

**THE STANDING COMMITTEE ON
LEGAL EDUCATION AND TRAINING**

**ANNUAL REPORT
2011**

1 January 2011 to 31 December 2011

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ANNUAL REPORT OF THE STANDING COMMITTEE ON LEGAL EDUCATION AND TRAINING

(1 January 2011 to 31 December 2011)

This is the sixth annual report of the Standing Committee. Section 74A of the Legal Practitioners Ordinance Cap. 159 (“LPO”) providing for the establishment of the Standing Committee and its functions is at Annexure 1.

Meetings

1. The Standing Committee met on four occasions during the reporting period from 1 January 2011 to 31 December 2011 (“Reporting Period”). Its composition is at Annexure 2.

Matters Considered

Law-Related Programmes Offered by Tertiary Institutions

2. Various overseas and local tertiary institutions consulted the Standing Committee on their proposals to introduce law-related programmes in Hong Kong or proposals to change their existing law-related programmes.
3. The Standing Committee suggested it should be emphasized to the students who applied for enrolment that these programmes would not be considered on the par with the law degrees conferred by City University, The Chinese University of Hong Kong and The University of Hong Kong and that the students would be subject to the requirements of the Hong Kong Conversion Examination Board. In particular, for the purpose of gaining admission to study the PCLL programmes, graduates of these programmes must demonstrate competence in 11 core subjects (Contract, Tort, Constitutional Law, Criminal Law, Land Law, Equity, Civil Procedure, Criminal Procedure, Evidence, Business Associations, Commercial Law) and 3 top-up subjects (Hong Kong Constitutional Law, Hong Kong Land Law and Hong Kong Legal System), whether by means of completion of their non-Hong Kong common law qualifications, or by taking the Hong Kong Conversion Examination.

Long-Term Goals

4. The Standing Committee considered its terms of reference in Section 74A of the LPO; whether the role of the Standing Committee should involve policy making in addition to supervision and the powers of the Standing Committee.
5. The Standing Committee sought the views of the Department of Justice (“DOJ”) on its remit with a view to setting its long-term goals. The Standing Committee noted it had in the past concentrated its efforts on ensuring the standards and the qualities of legal

education as a pathway to legal practice and that as a result of the concerted efforts of the various stakeholders in legal education and training, reforms were introduced to the LLB and PCLL programmes in recent years. In addition to maintaining vigilance on any developments since such reforms, the Standing Committee would consider, in the light of the development of legal education in Hong Kong and other jurisdictions, the future of law courses including LLB, double law degrees, PCLL and JD programmes.

6. The Standing Committee also noted there were a myriad of institutions providing law-related training and education in Hong Kong spanning from university courses, private tuition, online courses to preparatory courses conducted by commercial institutions on the Conversion Examination and the Overseas Lawyers Qualification Examination. The Standing Committee considered whether it would be necessary to supervise these providers; and if so, the mode of supervision, whether mere notification of the courses and the course contents would suffice or whether the Standing Committee should consider other aspects such as qualifications of the teachers and the standards of the courses.
7. DOJ considered the Consultation Paper prepared by Professor Paul Redmond and Professor Christopher Roper in September 2000 and their Report issued in August 2001, the minutes of the Steering Committee on the Review of Legal Education and Training, the Legislative Council Papers, Hansard, and the correspondence between DOJ and members of the Steering Committee. Based on such background information, DOJ formulated a preliminary view on the remit of the Standing Committee and the Standing Committee will consider such a view in due course.

Minimum Wage Ordinance Cap. 608 (“MWO”)

8. The introduction of the MWO had created concern over the viability and the prospects of law students seeking summer and winter internships from law firms. As the main purpose of internship is educational and given the prevailing market conditions, it is unlikely the majority of the student interns would be paid at the rate prescribed by the MWO.
9. To ensure law firms are not deterred and the chances of law students seeking internships would not be affected, the Law Society arranged with the City University, The Chinese University of Hong Kong and The University of Hong Kong to endorse such internships as an elective component of their full-time LLB and JD programmes, thereby enabling the students to claim exemption from the MWO. The arrangement was duly reported to the Standing Committee for noting.

Webpage

10. The Standing Committee continued to liaise with DOJ on the creation of its webpage. The webpage includes information about its functions, structure, composition, publications and contact details, and a link to the Conversion Examination Board.
11. The Standing Committee resolved the webpage would be available in 3 languages, English, traditional and simplified Chinese. DOJ provided the Chinese translation of the contents and the webpage design.

LLB, JD and PCLL

12. The Standing Committee continued to review the following legal education programmes:
 - (a) the reports on its LLB, JD and PCLL programmes by City University of Hong Kong are at **Annexure 3**;
 - (b) the reports on its LLB, JD and PCLL programmes by The Chinese University of Hong Kong are at **Annexure 4**;
 - (c) the reports on its LLB, JD and PCLL programmes by The University of Hong Kong are at **Annexure 5**.
13. The Standing Committee noted the competition for PCLL places in the academic year 2011 was severe and as a result of concerns raised by the applicants, the Standing Committee invited the 3 PCLL providers to review their admission procedures, in particular whether there would be scope for improvement in the system of making conditional offers in order to achieve admission as much as possible of the best students into the PCLL.
14. In the light of the severe competition for PCLL places, the Standing Committee also considered the demand for lawyers under the prevailing market conditions.

English Language Proficiency

15. The Standing Committee approved the recommendations of the Sub-Committee on English Language Proficiency that the following existing policy on English language requirement be continued for the academic year 2010/11:
 - (a) the requirement for submission of an International English Language Testing System (“IELTS”) score by applicants seeking entry to the PCLL should be applied irrespective of an applicant’s point of origin;
 - (b) a prescriptive / dispositive overall IELTS benchmark of 7 should be applied for entry to the PCLL;
 - (c) applicants to the PCLL should be allowed to submit their IELTS results subsequent to their PCLL applications but no later than a fixed date to be mutually agreed by the PCLL providers;
 - (d) no final offer should be made to a PCLL applicant by a PCLL provider unless it has received the applicant’s IELTS results by the specified deadline;
 - (e) applicants who have not submitted an IELTS score by the specified deadline should not be admitted to the PCLL; and
 - (f) the validity period of IELTS results for the purposes of applying for entry to the PCLL is 3 years and as such, to apply for entry to the PCLL, the IELTS

results submitted must relate to an IELTS test taken not more than 3 years before the closing date of application for the PCLL.

16. The composition of the Sub-Committee is at **Annexure 6**.

Conversion Examination

17. The Conversion Examination Board met on four occasions during the Reporting Period to oversee the administration of the Conversion Examination including the following:
- (a) vetting of applications for exemption from sitting the Conversion Examination;
 - (b) review of examination results and irregularities in the examinations;
 - (c) review of examination syllabi and reading lists;
 - (d) appointment of examiners;
 - (e) consideration of enquiries from applicants;
 - (f) nomination of the Chief Examiner.
18. The Conversion Examination was held twice during the Reporting Period in January and June 2011 respectively.
19. 744 and 713 candidates took part in the Conversion Examination in eight different pre-requisite subjects in January and June 2011 as compared to 644 and 680 candidates respectively in the January and June 2010 Conversion Examinations.
20. The average pass rate of the subjects examined in January 2011 was 75.3% (as compared to 75.5% in the January 2010 results) and that in June 2011 was 69.9% (as compared to 75.3% in the June 2010 results).
21. The Standing Committee and the Conversion Examination Board would like to record a note of thanks to Mr. Justice K. H. Woo, VP who served as Chief Examiner from June 2009 to December 2011. Mr. Justice Peter Cheung succeeded Mr. Justice Woo upon his retirement as Chief Examiner with effect from 1 January 2012.
22. The composition of the Conversion Examination Board is at **Annexure 7**.

Overall position

23. Various stakeholders in the field of legal education and training contributed their views from different perspectives and the meetings of the Standing Committee have provided a useful forum in which they can address different issues of mutual concern in a constructive and collaborative manner.

Annexure 1

SECTION 74A OF THE LEGAL PRACTITIONERS ORDINANCE

74A. Standing Committee on Legal Education and Training

- (1) There is established by this section a Standing Committee on Legal Education and Training.
- (2) The functions of the committee are-
 - (a) to keep under review, evaluate and assess-
 - (i) the system and provision of legal education and training in Hong Kong;
 - (ii) without prejudice to the generality of subparagraph (i), the academic requirements and standards for admission to the Postgraduate Certificate in Laws programme;
 - (b) to monitor the provision of vocational training of prospective legal practitioners in Hong Kong by organizations other than the Society or the Hong Kong Bar Association;
 - (c) to make recommendations on matters referred to in paragraphs (a) and (b); and
 - (d) to collect and disseminate information concerning the system of legal education and training in Hong Kong.
- (3) The committee shall consist of-
 - (a) 17 members appointed by the Chief Executive of whom- (Amended 10 of 2005, s.184)
 - (i) 2 shall be persons nominated by the Chief Justice;
 - (ii) 1 shall be a person nominated by the Secretary for Justice;
 - (iii) 1 shall be a person nominated by the Secretary for Education (Amended L.N. 130 of 2007);
 - (iv) 2 shall be persons nominated by the Society;
 - (v) 2 shall be persons nominated by the Hong Kong Bar Association;
 - (vi) 2 shall be persons nominated by the Vice-Chancellor of the University of Hong Kong;
 - (vii) 2 shall be persons nominated by the President of the City University of Hong Kong;

Extract of Section 74A of the Legal Practitioners Ordinance

- (viiia) 2 shall be persons nominated by the Vice-Chancellor of The Chinese University of Hong Kong; (Added 10 of 2005 s.184)
 - (viii) 2 shall be members of the public; and
 - (ix) 1 shall be a person nominated by The Federation for Continuing Education in Tertiary Institutions, a non-profit-making educational organization, from among its members which provide continuing legal education courses in Hong Kong; and
 - (b) a chairman appointed by the Chief Executive after consultation with the persons and organizations making nominations pursuant to paragraph (a)(i) to (viiia) and (ix). (Amended 10 of 2005 s.184)
- (4) A member of the committee who is unable to attend a meeting of the committee, except for a member appointed pursuant to subsection (3)(a)(viii), may, subject to the consent of the chairman, send a substitute to attend the meeting in his place and the substitute shall be deemed to be a member of the committee for the purpose of that meeting.
 - (5) A member of the committee including the chairman shall hold office for a term not exceeding 2 years.
 - (6) A member of the committee including the chairman may at any time resign from the committee by giving notice in writing of his resignation to the Chief Executive.
 - (7) The Secretary for Justice may publish notice of the appointment or termination of membership of a member (including the chairman) appointed pursuant to this section in the Gazette.
 - (8) The committee shall report annually to the Chief Executive and its annual report shall be tabled in the Legislative Council.
 - (9) The committee may determine its own procedure.

Annexure 2

THE STANDING COMMITTEE ON LEGAL EDUCATION AND TRAINING

- Acting Chairman:** The Honourable Mr. Justice Patrick CHAN Siu-oi
(from April 2010 to August 2011)
- Chairman:** (from August 2011)
- Members:**
- The Honourable Mr. Thomas AU Hing-cheung
(from August 2011)
(on the nomination of the Chief Justice)
- The Honourable Mr. Justice Azizul Rahman SUFFIAD
(on the nomination of the Chief Justice)
- Mr. Peter WONG Hing-hong
(on the nomination of the Secretary for Justice)
- Mr. Wallace LAU Ka-ki
(from October 2011)
- Ms. Amy WONG Pui-man
(from August 2007 to October 2011)
Principal Assistant Secretary (Higher Education),
Education Bureau
(on the nomination of the Secretary for Education)
- Mr. Albert WONG Kwai-huen, J.P.
(on the nomination of The Law Society of Hong Kong)
- Mr. Dieter YIH Lai-tak
(on the nomination of The Law Society of Hong Kong)
- Mr. Edward CHAN King-sang, S.C., J.P.
(on the nomination of Hong Kong Bar Association)
- Mr. Godfrey LAM Wan-ho, S.C.
(from November 2011)
- Mr. Kenneth KWOK Hing-wai, S.C., B.B.S., J.P.
(from November 2005 to November 2011)
(on the nomination of Hong Kong Bar Association)
- Professor Johannes CHAN Man-mun, S.C.
Dean of Law, The University of Hong Kong
(on the nomination of the Vice-Chancellor of The
University of Hong Kong)

Mr. Malcolm MERRY
(from September 2011)
Mr. Wilson CHOW Wai-shun
(from August 2005 to August 2011)
Head of the Department of Professional Legal Education,
Faculty of Law, The University of Hong Kong
(on the nomination of the Vice-Chancellor of The
University of Hong Kong)

Professor WANG Guiguo
Dean & Chair Professor of Chinese and Comparative
Law, School of Law, City University of Hong Kong
(on the nomination of the President of City University of
Hong Kong)

Ms. Sushma SHARMA
Programme Leader of the Postgraduate Certificate in
Laws, School of Law, City University of Hong Kong
(on the nomination of the President of City University of
Hong Kong)

Professor Christopher GANE
(from November 2011)
Professor Mike McCONVILLE
(from August 2005 to August 2011)
Dean, Faculty of Law, The Chinese University of Hong
Kong
(on the nomination of the Vice-Chancellor of The
Chinese University of Hong Kong)

Mr. Richard MORRIS
Director of Postgraduate Certificate in Laws Programme,
The Chinese University of Hong Kong
(on the nomination of the Vice-Chancellor of The
Chinese University of Hong Kong)

Mr. Clifton CHIU Chi-cheong
(from August 2011)
Mr. Graham CHENG Cheng-hsun, O.B.E., J.P.
(from August 2005 to August 2011)
(Member appointed under S74A(3)(a)(viii) of the Legal
Practitioners Ordinance Cap.159 (“Ordinance”))

Mr. Alvin WONG Tak-wai
(from August 2011)
Mrs. Pamela CHAN WONG Shui, B.B.S., J.P.
(from August 2005 to August 2011)
(Member appointed under S74A(3)(a)(viii) of the
Ordinance)

Dr. Danny CHOONG Ewe-leong
(on the nomination of The Federation for Continuing
Education in Tertiary Institutions)

Secretary:

Ms. Vivien LEE, Director of Standards & Development
The Law Society of Hong Kong

Annexure 3

School of Law City University of Hong Kong

LLB Status Report (January to December 2011) to the Standing Committee on Legal Education and Training

January 2012

This is a status report on the LLB (Hons) Degree Programme (LLB Programme) at the School of Law (“the School”), City University of Hong Kong (the University). The report covers the period from 1 January 2011 to 31 December 2011.

During the period of this report, the LLB Programme was offered only in full-time (UGC-funded) study mode. The part-time LLB has been discontinued in order to devote more resources in the double cohort intake.

1. 2011/12 Admissions

In the 2011/12 academic year, the School admitted forty two full-time LLB students in total as follows:

- Twenty JUPAS applicants
- Nineteen non-JUPAS applicants
- Two Mainland students
- One Taiwan student who had completed a foundation year at the University.

1.1 JUPAS Admissions

The School of Law received a total of five hundred and seventy one qualified applications for the 2011 JUPAS entry. The number of qualified applicants has been steadily increasing over the years. The JUPAS admission score for the 2011 entry of the School has increased from 2010. According to the University’s statistics, the average Use of English score of the School’s 2011 JUPAS entry students was the highest in the University.

Admission interviews for JUPAS applicants were conducted in June 2011. A selected group of JUPAS applicants who put the LLB Programme in Band A were invited to attend group discussion interviews in June 2011.

In 2011, sixteen JUPAS students were awarded the LLB Admission Scholarship (which was launched in 2008 to reward high quality students nominated by their secondary school principals for entry into the LLB) and successfully enrolled in the LLB Programme through JUPAS. The value of each scholarship was HK\$50,000.

1.2 Direct Applicants (local and international)

The School received a total of two hundred and thirty six direct (non-JUPAS) applications. Among the nineteen students admitted through the direct application route, two of them were non-local students (one each from South Africa and India). The selection criteria generally

entailed looking at applicants' academic performance, personal statement and other relevant activities stated in their application form, and special attention was also paid to their English proficiency. In relation to applicants who have completed a bachelor degree, the bachelor degree was taken into account amongst other information provided by the applicants. Individual admission interviews were conducted, mostly via telephone, before making offers.

1.3 Double Degrees

The School together with the Department of Accountancy offers a double major programme in Accountancy and Law. All students enrolled in the double major programmes are required to complete thirty credits in law in order to qualify for a second major in law. Students who wish to pursue an LLB degree should complete at least another sixty credits of law compulsory and law elective courses. The structure of the double major programme is subject to change with the new LLB curriculum in the 2012/13 cohort.

2. Academic Standards

Several mechanisms have been put in place to maintain high academic standards in the LLB. First, the School uses External Academic Advisors from a number of leading universities to monitor standards. Second, the School established an International Advisory Board (IAB) in 2007. The IAB comprised of judges, experienced legal practitioners, principals from local secondary schools and renowned professors from law schools such as Harvard, Oxford and Yale. The IAB members provide periodic advice to the School on academic standards, curriculum development and assessment practices.

3. Exchange Programmes

Both the University and the School have a number of exchange programmes with foreign universities. The latest exchange agreement in this series was signed with the Columbia Law School, Columbia University. As the School sees overseas exchanges as an important element in acquiring of a global legal perspective, students are encouraged to engage in these exchange programmes. In 2011, sixteen students from overseas jurisdictions, including Australia, Canada, China, Norway, Singapore, Turkey and Sweden studied at the University as exchange students.

In 2011, the School continued to offer LLB students a place in the Summer School programme at Monash University Sunway Campus in Malaysia. The Summer School provides students with an opportunity to study law elective courses with students from several partner universities. These law electives are taught by leading academics from Australia, Canada, Hong Kong, Malaysia, and Singapore. Two LLB students attended the Summer School in 2011.

4. Global Legal Education and Awareness Project (G-LEAP)

In order to complement the conventional semester-long exchange programmes and to produce law graduates who are equipped with the breadth of knowledge and skills to navigate the challenges of the globalised working environment, the School of Law in 2007 launched G-LEAP for LLB students, which is a one month intensive mode programme in which students study in prestigious overseas law schools. In summer 2011, thirty two LLB students spent a month at the Faculty of Law, Monash University to study a credit bearing law course,

Intellectual Property: Theory Copyright and Design. Similarly, twenty seven LLB students spent a month at the University College, Oxford to study a credit bearing law course, *European Competition Law and Policy*.

The School has received very positive feedback about the G-LEAP from the students who undertook these courses. They informed the School that they enjoyed the comparative focus of these courses and the learning environment. Accordingly, the School will be expanding the ambit of the G-LEAP to the Columbia Law School, USA.

5. Legal Placement

The School has incorporated legal placements into the credit-bearing curriculum of the LLB Programme. The objective of this course is to provide students with a structured opportunity to obtain practical experience from working in law offices or in a law-related working environment. Currently, the course provides legal work experience in Hong Kong and Mainland China. In summer of 2011, twelve LLB students completed a one-month legal placement across a range of diverse places (including legal departments of international companies, NGOs, local/international law firms, banks and law publishers) in Hong Kong. Furthermore, thirteen LLB students participated in the Mainland Legal Placement Programme.

6. Mooting Competitions

The School considers mooting, especially participation in international mooting competitions, to be an integral part of students' legal education as it provides students with an opportunity to broaden and sharpen their advocacy skills. It provides them with extensive training in order to participate in both internal and international mooting competitions. During the reporting period, LLB students achieved an outstanding level of success in the following international mooting competitions:

- Susan J. Ferrell Intercultural Human Rights Moot Court Competition (Champion)
- Philip C Jessup International Law Moot (Champion of Hong Kong Regional Round and Second and Third Best Oralists)
- Eighth Annual Willem C. Vis (East) International Commercial Arbitration Moot (First Runner Up and Honourable Mention for Best Oral Advocate)
- Eighteenth Annual Willem C. Vis International Commercial Arbitration Moot (The team ranked 7th out of 254)
- IASLA Space Law Moot Court Competition (Asia Pacific Regional Rounds) (Asia Pacific Round Regional Champion and Joint World Champions)
- Manfred Lachs Space Law Moot Court Competition (Asia Pacific Regional Rounds) (The team ranked 5th at the competition and won the Best Oralist)
- 12th International Maritime Law Arbitration Moot Competition (Quarter-finalists)
- The 2nd International Alternative Dispute Resolution (ADR) Mooting Competition (Champion)–

Participation in these competitions provides students with an opportunity to develop their skills, to meet with students from other jurisdictions, and to raise the profile of the University/School.

7. City University of Hong Kong Law Review

Students edit a law journal, *City University of Hong Kong Law Review (CityU LR)*, which was launched in October 2009. The *CityU LR* publishes two issues annually, operating under the mentorship of faculty members and the guidance of the IAB. The editing work of the students has attracted high praise from readers. The *CityU LR* is now offered as a law elective. Several measures are being taken to promote the *CityU LR* both locally and internationally as a journal; it is available on HeinOnline and will soon be available on Westlaw.

8. LLB in 2012

The LLB Review Panel reviewed the structure of LLB programme and collected feedback from the students and the programme committee on the proposed LLB curriculum for the 2012 cohort. The School's new structure for LLB will be implemented from the year 2012. Under the new curriculum, students will be required to complete thirty credits of Gateway Education (GE) courses while fifteen credits of GE courses (including discipline-specific GE English) will be studied in Year One. Additionally, three law minors will be offered to the non-law students, namely: Business Law, Media Law and Human Rights Law. The Law for Professional Qualification Minor will be offered to the LLB students for their entrance to the PCLL programme. The law elective, Company Law and a new course; Mooting and Advocacy will be made compulsory law courses from the 2012 cohort.

In summary, based on these impressive achievements and feedback from staff, external academic advisers and students, we are confident in stating that the LLB Programme has been running successfully and that we will continue to maintain high academic standards as we embark on the new four year curriculum.

Ms Sara Tsui
LLB Programme Leader
School of Law
City University of Hong Kong

**POSTGRADUATE CERTIFICATE IN LAWS (PCLL)
at City University of Hong Kong
2011 Annual Report**

1. Admissions for 2011-2012

The School of Law received **520** applications for the academic year 2011/2012, of which about **62%** selected CityU as their first choice. **153** offers have been made by the School and eventually **138** students were admitted to the PCLL programme.

The intake quota for PCLL Programme for this year has been increased from 120 to 140, of which **53** were UGC funded places and **87** were non-UGC funded places. As at 1 November 2011, there are **138** students in class - one student has withdrawn from the programme due to employment contract issue and one student resume studies after one year's leave of absence.

The 2011/2012 PCLL class complied with **67%** CityU graduates and **33%** students who graduated from other institutions (53% from UK; 30% from Australia; and 17% from others).

53 UGC funded places were awarded on the basis of merit. About two third (**68%**) of those places were given to CityU graduates.

We conducted interviews for borderline cases. We interviewed **61** non-CityU applicants and gave offers to **28** students.

2. Class Size

We continued to limit our small group size to 10 students except for some of the elective courses where the students opting for the elective course are taught in either the seminar style or the number of students is around 13.

3. Assessment Regime and Outcomes

3.1 Assessment Regime

As previously reported all written assessments are to be taken under controlled conditions and the assessment of oral presentations continues to be videoed as backup and for review of the first examiners' assessments. Certain of the courses continue to be assessed by mid-term written examinations as well as end of term examinations.

3.2 Assessment Outcomes

2009-10:

No. of students who failed PCLL:	1 full-time and 1 part-time in Year 1
No. of final year students who sat resits:	23 full-time and 4 part-time

2010-11:

No. of students who failed PCLL:	Nil
No. of final year students who sat resits:	35 full-time

4. Staffing

In Semester B of 2010-11, 17 full-time staff and 12 part-time staff (practitioners) taught in PCLL programme.

In Semester A of 2011-12, 12 full-time staff and 15 part-time staff (practitioners) taught in PCLL programme.

Many of them have taught PCLL for some time and provide input on features of current practice.

5. Curriculum

There are twelve core courses: Interlocutory Advocacy and Interviewing; Trial Advocacy; Mediation and Negotiation; Litigation Writing and Drafting; Commercial Writing and Drafting; Conveyancing Practice; Wills and Probate Practice; Corporate and Commercial Practice; Civil Litigation Practice; Criminal Litigation Practice; Professional Conduct and Practice; and Solicitors' Accounts.

Students must also take two electives which include Bar Course; Foundations in Mainland Related Legal Transactions; International Arbitration Practice; Family Law Practice; Litigation Practice II and Understanding Financial Statements and Financial Regulatory Practice.

Changes for 2010/2011

- (a) Legal Writing and Drafting course was split into two courses, namely Litigation Writing and Drafting and Commercial Writing and Drafting.

- (b) Advocacy, Interviewing and Negotiation course was split into three courses, namely Interlocutory Advocacy and Interviewing, Trial Advocacy and Mediation and Negotiation.
- (c) Mediation Practice course was deleted from the elective list as it was incorporated into the core subject Mediation and Negotiation.

Changes for 2011/2012

A new elective, Family Law Practice is offered in 2011/12 while the Litigation Practice II was not offered to this cohort.

6. The Future

Elective Courses: We have plans to offer new electives in the coming year so that the students have more choice.

Part-Time PCLL Programme: We have decided to suspend our part-time PCLL programme for the academic years 2011-12, 2012-13 and 2013-14 and planned to offer the last part-time PCLL programme in 2014-2015 cohort.

7. Involvement of the Profession

We are very happy to report that the profession has been very involved with the training of the PCLL students. Involvement has been in the form of Presentations on relevant Corporate topics, Conveyancing topics, assistance in assessment; High Court trials and participation in the demonstrations in various Advocacy courses, and also participation in the mock interview for will drafting in the Will and Probate Practice course.

8. Conclusion

We are committed to educating and training lawyers of tomorrow. Our focus is on the holistic development of our students. Apart from legal practical and skill training, we instill in them the value of collaboration, the importance of Ethics and the feel for community service. We are proud of our graduates and with every single graduating student we are adding an asset to the legal community of Hong Kong.

Sushma Sharma
PCLL Programme Leader
City University School of Law
January 2012

School of Law, City University of Hong Kong

JD Status Report to the Standing Committee on Legal Education and Training

January 2012

1. Backdrop

The JD (Juris Doctor) programme is a graduate entry law programme for applicants who have a non-law bachelor degree or an undergraduate law degree from a non-common law jurisdiction. JD graduates may enter the legal profession in Hong Kong after completing the Postgraduate Certificate in Laws (PCLL) or use the gained legal knowledge and skills in other professions.

This status report on the JD Programme at the School of Law (School) of City University of Hong Kong (CityU) covers the period from 1 January to 31 December 2011. Since the part-time JD was discontinued in 2010, this report relates only to the full-time JD programme.

2. 2011/2012 Admission

The minimum entry requirements for admission to JD is (i) a bachelor's degree in a non-law discipline, or (ii) a bachelor's degree in law from a non-common law jurisdiction obtained after at least eight semesters of full-time study. Applicants must also be proficient in English. For applicants whose entrance qualification is obtained from an institution where the medium of instruction is not English, the minimum English language proficiency requirement is:

- a TOEFL score of 580 (paper-based test) or 92 (internet-based); or
- an overall band score of 7 in IELTS; or
- a total of 490 in the mainland China's College English Test (Band 6).

Entry to the JD programme has been quite competitive. The number of applications has been steadily increasing in recent years. As compared to 383 applications in 2010-11, the School received a total of 422 applications for admission to JD in 2011-12. The School admitted 64 students in the JD programme. In view of the minimum entry requirement for admission to JD, all these students had an undergraduate degree, while 27 per cent admitted students also had a postgraduate degree.

Admitted students come from diverse academic background (e.g., arts, translation, criminology, sociology, civil law, accountancy, business, finance, banking, public administration, and science) and with varied professional experience (e.g., teaching, medical and paramedical, management, finance, business, and insurance). The admitted JD students come from Hong Kong, mainland China and other overseas countries like the US and Australia. This diversity of the JD student body enhances greatly the quality of class interactions and discussions.

3. Programme Structure

The JD programme comprises a total of 71 credit units. Students have to complete the following required courses: Hong Kong Legal System, Legal System of the People's

Republic of China, Common Law Legal Method, and Jurisprudence. They should also complete either Independent Research or Dissertation to satisfy the research requirement of JD. The remaining credits can be made up by enrolling in elective courses.

The JD programme provides the necessary course requirements for admission to the PCLL programme. Apart from the requirement concerning the required courses and the research course, students are required to complete the following courses in order to be eligible to apply for the PCLL: Law of Contract; Law of Tort; Constitutional & Administrative Law I & II; Criminal Law I & II; Land Law I & II; Equity and Trusts; Company Law I & II; Commercial Law; Civil Procedure; and Criminal Procedure.

Students who do not intend to wish to join the legal profession can still benefit from the JD programme by choosing a range of elective courses offered for JD and/or LLM students. The School offers a wide variety of elective courses such as family law, energy and environmental law, international air law, competition law, Chinese & comparative company law, dispute resolution in theory & practice, Chinese and comparative commercial law, law & gender, Chinese foreign trade & investment law, and maritime arbitration law.

4. Teaching and Learning

The School promotes active and interactive learning. All JD courses have been redesigned in accordance with the Outcomes Based Teaching and Learning (OBTL). Under OBTL, the teaching/learning activities and the assessment tasks are aligned with the Course Intended Learning Outcomes (CILOs). CILOs are then aligned with the Programme Intended Learning Outcomes (PILOs). The PILOs of the JD programme stipulate that after completing the programme, students should be able to:

- 1) explain and assess specified areas of the law and legal system of Hong Kong, with particular emphasis on the law in action and the dynamic interplay between law and other social phenomena;
- 2) assess the common law system and its values, and its interaction with the law of China, the East Asian region and the wider world;
- 3) explain, interpret and apply main principles of ethics, civil duty, and social and professional responsibility;
- 4) critically assess the strengths and weaknesses of law as a means of regulating society in the context of competing and conflicting interests; and
- 5) demonstrate and apply skills of legal analysis and reasoning, skills of legal research, and skills of oral and written expression appropriate to the practice of Hong Kong and Chinese law, to a level appropriate to a graduate-entry degree in law.

Students get three direct contact hours for each course every week. Classes are generally conducted as a combination of lectures and small group tutorials, though certain courses are taught in a seminar style.

5. Assessment

The assessment pattern for most courses is in the form of an assignment, in-class participation and final examination. Since all JD courses are offered at a postgraduate level and students are expected to achieve a suitable standard of competency, students are required to achieve a minimum of 40 per cent marks in each of the assessment components. Students are provided written feedback on their assignment before the final examination.

6. Academic Quality

The School maintains the academic quality of the JD programme by having in place a rigorous system of external academic advisors. All examination papers are subjected to internal and an external moderation whereby the examination papers are reviewed by the School's cluster groups and the external examiners. The mechanism serves to ensure that the examination papers are in conformity with international standards. The JD programme Leader ensures that the feedback provided by external examiners is taken on board by respective course leaders.

In addition to the system of external examiners, the School has constituted an International Advisory Board (IAB) comprising judges, experienced legal practitioners and renowned professors from law schools such as Harvard, Oxford, Columbia and Yale. The IAB members participate in the School's annual retreats and provide advice in relation to academic standards, curriculum development and assessment practices.

7. Exchange Opportunities

The School recognises the importance of providing students overseas exchange opportunities. Overseas exchanges provide a platform for students to exchange ideas and experiences about different legal issues and legal systems. The School has entered into collaborative agreements with several leading universities such as Maine University, University of San Francisco, Jonkoping University, University of Tsinghua, University of Monash, and William & Mary Law School. We recently signed an agreement with the University of Vienna, which would allow our JD students to spend one semester in Vienna and obtain an LLM. During the recent Semester A 2011-12, three JD students went on an overseas exchange. We also received a number of incoming exchange students from the universities in US.

8. Co-curricular and/or Overseas Academic Activities

The learning environment of JD students is immensely enriched by their participation in some of the following activities:

International Mooting Competitions

As participation in mooting competitions greatly enhances students' mooting and advocacy skills, the School continues to facilitate students' participation in various regional and international mooting competitions by providing extensive training and financial support to them. In the academic year 2010-2011, we have seen many successes in international moots (please refer to Annex A for details). For example, our students won Championship in the 2011 Susan J. Ferrell Intercultural Human Rights Moot Court Competition held in the United

States and one JD student received the Fourth Best Oralists award. In the Investment Arbitration Moot Court held in Frankfurt, two JD students were declared the Fourth Best Oralists. The School moot team won the First Runner Up in the Eighth Annual Willem C. VIS (East) International Commercial Arbitration Moot and was ranked 7th out of 254 teams in the Eighteenth Annual Willem C. Vis International Commercial Arbitration Moot. The School team also won the Regional Championship in the IASLA Space Law Moot Court Competition (Asia Pacific Regional Round) and a JD student was awarded the Best Oralists award. Last but not least, our students won the Final of the 2011 International ADR Mooting Competition.

Legal Placement

The credit-bearing Legal Placement course provides JD students with opportunities to do internship in Hong Kong and mainland China. In Hong Kong, students were placed in various legal departments, financial institutions, chambers and law firms, while they were placed in different courts in Shanghai for four weeks after attending Chinese law courses at the Renmin University of China for two weeks. In total, 26 JD students participated in legal placement in Hong Kong and 1 JD student joined the internship in mainland China.

Global Legal Education Awareness Project (G-LEAP)

G-LEAP aims to promote excellence in legal education with a view to providing opportunities for our law students to have a global perspective in the study of law. In the 2011 Summer, JD students were provided an opportunity to study “Intellectual Property: Theory Copyright and Design” at Monash University (Australia) and/or to study “European Competition Law and Policy” at the University College Oxford. Several students enrolled in these credit-bearing elective courses taught on an intensive basis.

City University of Hong Kong Law Review

In October 2009, a new student edited law journal, *City University of Hong Kong Law Review (CityULR)*, was launched. The *CityULR* provides students an excellent opportunity to harness their writing and editing skills under the mentorship of experienced faculty members. In order to provide students structured training on editing and writing, “City University Law Review” was introduced as a law elective from the 2011-12 academic year. The *CityULR* is available on HeinOnline and will soon be available on Westlaw.

9. Library and Other Facilities

The Law Section of the Run Run Shaw Library has an excellent collection of law materials including print and electronic resources as well as an extensive array of research support facilities. Two discussion rooms are open to students, one of which is for moot preparation. Law school members and students can also access the full range of collections and services of the Main Library.

Apart from library facilities, the School is also equipped with excellent teaching facilities including a video seminar room and a moot court room. The video seminar room is used to conduct classes through video-conferencing by leading foreign scholars like Professor Michael Reisman (Yale Law School) and Professor Adrian Zuckerman (Oxford).

10. Looking Ahead

The JD programme at CityU, the first one in the town, is doing well and our JD graduates are highly sought after by local/international law firms. In the coming year, we aim to continue offering excellent global learning environment to our students and make a few revisions to the current JD curriculum and structure, e.g., introduce specialised streams and focus on having a discovery-enriched curriculum.

Dr Surya Deva
JD Programme Leader
School of Law
City University of Hong Kong

Annex A

Name of Competition	Student Achievements	Team Members
Susan J. Ferrell Intercultural Human Rights Moot Court Competition	<ul style="list-style-type: none"> * Best Team (Championship) * Second Runner-up Best Memorial * Fourth Best Oralist -- Li Jiani 	Tse Cheuk Yin Andrew (LLB) Tam Keith (LLB) Chok Man Ho Brian (LLB) Li Jiani (JD)
Frankfurt Investment Arbitration Moot Court	<ul style="list-style-type: none"> * No-1 team after the General Round * Top 4 best oralists -- Eric Lai and Eric Ng 	Lau Hoi Ki (LLMCCL) Lai Kwok Wai Eric (JD) Ng Kar-yan Eric (JD) Xue Qi (LLMCL)
Eighth Annual Willem C. VIS (East) International Commercial Arbitration Moot	<ul style="list-style-type: none"> * First runner up * Honourable Mention -- For Best Oral Advocate: Suraj SAJNANI and Carol CHOW 	Sajnani Suraj (LLB) Chow Yan Lin (LLB) Lui Chau Man (JD) Na Kar-yan Eric (JD) Liu He (JD) Ma Kar Yan Belinda (PCLL)
Eighteenth Annual Willem C. Vis International Commercial Arbitration Moot	<ul style="list-style-type: none"> * CityU was Ranked No-7 out of 254 teams. Eric Ng received even perfect scores of 50/50. Eric was awarded Honorable mention for the best oralists in the competition. 	Sajnani Suraj (LLB) Chow Yan Lin (LLB) Lui Chau Man (JD) Na Kar-yan Eric (JD) Liu He (JD) Ma Kar Yan Belinda (PCLL)
IASLA Space Law Moot Court Competition (Asia Pacific Regional Round)	<ul style="list-style-type: none"> * Regional Championship * Best Oralist Yan Yuli 	Chow Ho Kiu (JD) Ho Chun Ngai (LLB) Lin Wah Tong (JD) Yan Yuli (JD)
International Maritime Law Arbitration Moot	<ul style="list-style-type: none"> * The team made the quarter-finals of this competition where they were very narrowly defeated by the University of Queensland. En route to the knockout rounds they defeated the University of Hong Kong in the general rounds. * At the awards dinner the team also received acknowledgement for their Respondent Memorandum which was named as the Second Best Respondent Memorandum in the competition by the Moot Director, Dr. Kate Lewins. 	Fung Wai Nam (LLB) Leung Chi Yeung Victor (JD) Tai May Yin (JD) Tong Shan Ming Simon (LLMRTL)

The International ADR Mooting
Competition

* Highest Ranked Team in the General
Rounds
* Winning Team in the Final

Bai Jie (JD)
Chow Yat Sau (JD)
Gao Shang (LLB)
Ngai Wing Nga (LLB)
Wong Hoi Ching (LLMIEL)
Lau Hoi Ki (LLMCCL)

Annexure 4

The Chinese University of Hong Kong Faculty of Law

Report on the LLB Programme (Reporting period: January to December 2011)

1. Admissions

The LLB programme has continued to recruit quality students. The number of JUPAS applications remains steady while the number of non-JUPAS applications keeps increasing. The pattern seems to be in line with the latest development in secondary school education. Some local schools are offering an international curriculum such as the International Baccalaureate (IB).

The target LLB quota for 2011-2012 was 65. The actual intake was 68, which included 42 JUPAS candidates, 1 EAS student, 24 non-JUPAS candidates and 1 admitted through the CUHK Mainland Joint Entrance Examination (JEE) admission scheme. Many non-JUPAS candidates receive offers from other prestigious universities overseas. Retaining the best applicants is one of the challenges faced by local institutions.

In 2011, the LLB programme was on the top-ten lists of the CUHK undergraduate degree programmes ranked by reference to the median University Weighted Grade Point Average (UWGPA) and the highest UWGPA. The programme places great emphasis on students' language abilities. Of the 2011 JUPAS intake, 100% have attained Grade 5 or better in HKCEE English and 100% attained Grade 4 or better in HKCEE Chinese; 81% attained Grade B or better in HKALE Use of English and 100% attained Grade C or better in HKALE Chinese Language and Culture. Of the 2011 non-JUPAS intake, we required minimum of 38/45 in IB, AAB in 3 GCE A-Level subjects, and similar criteria for applicants from US, Canada, Australia and other countries.

The Faculty had interviewed all shortlisted JUPAS, Non-JUPAS, EAS and Mainland applicants before making offers in 2011 and will continue the practice for the upcoming 2012 admission exercise.

2. Course Offering

A few new electives were approved and/or offered in 2011, namely *Corporate Crime and Social Responsibility*, *Refugee Pro Bono Project* and *International Sales Disputes*. The Refugee Internship Programme was further refined and delivered as the *Refugee Clinical Legal Assistance Programme*.

We continue to offer three double-degree options for the law students to pursue inter-disciplinary studies: LLB-BBA, LLB-BA (Translation), and LLB-BSSc (Sociology). We have worked closely with our partner programmes to develop new study schemes under the new 3-3-4 Curriculum to be implemented in 2012.

3. Use of Chinese Language

The Chinese University of Hong Kong implements bilingual education and Chinese language courses form a compulsory part of the curriculum for all students admitted under both JUPAS and non-JUPAS schemes. The LLB programme places great emphasis on improving the bilingual skills of our students.

All LLB students are required to take the Professional Chinese course in their first year of study. It is a course designed to strengthen the students' ability to use Chinese for legal purposes. Students admitted under the non-JUPAS scheme may be granted exemption on a case-by-case basis after assessment of the individual's Chinese language ability. Where exemption is granted, it is compulsory for the relevant student to take another Chinese language course suitable for their level of attainment.

In addition, the LLB programme offers two electives in Putonghua Chinese on the Mainland for students to acquire a deeper understanding of Chinese law and the Chinese legal system and sharpen their Chinese language skills. Students who have taken the Chinese Law (summer course) and/or Chinese Law Summer Internship course have substantially improved their Chinese language reading, writing and communication skills.

4. Experiential Learning

The LLB programme continues to emphasize experiential learning as part of the law students' university experience to broaden their learning horizons. We offer credit-bearing Summer Study Abroad Programmes and exchange programmes, organize study-tours, internships, academic and social activities under the Distinguished Professional Mentorship Scheme and visits to legal institutions. We are most grateful for the strong support from the legal profession that has made these out-of-class learning activities a great success.

5. Mooting Participation

The LLB students continue to participate in international mooting competitions, where they have built upon the unprecedented success of previous years. In the 2011-12 academic year, CUHK sent teams to participate in the Jessup, Vis, Red Cross and Law Asia moots. Our students brought great distinction to themselves and the law faculty by winning major international prizes for written and oral advocacy in the Vis and Law Asia mooting competitions.

6. Quality Assurance of Teaching and Learning

Quality assurance mechanisms have been put in place to ensure that we deliver quality legal education to best serve the community. The LLB programme was scheduled for the internal programme review in 2010-11 as part of the University quality assurance exercise. It was a valuable opportunity for the programme to reflect and improve its design and to further align the teaching and learning activities with the programme learning outcomes.

Good communication between the faculty and students remains an effective means to further improve the quality of education. The Assistant Dean meets LLB year representatives in each academic term to collect students' views and concerns in relation to teaching and learning. The Faculty has taken students' suggestions and requests seriously and worked closely with

the students to improve the learning environment and their overall university experience.

7. Career Preparation

The Faculty provides pastoral care to our students through both the Academic Mentorship Scheme and the Distinguished Professional Mentorship Scheme. We have established a good tradition of close faculty-student relations. Course teachers, academic mentors and Distinguished Professional Mentors are approachable and they provide valuable advice and guidance on both academic and non-academic matters and future career plans.

A series of career talks and workshops were organized in 2011. An encouraging number of law firms have indicated their interest in offering internships to our LLB students prior to their year-3 studies. Students also have access to career resources through the Faculty's Virtual Career Resources Centre.

8. Graduates

In both 2010 and 2011, around eighty percent of our LLB graduates who applied for the PCLL programme at CUHK were admitted. Those not joining the PCLL programme had other career plans. For example, one of them has been awarded the prestigious Sir Edward Youde Memorial Fellowship to pursue BCL study at Oxford University in 2011-12. Of those LLB graduates who attended the PCLL programme in 2010-11 (excluding 4 no-response cases), over 93% had secured training contracts by July 2011.

Yuhong ZHAO
Associate Dean (Undergraduate Studies)
Faculty of Law
The Chinese University of Hong Kong

January 2012

Faculty of Law
The Chinese University of Hong Kong
Report on the PCLL Programme
(Reporting Period: January – December 2011)

2010/2011 PCLL Programme

1. Completion and Attrition Rates of the 2011 Graduating Class

In the 2010 intake, we admitted 146 students to the PCLL. Of the 146 students who started, 1 withdrew from the programme in September 2010 and another withdrew in November 2010 for personal reasons. 1 was approved to take one year leave of absence starting from Term 2. The remaining 143 successfully completed the PCLL. This year none fell foul of our stringent Assessment Regulations which require that a student who fails more than 2 courses in either Term 1 or Terms 2 and 3 be discontinued. Quite a number of students failed courses, however, and were permitted by the Exam Panel to sit reassessments: a total of 14 reassessments were sat during the year. The fact that no students were discontinued does not reflect any softening of the requirements of the courses, rather that the admission quality has increased. We are very pleased again to have achieved such a high pass rate in this competitive and demanding programme.

2. Programme Delivery

The 2010/2011 programme returned to our Graduate Law Centre on the second floor of Bank of America Tower, where the facilities have been refurbished and enhanced. In addition to a Moot Court we have a number of interactive lecture theatres and classrooms. These are all equipped with state-of-the-art facilities. There are also a number of breakout rooms available for student study and discussion. We retained the teaching model of a combination of Large Group Sessions and Small Group Sessions (LGSs and SGSs) as this has proved so effective in the previous years.

The same 5 core courses were offered in Term 1, namely Professional Practice, Commercial Practice, Property and Probate Practice, Civil Litigation Practice and Criminal Litigation Practice. 10 elective courses were offered in Term 2/Summer term, of which the students had to select and complete 5 courses; these were Writing and Drafting Litigation Documents*, Conference Skills and Opinion Writing*, Lending and Finance, Corporate Finance, Writing and Drafting Litigation Documents (in Chinese), China Practice, Writing and Drafting Commercial Documents (in Chinese), Alternative Dispute Resolution, Trial Advocacy* and Writing and Drafting Commercial Documents.

Students intending to enter pupillage as a barrister have to study the 3 asterisked electives. These 3 electives were not of course confined to intending barristers and it is noteworthy that many intending solicitors also chose to study one or more of these courses.

Nearly all teachers on the programme are or have been practising lawyers and through all the courses the emphasis was on the teaching of skills, and on the students “learning by doing”. To that end on all courses the students were taught and then practised skills they would need in practice.

The PCLL is a rigorous course. There is continuous assessment throughout each term with the students facing 2 or 3 assessments in each course. Thus the students have to balance their time between courses and in doing so successfully learn the time management skills which will be so vital to them in practice.

Student Diversity

The PCLL 2010/11 had a diverse student body. Of the 145 students who started in September 2010, 123 held local law qualifications while 22 held non-local law qualifications. Their academic background is as follows:

Law Qualifications	No. with overseas qualifications	No. with local qualifications	Total no. of students
Bachelor of Laws (LLB)	22	35	57
Juris Doctor (JD)	0	88	88

While most of our students were local, we also had a number of students from the Mainland, who had qualified for admission by way of our Juris Doctor programme, along with students from the UK and Australia.

3. Oversight by the Professions

With the exception of Trial Advocacy, each PCLL course has assigned to it one or two external course assessors (ECAs), from the Law Society and the Bar Association. The Law Society ECAs see and approve all course papers, and both ECAs see the assessment papers before they are sat and are sent for their review all borderline and failed scripts, along with some top scripts. The Law Society ECAs also attend sessions of their choice and provide feedback to the Law Society. All that feedback has to date been for the most part very positive.

The students also give feedback on the courses and their teachers: that too has been almost without exception positive and encouraging.

For the first time we received from the Law Society the results of a survey of PCLL graduates conducted on its behalf, so far as those referred to CUHK graduates. The graduates concerned were those from our first, 2008/09, PCLL. The results were very satisfactory and were reviewed in November 2011 in a meeting between the PCLL Director and the Legal Education Committee of the Law Society. The Committee appeared satisfied with the quality of our PCLL programme as reflected in the generally favourable comments from the students.

4. Contribution by the Judiciary and the Professions

We are also very fortunate to be able to call upon so many volunteers from the judiciary and the professions. By way of example, in our Trial Advocacy course in May 2011 we had 45 sessions in which barristers and solicitors came in the evening to give individual feedback to the students on their videoed performances earlier each day; the students' final assessment was a mini-trial in courtrooms in the High Court: with 95 students on the course and 4 students per trial, we required 24 judges whom we invited from the judiciary and the professions.

We have also had throughout the years numerous guest speakers from the judiciary and the professions, including the Chief Justice and the then Chairman of the Bar. We are very fortunate indeed to have such support from the Judiciary and the professions and greatly appreciate it, as do the students.

5. Placement of the 2011 Graduates

Notwithstanding our short history, our graduates in all three years have been consistently placed in all areas of the legal profession following graduation. According to the placement survey results which comprise 77 student responses out of 143 students of the 2010 – 11 cohort, over 90% have been employed by leading law firms, leading sets of barrister's chambers and by the Department of Justice. A number of graduates have continued with further studies.

2011/2012 PCLL Programme

1. Admissions of the 2011/2012 Class

The Faculty received 453 applications to read for the PCLL 2011/12. The Faculty made 165 offers. Of the 165 candidates to whom the Faculty made conditional offers, 160 accepted and 5 declined. Of those receiving conditional offers, 150 were able to satisfy all of the conditions and register on the PCLL. The 2011/2012 PCLL intake accordingly comprises 150 candidates.

The intake standard increased substantially across the board and we have this year a very high calibre of students. They appear to be very enthusiastic about and committed to their studies, and attendance rates at LGSs and SGSs have been most impressive; indeed the only absenteeism from the SGSs has been caused either by the need to attend an interview or by ill health.

Conclusion

We are very proud of our PCLL and confidently believe that the emphasis we place on the acquisition of skills throughout the programme continues to produce graduates who will be useful and professional from the very first day of their traineeship or pupillage. The feedback we have had from the professions on the quality of our PCLL graduates whom they have taken on as trainees or pupils very much bears this out.

We now have three successful PCLLs to build upon and are hopeful that we can make the 2011/2012 better still.

Richard Morris
PCLL Programme Director
Faculty of Law
The Chinese University of Hong Kong

December 2011

The Chinese University of Hong Kong
Juris Doctor Programme
2011-2012 Report for the Standing Committee on Legal Education and Training

1. Background

The Juris Doctor (JD) is a graduate entry programme created as a direct response to the recommendation of the *Redmond-Roper Report* "That there should be opportunity for mature age students, and graduates in other disciplines, to study law-both for equity and access reasons and for the richness and diversity this brings to the law schools and the legal profession" (*Report*, 11.4 at p. 271).

2. Teaching philosophy and structure

The JD Programme at The Chinese University of Hong Kong (CUHK) is taught exclusively at graduate level. JD students enjoy a dedicated programme and do not share any courses with undergraduate LLB students.

The JD is examined as a graduate programme and students must perform to graduate standards. To secure alignment with these standards, the JD and the LLB are both overseen by the Senate of CUHK and an eminent External Examiner who is fully briefed on the level demanded of graduate programmes and what is expected of a JD benchmarked against international standards.

3. Admission requirements

Applicants for admission to the JD Programme in 2011-2012 are required to have :

- (i) graduated from a recognised university and obtained a Bachelor's degree in a non-law subject or a law degree from a non-common law jurisdiction, normally with honours not lower than Second Class; or
- (ii) graduated from an honours programme of a recognised university with a Bachelor's degree in a non-law subject or a law degree from a non-common law jurisdiction, normally achieving an average grade of not lower than "B" in undergraduate courses; or
- (iii) completed a course of study in a tertiary educational institution and obtained professional or similar qualifications equivalent to an honours degree.

Applicants were also required to satisfy the JD Programme's English Language Proficiency Requirement by:

- possessing a bachelor's degree obtained by completing a programme of study in Hong Kong or an English-speaking country, or which was taught primarily in the English language; or
- achieving a result of Band 7.5 or better in the International English Language Testing System (IELTS), which result was obtained not more than two years prior to the date of applying to join the JD Programme; or

- achieving a result of 600 (Paper Based Test), or 100 (Internet Based Test) or better in the Test of English as a Foreign Language (TOEFL), which result was obtained not more than two years prior to the date of applying to join the JD Programme; or
- producing alternative evidence of English proficiency equivalent to one of the preceding measures.

3. Programme structure

The JD Programme at CUHK provides students with an intellectually-enriching general education in law, while simultaneously permitting them to complete a wide range of challenging elective courses in the common law, Chinese law, comparative law, international law, and the law of trade, business and finance.

The Programme consists of 72 credit units (a standard semester-length course being 3 credit units). Students have an average of 3 contact hours per week with teachers in each course. Students entering the JD Programme in 2011-2012 may complete the Programme in full-time mode or part-time mode.

It is possible for full-time mode students to complete the programme in 24 months by completing courses in each summer term; but students may take up to 48 months to complete the Programme.

Part-time mode students can complete their studies in 42 months (students may, in exceptional circumstances, apply to accelerate their studies and complete the Programme in 36 months with the permission of the Graduate Council on the recommendation of the Faculty of Law). Part-time mode students are permitted to take up to 84 months to complete the Programme.

In order to graduate, all students must complete five required courses ("Legal System", "Jurisprudence" "Legal Research, Analysis and Writing", "The Individual, the Community and the Law" and either "Independent Research" or "Independent Research Dissertation"). The required components are designed to provide JD students with the essential foundational knowledge and skills for a well-rounded general legal education and a first-hand appreciation of the relationship between the legal system and the broader community which it serves and regulates.

Students aspiring to admission as a barrister or solicitor in Hong Kong may pursue elective courses which will enable them to apply for admission into the Postgraduate Certificate in Laws (PCLL) programme. These elective courses are also open to students who do not plan to enter the PCLL.

All JD students are permitted to choose further elective courses shared with LLM students from a wide range of intellectually stimulating and professionally enhancing offerings, thereby enabling them to complete their degree requirements while achieving their own academic and professional goals.

JD Courses

The JD Programme is structured to accommodate the interests both of those who intend to enter the legal profession and those who are studying for other reasons. For this reason, the programme comprises a mixture of required and elective courses, as detailed below:

(i) Required courses

-	Legal Research, Analysis and Writing
-	Legal System
-	The Individual, the Community and the Law
-	Jurisprudence
-	Independent Research* OR Independent Research Dissertation*

* Students are required to complete either *Independent Research* (3 credits) or *Independent Research Dissertation* (6 credits).

(ii) Elective Courses

(a) Elective Courses Required for Admission to the PCLL Programme

-	Principles of Administrative Law	-	Principles of Criminal Law
-	Principles of Civil Procedure	-	Principles of Criminal Procedure
-	Principles of Commercial Law	-	Principles of Equity and Trusts
-	Principles of Company Law	-	Principles of Evidence
-	Principles of Constitutional Law	-	Principles of Land Law
-	Principles of Contract	-	Principles of Tort
-	Principles of Conveyancing		

(b) Other Elective Courses**

-	Australian Constitutional Law	-	International Finance and Accounting
-	Business and the Law in Hong Kong	-	International Financial and Banking Law
-	Canadian Constitutional Law	-	International Investment Law Principles and Practice
-	Chinese Accounting and Law	-	International Legal Advocacy
-	Chinese Banking Law	-	International Relations
-	Chinese Civil Law	-	International Taxation
-	Chinese Civil Procedure Law	-	Interviewing and Counseling
-	Chinese Commercial Law	-	Issues in Company Law
-	Chinese Company Law	-	Issues in Contract
-	Chinese Constitutional and Administrative Law	-	Issues in Criminal Law
-	Chinese Contract Law	-	Issues in Equity and Trusts
-	Chinese Economy and Law	-	Issues in Human Rights
-	Chinese Environmental Law	-	Issues in International Law
-	Chinese Finance and Law	-	Issues in Land Law
-	Chinese Financial Law	-	Issues in Remedies
-	Chinese Foreign Trade and Investment	-	Issues in Tort

	Law		
-	Chinese Intellectual Property Law	-	Jessup International Law Moot
-	Chinese Law Internship	-	Law and Literature
-	Chinese Politics and Law	-	Law of International Business Transactions I
-	Chinese Practice on International Law	-	Law of International Business Transactions II
-	Chinese Securities Regulation	-	Legal System and Methods in China
-	Chinese Tax Law	-	Mooting
-	Common Law: Globalization and Convergence	-	Non-Marine Insurance Law
-	Common Law: Origins and Development	-	Preferential Trade Agreements: Theory and Practice
-	Comparative Company Law	-	Principles of Construction Law
-	Comparative Constitutional Law	-	Principles of Corporate Crime and Social Responsibility
-	Comparative Constitutional Traditions	-	Principles of Employment Law
-	Comparative Contract Law	-	Principles of Environmental Law
-	Comparative Corporate Governance	-	Principles of Family Law
-	Comparative Legal Traditions	-	Principles of Intellectual Property
-	Competition Law	-	Principles of International Law
-	Conflict of Laws	-	Principles of Mediation
-	Copyright, Digital Subject Matter and Information Technology	-	Principles of Remedies
-	Crime and the Sanctioning Process	-	Principles of Revenue Law
-	Dispute Resolution	-	Principles of Securities Regulation
-	Dispute Resolution in China	-	Private International Law in China
-	European Union Law	-	Property Law in China
-	History, Culture, and the Law	-	Refugee Clinical Legal Assistance Programme
-	International and Comparative Environmental Law	-	Secured Transactions and the Law
-	International and Comparative Intellectual Property Law	-	Shipping Law
-	International Commercial Dispute Resolution	-	The Law of Electronic Commerce
-	International Economic Development and the Law	-	Trans-national Legal Problems
-	International Economic Law Skills	-	World Trade Law
-	International Economics	-	

*** The offering of an elective course in any particular term is dependent on teacher availability and sufficient student interest.*

5. Student intake

The JD has proved to be a highly competitive programme in terms of applications and admissions. For the academic year 2011-2012, the Programme received 1117 applications meeting the minimum admission requirements (727 applications for full-time mode and 390

applications for part-time mode). The admission requirements set out in (3) above are minimum requirements and many applicants who satisfied these requirements did not receive offers of admissions from CUHK in 2011-2012. The JD attracts students of the very highest quality, and the student body also constitutes a rich mixture of well-educated new graduates together with seasoned professionals who have already achieved considerable success in their chosen fields. The Faculty admitted a total of 234 students having made offers only to the top segment of applicants, as can be seen in the qualifications of admitted students.

No. of applications received for academic year 2011-2012 (full-time mode)	727
No. of students admitted for academic year 2011-2012 (full-time mode)	158
No. of applications received for academic year 2011-2012 (part-time mode)	390
No. of students admitted for academic year 2011-2012 (part-time mode)	76

All JD students admitted in 2011-2012 possess at least an Upper 2nd bachelor's degree or a credit master's degree (or equivalent) as can be seen in the following Table detailing the entry grades of the 2011-2012 cohort:

Band 1	34.19% (80)
Band 2	20.94% (49)
Band 3	44.87% (105)
Total	100% (234)

Band 1: 1st class bachelor's degree; or Cumulative GPA 3.5 (4-point scale) where no class of honours awarded; or PhD; or equivalent.

Band 2: Borderline 1st class bachelor's degree; or Cumulative GPA 3.4 (4-point scale); or Master (Distinction); or equivalent.

Band 3: Upper 2nd class bachelor's degree; or Cumulative GPA 3.2-3.3 (4-point scale) where no class of honours awarded; or Master (Credit); or equivalent.

As noted above, many of the JD students are taking the Programme to assist their existing careers or to enhance their skills-level and they have no intention of entering the legal profession. Most of the part-time students are professionals with qualifications including Chartered Financial Analyst (CFA), Certified Tax Adviser (CTA), Certified Financial Risk Manager (FRM), Certified Public Accountants (CPA), Association of Chartered Certified Accountants (ACCA), Certified Financial Planner (CFP), Associate of Hong Kong Institute of Arbitrators (AHKI Arb), or membership of the Hong Kong Institute of Chartered Secretaries (HKICS), Hong Kong Institute of Certified Public Accountants (HKICPA), Chartered Alternative Investment Analyst (CAIA), the Hong Kong Institute of Bankers

(HKIB), The Hong Kong Institution of Engineers (HKIE), Chartered Engineer (CEng), British Physiological Society (BPS), qualified lawyers from various jurisdictions and medical professionals. Some of our students are already in prominent management positions, such as CEO, CFO, VP, AVP, HR Director in local or international firms and organizations e.g. JP Morgan, HSBC, PCCW, Dow Jones & Co., Bloomberg L.P., RTHK, Microsoft Corporation, Four Seasons Hotel, Big Four audit firms, leading law firms, and other listed companies.

6. Library

The Faculty has necessarily placed great emphasis upon its library holdings given the centrality of law reports, ordinances and scholarly writings to the study of law. The Lee Quo Wei Law Library contains over 95,300 volumes and has 145 print journal titles and access to 2,796 electronic law journals. There are 66 electronic legal databases available to students and staff. Wherever possible electronic format is the preferred option for acquisition of law journals and serials. The Faculty is investing heavily in library materials to support future years of the various law programmes and has already committed funds for that purpose.

Whilst the Lee Quo Wei Law Library houses the main law collection the Legal Resources Centre (LRC) at the Graduate Law Centre (GLC) where the JD teaching takes place contains a short loan collection and a small collection of law reports and reference materials. Research materials needed by students at the GLC are provided by a daily courier service funded by the Law Faculty.

The Law Library has developed an extensive array of resource guides and indexes that are accessible via the Library website. Reference services are provided at both library locations. The Faculty of Law has also embedded Information Literacy into the curriculum of the JD programme.

7. Physical accommodation

The JD programme is taught at the Graduate Law Centre (GLC) in Central. The GLC accommodation, covering 35,000 sq. feet, includes three lecture theatres, a state of the art moot court, small break-out rooms, multi-purpose classrooms, dedicated computer facilities, and a Legal Resources Centre.

8. Concluding Remarks

The JD Programme at CUHK is now a well-established feature of the legal education landscape in Hong Kong. JD students now routinely receive job placement offers from top international and local law firms, government agencies and other organizations and businesses in Hong Kong and abroad. Many graduates have also undertaken pupillage and commenced a career at the Hong Kong bar. The JD students are highly-qualified, highly-motivated and thoroughly prepared for class. Classes are, in consequence, highly interactive with students bringing expertise and experience to enrich the learning environment both within and outside the classroom. Student satisfaction with courses is very high and is monitored independently by the University's Centre for Learning Enhancement and Research. Students on the JD have taken the initiative to set up the Graduate Law Students Association and organised activities, supported by the Faculty, to benefit the whole student body. Mooting teams composed of JD students have already represented the Faculty at both regional and international competitions and achieved outstanding results. Whilst some

JD students will not choose a career in law, those that proceed to the PCLL have a great deal to offer the profession and will help answer the call in the Redmond-Roper Report for increased diversity of practitioners in Hong Kong.

Professor Stephen Hall
JD Programme Director
18 January 2012

Annexure 5

The University of Hong Kong Department of Law

Head's Report on LLB and JD Programmes to the Standing Committee on Legal Education and Training

February 2012

The 2011-2012 academic year witnessed the final intake of students under the 2004-2005 LLB curriculum structure. In addition, it included the first intake of BA(Literary Studies)&LLB double degree students, the third intake of JD students and the final intake of BEng(CivE-Law) double degree students. The academic year has been marked by extensive preparations for the 2012 double cohort and implementation of related HKU curriculum reforms.

Admissions 2011-2012

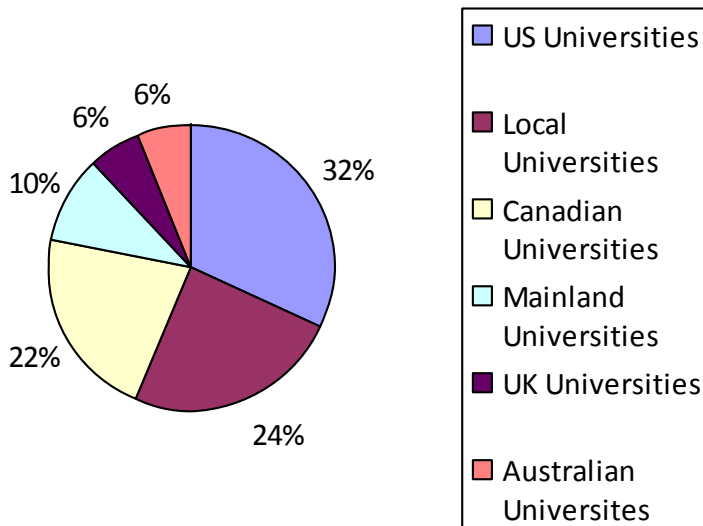
Admissions to the undergraduate law degrees and the JD remain highly competitive, and admissions standards are consequently maintained at a pleasingly high level.

Admissions figures this year for the LLB programme are similar to previous years, with a total intake of 105 students: 45 through the JUPAS system, 19 through our Faculty's non-JUPAS admissions process, 29 through the Early Admissions Scheme for Form Six students, 5 through Mainland recruitment, 2 internal transfers and 5 HKU-KCL Joint Degree students.

In addition, a further 150 students have been admitted to the four joint degree programmes leading to an LLB after five years of study: BBA (Law) - 79; BSocSc(Govt & Laws) - 42; BEng(CivE-Law) - 11, and BA(Literary Studies)&LLB - 18.

JD

This is our third cohort of JD students. We received more than 400 applications for admission to our JD programme and have admitted 56 students, amongst whom 54% have work experience. The distribution of the students admitted is as follows:



Exchange/Visiting Students

The number of foreign exchange and visiting students coming to HKU to study law in the Faculty of Law continues to be substantial, with 88 visiting and exchange students from institutions in Australia, Canada, Denmark, Israel, the Netherlands, Singapore, Sweden, Switzerland, Taiwan, the United States, the United Kingdom, and Mainland China.

Our own students continue to have a keen interest in applying to undertake exchange studies overseas for either a full-year or single semester in their upper years of studies. In relation to our own out-going law students for 2011-2012, in total there are 80 students, undertaking studies at 32 universities in 8 countries (11 in the UK, 7 in the US, 6 in Canada, 2 each in Singapore and the Netherlands, and 1 in Australia, Germany, and the Mainland each). Among the 80 students, 33 are spending a full year abroad. Along side the greater number of exchange places we have been able to put in place, it is evident that our four year LLB programme and five year double degree programmes have provided the necessary flexibility to allow our students spend one semester or two on exchange – an attribute that we have endeavored to enhance during the process of reviewing the curriculum during 2011-2012.

The New Curriculum

The Department has been in a process of re-designing the LLB and double degrees curricula structure in response to the “3+3+4” educational reforms in Hong Kong. One of the centerpieces in the current undergraduate education reform is the introduction of Common Core Curriculum (CCC). The CCC was introduced from 2010 onwards and by 2012 all undergraduate curricula, including law, will have 36 credits common core courses (six 6-credit courses) (24 credits / four 6-credit courses for double degrees). Of this 36 credits, at least 6 credits (one course) must come from each of the four CCC streams: Arts and Humanities, Science and Technology, China Studies, and Global Studies.

The Department of Law is amending the LLB curriculum and working with partner faculties to amend double degree curricula to address CCC requirements as well as changes to

language courses, introduction of capstone experiences, and restructuring required courses to enhance the overall quality of the educational experience and graduate capabilities.

Staffing

The Department has been successful at recruitment in recent years, necessary in order to deal with the demands of the double cohort commencing in 2012-2013 as well as to support programme expansion and research profile. This has enabled us both to maintain the high standard of delivery of teaching within the existing undergraduate programmes, and also develop new course offerings designed to enhance the depth and breadth of our undergraduate programme. We are currently in a healthy state, and I expect to see research and teaching grow and flourish over the course of the coming years, especially as many of our junior level colleagues find their footing in the academic community.

Concluding Remarks

The coming year, 2012-2013, will be a challenging period, with the double intake and its progression through HKU over the coming five years. However, as a result of significant advance planning, in terms of staffing, curriculum design and physical plant, we believe we will be well-placed to meet the challenges and are confident that we will continue to be able to offer law programmes that can compete with the best in the world.

Professor Douglas W. Arner
Head, Department of Law

REPORT ON THE PCLL
AT THE UNIVERSITY OF HONG KONG

January – December 2011

This report on the PCLL at the University of Hong Kong covers the calendar year 2011.

Admissions

The number of applications for the 2011/12 intake has further increased over the numbers for the previous two academic years. A total of 673 applications were received, of which 581 (86%) designated the HKU PCLL as first preference. By comparison, we received 622 applications (with 516 as first preference) in 2010/11 and 504 applications (with 436 as first preference) in 2009/10.

As before, we followed the policies and guidelines on admissions as previously agreed by members of the Admissions Committee of our Academic Board and conducted a small number of interviews.

There were 320 students admitted, of whom 240 are studying full-time and 80 are studying part-time. Seventeen applicants failed to take up our conditional offers because of their failure in the conversion exams. A small number of the previous year's students who failed subjects twice were required to repeat the course. Subsequently one part-time student withdrew from the course. In addition the studies of one full-time and three part-time students were deferred at their request.

HKU graduates took approximately 53% of the total number of places. Overseas graduates, including UK CPE graduates, took about another 33%. The remaining places are shared among other local applicants with external LLB degree, local CPE or LLB or JD graduates from City University or Chinese University of Hong Kong. About 27.5% of our new intake has an IELTS overall band score of 8.5 or above.

We allocated the government-funded full-time places on merit. About 79% of those places were given to HKU graduates. The remaining places were shared among other categories of applicants with UK graduates having the largest share.

In December 2011 the admissions committee reviewed admission procedures in the light of this year's experience so as to ensure their smooth and fair operation.

Curriculum

The examination of the solicitors' accounts element of Professional Practice & Management has been separated from the remainder of the subject. It is now examined as a mid-term exam during the first semester.

Our part-time Year 2 students have started their Electives. Unfortunately, as there is a smaller number of students, not all of the Electives were able to secure sufficient enrolment to be run this year.

We review the course regularly, taking into account comments from externals, tutors and students. We are considering the feasibility of introducing further electives.

The Profession

The Law Society monitors the HKU PCLL through their nominated external examiners who: attend some of the tutorials and lectures; review and comment on our teaching materials; review our assessment papers; and review all „distinction“, „failed“ and „borderline“ assessed scripts to ensure quality delivery and standards. We are grateful for their helpful comments. On 1st December 2011 representatives of the department met members of the Law Society’s Legal Education Committee to discuss current issues.

We continue to enjoy strong links with and help from the Bar, particularly in connection with our litigation courses.

Human Resource Planning and Development

We expect to move to the new law building in the middle of 2012. This should relieve the shortage of teaching rooms and enable us to reduce the size of small groups.

The task ahead will be to consolidate the existing establishment and utilize and develop our network with the profession to expand our pool of well-qualified and experienced part-time teachers in anticipation of an increase in numbers leading up to the “double cohort” of students entering the PCLL in or about 2016.

We look forward to continuing dialogue and co-operation with the profession via the professional bodies, firms, chambers and individual practitioners, for the better development of the HKU PCLL.

Malcolm Merry
Head
Department of Professional Legal Education
Faculty of Law
The University of Hong Kong

January 2012

Annexure 6

THE SUB-COMMITTEE OF THE STANDING COMMITTEE ON LEGAL EDUCATION AND TRAINING: ENGLISH LANGUAGE PROFICIENCY

- Chairman** : Mr. Albert WONG Kwai-huen J.P.
(from November 2011)
The Law Society of Hong Kong
Mr. Kenneth KWOK Hing-wai, S.C., B.B.S., J.P.
(from March 2010 to November 2011)
Hong Kong Bar Association
- Members** : Dr. Danny CHOONG Ewe-leong
The Federation for Continuing Education in Tertiary Institutions
- Mr. Richard MORRIS (from 15 June 2009)
The Chinese University of Hong Kong
- Mr. Peter CHAN Chi Hin (from July 2011)
Ms. Heather DOUGLAS (from 9 April 2009 to July 2011)
City University of Hong Kong
- Ms. Amanda WHITFORT
The University of Hong Kong
- Secretary** : Ms. Vivien LEE
The Law Society of Hong Kong

Annexure 7

THE HONG KONG CONVERSION EXAMINATION BOARD

- Chairman** : Mr. Lester Garson HUANG, J.P.
The Law Society of Hong Kong
- Members** : Mr. Edward CHAN King-sang, S.C., J.P.
Hong Kong Bar Association
- Professor Johannes CHAN Man-mun, S.C.
The University of Hong Kong
- Ms. Sushma SHARMA (from July 2011)
Ms. Heather DOUGLAS (from April 2009 to July 2011)
City University of Hong Kong
- Mr. Richard MORRIS
The Chinese University of Hong Kong
- The Honourable Mr. Justice Azizul Rahman SUFFIAD
Court of First Instance of the High Court
- Secretary** : Mr. John CRIBBIN
HKU School of Professional and Continuing Education