

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

**ANNUAL REPORT  
2012**

**1 January 2012 to 31 December 2012**

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# ANNUAL REPORT OF THE STANDING COMMITTEE ON LEGAL EDUCATION AND TRAINING

(1 January 2012 to 31 December 2012)

This is the seventh 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 2012 to 31 December 2012 (“Reporting Period”). Its composition is at Annexure 2.

## Matters Considered

### Long-Term Goals

2. The Standing Committee sought the views of the Department of Justice (“DOJ”) on its remit under Section 74A of the LPO with a view to setting its long-term goals.
3. The Standing Committee noted there were a number of developments which had changed the landscape of legal education and training since the Redmond Roper Report was prepared in 2001. These developments included the establishment of a third law school in Hong Kong, the sharp expansion in the Juris Doctor (“JD”) programmes which are self-funded, the increased number of double law degree programmes whose graduates are eligible to enrol in the Postgraduate Certificate in Laws (“PCLL”), the increased competition for PCLL places, the establishment of the Conversion Examination, the change in the secondary school curriculum from 7 years (5+2) to 6 years (3+3) with the Bachelor of Law (“LLB”) degree remaining at 4 years although the programme of other general degrees has been increased from 3 to 4 years.
4. Given these developments, the changes in the landscape of legal education and training, and the challenges these changes present, the Standing Committee is considering whether to conduct another review of legal education and training.
5. Steps are being taken to consider the terms of reference of the review, the possible sources of funding and the experts to be commissioned.

### Webpage

6. The webpage of the Standing Committee was officially launched on 1 May.
7. The webpage is accessible by the following link: <http://www.sclet.gov.hk>

8. The webpage sets out the functions, structure, composition, publications of the Standing Committee and provides information on the Conversion Examination. It introduces the work of the Standing Committee to the general public and establishes a channel through which the public may contact the Standing Committee.
9. The Standing Committee would like to record a vote of thanks to DOJ for assisting in the establishment of the webpage and for administering it.

#### LLB, JD and PCLL

10. 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**.

#### Entry Requirements For PCLL

11. The Standing Committee considered the requirements for admission to PCLL with reference to a law-related programme offered by a particular tertiary institution, and generally on how the admission requirements might be satisfied.
12. The Standing Committee noted there were 2 prerequisites under the entry requirements prescribed in September 2008. Firstly, the law qualification of an applicant must be recognized and acceptable to the 3 PCLL providers in Hong Kong. Secondly, the applicant must demonstrate competence in the 11 core subjects (Contract, Tort, Constitutional Law, Criminal Law, Land Law, Equity, Civil Procedure, Criminal Procedure, Evidence, Business Associations, Commercial Law), and the 3 top-up subjects (Hong Kong Constitutional Law, Hong Kong Legal System and Hong Kong Land Law).
13. The Standing Committee suggested that when the Conversion Examination Board considered any applications for exemption for sitting the Conversion Examination, the Board could if it considered appropriate, consult the 3 PCLL providers and liaise with the legal profession with a view to seeking a consensus on whether a particular degree or qualification would be recognized as a law qualification for the purpose of the entry requirements for PCLL.

#### English Language Proficiency

14. 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 2011/12:
- (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.
15. The composition of the Sub-Committee is at **Annexure 6**.

#### Conversion Examination

16. The Conversion Examination Board met on five 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, irregularities in the examinations and moderation of the marks given by the examiners;
  - (c) review of examination syllabi and reading lists;
  - (d) appointment of examiners;
  - (e) consideration of enquiries from applicants.
17. The Conversion Examination was held twice during the Reporting Period in January and June 2012 respectively.
18. 794 and 749 candidates took part in the Conversion Examination in eight different pre-requisite subjects in January and June 2012 as compared to 744 and 713 candidates respectively in the January and June 2011 Conversion Examinations.

19. The average pass rate of the subjects examined in January 2012 was 75.5% (as compared to 75.3% in the January 2011 results) and that in June 2012 was 74.6% (as compared to 69.9% in the June 2011 results).
20. The composition of the Conversion Examination Board is at **Annexure 7**.

**Meetings with the Education Bureau (“EDB”), the University Grants Committee (“UGC”) and Hong Kong Council for Accreditation of Academic and Vocational Qualifications (“HKCAAVQ”)**

21. In preparation of the proposed review of legal education and training, a working group of the Standing Committee held 2 meetings with the EDB, UGC and HKCAAVQ respectively to understand the accreditation process and quality assurance process of law programmes, law-related programmes and subdegrees provided by UGC-funded and non-UGC-funded institutions.

**Overall position**

22. 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

- Chairman:** The Honourable Mr. Justice Patrick CHAN Siu-oi
- Members:** The Honourable Mr. Thomas AU Hing-cheung  
(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  
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, J.P.  
(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.  
(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  
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  
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  
(Member appointed under S74A(3)(a)(viii) of the Legal Practitioners Ordinance Cap.159 (“Ordinance”))

Mr. Alvin WONG Tak-wai  
(Member appointed under S74A(3)(a)(viii) of the Ordinance)

Dr. Danny CHOONG Ewe-leong  
(on the nomination of The Federation for Self-financing Tertiary Education (previously known as „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 2012) to the Standing Committee on Legal Education and Training*

February 2013

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 2012 to 31 December 2012.

During the period of this report, the LLB Programme was offered only in full-time (UGC-funded) study mode.

#### **1. 2012/13 Admissions**

In the 2012/13 academic year, the School admitted 85 full-time LLB students under the double cohort in total, including:

- 22 JUPAS applicants (from HKALE)
- 31 JUPAS applicants (from HKDSE)
- 23 non-JUPAS applicants
- 7 Mainland students
- 2 students from programme transfer applications

##### *1.1 JUPAS Admissions*

Following the introduction of the 3+3+4 education system, two cohorts of secondary school graduates, that is, Hong Kong Diploma of Secondary Education (HKDSE) and Hong Kong Advanced Level (HKALE), were admitted to the School in 2012. The School received a total of 564 (HKALE) and 597 (HKDSE) qualified applications for the 2012 JUPAS entry. The number of qualified applicants has been increasing steadily over the years. All students admitted through JUPAS have good English proficiency. According to the University’s statistics, the average scores in Use of English (HKALE) and English Language (HKDSE) of the School’s 2012 JUPAS entry students were the highest among the University.

Admission interviews for JUPAS applicants were conducted in June and July 2012. A selected group of JUPAS HKALE applicants who put our LLB Programme as their Band A choice were invited to attend group interviews in June, and a number of JUPAS HKDSE students who put the LLB Programme as their Band A choice were invited to attend group interviews in July 2012.

In 2012, 18 year one LLB students with outstanding academic results were awarded the LLB Admission Scholarship. The LLB Admission Scholarship has been extended to non-JUPAS students in the 2012 cohort. The value of each scholarship was up to HK\$50,000.

### *1.2 Direct Applicants (local and international)*

The School received a total of 258 direct (non-JUPAS) applications. The selection criteria generally entailed the assessment of applicants' academic performance, personal statement and other relevant activities stated in their application form. Special attention was also paid to their English proficiency. In relation to applicants who have completed a bachelor's degree, the bachelor's 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. It should be noted that the double major programme has been changed in view of the implementation of new LLB curriculum from the 2012 cohort onwards.

## **2. Academic Standards**

Several mechanisms have been put in place to maintain high academic standards in the LLB. First, the School has invited External Academic Advisors from a number of leading universities to monitor standards. Second, the School established an International Advisory Board (IAB) in 2007, which comprises 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 issues of 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. As the School sees overseas exchange as an important element in acquiring a global legal perspective, students are strongly encouraged to engage in these exchange programmes. In 2012, 19 students from overseas jurisdictions, including Australia, Canada, China, Turkey and Sweden studied at the University as exchange students, and 1 student from our School went to the United Kingdom for exchange.

## **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 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 the summer of 2012, 21 LLB students spent a month in Australia at the Faculty of Law, Monash University, to study a credit-bearing law course *Intellectual Property: Theory, Copyright and Design*. Similarly, 26 LLB students spent a month in the United Kingdom at the University College, Oxford, to study a credit-bearing

law course *European Competition Law and Policy*. The School further expanded the G-LEAP and the LLB students were provided with opportunities to take part in the G-LEAP in the United States at the Columbia Law School. 22 LLB students went to the Columbia Law School to study several law courses such as *Transnational Litigation*, *Comparative Corporate Governance* and *Mediation* in June 2012.

The School has received very positive feedback on G-LEAP from students who undertook these courses. Students reported that they enjoyed the comparative focus of these courses and the learning environment.

## **5. Legal Placements**

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 the summer of 2012, 19 LLB students completed a one-month legal placement across a range of diverse places (including legal departments of international companies, chambers, local/international law firms, financial institutions and government department) in Hong Kong. Furthermore, 15 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, our LLB students achieved an outstanding level of success in the following international mooting competitions. Our students won the Championship in the Ninth Annual Willem C. Vis (East) International Commercial Arbitration Moot. Our team received the Honourable Mention In the Competition for Best Memorandum on Behalf of Respondent as well as the Claimant, where the CityU team is the first to reach two consecutive grand finals in the moot's nine-year history. In the International Criminal Court Trial Competition, our team won the Championship and an LLB student received the awards of Best Oralist and Best Counsel for Prosecution. Our moot team won the Runner-up in the 2012 Manfred Lachs Space Law Moot Court Competition (Asia Pacific Regional Round), where one of our LLB students was awarded the Best Oralist. Our team reached the quarter-finals of the Nineteenth Annual Willem C. Vis International Commercial Arbitration Moot, and two LLB students won the awards of Honourable Mention for the Best Oralist. In the 13th Annual International Maritime Law Arbitration Moot, our team entered the quarter-finals and received Second Best Claimant Memoranda, and an LLB student received the award of the 5th Best Oralist. The School took part in the International ADR Mooting Competition 2012 and entered the quarter-finals and our LLB student was one of the quarter-finalists of mediator.

Participation in these competitions provides students with an opportunity to develop their advocacy 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**

Our students work together to 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 work of the students has won high praise from readers and 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.

## **8. Stream Specification**

The School has introduced stream options into LLB programme to give our students an edge in the job market. The streams are, namely, Chinese and Comparative Law, Commercial Law, and Dispute Resolution. They represent School's traditional strengths and current trends in legal education worldwide.

The streaming specification was introduced since 2012/13 academic year. It is optional and a student may specialize in a stream of their choice. In order to satisfy the requirements of a stream, a student has to acquire a minimum of 15 credit units by choosing from among courses which are specified for the stream. These 15 credit units count towards the minimum number of credit units a student has to complete to qualify for the law degree. Streams are available not only to the students who are enrolled under the new LLB Programme in 2012/2013, but also to the current LLB students.

## **9. Conclusion**

In view of the achievements and very positive feedback from staff, external academic advisers and students, we are confident to report that the LLB Programme has been running successfully in 2012 and that we will continue to maintain high academic standards of our LLB Programme.

Dr. Fozia Lone  
LLB Programme Leader  
School of Law  
City University of Hong Kong

**POSTGRADUATE CERTIFICATE IN LAWS (PCLL)  
at City University of Hong Kong  
2012 Annual Report**

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**1. Admissions for 2012-2013**

The School of Law received **700** applications for the academic year 2012/2013, of which about **71%** selected CityU as their first choice. **170** offers have been made by the School and eventually **161** students were admitted to the PCLL programme.

The intake quota for PCLL Programme for this year has been increased from **140** to **160**, of which **53** were UGC funded places and **108** were non-UGC funded places. As at 16 October 2012, there are **161** students in class.

The 2012/2013 PCLL class comprised **65%** CityU graduates and **35%** students who graduated from other institutions (62% from UK; 33% from Australia; and 5% from others).

**53** UGC funded places were awarded on the basis of merit. About **75%** of those places were given to CityU graduates.

We interviewed **84** 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 11.

**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*

2010-11:	
No. of students who failed PCLL:	Nil
No. of students who sat resits:	35
2011-12:	
No. of students who failed PCLL:	2
No. of students who sat resits:	28

## 4. **Staffing**

In 2011-12, 18 full-time staff and 19 part-time staff (practitioners) taught in PCLL programme.

In 2012-13, 17 full-time staff and 19 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 Understanding Financial Statements and Solicitors' Accounts.

Students must also take two electives from the following 6 electives which include Bar Course; Foundations in Mainland Related Legal Transactions; International Arbitration Practice; Family Law Practice; Financial Regulatory Practice and Personal Injuries Practice.

### Changes for 2011/2012

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

### Changes for 2012/2013

- (a) A new elective, Personal Injuries Practice course, was offered in 2012/13.
- (b) The elective, Understanding Financial Statements and Financial Regulatory Practice course was split and the Financial Regulatory Practice was formed as a stand-alone elective. While the Understanding Financial Statements was combined with the core course Solicitors' Accounts now called Understanding Financial Statements and Solicitors' Accounts.



(c) The Litigation Practice II course was deleted from the elective list.

## **6. The Future**

We plan to maintain our strengths and the dedicated space that we give to the PCLL students. We also plan to hire new practitioners for teaching in the programme.

*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.

Apart from the local qualifications we keep in mind the global quality of lawyers. We aspire and work towards training our students to work competitively with lawyers from other jurisdictions.

Sushma Sharma  
PCLL Programme Leader  
School of Law  
City University of Hong Kong  
February 2013

## School of Law, City University of Hong Kong

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

(February 2013)

#### 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 2012. Since the part-time programme was discontinued in 2010, we only offer the full-time programme to new entrants.

#### 2. 2012/2013 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).

We have taken steps to enhance further the English proficiency standard of prospective candidates to be admitted in 2013-14 and thereafter. The revised English proficiency requirement will be as follows from the academic year 2013-14:

- a TOEFL score of 600 (paper-based test) or 100 (internet-based); or
- an overall band score of 7 in IELTS, with no individual score below 6.5; or
- a total of 520 in the Chinese mainland's College English Test (Band 6).

Entry to the JD programme has been quite competitive. The number of applications has been increasing steadily in recent years. As compared to 422 applications in 2011-12, the School received a total of 507 applications for admission to JD in 2012-13. The School admitted 98 students in the JD programme in 2012, 15 per cent of which had a postgraduate degree. The intake quality of students admitted to the JD Programme in 2012-13 has improved significantly. For example, the percentage of students with Upper Second Class or above increased from 38 per cent in 2011-12 to 96 per cent in 2012-13.

Efforts were also made to attract more international students from Australia, Canada, the United Kingdom, the United States, other regions as well as those from Mainland China. Our applicants come from diversified academic background such as accounting, statistics, finance,

economics, human resources, management, engineering, civil law, language, translation, forensic medicine, sociology, and criminology. This diversity of the JD student body enhances greatly the quality of class interactions and discussions.

In 2012, the JD Admissions Scholarship was introduced for students with outstanding academic performance. A maximum number of 10 scholarships will be awarded in each academic year. Up to 5 recipients will receive a scholarship of HK\$60,000 each and up to 5 recipients will receive a scholarship of HK\$40,000 each. In 2012-13, 10 scholarships were awarded on the basis of academic merit.

### **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 if they wish to pursue the PCLL Programme in future: Law of Contract; Law of Tort; Constitutional and 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 wish to join the legal profession can still benefit from the JD programme by choosing a range of elective courses hosted by the JD, LLM and LLMArbDR Programmes. The School offers a wide variety of elective courses such as public international law, cyber law, energy and environmental law, international air law, international trade law, Chinese & comparative company law, dispute resolution in theory & practice, Chinese and comparative commercial law, Chinese foreign trade & investment law, maritime insurance law, oceans, law & policy, and current issues in WTO law.

The JD curriculum has been slightly revised for students entering JD in 2013 and thereafter. From 2013, JD students will be required to complete a total of 72 credits for graduation. Instead of 4 core courses, they will need to complete 3 namely (i) Legal Systems of Hong Kong and Mainland China, (ii) Legal Methods, Research and Writing and (iii) Jurisprudence. The arrangement of doing the research course and the PCLL-required courses will be the same except that the Constitutional and Administration Law I & II will be restructured into two separate courses of Constitutional Law and Administrative Law, respectively. The revised curriculum will allow students to have more space to take non-PCLL electives in their areas of interest.

Moreover, students admitted in 2012-13 and thereafter have been given an option to specialise in any one of the following areas by taking any 4 elective courses (minimum 12 credits) from the respective list below:

- 1) **International Commercial Law:** LW6161E Competition Law; LW5631 Banking Law; LW5664 European Competition Law of Policy; LW5641 Intellectual Property: Theory, Copyright and Design; LW6543 Cyber Law, LW6144E International Trade Law;

LW6140E Chinese and Comparative Commercial Law; LW6180E International Commercial Contracts and Uniform Sales Law; LW6167E Current Issues in WTO Law

- 2) **Alternative Dispute Resolution:** LW6126E Dispute Resolution in Theory and Practice; LW6405 Arbitration Law; LW6406 Mediation Practice; LW6407 Arbitration Practice and Award Writing; LW6408 International Arbitration; LW6142E International Investment Law; and LW5649 International Mooting and Advocacy
- 3) **Chinese and Comparative Law:** LWxx Comparative Law; LW6127E Chinese and Comparative Intellectual Property Law; LW6134E Chinese and Comparative Company Law; LW6140E Chinese and Comparative Commercial Law; LW6141E Chinese Foreign Trade and Investment Law
- 4) **Air and Maritime Law:** LW6175E Maritime Insurance Law; LW6178E Oceans, Law and Policy; LW6179E Maritime Arbitration Law; LW6182E Carriage of Goods by Sea; LW6183E Maritime Claims and Practices in Admiralty; LW6176E International Air Law; and LW5649 International Mooting and Advocacy

Students who do not choose to specialise in any stream will receive the award title as Juris Doctor (法律博士). Students who specialise in any of the above areas will receive the following award titles.

English title	Chinese title
Juris Doctor (International Commercial Law)	國際商法法律博士
Juris Doctor (Alternative Dispute Resolution)	非訴訟方式解決爭議法律博士
Juris Doctor (Chinese and Comparative Law)	中國法與比較法法律博士
Juris Doctor (Air and Maritime Law)	航空法與海事法法律博士

#### 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.

To be in line with the new initiative of Discovery-enriched curriculum (DEC) put forward by the University, DEC elements have been incorporated in JD courses.

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. JD students do not share classes with LLB students.

## **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, Yale, Sydney, Vienna, and Paris 1. 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 Monash, William & Mary Law School, Case Western Reserve University, Dankook University, O.P. Jindal Global University and Hofstra University. During the academic year 2012-13, we received some incoming exchange students from the universities in the US.

We have signed a postgraduate exchange agreement with the University of Vienna, which would allow our JD students to spend one semester to undertake a study load of 30 ECTS in Vienna and obtain an LLM / MLS. During March – June 2012, 6 JD students spent a

semester at Vienna.

## **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 for them. In the academic year 2011-2012, we have seen many successes in international moots (please refer to Annex A for details). For example, our moot team comprising one JD student won the Championship in the Ninth Annual Willem C. Vis (East) International Commercial Arbitration Moot and received Honourable Mention in the Competition for Best Memorandum on Behalf of Respondent/Claimant. Another moot team comprising one JD student won another Championship in ICC (International Criminal Court) Trial Moot Competition 2012 held in The Hague. In the Foreign Direct Investment International Moot Competition held in London, the whole moot team comprising of 5 JD students and was ranked third out of 36 teams.

### ***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 Summer 2012, 30 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 Summer 2012, 3 JD students took "Intellectual Property: Theory Copyright and Design" at Monash University (Australia); 3 students took "European Competition Law and Policy" at the University College Oxford; and 2 students took course(s) at the Columbia Law School. Those courses are credit-bearing elective courses taught on an intensive basis.

### ***City University of Hong Kong Law Review (CityU LR)***

The School of Law launched the student-edited law journal in 2009. Every year, about twenty students are selected and trained by the Faculty Editor to edit the journal. The Editorial Board of the *CityU LR* is supported by a strong International Board of Advisors, chaired by Chief Justice Ma, Chief Justice of the Court of Final Appeal, HKSAR. From 2010-11 onwards, an elective law course has been introduced to harness the writing and editing skills of the Board members. The *CityU LR* is available through HeinOnline and 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.

## **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. We aim to continue offering excellent global learning environment to our students.

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

**List of Mooting Competitions (2011-2012)**

<b>Mooting</b>	<b>Place</b>	<b>Date</b>	<b>Awards/ Achievements</b>
6th LAWASIA International Moot 2011	Seoul, Korea	8 - 12 October 2011	Ranked 3rd in Preliminary Round 1
Foreign Direct Investment International Moot Competition	London	4 - 6 November 2011	1) Ranked 3rd out of 36 teams 2) Written memoranda ranked in top 8 in the competition 3) Honourable Mention Advocate: Ng Eric Kar-yan
Philip C. Jessup International Law Moot Court Competition	HK (Regional) / US Washington (International Round)	Regional round 25 - 26 February 2012  International round 25- 31 March 2012	
10th Red Cross International Humanitarian Law Moot (2012)	Hong Kong	8 - 10 March 2012	Top 5 team (prosecutor)



Ninth Annual Willem C. Vis (East) International Commercial Arbitration Moot	Hong Kong	19 - 25 March 2012	<ol style="list-style-type: none"> <li>1) Championship (David Hunter Award For the Team prevailing in the Oral Arguments)</li> <li>2) Honourable Mention In the Competition for Best Memorandum on Behalf of Respondent/ Claimant</li> <li>3) Quarter Finalist/ Eighth Finalist In the Competition for Best Oral Team</li> </ol>
International Criminal Court Trial Competition	Hague, Netherlands	18 - 28 April 2012	Championship
The International ADR Mooting Competition, 2012 (CityU Student Team)	Hong Kong	29 July 2012 – 4 August 2012	

# Annexure 4

The Chinese University of Hong Kong  
Faculty of Law

## **Report on the LLB Programme (Reporting period: January to December 2012)**

### **1. Admissions**

The LLB programme has an annual admission quota of 70 with effect from 2012. For the special double-cohort intake of secondary 6 (HKDSE) and secondary 7 (HKALE) students in 2012, the Faculty admitted a total of 139 applicants.

The LLB programme has continued to recruit high quality students from both cohorts. It remains among the top ten undergraduate programmes in terms of the median University Weighted Grade Point Average (UWGPA) of JUPAS students admitted by the Chinese University of Hong Kong for both the HKALE and HKDSE cohorts. As in the previous years, the number of JUPAS applications remains steady while the number of non-JUPAS applications keeps increasing. The pattern is in line with the latest development in secondary school education. Some local schools are offering an international curriculum such as the International Baccalaureate (IB).

### **2. Course Offering**

In addition to the core courses, the LLB programme continues to offer a wide range of electives. A new elective course entitled *International Investment Law Principles and Practice* was approved 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 either the Professional Chinese course (for Secondary 7 equivalent students) or the University Chinese I and II (for Secondary 6 equivalent students) in their first year of study. These courses are 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 continues to offer 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.

We are proud to report that the moot teams continued to excel in 2012. A team of our law students from the LLB and PCLL programmes won the championship and the LAWASIA Trophy for Best Memorial at the 7th LAWASIA International Moot Competition held in Bali, Indonesia in November 2012. This is the first time the CUHK team emerged as the overall champion in an international moot competition, a testament to the international standing of CUHK Faculty of Law despite its short history of only seven years.

#### **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 reviewed internally by the Senate Committee on Teaching and Learning in 2011 with results and rating finalized in 2012-13. The review outcome was commendable. 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 Deans continue to meet 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. We are very grateful for the tremendous support of the legal profession. Without such support, we would not have been able to double the number of our Distinguished Professional Mentors to meet

the demands of the double-cohort intake in 2012.

A series of career talks and workshops were organized in 2012. 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 up-to-date recruitment information through the Faculty's Virtual Career Resources Centre.

## **8. Graduates**

As in previous years, the majority of our LLB graduates continue their PCLL studies at CUHK on completion of the LLB programme. Around 75% of our LLB graduates who applied for the PCLL programme at CUHK were admitted in 2012. Those not joining the PCLL programme had other career plans. For example, one of them has been awarded the prestigious Esther Yewpick Lee Millennium Scholarship to pursue BCL study at Oxford University in 2012.

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

February 2013

**Faculty of Law**  
**The Chinese University of Hong Kong**  
**Report on the PCLL Programme**  
**(Reporting Period: January – December 2012)**

**2011/2012 PCLL Programme**

**1. Admission and Completion Rates of the 2012 Graduating Class**

In the 2011 intake, we admitted 150 students to the PCLL. In addition there was one student admitted in the 2010 intake but to whom leave of absence for 1 year from Term Two was granted because of exceptional personal circumstances. That student resumed her studies in Term Two 2011/2012. All 151 students successfully completed the PCLL and no students fell foul of our Assessment Regulations which require that a student who fails more than 2 courses in either Term 1 or Terms 2 and 3 be discontinued. A number of students failed courses, however, but were permitted by the Exam Panel to sit reassessments: a total of 20 reassessments were sat during the year. The fact that no students were discontinued is a reflection of the quality of the students admitted to the programme.

**2. Programme Delivery**

The 2011/2012 programme was delivered at our Graduate Law Centre in the Bank of America Tower. The Graduate Law Centre offers students a high quality learning environment. 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.

The course in Writing and Drafting Litigation Documents (in Chinese) had not been run in the previous two PCLLs due to lack of student interest. In this year, however, 24 students were enrolled.

Nearly all teachers on the PCLL 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.

### **3. Student Diversity**

The PCLL 2011/12 had a diverse student body. Of the 150 students who started in September 2011, 130 held local law qualifications while 20 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)	17	44	61
BA in Law and Business Studies	1	0	1
Juris Doctor (JD)	0	86	86
Graduate Diploma in Law (GDL)	2	0	2

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.

### **4. 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.

### **5. 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 2012 we had 27 sessions in which barristers and solicitors came in the evening to give individual feedback to the students on their videoed advocacy performances from earlier each day; the students' final assessment was a mini-trial in courtrooms in the High Court: with 88 students on the course and 4 students per trial, we required 22 judges whom we invited from the judiciary and the professions; these included a CFA judge. Also as part of the Trial Advocacy course we staged a demonstration Magistrate's trial in Cantonese before a senior Magistrate and presented by members of the Bar.

We have also had throughout the years numerous guest speakers from the judiciary and the professions, including the Chief Justice, the former Chairman of the Bar, Mr Russell Coleman SC and former president of the Law Society and current Chairman of the HKIAC, Mr Huen Wong. We are very fortunate indeed to have such support from the Judiciary and the professions and greatly appreciate it, as do the students.

## **6. Placement of the 2012 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 113 student responses out of 151 graduates of the 2011/2012 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.

## **2012/2013 PCLL Programme**

### **1. Admissions of the 2012/2013 Class**

The Faculty received 426 applications to read for the PCLL 2012/13. The Faculty made 165 offers. Of the 165 candidates to whom the Faculty made conditional offers, 154 accepted and 11 declined. Of those receiving conditional offers, 150 were able to satisfy all of the conditions and register on the PCLL. The 2012/2013 PCLL intake accordingly comprises 150 candidates.

The intake standard increased again 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.

It is noteworthy that we are again running the course in Writing and Drafting Litigation Documents (in Chinese), this year with 22 students enrolled.

## **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 four successful PCLLs to build upon and are hopeful that we can make the 2012/2013 PCLL better still.

Richard Morris  
PCLL Programme Director  
Faculty of Law  
The Chinese University of Hong Kong  
February 2013

**The Chinese University of Hong Kong**  
**Juris Doctor Programme**  
**2012-2013 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 2012-2013 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 2012-2013 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"<sup>1</sup> 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.

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<sup>1</sup> As from the 2013-2014 academic year, "The Individual, the Community and the Law" will become an elective course for newly-admitted JD students, and a new required course on ethics named "Ethics and Professional Virtue" will be introduced.

## 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 Tort
-	Chinese Foreign Trade and Investment	-	Jessup International Law Moot

	Law		
-	Chinese Intellectual Property Law	-	Law and Literature
-	Chinese Law Internship	-	Law of International Business Transactions I
-	Chinese Politics and Law	-	Law of International Business Transactions II
-	Chinese Practice on International Law	-	Legal System and Methods in China
-	Chinese Securities Regulation	-	Mooting
-	Chinese Tax Law	-	Non-Marine Insurance Law
-	Common Law: Globalization and Convergence	-	Preferential Trade Agreements: Theory and Practice
-	Common Law: Origins and Development	-	Principles of Construction Law
-	Comparative Company Law	-	Principles of Corporate Crime and Social Responsibility
-	Comparative Constitutional Law	-	Principles of Employment Law
-	Comparative Constitutional Traditions	-	Principles of Environmental Law
-	Comparative Contract Law	-	Principles of Family Law
-	Comparative Corporate Governance	-	Principles of Intellectual Property
-	Comparative Legal Traditions	-	Principles of International Law
-	Competition Law	-	Principles of Mediation
-	Conflict of Laws	-	Principles of Remedies
-	Copyright, Digital Subject Matter and Information Technology	-	Principles of Revenue Law
-	Crime and the Sanctioning Process	-	Principles of Securities Regulation
-	Dispute Resolution	-	Principles of Unjust Enrichment
-	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 2012-2013, the Programme received 1349 applications meeting the minimum admission requirements (865 applications for full-time mode and 484

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 2012-2013. 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 217 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 2012-2013 (full-time mode)	865
No. of students admitted for academic year 2012-2013 (full-time mode)	144
No. of applications received for academic year 2012-2013 (part-time mode)	484
No. of students admitted for academic year 2012-2013 (part-time mode)	73

All JD students admitted in 2012-2013 possess at least an Upper 2<sup>nd</sup> 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 2012-2013 cohort:

Band 1	52% (112)
Band 2	18% (40)
Band 3	30% (65)
Total	100% (217)

Band 1: 1<sup>st</sup> 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 1<sup>st</sup> class bachelor's degree; or Cumulative GPA 3.4 (4-point scale) where no class of honours awarded; or Master (Distinction); or equivalent.

Band 3: Upper 2<sup>nd</sup> 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 Certified Crisis Consultant (CCC); Certified Public Accountant (CPA); Certified Risk Planner (CRP); Certified Tax Adviser (CTA); Chartered Accountant (CA); Chartered Financial Analyst (CFA); Chartered Marketer (CIM); The Association of Chartered Certified Accountants (ACCA); Some students are member of professional bodies including The Hong Kong Institute of Chartered Secretaries (HKICS); Hong Kong Institute of Marketing (HKIM); The Hong Kong Institute of Surveyors (HKIS); Hong Kong Securities Institute (HKSI);

qualified lawyers from various jurisdictions and medical professionals. Some of our students are already in prominent management positions, such as Associate Finance Director, Business Director, Chief Executive, Executive Director, Vice President or Head of various companies and institutes such as Hong Kong and Shanghai Banking Corporation Limited, Hong Kong Sports Institute, Deutsche Bank 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 103,530 volumes and has 142 print journal titles and access to 2,945 electronic law journals. There are 76 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 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  
25 February 2013

# 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 2013

The 2012-2013 academic year has been dominated by issues relating to the admission of the double cohort of undergraduate students, both in terms of introduction of new curriculum structures for all undergraduate students (including law students) at the University of Hong Kong and in particular providing adequate personnel and venues for teaching. Overall, the process has gone rather smoothly, with the extensive preparations undertaken in previous years bearing fruit.

## 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.

As anticipated, admissions figures this year for the LLB programme are approximately double that of previous years as a result of the double cohort, with a total intake of 200 students: 121 through the JUPAS system (57 HKALE and 64 DSE), 45 through our Faculty's non-JUPAS admissions process, 14 through Mainland recruitment, 7 through non-local recruitment, and 8 HKU-KCL Joint Degree students. Unlike previous years, given the 3+3+4 reforms, there were no Early Admissions for Form Six students.

In addition, a further 268 students have been admitted to the three joint degree programmes leading to an LLB after five years of study: BBA(Law)/LLB – 134; BSocSc(Govt & Laws)/LLB – 104; and BA(Literary Studies)&LLB – 30. As 2011-2012 was the final intake for the BEng(CivE-Law), no new students were admitted to this programme.

In total, 468 students were admitted to the various law programmes.

## JD

This is our fourth cohort of JD students. We received more than 400 applications for admission to our JD programme and admitted 33 students.

## 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 95 visiting and exchange students from 43 universities institutions in 13 countries, with the largest numbers coming from Canada, the

UK, the US and Continental Europe.

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 2012-2013, in total there are 117 students, undertaking studies at 20 overseas universities in 8 countries, with the largest numbers going to the UK, Canada and the US. Alongside 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 introducing the new curriculum during 2012-2013.

### **The New Curriculum**

As reported in 2011-2012, 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 for the past several years. These reforms were introduced in 2012-2013. One of the centerpieces of new curriculum is the Common Core Curriculum (CCC). The CCC was introduced from 2010 onwards and from 2012 all undergraduate curricula, including law, 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. Double degree curricula require 24 credits.

In relation to the law curriculum, the centerpiece is the introduction of a revised Law Professional Core Curriculum comprising 156 credits of law courses for both single and double degree students. The curriculum is based on a foundation First Year Core Curriculum comprising an integrated set of foundation courses which provide the basis of further studies in upper years and integrate through courses in the second and upper years of study.

### **Staffing**

Over the past several years, the Department has focused on putting in place adequate staffing to deal with the needs of the double cohort. Overall, the Department has been very successful at recruitment in recent years, necessary in order to deal with the demands of the double cohort 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**

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. While we are off to a good start with the double cohort and related curriculum reforms, the challenges will continue not only through their remaining years of undergraduate study but in particular as they seek to enter the PCLL and the profession. In particular, I have been



working closely with the Dean and the Head of the PLE Department in order to address related issues. However, some – particularly funding and professional opportunities – are beyond internal control.

Professor Douglas W. Arner  
Head, Department of Law

## **Report on the PCLL, University of Hong Kong**

January – December 2012

### Overview

During the calendar year 2012 the Department of Professional Legal Education moved into a new home, applications for admission to our PCLL course continued greatly to exceed the number of places, a large number of practitioners assisted with the teaching of the course and all but a few students succeeded in attaining the certificate at the first attempt.

### Accommodation

In the summer of 2012 the Faculty of Law relocated to a new building, the Cheng Yu Tung Tower, part of the Centennial Campus extension of the HKU main estate. The Faculty enjoys the use of the whole 11-storey building. As a result the number of teaching rooms available to the PCLL more than doubled.

This enabled us to reduce the size of a typical PCLL small group to ten students, a long-planned objective which had been impossible to achieve owing to the pressure of space at the K.K. Leung Building. We hope to keep the groups at that size at least until the first wave of the double cohort of Hong Kong students, currently in their first year of university study, reaches the PCLL in 2016.

The new building includes a spacious and impressive lecture theatre known as the Large Moot Court. This is capable of seating more than 320 people and is regularly used for PCLL lectures. The first official use of the Large Moot Court was the opening of the PCLL Year on 3<sup>rd</sup> September 2012.

### Admissions

The number of PCLL students admitted in September 2012 was 242 to the full-time course and 80 to the part-time course. These are effectively the same numbers as in September 2011.

There were 970 applications (from 673 individual applicants), of which 798 applications designated Hong Kong University as first preference. This year applicants had to make separate applications to the full time and part time programmes. Many of the applicants made applications for both programmes.

About two-thirds (i.e. 160) of the full-time intake held HKU law degrees. The proportion in the part-time programme was a little more than 40 per cent (34 out of 80). The balance of places was filled by graduates with qualifications from overseas, including the London International (formerly External) LLB and the Common Professional Examination operated by MMU/SPACE, and from City University and Chinese University of Hong Kong.

We allocated 123 government-funded full-time places on merit. About 78% 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.

An internal review of the admissions process was carried out during the winter. The aim of the review was to identify weaknesses in the process with a view to making it more efficient and “friendlier” to applicants.

### Curriculum and Teaching

There were no changes of note to PCLL curriculum during 2012. However, the former head of the Department of Professional Legal Education, Mr Wilson Chow, and a number of colleagues are developing an experimental platform for on-line interactive teaching called SimPLE (Simulated Professional Learning Environment). The aim is to simulate the progress of a case and case file which students manage in response to instructions from virtual clients and supervisors (roles played by the teachers). Another initiative is to use lay people, after training and standardization, to perform a scripted role in a client interview and assess the communicative competence of students. In addition, Dr Keith Hotten has introduced a much-admired webpage as part of his Matrimonial Practice and Procedure elective course.

Most of the coursework took place during the first semester (September to December) in which all the mandatory courses are taught. In the shorter second semester students study three electives. This has led to comments that the semesters are unbalanced. In response, the department has decided next year to move one mandatory course, Professional Practice and Management, to the second semester and to amalgamate and reduce two courses, Criminal Procedure and Criminal Advocacy.

Listed Companies continued to be the most popular elective course, followed by Commercial Dispute Resolution and Matrimonial Practice and Procedure. In the last two courses students perform a mediation exercise (although all students, regardless of whether they take these electives, also receive a lecture on mediation). The electives Wills Trusts & Estate Planning and China Practice have increased strongly in popularity.

One lecture on Introduction to Advocacy in Chinese was instituted in 2012. We hope to introduce more training in advocacy in Chinese as part of the existing advocacy courses, if not as a separate elective.

### The Future

In the run-up to the arrival of the double cohort, which will affect two PCLL years (those starting in 2016 and 2017) we plan a gradual increase in the number of full-time PCLL places at HKU. On the assumption that we shall have approximately 120 more applicants in each of those years than at present, it is intended to provide 360 full-time places in each year. As a first step to that target, we hope to take 260 full-time students in September 2013.

Although rooms no longer pose a problem, the obstacle to expansion lies in finding and retaining suitably qualified and skilled teachers. In that regard, we shall look to the profession for even greater assistance.

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

February 2013

## 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.  
The Law Society of Hong Kong
- Members** : Mr. Peter CHAN Chi Hin  
City University of Hong Kong
- Dr. Danny CHOONG Ewe-leong  
The Federation for Self-financing Tertiary Education  
(previously known as „The Federation for Continuing Education in  
Tertiary Institutions“)
- Mr. Godfrey LAM Wan-ho, S. C. (from March 2012)  
Hong Kong Bar Association
- Mr. Richard MORRIS  
The Chinese 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.  
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- 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
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- Mr. Richard MORRIS  
The Chinese University of Hong Kong
- The Honourable Mr. Justice Azizul Rahman SUFFIAD  
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- Secretary** : Mr. John CRIBBIN  
HKU School of Professional and Continuing Education