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LAW MEDIA

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LAW ASSOCIATION
UNIVERSITY OF HONG KONG
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Editorial

"He Who comes to Equity must come with clean hands"

Seldom have we question ourselves our part in a failure or our contribution to a distasteful consequence. We lodge complaints expecting immediate redress. We accuse people of misbehaviour while we are not in a praiseworthy conduct. We slip into these shoes without ill-will or really being conscious of them.

While you let off steam after lectures in the library, did you notice pairs of hostile-staring eyes directing visual messages at you which can be boiled down to - - - 'Your voice is loud enough to wake the dead. So shut up!' ? Have you forgotten how annoyed you were when somebody were having a heated discussion about a legal question at the top of their voices ? How many times have you been forced to go on voluntary exile to another corner of the library ? Have you not wonder why people are so inconsiderate at such times ? On one of those occasions you might perhaps discover that that newly-installed door with its noise-proof partition is not serving its purposes at all.

The problem is we want a quiet library where we can concentrate on our studies but such an idea is entirely out of our mind when we are talking. While very soft and very very short conversation may be tolerated, noises beyond an acceptable level would disturb others. So why don't we make full use of the Discussion Room ? There you can say at length whatever you have to say, and at any pitch without being the focus of attention.

Another persistent sore in our 'Wonderland' is, of course, the inavailability of law reports when we needed them. Time after time, you may feel that someone is peering over your shoulders in search of law reports. Yes, that is a bit uncomfortable but it cannot be helped. There are only 2 sets in a particular series of law reports. However, this sort of irritation can be minimized if everyone helps in re-shelving law reports after use.

'Why should I', some might say, 'when the librarian would collect them later ?' You are right but collection would be at prescribed time, until then reports remain at my or your table for perhaps hours unused. Your time and others' wasted on "report-hunting" can be devoted to better ends. So help yourself by helping others in re-shelving them.

We all welcome the opening of the discussion-cum-all-purposes room, but at times we sigh at the unpleasant sight of the room. If on a certain day, you walk in and see the floor soiled, as a result of overflowing water from the bucket, do not be surprised. This has happened before and will recur again if we do not lend a helping hand when the room needs a bit of tidying.

Spilt water is not the only item of complaint. How do you feel when you see debris, cigarette ends lying neatly on the floor, scraps of paper swimming happily in the water bucket. We have no objections if you do not. Moreover, we would like to extend our gratitude towards those who have helped in emptying the buckets, ash-tray, and those who have see to it that the supply of water is constant.

You would have, rightly, come to the conclusion that all of us is privy to such wrongs. This article is intended to draw our fellow students' attention to certain state of affairs. We believe that with co-operation and a little consideration from every law student, accompanying his every act or word, OUR library and Discussion Room will be as 'useful' as they can ever be !

Corrigendum

The writer of「綠軍的LAW部隊」, which was left out in last issue, should be 'Clara Wong'.

In the footnote of「也來說 MASS ORIENTATION 和「玩新生」, there was a mis-print, M.O. should stand for 'Mass Orientation'.

MASS ORIENTATION

Interpretation and Analysis of Questionnaire

(I) FOREWORD :

The Mass Orientation Review Ad Hoc Committee was set up to assess the majority point of view of Law Students towards the issue. A questionnaire was drafted and distributed to each law student on 13/2/80 and collected on 14/2/80. Owing to the small number of returns, a second collection was called for on 22/2/80 & 23/2/80.

Out of the 212 copies of questionaire distributed, altogether there were 83 copies of the questionnaire collected amounting to 39.2%. The distribution of questionaire collected from each year is as follows :–

I – 31 ; II – 26 ; III – 18 ; IV – 6

At first sight, this seems to be a bad response from the students. As a matter of fact, it is doubtful whether the result could represent the School's attitude. However, it is in the opinion of the committee that the publicity concerning this questionnaire and the whole issue was sufficient. Moreover, there had been an extension of time for the collection after the Chinese New Year Holidays. Hence, in view of the above, the committee in order to draw the analysis can only assume the remaining majority have either no opinion on the issue or that they simply waive their right in voicing their opinion or taking part in the decision concerning the issue.

(II) CONCLUSION DRAWN FROM THE STATISTICS :

The following conclusion is drawn by taking the answers to the questions set out in the questionnaire when they have obtained a simple majority preference. The full details of the statistics are listed in Part IV of this report.

1. The aims of the Orientation should be : introducing the School of Law, the University and the legal profession to the freshmen ; assisting them to acquaint themselves with their academic studies and providing an opportunity for freshmen and seniors to know one another.

2. The main objective of the Mass Orientation should be the introduction of freshmen to the seniors and the seniors to the freshmen.

3. The attitude expected in the Mass Orientation should be MUTUAL RESPECT.

4. The aims of Mass Orientation CANNOT be achieved by the existing format.

5. However, the aims of Mass Orientation can be achieved by some modifications to the present format namely that seniors to introduce themselves.

6. Taking into account of all the factors, theoretical basis as well as practical problems or technicalities, the Mass Orientation SHOULD be retained in the School of Law.

Questionnaire on Mass Orientation

1. Which of the following should be the aim(s) of Orientation ? (Max 4 options)
   - A. To introduce the School of Law, the University and the legal profession to the freshmen. 79.5%
   - B. To assist the freshmen to acquaint themselves with their academic studies. 68.7%
   - C. To provide an opportunity for freshmen and seniors to know one another. 95.2%
   - D. To provide an opportunity for seniors to know themselves better. 10.8%
   - E. To stimulate both seniors and freshmen to think about the professional ethics and social awareness. 15.7%
   - F. To provide an opportunity for both seniors and freshmen to formulate, evaluate or consolidate their own ideals. 22.9%
   - G. Other (please specify) .....
     - *–to promote a sense of unity, co-operation and close relation within Law School.*

2. What do you expect to achieve in the Mass Orientation ? (Max 3 options)
   - A. To introduce the freshmen to the seniors only. 12%
   - B. To introduce the freshmen to the seniors and the seniors to the freshmen. 77.1%
   - C. To have fun with the freshmen. 12%
   - D. To humiliate the freshmen. 1.2%
   - E. To challenge the freshmen. 15.7%
   - F. To provide training to those over-protected freshmen. 13.3%
   - G. To promulgate the tradition as a characteristic of the School of Law. 25.3%
   - H. Others (please specify) .....
     - *–to create a friendly atmosphere, a happy occasion*
     - *–opportunity for first encounter*
     - *–misunderstanding and hatred*

3. What should be the attitude in the Mass Orientation ? (Max 2 options)
   - A. Fussy game. 26.5%
   - B. Mutual respect. 85.5%
   - C. Seniors are to be respected only. 3.6%
   - D. Serious. 8.4%
   - E. Pressing and insulting 1.2%
   - F. Tolerance by seniors. 2.4%
   - G. Tolerance by freshmen. 4.8%

4. Can the aim(s) of Mass Orientation be achieved by the existing format ?
   Yes: 28.9% No: 62.7%

If answer to (4) is "Yes", please proceed to (9)

5. Can the aim(s) of Mass Orientation be achieved by some modifications to the present format ?
   Yes: 50.6% No: 15.7%

If answer to (5) is "No" please proceed to (7)

6. What should be the modifications ? (Max 2 options)
   - A. Seniors have to introduce themselves. 59.5%
   - B. Seniors have to answer questions posed to them. 28.6%
   - C. Seniors have to be formally dressed up if such is expected from the freshmen. 23.8%
   - D. Presence of adjudicator(s) 26.2%
   - E. Others
     - *–more relaxed, no superiority*
     - *–respect*
     - *–intrinsic attitude of vocal seniors to be changed*
     - *–less ragging*
     - *–serious taking*
     - *–gentle*
     - *–wholesome challenge*

7. Can the aims of Mass Orientation be achieved by some other formats ?
   Yes: 44.6% No: 14.5%

If answer to (7) is "No ', please proceed to (9)

8. What should be the new format ?
   - A. Group introduction. 13.5% uction.
   - B. Introduction by somebody other than the freshmen himself 2.7%
   - C. Introduction through games 40.5%
   - D. Others (please specify).....
     - *–introduction by inquisition and systematic torture*
     - *–other items e.g. briefing : graduation dinner*
     - *–equality between freshmen & seniors*
     - *–no orientation*
     - *–signature gathering*
     - *–leisure group*
     - *–group activities*
     - *–lunch gathering in small groups*
     - *–function by seniors to entertain freshmen*
     - *–camping*

9. Taking into account of all the factors, theoretical basis as well as practical problems or technicalities, should Mass Orientation be retained in the School of Law ?
   Yes: 67.5% No: 16.9%

– THE END –

LAW WEEK

With the officiation of the Opening Ceremony by Mr. Peter Rhodes, an unprecedented project of the Law Association, the Law Week, commenced. It is hoped that through a small-scale exhibition, a talk, a forum and a variety show, which were open to all students in the University, we law students would become more willing to open up ourselves to the other University students. It lasted for a week, from 7th to 11th January, 1980.

The exhibition, giving a brief introduction of legal system and a picture of the life of law students, was held in the Library Concourse. The simple but enlightening exhibition attracted many. The response was so encouraging that the exhibition was extended for two days.

A talk on 'Professional ethics of a lawyer' was given by Mr. Patrick Yu in which he advises that lawyers not to prejudge the clients or a case. 'What we see or hear may not be what it is !' he said. The Chairman of the Magistrates' Association, Mr. Wane, a solicitor and a social worker were invited to speak in the forum on 'Law - a means to control people's rights'.

The Law Week was highlighted by the Law Nite which featured performances by members of the School and students from other Faculties or Halls as well as Mr. Allcock's Hand Band. It was not our entertaining drama (魔 債) nor the other excellent performances, but rather the creative, colourful and dynamite stage-setting that stole the night.

The Organizing Committee of the Law Week has done an excellent job to provide us with an opportunity to "expose" ourselves to the others . And the Executive Committee of the Law Association would like to express their heartfelt thanks to all members of this committee.

– Christine So –

It's stuck !

Our Champion Choir strikes again !

UNION FESTIVAL

Over ninety law students (nearly half of the School's total !) have participated in this year's Union Festival held in February. We took part in practically all events including Chinese Chess, Chinese Calligraphy, Chinese Billiards, 'pou mi chi' (拋米子) and others. With co-operation, dedication and masterly leadership, our Law Choir emerged as the Champion (the third time in succession); we came third both in the Chinese Choral Speaking Competition and the 'Shuttlecock-kicking' Competition. Miss Iris Tsang (IV) came second in the Chinese Art Song Solo and Miss Margaret Cheng (II) was second in the Chinese Folk Song Solo Competition.

The celebration for the winners took place in our Term-break Party, held on March 11, in which the lecturers and students had a very good time together.

BARN DANCE

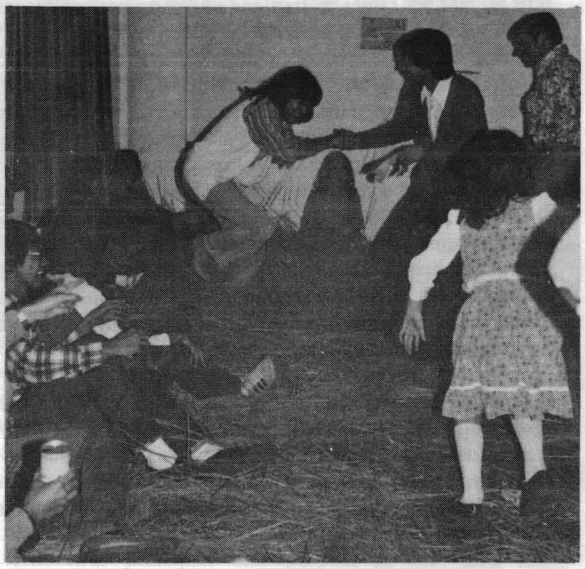
This year's annual Christmas function took the form of a Barn Dance cum Christmas Dinner held in the Mellor Room. Those who did attend must be looking back and reminiscing on the fun they had and feeling sorry for those who missed out on the action .....

The evening's fun then started off with a sing-dance-games number, brainchild of our choreographer par excellence from TVB, Lee Wai Man. This brought great response from all present who soon joined in, filling Mellor Room with the sound of stamping, skipping, happy feet, laughter, shrieks, shouts, music - general sounds of gaiety ! ! This gave way to less 'vigorous' activity, a delicious dinner followed by party games and a hilarious lucky draw - hilarious because of the originality of the prizes awarded to the 'lucky' (? ?) winners ..... Big Macs to be eaten on the spot, toothbrush and toothpaste which came with an obligation to demonstrate the fine art of brushing one's teeth, tiny stockings to be put on not-so-tiny feet .....

A tinge of sentimentality and sadness was added to the evening when a souvenir was presented to our departing acting Dean, Mr. John Miller. He will long be remembered as the one who so successfully pulled off the Merv Cooper Conspiracy ! !

Then the music started pounding, the lights went out (to the relief of some), eager bodies started twisting and turning on the dance floor to prove that all those hours spent in the library could not all have gone to sitting and studying only (though I believe I did hear a few creaks, whether these came from bones objecting to the sudden strain they were being so suddenly subjected to is open to conjecture), other bodies were attracted by the country touch in a city setting and snuggled down in the hay ..... Need I go on and spoil the fun your imaginations are having ? No way ! Not at the risk of contravening the Objectionable Publications Ordinance !

–John Yan–



Lend a helping hand ?

SPORTS RESULTS

A friendly basketball match with Solicitors' Articled Clerks' Society was held on Dec. 21, 1979. Despite the fact that our opponents are studier than we are, we managed to secure a victory by 36 to 14.

* * * * * * * *

After the 'hibernation' period -the First Term Break - we became 'active' once again. The event which perhaps merits a few more words is the Inter-Faculty Athletic Meet Final held on Jan 5, 1980. That day, the air was a bit chilly and gusts of wind swept across the stadium every now and then. Our athletes, nevertheless, were able to keep up, as usual, the spirit of the School of Law and managed to come off with flying colours (not unexpecteuly !)

Results of our part in the Sports Meet are as follows :–

Name	Event	Position
Mathew Ho (III)	Discus	1st
Miguel Delgado (II)	Javelin	2nd
Roger Wong (III)	Short Putt	3rd
Barbara Hung (III)	400m	1st*
''	Discus	1st
''	Javelin	1st
Barbara Mok (III)	High Jump	2nd
Katherine Lo (IV)	High Jump	3rd
Relay (Barbara Hung, Barbara Mok, Margaret Cheng, Katherine Lo)	4 x 100m	3rd

Our Ladies' team also came third in the Overall results.

* HKU new record

* * * * * * * *

We also did very well in softball, volleyball and squash - we came fourth in the former two events.

* * * * * * * *

Now that the Inter-Faculty Sports Programme 1979/80 has come to an end on March 6, our sportsmen and sports-ladies would not be able to demonstrate their skill in the few months to come, I would like to take this opportunity to express my gratitude to those who were ever so enthusiastic and generous to give their whole-hearted support and to cheer, and those who gave me their invaluable advice from time to time.

– Sports Captain –

THE ATTORNEY GENERAL ---- THE MAN & THE TITLE

For the first five minutes we find it hard to identify the tall, middle-aged man sitting before us with the grand title we have come across so often in the newspaper, law reports and textbooks. His manner, together with his spectacles, reminds us more of a teacher than the head of the Government's legal services. The time is 5:15 p.m., with his office deserted and after a brief introduction, our conversation begins.

Mr. J. C. Griffiths' story began with a romance. His mother, a missionary nurse, while on her way to Shanghai in 1920, met his father in Iran and ended up her exodus with a marriage. She then settled down in Iran with his father, who carried on business to open oilfields, and gave birth to Mr. Griffiths. Later, Mr. Griffiths went back to England for studying. He was granted a scholarship by a school which has existed in his home district, York, since it was founded in 627 A. D. Then he went to Cambridge to the university and came out with a first class honours degree in Economics and Law after four years. He passed his Bar final examination in London and was admitted to the Bar in 1956. During the early years of his practice, he lived on the money from the Hampsworth Scholarship granted by the Middle Temple. He started by doing criminal cases, then motorcar accidents and finished up with doing all sorts of cases.

His association with Hong Kong began in 1978 when he was requested to come for the prosecution of the Mas, the infamous owners of the largest drug syndicate in the Colony. Shortly afterwards, he returned again for a civil case about banking and six months later, he was appointed Attorney–General.

To explain the scope of his work, Mr. Griffiths gives a brief description of the structure of the Attorney–General's Chambers in Hong Kong which consists of three sections, namely,

i) Drafting of all Hong Kong Ordinances, i.e. important issues such as rent control, securities, criminal offences and so on. The head of this section, the Law Draftsman and his subordinates do all Government's drafting work. These Ordinances commence as soon as they are passed by the Legislative Council.
ii) Advising the Government: This section is headed by the Crown Solicitor who advises the Government on all matters of civil law.
iii) Prosecution : This section is headed by the Director of Public Prosecution. Cases are brought up to the section by the police force. Only important ones come to Mr. Griffiths' notice through his subordinates.

All decisions about the law in Hong Kong so far as the Government is concerned are made by him alone; but the usual practice is for the Attorney–General to be advised by his subordinates and to consult the persons involved before making a dicision. One aspect of the Attorney–General's work, thus, is to supervise these three sections and select suitable personnel for each section.

On the other hand, Mr. Griffiths is also an ex-officio member of the Executive Council and the Legislative Council

As a 'Kwai-lo' in a place where 98% of its population is Chinese, Mr. Griffiths admits that there are naturally difficulties and differences existing everywhere. On the whole, he finds that Chinese are easy to get along with, generous and kind. During the Chinese New Year, a Chinese family invited his family to their Lunar New Year dinner, treating them as members of the same family. Mr. Griffiths is now taking Cantonese lessons, but he confesses that his progress is slow.

Mr. Griffiths has three children, all are girls. "It's lucky to have girls, they spoil fathers,"says the proud father" The eldest daughter is 16, now at school in England. The other two are staying with them in Hong Kong. Mr. Griffiths is quite happy with his job as he is the sort of person who prefers changes. Comparing the career as a barrister and the job he is now doing, he is of the opinion that they are completely different and he likes them both. Yet he feels that it is great to have changes and work in a different environment. As to the world-famous high population density of Hong Kong, Mr. Griffiths finds no trouble in adapting. It is true that there are many people in Hong Kong and that it is crowded everywhere, but it is also true that there are much open space in the New Territories. The numerous offshore islands and easy access to the sea are advantages vis-a-vis its overcrowdedness.

It is hoped that in the future, the Legal Department (which he prefers to be called by its better title of 'The Attorney–General's Chambers') will be able to recruit more students as Assistant Crown Counsels straight from the University. Once the Government gives assent to his plan, says Mr. Griffiths, his Chambers will advertise in the newspaper to attract applications from University graduates and articled clerks. It is the usual practice that his Chambers do not employ lawyers who have less than three years experience ; but in the future, this practice will be changed. Students who have finished their PCLL course will be admitted and the one-year pupilage will be done in the Attorney–General's Chambers.

Comparatively speaking, the $5,500 monthly salary which the Government offers to an Assistant Crown Counsel is not very attractive. However, as Mr. Griffiths points out, the trouble with most people in Hong Kong is that they are far too concerned with money. It is sometimes better to have a little less money and be happier with one's job and family. Besides, there may be more leisure time for one to enjoy life should a lawyer choose to work in the Government. So his advice for law students in Hong Kong is : 'Work hard but do not work too hard.' There is so much more to life than law reports and texts. One will miss a lot if he simply buries himself under heaps of books without looking at other things in life that are worth treasuring : widening the scope of one's knowledge, getting to know more people, treasuring one's family life etc. etc.

–Nancy Lau
with Lin Kam-hung

AN INTERVIEW WITH MISS LIU YIU CHU

It was perhaps the urge to know more about China that she decided to go to Peking in 1976 to study Chinese Arbitration Law.

A woman of principle, entrenched in her set of ideals and armed with the zeal to achieve them – she is Miss Liu Yiu Chu (廖瑤珠), the legal adviser to almost all the Hong Kong branches of the People's Republic of China's Commercial Units, and as such adviser,is deeply involved with the development of China's Commercial Law for present organisations.

Equally intriguing as her connection with China is her education. She had studied and done research in 6 universities but her major education was in Literature. Her law training at university level only started at Harvard Law School where she was first a research fellow, then a research associate and eventually a Special Student in International Law. By the time she joined Harvard Law School, she had already practised law for over 4 years.

After completing her secondary school education at St. Stephen's Girls' College at an early age of 17, she went to the States for her tertiary education, and had been to 3 universities before she returned to Hong Kong. Ardent in writing poetry and prose, she showed them to Prof. Edmund Blunden who immediately accepted her as an English Literature student in the University of Hong Kong, on condition that she had to take honours in her examination. Having succeeded, she proceeded to the Oxford University on recommendation by Prof. Blunden.

The Oxford University is well known for the training of leaders and the refinement of species. Miss Liu went there for an insight into the English educational system, and to understand how leaders are nurtured. She wanted, moreover, to use English Literature as an avenue to understand the political and legal systems under which England operates, and the social and moral influence the citizens are subjected to. The days in Oxford, she recalled, were her best days. It was during that period that she first truly understood the meaning of 'principles'. 'Principles', according to Miss Liu, means one's own principles, and not somebody else's. Moreover, one must have the courage to adhere to them. Whereas in the other universities (including the University of Hong Kong) that Miss Liu attended, social pressure demands that one must conform to the general accepted norm of behaviour; in Oxford, the criteria are the brains and fidelity to one's principles, even if it means standing alone. There Miss Liu acquired the intrepidity necessary for adhering unswervingly to her principles.

After 2 years at Oxford, her interest turned to publishing. She entered the Curwen Press, and there she discovered that as between the soul of a writer and the taste of the public, there are many down-to-earth factors which affect literature. She modified her Quixotic visions and, for the first time in her life, she appreciated the practical side of the picture. She saw the paradox of the apparent incompatibility of art and technology, and of the mundane and the idealistic. Having stayed with the Curwen Press for some time, she received an offer from Victor Gollanz, publishers who are famous for publishing progressive books. But having left her parents for a long time, she decided to come back to Hong Kong before she started working for Victor Gollanz.

The unpredictable took place ! Miss Liu's father, like every father who loves his children but does not always understand them, refused to let her go on 'wasting' her time on a career that could never earn her a good living. With no option but to stay, she was faced with the difficulty of finding a job. Prof. Blunden advised her to join the University as a teaching staff, but her application was rejected by the University, probably because of her peculiar educational background (too many universities !), her outspoken tendencies and her political inclinations.

As early as when she was still in college, she worked part-time for the New Chinal News Agency (NCNA), and later NCNA waved a welcoming hand. With the blessings of NCNA, she started her Law course. In the meantime, she used her spare time learning to write Chinese poems, and reading the Classics and the history of Chinese Literature. She wrote a lot on her ideas on law at that stage, despite the fact that she was busy with the Articled Clerks' Association, being its Chairman. Pursuing her Law course with enthusiasm Miss Liu was not particularly interested in colonial law, however she was hoping that future developments would take her beyond such limited boundaries. She wanted to become a lawyer, but not one under the colonial system; yet she also firmly believed, as she still does, in lawful means; "development has to be achieved in a lawful way".

With firm principles and purpose in life, Miss Liu embarked on her professional life. She set up a law firm, but soon difficulty arose. In 1967, the riots produced a very unstable political climate in Hong Kong, and with it, a slump in the economy. Being firmly committed to the principle that even wars must be fought according to its rules, the riots offended her. She felt deeply that the violence, the vandalism and the killing were wrong. Since her practice was in many ways connected with China, and at that time, she opposed the riots and refused to believe that they were done by the order of such true leaders of the revolution such as Chou En-lai, she decided to end her practice and left Hong Kong for Harvard

Her experience in Harvard was quite eventful. She met Prof. Harold Burman, one of the world's leading authorities on International Trade Law, East/West Trade and Soviet Law. Later, she became a Special Student in Public International law under Prof. Richard Baxter, a world authority on public international law. Needless to say, she was much enlightened by these two learned professors. But on the other hand, she also contributed by sharing with them her knowledge of Chinese culture and traditions. So, she started Comparitive Law and discovered a certain harmony between western legal systems and the oriental legal traditions.

It was during her stay in Harvard that Sino-American relations entered the 'ping-pong' era and the Watergate Scandal made its entry into US history. Throughout the latter event, Miss Liu gathered an insight into American "democracy". When Nixon nominated Ford to be his Vice-President, the prevalent reactions of the America were, "Who is this chap Ford ? "The absurdity of the situation suddenly

dawned on her : what a myth is this thing called "democracy' if the man (Ford) who may succeed to the post of President (and in the course of history actually did so) is not only NOT elected by the people but also unknown to them !

In 1975, Miss Liu returned to Hong Kong and was shocked by the successive deaths of Chou En-lai and Mao Tse-tung. China was going through turmoil and she was very confused and worried about China's future. It was perhaps the urge to know more about China that she decided to go to Peking in 1976 and study Chinese Arbitration Law. This experience paved way for her future close connection in participating in modern China's movement in establishing a legal system. To make a long story short, with the change of policy in China, she eventually found her expertise much more useful to China than before.

When asked about the basic difference between Chinese and international trade patterns, Miss Liu replied that Chinese trade practices are not confined to a set of laws, but relying only on some accepted customs and economic principles. However, according to Miss Liu, law is actually a set of principles regulating relationships and therefore her main job is to translate these economic principles and customs into Chinese legal principles, bearing in mind international trade practices.

Miss Liu believes that though Chinese law and principles are not codified, the spirit is of value and should be expatiated. It is in the administration of law that systems should be devised to make it more scientific. She believes that once there is a well-defined legal system, the Chinese legal concepts will emerge crystal clear; if western science and technology can be conscientiously assimilated into Chinese culture, a breakthrough may be achieved.

It is the preservation of the Chinese culture and the proper blending of the traditional and the modern that matters and Miss Liu strongly believes in them. Her work for China is most invaluable – Establishing a legal system for China would appear formidable if not impossible, but Miss Liu has succeeded in her first bout with the Insurmountable!

– Cordelia Chung with
Terence Tung –

COURT INTERPRETING - A CHALLENGING PROFESSION

(An interview with Mr. Leslie Gray, Senior Court Interpreter)

A figure stands close to the witness-box, pencil and paper in hand. When the witness or counsel speaks, he listens with close concentration, jotting down points now and then. Then without much hesitation, he proceeds to give a translation of what has just been said. 'He' is no other than our 'Mr. Interpreter'.

The Road Leading To The Profession

No special requirements are needed but there is now a preference for university graduates or matriculants with a flair for languages. In the past, school leavers were also accepted into the profession but the demand for higher standards has changed the situation. Mr. Gray expressed a preference for those who are fluent in more than one Chinese dialect. This is especially so because of the influx of illegal Chinese immigrants. In the past, many interpreters knew only one dialect in addition to Cantonese - Mandarin. This is not the position now. Mr. Gray also expressed his concern with proposals to the Examination Unit to give priority to those knowing a dialect other than Cantonese. Knowledge of, or rather ability to translate into and from, additional dialects is reflected in an interpreter's pay scale - a fixed allowance being allowed for each additional dialect.

To become a qualified court interpreter, one must pass the examination set by the Exam. Unit. The examination is in three parts : a written test in which one is required to translate 4 passages from Chinese into English and another 4 from English into Chinese; and oral test in which one is required to translate a newspaper article impromptu after glancing through it for a few minutes; and a third part which is the final interview. Because of this system, people from all walks of life can join the profession - graduates from HKU, the Chinese University, Baptist College and foreign universities have joined the ranks. It does not matter what qualifications they hold, they just have to pass the exam.

After being accepted, the new recruit has to undergo informal training. He is sent to court to familiarise himself with court proceedings and sometimes, notes on the structure of the judiciary, interpretations of difficult slang expressions. etc are distributed to him. He is assigned to work in the higher courts. This all depends on individual progress.

The Profession

in Hong Kong, there are altogether 85 interpreters in the department but only 82 are in active service. There are three grades – Class 2, Class 1 and the single post of Senior Court Interpreter that Mr. Gray holds. He, himself, started as a Class 2 interpreter in 1959 and was finally promoted to his present position in 1977. He opined that many court interpreters are unhappy with the present promotion prospects as one reached a dead end on promotion to Class 1. Mr. Gray supports pleas for the creation of more senior posts.

Mr. Gray, as Senior Court Interpreter, does the administrative work - assigning work to each interpreter and ensuring that interpreters, fluent in different dialects, are posted at the various courts. He has to call up the Court Clerk at the end of the day to check if there will be hearings the next day so that if an interpreter is not needed in one court, he

may be assigned to another or requested to return to the office to handle paper work. Mr. Gray is also responsible for writing confidential reports on each interpreter which will be taken into consideration when the time for promotion comes around. No tests are now required for promotion but in Mr. Gray's time, he had to pass a stringent written test including translating the works of Tseng Kuo-feng.

The work of a court interpreter is hence twofold - interpretation work in court and written translations back in the office when out of court. All documents translated by legal firms have to be certified by the department before being presented as evidence in court. On the average, an interpreter spends four days in court and the rest of the week in the office. "It is tiring work and sometimes there is no break the whole morning."

Special Difficulties Or Problems

"It is a hectic life in which one is always open to challenge. One has to interpret on the spot without any time to think or refer to a dictionary." Mr. Gray opined that it is especially difficult to deal with uneducated people who do not speak coherently. "It is difficult when you don't even know what he is saying in Chinese."

It is also difficult to translate slang expressions and find an equivalent English expression that brings out the meaning, tone AND spirit of the original expression. Mr. Gray gave an interesting example, ' 砌生豬肉 ' which he translated as 'he is making a false accusation.' Technical jargon is easier as there is only a very limited vocabulary. An example would be that in an abortion case, the interpreter would have to know the names of the various instruments used.

What if an interpreter makes a mistake in interpreting ? Mr. Gray felt that although there was such a possibility, mistakes made would not be so serious as to lead to a miscarriage of justice. In any event, the presiding judge and counsel are free to intervene and it is up to the interpreter to accept the challenge. If counsel does not understand Chinese, there is always his instructing solicitor or a solicitor's clerk. Counsel are free to put a sworn-in expert in the witness box to challenge an interpreter's translation and point out what is wrong in the original translation.

Court interpreters enjoy immunity in court for their words, provided the interpretation is correct. Before registering as a court interpreter, he has to take an oath before the registrar. If the interpreter deliberately misleads the court, he may be charged with perjury.

The influx of Vietnamese and Chinese immigrants has resulted in a great demand for interpreters knowing various Chinese dialects and languages like Vietnamese. Mr. Gray has at times to turn to a commercial firm for professional interpreters when his staff are unable to handle a particular language.

Comments

In reply to the suggestion that Hong Kong's courts are 'interpreters' courts', Mr. Gray said that at one time when people were less conscious of their rights, some interpreters like other civil servants at the time, did in fact misbehave and were rude or lost their tempers at the witnesses. This is no longer the situation. "I am very serious with this. If there is such a complaint and it is proved that the allegation is true, the wrongdoer will be warned or dismissed."

Bilingual witnesses are at an advantage as they get to hear the question posed by counsel twice. This give them more time to think out an answer but Mr. Gray doubted if counsel benefits very much from this short ' interval ' as they must have prepared their case quite well.

For the time being, there is no formal training. Interpreters are not required to have any legal knowledge. He picks up legal terms from experience. At most, one can encourage wide reading from "comic strips to Shakespeare" ! Mr. Gray advocates training as there is a need for specialization and sophistication.

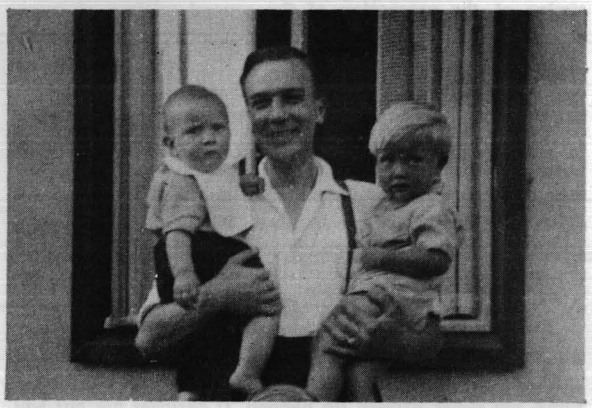
The Court Interpreters Association was set up a year ago aiming at the promotion of the general welfare of court interpreters. With the development of bilingualism, the role of court interpreters in unlikely, in Mr. Gray's opinion, to change very much or decline. Chinese is the mandatory language in the tribunals and one can choose between English or Chinese in the magistracies. In the higher courts however, proceedings must still be conducted in English. "So long as English law is followed and the present legal system exists, English will be the language used. Even in Singapore which has become independent, court proceedings are still conducted in English."

Finally, Mr. Gray commented that court interpreting has been rewarding in that he has learned a lot about life and met different kinds of people. "Things which one may think can never happen do happen. It enriches life but will also make one cynical."

– Sonia Ng with John Yan–

THE 'RULING' SECT - WHO'S WHO?

(a)



(b) The cute little boy on the right was .....

(c)

answers to be found on pg. 14

TITBITS

Belfast Nov 1, 79.

A judge in troubled Northern Ireland made legal history when he ruled that an unborn child is 'a person' and has the right to sue for damages when born. The child was born by caesarian section after her mother was taken to the hospital with gunshot wounds.

Moscow Jan 6, 80.

A Soviet zoo elephant went on hunger strike, trumpeted loudly and threw everything out of his pit when his favourite keeper retired. He has been reported to calm down when the 80-year-old keeper agreed to resume his duties temporarily.

San Francisco Jan 17, 80.

A new kind of cigarette without tobacco has just been pushed into the American market. It is made up of puffed wheat, cocoa grain husks, lemon and treacle.

Peking Jan 20, 80.

Chinese scientists are trying to invent a disease which will kill rats and mice in a drive to exterminate vermin.

Washington Jan 20, 80.

William O. Douglas, the former Supreme Court Justice who championed the right to dissent and exercised it often during 36 years on the bench, died. He was 81.

Rome Jan 30, 80.

A Radical Party deputy set a post-war Italian filibuster record today by speaking against an anti-terrorism bill for 10 hours 35 minutes. In addition, the Party has proposed 7,500 amendments to the bill as delaying tactic.

Hong Kong Feb 1, 80.

Commune farmers on the other side of Shautaukok has threatened to sue the Hong Kong Government for damage to their crops. They claimed that the flood-light erected to detect illegal immigrants have adversely affected the process of photosynthesis of their crops.

Baltimore Feb 22, 80.

A US Court has awarded US$2,000 in damages to a woman who sued her brother for ordering this inscription on their father's tombstone, 'Stanley J. Gladsky, 1895-1977, abused, robbed and starved by his beloved daughter.'

Hong Kong Feb 22, 80.

A designer who came from US was fined $500 for placing a 'no question asked' advertisement in a local newspaper in an attempt to recover a lost briefcase. The judge said, 'It is not in the public interest that such advertisements should be published in newspapers for obvious reasons.'

– Albert Yau with
Marlene Ng –

LAW WEEK AFTERTHOUGHTS

It has almost been a week now since the Law Nite, the last programme of the Law Week. The whole idea and the various functions in the Law Week are, indeed, brand new in the School of Law. Much preparation, energy, man power and money have been imputed for the project. Was it worthwhile ?

The Purpose :

The Law Association this year tries to draw the attention of fellow schoolmates to the idea of 'self-actualization and unity'.

The School of Law has always been isolated in the HKU. Geographical background or misconception of the image of law students by others might be among the reasons. In any case, we sincerely and humbly feel that the School of Law including the students in it should be more open or accessible to new ideas, challenges etc. Life is made up of a whole lot. Other students in the university might be one of the stimuli. Hence the Law Week was put forward.

It might also be of value if knowledge concerning the legal profession other than substantive law which is most profound in the School can, at the same time, be introduced.

Unity is of utmost importance to a community. Therefore it is in no way ignored. Through the preparation work, participation and involvement of members of the School, it was hoped that mutual understanding, friendship and the appreciation of our aims can be enhanced.

What have we achieved ?

It has been a failure !

No message of any sort has been passed to our fellow schoolmates. We do admit that it was our mistake to concentrate too much on the functions rather than to present our aims. The project did involve many helpers, performers and working members. And we deeply appreciate their efforts in the preparation work and it seems to be satisfactory from the point of view of organising functions. However, we have achieved very little in respect to our aims.

On the other hand, it seems after our evaluation that we obtained some surprising response. It was felt that the students in other Faculties seemed to have understood and did appreciate our initiative in taking a step to open up ourselves. Moreover, we did share some of our glimpses of 'law life' with them and provided a bridge for communication.

Wishes

Disappointed though we are, we do hope that YOU, our dear friends, can understand our ideas and share them with us. In any case, we would like to take this opportunity to extend our gratitude to all those who have given us their generous support, help and ecouragement in the project.

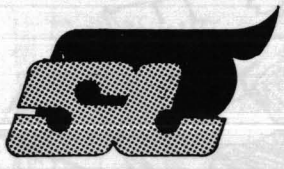
Sincere thanks !

–Bunny Ng & Law Week Organizing Committee–

WHO IS A SOLICITOR ??

supplied by Mr. A. Hicks

SUGGESTIONS FOR YOUR SAFETY



Siam Lodges Hotels

Dear Guest:

In order that we may better serve you during your stay with us, we would appreciate your kind co-operation by complying with the following suggestions:

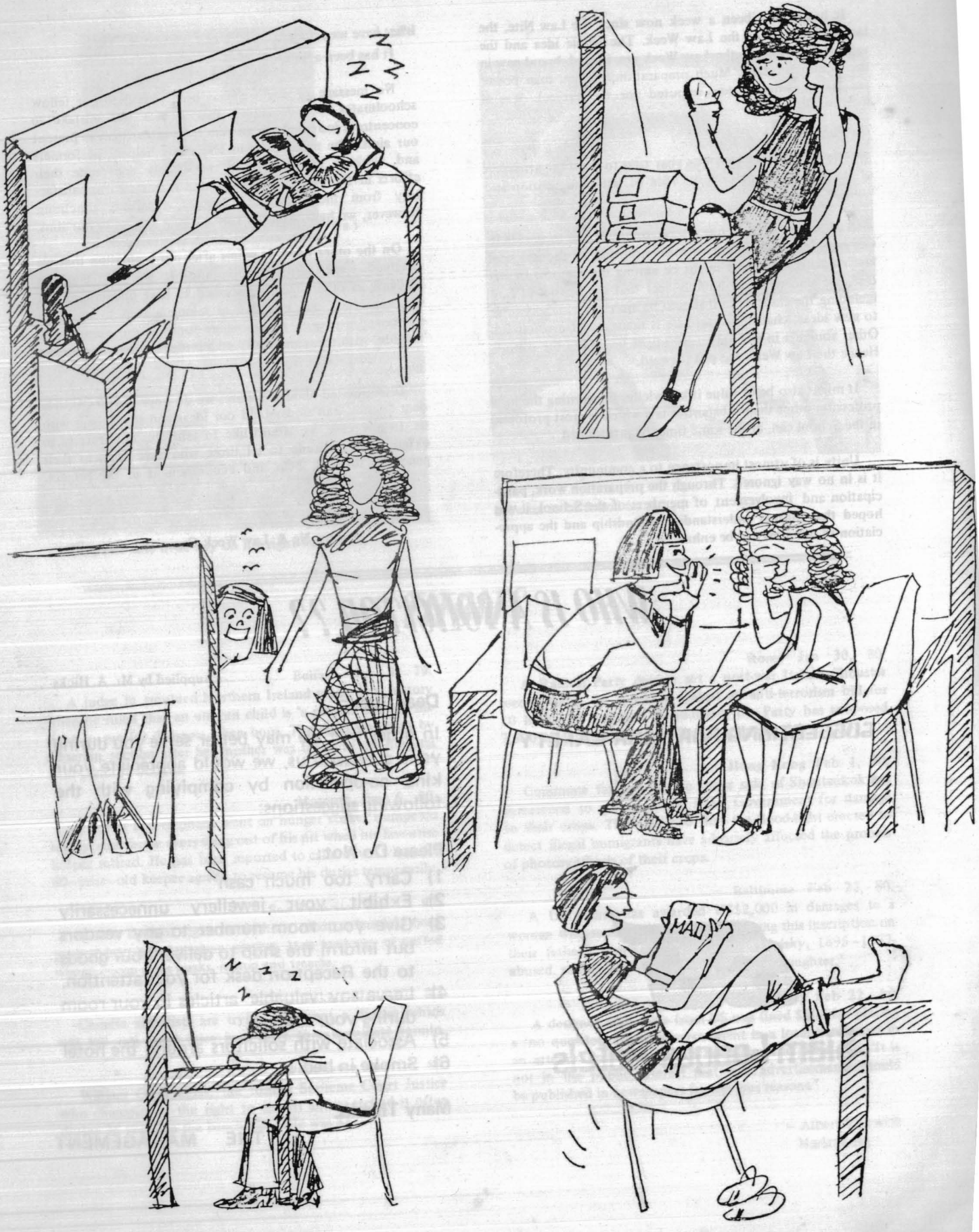
Please Do Not:

1) Carry too much cash
2) Exhibit your jewellery unnecessarily
3) Give your room number to any vendors but inform the shop to deliver your goods to the Reception desk for your attention.
4) Leave any valuable articles in your room during your absence.
5) Associate with solicitors around the hotel
6) Smoke in bed

Many Thanks.

THE MANAGEMENT

WE DON'T ALWAYS STUDY IN THE LIBRARY



閑榻

談好嗜

換了新的封面，添了新的名字，如此種種，都是今年律呂嘗試帶來的一點新意。今期，我們又有新的設計：邀請四位來自不同年級的同學，在共同的題目下，寫點各異其趣的東西。除了二年級的周慕玲同學外（ROSELLE），其他三位都用了個筆名。你猜猜他們是誰？四年級的是位理財有方的「好好先生」，三年級的是位能文能武，口齒伶俐的姑娘，一年級的同學人如其文，笑口常開。

毛僚（四年級）

常有人對我說：「你眞好，沒有嗜好。」這頂高帽初時戴得很舒服，甚至樂極忘形，不過聽多了，漸覺麻木，有時更覺得語底裏是說：「你是傻，不識享受人生。」

不過，我眞的沒有嗜好嗎？不錯，人常有的我都沒有，不抽煙，不喝酒，不集郵，跳舞不懂，甚至連看戲也沒有多大興趣。可是甚麼才是嗜好呢？而沒有嗜好是否就是好呢？下次再有人對我這樣說時，我應否ADMIT BY ACQUIESCENCE這眞使我困擾。

辭海對嗜好之解釋爲「嗜我好也，凡性之所好，皆曰嗜好，」又作「特殊的愛好」。按這解釋，則我嗜好甚多，爲甚麼一般人看我沒有嗜好呢？是人慣於不依正確眼光看事物，或者書中解釋錯誤，眞不清楚。

似乎我眞FUSSY，在這小小事上尋求一個絕對正確的定義，這也許是幾年法律課程的影響，究竟是否好現象，則如有嗜好是好或是傻，乃是見仁見智。

周慕玲（二年級）

天下之大，無奇不有，常得悉自報章有奇人以狂吞鐵釘爲樂，或有甚者，則以易年爲叙作日常消遣樂此不疲。以此驚人之舉而得擠身於奇人奇事之列，固令聞者駭異之餘，不得不佩服其無比勇氣，惟細心一想，嗜好人人皆有，樂趣自有不同，他人嗜好雖具特色，自己嗜好又何嘗沒有箇中情懆。

鄙人自效人讀聖賢書，得以撥開混沌始，即愛招集志同道合者一小群，共起共坐，如遇適合地方，便正式召開「口沫大會」。此種大會談話內容不拘，說盡東家之長，論盡西家之短。華表美食，各人汽車固爲主題，人生抱負，理想目標，亦不可缺。比利、卡達備受鞭撻，朱玲玲腹中塊肉亦不能倖免。通常是各執一詞，個人意見滾滾而來，面紅面綠在所難免。但幸甚爭論之中，並無惡意，會後嘻哈如常，看電影，吃晚飯去也。

「口沫大會」並具優點，缺點各數，試列如下：會中放鬆神經，大呼小叫，可收發洩之效。自由發言，耳聞目睹各口沫友之性情品德，可曾進了解，日後共處，再無芥蒂。可惜是口水閘一開，如江河泛濫，易發難收，聲浪之大，除招致鄰人厭惡之外，亦往往導致喉焦舌燥，非茅根精不能解之。再者口沫大會一經召開，爭辯之中不覺時光荏苒，故口沫之嗜乃時間頭號敵人。語雖如此，口沫橫飛，實爲極樂。願藉此文將口沫之嗜大力推動，望聽迴響。

徵婚啓事三則　徵婚人（三年級）

「內向型」——一名嬌柔溫雅，你見猶憐的少女嫁杏無期，望穿秋水，故欲覓男知心乙名。嗜好：㈠烹飪——好研究菜式，如泡製游龍戲烏鷄，百鳥拆新巢等名菜。㈡縫紉——曾流行一時的幻彩擦膠鞋及爆炸臘腸褲均爲本人設計。

「友善型」——女，和藹可親，平易近人，年齡——少女拋離好年華。專長——舌頭。嗜好：㈠朗誦——每日黎明即起，四出訪友，引吭高誦，以口若懸河，水花四濺之本領或本能爲人類帶來「歡顏」。㈡歌唱——愛作慈善演唱；特別於夏日炎炎之際，每到各機構留下透人心脾，聳毛切骨之歌聲，使貧苦大衆享受冷氣開放。

「外向型」——年齡介於花樣年華和一枝花之間。婚姻方面，守株待兎。外表則高頭大馬，四肢發達。嗜好：運動，熱愛多項；包括㈠眼部運動——閃電，㈡口部運動——虎吞狼嚥，㈢手部運動——耍太極，㈣腰部運動——迎風擺柳，㈤腳部運動——死鷄撐飯蓋。

對以上三類型女仕有意的各界先生，請皆寫信給小妹——「徵婚人」，實不相瞞，三啓事均來自本人，因本人最大嗜好實爲徵婚。

吉士「註」（一年級）

人之不同，各如其面。其實，嗜好之不同，亦各如人面。

嗜好這東西，可以說是一個人的偏愛，但這偏愛，却可大可小，可榮可辱，不要以爲我誇誇其詞，嗜好這東西呀，我說它可使人奮發有爲，可使人沉淪九淵；套句老師宿儒的話：「它呀，大焉者可使亡國；小焉者可使破家亡身！」

深恐一談便嚇怕大人先生們，先談小嗜好罷。我吉士自小便養成集小蟲，養小魚烏龜的嗜好，有時弄得廢寢忘食，給爸媽罵幾句便也罷了。這於已有益於人無損的小嗜好，有甚大不了？還說甚麼國破身亡，啐！飽死！

說正經點，給一個人都熟識的例子罷。發明家愛迪生可不是因嗜好研究電器而發明電燈，造福人類嗎？讀他沉毅堅忍的傳記，使人奮發有爲。相反地給一個沉淪九淵的例子：南北朝時，石崇嗜好積聚貨財，因此珊瑚樹的長短而被抄家兼殺頭。他不是因嗜好而身亡麼？還有春秋時的「楚王愛細腰，宮中多餓死。」爲了帝王一人的偏嗜而使許多美女亡身，這不也是一個悲慘的例子嗎？

南唐李後主喜作艷麗詩詞，他底嗜好不可謂不高尚了，但却無心政事，最後國家沒有了而人亦給牽機藥毒斃。至於宋徽宗一代「瘦金」體書法大家，這怯懦皇帝嗜好高雅，歷代帝王中數一數二，竟給金人擄去。

我吉士不禁要長歎一聲：嗚呼！嗜好之害人也！

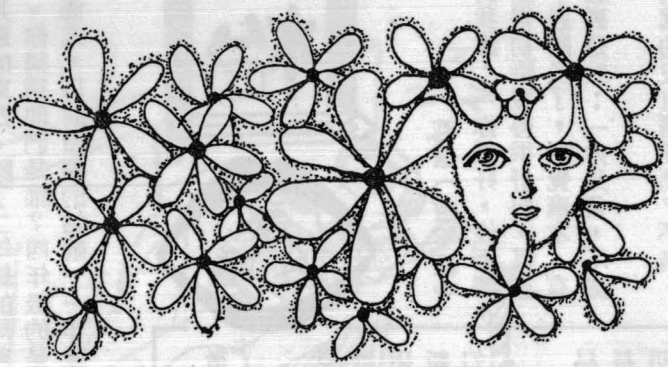
「註」：本人筆名並非取自詩經：「有女懷春，吉士誘之」之句，希勿誤會爲盼。

四月有感

陳琼華（二年級）

樓前梧桐綠，後院杜鵑紅，
雖無燕子過，不減春意濃。
得失勿沾懷，常念五蘊空，
無爲「個案」役①，池畔好薰風。

「①CASES」



枯蓬

陳琼華（二年級）

余無根之枯蓬兮，雖卑微而消遙。
不知生於何年兮，與天地而同存。曾與
盤古爲友兮，亦與女媧狎善。終日遊於
四方兮，歷盡三十三天。

論天帝之嚴威兮，不及秦之皇帝。
觀漢武之好勇兮，比美天之羅剎。人志
欲之其淫兮，非天神之可比，難世事之
紛亂兮，縱如來而無策。

唐虞先民之政事兮，許氏聞帝而洗
耳。夏商文物之茂豐兮，遂有權位之爭
逐。挾安民以爲詞兮，遂個人之淫志，
君子擾攘於朝野兮，小君受盡其荼毒。

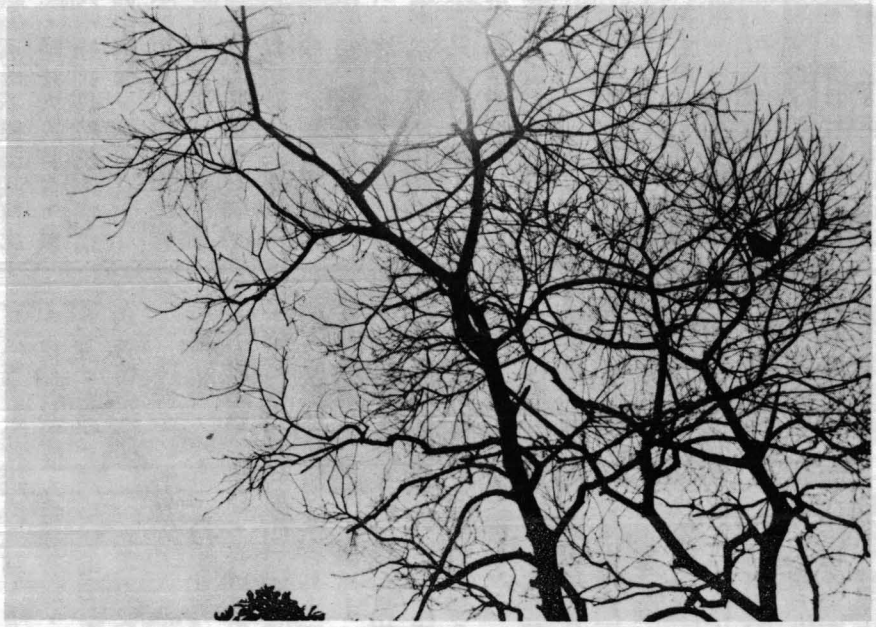
國東西之二分兮，自中周而有之。
前有之國之鼎立兮，後有南北之對峙。
七國戰於前秦兮，五代亂於唐後。合分
大人之事業兮，小人安有其志。

骨肉相分兮，莫問生死。夫妻仳離
兮，非關無義。賤民何罪兮，罹此災刼
。五分天命兮，半在人事。

余有幸爲草木兮，不沾人間苦痛。
余不幸亦有情兮。時感飄零無依。蘭與
蕙之可貴兮，人謂在其芬芳。蓼與芷君
無根兮，與蕭艾而何異。

亦知消遙之可貴兮，難忘芳草之美
質。遊於西天之蓬萊兮，問吾家鄉之所
在。玉帝指之北方兮，皇母謂其在東。
余不知其所在兮，唯抱恨於萬載。

亂曰：隨風而逝，豈余所願，北望
神州，可有佳音？



無題（調寄清平樂）

陳琼華

任情歡笑，把那煩憂了，處處花香
春未杳，明月清風相照。
任它苦雨淒風，總如過眼浮雲，愁
緒化作流水，有酒莫論晨昏。

男兒

李偉民

陽光無力，
闖不進，
咖啡座的昏暗。
依然一一坐著
好不雄姿英發的一個，
訴說天下國邦。
我問：「
「浮生若夢，
歲月爲何？」
你笑：
「一點火
一線光。」
又
苦望，
窗外掠過一一
渺小的車輪，
帶著他的壯志，
摔碎
在無盡的四方。

心湖—淌平了

朱芬齡

（寫給在陸祐堂門外徘徊的一位摯友）

那條直插雲端深處的樓梯
曾就是指引你登上紅日的路標
你興奮的踏出了起點
昂起的頭
挺著的胸——
盡是挑戰的豪情
足下緊緊踏著的
是世界

然而
一股歪風
爲你純澈的心湖
披上粒粒的塵埃
黑幕裏心室
伸延到眸子
湖　泛濫了
一個覆蓋一個的怒潮
漸漸濛糊了心底的豪情

大學
曾一陣子沸騰過
奔流的熱血

逍遙遊
也曾一度
爲你抓緊一刻
不染人間煙火的寧靜
可是這
不曾驅散一抹
薰心的濃霧

春來了　來了
想重拾舊日的足跡嗎？
用一個疊一個的腳痕
築一道越我的大橋
把那顆倦乏了
　泛濫了
的心
一個埋在橋底下
掀開那雙
披了黑幕
的眸子
投現在雲端深處的
樓梯

–Answers to " Who's who ? "
a : Professor D.M.E. Evans
b : Mr. B. Allcock
c . Mrs. E. Sussex

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