• LLB Graduation Ceremony
• Appointment of the new Sir Y K Pao Chair in Public Law
I have been invited as the newly elected Chairman of Faculty Board to pen a few words explaining my role and commenting upon the state of the Faculty.

As you probably know the University decided some time ago to introduce a new management structure at Faculty level. Up to that time Deans had been elected by their constituents, all Faculty Board members and Heads of Department were also ‘elected’ in the sense that up to three nominees were decided upon by members of the Department and their names sent up to the Vice-chancellor for him to select the person he considered most appropriate. In reality one name only was usually sent up, creating a de facto election. All this has now changed (views are not unanimous as to whether the change is for the better or worse). By way of making the management structure more effective Deans are now appointed by the Vice-Chancellor following consultation with the Head of Department for the best candidate. This search involves head-hunting both domestically and internationally. Faculty members are involved as a number of members serve on the search committee and ascertain the views of all Faculty members.

Deans now appoint the Heads of Department but, again, the views of all colleagues are taken into account. At the same time a new post of Chairman of the Faculty Board was introduced, the appointee being elected by Faculty Board members. In fact there was no election as no-one else was nominated this time around. My role is to chair Faculty Board meetings and, more importantly, to ensure that the Dean, Heads and Faculty management team are aware of members’ views on important issues and, as a member of Senate, to ensure that those views are conveyed to Senate. The job has been wryly described as a ‘trade union leader’: if this is so, it is a case of ‘gamekeeper turned poacher’ after many years of involvement in policy-making. I think it unlikely that you will see me on television leading a group of law academics protesting at Star ferry about long working hours or too much marking. But we will see. A five-day week would be rather nice. Since the post is new, we (just like other Faculties) had to work out a satisfactory modus operandi. The Dean and Heads have been most accommodating, inviting me to attend all meetings of the Faculty Management Committee to ensure that I am kept informed of current developments and problems and I am pleased to report that the system is presently working well.

Turning to the state of the Faculty I can report that we are ‘firing on all cylinders’ and ‘business is booming’. Some would say too booming! It seems that law as a career, far from losing its popularity, is becoming even more attractive (and this even after the abolition of scale fees). In brief, postgraduate courses is experiencing a very great demand from students of a high caliber and the double degree programmes in particular are going through a period of rapid expansion. Indeed, the number of students on these double degree programmes will soon significantly exceed those on the pure law degree.

Why are our numbers expanding to this extent when many say that we have enough lawyers and professional incomes are falling? An obvious contributing reason is the conversion to a four year LLB degree. The expansion in student numbers is also partly due to the policy of the University generally to admit students with top marks irrespective of the discipline to which they are making application and this means that subjects such as medicine and law, which attract quality applicants, will expand to the detriment of those disciplines who are unable to attract such high quality applicants. Of course, this expansion brings with it increased income to the Faculty, especially from those courses that are self-funded such as the masters’ programmes and the part-time PCLL. The downside of this rapid expansion is that we need more staff to teach more courses to more students.

With our fundraising efforts, generous donations and income derived from self-funded courses, we plan to embark on an ambitious recruitment plan to employ an additional 15 to 20 teachers. The Dean is now pondering over where to accommodate the new posts as accommodation for staff in the K K Leung building is absolutely full and we have already founded a small ‘overspill colony’ in May Hall. Our problems may well be solved when the new Law Faculty is built on the extended Centennial Campus but this will not be for some years. In the interim space will continue to be a cause for concern.

Lastly, several friends (usually former students) have congratulated me on my retirement. I am happy to say that I have not retired, although my term as Head of Department came to an end. I did reach the retirement age of 60 last year, but the University has very kindly kept me on for another two years so that I can continue to terrorise PCLL conveyancing students. So please do keep in touch.

A New Law Building

We have long been asking for an individual Law Building. Shortage in space is an issue, but, more importantly, a separately identifiable Law Building carries a symbolic value symbolizing the importance of the role of law in this community. We are pleased that the University has been very supportive, and a new Law Building is envisaged in the Centennial Campus.

The Centennial Campus is situated at the western part of the existing main campus – a small hill to the west of Haking Wong Building - and will extend all the way to Pokfield Road. The current plan is that Law, Social Sciences and Arts will be relocated to the new Centennial Campus, followed by a second phase of regenerating the main campus. Apart from the three faculties, there will be a learning commons, a large auditorium, a well-stocked university bookstore and a good café. Four different models designed respectively by 4 different architect consortia have been put forward for consultation. In 3 of the 4 models there is a separate building for Law. They are illustrations of building concepts at this stage, and we can mix and match different models.

The Faculty has previously submitted to the University our projected needs and our requests, including a building with a classical outlook that befits the image of law, a state-of-the-art moot court and conference facilities, together with first class teaching facilities. The Law Library will of course be an essential part of the Faculty in the new building. We have already indicated that we would like to be closely involved in the planning and design of the new Law Building, and would certainly like to involve our alumni and friends in the process.

The University plans to finalize the design concept by the end of April 2006, and proceed to detail design. Site formation work would have to begin in early 2007 in order for the Centennial Campus to be completed by 2011, the centenary of the University.

A New Centennial Campus & Law Building
The past few days, I have spent some time sitting in as a member of the audience listening to the young pianists at the International Piano Competition which is being held for the first time in Hong Kong. As I have listened to them play, it struck me that there is a world of difference between those pianists who play all the notes and follow all the composer’s instructions by way of tempo and dynamics yet theirs is not a coherent interpretation of the music. To reproduce literally is not to interpret just as in interpreting the law, one must do much more than just to look at the words.

Context, legislative history and derivation, these are just some of the things that play a part in interpretation. But also, in Hong Kong, we still have the common law system so that not all our law is to be found in the volumes of the Laws of Hong Kong. Our case-law is an important repository of our law and that case-law is judge-made law but not law made on a whim or a fancy or on the basis that the judge had a bad night’s sleep (although he may have done). These decisions are informed by a system of values; liberty of the person and the rule of law. That is the legacy of the common law.

In Hong Kong, we have faced an almost unique challenge of interpreting the Basic Law under the principle of “one country, two systems.” I say almost unique because Macau faces the same challenge. The Basic Law is a law made by our National People’s Congress in accordance with the Constitution of the People’s Republic of China. We, in Hong Kong, with our common law traditions, have to interpret and apply it. So, for you, as students of the laws and legal system of Hong Kong, you are embarking on a journey which has few, if any markers. …… So I wish you all the very best in your studies and in your careers, whatever they may be. Your fate is to study, to think and to question. Those processes should never end. Remember that your mind is your most precious possession. Never give it over to another person. That is the Socratic message.

The Faculty’s programme for the Joint University Programmes Admissions System (JUPAS) Open Day was successfully held on 22 October 2005. Focusing on the theme of our programme this year, “Prestige and Tradition”, the Hon Mr Alan Leong SC and Mr Joseph Tse of Messrs Allen & Overy as our guest speakers. They shared views about their professional career.

“In 35 years, HKU’s law school has grown from a hitherto unheard of Department to a leading law school, enjoying widespread alumni, University and community support.”

Mr Kenneth Kwok SC
(LLB 72, PCLL 73)

“Why is the study of Law so important in Hong Kong.

Mr Ip Shing Hing
(LLB 79, PCLL 79)
Where did our graduates go?

Employment Statistics

2004 Bachelor of Law graduates

I Employment Situations in 2004
Of the 141 graduates from this programme, 127 responded to the survey. Their employment situations are listed below:

<table>
<thead>
<tr>
<th>Sector</th>
<th>2004</th>
<th>HKU Overall*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. %</td>
<td>No. %</td>
</tr>
<tr>
<td>No. of respondents</td>
<td>127</td>
<td>100%</td>
</tr>
<tr>
<td>Employed</td>
<td>20</td>
<td>16%</td>
</tr>
<tr>
<td>Unemployed seeking F/T job</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Further Studies</td>
<td>107</td>
<td>84%</td>
</tr>
<tr>
<td>Emigrated/Returned to home country</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Not seeking F/T job</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>

II Employment Sectors
107 graduates proceeded to postgraduate studies, while 20 graduates were employed in the Commerce & Industry and Civil Service.

<table>
<thead>
<tr>
<th>Sector</th>
<th>2004</th>
<th>HKU Overall*</th>
</tr>
</thead>
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</tr>
<tr>
<td>Not seeking F/T job</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>

III Basic Salary and Gross Income
The remuneration received by Bachelor of Laws graduates is shown below:

<table>
<thead>
<tr>
<th>Basic Salary</th>
<th>LLB HKU Average*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2004</td>
</tr>
<tr>
<td>Mean</td>
<td>$16,851</td>
</tr>
<tr>
<td>Median</td>
<td>$14,500</td>
</tr>
<tr>
<td>Minimum</td>
<td>$7,000</td>
</tr>
<tr>
<td>Maximum</td>
<td>$35,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gross Income</th>
<th>HKU Average*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean</td>
<td>$18,500</td>
</tr>
<tr>
<td>Median</td>
<td>$15,125</td>
</tr>
<tr>
<td>Minimum</td>
<td>$8,000</td>
</tr>
<tr>
<td>Maximum</td>
<td>$62,500</td>
</tr>
</tbody>
</table>

2004 Postgraduate Certificate in Laws graduates

I Employment Situations in 2004
Of the 262 graduates from this programme, 167 responded to the survey. Their employment situations are listed below:

<table>
<thead>
<tr>
<th>Sector</th>
<th>2004</th>
<th>HKU Overall*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. %</td>
<td>No. %</td>
</tr>
<tr>
<td>No. of respondents</td>
<td>167</td>
<td>100%</td>
</tr>
<tr>
<td>Employed</td>
<td>156</td>
<td>93%</td>
</tr>
<tr>
<td>Unemployed seeking F/T job</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Further Studies</td>
<td>6</td>
<td>3.6%</td>
</tr>
<tr>
<td>Emigrated/Returned to home country</td>
<td>1</td>
<td>0.6%</td>
</tr>
<tr>
<td>Not seeking F/T job</td>
<td>2</td>
<td>1.2%</td>
</tr>
</tbody>
</table>

II Employment Sectors
The majority of Postgraduate Certificate in Laws graduates were employed in Commerce & Industry, while others were employed in the Civil Service.

<table>
<thead>
<tr>
<th>Sector</th>
<th>2004</th>
<th>HKU Overall*</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>Not seeking F/T job</td>
<td>2</td>
<td>1.2%</td>
</tr>
</tbody>
</table>

III Basic Salary and Gross Income
The remuneration received by Postgraduate Certificate in Laws graduates is shown below:

<table>
<thead>
<tr>
<th>Basic Salary</th>
<th>PCLL HKU Average*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean</td>
<td>$22,801</td>
</tr>
<tr>
<td>Median</td>
<td>$20,000</td>
</tr>
<tr>
<td>Minimum</td>
<td>$6,000</td>
</tr>
<tr>
<td>Maximum</td>
<td>$80,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gross Income</th>
<th>HKU Average*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean</td>
<td>$21,752</td>
</tr>
<tr>
<td>Median</td>
<td>$15,000</td>
</tr>
<tr>
<td>Minimum</td>
<td>$6,000</td>
</tr>
<tr>
<td>Maximum</td>
<td>$53,000</td>
</tr>
</tbody>
</table>

Sharing by our recent law graduates on their new lives as a trainee solicitor and a pupil barrister.

Genevieve Ku
(LLB 2004, PCLL 2005)
Trainee Solicitor
Coudert Brothers in association with Onnix, Herrington & Sutcliffe LLP

My life as a trainee solicitor started off at a special time in our firm. During my first month of training, our Hong Kong practice was on its way to merge with another international law firm, Onnix, Herrington & Sutcliffe LLP. That offered me a great chance to have in-depth introductions about the firm and to have partners and associates from different cities visiting us and talking to us. I’m really glad to witness the smooth transition.

I think work is fun and I’m enjoying it, though it always takes some time to adjust. I did have some difficulties in getting up in the morning for work and I would be puzzled sometimes on how to start when given a task at the beginning. There were also times of panic, when I felt I’ve learnt so little for all these years. But at those times, I found the legal skills we acquired for doing our PCLL classes provided a helpful starting point for quick reference.

I’m sure that one needs to find one’s own satisfaction in order to feel rewarded. I think this is due to the fact that all my pupilmasters are both satisfying and stressful.

I am glad that my experience at the Bar so far has been very rewarding. I think this is due to the fact that all my pupilmasters and practitioners that I have met and worked with are extremely supportive about my learning experience. This is indeed the fraternity that the Secretary for Justice, Wong Yan Lung SC, has stressed at the recent Bar Mess. I am sure that there is an interesting career ahead of me that I can look forward to.

 Alfred Cheng
(LLB 2003, PCLL 2004)
Pupil Barrister

Being a pupil and budding barrister is a brand new experience for me. For many of us graduating from law school this is the first time we really apply our legal knowledge to real-life situation. This sounded very daunting to me when I first started my pupillage a few months ago.

Every pupil will try to work the best as he can, as the pupillage period will be the last year for him to learn all the essential “surviving” knowledge and skill at the Bar. Long hours, work assigned by pupilmasters which seems just too difficult to be dealt with, reading up on areas of law to which we have never been introduced are only some of the tough and frustrating events that happen to many of us as pupils, more so when one is working alone in chambers at 3 a.m. However, this is paradoxically the most rewarding part of the life at the Bar for me.

I think everyone has his reason to join the Bar. Irrespective of the individual reason, I believe the most important thing is to find satisfaction at the Bar, because the life as a barrister, as a lone soldier fighting for the lay client’s case, is full of pressure and loneliness. The responsibility of having full control of a case is always there, as is the need to research really useful and my notes and “pink sheets” (assignment feedbacks with sample clauses) handed out during our PCLL classes provided a helpful starting point for quick reference.

It has now been six months since the start of my traineeship and I think time really flies, especially in the office, or maybe that’s the case for everyone working in the legal profession. At times, my colleagues and I don’t even notice time passing as closer and closer.

There always seems to be so many new things to learn and every case is different in one way or another. I take pleasure in the learning process and I hope I will make the best use of my training schedule to acquire the necessary skills and knowledge for my future career.
Jonathan Shun Wah
(PCLL 2005)
Trainee Solicitor
Kennedys

Six months ago, I began my traineeship at Kennedys, an international law firm based in the UK. At 9 am in the morning, instead of standing in front of the office ready to meet my new colleagues, I was standing outside the Coroners Court waiting for a death inquest to begin. My task, to take down every word that was said and my tools, three pens and two legal pads. I had begun my legal career in earnest.

In truth, no matter how practical my legal education has been, nothing is more practical than experiencing law in action. In my litigation seat now for instance, many of the questions given to me to research might not necessarily have an answer. When I attend three minute hearings, it is often dog eat dog when you are fighting for your client’s best interest. All this sounds frightening and demoralizing especially if after four hours of research you cannot find the answer, or despite your best efforts, the Master still makes an Order against you. However, at the end of the day, this is the training that will make me a better lawyer.

I am expected to work hard, learn and to ensure that at the end of two years’ training, the partners would consider me an asset worthy enough of retention. Whilst this is so, the work environment at Kennedys is friendly, where communication between colleagues is encouraged and a good balance is struck between work and one’s private life. Some may even say this is a rarity in the legal field. I have been lucky in that my colleagues have been patient in teaching me and encouraging in giving me certain heavy responsibilities. Ultimately, the trust that my colleagues have in me and the diversity of cases that I get to handle have made my job fulfilling and my decision to choose law seemingly the right one.

Being a lawyer culminates in being an expert, a salesman, a writer, a good debater and a friend. Thankfully, with the support I have and the environment that I am working in, training to be all of the above is challenging, enjoyable and worthwhile at Kennedys. As my parents always say, “A great job is when you can learn and grow” and I am in a great job now.

"Bring Honour, and Glory, to You"

“You cannot expect opportunities to come if you do not maintain a high standard of professional competence and professional ethics expected of you by the public.”

... so long as you keep an interest in human affairs, open your minds to new possibilities, and prize your honesty and integrity, you will find yourselves in roles which are rewarding both materially and spiritually and which are of value to society.

So the Honourable Mr Justice Patrick Chan PJ – one of our most distinguished alumni – told the 129 LLB graduands of 2005 at the first ever Graduation Ceremony of the Faculty of Law held on a fine morning of 19 November 2005 in Loke Yew Hall.

The Ceremony was presided over by our Acting Vice-Chancellor, Professor Richard Wong, and graced by the presence of Mr Justice Patrick Chan PJ as our Guest-of-Honour. The Procession of the Ceremony included our academic teachers, honorary associate and adjunct professors, as well as the President of our Law Alumni Association. It was the moment for our graduands to take pride in their achievements, and for parents and guests to share their moments of joy and glory, when the Dean called out the name of each and every student who then proceeded onto the stage to receive the degree before the Acting Vice-Chancellor. Apart from the graduation, our long-time benefactors, including some of the top firms and chambers in Hong Kong, were present at the occasion to award scholarships and prizes which recognized the outstanding performance of our top students.

It was an emotional moment when the Acting Chancellor pronounced “I receive the named candidates to the Degree of Bachelor of Laws” and all graduands put on their caps/mortar-boards at the same time. Overwhelmed with joy, some mortar boards were flung high up in the air! Parents have finally witnessed the moment when their sons and daughters “put on their square caps” (Cantonese phrase meaning graduating with a University degree).

Ms Wong Lok Yan, Elizabeth, one of our top graduands, delivered a message of thanks to our teachers and parents. Ms Wong said that deep down in their hearts, they know that they would not have made it to this stage without the support and unconditional love from their parents; and that our teachers have endowed them with lifelong assets which are rewarding both materially and spiritually and which are of value to society. "You have made a difference in our lives, and it is now for us to make a difference." The Ceremony concluded with the “Law Anthem” – something unique to the Law Faculty – in which our graduands vowed to pass on the fine tradition of this Faculty.
Following the successful Summer Internship Programmes in Guangzhou and Beijing in 2004 and 2005, the Legal Education Trust Fund will hold its third Summer Internship Programme in Beijing in June and July this year. The objective of this programme is to provide Hong Kong students with an invaluable opportunity to explore a different legal system and culture in China and gain a real life experience in the law firms and legal institutions. The program will last for six weeks from 4 June to 22 July 2006, comprising of two-week intensive training and visits, and another four weeks of job placement at district courts, the people’s procuratorates, Legal Aid Department or law firms.

In 2005, there were 28 Hong Kong law students participating in the programme, among whom 16 were from our Faculty. The closing ceremony was held on 12 September 2005. Here are the extracts of the sharing in the internship report (in Chinese) by two participants, Ariel Leung and Winnie Mok.

**Ariel Leung** (LLB 2005, PCLL student)

首個在北京的東京一夏季！回之來了的個人權利意識，在促使民商事案件逐年遞增，因此案件太多，內地法制對效率有高度尊重，因此在審查程序之外建立了一套簡單的證據法，其對舉證和庭審的規定也沒有前瞻意頗為公正，所以案件大陸各地有不同的經貿發展，迅速地地地法制度地的糾紛，內地法制追求效率，因為無可避免地在保障當事人權利方面呈現不一致之處。例如，雖然內地證據法對證人供之真實性有重要要求，但書面材料的活動並沒有有限制，而內地的內地法制沒有限制普通法國家對傳聞相對於（ hearsay）的證據的使用。“法庭辯論”在整個審判程序中主要看證據的標準，當這個原則，讓我們面對這個庭審的詳細，原本以應當個庭審的原則，因為這個原則可能會在農民之間的生活上引發許多問題，故訟調就擔擋起重要角色了！

內地法律裏的形成與發展是符合我國的國情，能在二十多年來建立一個對廣大中國人民的權利有根本保障的法律制度是一個不容易的業績。內地的內地法制在當前發展的條件下，容許法官在法庭辯論中及時提出證人意見，但法庭審判如在法庭辯論中提出，故小時會出現“突擊”對方的情況。法庭辯論是事實認定和調查的機制，故此機制在某程度上補充了內地證據法對當事人保障方面之缺陷。內地“法庭辯論”充分享受到整個審判程序中，證據多的證人盡快得到辨析，審判人員於各個庭審出庭的基礎上，所謂“走進蜈蚣間的法庭”。派出法庭辯論在解決糾紛的重要性更加突出，本著相似的原則如處理不當的話可能會在農民之間的生活中引發許多問題，故法庭辯論就擔起重要的角色了！

**Winnie Mok** (LLB 2005, PCLL student)

在北京的最後一個星期，我們參加了清華大學法律教授主講的中國法律法在生活中，每一位講者都是學院這簡約的學者，我們能夠聆聽他們講課，實踐我們的方針。現場觀眾充分享覺悟的指導，他們努力不懈，每個學者都努力以最短的時間向我們傳導最多的知識。不少講者向我們介紹他們在課堂上與學生的互動，這些講課大都加深了我們對中國法律制度和各範圍的實地的認識，於實習中，我們不但了解了中國法律的知識，更了解了很多北京和內地的生活和文化的有趣知識。現在在內地內地學生的合作越來越緊密，內地學生和在校的學生合作越來越緊密，整個發展成一個相當成熟的系統。我們利用了這個機會，讓我們親身了了解中國內地的實習情況，使我們能夠將來處理中國業務作好準備。

The part-time PCLL that was launched in September 2005 marked the beginning of a significant new phase in PCLL teaching. The Department of Professional Legal Education had been a little reluctant to introduce a part-time PCLL for several reasons: we were worried that the participants might be too tired after a long day in the office to give adequate concentration to the demanding work; we also were concerned that all lectures would have to be repeated – once for the full time course in the usual scheduled session and again in the evening for the part-timers. We were also not sure whether we could attract good teachers to the part-time lecture schedule. The Law Society in particular was very keen in our offering the PCLL in a part-time mode so we bit the bullet. A team of teachers led by Mr Richard Wu designed the part-time curriculum and timetable and dealt with the necessary administrative matters. Applications were invited by April 2005 and 179 were received. From these we admitted 58 well qualified candidates. The first cohort of students is a lovely group representing an amazing diversity of background and age. They have clearly bonded (perhaps for survival) and, in conformity with modern views of problem based learning, given us much food for thought.

**Professor Christopher Sherrin**

As planned, all lectures are given by the same teachers who welcome the full-time students, but tutorials are largely scheduled session and again in the evening for the part-timers. We were also not sure whether we could attract good teachers for the ‘night time shift’. The Law Society in particular was very keen in our offering the PCLL in a part-time mode so we bit the bullet. A team of teachers led by Mr Richard Wu designed the part-time curriculum and timetable and dealt with the necessary administrative matters. Applications were invited by April 2005 and 179 were received. From these we admitted 58 well qualified candidates. The first cohort of students is a lovely group representing an amazing diversity of background and age. They have clearly bonded (perhaps for survival) and, in conformity with modern views of problem based learning, given us much food for thought.

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For the first time in our history, in September 2005, we introduced a part-time PCLL, and the Department of Professional Legal Education had been a little reluctant to introduce a part-time PCLL for several reasons: we were worried that the participants might be too tired after a long day in the office to give adequate concentration to the demanding work; we also were concerned that all lectures would have to be repeated – once for the full time course in the usual scheduled session and again in the evening for the part-timers. We were also not sure whether we could attract good teachers to the part-time lecture schedule. The Law Society in particular was very keen in our offering the PCLL in a part-time mode so we bit the bullet. A team of teachers led by Mr Richard Wu designed the part-time curriculum and timetable and dealt with the necessary administrative matters. Applications were invited by April 2005 and 179 were received. From these we admitted 58 well qualified candidates. The first cohort of students is a lovely group representing an amazing diversity of background and age. They have clearly bonded (perhaps for survival) and, in conformity with modern views of problem based learning, given us much food for thought.

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The great value of the Programme is certainly recognized by our students, as reflected in their enthusiastic responses over the years. For this year’s Programme, about one-third (i.e. 482) of our student population had applied, though only 315 students have the good fortune to take part, as we want to keep the mentors-mentees ratio at a feasible level. All undergraduate students, including those in the mixed degree programmes, and PCLL students are eligible to take part. 88 students from Year 1, 75 from Year 2, 42 from Year 3, 14 from Year 4 and 96 from PCLL participate in the current year’s Programme.

With the positive responses from both the practitioners and law students to the Programme since its launch in 2002, it is planned that the Programme will be organized on an annual basis to complement the formal curriculum of the Faculty. We owe the success of the Programme to all who have supported it in one way or another along the way. In particular, our deep gratitude goes to all mentors in this year’s Programme as listed below, and the following distinguished judge and practitioners who have generously shared with us their words of wisdom on Ethics at the pre-dinner talks.

A Programme in which Both Quality and Quantity Count

The Hon Mr Justice Chan PJ, the Hon Ms Audrey Eu SC, Ms Lucy Yen, President of the Association of China-Appointed Attesting Officers Ltd, and Mr Kenneth Kwok SC, President of the HKU Law Alumni Association. They are the Hon Mr Justice Chan PJ, the Hon Ms Audrey Eu SC, Ms Lucy Yen, President of the Association of China-Appointed Attesting Officers Ltd, and Mr Kenneth Kwok SC, President of the HKU Law Alumni Association. We are also deeply indebted to the Executive Committee of the Law Alumni Association as led by Kenneth for their unfailing support without which the Programme would not have been possible.

A note of thanks to our Mentors in the Law Mentorship Programme 2005-06:

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On 1 October 2005, the LLM in Human Rights programme kicked off its programme for 2005-2006 with a new Director Ms Suzannah Linton, a workshop on Public International Law and its largest ever intake of students. Included among the thirty-six students from all over the world were six Sohmen Scholars from The Philippines, Thailand, Nepal, Indonesia, Fiji and the Peoples Republic of China. These six students are the first to benefit from the tremendous generosity of Dr Helmut Sohmen, whose personal donation will enable a total of fifty students to study in the LLM in Human Rights programme over the next five years. The ever growing international renown of the programme does lead to administrative challenges, but the richness of the student pool and sharing of perspectives among students is truly priceless.

The Faculty of Law and the students were able to express their appreciation to Dr Sohmen at a formal opening ceremony on 10 October 2005, where Dr Sohmen was our guest of honour.

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In addition to core courses setting the groundwork for a comprehensive understanding of human rights, our students also have a large range of options to choose from. In this academic year 2005-2006, they have been able to choose from Equality and Non-Discrimination, Ethnicity, Democracy and Human Rights, Economic Social and Cultural Rights, International Criminal Law, Public International Law, Rights and Remedies in the Criminal Process, Rights of the Child in Domestic and International Law, Human Rights in Hong Kong and Human Rights in China. We are looking to continue this breadth of options in future years.

In January 2006, we saw the end of an era as Professor Yash Ghai stepped down as Sir Y K Pao Professor of Public Law. But we welcomed Professor Hurst Hannum to take his place. It should be noted that this illustrious chair professorship is also due to the tremendous generosity of Dr Helmut Sohmen. Professor Ghai continues to be closely involved with our programme; at time of writing, he is teaching his renowned class on Ethnicity, Nationality and Human Rights and is preparing for the course on National Protection of Human Rights. Professor Hannum joins us from the Fletcher School of Law and Diplomacy at Tufts, and brings with him enormous experience in human rights. This term, he will be co-teaching National Protection of Human Rights with Professor Ghai and giving guest lectures on Public International Law.

Our planning continues for the coming academic year 2006-2007. Our global outlook, with our characteristic Asian focus, makes us unique. We continue to be Asia’s only Master of Laws programme dedicated to human rights, but we are developing our programme as a world-class one, attracting top calibre students and teaching them to world-class level.

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I have begun to plant thee, and will labour to make thee full of growing.

Maritime Moot” in Australia. I believe that this is a very effective job in both legal research and practice. I told them that the path may be full of turbulence, and I have sensed the beautiful blossoms at the end of that road. Life is for realizing dreams. To me, legal research is a living thing which requires enduring efforts to remain vivid and diversified. In short, my personal passion for legal research and my life’s dream of pursuing an academic career may be expressed in the words of Macbeth:

I have begun to plant thee, and will labor to make thee full of growing.

— Macbeth Act 1 Scene 7

Finally, I wish to take this opportunity to express my deepest gratitude to four teachers who inspired my interest in legal research and a subsequent academic path instead of law practice. I told them that law provides a platform for co-existence and the effective resolution of disputes. Legal research to me is a passion for diversity of wisdom. We must create and use the law as a platform for sensible analysis and engagement. To the extent that teaching and practice are two specialized areas of the law, I believe that good law teachers and law researchers are inspiring lighthouses for the profession.

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On 2 March 2005, Ms Francoise Lam (Class of 1986) sat at the back of Room 302 K K Leung Building to attend a briefing by 3 mentors [the Hon Madam Justice Chu (Class of 1982), Ms Julian Ho (Class of 1988) and Mr Eric Shum (Class of 1984)] and 2 mentees on their experience in the mentorship programme. About 450 students wished to join the 2005-06 programme organised by the Faculty and the Alumni Association. With 135 alumni and friends as mentors and at the ratio of 5 mentees to 5 mentees, 315 students participated in the programme. The Faculty organised dinner gatherings for all the groups as their first round of meetings, with Ms Wendy Chan (Class of 1987) and Mr Wilson Chow (Class of 1988) attending on each of the 4 evenings. The Hon Mr Justice Patrick Chan, PJ CFA (Class of 1974), the Hon Ms Audrey Eu (Class of 1975), Ms Lucy Yen (Class of 1972) and I took turns and gave a brief pre-dinner talk on ‘Ethics’ on 17, 18, 19 and 20 October 2005 respectively.

Patrick took a group of recent graduates out for lunch on 27 April 2005 to chat with them. He addressed the Class of 2005 at their Graduation Ceremony on 19 November 2005. I was honoured to participate in the Procession.

2004-05 was the first year when PCLL students could choose between the Litigation stream or the Conveyancing Probate and Commercial stream. On 22 July 2005, 26 August 2005 and 23 September 2005 Elaine and I met 3 groups who had completed the Litigation stream. They offered constructive criticism and provided suggestions on how the Litigation stream and the PCLL programme could be improved. A report on their feedback was compiled and sent to Mr Wilson Chow (Class of 1991), Head of the Professional Legal Education Department, and copied to them.

On 18 November 2005, Mr Carmelo Lee (Class of 1982) and Mr Augusto da Roza (Class of 1973) took a group who had completed the CPC stream out for lunch. Most of them opined that the streaming had not affected those who chose the CPC stream as most of the changes were made in the Litigation stream but emphasised the need to provide clearer information on the different streams.

Members of the Alumni Association were invited by the Faculty to attend a drinks party on 4 June 2005 with PCLL students at the Juror Assembly Room, High Court. Many confessed that they attended because of the photo session, not the drinks.

Ms Wendy Chan (Class of 1987), Ms Carol Chen (Class of 1982), Cleresa and Franckie reviewed the Constitution and drafted proposed amendments. These amendments were passed at the Annual General Meeting on 6 December 2005.

I attended the Master of Common Law Graduation Ceremony on 5 August 2005 and presented some prizes. I also attended the LBL Opening Ceremony on 8 September 2005. I was to present some prizes but none of the intended recipients was there. So I addressed the Class of 2009 instead.

Ties with the students and the Faculty were strengthened in the last 2 years. We attended the High Table Dinner of the Law Association on 9 April 2005 and the Chairman of the Law Association attended one of our Executive Committee meetings.

Gus attends Faculty Board meetings as a member nominated by the Alumni Association and co-opted by the Faculty Board. Professor Johannes Chan (Class of 1981), Dean, treated us with a meal and attended our Executive Committee meeting in February 2005.

Ms Youn Ling (Class of 1997) provided the link between us and the Law Association. Her exceptional contribution to the 35th Anniversary Publication is a matter of record. She left the Faculty’s employ as the Public Relations Officer in the middle of last year but missed us so much that she volunteered to join the Executive Committee.

Carol, described by some as the mother of the Law Mentorship Programme, ceased her part-time employment as the Faculty’s Development Officer at the end of last year. She was the Alumni Association’s founding Hon Treasurer and doubled up as the Hon Secretary in the middle of the second year.

Mr Richard Wu (Class of 1984) had served as a member of the Executive Committee for 4 years. Carol and Richard pestered me for many months in 2003 to take up alumni work. Both left us at the end of last year!

Francesco had been on the Executive Committee for 3 years during which she was Hon Secretary for 2 years. Francesco took care of every detail and worked behind the scene on almost all alumni activities. One particular faret of her expertise was to choose perfect wedding gifts.

Carol, Francoise, Richard and everybody who has helped the Law Alumni Association organize the Job Interview Workshop on 29 September 2005. [From right] Ms Francoise Lam, Mr Kenneth Kwok SC, Ms Cleresa Wong and the student participants.

The journal is interested to hear the views of its readers on the contents and format of the journal. To learn more about the Hong Kong Law Journal, visit its website at www.hklj.com.
The preparation for the Hong Kong Trade and Development Symposium (HKTDS) started in February 2005. Looking back, the ten months seemed like a very short time and I can only remember specific exciting episodes.

Our co-organizer, the International Centre for Trade and Sustainable Development (ICTSD) approached us in early 2005 to see if we were interested in organizing a symposium in parallel with the Sixth WTO Ministerial Conference in December 2005. The ICTSD wished to organize the HKTDS a large scale symposium to bring together acclaimed academics, intergovernmental organisations (IGOs) and non-governmental organisations (NGOs) with expertise and knowledge in development-related issues, consumer groups, the private sector, and parliamentarians, to generate innovative thinking and analysis on pressing issues in the trade and sustainable development policy domain. The Symposium would cover a wide range of disciplines including trade policies, law, economics and development issues.

Since Hong Kong was designated as the host for the WTO Sixth Ministerial Conference, we felt that it would be a great privilege indeed if The University of Hong Kong would be involved in major events relating to the Ministerial Conference. During our initial meetings with ICTSD, I was given a briefing by ICTSD regarding their previous experience of organizing trade and development symposium in Cancun, Mexico. Our initial plan was that the HKTDS would be similar to the Cancun TDS, which would be a three-day academic event consisting of about 15 sessions. Since I had not been to the Fifth Ministerial Conference in Cancun, Mexico, I could only imagine the scale of the Symposium by looking at the Cancun Symposium programme. If that was the scale that was expected this time, I thought, things should be manageable.

After three months of discussions with other international organizations, the project became a five-day symposium consisting of some 50 sessions with 40 institutional partners. In additional, we reached an agreement with a number of international organizations to organize the Fair Trade Fair, which was also a success in the Cancun Ministerial. It was then that I started to appreciate the massive scale of this event and the level of responsibilities that was required from me.

All the organizers of the HKTDS and the Fair Trade Fair were pleased to see the results of their effort at the Opening Ceremony on the 13 December 2005. During the four days that followed, we were glad to see some 50 plenary and parallel sessions running smoothly and every session was full-house. Many of our sessions attracted members of the international press, and many international organizations such as the World Bank and UNDP had sent sizeable teams of staff to organize and participate in our sessions. We are also pleased to announce that we have been commended by many international IGOs and NGOs who said that the substance and variety of our programme was even better than the NGO centre at the Ministerial Conference venue.

We were particularly pleased to see that the plenary sessions were attended by some of the most authoritative speakers from around the world, amongst which include Professor Joseph Stiglitz, Nobel Laureate, well-known critic of international economic policies of the IMF, the World Bank and the United States Treasury Department. Hazl Pasha, UN Assistant Secretary-General and Dr Mari Pangestu, Minister of Trade of Indonesia. For the plenary session on 14 December 2005, we were proud to have Mr Pascal Lamy, the Director General of the World Trade Organization speaking on the same panel with Mr Martin Khor, Director of the Third World Network.

Organizing the logistics of this event was equally challenging. All conference venues were reserved and it took a great deal of effort to negotiate a venue which was large enough to accommodate the audience for the HKTDS and the Fair Trade Fair. From an empty venue, we managed to have a professional conference setting accommodating 300 people, 60 exhibition booths, one café and wireless internet access in the entire venue. I can still clearly remember the last day of the Symposium.

I can also remember many exciting episodes which happened during this conference. About one month before the event, we had a series of meetings with the Ministerial Conference office of the Hong Kong government. Whilst the government was very supportive of the Symposium, both sides were concerned that with the number of participants for the ministerial and the number of participants in the symposium, with the number of potential protesters in the Wanchai area, very careful planning was needed in order to ensure safety for participants, delegates and diplomats and other VIPs.

We had prepared for the possibility that protests might prevent invited guests from coming to the official Opening Ceremony. As anticipated, protests started in the afternoon and the government had to restrict access in the Wanchai north area. On the advice of the police, the owner of our symposium venue also had to stop all elevators. At about 6:30 pm, we were pleased to see guests arriving but at the same time, all of them were catching their breath since they all had to walk up the flights of stairs to get to our venue on the third floor. Even though the crowd control measures had caused slight disruption to our event, we were delighted to see over 300 guests were attending our Welcoming Reception.

In the afternoon of 17 December 2005, the scale of protests escalated and all participants could clearly hear the rumbling noises of drums from the Korean farmers and other organizations inside our venue. Since the police had closed off the entire area after 7 pm, traffic was paralysed and I had to escort our speakers from Wanchai to Causeway Bay just to take the MTR to Central to reach our dinner venue. Any where on the streets, we could smell the remains of tear gas.

There are so many people whom I wish to thank for making this project a success. I wish to thank Vice-Chancellor Professor Lap-chee Tsui and Dr Chow Yei Ching for taking the risk of coming to Wanchai north to attend our Opening Ceremony despite the chaos in Wanchai. I must also thank our Dean Professor Johannes Chan for giving me so much guidance on this project from the very beginning. Also, many thanks to my colleagues, Mr Henry Gao, Mr Donald Lewis, Ms Xue Hong, Mr Zhang Xian Chu and Mr Douglas. Many colleagues at the Law Faculty office have helped me with every aspect of the logistics of this event, without which the event could not have been a success.

I am also very grateful to the many student volunteers within HKU who have devoted their time even during the examination season to have also contributed to this project. Special thanks to Baker & McKenzie, HSBC, PCCW, Xerox, IBM Lenovo and Epson for their valuable service and support.

Ms Agnes Cheng
Programme Manager
East Asian International Economic Law & Policy Programme
In November and December 2005, the Faculty had the honour of welcoming two of England’s most prominent Law Lords.

On 7 November 2005, the Rt Hon the Lord Millett delivered a lecture on “Property and Restitution: Drawing the Boundary”, where his Lordship shared with the audience his views on one of the most difficult questions in the law of restitution: when should a claimant be awarded a proprietary restitutionary remedy rather than a mere personal remedy. In the lecture, Lord Millett went through the seminal decisions in this area of the law, and ingeniously proposed an approach significantly different from that put forward by leading academic writers.

On 12 December 2005, the Rt Hon the Lord Hoffmann delivered a lecture on “Compensation and the Distribution of Risk”. His Lordship cogently argued that the development of the common law does not, and possibly cannot, sufficiently take into account the social and other costs of providing compensation for accidents through the law of torts.

Both lectures are part of the Faculty’s Common Law Lecture Series, launched in March 2005 with the kind support of the Hong Kong judiciary.

The Rt Hon the Lord Hoffmann delivering his lecture.

Meeting of the minds: (from left) The Hon Mr Justice Patrick Chan PJ, The Hon Mr Andrew Li CJ, and the Rt Hon the Lord Millett.

The Hon Mr Andrew Li CJ (left) and The Rt Hon the Lord Millett.

The Rt Hon the Lord Millett delivering his lecture.

In remembrance of our friend, Stephen Leung, (LLB 1996, PCLL 1997) who died tragically on 31 January 2006 during a trip to Egypt on behalf of the students in Groups 1 and 11 of the PCLL class of 2003.

All the Common Law Lectures delivered in 2005 will be published. It is expected that the book will be launched in the first quarter of 2006.

The Rt Hon the Lord Scott has kindly agreed to give a Common Law Lecture in 2006. Information about forthcoming lectures and their publication is available from www.hku.hk/law/clls.

The Rt Hon the Lord Scott delivering his lecture.

Obituary

Leung Yiu Wai, Stephen (PCLL 2003)

In remembrance of our friend, Stephen Leung, who died tragically on 31 January 2006 during a trip to Egypt on behalf of the students in Groups 1 and 11 of the PCLL class of 2003.

We never expected to become friends.
In that pressured and stressful year of study... When a frightening disease revealed how we are tied.

We never expected to remain friends.
After we were separated paths... And were swept away by our busy working lives... But we did.

We never expected such a long and promising life... to be cut short by such a horrific tragedy... But it was.

We fully expect to remember you in our hearts... Always.

By Stephanie Hui Boon Hua

Obituary


Mr Henry Leung had a car accident in October 2005 and had been in a state of coma until he passed away on 24 March 2006.

He was a solicitor and an elected member of Central & Western District Board in 1999 and 2003 District Council Election.

Ms Jessica Young

Ms Vivian Wong
Gift for Legal Education

The Faculty of Law is committed to providing the best legal education and experience to our students. We offer students the opportunity to participate in major global mooting competitions, mentorship programme with hundreds of our alumni and friends to share practical and life experience, extensive exchange opportunities to attend overseas universities, guest lectures by world renowned scholars, judges and practitioners ... aiming at exposing our students and our legal community to the most vigorous intellectual challenges...

You can Make a Difference ...

These activities would not have been possible without your support. For our alumni in particular, your contribution will be matched dollar to dollar by the...
LLB Graduation Ceremony

Congratulations