. Joseph’s College are the first runner-ups in the Chinese and English section respectively.

Over 50 members of the Bar from various levels of seniority have kindly acted as adjudicators and chairmen of the Competition. In addition to the Bar Chairman, Mr Philip Dykes SC and Vice Chairman Mr Rimsky Yuen SC, we are most honoured to have two permanent Judges of the Court of Final Appeal, Mr Justice Bokhary and Mr Justice Chan, as well as Professor Johannes Chan SC and Mr Wilson Chow from the University of Hong Kong joining the panel of adjudicators for the grand finals of the debate. We sincerely thank them for their kind participation. We trust that the participants have benefited from the adjudicators’ valuable comments. We are also grateful for the generous support from the Faculty of Law of the University of Hong Kong for providing the venue for the event.

Positive and constructive feedbacks have been received from the participating schools and the adjudicators after the Competition. These will no doubt be taken into account when the YBC plan for the coming year’s competition.

Elaine Liu
YBC Chairman

第二屆香港大律師公會辯論比賽於二零零六年三月十一日完滿結束。這個由新晉大律師委員會舉辦之比賽的目的是為了推廣及提高年青一輩對法治精神及社會法理議題的進一步認識和關注。

今年辯論比賽的辯題涉及多個議題，其中包括：BitTorrent下 載者的刑事責任，公眾衛生應否凌駕於基本人權之上；使用隱蔽監察設備的合理性，對大眾傳媒侵犯個人私隱的法律保障，有效地壓制家庭暴力的制裁，對律師按條件收費的限制及全國人大常委委員會解釋基本法等。

新晉大律師委員會就本港中學生對這項比賽的積極反應深感鼓舞。由於參加學校眾多，經過抽籤後共有三十二支隊伍分別進入中文及英文組的比賽。經過二零零五年十月舉行的初賽，十一月舉行的準決賽，二零零六年二月舉行的準決賽和三月舉行的總決賽，一共進行了三十場賽事。

參賽者在這次辯論中皆表現出他們徹底的資料搜集和研究以及其優秀的辯論技巧。在台下我們目前年才引入的自由辯論環節中，他們都能作出迅速及合理的回應。經過幾回激烈的比賽，本屆的中文組冠軍為德蘭中學，而英文組冠軍為協恩中學，至於兩組別的亞軍分別為嘉諾撒聖芳濟各書院及聖若瑟英文書院。

在今次的比賽中，有大約五十位不同資歷的大律師熱切地幫忙擔任評判及主席。除了香港大律師公會主席戴啟思資深大律師及副主席袁國強資深大律師外，我們榮幸地邀請到兩位終審法院常任法官包柱金法官及陳兆岳法官，以及香港大學的陳文敏教授及周禮信先生擔任總決賽的評判團。

我們深切感謝他們是次參與。我們亦相信各評判對與參賽者的寶貴意見會使他們獲益良多。香港大學法律學院為今次比賽借出場地及其他的慷慨支持，亦使我們感激萬分。

我們從評判和參賽學校中皆收到正面及具建設性的反應。新晉大律師委員會在籌辦本年賽事時，必定會考慮這些意見。

廖玉玲大律師
新晉大律師委員會主席
The Chinese Banks' Association Ltd
5/F, South China Building
1 Wyndham Street
Central
Tel 2522 6692

8:30 on a Wednesday night. You are still stuck in chambers with last-minute preparation for tomorrow’s hearing. You’ve got a few loose ends to tie up, but you are feeling a little peckish. Where would you go to grab a decent quick bite in the middle of the night in Central? Here is a suggestion for you.

Although nominally a private members’ club, the Chinese Banks’ Association (like many other venues of its kind) has thrown its doors open to all customers for a number of years. Located above Jimmy’s Kitchen, the restaurant serves a full range of hearty home-made style Cantonese dishes (in addition to dim sum at lunchtime).

We were impressed from the start. The Marinated Ginger and Preserved Eggs ($15) delivered just the right tangy flavour from the ginger and melt-in-your-mouth tenderness of velvety egg yolk. Our second dish, Stuffed Baked Conch in French Style ($38) was served in a whole conch shell filled with minced mushrooms, prawns, pork and conch. The spicy white sauce and mouth-watering aroma made this our favourite appetizer of the evening.

For entrees we had the Fried Lotus Root Cake with Salted Fish ($55), a traditional Cantonese favourite which combined a strong flavour and crunchy texture but could benefit from blending in more lotus root. The gourmets agreed that the Crispy Fried Chicken was a bit off the mark, but for the price ($68) it was worth a try. Saving the best for last, the Sizzling Lettuce in Shrimp Paste Hotpot ($42) is one of the ‘must-tries’ of this restaurant. Served in a red-hot clay pot, crispy, succulent lettuce leaves took on the rich tangy ocean flavours of dried shrimp. This signature tai pai dong style dish is guaranteed to keep you warm on a cold winter’s night!

We would not be doing justice to this review (or ourselves!) if we omitted the noteworthy Red Ginger and Preserved Egg Pastry ($39 for 6)! This warm, gingery dessert exceeded all our expectations.

This establishment is still one of the best-kept culinary secrets of Central, so reservations are not normally required. At dinner time, there are usually more waiters than occupied tables, and service is efficient. For the same reason the place tends to be quiet but don’t expect a cozy dining experience! And the good news is that customers are welcome to bring their own bottles at a modest corkage charge of only $20 per bottle. There is no service charge. Overall, this outlet is excellent value for money.
Food: ★★★★★
Price: ★★★★★ (Credit cards only)
Service: ★★★★★
Overall: ★★★★★
Special comment: Recommended for longevity!

WINE

Dr Loosen Wehlener Sonnenheur Riesling Spätlese 2004
Best drunk as a dessert wine or with desserts, this German Riesling is relatively low in alcohol content. It exhibits a pale limey colour, with notes of apricots, vanilla and melon. Medium finish. Drink now. $238 from local cellar.

Ch. Beaulieu Comtes des Tastes 2002 Bordeaux Supérieur
One of Robert Parker’s favourite Bordeaux Supériors, this wine comes from a vineyard of limestone, clay, sandy, and gravelly soils. A blend of 65% Merlot, 25% Cabernet Sauvignon, and 10% Cabernet Franc, it exhibits a ruby colour and an appealing ripe nose. It possesses a medium body and reveals remarkably rich cherry and plum flavours which improve an hour or so after opening. Easy-going with a smooth albeit short to medium finish, this bottle represents good value for money.

"STAR-VALUE SAVER"
$198 (net) from Wine Buff Fine Wines, 1228 Queen’s Road East, Wan Chai (Tel: 2127 7560). This outlet offers 10% discount to all members of the Hong Kong Bar Association upon presentation of a Bar membership card.

CW Ling & Martin Wong

吊味的咸魚成了「主味」蓋過了脆脆的鮮味。不過嗜咸的朋友大概不會介意。

再來是脆皮金沙雞($68)。大概是用了冰凍雞的緣故吧，雞味並不突出，無甚驚喜，但亦可算皮脆肉滑，不太油膩。

下來是一道麻辣小菜 - 嚐嚐蝦鐺煲($42)。脫穿了這道蝦鐺網友稱之為「黃」，與新鮮爽口的生菜相配相配，再加上蝦鐺的濃香，風味一流，實為首選推介。

再下一道.....不能再上熱炒了！甜品卻是不容不點的！我們要了一客豆乳酪($39六件)。應該是由於甜品有質感吧，豆乳十分香口，堅果得十分有水準，不太甜，有少許薑味，不油膩。以子薑皮及豆腐，以豆乳作結亦算首尾相應吧。

總結而言，華頂會所不失為平日中韓區晚飯好去處。晚市客人數量並不多，可能由於並不太多人知道這去處吧。所以待應可以從容應付每位客人，服務有效率，環境頗安靜但不算太舒適。自釀酒水要收取20元一支的開瓶費，不過不收加一，所以都符合經濟實惠原則。

食物: ★★★★★
價格: ★★★★★ (只接收信用卡)
服務: ★★★★★
整體: ★★★★★
小貼士: 處理長輩或晚飯推介！

品酒

Dr. Loosen Wehlener Sonnenheur Riesling Spätlese 2004
這一支德國「黃司令」屬低酒精為甜度之作，壓著甜品當作甜品酒。酒色呈淡黃色，入口有杏子、茉莉花及蜜瓜味。無需貯存，隨時享用。（$238）

Ch. Beaulieu Comtes des Tastes 2002 Bordeaux Supérieur
酒評家Robert Parker其中一支推崇的波爾多佳釀。此酒來自含有石灰石、黏土、沙土及礦石的種植地。配調了65%的Merlot、25%的Cabernet Sauvignon和10%的Cabernet Franc，此釀呈深色香，香草芳醇、口感中度及有濃郁的果味，開瓶呼吸約一小時後果味更濃。此類平易飲但回韻難長，總體而言，物有所值。

「會員星級優惠」
$198（折後） - Wine Buff Fine Wines，灣仔皇后大道東1228
（電話：2127 7560）
香港大律師公會會員出示會員証享9折優惠

凌振威大律師及王永愷大律師