

Interview with The Honourable Mr Justice Patrick Chan Siu-oi, GBM

13 June 2025, The Court of Final Appeal Building

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Q: What initially inspired you to pursue a law degree?

PC: My family background was quite ordinary, and my father passed away early, so I had already entered the workforce for two or three years after graduating from secondary school. However, I personally believed that the prevailing trend in modern society made it necessary to acquire a professional qualification. Fortunately, my elder brother had completed his studies and entered the workforce by that time, affording me the opportunity and leeway to return to school to pursue a professional degree.

I considered several options, including accounting and social work, as I had a strong inclination toward helping others and engaging in the education sector. In fact, law was not my primary choice at the time, given that the legal discipline was a nascent field; its inaugural cohort only commenced in 1969. When I applied, the law school had not yet attained faculty status and was merely a department within the Faculty of Social Sciences.

The admissions system back then was starkly different from today's. Both social work and accounting adopted a broad-based admissions approach. In other words, students were not required to declare a major in their first year and would only specialize in their second year. Having a reasonable aptitude for numbers, I had consistently intended to read accounting. At the time, I had also applied for law concurrently. By sheer coincidence, the law department's interview was scheduled earlier and they subsequently admitted me. It was under such serendipitous circumstances that my legal career began.

The interview examiner at the time was Mr. Bernard Downey. In preparing for the interview, I surmised that one inevitable question would be why I wished to study law. Realizing that providing a standardized answer would fail to distinguish me from other candidates, I stated that I aspired to become a judge. He was profoundly astonished by this response and pressed me on why I harboured such an ambition despite the lack of family background and relevant exposure.

I believe this unexpected strategy proved effective and led to my admission. Interestingly, I did not firmly hold this conviction in my heart at the time. It was merely a strategic manoeuvre for the interview. Ultimately, however, I did become a judge, and he also joined the judiciary as a District Court Judge. We arrived at the same destination through different paths.

Nevertheless, I have never truly forgotten my aspiration for social work. During the early stages of my practice, I continuously endeavoured to contribute to the social welfare sector by designing a course for the Department of Social Work at the University of Hong Kong

(HKU) concerning the law related to social work. Consequently, I took up the mantle of teaching for over thirty years. I observed that the Department of Social Work at the time lacked dedicated teaching staff to lecture on legal matters. A lecturer from the Law Faculty, Mr. Leonard Pegg, would only teach for a day or two. The students thus acquired merely a superficial understanding of family law, such as the concept of divorce.

Considering this situation far from ideal, I was motivated to design a dedicated course for them during my private practice and early judicial career. I held the conviction that social workers required an adequate grasp of the law. This course was offered at HKU for three years and subsequently at the Chinese University of Hong Kong (CUHK) for over thirty years. I took all the way to drive to CUHK to deliver lectures. Later, I also participated in the publication process of their dissertations. However, following my elevation to the High Court, my demanding official duties precluded me from teaching the entire course.

I was therefore compelled to enlist the assistance of several colleagues within the judiciary, each delivering one or two lectures. To this day, the Department of Social Work at CUHK remains exceptionally proud of its legal training for students. At the time, the prevailing stereotype within the social work sector assumed that social workers primarily operated within the government, thereby minimizing the requisite emphasis on legal knowledge. I considered this paradigm unsatisfactory. Numerous legal disciplines are intricately linked with social work. For instance, I invited family court judges to lecture on family law, and relevant judges to elucidate the concept of judicial review.

Having identified appropriate judges to undertake these specialized teaching duties, I gradually phased out my involvement in the course. Following the pandemic, the course has been autonomously managed by the faculty members of the Department of Social Work, though it remains predicated upon the pedagogical blueprint I originally designed. I possess a profound interest in social work. Had the chronological sequence of my university interviews been reversed, it is highly probable that I would have become a social worker. Naturally, the social work profession was not yet fully professionalized at that juncture, and I was inclined to major in accounting. Of course, the choice between accounting and social work probably would have been deferred until the second year of university.

Q: Where did you attend secondary school?

PC: Wah Yan College, Hong Kong, which is a Jesuit school. I actually entertained the thought of becoming a priest, but subsequently abandoned the idea due to my family's financial constraints.

Q: Prior to returning to school to study law, what type of work were you engaged in?

PC: I worked at the then Royal Observatory for two to three years. I had previously studied science, and the work at the Observatory was quite fascinating. They would also sponsor us for training in the United Kingdom. However, due to the requirement for night shifts, my mother was not particularly fond of it.

In fact, many students in the inaugural cohorts of the law department were mature students, having several years of working experience under their belts. Some had already studied in the Faculty of Arts for a few years, while others had already completed their first undergraduate degree. This is fundamentally different from the status quo. I recall that some classmates were even a year or two my senior.

Q: In what year did you enter university to read law?

PC: 1971, which was the third cohort. The first cohort was in 1969.

Q: Were you able to select different law electives at that time?

PC: It was a three-year curriculum at the time, and adhering to the English system, there were no electives. In the first year, four or five papers were compulsory, and the first-year results were not factored into the final honour classifications. The second-year curriculum included a dissertation requirement.

Jurisprudence was a compulsory subject, and every student was completely bewildered. It was taught by Justice Robert Ribeiro. I still recall that one tutorial was taught by William Stone, who subsequently became a High Court Judge. When we attended his tutorials, we were largely struggling to grasp the content. Consequently, I would frequently prepare for the simpler questions on the tutorial worksheet in advance and volunteer to answer them right at the outset. Later, when the discussion shifted to more sophisticated issues, the tutor would typically not call upon students who had already spoken. Even if the tutor specifically directed a question to me, I could formulate my response by building upon the answers of others. It was quite intriguing back then. Although there were five subjects in the first year, what truly mattered was the ten subjects across the second and third years. However, many students failed their examinations and were required to sit for supplementary exams.

Failing two subjects resulted in discontinuation, which was incredibly daunting. Thus, there was a prevailing myth at the time that one of the students sitting next to you in the first year would inevitably disappear later on. In truth, this was not merely an unfounded rumour. By the third year, our cohort size had visibly diminished. The attrition rate was even more pronounced during the fourth year in the PCLL (Postgraduate Certificate in Laws) program. Of course, a segment of the cohort opted not to take PCLL in Hong Kong, as they took the route to qualify as barristers in the UK. Consequently, from an initial cohort of over forty, only about half remained in the fourth year. The gender ratio at that time was one to

two; the number of female students substantially exceeded that of male students, and the women were exceptionally brilliant.

Q: Did you have a particular interest in any specific legal subjects at the time?

PC: Actually, I enjoyed nearly all the subjects. I only disliked a few of them, such as Jurisprudence, simply because it was exceedingly abstruse. There was also Property Law and Trust Law. This was primarily because Professor Evans, who taught them, was not that serious. Since he is no longer with us, I might as well speak candidly. Occasionally, he would arrive without having prepared for the lecture.

He would simply take out a banknote and explain that this was a Bill of Exchange, a Promissory Note—the bank’s promises to pay. It was blatantly obvious to everyone that he had not prepared his lessons. In our second year, there was a lecturer teaching Trust Law. He would expound upon highly complex UK Supreme Court cases.

While the underlying issues were indeed intricate, stemming from the convoluted UK taxation system and involving substantial sums, he completely disregarded the fact that we were merely second-year students. He would directly ask us to compare two Supreme Court cases. It was out of our depth, and I could only lower my head in silence, after which he would reprimand us. For this reason, we were not fond of his classes. Evidence Law was similarly complex, encompassing various categories of evidence.

To make things worse, we were required to study Property Law and Evidence Law simultaneously in our second year, which added insult to injury. Consequently, many students were forced to withdraw after the second year. The Rule of Perpetuities, for instance, was truly confusing. We simply had no idea where to begin. However, as things progressed, everyone gradually mastered the techniques for studying law. Luckily, we were studying Criminal Law at the same time during the second year. It provides us with some fascinating cases, which somewhat revitalized everyone's spirits.

Q: Did you experience any struggle when choosing between becoming a barrister or a solicitor?

PC: At the time, I frequently vacillated over whether to pursue the path of a solicitor or a barrister. Without a guiding light at home, as my father having passed away and my mother not comprehending the underlying factors, the decision was challenging.

Fortuitously, in my fourth year doing PCLL, I encountered Professor Willoughby, who recognized my competence. His wife was a solicitor, and her firm happened to be recruiting. He suggested that I should apply for an interview, and I was swiftly hired. Thus, while I was still agonizing over my future path, I already possessed a traineeship contract with rather lucrative terms, offering a monthly salary of approximately 1,500 dollars, which I accepted without hesitation.

The culture back then differed from today's. We did not have a tradition of internships. The summer holidays were purely for recreation or taking up part time jobs, and we would only begin worrying about our careers post-graduation. Before I had even graduated, my future was already secured; all that remained was to study diligently and commence work at the firm afterwards. That firm was Wilkinson & Grist (W&G), which, due to the then dominance of female staff, was colloquially dubbed "Women & Girls".

I worked in the litigation department, and everything proceeded smoothly. It entailed extensive legal research. Yet, I began to doubt whether this was suitable for my long-term career development. By chance, I met my senior from secondary school, Patrick Yu, who inspired me to change my career trajectory. Ultimately, after serving 10 months as an articled clerk, I decided to start anew as a pupil barrister. People often ask me if I regret squandering those 10 months, but I have never harboured any regrets.

When I announced my resignation, my superior, Ian McCallum, was astounded. He rated me highly, as I was instrumental in assisting with various matters. He stated that if I were transferring to another solicitors' firm, he would unequivocally object, as it would constitute a breach of the articles of clerkship. However, since my move was to become a barrister, he would respect my decision.

During my pupillage, I encountered yet another twist of fate. Generally, one only needed to undergo a one-year pupillage, and after the first six months, one could engage in limited practice. In reality, limited practice held little substantive meaning, as we were still fundamentally in a state of observation and learning. Coincidentally, my pupil master had a case collaborating with a London Silk named Michael Sherard QC. I conducted some legal research for them. I think he took a liking to my work, he invited me to serve pupillage under him in the UK after the case concluded.

However, according to the regulations, the time spent serving pupillage in the UK would not be credited toward the mandatory one-year pupillage required in Hong Kong. Nevertheless, lacking significant financial pressure at home, I decided to travel to England for my studies. Consequently, my pupillage extended to a total of two years. Originally, my pupillage in the UK was scheduled for merely six months. However, I coincidentally met a senior alumnus in the UK who introduced me to his pupil master, prompting me to extend my pupillage there to continue observing and learning.

Therefore, although I nominally qualified as a barrister in 1976, it was not until December 1977 that I genuinely commenced my legal practice. I was likely to be the first HKU graduate to travel to England to extend my pupillage. I later heard that Benjamin Yu SC undertook a similar arrangement. It goes without saying that many people from Hong Kong directly were called to the English Bar.

Q: Did you have any distinct experiences during your pupillage in the UK? How did it contrast with your pupillage in Hong Kong?

PC: Naturally, as both jurisdictions operate under the common law system, there were manifold commonalities. For instance, within the criminal courts, even during jury trials, proceedings were conducted with profound rationality and decorum, starkly contrasting the dramatic fireworks often depicted in legal cinema. I predominantly observed numerous civil cases, notably within the Chancery Division.

I recall one particular hearing attended by many barristers. The English courts place significant emphasis on seniority. The order of speaking is dictated by seniority rather than the sequence of the parties in the case. As it happened, the subject matter of the hearing did not align with my master's primary area of expertise. Consequently, he had to think on his feet, meticulously observing and digesting the submissions of the senior barristers who spoke before him.

When his turn arrived, he was thus able to deliver a steady and robust performance without appearing disadvantaged. My master in the UK frequently instructed me to spend ample time in court observing others, learning what ought to be done and what must be avoided. On one hand, one must discern the strategic nuances underpinning others' submissions. On the other hand, one must glean lessons from their mistakes.

In a nutshell, I learnt a lot from my pupillage. Even from my tenure as an articulated clerk in a solicitors' firm, I acquired practical knowledge, such as how to execute an injunction and numerous logistical considerations. For example, serving a document is something a typical barrister might only comprehend theoretically from a textbook, lacking practical experience or awareness of the underlying operational mechanics and tangible difficulties, such as individuals deliberately denying their identity and refusing to accept service.

Similarly, regarding the issue of costs, a typical barrister might assume that following a substantive victory or defeat in a case, their duty is fulfilled. Yet, costs are effectively the "bread and butter" for solicitors. For instance, during the taxation of costs, certain legal executives can be quite cunning. Upon recovering costs from the losing party following a victory, they might not necessarily account for them to their own client. The client remains oblivious to this process, and many barristers might not comprehend it either. Certain solicitors and clerks exploit this opacity.

Precisely because I possess relevant practical experience, I comprehend these underlying mechanics. Learning this might have been an arduous process. Sometimes, we have to learn it in the hard way, but the benefits endure for a lifetime.

Q: How was your relationship with your pupil masters in Hong Kong or the UK at that time? Did they offer you guidance or impart any specific teachings?

PC: On the very first day, Patrick Yu told me: "I don't know any law. You are a fresh university graduate. You should know the law more than I do. You tell me what the law is and I will go and fight."

Initially, I felt bewildered, considering I had been away from law school for some time and had served as an articled clerk for a year. However, I quickly apprehended his expectations. He would expeditiously impart his broad take to me, and I would subsequently conduct the research to substantiate his points. I would proactively identify cases of referential value and compile a synopsis for his consideration. Our working dynamic essentially involved my executing meticulous research on legal issues to facilitate his preparation.

Conversely, the UK model predominantly involved observational learning from the sidelines, where my master instructed me extensively on court etiquette. While the statutory provisions in the UK and Hong Kong naturally diverge, many of the insights I gleaned have proven continuously beneficial throughout my life. Undeniably, had I not extended my pupillage, I would have accrued an additional year's earnings. However, we ought not to be myopic. We must focus on long-term benefits.

This perspective was also salient when I later joined the judiciary. I was appointed as a District Judge in 1987. Although I had qualified as a barrister in 1976, my actual post-qualification experience amounted to merely nine years and ten months. While my ascent appeared meteoric, it was inherently a double-edged sword. The legal profession profoundly values substantive capability and seniority.

If one lacks genuine prowess, he or she would be ridiculed behind-the-scenes. Hence, one must expend even greater effort to convince others through demonstrable competence. Currently, ten years of experience are requisite to become a Magistrate, yet I attained the position of District Judge in less than a decade. While we are now in a different time, this accelerated career progression possessed both advantages and detriments. Given my relative dearth of experience, I was compelled to compensate for my deficiencies with strenuous efforts. This is analogous to how some barristers apply for silk after a little over ten years of practice, whereas others may require more than two decades.

My most indelible experience was in 1992, shortly after my appointment as a High Court Judge. I presided over an exceptionally complex tax case featuring a stellar lineup of barristers, including a London Silk. Cognizant of my relatively junior standing, he persistently probed and challenged my boundaries during his submissions. I was aware that numerous barristers would gossip about judges in the robing room. To employ an English idiom I learned from them: *I can breathe down his neck*, implying that the judge would implicitly give in to his directives and accept his arguments unquestioningly. Ultimately, I did not yield an inch, and my decision was affirmed on appeal.

I am not engaging in self-aggrandizement. I merely wish to illustrate that every ounce of effort must be self-directed. Success is not predicated upon fortune but is revealed over time through sustained perseverance. To quote my pupil master: winning a lawsuit is 80% contingent upon hard work, 10% on the opponent's blunders, and the remaining 10% on luck. Even someone as seasoned as my pupil master possessed such an acute realization. Legal litigation intrinsically entails victories and defeats, ultimately hinging upon the substantive merits of the case. However, you can still lose a good case if you don't work hard enough.

Q: In your nine-odd years of private practice, did you develop any particular insights on case preparation?

PC: I can share one lesson my master taught me: you should be the person in the courtroom who understands the case best. Outcomes are difficult to predict, but you should be the person most thoroughly conversant with the case. It must not be your opponent. Indeed, even the judge may be regarded as "half an adversary". Hence your preparation work must be extremely thorough and cannot be deficient in any way.

Another technique is to cultivate the capacity to think from the other side's perspective. Even if your preparation appears flawless, you must learn to set aside your own standpoint and test the case as though you were your opponent. Through that exercise, you will identify where your position is strongest and also uncover the other side's vulnerabilities. In doing so, you also come to see your own weaknesses. Putting yourself into the shoes of the other side, your opponent's strongest point is your weakest point. Keeping this in mind, you would know both your own case and your opponent's case. I have found this to be an exceptionally useful lesson from my pupil master.

This is because everyone has blind spots: at times you may think you have everything under control, yet the strategy you have devised may not be workable. For that reason, preparation is crucial—80% is arguably still insufficient. It may take 90%.

Q: Preparation can be bifurcated into two aspects: research into the law and mastering the facts of the case. How do you believe one should allocate time between these two?

PC: For the most part, cases are decided on the facts. However, when a case reaches the appellate courts, there tends to be a greater proportion of legal issues requiring discussion. Cases may be decided on the point of law. When barristers prepare a case, they often must grapple with factual issues, yet the facts and the law are inextricably intertwined. One cannot isolate the facts from the law.

Because facts represent events that have already transpired, if you possess a profound familiarity with the law, you will recognize that a specific factual matrix can, under certain circumstances, give rise to a particular legal argument. Therefore, the chronological

primacy between the two is sometimes ambiguous. It is hard to tell which comes first. Occasionally, you apprehend the legal issues from the outset. At other times, it is only after mastering the facts that you discover the scenario engenders relevant legal questions. Consequently, it is exceedingly difficult to draw a definitive boundary.

However, I believe our legal education may overemphasize legal principles. As such, students may not genuinely appreciate the paramount importance of facts in practice. What you must consider is how to go for what is in the best interest of your client, while simultaneously understanding that certain statutory provisions may not genuinely apply to the practical realities. Many legal practitioners harbour the view that academia can sometimes be detached from reality.

Conversely, every proposition inherently contains vulnerabilities. Therefore, when writing a commentary in an academic journal, you might contend that a judgment is erroneous because its reasoning contains a loophole. If there were no loopholes whatsoever, the common law would cease to progress. Furthermore, a judge might apply certain laws to the unique facts of a case, and you might remain oblivious to this context because not all the facts are exhaustively canvassed in the case or the judgment. Thus, your analytical perspective and the judge's perspective may not align. Both sides come from different perspectives.

Q: You accepted a judicial appointment relatively early in your career, which inevitably entailed sacrificing a substantial income from private practice. Did you experience any struggle?

PC: Of course, there were struggles. Yet, it did not pertain to financial matters. This was a divine arrangement, potentially rooted in my Catholic faith.

A few years into my practice, it was the 1980s and 90s, the era of the Handover, specifically around the time of the Sino-British Joint Declaration. Several of my contemporaries opted to migrate to Canada, including one with whom I was particularly close. On one occasion, he asked me if I had considered emigrating. I also discussed this question with others as well. He asked if I harboured no concerns whatsoever regarding Hong Kong's future. My conviction at the time was that the Handover was a foregone conclusion. Yet my friend chose to depart Hong Kong.

Admittedly, I had moments of hesitation, but I have always believed that no government in the world is dictated purely by political ideology. It is analogous to asking whether the Democratic Party truly wholly represents democracy, or if the Republican Party truly represents republicanism. The names of political parties are mere labels. The utmost importance lies in their manifesto and their actual practices. My rationale at the time was that I did not believe the Cultural Revolution would happen again. It was a hard lesson learned by the Communist Party. They would not permit such events to repeat, nor would

they import the practices of the Cultural Revolution to Hong Kong. I did not believe that history would repeat itself in Hong Kong.

Ultimately, I resolved not to emigrate. The primary rationale was not merely a confidence in Hong Kong's future, but rather a profound sense of mission toward Hong Kong as my hometown. My train of thought was as follows. If I choose to leave like my outgoing friends, who will remain to guard Hong Kong? If everyone chooses to depart, Hong Kong's new legal system will collapse on its own due to fear, because there will be no one left to sustain it. We were all highly successful barristers at the time. They were unwilling to stay and unwilling to fight for their own system; how could it function if no one remained? Therefore, I decided not to emigrate. As for whether this was right or wrong, you can disagree with me politically or whatever, but once I made this decision, I began to ponder: if I want to defend the system, what is the best career move? I consider that the best thing is to be a judge. I can do justice. I can defend the system better than the lawyers.

Thus, I resolved to serve as a judge xxx. Let friends leave if they wish. You can say I'm high-sounding, maybe naïve. But those were my personal convictions. I kept these thoughts to myself. I did not discuss these with my family, as they were not lawyers and our perspectives differed. I thought to myself, if I want to defend the system, the best thing I can do is to keep myself away from politics since I am a judge. If I choose to be a judge, I can ignore politics and simply fulfil my duties to the best of my ability. That was how I reached my decision.

It was precisely the period of the localization of the judiciary. They initially invited me to serve as a Magistrate, but I was not particularly fond of criminal cases. My inclination was strongly toward civil practice. I had not undertaken much criminal work, and the system back then differed somewhat from the present. Subsequently, they invited me to serve as a Deputy District Judge, so I spent six weeks of my summer vacation in District Court instead of taking a holiday. After serving for six weeks, they deemed my performance satisfactory. Approximately half a year later, they encouraged me to apply. Ultimately, I got appointed.

In truth, not everyone had the opportunity to apply. They would naturally assess you first, letting you serve for six weeks to gauge the quality of your judgments, observe your work performance, and solicit feedback from your peers regarding your reputation. Among the newly appointed local judges at that time, I was actually the most junior one. Because I had previously served as an articled clerk and had also extended my pupillage, in retrospect, all of this seemed like a divine arrangement.

At that time, there were multiple District Courts. For example, the Victoria District Court was located at the Old Supreme Court building in Battery Path, with others situated in Wan Chai and Sha Tin. Most individuals would select a location convenient to them, with the majority preferring Wan Chai or Central. Yet I did not express any preference. I was happy with whichever court they sent me to. Consequently, they posted me to the Tsuen Wan

District Court. It housed numerous Magistrates' Courts but only two District Courts—one presided over by a senior judge, and the other by me.

Everyone advised me to apply for a transfer back to the urban areas, as Tsuen Wan lacked good dining options. I would typically walk briskly to the Tsuen Wan Town Hall because they offered a set lunch. Occasionally, I would visit a nearby Chinese restaurant across the street for dim sum. However, it was exceptionally crowded, sometimes I had to share a table with others since no reservations were required. I would sometimes dine there.

The staff and patrons at that restaurant had no idea that I was a serving judge. Eventually, however, I dared not return. The senior judge once recounted to us that during his lunch break at the restaurant, he overheard someone nearby remarking: "That foolish judge just now, he actually believed my nonsense!" Because he wore a wig in court, people did not recognize him as a judge on the street. Upon hearing this anecdote, I became highly reluctant to appear there.

In reality, wherever one goes, it is the work of administering justice. In Tsuen Wan, I could handle both civil and criminal matters. Following my superior's retirement, I assumed responsibility for a broader array of areas, including mental health matters, because Tsuen Wan's proximity to Siu Lam meant I was exposed to diverse judicial work. I also had ample time to conduct my own research. It was genuinely a splendid place. Many urged me to leave, claiming one could not make a decent living there, but it truly did not matter. I could just eat sandwiches in my chambers and make use of the pantry. I often share my experience with young people. One may not appreciate my style, but it might be beneficial to you. You might initially disdain certain experiences, but ultimately discover they are advantageous and highly educational.

In fact, I recall reforming the mental health system at the time. They would present me with documents to sign to commit individuals to a psychiatric hospital, but I staunchly refused to validate such a system. At Siu Lam, doctors would routinely write "laughing to himself" or "talking nonsense" to describe patients. I consistently failed to comprehend what was inherently wrong with "talking nonsense". I encountered numerous people daily, even lawyers would occasionally utter nonsensical remarks. Did that imply we all warranted committal to a hospital? Such determinations strictly required a doctor's professional and serious diagnosis. Otherwise, I was incapable of issuing a mental health court order. Doctors should not capriciously write "laughing to himself" either.

Consequently, I proposed reforms to ensure patients possessed greater safeguards when being evaluated by doctors or judges. This is the genesis of the current protocol in the District Court whereby, if a patient insists on seeing a judge or magistrate, they have the right to do so.

At the time, the police would apprehend individuals exhibiting eccentric behaviour on the streets in the middle of the night and required a court's mental health order for detention.

Thus, the police would arrive at my residence in the dead of night, requesting my signature on the relevant orders. Such experiences showed the necessity for systemic improvement. Subsequently, the process was modified into distinct forms, categorized systematically. If you take a look at the current Mental Health Ordinance, you will comprehend how I initially propelled these reforms.

These systems had been entrenched for an extensive period, yet there were serious flaws. For instance, the prior descriptions of patients merely noting "laughing to himself" or "talking nonsense" were inadequate. Everyone soliloquizes or speaks incoherently at times, which does not definitively indicate mental illness. If one intends to accurately describe a patient's condition, they must provide clearer, more specific symptoms rather than relying on sweeping generalizations. It is precisely for this reason that one must invest effort into improving the system, advocating for the amendment of form contents. This also allowed me to realize that effecting seemingly minute changes can yield substantial impacts. My time at District Court was extremely satisfying.

Two years later, I was transferred to work at the then Supreme Court, which is the equivalent of High Court now. I initially served as a Deputy Registrar, acting as a Master. By 1992, I was formally promoted to become a High Court Judge.

Q: During your tenure at the District Court, were you among the first cohort of Chinese judges?

PC: Actually, there was already a cohort of Chinese judges at that time. I was not the only one. For instance, Wesley Wong, Wally Yeung, and David Yam were all part of the same wave of appointments. The Chief Justice of the Supreme Court at the time was Sir Denys Roberts.

The most amusing aspect was that I was entirely oblivious to my impending appointment, and there was not even an interview. I had no expectation of being appointed. My colleagues and I in chambers had already made a bulk purchase of the All England Law Reports. I had also placed an order for the Weekly Law Reports. Then, one day, a senior colleague suddenly came into my room and asked why I was still buying law reports. He asked if I knew I was about to be appointed as a judge. I was profoundly astonished and asked how he knew, as I was completely in the dark.

It transpired that the Chief Justice would circulate the list of candidates to the Bar Council for consultation, and my senior colleague happened to be a member of the Council. Although the entire procedure was highly classified, during the Council's deliberation of the list, he observed my name and knew I would be recommended. Unfortunately, by that time, I had already remitted payment for the books.

The protocol back then differed vastly from today's. It was not until I returned from my leave that a letter was put on my desk, notifying me of my imminent appointment and

specifically exhorting me strictly not to divulge this to anyone, not even my family. They also refrained from stipulating the official appointment date, merely demanding absolute confidentiality.

However, this arrangement proved somewhat awkward. As I was still a practicing barrister, solicitors would consult my diary to inquire if I could accept briefs, yet I was tongue-tied and precluded from answering directly. Even my mother remained completely unaware. Later, a solicitor suddenly asked me when I would assume my duties in court. It turned out he had discerned from a court summons that a case was to be handled by "Judge Chan." As there was no judge surnamed Chan in the court at that time, he deduced it must be me. Unable to provide a direct answer, I could only offer a wry smile. During that period, I was forced to continuously parry and prevaricate regarding solicitors' engagements. It was not until one morning, when my mother roused me from bed, having seen the news of my formal appointment in the newspapers, that the secret was out.

Even more amusingly, prior to my official commencement, absolutely no one contacted me regarding the arrangements for the swearing-in ceremony. Consequently, I inquired with the Chief Justice, who casually remarked that I had already taken the oath when I served as a Deputy Judge. He jokingly asked how many times I wished to take the oath. He told me to simply show up for work. The culture back then was truly remarkably different from today's.

Q: We also hope to know more about the implementation of the Chinese language in the courts. How did this initiate?

PC: It had already begun to be implemented at the time. Importantly, a report on the use of Chinese in the courts had already been produced. At that time, virtually all court proceedings and documents were in English. There were only English Law Reports, and it was not until the 1970s that the Official Languages Ordinance was enacted, stipulating that Chinese could be used in the Magistrates' Courts. However, in practice, it was a rarity.

There were various reasons for this. There was a shortage of Chinese-speaking judges and a dearth of lawyers proficient in conducting legal proceedings in Cantonese. Furthermore, the absence of relevant Chinese legal texts and law reports severely hampered the application of Chinese in the courts. By 1984, the Basic Law mandated that the HKSAR must implement a policy of bilingualism, requiring legal documents and court proceedings to be conducted concurrently in both Chinese and English. This presented a novel challenge: exactly how was this bilingual system to be implemented? The then Chief Justice Sir T.L. Yang felt a profound sense of urgency as Hong Kong inexorably approached 1997. He aspired to roll out the reform incrementally.

He instructed me (together with another District Judge and the Chief Judicial Clerk) to conduct research into the use of Chinese in the District Court. I was still a District Judge at the time. Subsequently, I authored a report acknowledging the urgency and necessity

of implementing Chinese. To my profound surprise, this report was submitted to the Legislative Council as the basis for applying for reform funding. When I originally drafted the report, I had no inkling it would be published publicly. Justice Henry Litton was invited to author a similar report for the High Court. However, his report was relatively simple, whereas mine, inclusive of appendices and questionnaires, exceeded one hundred pages. Ultimately, both reports were jointly submitted to the Legislative Council of the time.

Between 1993 and 1994, statutory amendments commenced to reform the relevant ordinances. In truth, establishing this system was no easy feat. Everyone desired flexibility, maintaining that the use of Chinese should not be compulsory for everyone. For instance, if you were an expatriate, you might be incapable of hearing cases in Chinese. Even judges who are ethnic Chinese might originate from places like Australia and not necessarily comprehend Chinese. Under such circumstances, how were trials to be conducted? Should one party use English and the other Chinese? These were all considerations that required resolution.

Therefore, the Chief Justice entrusted me with this heavy responsibility. (I was then already a High Court Judge.) I believed that the paramount necessity was for someone to make a definitive decision, while concurrently affording judges discretionary power. The most critical element at the time was not merely the court proceedings, as interpreters could provide assistance. Rather, the judgments and the court transcripts were the most vital components.

If a witness testified in Chinese, I proposed that audio recording should be mandatory. Previously, there were no audio recordings. With recordings, procedural handling became significantly more manageable. By translating the recordings into English, consistency of content could also be ensured. In other words, both Chinese and English versions would exist, with the ultimate decision resting with the judge. After all, the judge is responsible for the judgment, and the final discretion therefore belongs to the court. Of course, the views of the litigating parties must also be considered. Therefore, I recommended that there be pre-trial proceedings for the parties to deliberate and reach a joint decision.

The current statutory design is highly flexible, ultimately leaving the decision to the judge, who can make arrangements based on the applications of the parties. Due to the scarcity of Chinese-speaking judges at the time, the system I designed was predicated upon the legal developments of 1995.

I did indeed make an important contribution to the reform. I also participated in drafting the relevant regulations. Personnel from the Department of Justice would visit the High Court judges' chambers to discuss and draft the legislation collaboratively with me. This was how the system's design process unfolded. Initially, I was commissioned to author the report concerning the District Court, and subsequently, this system was promulgated throughout the entire legal profession to comply with the requirements of the Basic Law.

In reality, this required more than merely establishing a system. It required meticulous preparation in various respects. I also had to consider the overarching direction, particularly the legal mandates. Under the Basic Law, by 1997, all legal proceedings had to be bilingual. However, I personally believed that while the compliance with the Basic Law was undeniably important, it was not the sole consideration. The paramount concern was the fairness of the court proceedings. Litigants want a fair trial. If they rely exclusively on interpreters to comprehend fragmented portions of the proceedings, how can the fairness of the trial be guaranteed?

The system ought to be serving the public and safeguarding fairness. Trials must be fair. If we merely achieve bilingualism by way of code-mixing in court, the public might only comprehend seventy to eighty percent of the content, rendering the exercise largely meaningless. The optimal approach is to enable litigants to express themselves in their mother tongue, ensuring they possess a comprehensive understanding of what transpires during the process. Even if convicted, they should be able to clearly comprehend the reasons and the entirety of the procedure.

Therefore, I was of the opinion that the most important objective was not merely to comply with legal mandates, but to genuinely ensure a fair trial. Judges hear cases all the time as part of our work. However, for most litigants, their case may be the most pivotal event of their lives, potentially altering their life's trajectory. What they desire most is fairness. Consequently, justice must be seen to be done, which is precisely why I have persistently advocated for a bilingual system.

Another critical consideration was that Hong Kong operates under a common law system. According to common law principles, the law must possess certainty, clarity, and be accessible. These are fundamental requisites of the law. If a person cannot even read the contents of the law, or even comprehend what the law asks for, how can it be deemed "law"? I was firmly of the opinion that, except specific domains such as Trust Law or Evidence Law, the law ought to be accessible. If the law is inscribed exclusively in a foreign language and requires translation or interpretation to be understood by the general public, that is far from satisfactory.

Therefore, in addition to ensuring that litigants receive a fair trial, it is even more imperative that the public can comprehend the contents of the judge's rulings which are also part of the law. The law should, at a bare minimum, be bilingual. All these are necessary reforms.

However, this endeavour was fraught with numerous constraints. Ultimately, the laws of the entire common law world are predominantly English-based, an immutable reality. This diverges from the civil law system, which can be adapted geographically from Continental European law to Mainland Chinese law, and so forth. The foundational legal language of the common law is fundamentally English. This is patently reflected in judgments and legal principles. Consequently, implementing a bilingual legal system required exceptional circumspection. If we failed to continuously track the development of the common law,

Hong Kong might eventually, akin to the United States, deviate from the mainstream common law community.

If judgments were to be authored in Chinese, achieving absolute equivalence with English was practically impossible. For instance, regarding legal terminologies such as "estoppel" and "statement of claim," we deliberated extensively, yet struggled to identify perfectly corresponding Chinese translations. How should the term "summons" be translated? Can these terms truly be translated with precision? Should we directly adopt terminology readily comprehensible to the public? Or should we retain their original technical legal connotations? The contents of jury directions also required corresponding modification. All these tasks had to be finalized in advance, prior to 1997.

Furthermore, the Chinese proficiency of lawyers constituted a significant issue. Precisely for this reason, the government hired Chinese instructors to provide training for judges, and I had to make preparations in advance. Legal proceedings feature numerous ubiquitous terms, such as "beyond reasonable doubt"; how exactly should this be translated? If the terminology employed by each judge lacked uniformity, the trials would descend into chaos, which must be avoided.

For example, how should we address judges in court? Today, the protocol is universally understood because I established the system back then. In the Magistrates' Courts, we use "Your Worship" or "Sir/Madam"; in the District Court, it was "Your Honour"; in the High Court, we use "Your Ladyship" or "Your Lordship". But how should this be articulated in Chinese? Should we employ archaic titles like "老爺" (Master) or "大人" (Your Excellency)? Such appellations are anachronistic in modern society. Therefore, someone had to make the call. Today, all this appears straightforward because the system has long been in place. However, at that juncture, the situation was characterized by profound uncertainty, requiring continuous adjustment and refinement.

At the time, I collaborated with Justice Henry Litton on this front. However, as he was a judge of the Court of Appeal and not a frontline judge, many practical decisions had to be rendered by me to ensure the smooth implementation and execution of the system.

I recall that leading up to 1997, we had to rigorously assess whether we are truly ready for conducting trials in Chinese. However, I refused to be the first to implement it in practice. The rationale was that I could not personally execute every task. To draw an analogy, I could not be both the conductor and violinist at the same time. It was unrealistic for me to carry out all the work, thus work must be divided. Driving systemic change required soliciting a broad spectrum of opinions. After all, the Chinese proficiency of some of my colleagues might be much superior than mine. For instance, Justice Wally Yeung was the first judge to conduct a civil trial entirely in Chinese.

Being the lead on this matter requires a delicate balance. I could initially enlist several individuals to collaborate, but I could not remain entirely detached. I had to take the lead,

yet refrain from micromanaging every detail. I needed to ensure who in my team members were competent in carrying out the tasks, and who were more capable than myself.

I vividly remember that prior to 1997, judges would form small groups during lunch, engaging in months-long discussions regarding jury directions in Chinese. Addressing the jury had historically always been conducted in English. If we were to transition to Chinese, how should it be managed? There were a few questions for us to address.

First, according to the pre-1997 laws and the Jury Ordinance, was such a practice permissible? Second, when a judge presiding over a jury trial needed to employ specimen directions, how should this content be articulated in Chinese? If misstated, it could result in an appeal, and the defendant might even face imprisonment as a consequence. Therefore, extraordinary prudence was paramount.

Secondly, I mandated that translated versions of all judgments must be vetted by a judge, or at the very least, a legal professional. Because when laypersons read these translations, they are ill-equipped to judge their accuracy. Hence, we were compelled to vet the translations of judgments. This is also why, when presiding over cases myself, if the judgment was penned in Chinese and relatively concise, I would concurrently draft the English translation myself. In other words, I would prepare two judgments simultaneously. Because if the task was delegated to translators, I would ultimately still need to verify it to ensure the content was accurate. I wished to preclude any errors. An erroneous judgment would precipitate significant complications. Initially, I naively assumed that judges could be responsible for verifying the translations of their own judgments, but the reality was that judges were inundated with work and struggled to balance these demands. After writing a judgment, finding the time to review the translation was practically impossible. It was barely manageable for straightforward cases, but significantly more arduous for complex ones. Therefore, painstaking attention had to be devoted to this aspect.

When we were preparing for jury trial in Chinese, upon reviewing the relevant legislation, we discovered that the existing laws made room for this practice without the need of legislative amendment. Concurrently, both Chinese and English were official languages, and the Jury Ordinance did not mandate a specific language, so long as the linguistic proficiency of the jurors was adequate, be it Chinese or English. However, the issue remained the necessity for appropriate tools.

We expended months meticulously reviewing relevant materials collectively in the conference room during lunch, ultimately codifying a set of specimen jury directions. Prior to 1997, everything was in place. We were only waiting for the green light from our seniors.

At that time, I was still a relatively junior judge without decision-making authority, and the majority of judges remained expatriates. Although Sir T.L. Yang was Chief Justice at the time, he resigned to stand in the first Chief Executive election, and Sir Noel Power served as Acting Chief Justice. I boldly proposed to him that, both legally and technically, we were

fully prepared to conduct jury trials in Chinese. After all, we had invested considerable time and effort and were eager to launch a pilot. However, the monolingual English judges remained apprehensive.

Consequently, we ultimately had to await the transfer of sovereignty before initiating the pilot. Naturally, this did not imply our prior efforts were squandered, but we could only wait patiently until after 1997, when the jury system and relevant ordinances were amended and the dust had settled. In fact, for other procedural proceedings, such as appellate cases, we had already piloted hearings in Chinese.

Q: During your tenure in the Judiciary, which period do you consider to have been the most arduous, high-pressure, and taxing? Was it when you were newly promoted to Chief Judge of the High Court, or after your elevation to the Court of Final Appeal (CFA)? Which period do you feel presented the most formidable challenges?

PC: The least strenuous period was likely during my tenure at the District Court, as the complexity of the cases was comparatively lower. In stark contrast, High Court cases are substantially more complex.

However, using the successful appeal rate of cases as a metric may not be an ideal indicator. For instance, during my three years at the District Court, the vast majority of my judgments were appealed, yet only one appeal succeeded. The remainder were upheld. But upon ascending to the High Court, the dynamic altered completely. As a different tier within the judicial hierarchy, the nature and analytical perspectives of cases adjudicated in the High Court diverge drastically from those in the District Court.

Sometimes, even if your judgment is overturned, it does not necessarily signify that you erred, but rather that the appellate court approached the matter from a different angle. As a judge, one must apprehend this. Otherwise, feelings of frustration would be unbearable.

As for whether the work was taxing, reflecting upon the past, each phase actually had its own difficulty, though the nature varied. For example, prior to the handover in 1997, when I served as a High Court Judge, I was relatively junior. While early promotion was a testament to my capabilities, it concurrently meant a dearth of experience. I frequently had to confront barristers with over thirty years of seniority. I had to spend significantly greater effort to effectively manage the conduct of the court proceedings.

The year of the handover, 1997, was also notably strenuous. Due to the impending transfer of sovereignty, the caseload actually diminished, primarily because efforts were directed toward preparing for the transition. The then Chief Justice, Andrew Li, had just joined the bench. He was unacquainted with the internal operations of the courts, as I had already worked in the Judiciary for a period of time, I sometimes assisted him from the sidelines. We regularly convened to discuss various administrative matters.

The landscape shifted again in the initial years following the handover. This period was characterized by several distinct features, foremost among them the emergence of constitutional cases, such as the David Ma Wai Kwan case. These cases were extraordinarily challenging and possessed profound significance.

In the first week of July 1997, immediately following the transfer of sovereignty, before I had even familiarized myself with the location of my office, I was required to hear the David Ma Wai Kwan case. One of the core controversies of this case concerned the continuity of the legal system after handover under the Basic Law, as well as the legality of the Provisional Legislative Council. These were constitutional questions of paramount importance and intense contention.

As Chief Judge, I was tasked with drafting the judgment. Sharing the bench were two Vice Presidents, both highly seasoned judges, whereas I had only recently been elevated from the High Court and was, comparatively speaking, the most junior. During the course of the hearing, we had reached a unanimous consensus. However, at the eleventh hour, the two Vice Presidents unexpectedly altered their stance, leaning against rendering a ruling on the issue of "whether the Provisional Legislative Council was constitutional," preferring solely to determine the issue of continuity under the Basic Law. They contended that affirming the former was already sufficient to dispose of the case and having a clear-cut answer on the latter issue was unnecessary.

At that moment, I experienced immense pressure because, despite being Chief Judge, I was the most junior member. At the very last moment, after profound deliberation, I concluded that we could not evade this momentous constitutional issue, particularly given that the handover had only taken place a week or two ago, and the Provisional Legislative Council remained operational. If we failed to issue a definitive ruling, regardless of whether we deemed it legal or otherwise, it would precipitate immediate ramifications for the local society and the Central Government. The entire world was watching how Hong Kong's judicial system would navigate such constitutional controversies. As a judge, I bore the responsibility to address it directly, rather than circumventing it.

Consequently, I endeavoured to persuade the two Vice Presidents, emphasizing our obligation to adjudicate upon this critical issue. We could not merely address a fraction of the matter, as doing so would readily foment public apprehension. I insisted upon an immediate judgment, brooking no delay, and audaciously imposed a strict deadline for the submission of the judgment.

During that period, I remained in my chambers late into the night almost every evening, sometimes returning home only in the early hours of the morning. After taking a meal, I would immediately drive back to the court to resume work. This gruelling routine persisted for several consecutive nights, driven solely by the imperative to expeditiously hand down this monumental judgment.

I have always steadfastly believed that, as a judge, especially during pivotal historical junctures, one has a duty to defend the rule of law and to face the consequences with equanimity, irrespective of the ultimate verdict. If a ruling is erroneous, the appellate mechanism exists to rectify it, and the Central Government could also issue an immediate response. Ultimately, following the delivery of the judgment, the opposing party did not lodge an appeal. Looking back on that ordeal, despite the crushing pressure, my conscience was clear, for I had fulfilled the duties incumbent upon a judge. In such a crucial position, one cannot avoid difficult problems.

Additionally, there was another case with which everyone is highly familiar—the Ng Ka Ling case. The approach I took was eventually vindicated, and this case also engaged the issue of the legality of the Provisional Legislative Council.

The Court of Final Appeal did not align with the stance regarding the courts' power of constitutional review which I had adopted in the David Ma Wai Kwan case, which precipitated in the interpretation by the Standing Committee of the National People's Congress (NPCSC) and subsequent clarification from the CFA. In retrospect, in fact, I took a revised approach on the similar issues in subsequent cases. As a matter of fact, it was not the NPCSC interpretation following the Ng Ka Ling case that altered my perspective. These constitutional issues are not meant to have black and white answers.

My judgment at the time was a straight-forward no - Hong Kong courts lack the jurisdiction to review the decisions or sovereign acts of the NPCSC. However, upon subsequent reflection, I think that this answer might not be absolute. Therefore, in a later case concerning the right of abode, I recalibrated my position and held that Hong Kong courts do possess the power of review under certain specific circumstances.

Consequently, when the Court of Final Appeal subsequently reviewed cases of this nature, it largely affirmed that my revised approach was correct. While I might have ruled erroneously the first time, my subsequent decision was more accurate. Even reflecting upon it today, I maintain that these constitutional issues are highly nuanced and cannot be encapsulated by a simplistic "yes" or "no".

This is because Hong Kong's constitutional regime is uniquely distinctive. Although the Court of Final Appeal serves as the apex court under the Basic Law, the ultimate power of constitutional interpretation is vested in the NPCSC. The majority of constitutions globally feature independent constitutional courts. For instance, the US and some European countries have their own Supreme Courts that serve as the final arbiters of constitutional adjudication. However, Hong Kong eventually relies on NPCSC interpretation. This structure depends entirely upon one's preference.

I once had a discussion with Elsie Leung, the former Secretary for Justice on whether Hong Kong could establish a Constitutional Court, analogous to the current role of the

Basic Law Committee, but possessing the authority to adjudicate constitutional controversies openly and issue directives, prior to the Court of Final Appeal rendering its judgment. Under such an arrangement, constitutional issues would not be confined to internal deliberations within the Court of Final Appeal, thereby fostering a more open and transparent process.

However, this would undeniably impinge upon the final adjudicative power of the Court of Final Appeal. The reality is that constitutional law intrinsically lacks "ultimate answers," as numerous scenarios implicate political considerations and interpretations. If you were to ask me today, I would reiterate that these constitutional questions do not have binary answers. It is not the case that a specific stance would always hold true.

Q: Following your elevation to the Court of Final Appeal, which case left the most profound impression on you? And which case did you consider to be the most challenging?

PC: Actually, it is a little-known fact that in 1997, I initially had no desire to assume the role of Chief Judge of the High Court, as I considered my seniority insufficient and myself too young. For a period, I even politely declined the appointment. I deliberated on this issue with Chief Justice Andrew Li and sought the advice of my former pupil master and my wife. Ultimately, after extensive consideration, I decided to embrace the challenge. This is because I would still be working at the High Court, enabling me to undertake work that more aligned with my interests and expertise.

However, in 2000, due to the concurrent retirements of two CFA judges, Charles Ching and Henry Litton, two vacancies arose. Robert Ribeiro and I were recommended for the position of Permanent Judges at the Court of Final Appeal. I was, in fact, quite hesitant to accept this promotion, but I was compelled to consider the bigger picture. If I did not step up to fill the void, what would happen? Consequently, I ultimately took up the position.

The operational modalities of the Court of Final Appeal differ entirely from those of the Court of Appeal. We must accommodate the schedules of the Non-Permanent Judges from overseas, who only reside in Hong Kong for a few weeks; we are required to finalize judgments within a highly compressed timeframe. Even if I am not the primary author of the judgment, but merely form part of the majority, I must expend considerable time before signalling my agreement. We engage in prior deliberations and convene multiple conferences. Drafts are carefully scrutinized page by page, a process that is high time-consuming. Yet, we strive to conclude all judgments before the overseas judges depart Hong Kong, as all contents remain strictly confidential.

Currently, the caseload is lighter, but in the past, we occasionally had to process five or six cases consecutively. Each case was of monumental importance, and thus cannot be rushed. My style involves meticulous and in-depth research into every case, as I frequently

burn the midnight oil. However, the CFA's workflow did not always accommodate this approach.

A particularly formidable challenge during my tenure at the Court of Final Appeal was to deal with applications for leave to appeal submitted in Chinese, especially in the absence of the aid of Judicial Assistants at that time. For me, these cases frequently represented the applicant's final recourse, hence I accorded them extraordinary gravity. Among the bench of three adjudicating judges, I was the sole member capable of comprehensively reading and digesting all documents and pages in Chinese. Even other judges, such as Justice Bokhary, might not have possessed sufficient proficiency in Chinese to make full sense of all the materials.

To guarantee fairness to the applicants, particularly those xx unrepresented litigants, I insisted upon scrutinizing every document page by page. Even if certain contents appeared legally tenuous, I would not treat them perfunctorily. Subsequently, I would synthesize the core issues and analysis of the case into a synopsis, disseminating it to the other judges for their reference, thereby enabling them to base their determinations on my preliminary analysis. If queries arose, we would engage in further deliberation, and if necessary, convene a hearing. Upon identifying potential complications within a case, I would take the initiative to notify the other two judges and recommend fixing a formal hearing. If we came to the consensus that the case required no further deliberation, a decision would be rendered. In fact, I did discover several cases among those submitted by unrepresented litigants that warranted a formal hearing.

With the subsequent establishment of the Judicial Assistants scheme, and the stipulation in Rule 7 of the Court of Final Appeal Rules permitting applications for leave to appeal to be determined on paper, the associated workload became more streamlined. Nevertheless, I consistently maintained that when an applicant comes to the Court of Final Appeal, it often signifies their final glimmer of hope. Therefore, I deliberately invested significant time and energy to ensure proper disposal of every single case.

Reflecting upon the distinct phases of my career, each presented idiosyncratic challenges and stress. If I were to articulate my sentiments, looking back post-retirement, I perhaps should have devoted more time to my family. However, regarding the professional path I traversed, I harbour not a scintilla of regret. Although I made many sacrifices, routinely working past midnight, I am without complaint or regret.

Ultimately, I stepped down from my role as a full-time judge and retired from the Court of Final Appeal in 2013.

Presently, serving as a Non-Permanent Judge, I participate in the adjudication of an average of two to three cases annually, encompassing applications for leave to appeal as well as select substantive appeals. The majority of cases, however, are applications determined on the papers pursuant to Rule 7 summonses. The relevant files are delivered

to my residence or I would go there to pick them up, whereupon I determine whether to grant leave to appeal. Generally, the Judicial Assistants undertake the preliminary screening of these cases, and I subsequently review their research memo prior to rendering a final decision. For instance, cases pertaining to Torture Claims are frequently submitted in batches, occasionally encompassing up to twenty cases in one go.

Q: What advice would you impart to today's law students in Hong Kong?

PC: My life philosophy may not sound particularly appealing. I have believed that there is no easy way in the legal profession. Success demands arduous labour. Taking my own case as an example, I have always considered myself merely an ordinary lawyer, not exceptionally brilliant. One's career achievements are often the result of happy coincidence or fortuitous timing.

For the vast majority of individuals, to attain success in the legal profession, one must expend greater effort than one's peers. If you do not belong to the exceptionally gifted cohort, you must redouble your efforts.