

Extract from the letter dated 12 January 2009 from the Hong Kong Bar Association concerning implementation of Civil Justice Reform

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Item V - Implementation of Civil Justice Reform

1. Every practising barrister has a duty to keep himself or herself abreast of legal development. Hence, it is the duty of every barrister to familiar himself or herself with the provisions of the new legislative provisions concerning the Civil Justice Reform (“CJR”). Our members are conscious of this duty and their response to the Bar’s CJR training programme is positive.

2. The Bar has provided the Judiciary with information concerning the CJR training programme organized by the Bar for its members. I trust that the relevant information would have been included in the report from the Judiciary Administration. In short, the position is follows:
 - (1) Apart from two large scale seminars jointly organized with the Law Society, the Bar has organized small group training sessions for its members. The trainers are senior members of the Bar who themselves have attended the training sessions of the Judiciary. Further to the four rounds which have already been organized since November 2008, there will be two further rounds of these small group sessions to be held on 17 January 2009 and 21 February 2009.

 - (2) An arrangement has been made with the Department of Justice whereby a limited number of barristers will be allowed to attend training courses organized by the Department of Justice and *vice versa*. Apart from its educational value, this arrangement provides a platform for members of the Bar and the Department of Justice to exchange views on the Civil Justice Reform.

- (3) Facilitation of settlement (especially through mediation) is one of the key features in the CJR. The Bar Council is conscious of the need to assist members in this aspect. Apart from organizing training courses to enable its members to become accredited mediators, talks and seminars were and will continue to be organized to enhance members' general knowledge of alternative dispute resolution (especially mediation). A talk on mediation has already been given by Ms. Teresa Cheng SC at the end of last year. The talk will be repeated in March for the benefit of those members who could not attend the first one. Further talks (at least two) will be organized with the assistance of the Mediation Council of the Hong Kong International Arbitration Centre before the implementation of the CJR in April.
- (4) Talks on specialized areas will also be organized. For instance, Mr. Mohan Bharwaney SC and Mr. Raymond Leung will be giving a talk on Personal Injuries Practice Direction (date to be confirmed).

3. On the whole, I am confident that members of the Bar are ready for the implementation of the CJR in April this year.

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