

Ceremony of handing over of Letters Patent
to newly-appointed Senior Counsel
Supreme Court, 15 June 2010
ATTORNEY-GENERAL'S ADDRESS

May it please Your Lordships,

It is indeed a great honour for me to address you and this august assembly today on the occasion of the handing over of Letters Patent to the 16 newly appointed Senior Counsel.

Allow me, at the outset, to extend my most sincere and heartiest congratulations to our 16 colleagues on their achieving the rank of Senior Counsel, and to their families.

My Lords,

We can only realise the importance of today's ceremony by placing it in its rich historical context. It is more than four centuries since Sir Francis Bacon became the first person to be formally styled as King's Counsel in 1603. Over the centuries, the institution of what is frequently known as 'Silk' has gone from strength to strength throughout the common law world. This, I believe, is because of the manifest benefits of a system which encourages the notions of excellence in the law, on the one hand, and service to the public, on the other.

Various jurisdictions, like Mauritius, have replaced the title of Queen's Counsel with Senior Counsel, discontinued the issuing of a Queen's Commission and removed the powers of the Executive in the appointment process. The significance of the institution of 'silk', however, has not diminished, and the values it embodies remain just as important in the 21st century as at any time in its history.

My Lords,

Initially, King's Counsel were bound by oath not to accept briefs against the Crown. By the 18th century, the institution had evolved to a class of counsel simply given precedence and a rank superior to that of ordinary counsel. Today, the appointment of Senior Counsel provides a clear and public identification of those barristers whose skills, legal experience, and personal qualities mark them out as being the best within the legal profession. It is a badge of honour and recognition of professional eminence, with those achieving the rank being identified as leaders amongst barristers. For the public, it is a mark of excellence and of a continuing expectation that an individual will consistently perform to the highest standards. These expectations are not limited to the exercise of legal skills.

The rank of Senior Counsel commands a status at the top of the legal profession which is well respected by the profession, by the Courts and by the community. Nonetheless, it is more than just a

personal accolade and reward. It must also be appreciated that it is not only recognition of past achievements. Much more importantly, it carries challenging responsibilities for the future. It brings with it responsibility for maintaining the distinguished tradition and expectation of both service and leadership that has been central to the institution for hundreds of years.

My Lords,

A fundamental responsibility of Senior Counsel is setting an example in maintaining the highest professional standards of integrity and competence. With a Bar of over 400 barristers, competition is intense. In these circumstances, the exemplary role of Senior Counsel in maintaining professional standards assumes an even greater significance. Indeed, it is of critical importance in upholding the reputation of the Bar.

My Lords,

The Bar is a demanding profession and the road to success is an arduous one. The new appointments are well deserved, having been earned through years of hard and dedicated work. This marks the end of a stage in their professional career and the beginning of a new exciting and even more challenging stage. As with all legal professionals, the striving for excellence should never cease. Much will be expected of the new Senior Counsel and I confidently predict that each will bring his own particular distinction to the Inner Bar.

In addition, I would urge the new Senior Counsel to be true leaders in the profession and to share their expertise and experience generously. This can take the form of mentoring younger members of the profession, of lecturing and writing on their areas of expertise and of doing *pro bono* work, as appropriate.

My Lords,

The appointment of these Senior Counsel can truly be regarded as testament to the vibrancy and the strength of the Bar in Mauritius. Their practices are challenging and diverse, ranging from criminal law to civil law, administrative law to corporate law.

I hope I will be forgiven for singling out some of them, not because they are more meritorious than the others, but on account of their past or existing association with my Office. I am particularly proud to note the elevation of my distinguished predecessor, Razack Peeroo, GOSK, who served as Attorney-General from 1995 to 2000 and became the first ever Minister of Human Rights in Mauritius. His achievements in the field of law and justice were numerous and I need only mention the fact that he spearheaded the implementation of many of the recommendations made in the Mackay Report in 1999 and introduced the Protection of Human Rights Bill in 1998 and the Bail Bill in 1999 in the National Assembly.

We are also pleased to acknowledge that both Iqbal Rajahbalee and Dhaneswar (or Rishi) Pursem did their "*premieres*

armes” at the Attorney-General’s Office before leaving for greener pastures... Last, but not least, we are very happy that the Director of Public Prosecutions and the Parliamentary Counsel have both been given the recognition they richly deserve. Their elevation to the rank of Senior Counsel is a well-deserved consecration.

My Lords,

On behalf of my Office and in my own personal name, I wish the new Senior Counsel every success as they embark upon the next important stage of their careers.

Thank you.