Be Part of it!
Message from the Dean

The 818 Incident
We have had one of the hottest August months in Hong Kong, and the temperature on campus has been running equally high. On 18 August, the University held a centenary celebration where Vice-Premier Li Keqiang was our Guest of Honour. While everybody participating in the ceremony felt upbeat at the end of the ceremony, unknown to anyone, it marked the beginning of a controversial period at the University. In the first place, the campus was flooded with police on the day of the ceremony. Many staff and students were unprepared for the unprecedented level of security measures in place on the campus. There were questions about the role of the University regarding these security arrangements. Secondly, a social sciences student was pushed to the ground by the police and was allegedly confined by the police in the stairwell at LG2 of K K Leung Building for about 15 minutes. Thirdly, queries have been raised regarding the seating arrangement on the stage at the ceremony and the perceived difference in treatment between the Vice-Premier and Sir David Wilson, another Guest of Honour who also addressed the participants at the ceremony. Sir David led a delegation of presidents of overseas universities attending the ceremony. Indeed, about 9 university presidents were on the stage and Sir David gave the address on behalf of the delegation. Finally, some quarters of the community were unhappy with the invitation of the Vice-Premier to join our centenary celebration.

The incident, later known as the 818 incident, soon became a public controversy. Core values of the University and our community are at issue. The University made a number of statements. The police also made a number of statements. There were different accounts of what has taken place on the campus. A rally by alumni was held at Sun Yat-sen place outside the Main Library on 26 August. The Council has now appointed a panel to review the incident. At the same time, the Security Panel of the Legislative Council has asked both the police and the University to attend its meetings on this incident.

As the Review Panel of the Council is still to conduct the review, it is inappropriate to say more about this incident here. The University has received numerous accusatory remarks over the past few weeks. I have also been at the receiving end of a number of inflammatory, and even threatening letters. However, if this incident causes us to reflect on the fundamental role of the University and provides an opportunity for the community as a whole to discuss and reaffirm our core values, this may not entirely be a bad thing. There are certainly lessons that the University could learn from this incident, but as I have put it elsewhere, it is an over-statement to say ‘freedom is dead’ as a result of what has happened.
Admissions
As in the past, admissions to both the LLB and the PCLL programmes are highly competitive, and we are fortunate to be able to attract many high calibre students. This year, admissions to the PCLL are even more competitive than in previous years, primarily because of an unexpected increase in the number of applicants by about 30%. Some of the increases are expected, such as the first batch of our JD graduates. Some of the increases are probably a transient phenomenon, such as the larger than usual number of applicants from our double degree programmes. Yet the largest increase lies in the number of overseas applicants the cause of which is still unknown. As a result of an unexpected increase in the number of applications, many applicants who have achieved a result that would have gained them admission last year are unable to be admitted this year. We have expanded the size of the programme, and still had to reject over 350 applicants. Inevitably there are good candidates who are just below the bar and whom we would like to admit if we can, but we have stretched our teaching resources to their limits. Further expansion would have the risk of compromising teaching quality.

Centenary Building
If you drive along Pokfulam Road to the University, you cannot miss the three imposing towers on the centenary campus. The construction is progressing well. By the time this Newsletter goes to print, the external wall of the law building should have been completed. The University expects to obtain the occupation permit in December 2011, and we are planning to move into the new building around May/early June 2012. The completion of the new building will hopefully ease our acute shortage of space. Timely completion is also crucial as we will admit double cohorts of students in September 2012. We are really excited about the imminent relocation. For the first time in the history of the law school we will have our own building, which marks an important phase of its development. In this regard, we are pleased to note that our law school is ranked 31st in the world by the latest QS ranking, and that citation of our colleagues’ work is higher than many law schools that are ranked above us. This is a nice encouragement, but also serves as a reminder that we should work harder.

Honorary Appointments and Distinguished Visitors
Our former Chief Justice Mr Andrew Li, who is also our Honorary Professor, will give his first class to 1st year students in October 2011. I am sure our students are eagerly waiting for it. Mr Justice Michael Kirby, who has retired from the High Court of Australia, has also accepted appointment as our Honorary Professor and has joined a couple of our conferences and other academic activities. We are also pleased to note that Professor Sarah Worthington, our first Cheng Yu-tung Visiting Professor, has been appointed to the prestigious Downing Chair of Commercial Law at the University of Cambridge. Sarah is again with us for six weeks in September/October to teach company law. We are also privileged to be the host of a long list of distinguished scholars who would spend some time with us and teach our students in the coming year, among them including Nick McBride and Dr Jens Scherpe, both from Cambridge University, Professor Michael Freeman and Professor Eric Barendt, both from UCL and Professor Mindy Chen-Wishart and Professor Francis Reynolds, both from Oxford University.

Double Cohorts in 2012
The year 2012-13 will witness the simultaneous admissions of the first bunch of HKDSE students and the last batch of HKALE students to the University. This will pose great challenges to the University and will inevitably drain on our resources in terms of physical space, facilities, and teaching resources. For the law school, we have decided not to extend our 4-year curriculum by another year, and so we will face a unique problem of having a double cohort of students going through the same 4-year curriculum. We have been preparing for this challenge over the past few years, and the coming year will be an exciting time to meet this unique challenge. I have no doubt that we can continue to count on the support and understanding of all our friends and alumni in meeting this unique endeavour.

Stop press
Last but not least, our heartiest congratulations to Rick Golcheshki for being awarded the Inaugural Teaching Award by the UGC. This is a highly competitive award which is open to all UGC institutions. I am sure we are all proud of Rick’s achievements. Congratulations also go to Ms Anna Wu on being awarded the Honorary Fellowship by the University, in recognition of her contribution to the University and the community. The Presentation Ceremony will take place on 29 September and you will learn more in our next Faculty newsletter.

Professor Johannes Chan SC (Hon)
Dean, Faculty of Law
September 2011
Honorary degrees are conferred on those who have made valuable intellectual, social and cultural contributions to society and the world. In March this year, at the 184th Congregation, the University had the pleasure of awarding honorary degrees to seven outstanding individuals in recognition of their distinguished services and commitment to the University, to the community, and to academia.

Besides familiar faces, including Nobel Laureate Professor Sir Charles Kao Kuen, we are proud that one of the honorary degree recipients is a law alumnus, a friend, a mentor, a judge - The Hon Mr Justice Patrick Siu Oi CHAN.
Language as a tool of expression is only a means and not an end in itself. The object is the fair administration of justice.

Mr Justice Patrick Chan Siu Oi is one of the three Permanent Judges of the Court of Final Appeal of the Hong Kong SAR. He obtained both his LLB (1974) and PCLL (1975) from HKU, and served as a District Court judge from 1987-1991, Deputy Registrar of the Supreme Court from 1991-1992, and Judge of the High Court from 1992-1997. In 1997, Mr Justice Chan was the first HKU law graduate to be appointed Chief Judge of the High Court. He was appointed Permanent Judge of the Court of Final Appeal in 2000. Mr Justice Chan has made important contributions to the implementation of a bilingual court system in Hong Kong. He is heavily involved in legal education and works closely with the University’s Law Faculty, supporting its development and providing opportunities for students to better understand the discipline. He has served on many HKU committees, including the University’s Council from 2000-2009, and was awarded an Honorary University Fellowship in 2003. He received an Honorary Doctorate in Laws from the City University of Hong Kong in 2008.
The Honorary Graduates’ Speech
184th Congregation (2011)
Presented by The Hon Mr Justice Patrick Siu Oi CHAN

On behalf of my fellow honorary graduates and myself, I would like to express our heartfelt gratitude and appreciation for having been conferred honorary doctorate degrees by the University. This is a particularly special and memorable occasion for us since this is the centenary of the founding of the University. Through the hard work and excellence of its staff and students and under the able leadership of the Council Chairman and Vice Chancellor, the University has become one of the top education and academic institutes in the world. We are encouraged by the honour bestowed on us and are determined to continue serving the Community and follow the outstanding example of Sir Charles [Kao] in pursuit of excellence within our respective specialties.

No one will dispute that the success of Hong Kong as a leading financial and business centre thrives on the rule of law. But the rule of law prevails only when there is respect for the law. No doubt, for some people, respect for the law is mixed with a certain degree of fear. The defendant in a criminal case may have little respect for the law and yet fear the punishment imposed by the court. When he tells the court: “I am awfully sorry”, one has to take it with a grain of salt. This does not necessarily mean that he feels genuinely remorseful for breaking the law; it may simply mean that he is sorry for having to spend the next few years behind bars.

More constructive than such fear in fostering respect for the law is, I believe, trust in the legal system. Unless we can trust that the system delivers generally just and acceptable results in a fair and reliable manner, there is little reason to respect the law and the rule of law would merely be an abstract ideal. A better understanding of what is going on in court and how the justice system works will certainly inspire trust in the system. And people can do this with greater ease if legal proceedings are conducted in their mother tongue which for the majority of Hong Kong residents is Chinese with Cantonese as its spoken form.

Court interpreters have provided an invaluable service for the benefit of non-English speakers. But, however good it may be, interpretation has its limitations as a means of courtroom communication. It is possible, if only remotely so, that the outcome of a case turns on an unnoticed misinterpretation. Rightly or wrongly, a party may feel that he or she is at a disadvantage against another party who speaks the language of the court and that he or she stands a better chance of getting justice if her trial is conducted in Chinese without the mediation of interpreters.

Bilingualism in the courts, however desirable, had a long and difficult gestation. Although Chinese was declared an official language in Hong Kong by a ground-breaking ordinance in 1974, trial in Chinese did not become an option at all levels until 1995. The official status of Chinese is re-assured in art.9 of the Basic Law. New laws are now enacted in both languages. Existing statute laws enacted in English have all been translated into Chinese. English-Chinese glossaries of legal terms have been published and gradually built up. These measures have facilitated the option of conducting legal proceedings in Chinese. Since 1997 the number of cases which are conducted in Chinese has increased quite considerably at all levels of court: from 85% in the Magistrates’ courts to about 30% in Court of Appeal. This additional workload has increased the pressure on bilingual judges and created new challenges for them. They need to maintain a high standard of Chinese writing skills. For this purpose, each of them is required to do a one month residential course in Tsinghua University. In addition, every year, with the help of Professor Johannes Chan, Dean of the Faculty of Law, the University runs a four month top up course in writing skills for these judges.

There are concepts in the common law which have no ready-made Chinese equivalent. The translations of some legal terms are somewhat confusing or not easy to understand. Thus in a case of indecent assault, the defendant was willing to admit 非禮, but not 擊鼠侵犯, which is the official Chinese translation and a more degrading term. Like many people, he was not aware of this translation and did not want to be regarded as 擊鼠. It takes time for judges, lawyers and the public to get used to these legal terms.
Some standard terms are specified for use in court. Take the modes of addressing judges as an example. In English, judges are addressed according to the level of court, such as “Your Lordship”, “Your Ladyship”, “Your Honour” or “Your Worship”. But in Chinese trials, lay persons often address judges as “老爺” or “奶奶” (old grandpa or granny). These terms are obviously not suitable for use in court. Even “法官大人” a term used in Imperial China is no longer appropriate in modern society. It also reminds us of the term of respect and endearment “老婆大人,” which many Chinese gentlemen use in addressing their wives. Judges at all levels are now addressed uniformly in Chinese as “法官閣下”, “Your Excellency. It is less confusing, sexually neutral and preserves the dignity of the court.

The way and manner in which the language is used also poses a challenge. The courtroom is a solemn place for the administration of justice and one would expect those present in court would exercise some degree of care in what they say. But people expressing themselves in Chinese, especially Cantonese, tend to import into the courtroom modes of speech which are loose, imprecise, disjointed or even incoherent. Even lawyers and judges may not be entirely free from this tendency. Thus unnecessary or excessive use of slang or colloquialisms and abusive or even unintended foul languages may be encountered nowadays. This makes it harder for the court to assert its authority and for the public to respect the law. From time to time, judges have to remind people appearing before them to behave themselves and to mind their language. But it is not always easy to ensure that every person in court will comply and stricter measures have to be taken. Ultimately it is the duty of lawyers and judges who work in the courtroom setting to set a good example for other court users.

You may be interested to know that the first case before the Court of Final Appeal after it was set up in 1997 involved a lady who did not instruct a lawyer and who was described legally as a frivolous and vexatious litigant. She spoke in typical Hong Kong style: partly Chinese, partly English and partly “Chinglish”. It took her some time to address the court. The judges were able to dispose of her case patiently, conscientiously, resolutely and expeditiously. I should add that having failed to make the judges crazy, she subsequently ended up in a psychiatric centre.

The feasibility and desirability of conducting legal proceedings in Chinese should not blind us to the fact that legal principles are largely contained in judgments written in English and that the common law tradition has its roots in English speaking jurisdictions. The common law is not set in stone. It is constantly developing. Judgments from other common law jurisdictions are also of jurisprudential value in shaping the common law in Hong Kong. While it is necessary to put in place a bilingual legal system, English is still indispensable as a legal language in Hong Kong. This is vital if Hong Kong is to maintain its status as a leading financial and business centre.

Since 1995, a silent revolution has started by design and demand. Both Chinese and English have contributed to the operation and success of our legal system. There are inherent differences between the two languages. A pragmatic approach has to be adopted. Language as a tool of expression is only a means and not an end in itself. The object is the fair administration of justice. A culture needs to emerge before Chinese becomes an adequate means of communication for the administration of justice. But this must be given time to evolve and perfect itself. Much commendable efforts have been made to strengthen the practice of bilingualism in the courts. Much more remains to be done by all involved in the administration of justice. It is only with a system which has the trust of the Community that the rule of law can prevail.
“There is no higher duty that a society can perform for future generations than to ensure a heritage of achievement in the pursuit of knowledge. It is fitting that those who excel in that pursuit are honoured for their contributions.”

Dr the Honourable Donald Tsang Yam-Kuen, Chancellor

Through the Endowed Professorships Scheme, the spirit of giving comes together with the will to excel, creating a permanent contribution to a university’s, and a society’s, pursuit of academic excellence.

SIR Y K PAO CHAIR IN PUBLIC LAW:
Professor Anthony Carty (right)
The Endowed Professorships shed light on how donors cherish Hong Kong’s rule of law. The Faculty of Law’s Endowed Professorships encompass a wide range of areas including the Chan Professorship in Constitutional Law; Paul K C Chung Professorship in Jurisprudence; Kerry Holdings Professorship in Private Law; and Harold Hsiao-Wo Lee Professorship in Trust and Equity.
Congratulations to our Alumni on their Recent Appointments

Justice of Appeal of the Court of Appeal of the High Court
The Honourable Madam Justice Carlye Chu Fun-ling (LLB 1982, PCLL 1983)

Chief Judge of the High Court
The Honourable Mr Justice Andrew Cheung Kui-nung (LLB 1983, PCLL 1984)

Chairman, Hong Kong Bar Association
Mr Kumar Ramanathan, SC (LLB 1976, PCLL 1977)

President, The Law Society of Hong Kong
Mr Junicus Ho Kwan Yiu (PCLL 1986)

Honorary University Fellowship
The Hon Anna WU Hung Yuk, S.B.S., J.P. (LLB 1974, PCLL 1975)

Director of Broadcasting
Mr Roy Tang Yun-kwong (LLB 1986, PCLL 1987)

Ms Rebecca Lee received the 2010 Outstanding Young Researcher Award

Congratulations to Rebecca Lee, who has been awarded the Outstanding Young Researcher Award. After graduation from The University of Hong Kong and the University of Oxford, Rebecca joined us in 2005. She was also admitted as a solicitor of the High Court of the HKSAR. Her research interests include Contract Law, Equity and Trusts and Restitution.

New members to the Management Team

Ms Alice Lee
Associate Dean (Academic Affairs)

Professor Douglas Arner
Head of the Department of Law

Mr Malcolm Merry
Head of the Department of Professional Legal Education

We would like to thank Professor Chin Leng Lim as Associate Dean, Professor Fu Huiling as Head of the Department of Law, and Mr Wilson Chow as Head of the Department of Professional Legal Education, who have made great contributions to the Faculty and its two departments during their term. We are pleased to welcome to the management team three new members, whose terms of associate deanship and headship started in February and July 2011 respectively.

They are Ms Alice Lee, Associate Dean (Academic Affairs); Professor Douglas Arner, Head of the Department of Law; and Mr Malcolm Merry, Head of the Department of Professional Legal Education. Professor Zhang Xianchu and Dr Felix Chan will continue to serve as Associate Dean (China Affairs) and Associate Dean (Research) respectively.
Conferences and Events

1. Professor Catherine Redgwell, UCL at Conference “Climate Change Governance After Copenhagen” on 4 November 2010.


4. The Hon Chief Justice Geoffrey Ma at Conference “Law Via The Internet” on 8 June 2011.


7. Some of the students who joined the Dalian Maritime University Summer Programme in June 2011 at the Dalian Port.

8. Ms Brenda Kwok, Acting Deputy Privacy Commissioner for Personal Data at “Personal Data and Privacy Protection Symposium” on 12 July 2011.


10. Students of the Asia-America Institute in Transnational Law – 2011 (including those from Duke University School of Law and the Faculty of Law).
Faculty Retreats

Two faculty retreats were organized this year. The first one on teaching and learning was held in June, with the title “Reflecting on Teaching and Learning in Law – Lowering your blood pressure and raising your teaching evaluation scores?!”. Besides Alice Lee, Rick Giorcheski and Benny Tai from the Department of Law, we also had Dr. Diane Sailer and Dr. Gayle Morris from the Centre for the Enhancement of Teaching and Learning as organizing and facilitating team. At the retreat, colleagues discussed and exchanged views on various topics:

(1) the outcomes-based approach to teaching and learning in the context of law;
(2) engaging students in learning with special reference to the learning environment in law;
(3) issues concerning assessment in law;
(4) the role of the law teacher.

Another fruitful and rewarding retreat on research was held on 16 Sept 2011, participated by more than 30 colleagues. The retreat not only showcased the research efforts of our Faculty, it also stimulated interesting debates regarding the development of research proposals for the coming round of General Research Fund (GRF). Analysis of various external and internal funding schemes was informative. Sharing of insights by the current and former panel members of the Research Grant Council greatly assisted colleagues involved in the strategic planning of their research grant applications.

Congratulations to Rick Giorcheski for winning the inaugural UGC Teaching Award 2011

We are more than delighted to share the good news that Rick Giorcheski was conferred the inaugural UGC Teaching Award 2011. This new Award honours teachers in the UGC-funded institutions who have demonstrated outstanding achievements in enhancing student learning and in providing leadership in teaching and learning. Up to three awards can be made, but this year only two teachers were selected. The other recipient of the award was Professor Poon Wai-yin from The Chinese University of Hong Kong.

Rick has been with us for over twenty years and is well-known to his colleagues and students for his relentless pursuit of excellence in teaching and learning. He was awarded a University Teaching Fellowship in 2004, the Outstanding Teaching Award in 2008 and most recently the University Distinguished Teaching Award in 2009.

The UGC’s Awards Citations describes Rick as being “an imaginative and innovative teacher-scholar. He is strongly committed to using creative approaches to assessing student learning, and he raises the awareness of the important role of assessment for learning both within his institution and internationally. He has developed localised teaching materials in the Hong Kong context and used them to cultivate a wider civic awareness in his students. He is clearly an exceptional educator whose work will bring about positive and long-term impact on the culture of assessment and hence learning and teaching in the entire UGC sector.”

Rick said that having the recognition of the academy was important and a reminder that teaching and learning was the very core mission of the University. He dedicated his award to his students, noting: “I have learned much from my students. They have taught me a lot.”
Making the case for Animal Welfare

Knowledge exchange (KE) is the buzz phrase that refers to the sharing of knowledge with the community, and making good use of available expertise for the benefit of Hong Kong people. The Faculty has a long tradition of contributing to the community, and colleagues have been engaging in a wide range of knowledge exchange activities through, inter alia, applied research, delivery of professional and continuing education courses, public lectures, and expertise sharing through professional bodies and media.

To recognize faculties’ outstanding KE accomplishment that has made demonstrable impacts to benefit the community, Faculty KE Awards were established by the University and one of these awards this year goes to Amanda Whitfort for her project “Review of Animal Welfare Legislation in Hong Kong”.

A 2010 review of animal welfare legislation by Amanda Whitfort, Associate Professor of Law, and veterinarian Dr Fiona Woodhouse of the Society for the Protection of Animals, has become a spark for change by pointing out the inadequacies and suggesting a more humane approach.

Hong Kong laws currently are concerned with prevention of cruelty rather than duty of care, but typically cruelty cannot be proven until the harm has already been done.

“Most cases animals are not harmed by deliberate cruelty but by negligence, and you can’t do anything until the animals actually begin to suffer,” Ms Whitfort says. So if an animal is left without food or water, they have to be starving or dehydrated to prove cruelty.

“People who keep animals should have a duty of care which is more than just protection from cruelty. They should provide a minimum standard of living so animals are not hungry or thirsty and so they have shelter.”

The duty-of-care approach has been adopted in such other jurisdictions as the U.S., Taiwan, Australia, Europe and Sri Lanka, and the authors are hoping Hong Kong will be prodded into following suit.

The 180-page review examines the current welfare of animals in all types of situations – slaughterhouses, wild animals, strays, laboratory animals and pets – from both a legal and scientific perspective. So far, political parties across the spectrum have embraced the findings and the government has started to take notice and introduce some changes in its policies.

Slaughterhouses, for example, have replaced the use of electric shocks to get animals into pens with flappers that use noise to get the animals to move.

The Department of Justice is reviewing sentences for animal cruelty convictions, after the report showed sentences had not changed since the maximum penalty was increased in 2006 to three years in prison and a $200,000 fine, from six months in prison and a $5,000 fine.

The government will trial a trap-neuter-release programme for strays, which is more humane than the current capture-and-kill policy, after the review showed trap-neuter-release was legally viable in Hong Kong. It has also been shown in other countries to be more effective in controlling feral animal populations.

And the Agriculture, Fisheries and Conservation Department is developing a code of practice for the care of companion animals, and has begun meeting regularly with the police and SPCA to discuss animal welfare cases.

Ms Whitfort said there was still much more that could be done, such as introducing legislation based on duty of care, but the review had achieved some important aims, most notably putting the issue of animal welfare on the public agenda.

“Laws have to do what they are intended to do and when it comes to laws protecting animals, we had to ask, are they actually protecting animals?” she says.

“No one had sat down before and looked at animal welfare laws in Hong Kong like this. We wanted to give the public the data and let the government see how the legislation is appallingly outdated.”

Ms Amanda Whitfort received the Faculty Knowledge Exchange Award 2011 of the Faculty of Law for the “Review of Animal Welfare Legislation in Hong Kong” project.

(This article is reproduced with permission of the HKU KE Office.)

Amanda received the Faculty KE Award from Prof. Lap-Chee Tsui.
Research Grants received in 2011

<table>
<thead>
<tr>
<th>Grant Holder</th>
<th>Title</th>
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<th>Received from</th>
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<tr>
<td>Ms Puja Kapai</td>
<td>The Legal Enforcement of Contracts and Loan Agreements: the Role of Cultural Values in Theories of Consent and Vitiation</td>
<td>531,896</td>
<td>General Research Fund</td>
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<tr>
<td>Dr Athena Liu</td>
<td>Project on the recognition of the acquired sex of post-sex re-assignment surgery transsexuals</td>
<td>1,500,000</td>
<td>Department of Justice</td>
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New Books by colleagues

R. Buckley & D. Arner

R. Buckley, R. Hu & D. Arner (eds)
East Asian Economic Integration: Law, Trade and Finance (Edward Elgar, 2011)

J. Chan & C. L. Lim (eds)
Law of the Hong Kong Constitution (Sweet & Maxwell, 2011)

A. Chen
An Introduction to the Legal System of the People’s Republic of China (LexisNexis, 4th ed, 2011)

Y. Li
Imitation to Innovation in China: The Role of Patents in Biotechnology and Pharmaceutical Industries (Edward Elgar, 2011)

L. Mason
Contract Law in Hong Kong (Sweet & Maxwell, 2011)

B. Tai

M. Tilbury
Remedies: Commentary and Materials (with Michael Gillooly, Elsie Bant and Normann Witzkeb) (Thomson Reuters, 5th ed, 2011)

P. Yap
Public Interest Litigation in Asia (Routledge, 2011)

S. Young & R. Cullen
E lecting Hong Kong’s Chief Executive (HKU Press 2011) (in Chinese)
Clinical Legal Education

We first launched the Clinical Legal Education (CLE) course in January 2010 as a credit bearing course for the law students. One of the essential features of the General Stream of this course is to operate the Free Legal Advice Scheme (FLAS) on HKU campus. In the September 2010 and the January 2011 semesters, we took up 36 and 35 FLAS cases respectively covering quite a wide variety of cases including matrimonial, personal injuries, land and probate disputes, criminal charges, contractual disputes and miscellaneous issues (such as water leakages, jurisdiction disputes, defamation, etc.). In each FLAS case, a pair of our students have to take instructions from the client at an interview session. Thereafter, they need to submit a case summary and legal research memo to the duty lawyer assigned to advise on the particular FLAS case, attend discussion session(s) with the duty lawyer and attend the advice session when the duty lawyer would give preliminary legal advice to the client on a pro bono basis.

Each FLAS case is a living story by itself filled with factual and legal issues. By assisting the duty lawyers to handle the FLAS cases under close supervision and training, the students are enriching their practical skills and knowledge. As one student put it in his portfolio of self-reflection, he has learnt practical skills of “keeping paper record of every single detail of a case; the art of communication with teammates, supervisors, teachers, clients, observer students and duty lawyers; and offering practical solutions to clients’ needs, not only advising on the how legal issues are likely to be dealt with in courts.”

I hope that this course will continue to work for the benefit of all parties concerned including the clients, the students and even the duty lawyers and myself, for one can easily find job satisfaction in meaningful work like this.

Edmond Lam
Course Coordinator of the General Stream of the
Clinical Legal Education course
Clinical Legal Education (CLE) Programme

“THE most interesting, practical and fulfilling course I’ve ever had, I would have regretted had I not taken it.” – No exaggeration indeed. Clinical Legal Education (CLE) is unlike any other taught electives; it goes beyond (the usual boring) lectures, DMs and examinations to bring us into real life, where we meet real clients, conduct facts-specific research and draft substantial documents.

It is interesting as the nature of each case is so different, making the course like a mixture of everything. For instance, the cases I handled involve divorce, succession, enforcement of judgment, criminal appeal, intellectual property and conflicts of law. We also came together once a week to discuss each others’ cases in the Training Session, which equipped us with the essential analytical skills to develop our own legal research. You’d never get bored by the various lively and dramatic course of event, touching and humane stories and the challenging legal questions which arise.

It is undoubtedly practical as we are not taught to deal with textbooks and exams, but with lay clients from all walks of life. We had the chance to conduct a face-to-face interviews with the clients to find out their concerns—yes—you will be in charge of it, almost absolutely. (For this, I must thank the Faculty and Coordinators for their trust and confidence in us.) This valuable opportunity not only allows us to learn how to raise appropriate questions effectively to assist in future research, but also how to manage clients’ expectations and emotions. After all, law is not purely a technical issue—its matrix with our human nature complicates yet beautifies it.

What is more fulfilling than making good use of one’s specialty in helping those in need, solving their nightmares and bringing out their smiles? Getting an A+ after tons of all-nighters and hard work may give you recognition, sense of achievement, and of course a better GPA. A sincerely heartfelt “Thank you”, a firmly trustful expression and a genuinely happy smile give you way more than that. They give you inner joy and refresh your soul. Throughout the whole course, we were also invited to share our reflections on the seemingly unjust cases, the loopholes in our legal system and professional ethics. All of these are important issues that must never be neglected; my experience in CLE has strengthened my devotion to a legal career and brought me personal growth.

Last but not least, I would like to take this opportunity to express my greatest gratitude to Mr. Eric Cheung and Mr. Edmond Lam for their guidance and support, the Duty Lawyers for their generous efforts and inspiration given, Ms. Nancy Ng and other staff for supporting the running of the programme and all the CLE students (senior and current), especially my partner, for working with me, I learnt a great deal from everyone of you.

(Another) Last but not least, precious friendship developed through working together closely, supporting each other during the hardest time and sharing all the fun stories and personal reflections. So, “for your interest and benefit”—enroll in CLE!

Grace Yeung
(POLL)

Dinner after the boat trip.
HKU-HKRAC Refugee Legal Assistance Clinic

Since January 2009, the Refugee Legal Assistance Clinic has been offered to undergraduate and post-graduate students in the Faculty of Law at the University of Hong Kong (HKU) in partnership with the Hong Kong Refugee Advice Centre (HKRAC). The Clinic is administered by the Faculty’s Centre for Comparative and Public Law. HKRAC provides general advice and legal assistance to asylum seekers and refugees in Hong Kong in relation to their applications for refugee status with the United Nations High Commissioner for Refugees (UNHCR).

Students learn both the theory and practice of international refugee law in Hong Kong. In the Clinic, students develop their legal knowledge, legal skills and professional judgment in a real practice setting under the supervision of HKRAC staff. They observe and perform client interviews, conduct country of origin and legal research, and write memoranda, client testimonies, and legal briefs. Specific skills taught include interviewing and counseling, working with an interpreter, oral advocacy, negotiation, fact investigation, legal research and analysis, and legal writing and drafting.

Students involved in the Clinic are exposed to ethical dilemmas and choices. As such, the Clinic provides a rich opportunity for a deep learning experience about the nature and extent of a legal practitioner’s professional and ethical responsibilities. Students have the opportunity to recognize challenges, creatively identify options, execute their own judgment, and understand the impact of their decisions.

Students’ comments

“...The experience of working with clients directly, getting to know them, and arguing their cases was very rewarding. I would highly recommend the programme.”

Gabrielle Curtis (LLM)

“I think the best thing about the program is that you would have the opportunity to learn and practise what you have learned at the same time. Not only that, you would meet people with very different backgrounds from yours, and you would have the knowledge and abilities to help them.”

Jolly Xu (LLB)

“...Working in the clinical programme is not just about talking with asylum seekers or taking legal notes or writing legal submission. It’s not just about learning and gaining knowledge. But most importantly, it’s about giving. It’s about helping people. It’s about changing people’s lives for the better. It’s about changing societies.”

Pum Kai Htang Henry (LLM)

Supervisor’s comments

“...Students engage in all aspects of our work, from intake to representing clients at UNHCR. We give them a lot of responsibility, but we also have high expectations of them, and it has been rewarding to watch them rise to the challenge. During the clinic, students develop not only a knowledge of refugee law and interviewing and legal research and writing skills, but also a better understanding of themselves as lawyers, their city, and their world. After the clinic, many students continue to volunteer with us or go on to other refugee or human rights work. We appreciate the students’ contribution to serving our clients and the Faculty’s shared values and support for our partnership.”

Stephanie Jones, HKRAC Staff Attorney (Clinical Programme)

Prospective employer’s comments

“If we had two otherwise equal applicants, but one had engaged in a clinic, they would not be equal applicants. The one who had taken the clinic is a better candidate.”

Richard Chalk, Partner, Freshfields Bruckhaus Deringer

“...The Clinic is an excellent opportunity for law students to obtain real legal practice experience. As future lawyers, these clinical students will readily become leading practitioners in the Convention Against Torture and refugee screening processes.”

Simon NM Young, Director, Centre for Comparative and Public Law
Statutory Minimum Wage
Notes for law students seeking internship

Under the Minimum Wage Ordinance, there is an exemption for student interns and work experience students during a period of exempt student employment. Check out what type of exemption would apply for your internship!

Q1. Are you paid under HK$28 per hour?
   Yes – Proceed to Q2
   No – The statutory minimum wage requirement is “fulfilled”.

Q2. Are you aged 26 or above when the employment begins?
   Yes – Type A
   No – Proceed to Q3

Q3. Are you mixed degree students in your first three years?
   Yes – Proceed to Q4
   No – Proceed to Q5

Q4. Is it a law-related internship?
   Yes – Proceed to Q5
   No – Type C

Q5. How long is your internship?
   A continuous period of up to 59 days – Q6
   A continuous period of more than 59 days – Type A

Q6. Will this be your only internship with a continuous period of up to 59 days in this calendar year?
   Yes – Type B
   No – Type A

Type A Exemption for “Student interns” applies, please complete the form of ‘Confirmation of “student intern” status’.

Type B Exemption for “Work Experience Student” applies, please (1) make a statutory declaration through existing channels; and (2) complete the form of ‘Confirmation of “ work experience student” status’.

Type C Please enquire with your home faculty.
SHKP-Kwoks' Foundation committed to another year of scholarships for Mainland students

Following its success last year, Sun Hung Kai Properties - Kwoks’ Foundation (Foundation) extended its Law Scholarship and presented 14 scholarships to Mainland students on 14 April 2011. The Scholarship aims to facilitate legal and judicial modernization in China by sponsoring law graduates from the Mainland to study our Master of Common Law and Master of Laws programmes. We are happy to see how students have benefited from this Scholarship and even happier to know many graduates last years continued their legal studies in Mainland, US and UK. Once again the University and the Faculty would like to thank the Foundation for its generosity.

HKU and Peking University to establish cross border double masters degree in law

From this academic year, a cross border double masters degree in law has been established by the Faculty and the Peking University Law School (PKU). Under the arrangement signed earlier in December 2010, postgraduate students from PKU (who are taking Juris Master (JM) and Master of Laws (LLM)) may spend a year within their curriculum with HKU to complete a LLM or a Master of Common Law (MCL). On the other hand, LLM and MCL students from HKU may complete the JM or LLM with PKU in one year, which normally requires two years to complete. Since the establishment of the Peking U-HKU Legal Research Centre in 1988, annual conferences have been held in Hong Kong or Beijing. This new programme will further strengthen the interaction between common law and civil law, and intellectual exchanges among academics between HKU and PKU.
UPCOMING ACTIVITIES

- Evgeny Kissin in Concert
- Centenary Gala Dinner

Stay tuned (100.hku.hk) for more details!

Updates on HKU 100 and Centennial Campus

Key dates for Centennial Campus

- 2011
- 2012
- 2013
  - 1st Quarter
  - 2nd Quarter: Move in
  - 3rd Quarter: Open Days
  - 4th Quarter: Completion of New West Gate

Completion of Landscaped Garden on the roof of WSD service reservoirs

Occupation Permit to be issued by Buildings Department

The Centennial Campus
New Law Building
Wanted: Old Deeds and Legal Memorabilia

As you all know the Law Faculty will move into a brand new custom-designed building on the Centennial Campus. We are already looking at ways to make the new building feel like home. The corridors of our present premises in the KK Loung Building are enlivened by having class photographs of almost all our previous students together with photographs of major donors and important events. We have also put together a collection of old deeds mainly from the UK some of which date back to the 17th century. These give a nice ambience to the otherwise blank walls of our corridors. But we need more, especially for the new and much larger premises to which we will move. In particular we are seeking old Hong Kong deeds and other legal documents and memorabilia which will improve the tone of our new premises. One of our alumni Mr John Ku recently very generously donated several old legal documents including some deeds executed during the Japanese occupation of Hong Kong. If anyone has in their possession any similar memorabilia which they would be willing to donate to the Faculty we would be most grateful. The contact person is Professor Michael Wilkinson.

The Lui Che Woo Law Library

The University and the Faculty would like to extend their gratitude to Dr Lui Che-woo for his unflagging support. The Law Library has always been an integral part of the Faculty. It is open to academics, students and alumni of the Faculty, and members of the legal profession practising in Hong Kong. Recently, Dr Lui pledged a donation of HK$60 million for the development of the Lui Che Woo Law Library on the Centennial Campus. The new library will continue to reinforce the legal scholarship and education with outstanding research support collections and services; and to keep abreast of changes in information landscape, law curriculum reform, and legal education trends.
Revenue Authority Discretions and the Rule of Law in Hong Kong

by Professor Andrew Halkyard
9 March, 2011

Professor Andrew Halkyard in his incisive and thought provoking lecture provided his audience with his views as to the role of the Revenue Authority with regard to various discretions it has in the collection of taxes and the rule of law in Hong Kong.

In particular, he spoke about the constitutional power to impose tax in Hong Kong and the role of the Hong Kong tax law within that particular dimension. He discussed the conflict between the rule of law and the role of the Commissioner in collecting taxes in Hong Kong.

He addressed the issues of a Tax Charter. He also identified the discretion on the Commissioner with regard to various administrative matters vis-à-vis tax administration and collection of taxes in Hong Kong.

In particular, he outlined and questioned the importance of the Departmental Interpretation and Practice Notes ("DIPNs") and whether or not these are of a persuasive nature and their role and impact. In particular, he identified the difficulties faced by a taxpayer in challenging the DIPNs.

He also reviewed the position of an appeal from the Board of Review by way of case stated as well as discussing judicial review proceedings that are now being embarked upon within the existing regime.

The conclusions were interesting in that Hong Kong has a simple and straightforward system with regard to the collection of taxes. However, he accepted that there are undeniably stresses between the role of the IRD and tax advisers in ensuring that the current system is co-operative rather than confrontational.

He takes the view that the various performance pledges and promulgation of a Tax Charter perhaps need to be reviewed and reconsidered and that perhaps reform is needed within this particular area.

He was also somewhat critical over the current position of the DIPNs and their impact.

Hong Kong needs clear tax legislation with certainty as well as a clear and unequivocal application of those laws. He concludes that Hong Kong was not drifting towards an authoritarian and discretionary taxation system but takes the view that there is always room for formalising protection for taxpayers with regard to the relationship between them and the Government. As he stated, there can never be room for any complacency.

His talk was illuminating, thought provoking and as always, he sows the seeds for further discussion. Professor Halkyard in 2010 gave a lecture entitled “The Duke of Westminster, How Graven an Idol?” We are eagerly looking forward to his next talk in 2012!

Colin Cohen
A former teacher of the Law Faculty who attended the lecture

陳振鴻法官紀念專題講座
以中文進行民事訴訟的窘局
高等法院上訴法庭法官 關淑馨法官
二零一一年四月二十六日

今年的陳振鴻法官紀念專題講座由高等法院上訴法庭法官關淑馨法官授與。正如關法官於講座開端指出，陳振鴻法官是中文民事訴訟的先驅，因此，以關於司法機構在過去十五年來實行中文民事訴訟至今的進展及困難為題，以紀念陳法官，乃適當不過。

講座當晚座無虛席，可見不少法律專業人員及學生，甚至警察及眾，均對講座的題目感興趣。關法官以她於司法機構十餘年，特別是過去一年擔任上訴法庭法官用中文審理案件的經驗，以及真實案例，與大家探討以中文進行民事訴訟的苦與樂。

關法官的個人經驗所見，以中文進行民事訴訟之所以有困難之處，原因之一為︰「懂中文的不懂法律，懂法律的不懂中文」。寥寥數字，精確地總括了問題所在︰無律師代表的訴訟人，雖然不少都是中文流暢，但就缺乏法律知識和沒有專業訓練；相反，
香港大學法律專業進修會

法律中文的寫作與運用

教學目標

語言學有「共同語」和「專門語」的概念。共同語，指語言群體中大多數人日常生活使用的語言；專門語，指某特定範圍內使用的語言變體，如法律、商業、金融、財務、工程、科技、傳媒、醫學、社會學等使用的語言。學習語言，主要學習社會一般慣用的語言。至於專門語，是在共同語的基礎上發展起來的，即使在用語和句式上有獨特之處，把共同語掌握，再運用在專門範圍內的「語言變體」，應該不是難事。語文能力有一定水平，可以利用這種能力轉化到不同場合去應用。本課程透過檢討學員呈交的作業，以實例說明基本語文能力的培養與寫作專門或專業中文文書之際的密切關係。重點有四：

一、漢語特性，以「善用」為基礎，句法意義須借助語序及診斷，因此尤需簡潔、靈活。所謂「工欲善其事，必先利其器」，掌握了漢語的特性，就好像有一把鋒利的工具，寫出中文來自然得心應手。

二、中文簡潔靈活，法律文字嚴密複雜，兩者之間如何平衡，是寫作法律中文的不二法門；三、有些英文法律專用詞語僅是生硬翻譯，意義沒有妥當表達出來，宜多斟酌；四、按字面生硬翻譯，須解讀；意譯不足，須加說明；四、分析學員把基本語文能力轉化、應用於撰寫各式法律文書方面去，這個課程的重要任務之一。

上課形式

四節兩小時「大課」，再把學員分為兩組，每組一節兩小時「導修」；

大課講授課程內容，導修檢討學員課前、課後撰寫作業的法文語文。

為確保教學質量，學員以十人為限，香港大學法律專業進修會會員（會員*）及從事法律工作者優先；如報讀人數於截止日期前不足十人，課程將被取消，有關費用悉數退還。

課程概要

一、中文語文能力是什麼（從感性的認識到理性的認識；從基本語文能力到專門或專業中文能力）。

二、法文寫中文遇到的困難及挑戰（語病、法律詞語翻譯等）。

三、從基本語文能力轉化到專門或專業中文能力（理論、提議、中；英法律文字難以相應舉例）。

四、選取漢語的特性寫出（靈活與簡潔、語法、修辭、邏輯的管

級：漢語的天文如何擺放；法律文字嚴密周全，仍要避免寫來

繁文重複）。

如有查詢，請聯絡香港大學法律學院

電話：2859 2952 電郵：rmnwai@hku.hk

* 永久會員或已繳付會費及年費之普通會員

導師

李家銓（BA MPhil PhD 香港：CFIL 倫敦）

現任香港大學文學院中國文學系教授及香港大學出版社「中國文學叢書」編輯。執教大學三十年間，李教授著有15本書（包括個人及合著的），編輯了25本書和發表了150篇英中學術論文。李教授專長於中國經學、唐宋詩詞及文化及中國詩詞學，著作涵蓋的時期遠自古至今，領域文學及語文兼備。最為人表

揚的是他對詩經、中國經學及唐宋詩詞等研究所作的重大

突破。李教授的多著作，載於國際性期刊，曾引起

不少影響與辯論，並為他贏得多個獎項。李教授也是中

國漢語專家。自80年代起，他在中國語言及中國語文

教學方面的著作，獲香港及鄰近地區採納為教科書或語

文教育的重要參考典籍。李教授近年參與香港特區政府

司法機構和香港大學法律學院合辦的中文詞寫作課程

的教學，並獲香港大學法律學院委任為客席教授，講授

Use of Chinese in Law學位課程。

編制

萬可宜（法律專業證書20000）

* 職業法律人士之講座《懂得中文的不懂法律，懂法律的不懂中文—以中文

進行民事訴訟的懲罰》將於香港法律學刊，2011年第2期刊登。
Thank You for the Music!

It was really a pleasant surprise.

I had looked forward to the Law Alumni Choir Concert long before it was staged, because it is the first ever Concert of the Law Alumni (what a bold and admirable move!) and for a change, I was not singing as a Choir member. It was exciting that I was going to enjoy the evening solely as a member of the audience. And then I was stunned by the professional standards shown by our Law Alumni Choir. I couldn’t help but think that the loss was totally mine for I had missed the opportunity to sing all those beautiful songs side by side with my dear friends.

From the very first note sung in the evening, I was totally absorbed in the angelic music. Everything was just so perfect. Everyone was enjoying the evening. The songs chosen were just the very songs I love! My heart would sing and march along each time I hear *Do you hear the people sing?* Edelweiss touches my heart all the same as it did the first time I heard it. Tears came into my eyes when Winnie sang *Over the Rainbow*. I was just overwhelmed by memories of my secondary school days when I sang this song in Music lessons with my classmates... And with those joyous Christmas carols hanging in the air, the evening concluded in waves of cheers and applause.

My warmest congratulations go to the Law Alumni Association, its Choir Committee and all Choir members. Thank you all for putting in so much effort to make it happen in such a wonderful way. Thank you for giving us this invaluable opportunity where law alumni from different vintages could be reunited with music. Thank you for the enchanted evening!

**By Carol Chen**  
(LLB 1982, PCLL 1983)

Ms Carol Chen (first on the right) and the singers!
The Wonderful World of Love

Programme Highlights:
What a Wonderful World
I'd like to teach the world to sing
Yesterday once more
You raise me up
Medley from Les Misérables
Disney Dazzle
Selections from "The Spirit of Thyme"
Look at the world
I believe my heart
And others...

University of Hong Kong Law Alumni Choir Concert
All of the concert sales will be donated to HKU Law Alumni Charity Limited

5.11.2011 Saturday 7:30pm
Loke Yew Hall, The University of Hong Kong

Ticket (Free Seating):
$200 for members of The University of Hong Kong Law Alumni Association
$250 for non-members
$100 (students and children from 6 to 18)
free admission for children under 6
Ticket Reservation / Enquiries: Miss Rachel Li (Tel: 2859 2919; Email: lilrachel@hku.hk)

Conductors:
Mr. Jeffrey Sham (PCL 2009)
Mr. Raymond Cheng (PCL 1997)
Ms. Regina Choi (LLB 1984, PCL 1987)

Conductors:
Mr. Raymond Cheng (left) and Mr. Jeffrey Sham

The string quartet
The Symphony of Law

For many years, Hong Kong parents have been sending their children religiously to learn music at a very young age. With these years of musical training, where is the Yo-Yo Ma from Hong Kong? Where are Hong Kong’s very own Pavarotti and Karajan? Where is the Mozart of Hong Kong?

As one of the many who picked up music as a child, I have been confronted by this question many times by cynical relatives and friends. Indeed, despite the boom in music education since the 1980s, Hong Kong has been long labeled as a cultural desert. Many doubt whether these children – who may have been forced by their parents to study music for the sole purpose of getting into a decent school – could actually make a difference to the Hong Kong musical scene.

My personal experience, however, has told me otherwise. While many of my musician friends grew up in sweat and tears learning their instruments, they have all grown to love their music with hot and undying passion. Since then, it has been my personal mission to promote music and the performing arts in Hong Kong. With these emerging young talents, it is my belief that no matter how harsh the conditions may be for music in this city, these promising musicians shall blossom. When these musicians develop and grow, we will soon see our very own Pavarotti and Karajan whom Hong Kong can be proud of.

My voyage began four years ago when I was admitted into the University of Hong Kong to read BBALaw. While topics in law and business are exciting and challenging, music did not cease to be an important part in my life, and has been reinforcing my academic pursuits. In June 2008, shortly after the devastating earthquake in Sichuan, I founded an initiative with the Hong Kong University Students’ Union Choir to raise funds for the disaster relief. I was blessed to have the opportunity to chair and conduct a charity concert, and was honoured by the presence of the former Chief Secretary, Mrs. Anson Chan. It was the very first time I realised the strength of these growing musicians and their power and compassion to make positive change to our society.

With this belief in mind, for the next two years I began working zealously to help building the musical scene with other young musicians. In 2010, I established the Hong Kong Festival Orchestra ("HKFO"), a non-profit business organisation aimed at providing a musical identity and home for the young blossoming musical talents. As the founding chairperson, music director and conductor, HKFO gave me the perfect platform to reach out to like-minded individuals. Collaborating with the famous piano prodigies Aristo Sham and Wong Ka Jeng ("KJ") in 2010, HKFO is slowly and steadily beginning to realise our collective vision.

Earlier this year, I initiated and organised the Joint-University Charity Concert: Music Heals Japan, an event which involved all eight universities and two tertiary institutions (HKEd and HKAPA) in Hong Kong to raise funds for the earthquake and tsunami relief in Japan. The concert was a great success, once again proving the abilities of the students in Hong Kong, and their ability to make positive change to our neighbours.

Thus, throughout the past four years I have been living under many hats – as a committed business student and law student, I have also ventured into the exciting lives of entrepreneurs, art administrators and conductors. While I may have enjoyed a fruitful experience, I have also been frequently bombarded by my peers with an interesting question: when law and music are disciplines of such different nature, how would one be able to reconcile between the two?

But music and law are not at all different.

The art of music making is essentially a truth-searching exercise. Contrary to other disciplines in art such as painting and sculpture where the “aesthetic truth” can be preserved in a physical object such as a canvass or a piece of marble, music only exists in time. When a musical composer composes, his music can only be reproduced through interpretation by others. A conductor’s job is to search for this “aesthetic truth”, the very music the composer intends in his mind, through collecting and analysing pieces of evidence left by the composer.

As a conductor, our primary piece of evidence is the score that the composer left us with. However, the score is in itself a very primitive piece of evidence in our search for truth. When Mozart writes forte (“loud” in Italian), exactly how loud does Mozart intend the music to be? When Beethoven writes Allegro (“fast” in Italian), exactly how fast does Beethoven want? To find out answers to these questions, the conductor often has to go for evidence beyond the score; he may draw evidence from historical events, letters which the composer wrote, “summon witnesses” of expert conductors who may have met the composer in person. In many cases such evidence may be conflicting in nature, and the musician must make the best “argument” out of the incomplete evidence before him. Thus, behind the many great conductors on stage who may look no different from a raging lunatic with a stick, are actually the greatest analytical minds in the world.

The legal process is very similar. Lawyers and judges concern themselves with “questions of fact” and “questions of law”; both are questions to search for an abstract truth of justice, something that may never be realised. Similar to conductors, lawyers have to go through conflicting evidence to find out what actually happened to the parties (a question of fact) and which laws are best suited to achieve justice in a certain case (a question of law). In the broadest sense, while the end-point may be different, both professionals are concerned with the attempt to find out an abstract truth through incomplete evidence.

The analytical mindset required for the two professionals are not at all different from one another.
This theory is not limited to just law and music. The fields of science, philosophy and many other academic disciplines also concern this pursuit of truth. As long as we have the passion for discovering the truths in the world, we can see through the pragmatic differences among every discipline and allow each of these disciplines you learn to reinforce one another. Between the art of music and law, the skills of analysis, logic, articulation and persuasion are all shared and transferable values.

I believe that the successful people of the world are exactly those who manage to see through and synchronise the “truths” of various fields. Great conductors are not merely musical specialists. Apart from the expert knowledge in harmony and rhythm, in the pursuit for the said “truth”, a great conductor must also be a great historian, a great physicist (to shape sounds and acoustics), an efficient communicator through gestures and speech, as well as a great teacher to his players.

Similarly, the greatest lawyers and judges are also extremely knowledgeable and worldly men. The presence of law, the very need to resolve human conflicts, goes deep into human nature, requiring one to have a broad understanding of the world in general to succeed.

Contrary to popular belief, I believe that Hong Kong is the ideal cradle for students to develop their minds. While music has been an important trend since the 1980s, we have also seen many emerging sportmen and artists. In the coming years, I think it is inevitable that we will see an even greater number of musician-lawyers, painter-doctors or athlete-accountants, providing the city with greater room for synthesis of ideas and creativity. These values may appear conflicting, but they certainly can co-exist and will form the solid foundation for greater and more influential thinking, empowering us to make even greater positive changes in the world. As these minds develop and grow, not only will we see Hong Kong’s own Mozart, but perhaps our very own Lord Denning.

Sean Li
(BBA(Law) 4)
Chairperson and Music Director
Hong Kong Festival Orchestra

Joint University Charity Concert — Music Heals Japan

Meet Our New Staff

Peter Chau
Assistant Professor, Peter Chau (BSSLG&L) (HKU), LLB(HKU), MPhil(Oxon) joined the Faculty in August 2011. He is interested in legal theory and criminal law, and is currently working on a DPhil at Oxford on the relationship between social deprivation and criminal sentencing. In his spare time, he enjoys playing chess.

Chen Jianlin
Chen Jianlin, LLB (National University of Singapore), LLM (University of Chicago), JSD candidate (University of Chicago), joined the Faculty as an Assistant Professor in August 2011. His seemingly diverse research interests in corporate law, securities regulations, insurance law, compulsory land acquisitions, culture wars, law & religion are united by his research agenda of comparative and economic analysis of law. In his spare time, he enjoys a holistic appreciation of marine biology: reading, keeping, eating.

Professor Michael Davis
Professor Michael Davis joined the Faculty of Law as a Visiting Professor of Law in August 2011, after many years as a full professor at the Chinese University of Hong Kong. He has held visiting chair professorships in human rights law at Northwestern University Law School (2005-06), Notre Dame Law School (2004-05), and Case Western Reserve Law School, as well as the Schell Senior Fellowship at the Yale Law School (1994-95). His books include Constitutional Confrontation in Hong Kong (1990), Human Rights and Chinese Values (1995) and International Intervention: From Power Politics to Global Responsibility (2004). He has published widely in academic journals and the media. Professor Davis’s long-term commitment to public service in Hong Kong and the Asian region is evident in his frequent consultative work with both government and NGOs on issues related to democracy, human rights and public affairs. He has law degrees from the University of California, Hastings (JD) and Yale Law School (LLM).

Ernest Lim
Assistant Professor Ernest Lim (LLB(NUS), LLM(Harvard), BCL(Oxford) joined the Faculty in August 2011. Prior to that, he worked in the New York and Hong Kong offices of Davis Polk & Wardwell where he specialized in capital markets transactions. His areas of research interests include corporate law, jurisprudence and public law.

Yap Po Jen will be leaving us temporarily to pursue his PhD Degree in Law at the University of Cambridge. He will be researching on constitutional review in post-British colonial societies in Asia. Po Jen joined us in 2006 after completing his LLMs at University College London and Harvard Law School. He specializes in comparative constitutional law and torts. We will look forward to his return next summer.

We are sad to see the following colleagues leave us and would like to thank them for their contribution.

Young In  Oliver Jones  Suzannah Linton  Long Qing Lan
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