The New Law Building –
A New Era in the Development
of the Faculty of Law
Dean’s Message

Stop Press: Research Excellence
The long awaited result of the Research Assessment Exercise was eventually announced in early March. This is a periodic assessment conducted by the University Grants Committee. The research index for the Faculty is 86.59%, which means that about 87% of all academic staff of the Faculty are assessed to be active researchers whose work has reached an international standard. The score of the Faculty is higher than the sector-wide score of the University, and is among one of the most well performed cost centres in the University. My greatest commendation goes to all the academic staff, who have worked extremely hard, especially when the assessment period fell within the time when many academic staff members were heavily involved in curriculum reform of both the LLB and the PCLL.

A Global Law School: Our Efforts in Internationalization
Internationalization remains a main feature of our development. I would not be surprised if you feel you are in a foreign country when you visit the Faculty these days! We are the host of about 18% of all exchange students of the University. Let me put this in perspective. We admit about 100 LLB students each year, and each semester we typically admit about 90 exchange students coming from all over the world. Every tutorial group or seminar becomes an international class. We have over 70 exchange partners, some at the Faculty level and more at the University level, and the number continues to grow. Our latest partners include Stanford University, University College London and King’s College, London. Our various LLM programmes have attracted students from over 20 different jurisdictions. We organize various summer programmes...
these days. Apart from the Duke University Summer Institute in Transnational and Comparative Law, we are a partner with Queen’s University, Canada, in another summer school held in England. On the China front, in collaboration with the Legal Education Trust Fund, we sent about 20 students for study and internship in Beijing and Shanghai last summer. Edwin Choi, one of the participating students, shared his observations on the operation of the Chinese legal system (p. 6). We are also in the process of negotiating various double degree programmes with leading universities abroad.

**The World’s Best: Baxter Prize**

Our students continue to impress everyone at various international mooting competitions. They have swept a host of prizes in recent years. Last year our team won the prestigious Baxter Prize for Best Applicant’s Memorial (out of 200 entries from all the participating teams), the Alona C Evans Competition Award and the Hardy C Dillon Competition Award in the Jessup International Law Mooting Competition. We came second out of 16 teams in the recent International Humanitarian Law Moot, losing only marginally to the University of Sydney. We participate in about 9 international mooting competitions each year, and they provide an invaluable learning opportunity for our students. Thanks to the support of our friends, we are able financially to sponsor these worthwhile activities. We have a special feature on mootling this time where student mooters and coaches share their experiences and fond memories of the competitions.

**A Timely New Program: Alternative Dispute Resolution**

There is an unquestionable trend towards increasing resort to alternative dispute resolution. In response, we are introducing a new LLM in Arbitration and Dispute Resolution in September 2007. This is itself part of a wider strategy of bringing up our teaching and research in this area of growing importance. We believe this programme will meet the societal need for more expertise in arbitration, mediation, negotiation and dispute resolution, and help position Hong Kong as a regional arbitration and mediation centre.

**Attracting the Best**

The success of the Faculty ultimately rests on its students and staff. Thus, one of our priority concerns is to attract the best students and to recruit the best staff, and to provide them with the best learning and research environment. In terms of admission, I am pleased to be able to tell you that we continue to attract the best students. About 65% of all our JUPAS students have achieved a grade A, and the remaining 35% a grade B in the A-level Use of English. The median A-level result (2AL +1AS) is about A, B, B. The LLB programme, together with the 3 mixed degree programmes (law and business, law and government, law and civil engineering) are among the most competitive programmes in the University.

Since we began our Centennial Recruitment last April, we have recruited about 14 new staff. They include both capable and enthusiastic young academics as well as experienced and seasoned practitioners (see p. 14). They would no doubt be eager to meet with our friends and supporters. Recruitment is still ongoing.

**People**

My heartfelt congratulations go to Philip Smart, Lusina Ho and Zhang Xianchu, who are now professors, to Lusina Ho for receiving the Outstanding Young Researcher Award, and to Fu Hualing for receiving the University Research Output Prize. At the same time, we are sad to bid farewell to Professor Roda Mushkat, who has retired and is now with the University of Brunel, Carole Petersen and Charles Booth, who have left us for the University of Hawaii, Robyn Emerton, who has left for London with her husband, and I-Ping Soong, who has returned to private practice but still remains as our Adjunct Associate Professor. We wish them all the best.

We have a productive team in another sense. Julienne Jen and Lusina Ho have both been elevated to the status of motherhood. We would also like to send our best congratulations to Kenneth Kwok SC, BBS, for his being awarded the Bronze Bauhinia Star. Kenneth has recently stepped down from the Presidency of the Law Alumni Association. The Alumni Association has grown under his able leadership in the last three years, and has ever remained a great supporter to the Faculty. We are most grateful to Kenneth for his vision and dedication, and I look forward to working with Lucy Yen, who has kindly taken up the new Presidency of the Law Alumni Association.

**Condolences**

Our deepest condolences go to our dear friend and colleague, Eric, whose wife Portia has left us recently after putting up a courageous and dignified fight with cancer in the last few years. Their strength in face of life’s misfortune, their dedication to each other, and above all, the courage to live and the power to love, have no doubt touched all of us. We will give our best support to Eric, who has to bear the honour of bringing up his two children.

**The New Law Building**

In the last issue we showcased 4 different concept models of the new Centennial Campus. The University has chosen one model and is now refining the model. It has also started working on the building design. This is an exciting time for us, and we would like to involve our friends and alumni in the design of the new Law Building. Some of you have given us some interesting ideas on design or facilities (see the Feature Article). If you have any suggestions, or if you have visited any overseas law schools and are impressed by specific features, please do let us know. We look forward to receiving your suggestions and ideas.

*Professor Johannes Chan, SC (Hon)*  
Dean, Faculty of Law  
April 2007
Progress on the Planning and Construction of the Law Building

The year 2012 will be monumental to the history of HKU. Apart from the fact that it marks the centenary of the University, it is also the graduating year for the first batch of graduates under the Four-Year Undergraduate Curriculum Reform (but of course, the Faculty of Law has moved ahead by introducing the 4-year LL.B in 2004). To prepare for these events and to further consolidate the University's position as an international research-led university, HKU will develop a Centennial Campus, adjoining the existing Main Campus to the west.

Further to the announcement of the Centennial Campus project in the previous issue of the Faculty Newsletter, the project has undergone further development and we would like to take the opportunity to provide alumni and readers with more information on the status of this project.

Ideas Generation Exercise
In 2005, HKU invited four architectural consortia, each consisting of a local architectural firm and an international partner with global experience of innovative campus development, to present proposals for the design concept of the new Centennial Campus.

Not only will the project have an impact on the University and its students, it will also have an impact on the neighbourhood areas. Thus, the objective of the University in organizing the ideas generation exercise is to engage all its stakeholders in determining the masterplanning concept for both the Main Campus and the Centennial Campus and to select one consortium to further develop the Masterplan. After careful consideration, Wong & Ouyang (HK) Ltd. / Sasaki Associates, Inc. has been awarded the consultancy contract.

What the Centennial Campus offers
- A 21st century academic environment with state-of-the-art facilities
- Enhanced integration of the whole university and improved student access to various facilities
- Showcasing The University of Hong Kong and attracting high-quality
students and staff from around the world
• The infrastructure to support the Four-year Undergraduate Curriculum Reform academic structure, including the provision of significantly more teaching and learning space
• Preserving the heritage of the campus buildings and landscape

A New Face for the Western District
The Centennial Campus is situated at the western part of the existing main campus – from the uphill slopes west of the existing Haking Wong Building to Pokfield Road. The Centennial Campus will house the faculties of Arts, Law and Social Science. The total area of the site is about 42,000 net square metres. The buildings will fit the site conditions and terrain, present the most pleasant appearance to the surrounding neighbourhood, and provide identity to each faculty. The new campus will be easily accessible to the MTR station, bus stops and student village to the west. The buildings are compatible and seamlessly linked with the Main Campus, creating a coherent image for the University.

The two graded building on site are retained in situ. They will be adapted for use as cafeteria or student co-op, or similar facilities next to the West Gate.

To promote conservation and sustainability, the Centennial Campus plan will incorporate the extensive use of solar panels, environmentally friendly building facades, storm water harvesting and provision of roof gardens and sky gardens. Existing trees will be preserved as much as possible.

There will be a clearly defined east-west street which will form the backbone of the campus. Like a living urban street, it will be the hub for a great variety of educational and social activities. There will be a learning commons, a large auditorium, a well-stocked university bookstore and a good café. The auditorium will be large enough for large scale academic or cultural events, and it is hoped that the project will promote interaction between the University and the community and play a significant role in the transformation of the Western part of the Hong Kong island.
A New Law Building and a New Era

The Faculty of Law has long envisaged the need for an individual Law Building. The new building will mark the beginning of a new era in the history and development of the Faculty.

The Faculty believes that a separately identifiable Law Building symbolizes the importance of the rule of law in this community. Further, the number of students in the Faculty of Law have increased significantly since our establishment in 1972. We currently have about 1,400 students in our LLB, LLM and PCOLL programmes. With the Four-year Undergraduate Curriculum reform, it is expected that the number of students (including our own students and mixed degree students) using our teaching resources and facilities is currently close to 1,600 in four to five years’ time. Lectures with more than 300 students (with students having to sit on the stairs) are common scenes and there is an imminent need for additional space for academic and recreational purposes.

The University also endorses this vision and a new Law Building will become a significant part of the Centennial Campus.

The Law Building will house, among other things:
- A state-of-the-art moot court, teaching and conference facilities;
- Lecture theatres and seminar rooms;
- Conference facilities;
- Undergraduate and postgraduate students’ common rooms; and
- The Law Library.

The Law Faculty will be closely involved in the detailed planning and design, with the

input of alumni and friends. We will need your continuous support and welcome your input in the future development of the Law Building.

What do our alumni and colleagues have to say about the new Law Building?

Justice Suffiad Azizul Rahman (LL.B. 1973, P.C.LL. 1974),
Judge of the Court of First Instance of the High Court

“The new Law Building should represent dignity and integrity and should have a solemn appeal (e.g. cold grey stone walls). It should have the best facilities and ideally a mini Law Faculty Museum for visitors to go back in time.”

Mr. Rimsky K.K. Yuen, SC (LL.B. 1986, P.C.LL. 1987),
Chairman, Hong Kong Bar Association

“While other law schools may provide reference or examples, I don’t think there is any particular law school which should be singled out as a model for reference. A law school should have a modern image, especially if we are to appeal to the international commercial world. Apart from the traditional or usual facilities, there should be enough multi-purpose rooms where mock client interviews or mediation sessions can take place. There should be facilities for viewing videos or DVDs. The new Supreme Court Building in Singapore is an impressive example in my opinion.”

Mr. Lam Kar Yan, Gary (LL.B. 1994, P.C.LL. 1995)
Magistrate

“The Law Building should have a mock court room, a good law library, offices or common room for part-time teaching staff or clinical staff, teleconference rooms for live overseas lectures. There should be plenty of student discussion rooms with internet access, shower rooms, dining room or café, computer rooms, offices for student clubs. The Cornell Law School is an impressive example of law school buildings.”
Mr. Louis Wong (P.C.,LL. 2002, currently a Feng Shui Master)

“From the perspective of Feng Shui, of the five elements, earth and wood are particularly important for the legal profession. A classical structure made primarily of brick walls rather than a building composed primarily of transparent glass panels would be more ideal.”

Professor Johannes Chan, SC, Dean

“We should strive to be classical, dignified and yet modern with state-of-the-art facilities.”

Professor Michael Wilkinson

“The new Law Building should be iconic. People see it and they will immediately recognize it as the HKU Law Building. There should be plenty of advocacy labs for PCLL students, and give students a sense of representing their own law firms when they are participating in advocacy exercises.”
Summer programme in Beijing – a truly inspirational experience

Edwin Choi
LLB III

I participated in the six-week summer course/internship programme held in Beijing organized by the Legal Education Trust Fund last summer. The experience was useful and provided considerable food for thought.

The programme consisted of two parts. During the first two weeks, we attended lectures at Tsinghua University and visited different government departments or organizations, courts, and a prison. In the remaining four weeks, we were assigned to law firms, the People’s Courts, the Procuratorate or the Legal Aid Center, for an internship.

The Lectures
During these 3-hour lectures every morning, the teachers in Tsinghua gave us a tour on the latest development of PRC laws. Having glimpsed areas like Criminal Law, Civil Litigation Law, Constitutional Law, and Commercial Law, I find it interesting how, in a civil law system, legal provisions are interpreted without the guidance of case law.

A lecturer described an interesting case. The legal principle is that there is no crime if there is no express legal provision for it. However, sometimes the language of a provision might not be wide enough to cover all culpable behavior of the kind to which the provision relates. In that case, either the culprit goes free, which is unjust, or we give judges the power to interpret the provision widely so as to catch the culprit, which might be dangerous. To strike a balance between the injustice brought by legal provision and the uncertainty brought by judge’s wide power of interpretation, the lecturer enlightened us, the judges follow some intriguing principles of interpretation, which presumably can solve the problem. It is interesting to see how the Mainland system operates.

The lecturers were able to explain complicated legal concepts in a concise and well-structured manner by chalk and talk only. They were all captivating throughout the three-hour morning lectures. In addition, they were all willing to answer our questions and were frank when commenting on the defects of the legal system on the Mainland.

My “contribution”
Prof. Wang Zhen-min gave us a lecture on PRC constitutional law. I recalled that he had said publicly that there had to be six pre-requisite conditions before HK could have universal suffrage. I asked him for his rationale underlying this statement. He gave a smile of relief and said he was glad I finally asked that question. He explained that the report in the newspaper did not reflect what he actually said. He contended that the view he expressed to the reporter was something to the effect that HK would ultimately have universal suffrage and it needs to prepare itself in these six areas to embrace the future political reform. He said it was unfortunate that his view was inaccurately expressed, as if “the preparations were pre-requisite conditions for universal suffrage.” He said he had never talked to a HK reporter since then. After I came back to HK, I shared this story with my classmates. This I guess, assuming all was true, would be my humble “contribution” to the effective and accurate communication between HK and the Mainland.

Meeting with the Legislative Affairs Commission
We also visited the Legislative Affairs Commission of the Standing Committee of the National People’s Congress. I asked the officials whether frequent interpretations of a law would produce uncertainty, thus undermining the authority of the law. The officials dismissed this general question and dealt directly with the official position on interpretation of the Basic Law. It was obvious that the issue was well beyond them and there was no other politically safer route than to toe the official line.

Meeting with Judges
We also met with some judges of the People’s Courts. I asked a question about how the PRC legal system would ensure that justice would be done in adjudicating cases. The theme of the judges’ answer is that they themselves will spare no efforts in ensuring that fairness is achieved but they have not addressed the issue of systematic guarantees. It occurs to me...
that the concept of “justice should not only be done, but seen to be done” is yet to be rooted in the PRC legal community.

Law Firms
I should take this opportunity to thank the three law firms, DeHeng, JunHe and JinDu, for giving us the opportunity to learn. I was assigned to DeHeng. Given my limited knowledge on PRC law, the only assistance I could offer was in doing translation work.

From the process of translation, I had access to the day-to-day legal documents in the firm. During the process of translating, I discussed them with my supervisors. This communication enabled me to gain more insight into the legal operations on the Mainland. From the discussions with my supervisor after reading the cases, I saw for myself in real life a problem which I learnt from textbooks – local protectionism. The case was about liability for the loss of cargo in an accident of a cargo ship. The owner of the ship was a company based in location B. I was expecting to read about facts of the accident and legal arguments on the relevant provisions. But all the file contained was about which court had the jurisdiction to try the case! I asked my supervisor why this was so. He answered flatly that it was because local courts were controlled by the local people’s congress, so the ship owner was more likely to win if the case was tried by the courts in location A. I could not but believe him because he is a practitioner. This tip of an iceberg of the Mainland legal system is quite discomforting.

More than a legal experience
Before the journey to Beijing started, my focus was on the legal aspects of the Mainland. After the programme, I have gained a lot more than I expected. Besides learning about the PRC law, I enjoyed the conversations with different kinds of people on the Mainland, ranging from taxi drivers to shopkeepers, from university students to government officials, and from professional legal practitioners to young judges in the People’s Courts. I have exchanged thoughts with them on the law and the political system in our motherland. I have learnt how they lead their lives on the Mainland and how the law is relevant to them. (By the way, an interesting thing I learnt is that despite the prevalence for bicycles carrying passengers in Beijing, it turns out to be illegal to do so! I have to confess that I have broken that law on a number of occasions unwittingly.)

This programme is truly inspirational. I strongly recommend my fellow schoolmates to participate this summer.

A Decision that has Changed My Life

It has been four years since I first came to the Law Faculty of The University of Hong Kong. Surprisingly, law was not my choice of major when I filled in my college application form back in high school. When I was enrolled in Fudan University, I was in the Journalism Department and major in advertising.

However, one thing changed my life in 2002. I was still immersed in the excitement of finishing the college entrance exam, when I received an invitation letter to an interview with The University of Hong Kong for a three-year scholarship. I had to make a major decision in my life. Correctly and fortunately, my family including me was optimistic with this golden opportunity to step outside the mainland. So, once again, my family had to face the fact of separation since my last exchange program in 1999 and I was on my own.

The reason why I chose law then was due to my fascination about the common law process. I was keen to have the confidence to speak aloud in the courtroom to fight for justice. I want to study the common law system which has such a long history and a developed system and to contribute my experience to updating the developing legal system in the mainland.

Here I am, after 4 years in the Law Faculty, I am on my PCML study and ready to start my trainee contract this summer. Although I have not yet stepped into the real practice, I have heard plenty about the high professional standards, the long hours, the stress and the paperwork. Yet, such things will not stop me from becoming a member of this profession. I have been well equipped with the knowledge and skills trained by the teachers in the Law Faculty and I have been used to staying up till early morning and I have been at ease every time when I got a thick pile of outlines or cases to read. Hopefully, with my knowledge and professional skills, my contribution to the mainland legal system will be within the next step.

Jessy Jiang
PCML
A Truly PCLL Family

The law family, in fact the HUI family, all 5 family members were PCLL graduates, and all entered the legal profession.

This is one of the most amazing incidents in the Department of Professional Legal Education.

Father, Thomas Hui is a CPA and Chartered Secretary, after obtaining his MBA he later studied law, and became a PCLL graduate in 1994.

Mother, Rosemary Wong, a Chartered Secretary, after obtaining her MBA she also studied law, and graduated from PCLL in 1999.

Elder Son, Lawrence Hui, after a bachelor degree in Economics from University of Toronto, shifted to study law and graduated in 1999 from PCLL.

Younger son, Frederick Hui, after a bachelor degree in Science, also from University of Toronto, later studied law and became a PCLL graduate in 2003, then gained his LLM in 2006 from HKU.

Daughter, Angela Hui, after a bachelor degree in Pharmacy, again, from University of Toronto, after practise as a professional pharmacist for several years, shifted to study law, and graduated with Distinction, in 2004 from PCLL.

When asked whether it is difficult to study law, some of them say yes, some say no. Father says that it is quite difficult, but daughter says it is fairly easy. No wonder the daughter graduated with Distinction and is one of prize winners. No matter "difficult" or "easy", eventually all of them have made it and all have entered the legal profession.

What is common among them? It is interesting to note that the two brothers and sister are graduates of University of Toronto. Father, mother and daughter are CPE graduates. Father and two sons all have obtained an LLM. ALL five members are graduates of PCLL. And all 5 were students of Professor Michael Wilkinson, attending his lectures, from 1993 to 2004.

Photo-From left to right: Lawrence Hui, Rosemary Wong, Thomas Hui, Angela Hui and Frederick Hui
SEIZE THE OPPORTUNITY

MASTER OF LAWS IN ARBITRATION AND DISPUTE RESOLUTION

Arbitration and mediation are internationally recognized as effective methods of dispute resolution and are of increasing importance in Hong Kong, Asia and the rest of the global community.

The University of Hong Kong Faculty of Law is introducing the new and innovative Master of Laws in Arbitration and Dispute Resolution in the 2007-2008 academic year. This interdisciplinary programme is designed to equip professionals with the necessary knowledge, skills and expertise in important dispute resolution methods, including negotiation, mediation and arbitration.

This unique programme is designed not only for legal professionals, but also for members of the business and financial community, corporate counsel, specialists in the construction and engineering fields, mediation and arbitration practitioners, government officials and many others wishing to improve their dispute resolution knowledge and skills. A law degree is preferable but not essential.

Application forms and programme booklets are available at:-
The Faculty of Law, 4/F KK Leung Building
The University of Hong Kong
Pokfulam Road, Hong Kong
Tel : (852) 2859 1910 (Ms Pamela Tam)
Email : lawfac@hkusua.hku.hk

* Subject to the University’s approval

Application Deadline: 31 May 2007
Building The World’s Best

The world’s best competitions programme is one that provides the best opportunity for law students to learn the law through the art of advocacy. What does it take to build such a programme? In short, it requires Training, Excellence, Achievement, Mentoring and above all, TEAMwork. The world’s best programme must provide training for students by Faculty teachers and leading practitioners in the legal community. Each team must have dedicated coaches who will manage the team from beginning to end while always maintaining the line between coach and participant. There must also be excellence in the inherent talent of both the team members and the pool of students interested in competing. Identifying such excellence requires a rigorous and competitive selection process and also adequate incentives to attract the best students to compete. With the increasing internationalization of legal studies, recruitment for mooting is now on a global scale. The measure of excellence can be found in the achievements of one’s teams in the international competitions. Bringing home ‘the medals’ not only enhances the reputation of the programme but also instills in the students a sense of accomplishment which they will treasure for the rest of their lives. The programme would not be complete unless it was able to engender a strong culture of mentorship whereby alumni would regularly pass on their wisdom and experience to current team members. Such a culture enhances learning and can lead to meaningful relationships beyond the programme. Above all, it is teamwork which holds everything together and guarantees success. The spirit of cooperation and working together must exude at all levels of the programme, from the individual team members, coaches, trainers, administrators and the wider community.

At HKU, each year we move one step closer to building the world’s best competitions programme. Last year, we proudly saw our teams bring home quite a number of prizes including the prestigious Baxter Award for the Jessup competition. This year, thanks to a HKU teaching development grant, we are building the iMoot@hkub system which will take our programme to a new level with online communications for past and present team members, and online resources and administration. 34 of our best students are competing in 9 international competitions this year. Be a part of our TEAM and let’s work together to bring out the world’s best in our students.

Simon NM Young & Vandana Rajwani
Co-Chairs of the Faculty’s International Competitions Committee

An Update on our Mooting Achievements

For this academic year, our mooting teams have achieved great results in the following competitions:

- Kay Seto (PCLL), Wilson Leung (PCLL), Timothy Parker (LLB3), Janet Ho (PCLL) and Mavis Lau (LLB1) have won the Hong Kong Regional Round of the Philip C. Jessup International Law Moot Court, with Tim Parker winning the prize again this year for the Best Oralist

- Sabrina Ho Shuk Ying (PCLL), Suen Sze Yick (PCLL), Anna Chu Chi Yan (LLB4) and Jamie Hu Ying (LLB2) was crowned the winner of the ELSA Moot Court Competition on WTO Law Asia Regional Round 2007. In particular, Sabrina Ho Shuk Ying (PCLL) and Suen Sze Yick (PCLL), were awarded the Best Orator (Elimination Rounds) and the Best Orator (Preliminary Rounds) respectively

- The HKU Team, comprised of Bonnie Cheng Yan Ki (LLB4), Ernest Ng Chung Yan (BSS(GL)3) and Katherine Chan (PCLL), was the runner-up team in the 5th Red Cross International Humanitarian Law Moot 2007

The new iMoot@hkub webportal (http://imoot.hku.hk) is designed for students to learn about the art and science of mooting, advocacy and client counselling, the online system also provides a forum for students, teaching staff and alumni to share experiences and strategies. Latest mooting results are also shown in this website.

With our teams travelling to Washington DC, Vienna, Oxford and Geneva for competitions taking place in the few weeks, we hope to bring you good news regarding our teams’ achievements in the next issue of our newsletter.

iMoot@hkub is supported by a University of Hong Kong Teaching Development Grant.
A Frenetic Journey

Coaching the HKU teams in the international competitions last year reminded me of Mel Stuart’s 1969 movie entitled ‘If It’s Tuesday This Must be Belgium’ which depicted a frenetic journey through far too many countries in far too little time.

The Jessup Moot: The World’s Best Memorial

A sixteen hour trip from Hong Kong over the North Pole, in a seat which could itself be a bed, prepared the coach mentally for the rigours of a wintry Washington D.C. - the first port of call on my epic mooting journey. Zheng He ate your heart out!

D.C. in March was suitably cold and blustery and I settled into my role as coach of the International Rounds for the ponderously-named ‘2006 Philip C. Jessup International Law Moot Court Competition’ envious of others who had taken HKU teams in former years to more hospitable places; like Hawaii!

The HKU team, Zabrina Lau (PCLL), Megan Yeung (PCLL), Kay Seto (LLB 3), Yvonne Shi (LLB 4) and Tim Parker (LLB 2) had already triumphed in the Regional Round against old adversaries City U and were looking forward to the challenge of performing on the international stage against some of the most proficient mooters in the world. Prizes for the best memorials, best oralist and best runner-up oralist had already been secured in the Regional Round and the team was keen to demonstrate to all that this was no mere chance happening.

In the course of the Shearman & Sterling International Rounds, held at the imposing Fairmont Hotel on ‘M’ Street, the team mastered the intimidating atmosphere, conquered their stage fright and produced sterling performance after sterling performance to survive unscathed to the octa-finals where they narrowly lost on a split vote to a team from the Philippines.

The HKU team later discovered that it had secured further accolades in the form of the Baxter Prize for Best Applicant's Memorial; the Alona C. Evans Competition Award and the Hardy C. Dillon Competition Award. A magnificent haul of trophies indeed.

Despite their monumental achievements the team also managed to take part in all the extra-curricular functions (formal and informal) and organised events and were able also to sample some of Washington’s attractions during their sojourn, e.g. President Bush departing for Mexico on his helicopter; the city’s night life and the famous Yoshino Cherry Blossoms bursting into full bloom at the first hint of the long-awaited departure of the North American winter.

The International Client Counselling Competition: Just Miss

A quick hop across the Atlantic to the ‘luxury’ of the world’s favorite airline’s front-of-the-plane bed saw the coach arrive in a bitterly cold and windswept Cardiff to greet Betty Fu (PCLL) and Maureen Ho (LLB 2) the winners of the Regional Round (again City U were the silver medalists) in the ‘Louis M. Brown International Client Counselling Competition’.

A hectic social whirl (a trip down a coal mine; Welsh language lessons; the Museum of Welsh Life visit; a Welsh Male Voice Choir performance and numerous cocktail functions) could not dilute the steely-minded determination of our two sweet but utterly-focused contestants. The coach’s pleas to be allowed to watch just five minutes of a Chelsea game on the hotel television fell on stony deaf ears and he was dragged of to engage in yet another late-night coaching session. If practice could indeed make perfect these two were out to prove that hypothesis.

Such a nose-to-the-grindstone approach paid off as Maureen and Betty managed the so-far-unheard of achievement of making it into the Grand Finals, having seen off in the process, teams from all over the world.

The final itself was, in the (paraphrased) words of Wellington, ‘a close run thing’, and HKU just narrowly lost to teams from New Zealand and Nigeria.

The team thoroughly enjoyed their time in Wales, met many new friends and were wonderful ambassadors for the University. As they themselves were oft heard to remark over the howl of the ice-laden winds from the Bristol Channel, “Wel, dyna i chi ddefaid da!” And who could possibly argue with that?

The Vis Moot: A New Experience

Another encounter with airline cuisine en route to Vienna in time for the famous Easter Egg Fairs in my newly-acquired guise as Coach of the ‘Willem C. Vis International Commercial Arbitration Moot, Vis West 2006’. There should be a competition for the longest moot name!

Other commitments (see above) precluded the coach’s attendance on the 6th April at the welcoming reception in the Palais Eschenbach and at the Concert House on the 7th, but the team was expertly chaperoned throughout by our part-time coach, Alfred Cheng.

The HKU team pitted wits and oral skills against an eclectic mix of competitors from Lapland; Italy; Stockholm and Berlin but unfortunately did not manage to progress to the Finals.

With the pressure being off after the rounds on the 11th the team took advantage of their newfound freedom to take in some of the city sights and also attended the farewell party at the Empire Club in Vienna.

At the awards banquet held at the Vienna Congress Hall HKU’s Cynthia Lau (who had been the subject of a number of accolades from the arbitrators) was rewarded for her efforts with an ‘Honourable Mention’. The team learned a great deal and met many new friends during the competition which was held in the imposing Juridicum building.

Pining for yet more airline travel kits the coach then headed off for Hong Kong en route to Denver Colorado and a stint teaching advocacy for NITA...but that’s another story.

Mr. Raymond Pierce
2006 Mooting Coach
A Mix of Excitement and Challenges

The night I found myself on the list of international mooters representing HKU to the ELSA WTO Law Moot Court Competition I was overwhelmed with excitement and honour. Almost immediately I received a phone call from a fellow mooter who participated in the same competition last year. He congratulated me and left me with a little piece of food for thought – “It’s going to be fun, but I’m sure you have no idea what you’re up to!”

And it was this mixed feeling of excitement and challenge that marked the start of my journey as a WTO law mooter.

As a Year 2 student knowing nothing more about the law other than contract and tort, it was not an easy task to tackle from scratch a moot problem running on such a specialized branch of law. A mere glance at the endless 400-page long cases, journal articles and publications from the WTO Secretariat makes one feel the acne in your head; not to mention attempting to distill out relevant legal principles from the stacks of material. Yet putting this aside, effective coaching and strong team work are some of the key components to mootng – and the 2006 WTO Moot Team was the best combination any mooter could ever wish for. Invaluable comments and advice from our two coaches often cracked the daw in our stuffed minds. Late nights with Ernest, Stephanie and Andre were fun and enjoyable with cracking jokes and laughter in the Law Library Discussion Room (hush, Auntie Betty is always around!). Indeed, what I have gained from the WTO Moot was not only intellectual enrichment and international exposure, but also the lifelong friendship I have developed with my fellow team mates.

Our big day came when the team traveled to Taiwan for the Asian Regional Round of the WTO Law Moot Court Competition. I can still remember how we stood up and faced strong opponents from Asia who were all LLM students specializing in international Trade Law. With the past 6 months of preparation swirling in my head, I felt the surge of adrenaline rushing through me when I stepped in the moot court room to present my arguments. It is precisely this feeling that is the most enchanting and rewarding to me as a mooter, regardless of whether we ultimately win or not.

Although we came second in the Regional Round, we were overjoyed to have competed with the other strong Asian Teams. The opportunity for us to be judged by and to personally meet real-life WTO expert Panelists from Japan, Korea and Taiwan was also a once-in-a-lifetime experience.

I must thank the Faculty for providing such good resources and support to encourage us in participating in various international mootng competitions. The fond memories of the WTO Law Moot once again reignites my flame of passion for advocacy – the art of persuasion.

Deanna Law
LLB Year 3
Member, 2006 ELSA WTO Mooter

TORT LAW AND PRACTICE IN HONG KONG

Tort Law and Practice in Hong Kong is the essential practitioner title on tort law in Hong Kong.

With its emphasis firmly on practice in Hong Kong, this major work examines the dynamic development of local case law, especially in the areas of Product Liability, Occupiers’ Liability, Statutory Torts, Breach of Duty, Detinue, Sexual Harassment and Discrimination.

THE CONFLICT OF LAWS IN HONG KONG

The Conflict of Laws in Hong Kong is an authoritative and comprehensive guide to the body of law which governs the approach of the Hong Kong civil courts to the selection of governing law and the determination of jurisdiction in cases with a cross-border element (including mainland China and Taiwan as well as foreign countries).

This is an essential reference for all lawyers involved in cross-border transactions in contexts as varied as commercial deals, litigation, family law, insolvency, trusts and estates.
A Learning Opportunity That Lasts a Lifetime
by Kay Seto
2006 Jessup Mooter

Mooting has been the most rewarding extracurricular experience that I have had while in law school. In 2006, I had the privilege of participating in the Jessup Moot Competition and the Asia Cup Moot Competition as a member of the HKU team. It was a commitment that required hard work and effort, and at the same time it gave me invaluable opportunities to learn and to explore the challenges of an advocate.

During the six months' preparation time for the Jessup Moot, our team researched international law and debated among ourselves each point of law from different possible angles. Thanks to the guidance of our coaches and guest trainers, we were able to test every argument in front of them for weaknesses. The more we were challenged throughout the process, the better we became prepared for our oral performance in the moot court.

For myself, mooting is more than a learning opportunity. It has been a life experience. While at the international round of the competitions, our team had a great time interacting with teams of student lawyers from all over the world. We also got to travel together (as a team of tourists) around the host city after finishing our moots. These, together with my mooting experience, are cherished memories that will follow me long into my life.

Reflections Beyond Mooting

We spent countless nights in the law library debating how to present our weakest points, only to conclude that we were doomed either way.

There was hardly a day on which I left school before the library closed. On the day of the memorial submission deadline, we were still going through the footnotes one by one to double-check the page and paragraph numbers to all our references, and making sure each comma and semicolon was in its right position. My parents warned me the moot might affect my academic performance. They were right. It felt like a 24 credit course, while we were only credited with 6. I was taking the heaviest courses of the degree at the same time – Criminal, Land, Equity... It was so tiring. Yet it was so fulfilling. Although the law profession may scare you into thinking only in terms of grades, school isn’t just about getting a first class honours.

I’d heard that hard work exposes the true character of people: some turn up their sleeves, some turn up their noses, and some don’t turn up at all. My teammates were the first type. The joke in the middle of the night that got your brain working again, the creatively appropriate use of our submissions in daily life – working with them just swept all my stress away. To quote from my teammate Maureen:

There are too many “tragedies” or unhappy incidents in this world. Not many of us can truly enjoy our lives. Not many of us can really get what we deserve. Not many of us can really be ourselves and ride our lives freely like what Milkman did at the end of the novel “Song of Solomon”. Also, not many of us will succeed in the end (of our life or of anything), while having really enjoyed the process. At the same time, people who have enjoyed the process may not be accorded recognition in the end.

I was so lucky to be part of Suzannah, Puja, Maureen and Ricky’s team.

by Michelle Fung
PCLL
2006 Red Cross Mooter
Meet Our New Staff

The Faculty has been expanding rapidly over the last year and we have been very fortunate in recruiting excellent new members of staff. Space forbids a detailed description but here are some thumbnail pictures to give you the flavour of our new appointments (in alphabetical order).

Michelle Chong joined the PCLL staff having worked in-house as the head of the legal department of a large corporation. She is teaching commercial law and Practice. A mother of two young children, she loves swimming and reading (not at the same time) and has become an expert at LEGO (ed note for those without young children: this is a children’s building game not a misprint for LEGO).

Thomas Cheng joined the Faculty in April 2006, after two rewarding years in Simpson Thacher & Bartlett in New York City. He was born and grew up in Hong Kong, but had spent the previous ten years prior to his return in the U.S. and the U.K. His main research interest is competition law. One of his great passions is tennis. He plays whenever he can. There is no better feeling than watching your backhand crosscourt land inside the service box and zoom past your opponent. He equally enjoys watching the beautiful game, and his all-time favorite player is the great Steffi Graf of Germany. He is proud to have watched almost every top player of the past fifteen years play live. One of his goals is to complete his personal Grand Slam attendance by going to the Australian Open in the near future, which is much easier to achieve from Hong Kong than from the Manhattan Island.

Emma Gooding joined the Faculty in May 2006 having practised with Herbert Smith and spent a year teaching the PCLL at City University. Her special interests are commercial law and civil procedure. She has two children and is expecting a third. She loves international travel (which seems somewhat incompatible with three young children) and would love to write a ‘chic-lit’ novel.

Karen Kong joined the Faculty in March 2007 from Simmons & Simmons. Her special interests are human rights and public law. She enjoys doing volunteer work for charities and currently sponsors two children, one from China and the other from Africa. She likes art and craft and is also interested in yoga.

Andrew Li joined the Faculty in September 2006 from a vibrant practice at the Hong Kong Bar (not the Hong Kong bars) as a specialist in personal injuries and medical negligence litigation. He is not a stranger to the Faculty having held the position of Honorary Associate Professor teaching administrative law to our undergraduates over the last five years. He now holds a fractional appointment teaching constitutional and administrative law to our undergraduates and advanced administrative law and human rights to our postgraduates. In his spare time, he enjoys sharing his professional experience with his students, listens to classical music, portrait photography, good food and fine wine, studying the bible and… he drives two Porsches (I suppose in case one breaks down).

Kelley Loper joined the Faculty in September 2006 as a Research Assistant Professor. Previously, she has worked at the Chinese University of Hong Kong, Coudert Brothers (in Beijing), Vision 2047 Foundation, Oxfam Hong Kong, and CCPL.
Her research interests include minority rights, the rights of refugees and equality law. She is working toward a PhD in international human rights law. Kelley has 2 young children so she can’t remember what her hobbies used to be.

**Alexander Mak** joined the Faculty in April 2006 as full time member after working as a part time tutor to the intensive Legal Research and Writing courses since 2004. He graduated at the University of New South Wales, Sydney, Australia with a combined degree in Commerce and Law, and had subsequently completed two degrees with the City University on PRC and comparative law and Arbitration/Dispute Resolution. His academic interests are legal research, PRC law and arbitration. He is now happily married with one child and loves to travel to different places around the world with his family.

**Malcolm Merry**, an English and Hong Kong barrister, joined the then HKU Law School in 1981 teaching mercantile law, advocacy, civil procedure and conveyancing. He left what had become the Law Faculty in 1989 to commence what proved to be a very successful practice at the Bar, specializing in land matters. To our great delight, Malcolm rejoined the Faculty to concentrate on teaching the litigation stream in the PCLL conveyancing course. Malcolm was a keen cricketer, but now enjoys exploring the New Territories with his dogs.

**Professor David Sandberg** joined the Faculty in May 2006 as a Visiting Professor having practised (from his base in California) in the field of international dispute resolution (arbitration and litigation) for more than 25 years. For 9 years he was the leader of the MA programme in Arbitration and Dispute resolution at City University and his main task at our university is to assist in the planning and development of a new LLM programme in international arbitration and dispute resolution.

**Yap Po Yen** joined the Faculty in July 2006 after completing his second masters at University College London. He hails from Singapore (bringing our Singaporean contingent to three) and his areas of specialization are comparative constitutional law and intellectual property. When asked about his interests he replied that he was a very boring person which was his reason for joining academia. As editor I feel I should have deleted this comment. He enjoys international travel and plays a fierce game of tennis.

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**2006 Information Day for Undergraduate Admissions**

The 2006 Information Day for Undergraduate Admissions was successfully held on 21 October 2006. Focusing on the theme of “the Path to Excellence”, we are very pleased to have two of our dedicated alumni Justice Tong, Judge of the High Court of the HKSAR and Mr Joseph Tse, Partner of Messrs. Allen & Overy as our guest speakers. The two alumni shared their valuable experience in two separate sessions of admissions talks. Both sessions were so well-received that this attracted nearly 600 prospective students and parents. Following the Admissions Talks, there were student sharing sessions. It comes as no surprise to see parents of prospectus applicants were just as enthusiastic as the applicants when asking questions about the curriculum.

Information booths and display boards were set up at Loke Yew Hall and the KK Leung concourse to showcase the Faculty’s history, strength, programmes, track record and the extensive alumni network. The prospective students showed great interest in joining the library and the moot court tours, and in learning more about our students’ life.