



Research Office
Legislative Council Secretariat

Fact Sheet

Practice of the legal profession in selected places

FS06/17-18

1. Introduction

1.1 As the competitive landscape and practice of the legal profession throughout the world has been increasingly shaped by the forces of globalization, the Panel on Administration of Justice and Legal Services will discuss the topic of "the future development of the legal profession under the trend of globalization, its impacts on the legal profession and services to the public in Hong Kong" on 26 March 2018. The Research Office is requested to study evolving practice of the legal profession in selected places.

1.2 In Hong Kong, the legal professionals are broadly categorized into two main streams, with barristers specializing in advocacy and consultancy whilst solicitors focusing more on preparation of legal documents and legal work outside court. Although rights of audience in higher courts have been extended to qualified solicitors (i.e. solicitor advocates) after the amendment of the Legal Practitioner Ordinance (Cap. 159) in 2010, the dichotomy in local legal profession stays broadly intact.¹ Yet this dual structure has occasionally prompted public concerns over whether it would lead to work duplication and higher litigation cost, thereby affecting consumers' interests.²

1.3 Globally, it is noted that the legal profession in common law jurisdictions can appear in different forms and can evolve over time. For

¹ The Legal Practitioners (Amendment) Ordinance 2010 was enacted in January 2010, providing the necessary legal framework for granting rights of audience in higher courts (i.e. the Competition Tribunal, the High Court and the Court of Final Appeal) to those solicitors with (a) at least five years of post-qualification experience and sufficient litigation experience; and (b) approval from the Higher Rights Assessment Board. These qualified solicitors are called solicitor advocates. At end-2017, there were altogether 51 solicitor advocates, accounting for 0.5% of overall practising solicitors in Hong Kong.

² For instance, members of the public can only approach barristers indirectly through solicitors, leading to allegations of possible duplication of work, higher costs and inefficiency. An opinion survey conducted in 1996 showed that some 41% of the respondents believed that "the current arrangement on the access to barristers" should not be retained, while 45% felt the otherwise. For details, see Attorney General's Chamber (1995) and City University of Hong Kong (1996).

instance, the legal profession in Canada³ has been unified or "fused" as early as in the 19th century, while the line of division between barristers and solicitors in England and Wales has become less clear after continued legal reforms over the past three decades or so. For France, under the civil law system, its previously divided professions of "*avocats*", "*avoués*" and "*conseils juridique*" were fused into "*avocats*" after legal reforms in 1971 and 1990.⁴

1.4 This fact sheet will first review the recent developments in the legal profession in Hong Kong, along with its perceived benefits and costs. It will then briefly discuss the salient features and development of legal profession in the aforementioned three places (i.e. England and Wales, France and Canada),⁵ along with a summary table in the **Appendix**.

2. Developments in Hong Kong

2.1 The legal professionals of Hong Kong have been broadly divided into barristers and solicitors for more than a century, following closely the English tradition. At end-2017, there were altogether 1 420 practising barristers and 9 463 practising solicitors in Hong Kong, up by 37% and 60% respectively over ten years earlier.⁶ In a nutshell, major distinctions between these two branches of legal professionals can be broadly summarized below:

- (a) **Practice areas:** Barristers usually specialize in advocacy and consultancy, while solicitors focus more on preparation of legal documents and legal work outside court;
- (b) **Rights of audience:** Barristers have unlimited rights of audience in all courts. For solicitors, most of them have such rights only in lower courts (i.e. Magistrates' Courts and the District Court), but not the High Court (including the Court of Appeal and the Court of First Instance) and the Court of Final Appeal;⁷

³ In this study, Canada refers only to those nine provinces and three territories practising common law, excluding Quebec.

⁴ In France, there used to be a division of legal duties among two types of litigation lawyers (i.e. *avocats* and *avoués*) and legal advisers (i.e. *conseils juridique*). However, after the legal reforms in 1971 and 1990, these three legal professions were merged into a profession of all-purpose lawyers (i.e. *avocats*). This will be discussed in greater details in Section 4.

⁵ These three places are selected because they are representative examples of common law and civil law systems.

⁶ In 2007, there were 1 036 practising barristers and 5 913 practising solicitors. See Hong Kong Bar Association (2007) and Law Society of Hong Kong (2008).

⁷ As a general rule, solicitors do not have rights of audience in the High Court, except for chamber hearings.

- (c) **Client engagement:** Barristers receive instructions through solicitors on a referral basis, with limited direct engagement with clients from specific professions since the 1990s and without public direct access. Yet solicitors can have direct contact with lay clients;
- (d) **Cab-rank rule:** Barristers cannot decline relevant instructions without good reasons, and they are bound to accept any relevant instructions in their usual business field at their usual fee (i.e. "the cab-rank rule"). Yet this rule does not apply to solicitors; and
- (e) **Business organization:** Barristers must work as sole practitioners, but solicitors may run their business in the form of general or limited liability partnerships.⁸

2.2 Conceivably, the above occupational division in legal profession could give rise to the following benefits. **First**, it facilitates further specialization amongst barristers and solicitors, allowing them to excel in their own business areas. **Secondly**, a strong and separate group of specialist advocates far removed from client's own interests could provide more objective, independent and quality opinions to their clients under the business model of indirect referral. This is considered to be important for maintaining a high standard of adversarial advocacy. **Thirdly**, as barristers do not need resources to maintain a support team to engage lay clients and given a proper work division and cooperation with solicitors, it is argued that this could lead to cost-effective utilization of resources.⁹

2.3 On the other hand, this division also gives rise to concerns over conceived adverse implications. **First**, as clients need to engage both solicitors and barristers in the single litigation cases, it could lead to extra expense and longer proceedings. **Secondly**, as barristers are far removed from lay clients, it might affect the quality of advice and representation in the event that solicitors are not "conversant with the case in questions". **Thirdly**, it is not "self-evident" that "barristers are necessarily better advocates than

⁸ The Legal Practitioners (Amendment) Ordinance 2012 was enacted to enable law firms to operate in the form of limited liability partnership, enhancing the operational flexibility of solicitors. See Department of Justice (2018).

⁹ See Hong Kong Bar Association (1994) and Attorney General's Chamber (1995).

solicitors", given that solicitors have received similar legal training at undergraduate and post-graduate levels to that for barristers, and that solicitors might have accumulated considerable experience as advocates in the lower courts.¹⁰

2.4 In the early 1990s, in the light of overseas legal reforms and possibly also the discussion within the local legal profession, there were some changes in traditional practices of the legal profession.¹¹ For instance, the Hong Kong Bar Association ("Bar Association") relaxed the restriction on direct access to barristers by professional bodies, beginning with the accountants as from October 1993, followed by progressive extension to a total of 13 professional bodies by end-2017.¹² Also as from October 1993, the Bar Association allowed barristers to appear in court in the absence of solicitors, if they consider that the act would not prejudice the interests of lay clients and the interests of justice.¹³

2.5 In March 1995, the Government issued a "Consultation Paper on Legal Services", making a few recommendations in response to suggestions of "fusing" the local legal profession.¹⁴ The Government then put forward a proposal to extend the rights of audience in higher courts to solicitors, on the ground of favourable responses received in the public consultation.¹⁵ However, instead of introducing a dedicated bill on the proposal, the Attorney General ("AG") advised Members of the Legislative Council ("LegCo") in October 1996 that he would try to do so through making Committee stage amendments to another bill already tabled at the LegCo, namely the Legal Services Legislation (Miscellaneous Amendments) Bill 1996 aiming at abolition of the scale fees for conveyancing amongst other amendments. Yet the President of the LegCo made a ruling that the proposal exceeded the scope of the Bill under consideration. As AG subsequently decided not to introduce

¹⁰ See Attorney General's Chamber (1995).

¹¹ The Law Society of Hong Kong published a paper entitled "the Future of the Legal Profession in Hong Kong" in 1993, suggesting the possibility of a unified legal profession. However, the Bar Association held a different view on the issue in 1994. See Attorney General's Chamber (1995).

¹² See Hong Kong Bar Association (1995 and 2018).

¹³ See Hong Kong Bar Association (1995).

¹⁴ The public consultation was conducted with a view to tackling "questions of accessibility, cost-effectiveness and efficiency", alongside with "questions of quality, independence and the attainment of justice". See Attorney General's Chamber (1995).

¹⁵ Although a majority of responses favoured the extension of higher rights of audience to solicitors during the public consultation, the Administration decided to commission a public survey in view of some concerns expressed over the timing for the change. According to the survey, 78.2% of the respondents supported the granting of higher rights of audience to solicitors. See Attorney General's Chambers (1996) and City University of Hong Kong (1996).

a separate bill on granting higher rights of audience to solicitors, the proposal could not proceed before the reunification with the Mainland.¹⁶

2.6 In June 2004, the Chief Justice established a Working Party on Solicitors' Rights of Audience to re-consider the matter of granting rights of audience in higher courts to suitably qualified solicitors, with an overwhelming favourable response received in the public consultation launched in June 2006. On 20 January 2010, the Legal Practitioner (Amendment) Ordinance 2010 was enacted, providing the necessary legal framework. By and large, solicitors who have at least five years of post-qualification experience and have sufficient litigation experience can apply to the Higher Rights Assessment Board for rights of audience in the High Court and the Court of Final Appeal in both civil proceedings and criminal proceeding as from 2012.¹⁷ The successful applicants would then become solicitor advocates. At end-2017, there were 51 solicitor advocates in Hong Kong.

3. Developments in England and Wales

3.1 Not only was England and Wales¹⁸ the earliest legal jurisdiction practising common law, it was also the originator of the division between barristers and solicitors. However, some studies pointed out that the split structure in England and Wales was largely "a matter of historical accident", as barristers in the 19th century agreed to give up all conveyancing work and direct access to clients to solicitors, in return for monopoly rights of audience in higher courts as well as becoming senior judges.¹⁹ This split structure has also attracted public criticisms over high costs and restricted competition, affecting consumers' interests. In response to these concerns, coupled with a series of reviews conducted by the Law Society, the Bar Council and the government of the United Kingdom ("UK") respectively since the late 1980s,

¹⁶ At the Council sitting on 25 June 1997, the Attorney General said that he could have sought to introduce a dedicated bill to permit solicitors to acquire extended rights of audience in the higher courts, after the ruling of the President. However, given the large number of bills to be considered by the Council before end-June 1997, he decided not to do so. See Legislative Council Secretariat (1996, 2007 and 2008).

¹⁷ See Sections 39H and 39I of the Legal Practitioners Ordinance (Cap. 159). Also, solicitor advocates now have rights to appear in the Competition Tribunal.

¹⁸ The United Kingdom consists of three different legal jurisdictions. While Scotland has a mixed legal system containing elements of both civil law and common law, North Ireland is a common law jurisdiction similar to England and Wales, but with its own regulatory framework for the legal profession. Therefore, this paper focuses on the legal profession in England and Wales which has close resemblance to that in Hong Kong.

¹⁹ See Cohen (1983) and Elliot et al (2011).

the UK government has introduced several rounds of legal reforms over the past three decades.²⁰

3.2 In the light of the results of these reviews, the UK government enacted the Courts and Legal Services Act in 1990,²¹ the Access to Justice Act in 1999²² and the Legal Services Act in 2007.²³ As a result of these liberalization measures, the line of division between barristers and solicitors in England and Wales has become less clear somewhat, as manifested below:

- (a) **Opening up conveyancing to other professionals:** Under the Administration of Justice Act 1985, licensed conveyancers have been allowed to conduct conveyancing, ending the monopoly rights of solicitors over this line of business. The rights of conveyancing have been further extended to building societies and banks under the Courts and Legal Services Act 1990;²⁴
- (b) **Extending rights of audience in higher courts to qualified solicitors:** After liberalization of the conveyancing services and in view of the need to enhance competition in higher courts, qualified solicitors could be named as solicitor advocates and given rights of audience in higher courts under the Courts and Legal Services Act 1990.²⁵ Later in 1998, chartered legal executives were given rights of audience in lower courts under the same Act;²⁶

²⁰ These reviews include "Lawyers and the Courts: Time for Some Changes" conducted by the Law Society in 1986, Marre Committee report by the Bar Council and the Law Society in 1988, the white papers by Lord Chancellor's Department on "Legal Services: A Framework for the Future" in 1989 and "Modernising Justice" in 1998, "Competition in the Professions" by the Office of Fair Trading in 2001, and "Review of the Regulatory Framework for Legal Services in England and Wales" by Sir David Clementi in 2004.

²¹ The Courts and Legal Services Act in 1990 extensively reformed the legal profession and the court system. One of the main objectives was to make provision for a wider choice of persons providing legal services particularly in the areas of advocacy, litigation, conveyancing and probate services.

²² The Access to Justice Act in 1999 made further provision about liberalization of legal services among other changes to improve public access to justice. The act simplified the procedure for authorizing professional bodies including the Law Society to grant rights of audience to their members. See UK Parliament (1999).

²³ The Legal Services Act in 2007 created a new regulatory structure for legal services and allowed different types of lawyers and non-lawyers to form businesses together.

²⁴ The Act also opened up probate services to approved bodies of non-lawyers.

²⁵ Under the Act, the Law Society was allowed to grant extended right to qualified solicitors, subject to approval of its rules and process by Lord Chancellor and four judges, after taking into account advice of the Lord Chancellor's Advisory Committee on Legal Education and Conduct ("ACLEC") which consisted of two judges, two practising barristers, two practising solicitors, two law teachers and nine lay persons. The Law Society then submitted its Higher Court Qualification Regulations to ACLEC in 1992, specifying two qualifying routes for higher rights of audience, namely (i) achieving qualifying hours of advocacy, test and qualifying course; or (ii) acquiring exemption on the basis of appropriate experience.

²⁶ The Institute of Legal Executives also became an authorized body on 23 April 1998 under the Courts and Legal Services Act 1990, and is now able to grant suitably qualified legal executives limited rights of audience in certain civil proceedings in the lower courts.

- (c) **Further streamlining qualification requirements of solicitor-advocates:** Notwithstanding implementation of the Courts and Legal Services Act 1990, only 624 out of more than 70 000 solicitors qualified as solicitor advocates in May 1998. The UK government felt that the qualifying arrangement under the Act "proved cumbersome and slow".²⁷ In response, the approval system was simplified through the enactment of the Access to Justice Act 1999, under which the Law Society's Higher Court Qualification Regulations 2000 was approved.²⁸ This has been further replaced by the Higher Rights of Audience Regulations 2011, under which qualification as solicitor advocates was further streamlined to advocacy assessments authorized by the Solicitors Regulatory Authority ("SRA") only;²⁹ and
- (d) **Direct access to barristers by professional clients and the public:** The Courts and Legal Services Act 1990 also allows certain professional clients to have direct access to barristers.³⁰ In the report entitled *Competition in Professions* published by the Office of Fair Trading's report in 2001, it called for further initiatives to enhance competition in the legal profession, pointing out the adverse implications of the Bar's restrictions on public direct access for consumers.³¹

As a result, the Bar Council abolished the ban on public direct access in certain areas of practice in 2004. In October 2013, a number of amendments were made to the Bar Standards Board's Public Access Rules. Most significantly, barristers with less than

²⁷ For example, the Law Society's application to ACLEC for employed solicitors to be given rights of audience in the higher courts took six years to resolve. See UK Parliament (1998).

²⁸ The Access to Justice Act 1999 replaces Lord Chancellor's Advisory Committee with a new Legal Services Consultative Panel which is smaller in membership composition and makes the application for approving changes to the rules on rights of audience easier. Under the Higher Court Qualification Regulations 2000, solicitors might gain higher rights of audience through either one of the following four routes, namely (a) development; (b) accreditation; (c) exemption and (d) qualification through having appropriate qualifications in another jurisdiction. Solicitors were required to have a minimum of three years' litigation experience in the higher courts.

²⁹ The Higher Rights of Audience Regulations 2011 supersedes preceding regulations. Litigation experience is no longer required. See Solicitors' Association of Higher Courts Advocates (2011).

³⁰ As the Act in 1990 allowed authorized legal professional bodies other than the Law Society to accredit their members to conduct litigation (i.e. the issuing of proceedings before any court in England and Wales), the Bar Council established direct professional access to other professional groups like patent agents and parliamentary agents in 1990.

³¹ See Office of Fair Trading (2001).

three years' practising experience were permitted to undertake Public Access work for the first time.³²

3.3 The landscape of the legal profession in England and Wales manifests the following developments after aforementioned legal reforms. **First**, barristers and solicitors remain as the top two groups of legal practitioners there, numbering at 15 288 and 145 059 (including 6 605 solicitor advocates) respectively in April 2016.³³ The newly created profession of licensed conveyancers was still small in number, with 1 283 practitioners. **Secondly**, rights of audience in higher courts granted to solicitor advocates have nevertheless resulted in "a marked shift in the distribution of advocacy work in the Crown Court between the two sides of the profession", according to an independent review initiated by the Justice Secretary in 2014.³⁴ The review acknowledged solicitor advocates as "a valuable and established part" of the legal services, although it also raised concerns over the decline in intake of younger barristers and questioned the training standards for solicitor advocates. **Thirdly**, regarding the impact of public access to barristers, 5 695 barristers (36% of practising barristers) registered for public access work by end-2015. Yet only 46% of them had undertaken more than five cases within a year, partly due to inadequate support for barristers to manage public access work on the one hand and a lack of consumer information of such scheme on the other.³⁵

4. Developments in France

4.1 While France developed its modern civil law system based on the Napoleonic code in 1804, its civil law tradition could be traced back to the Roman Empire in the 6th century. The civil law model in France has also been replicated in many civil law jurisdictions. Unlike England and Wales, the legal profession in France used to be broadly split into four major occupational

³² Before a barrister can undertake Public Access work, he or she must have completed a training course by the Bar Standards Board. See Bar Standards Board (2013).

³³ According to the latest statistics, the numbers of barristers, solicitors and solicitor advocates increased to 16 435, 139 797 and 6 701 respectively in 2017.

³⁴ According to the report on "Independent criminal advocacy in England and Wales", the share of publicly funded cases in which solicitor advocates acted as defence lawyers in contested trials surged from 4% to 24% between 2005-2006 and 2012-2013. The respective share in guilty pleas likewise increased steeply from 6% to 40% over the same seven-year period. See Jeffrey (2014).

³⁵ See Legal Services Board and Bar Standards Board (2016) and Bar Standards Board (2017).

groups before 1971, mainly for historical reasons.³⁶ Following the Roman tradition, litigation lawyers were divided into *avocats* focusing on oral pleading at court hearings and *avoués* focusing on preparation of pleading documents. For non-litigation work, while *conseils juridique* were practitioners providing legal advice without national regulations until 1971, *notaires* have the exclusive power in conveyances, marriage settlements and successions.³⁷

4.2 However, the fragmented structure of the legal profession in France was under "fusing" pressure after the 1950s. **First**, the continental Europe was gradually heading towards a single market after the Treaty of Rome in 1957 and the Single European Act in 1986. The fragmented legal profession in France was not in line with other major member states, prompting calls for unification in the legal profession for enhanced competitive power in the European single market.³⁸ **Secondly**, the division of work between *avocats* and *avoués* was widely criticized for causing work duplication and delayed proceedings.³⁹ **Thirdly**, *conseils juridique*, which enjoyed greater freedom of action without the need to follow the Bar rules and included many foreign lawyers, expanded rapidly especially during 1970s-1980s. Increasingly, these *conseils juridique* stepped into the business areas of taxation and international business law, posing challenges to existing legal professionals.⁴⁰

4.3 In response, the French government introduced two major reforms on the structure of the legal profession in 1971 and 1990. Here are the major details of these legal reforms:

(a) **Merging *avocats* and *avoués* in 1971:** The Law of 31 December 1971 merged the two professions of *avocats* and *avoués*.⁴¹ The unified profession of *avocats* can give legal

³⁶ The division between *avocats* and *avoués* stemmed from the distinction between advocates and procurators from the Roman time. *Notaries* originated from the ancient Roman profession of *tabelliones* and were officially recognized by Charlemagne in 803. The provision of legal advice was unregulated until the mandatory registration of *conseils juridique* was introduced in 1971. For details, see Clark (2012), Smithers (1911) and Watkin (1999).

³⁷ The job nature of *notaires* in France is not exactly the same as that of notaries in common law jurisdictions. *Notaires* in France are public officers directly appointed by the government but work as self-employed professional with a monopoly right in drawing up authenticated contracts and preparing legal documents in areas such as conveyancing.

³⁸ See Le (1982), West (1991) and Boigeol et al (2005).

³⁹ See Gordley et al (2006).

⁴⁰ See Le (1982) and Boigeol et al (2005).

⁴¹ After 1971, a very small profession of *avoués* (with only 433 practitioners in 2011) were retained for drafting of pleadings at the Courts of Appeal, because magistrates at the appellate level preferred to deal with this small group of experienced professionals. The Law of 25 January 2011 further merged the *avoués* at the Courts of Appeal with *avocats* to simplify and modernize the rule of representation. See *Ministère de la Justice* (2011).

advice, draft legal documents, prepare the client's case for trial and appear at courts;⁴² and

(b) Formal integration of *conseils juridique* into the bar in 1990:

While the Law of 31 December 1971 also provided for the licensing and regulation of the activities of *conseils juridique* for the first time, further reforms in 1990 formally integrated *conseils juridique* into *avocats*.⁴³ From then, all members of the new profession must register with a *barreau* (i.e. a local bar association) and can perform all the duties that were formerly vested in the three professions of *avocats*, *avoués*, and *conseils juridique*. That said, *notaires* still maintain their exclusive rights in conveyancing, marriage settlements and successions.

4.4 After the above legal reforms, three major legal occupations in France were fused into *avocats*, in parallel with *notaires* specializing in conveyancing and related business. According to the French Ministry of Justice, the traditional division between *avocats* and *conseils juridique* has blurred after the 1990 reforms, as the newcomers are more likely to practise in both areas.⁴⁴ However, there have been concerns over monopoly rights of *notaires*. For example, the Organisation of Economic Co-operation and Development has recommended France to reduce fields of activities over which *notaires* have exclusive rights in order to enhance competition.⁴⁵

5. Developments in Canada

5.1 Canada is a commonwealth country practising common law, with the exception of Quebec.⁴⁶ Unlike England and Wales, there was no division

⁴² *Avocats* have monopoly over pleading and audience at courts, but giving legal advice and drawing up legal documents may be done by other professionals. That said, the rights of audience at the two highest courts, *Conseil d'Etat* (i.e. Council of State) and *Cour de cassation* (i.e. Court of Cassation), are reserved to *avocats aux conseils*, a group of about 100 specialist *avocats* who are public officers appointed by Minister of Justice. They are usually experienced *avocats* who have passed a special examination and completed a two-year practical course. See Conseil National Des Barreaux (2018).

⁴³ *Conseils juridique* were required to meet certain education, experience and morality requirements in 1971. See Brown (1973).

⁴⁴ See Ministère de la Justice (2009).

⁴⁵ See Organisation of Economic Co-operation and Development (2009).

⁴⁶ Quebec follows the French tradition of having both lawyers (*avocats*) and notaries (*notaires*). For presentation convenience, Canada in this note refers to those provinces practising common law.

within legal profession in Canada by the time of its independence from the British rule in 1867. Because of the very limited supply of lawyers with training in English Inns of Courts in early years, coupled with a low population density in a vast territory, it was economically unviable to have a divided structure in legal profession in the first place. Canadian law societies have thus trained lawyers to do both functions of barristers and solicitors since the very early stage.⁴⁷ As such, the structure of the legal profession in Canada has largely remained unchanged for more than a century.

5.2 At present, lawyers across Canada are now licensed as both barristers and solicitors under the provincial and territorial law societies, but they may choose to specialize and practise in just one profession. Sometimes specialist advocates are called barristers or litigators, while solicitors cover the rest. All Canadian lawyers can directly contact lay clients and are free to practise in the form of sole-practitioners, partnerships or even professional corporations.

6. Concluding remarks

6.1 The legal professionals in Hong Kong are still broadly categorized into barristers and solicitors by now. Yet the profession has experienced some incremental changes, as solicitor advocates have acquired the rights of audience in higher courts in 2010.

6.2 From a global perspective, the structure of legal profession can vary quite widely across places, partly due to historical reasons and partly due to legal reforms implemented in recent decades.

⁴⁷ See Girard (2011) and Baker McKenzie (2013).

Practice of legal profession in selected places

		Hong Kong	England and Wales	Canada ⁴⁸	France
1.	Number of practitioners in 2017	<ul style="list-style-type: none"> Barristers: 1 420 Solicitors: 9 463 	<ul style="list-style-type: none"> Barristers: 16 435 Solicitors: 139 797⁴⁹ 	<ul style="list-style-type: none"> Lawyers: Over 117 000⁵⁰ 	<ul style="list-style-type: none"> <i>Avocats</i>: 65 480 <i>Notaires</i>: 11 630
2.	Ratio of practitioners per 100 000 people	<ul style="list-style-type: none"> Barristers: 19 Solicitors: 128 	<ul style="list-style-type: none"> Barristers: 28 Solicitors: 239 	<ul style="list-style-type: none"> Lawyers: 317 	<ul style="list-style-type: none"> <i>Avocats</i>: 97 <i>Notaires</i>: 17
3.	Professional organizations	<ul style="list-style-type: none"> Barristers: The Hong Kong Bar Association. Solicitors: The Law Society of Hong Kong. 	<ul style="list-style-type: none"> Barristers: The General Council of the Bar. Solicitors: The Law Society. 	<ul style="list-style-type: none"> Provincial and territorial law societies. Federation of Law Societies of Canada. 	<ul style="list-style-type: none"> <i>Avocats</i>: 164 local bar associations ("<i>Barreaux</i>") and National Council of Bar Associations. <i>Notaires</i>: 72 chambers at <i>departement</i> level, 33 regional councils, and The High Council of French Notaries at the national level.

⁴⁸ Excluding Quebec (except for rows 1 and 2).

⁴⁹ Apart from barristers and solicitors, there are other legal professionals (including legal executives, licensed conveyancers and patent attorneys) authorized to conduct certain reserved legal activities such as litigation, conveyancing and probate activities.

⁵⁰ Including *avocats* in Quebec. Apart from lawyers, there are a few other licensed legal professions (e.g. paralegals in Ontario) which are small in number.

Practice of legal profession in selected places

		Hong Kong	England and Wales	Canada	France
4.	Key business areas	<ul style="list-style-type: none"> Barristers: advocacy and consultancy. Solicitors: conveyancing, preparation of other legal documents, legal advice, and litigation work outside court. 	<ul style="list-style-type: none"> Barristers: advocacy and consultancy. Solicitors: conveyancing, preparation of other legal documents, legal advice, and litigation work outside court. 	<ul style="list-style-type: none"> All aspects of law, though some lawyers may choose to specialize as either barristers or solicitors. 	<ul style="list-style-type: none"> <i>Avocats</i>: All aspects of law, except conveyancing. <i>Notaires</i>: conveyancing and other legal documentations.
5.	Rights of audience in lower courts	<ul style="list-style-type: none"> Yes, for both barristers and solicitors. 	<ul style="list-style-type: none"> Yes, for both barristers and solicitors. 	<ul style="list-style-type: none"> Yes, but limited to the province of registration. 	<ul style="list-style-type: none"> <i>Avocats</i>: Yes. <i>Notaires</i>: No.
6.	Rights of audience in higher courts	<ul style="list-style-type: none"> Barristers: Yes. Solicitors: No, except 51 solicitor advocates. 	<ul style="list-style-type: none"> Barristers: Yes. Solicitors: No, except 6 701 solicitor advocates. 	<ul style="list-style-type: none"> Yes. 	<ul style="list-style-type: none"> <i>Avocats</i>: Only for <i>avocats aux conseils</i> in the two highest courts. <i>Notaires</i>: No.
7.	Direct client access	<ul style="list-style-type: none"> Barristers: No, except for work under Direct Professional Access rules. Solicitors: Yes. 	<ul style="list-style-type: none"> Barristers: No, except for work under Public Access Scheme. Solicitors: Yes. 	<ul style="list-style-type: none"> Yes. 	<ul style="list-style-type: none"> Yes.
8.	Cab-rank rule	<ul style="list-style-type: none"> Barristers: Yes. Solicitors: Not applicable. 	<ul style="list-style-type: none"> Barristers: Yes, except for work under Public Access Scheme. Solicitors: Not applicable. 	<ul style="list-style-type: none"> Not applicable. 	<ul style="list-style-type: none"> Not applicable.

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Hong Kong

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