The Faculty has faced numerous stress tests over the past two years, yet I am pleased to report that we have continued to perform strongly in our key academic areas of teaching and research.

The whole Faculty has successfully adjusted to the challenges of online teaching in the shadow of COVID-19 and taken effective measures to address the difficulties that students and teachers commonly face in the virtual or semi-virtual world. Colleagues have indeed excelled in improving the quality of teaching and learning, and their successes have been well recognized by the University, in its 2020 Teaching Excellence Awards, which have recently been announced. Many congratulations to:

- Lindsay Ernst (leader), who received the Outstanding Teaching Award (Team, with David Bishop) for *EmpowerU: A cross-disciplinary, community-led, impact-based teaching and learning platform*;
- Anya Adair, who was a recipient of the Early Career Teaching Award;
- Doug Arner (Leader), who was a recipient of the Teaching Innovation Award (Teams, with David Bishop, David Lee, Ellen Seto, and Siu-ming Yiu) for *HKU edX Professional Certificate Programme in FinTech*.

I have no doubt that more such successes in teaching will follow in the post-COVID-19 era.

I would also like to make congratulatory and celebratory mention of recent Faculty book publications. The impacts of the protests in 2019 and COVID-19 in 2020/2021 on the Faculty may be yet to be determined, but it has become abundantly clear that many of us have been highly productive, judging by the quantity and quality of academic and professional books published. Some 23 books were published from January 2020 to March 2021. A Faculty book flyer that has been inserted into this newsletter reveals the diversity of interests and expertise in our Faculty.

There is, for instance, a truly impressive list of monographs of high academic standing, listed here in alphabetical order:

- Johannes Chan, *Righteousness - The Rule of Law: Just Before the Dawn* (Ming Pao, 2020)
- Thomas Cheng, *Competition Law in Developing Countries* (OUP, 2020)
- Richard Cullen, *Hong Kong Constitutionalism: The British Legacy and the Chinese Future* (Routledge, 2020)
- Xin He, *Divorce in China: Institutional Constraints and Gendered Outcomes* (NYUP, 2021)
- Keith Hotten (and Dennis Ho), *Hong Kong Family Court Practice* (LexisNexis, 2020)
• Malcolm Merry, The Unruly New Territories: Small Houses, Ancestral Estates, Illegal Structures, and Other Customary Land Practices of Rural Hong Kong (HKUP, 2020)
• Michael Palmer (and Simon Roberts), Dispute Processes: ADR and the Primary Forms of Decision-making (3rd edition) (CUP, 2020)
• Scott Veitch, Obligations: New Trajectories in Law (Routledge, 2021)
• Marco Wan, Film and Constitutional Controversy: Visualizing Hong Kong Identity in the Age of “One Country, Two Systems” (CUP, 2021)
• Angela Zhang, Chinese Antitrust Exceptionalism: How the Rise of China Challenges Global Regulation (OUP, 2021)

I am confident that some of these monographs will be award-winning. They also demonstrate that our colleagues are developing and affirming their reputation as leading scholars in their respective fields.

The selection of recently published edited volumes showcase our academic leadership. Some colleagues have worked on emerging and cutting-edge issues, while others were invited by leading publishers to produce definitive works that serve as useful guides for future scholarship. These invitations are recognition that our colleagues are among the best of the best in their fields. In all cases, the edited volumes represent a powerful collective voice of expertise that will help to shape the future in their fields. Here is a list of edited volumes (in alphabetical order):

• Douglas Arner, Evan Gilbson (with Wai Yee Wan, Andrew Godwin and Wei Shen), Research Handbook on Asian Financial Law (Edward Elgar, 2020)
• Cora Chan (with Fiona de Landra), China’s National Security: Endangering Hong Kong’s Rule of Law? (Hart, 2020)
• Hualing Fu (with Weitseng Chen), Authoritarian Legality in Asia: Formation, Development, and Transformation (CUP, 2020)
• Eric Ip (with Peter Cane, Herwig C.H. Hofmann and Peter L Lindseth), The Oxford Handbook of Comparative Administrative Law (OUP, 2020)
• Michael Ng (with John Wong), Civil Unrest in Hong Kong: Law and Order from Historical and Cultural Perspectives (HKUP, 2020)
• Michael Palmer (with Maria Federica Moscati and Marian Roberts), Comparative Dispute Resolution (Edward Elgar, 2020)
• Haochen Sun (with Shyamkrishna Balganesh and Ng-Loy Wee Loon), The Cambridge Handbook of Copyright Limitations and Exceptions (CUP, 2021)
• Po Jen Yap, Proportionality in Asia (CUP, 2020)

Last but of course not least, colleagues have continued to contribute to professional reference books for practitioners, judges, lawyers and law students, among others. Simon Young is now General Editor of Archbold Hong Kong (Sweet & Maxwell, 2021), which is the bible of criminal law for Hong Kong, and Johannes Chan, together with our former colleague, Professor CL Lim, continues to produce the influential Basic Law sourcebook: Laws of the Hong Kong Constitution (3rd edition) (Sweet & Maxwell, 2021). Here is a list of Looseleaf publications (in alphabetical order):

• Wilson Chow (in Willoughby, Halkyard, Leung & Chow), Encyclopedia of Hong Kong Taxation Vols 1, 3 & 4 (LexisNexis, 2020)
• Keith Hotten (with Dennis Ho) On Family & Divorce Law in Hong Kong, Vols. I, II, III, & IV (LexisNexis, 2021)
• Norman Hui, Professional Conduct of Lawyers in Hong Kong (LexisNexis, 2020)

Our performance in 2020 builds on our strong showing in 2018-2019 and I am sure we will continue to make impactful scholarly contributions throughout 2021 and beyond. The Faculty treasures our position as a top law school in the region and the world, and we will continue to uphold our reputation as a place of rigorous enquiry and research.

Professor Hualing Fu
Warren Chan Professor in Human Rights and Responsibilities
Dean, Faculty of Law
HKU Law Comes 21st in the World

In the latest release of the Times Higher Education World University Rankings 2021 by Subject, HKU Law has come 21st in the world and its research component is ranked 12th. The Faculty is delighted that at this challenging time, its commitment to excellence is internationally recognized. The Faculty will continue to contribute to the larger community by providing first rate legal education, producing cutting-edge research, engaging in transformative knowledge exchange, and upholding the rule of law.

Appointment of Professor Hualing Fu as Dean of Law

The Council of the University appointed Professor Hualing Fu as the Dean of Law in October 2020. Professor Fu has been with the Faculty since 1997 and he is currently Professor and Warren Chan Professor in Human Rights and Responsibilities in the Department of Law. He was Interim Dean of Law from 1 July 2019 until his new appointment.

Professor Fu received a Doctor of Jurisprudence degree in 1993 from Osgoode Hall Law School of York University, Canada, before joining HKU’s Faculty of Law. He became full Professor in 2008 and was Head of the Department of Law from 2008 to 2010 and Associate Dean of the Faculty from 2014 to 2019. Professor Fu is a highly accomplished scholar whose research is in the areas of socio-legal studies, Chinese and Asian laws, and comparative laws. He has taken up various administrative responsibilities over the years, possesses in-depth knowledge about the Faculty, and is a proven communicative leader who has earned the respect of his colleagues. The University is pleased to have Professor Fu at the helm of the Faculty to bring it to new heights.

New Faces in Our Management Team

The Faculty is pleased to welcome to the management team two new members whose Associate Deanships started in January 2021. They are Professor Douglas Arner (Taught Postgraduate Programmes & Development) and Mr Kelvin Kwok (Academic Affairs). Our deepest gratitude is extended to Ms Alice Lee, the previous Associate Dean (Academic Affairs), for her immense contributions to enhancing teaching and learning in the Faculty.

Associate Deans:

Professor Shahla Ali
(International Affairs)

Professor Douglas Arner
(Taught Postgraduate Programmes & Development)

Mr Kelvin Kwok
(Academic Affairs)

Professor Simon Young
(Research)

Department Heads:

Professor Zhao Yun
(Head of the Department of Law)

Mr Wilson Chow
(Head of the Department of Professional Legal Education)

Congratulations are also extended to Professor Zhao for his appointment as the Representative of the Asia Pacific Regional Office of the Hague Conference on Private International Law (HCCH). The HCCH is a global intergovernmental organization working to progressively unify the rules of private international law, ranging from commercial law and banking law to international civil procedure, child protection and matters of marriage and personal status.
The Hon Chief Justice Geoffrey Ma Appointed as Honorary Professor

The Faculty is proud to announce the appointment of The Hon Chief Justice Geoffrey Ma Tao Li, Former Chief Justice of the Court of Final Appeal, as Honorary Professor. The appointment commenced on 12 January 2021.

Chief Justice Ma has long demonstrated a special commitment to legal education. In 1987, well before joining the bench in 2000, Chief Justice Ma began serving as an Honorary Lecturer in the Department of Professional Legal Education of the Faculty and has generously shared his expertise and experience with students and Faculty members ever since. He has also been supportive of the University and the Faculty, especially the Faculty’s Golden Jubilee Celebration where he spoke so well as the Guest of Honour at the Kick-Off Ceremony and the Gala Dinner. In recognition of Chief Justice Ma’s contributions to Hong Kong and the rule of law, the University conferred upon him the degree of Doctor of Laws honoris causa in 2019.

The Faculty is honoured to have Chief Justice Ma serve as Honorary Professor. The Dean of Law, Professor Hualing Fu, thanked the Chief Justice for his continuing contributions to the faculty and his deeply-informed insights, which have inspired and enlightened students and staff alike.

Student Award Presentation Ceremony 2020

To recognize donors’ support and students’ achievements in the last academic year, the Student Award Presentation Ceremony was held on 20 November 2020. More than 100 scholarships and prizes were awarded, including the Gallant Ho Gold Prize in Law and the inaugural Michael Wilkinson Scholarship.

Dr Rebecca Ho presenting the Gallant Ho Gold Prize in Law to Mr Yu Yat Hei.

Ms Virginia Chan presenting the inaugural Michael Wilkinson Scholarship to Mr Arthur Poon.
Congratulations to our colleagues

University Excellence Awards 2020

Congratulations to the following colleagues whose research output and KE (Knowledge Exchange) achievement have been recognized by the University:

**University’s Research Output Prize 2020 (Faculty of Law)**

**Faculty’s Research Output Prize 2020**
- Optimal Deterrence, the Illegality Defence, and Corporate Attribution (European Business Organization Law Review, pp. 1-24, 2019) by Mr Kelvin Kwok and Dr Ernest Lim

**University’s Faculty Knowledge Exchange (KE) Award 2020 (Faculty of Law)**
- Intellectual Property and the Public Interest (知識產權與公共利益) by Dr Haochen Sun

**Professor Douglas Arner named RGC inaugural Senior Research Fellow**

Kerry Holdings Professor in Law Douglas Arner was among seven HKU academics from various disciplines who were awarded under the inaugural Research Fellow Scheme (RFS) and Senior Research Fellow Scheme (SRFS) of the Research Grants Council (RGC). The designation is in recognition of their distinguished research achievements and significant contributions to the higher education sector. Professor Arner was among four inaugural Senior Research Fellows and was awarded for his project “Digital Finance, Financial Inclusion and Sustainability: Building Better Financial Systems”.

**HKU-Standard Chartered project awarded “Best Governance, Risk and Compliance Solution” in HKMA-BIS TechChallenge**

Congratulations to Professor SM Yiu, Deputy Director of the HKU-Standard Chartered Foundation FinTech Academy, Professor Douglas Arner, Kerry Holdings Professor in Law, Mr Brian Tang, Executive Director of LITELab@HKU and teammates from Standard Chartered Bank on winning the “Best Governance, Risk and Compliance Solution” in the inaugural BIS-HKMA TechChallenge – Digitising Trade Finance (TechChallenge).

Launched in August, the TechChallenge is a joint initiative of the new Innovation Hub of the Bank for International Settlements (BIS) and the Hong Kong Monetary Authority (HKMA), designed to showcase the potential for new innovative technologies to resolve problems in trade finance (TradeTech). Winners were selected from 103 technology solutions submitted by applicants worldwide on three pressing issues: Connecting Digital Islands and Increasing Network Size and Effects; Trade Finance Inclusion for SMEs; and TradeTech for Emerging Markets. The winners and runners-up were announced as part of Hong Kong FinTech Week, which took place from 2-6 November 2020.
Ten students of the Master of Laws in Compliance and Regulation (LLM(CR)) are recipients of the inaugural University Grants Committee (UGC) Targeted Taught Postgraduate Programmes Fellowships (2020-21). The fellowships are intended to attract outstanding local students to pursue further studies in priority areas conducive to the development of Hong Kong, and to encourage universities to establish more innovative and multi-disciplinary programmes that are beneficial to society, by subsidizing recipients’ postgraduate studies over and above the minimum tuition fee of HK$42,100. The LLM(CR) is one of six HKU programmes selected for the scheme’s inaugural year. Starting from 2021-22, the Fellowship will also be extended to HKU’s Master of Laws in Corporate and Financial Law (LLM(CFL)).

To learn more about the Fellowship, please visit https://www.youtube.com/watch?v=6P6JBu6ywmY.

The Hong Kong Legal Information Institute (HKLII) is excited to announce the launch of its new and upgraded website at https://hklii.hk, which debuted on 1 February 2021. The revamped website offers faster, easier and more user-friendly access to Hong Kong judgments, legislation and other legal materials. New features include:

- a daily update of cases on the front page
- judgment consolidation of cases
- a simplified Chinese version of HKLII
- easy comparison of legislative sections of latest and previous versions
- a quick search bar at the top left-hand corner
- enhanced autocomplete search function covering 53 databases

The upgraded website marks the next chapter in the development of the HKLII. Users are invited to give their comments via the rating box or feedback form. The rating box can be found by clicking the star button on the right-hand side of the website. The classic interface (https://classic.hklii.hk) will cease to be available on 30 April 2021.

The HKLII team will continue to improve on its free access to legal information and hopes users will consider supporting our work with a donation (https://eform.giving.hku.hk/zend/online_donation/hong_kong_legal_information_institute). All donors are duly acknowledged on the website (https://www.hklii.hk/donors). The goal for the coming years is to raise one million dollars and incorporate AI techniques into the HKLII.
The HKU Excellence Awards Presentation Ceremony 2019 was held on 20 October 2020 and the Faculty’s teachers performed strongly. The Faculty extends its congratulations to the following recipients:

Ms Alice Lee, who received the University Distinguished Teaching Award, which is the most prestigious teaching award in HKU. There have been 6 recipients since its inception in 2009 and the Faculty has received it three times – Ms Lee in 2019, Professor Rick Glofcheski in 2011 and 2015.

Ms Julienne Jen of the Department of Professional Legal Education, who received the Outstanding Teaching Award, which is granted to teachers who demonstrate excellence in classroom teaching, engagement with students, and curriculum design, renewal and innovation.

The team behind the BA&LLB Programme Curriculum, who received the Outstanding Teaching Award (Team) and welcomed their tenth cohort in 2020-21. The team includes Professor Janny Leung (Faculty of Arts), Professor Marco Wan and Dr Daniel Matthews (both Faculty of Law), and Dr Anya Adair (Faculties of Arts and Law).

Ms Daisy Cheung, who received the Early Career Teaching Award, which recognizes the outstanding contributions and commitment of colleagues at an early stage of their teaching careers. Ms Cheung is also an alumna of the Faculty.

**Undergraduate Admissions Statistics (2020-21)**

<table>
<thead>
<tr>
<th>Programme</th>
<th>English Language</th>
<th>Chinese Language</th>
<th>Best 6 Subjects</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLB</td>
<td>6.854</td>
<td>5.986</td>
<td>38.799</td>
</tr>
<tr>
<td>BA&amp;LLB</td>
<td>8.000</td>
<td>6.083</td>
<td>41.417</td>
</tr>
<tr>
<td>BBA(Law)&amp;LLB</td>
<td>6.933</td>
<td>6.523</td>
<td>41.172</td>
</tr>
<tr>
<td>BSS(GL)&amp;LLB</td>
<td>7.402</td>
<td>6.415</td>
<td>40.207</td>
</tr>
</tbody>
</table>

Note: Conversion of HKDSE grades into scores:

Level $S^{**}=8.5$, $S^{*}=7$, $5=5.5$, $4=4$, $3=3$, $2=2$, $1=1$, unclassified/ others = 0.
Good News from Our CLE Team

The Clinical Legal Education (CLE) Team is happy to share that in January 2021 the CFA (Court of Final Appeal) allowed the appeal of our client in *HKSAR v Lo Kin Sun* [2021] HKCFA 1 on the substantial and grave injustice ground. Mr Eric Cheung and junior counsel Mr Carter Chim appeared for the client on a pro bono basis. This is the 7th successful case in which we have helped to rectify a miscarriage of justice at the CFA level since the CLE Programme was launched in January 2010.

In this case, Mr Lo, the proprietor of a small restaurant and a man of clear record, was charged with common assault against an officer of the Environmental Protection Department. Although the prosecutor and the magistrate tried to persuade him to have the matter disposed of by way of a bind-over with no criminal conviction record, Mr Lo refused and persistently denied any assault or physical contact with the officer. He defended the charge without legal representation and was convicted by the magistrate after trial. After spending 14 days in prison on remand pending sentencing reports, he was eventually sentenced to 4 weeks’ imprisonment, suspended for 18 months.

Through his son, Mr Lo sought free legal advice from us to appeal his conviction and sentence. The CLE Team arranged for pro bono legal representation for Mr Lo at the Court of First Instance, which dismissed his appeal in October 2018. With our further pro bono assistance, Mr Lo was granted leave to appeal to the CFA in July 2020, which was allowed on 4 January 2021 at the last hearing presided by Chief Justice Geoffrey Ma Tao Li before his retirement.

Media Coverage:
https://qr.to/PpD5V
https://qr.to/fHZTo

The CLE Programme was launched in January 2010 as the first and only live-client CLE Programme in Hong Kong. It runs a Free Legal Advice Scheme (“FLAS”) on HKU Campus under the Duty Lawyer Service, offering free preliminary legal advice to members of the public having actual legal problems involving the laws of Hong Kong. The Programme is mainly assisted by senior law students who enrol in the one-semester CLE elective course. During the course, students handle real cases under the supervision of teachers (who are also qualified lawyers) and voluntary lawyers. As at December 2020, we have handled more than 2,000 cases and around 600 students have been involved.

Despite the high operation cost, the Faculty is committed to provide quality experiential learning to students via the CLE Programme, in which students can develop different lawyering skills through handling real cases of different natures, while providing assistance to rectify miscarriages of justice. In September 2019, the CLE Team moved to a new office at G07 Cheng Yu Tung Tower and recruited two additional full-time teaching staff, Ms Patricia Ho and Mr Carter Chim, with a view to further enhancing our service to the public and quality teaching to our students. Please visit https://www.law.hku.hk/experiential-learning/clinical-legal-education/ for details and consider supporting the Programme.

Congratulations!

Our heartiest congratulations go to Mr Eric Cheung and Professor Anne Cheung who tied the knot in October 2020. They are both our exceptional friends, colleagues and alumni, and the Faculty wishes them a lifetime of love and happiness.

Another round of applause also goes to Eric as recipient of the Law Society’s 2020 Individual Gold Award and Distinguished Community Service Award, and Patricia Ho, who received the Distinguished Pro Bono Service Award. The awards recognize their continuous contributions to the profession and the community.
HKU students performed strongly in the Law for Change Student Competition 2020 organized by PILnet, taking home the First Place, Runner-up and Best Potential Award. The results not only showcase our students’ achievements but also the culture of pro bono that has taken root among our future lawyers. HKU also performed strongly in the 2017 and 2019 competitions. PILnet is a global non-governmental organization that creates opportunities for social change by unlocking the law’s full potential. To learn more about previous award-winning projects, please see the last Faculty Newsletter (Issue 2, 2020).

First Place - Homecoming

*Project Homecoming* aims to empower the local homeless in Hong Kong by enhancing their knowledge of their rights and providing them with social and legal services. The project will be launched in three phases: Phase 1: A storage gift voucher scheme Phase 2: An outreach free legal consultation scheme Phase 3: Social media pages set-up

Members:
- Chan Kwan Wing, Candace
- Chan On Ying, Angel
- Cheng Cheuk Nam, Jason
- Lau Ka Yu, Angel
- Wan Wing Yau

Runner Up - Employees’ Compensation Personal Injuries Network (“EC-PIN”)

*Employees’ Compensation Personal Injuries Network* (“EC-PIN”) strives for easy protection of workers’ rights to injury compensation through (1) developing an ECPI calculator, (2) public promotion through publishing case articles and information packages, and (3) policy advocacy work with the help of NGOs and lawyers.

Members:
- Chen Yung
- Lee Vivian Wei
- Wong Julie
- Leung Hoi Yan Holly
- Chau Yun Hang

Best Potential - WeDoCare

*WeDoCare* aims to provide assistance for domestic abuse victims and raise general awareness about domestic violence in light of escalated occurrences since the outbreak of COVID-19.

Members:
- Fung Sze Wing, Esther
- Lee Ka Hey, Linelle
- Lo Kwan Yee, Jessie
- Mok Kai Hin, Matthew
- Wong Chi Long
Legal Education during COVID-19

The COVID-19 pandemic has upended teaching and learning in all disciplines and all schools around the world, and our Faculty is no exception. However, thanks to colleagues’ hard work, students’ understanding, and support from our alumni, partner institutes and the legal profession, we have made very good progress in navigating the uncertainties and rising to the challenges. The following pages outline our journey in ensuring our students continued to receive a full education of the highest standard.
In 2020, Hong Kong saw four waves of epidemics. University policy and our teaching arrangements were constantly reviewed and updated according to the latest situation in the pandemic.

S2 (2019-20) = Semester 2 of Academic year 2019-2020
S1 (2020-21) = Semester 1 of Academic year 2020-2021
S2 (2020-21) = Semester 2 of Academic year 2020-2021

**20 Jan**
- S2 (2019-20) started.

**23 Jan**
- First case of coronavirus confirmed in HK.

**25 Jan**
- HKU announces that teaching will be online after Chinese New Year holidays (25-28 Jan) until 17 Feb.

**30 Jan**
- HKU announces that online teaching will continue until 2 Mar.

**13 Aug**
- JUPAS results announced.

**30 Jul**
- Daily number of cases: 149 (peak of the third wave)

**29 Jul**
- Teaching Arrangements of S1 (2020-21) further updated.

**26 May**
- Teaching arrangement of S1 (2020-21) first announced.

**18 Aug**
- Online Orientation for first year undergraduate students.

**1 Sept**
- S1 (2020-21) began. All courses were taught online throughout S1. From 22 Sept to 30 Nov, all courses were delivered in a mixed mode (students may choose to complete the course online or return to campus for face-to-face classes). All exams would take place online, with the same grading arrangement in S2 (2019-20).

**20 Oct**
- HKU announces that all physical overseas student exchanges in S2 (2020-21) will be suspended. Students can opt to join a ‘virtual’ exchange instead.

Online Opening Ceremony for PCLL students.
HKU announces that all teaching and in-hall exams for S2 (2019-20) will move online. Regarding law courses (one-semester and full-year), undergraduate, exchange, Juris Doctor (JD) and Taught Postgraduate (LLM) students will be graded according to their course options:
(i) “Letter Grading” as usual; OR
(ii) “Pass/Fail”; OR
(iii) “Late Drop”.
Grading arrangements of the PCLL remain unchanged.

HKU announces that all physical overseas student exchanges in S2 (2019-20) will be suspended. Special arrangements are made for students already overseas to cease their exchange studies there and return to Hong Kong.

HKU announces that all physical overseas student exchanges in S1 (2020-21) will be suspended.

Virtual HKU Information Day held for JUPAS Admission.

Teaching arrangements of S2 (2020-21) first announced.

Daily number of cases: 10 (peak of the first wave)

Online exams held.

HKDSE examinations.

Daily number of cases: 65 (peak of the second wave)

Online exams held.
Social distancing, work from home, and online teaching and learning have become our new normal. At the University, the transition has stretched our IT unit and required our colleagues and students to make major changes to their teaching and learning habits. To sustain quality teaching, the University and the Faculty provided appropriate support and training, including the following:

### Software (together with training and technical support) including and not limited to:
- Microsoft Office 365
- Zoom
- Panopto
- Mentimeter
- Moodle

### Virtual backgrounds for online teaching/video shooting

### Mini-studio and shooting crew

### On-site support for online events including orientation, information day, webinars and forums etc

### Regular discussions where colleagues share their experiences and practice
While the Faculty must adhere to University policy and the requirements of the legal profession, we tried to be as flexible and responsive as possible when going virtual. The Faculty’s support to students, in addition to that from the University, has included:

- Guidelines on learning software/ online exams (and supporting phone/whatsapp enquiries)
- Regular email notices/ reminders to students to ensure they are aware of the latest developments
- Teaching materials made available as soon as possible
- Helping students to complete the semester/ degree in accordance with the normal academic calendar to facilitate their internship and trainee plans
- Making our teaching/ grading arrangements known to law firms
- Regular meetings with the Law Association, HKUSU, to exchange views with students
- Subscribing to essential e-textbooks for all core courses and PCLL pre-requisites, with around half a million dollars, for law students to access during closure of the law library (2020-21):

<table>
<thead>
<tr>
<th>Subject</th>
<th>Course Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law of Contract I-II</td>
<td>Law of Contract I-II</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>Administrative Law</td>
</tr>
<tr>
<td>Business Association</td>
<td>Business Association</td>
</tr>
<tr>
<td>Commercial Law</td>
<td>Commercial Law</td>
</tr>
<tr>
<td>Equity and Trusts I-III</td>
<td>Equity and Trusts I-III</td>
</tr>
<tr>
<td>Land Law I-II</td>
<td>Land Law I-II</td>
</tr>
<tr>
<td>Land Law III</td>
<td>Land Law III</td>
</tr>
</tbody>
</table>

To Teachers

- Adopting new technologies
- Need to redesign the lecture
- Hard to tell if students can follow
- Student etiquette, such as inappropriate language or behavior

To Students

- Lack of technical support/ equipment
- Physical space not suitable for online learning/ exam
- Lack of communication with teachers/ classmates
- Hard to focus
- Time management

CHALLENGES

- Technical difficulties
- Classes become less interactive
- Short attention span
- Multitasking
Besides teaching and learning, the pandemic affected other aspects of student life in the Faculty, including induction, mentorship, student exchange and internships.

**Induction for Freshmen & Opening Ceremony for PCLL students**

Since we could not gather face-to-face to welcome new students to the Faculty, we organized an online Orientation cum Induction for freshmen on 18 August 2020 and an online Opening Ceremony for PCLL students on 1 September 2020. Both events provided essential tips to students who are new to HKU and words of encouragement from guest speakers. Recordings and materials were available to students who missed the live broadcast.

**Student Exchange/ Visiting Programme**

While the University has suspended all physical exchange experiences in 2020-21, some students have chosen to join the virtual Exchange/ Visiting Programme, which requires them to adapt to online learning in a different time zone. Let’s hear from them:


Ms Melisa Pang, President of the Law Society of Hong Kong, addressing PCLL students.

Despite difficulties caused by COVID-19, I have had the privilege of participating in the Visiting Programme at the University of Cambridge for the past trimester. As a visiting student, I not only took part in supervisions but also joined the Digital Verification Corps ("DVC") at Cambridge and became a member of the Cambridge team for the 28th Willem C. Vis International Commercial Arbitration Moot ("Vis Moot").

Although supervisions were conducted virtually, they were definitely fruitful when considering the quality of the discussions. In the supervisions, I actually had the opportunity to engage with supervisors on topics or questions that were not listed on the supervision sheet. Aside from identifying what the law was and the rationale behind existing law, my supervisors often asked for my opinion on what the law should be. For example, in studying international law, we often debated whether existing principles regarding sovereignty and territory should be used in the present day when considering post-colonial contexts. Ultimately, I am grateful for the platform provided by supervisions to fathom existing law and explore potential developments of the law.

Furthermore, participating in the DVC at Cambridge gave me new insight into conflicts around the globe. Throughout the past few months, I worked on projects concerning use of teargas in protests which occurred in Poland, Thailand, and Haiti. It was fascinating to learn about the different contexts to these protests and how verification can be conducted if tools such as Google Street View are unavailable due to geographical limitations of the location.

Being a member of the Vis Moot team at Cambridge has also been a rewarding experience. I learnt about issues on arbitration and international trade that I was previously unfamiliar with. I also had the opportunity to interact with legal and pharmaceutical experts while discussing this year's moot problem. Working through the problem with my teammates was also an eye-opening experience as they frequently offered innovative arguments and new ways to approach the problem.

Holly Leung, LLB 3, Visiting Student @ Cambridge, UK
The distinctive tutorial system at Oxford is known for its rigorous and intellectually stimulating environment. During my first trimester, I generally had two one-on-one tutorials every week, each of which required me to write an essay. Although challenging and intimidating at first, I quickly learned that my tutors were all friendly and knowledgeable, enabling me to focus more on the actual topics being discussed. It was highly fulfilling being able to dive deeper into topics that I was personally more interested in, have thought-provoking debates with my tutors and receive customised feedback on each of my essays.

Engaging in social and extracurricular activities has proven to be quite difficult, especially as most events were outright cancelled or moved online and there were practical considerations such as time differences. However, my College has made it easily accessible for me to participate in various online activities, including yoga classes and game nights. I was also able to participate as an oralist in an online mooting event, experiencing what the mooting culture was like in Oxford. All in all, it has been a pleasure getting to know and interact with everyone I met along the way. The other students, staff and tutors have all been so kind and helpful towards me, making up the highlights of my Oxford experience.

Being a Visiting Student at Oxford has allowed me to gain exposure to a different teaching style and learning system, building onto my understanding of HKU’s culture and teaching method. It is definitely a meaningful and rewarding learning opportunity for HKU law students.

Christine Chau, LLB 3, Visiting Student @ Oxford, UK

WFH vs Mini-Pupillage

When 2020 began, I was dreaming about how my summer internship would be spent – probably as a nine-to-five worker in an office. However, the COVID-19 pandemic has changed everything. For one thing, it became more difficult to find an internship. I was told by some law firms and chambers that they had cancelled their internship programmes for the 2020 summer, which led to keener competition for internship placements. I managed to get a mini-pupillage in the end, but things did not go as well as expected because Hong Kong was confronted with its third COVID-19 wave. My pupil master asked me to choose between working from home and postponing the mini-pupillage and I opted to work from home. This still proved to be a valuable experience. My pupil master assigned jobs to me via phone and email and we had catch-up phone calls from time to time. The working hours were also so flexible that sometimes I would submit my work at midnight and get a reply from my pupil master immediately. While I cannot deny that I missed doing an in-person internship, my virtual internship went smoothly and I felt well connected to my pupil master.

Julie Wong, LLB 3
How are students coping? Report from the Law Association, HKUSU

Since the beginning of 2020, a blanket of gloom has spread over the city with the pandemic showing no sign of slowing down. Despite class suspension and social distancing measures imposed by the University and the government, the Law Association, HKUSU has strived to ensure the smooth running of our operations. We have maximised the welfare available to members and adjusted the format of our events. To keep our promises to our members during the Election Campaign, the Association took the unprecedented step of introducing online platforms for a wide variety of events.

General Views from Law Students Regarding Teaching and Learning

The Association has spared no effort in enhancing communication between law students and the Faculty. Before the Dean’s Meeting and Dean’s Forum, members’ opinions were collected through online surveys. Their concerns were duly addressed by our guests from the Faculty.

In the previous Dean’s Meeting, students expressed opposition towards the use of Zoom due to concerns over personal information security and connection difficulties. The Dean acknowledged students’ concerns, but he also stressed the cost-effectiveness of online learning.

Provided that a hybrid mode of teaching and learning would be offered this year, further discussion regarding teaching and learning was conducted at the Dean’s Forum on 5 February 2021.

Online Activities

Orientation Programme 2020

The Orientation Programme is one of the most important events of the Association. Every year, we organise a series of orientation events to welcome our freshmen. This year, the Orientation Programme was held on a virtual platform for the first time. Original face-to-face events, including the Welcoming Day, Orientation Camp, Mass Orientation, Orientation Tea Gathering for Latecomers and Exchange Students and Sports Touch Day, were cancelled. In replacement, the Registration Day, Orientation Night and Orientation Day were conducted on Zoom. The theme this year was ‘Players Beyond Reality’ resonating with our Programme’s new virtual arrangements.

On Registration Day, freshmen completed all registration procedures online. The rundown was generally similar to previous years, helped by new practices that were adopted to facilitate online introduction and registration. We produced three videos in total, including a campus tour video introducing law students to the most visited places at HKU. The videos can be found on the Association’s official YouTube channel. We also prepared an All-In-One Freshmen Kit which contained all necessary materials to prepare freshmen for the start of their academic year. We explored the functions of new platforms such as Google Drive for easy access to information and Issuu for a better online reading experience.

It was a great challenge for us to design our virtual Orientation Night and Orientation Day. Having no experience of how an online orientation event should be conducted, we learnt the ropes via trial and error. We took a myriad of factors into account, such as the attractiveness of specially designed online games, the attention span of participants and interaction between group leaders and freshmen.

The online games included Life Monopoly, Mass Games and the Detective Game. Taking into account the limitations of Zoom, we made use of various platforms to amplify the audio-visual experience. For instance, Prezi was used in the Life Monopoly session to play music and animations. We also developed an original strategy game in which each group could choose to construct a shelter, where their ultimate aim was to establish mutual trust and survive in the game together. In our Detective Game session, we utilised both Google Meet and Zoom and produced several high-quality opening and solution videos. Generally, we received positive feedback from freshmen for the originality of our content.
Given all the challenges we faced throughout the summer, the Orientation Programme would not have been successful without the effort of all Executive Committee members and Organising Committee members. Their creativity and contributions are what made the obstacles surmountable.

**Second-hand Book Sale**

Since classes in the first three weeks of the first semester were conducted online, the Second-hand Book Sale was switched to an online platform, where members could select books for purchase. A website was built to display the price of the books and photos were included to show the condition of the books. The purchasing process was also conducted on the website. Our Executive Committee members spared no effort in providing this service to members.

**Career-oriented Events**

The Association held two online firm visits and a new online event called Sharing with Young Law Graduates. In the latter, we invited law graduates who are currently working in non-law disciplines. The participation rate was satisfactory for these activities and participants gave positive feedback. Nonetheless, we believe that participants would be more actively involved if these events were held face-to-face.

**Cancellation of Activities**

It is always a hard decision to cancel events that we have promised to organise. However, due to the ongoing pandemic, we regrettably had to cancel the High Table Dinner after giving consideration to safety concerns and the current pandemic-related restrictions of the government and the University. Unfortunately, we missed this precious opportunity to meet legal practitioners, law professors and our alumni. We sincerely hope that this tradition of the Association can resume when the pandemic comes to an end.

**Conclusion**

It has been a year full of despair and difficulties in Hong Kong. Yet, the Executive Committee has endeavoured to overcome these challenges and serve our members to the best of our capacities. The enduring threat of the pandemic is likely to persist in the foreseeable future. We urge our successors to keep the Association’s motto in mind and contribute to the Faculty of Law and our cherished community.
President and Vice-Chancellor, Dean, Members of the Faculty, Graduands, Distinguished Guests, Ladies and Gentlemen,

Thank you for inviting me to the Degree Congregation of the Faculty of Law. It is a privilege and an honour for me, as a graduate of the Faculty myself, to speak to you on this illustrious occasion. May I begin by expressing my warmest congratulations to all the graduates. Today’s conferment of your degrees is testimony to your hard work and achievements over the years. May I also extend my congratulations to your teachers, families and friends. They must be very happy and have every reason to be very proud of you.

Achievements aside, graduation is also a time to reflect upon yesterday, appreciate today, and anticipate tomorrow. The past year has seen a myriad of challenges, whether political, social, economic, medical or legal. Society is becoming increasingly polarised. Recent events have raised unprecedented questions of law under Hong Kong’s unique model of One Country, Two Systems. Meanwhile, the COVID-19 outbreak has brought exceptional challenges to Hong Kong, as we struggle to adjust to the “new normal”. Hong Kong is in very difficult times indeed.

Yet we must never lose faith, nor lose sight of all the core values we hold so dearly as lawyers. The rule of law is, of course, no exception. With all the challenges in the past year, the rule of law is truly put to the test. There have been divergent views about the status of the rule of law in Hong Kong. Some of these are indeed fair, but unfortunately, others may be ill-informed or even stand on more vulnerable grounds. Constructive debate about the rule of law is of course important in that it helps bring about improvements to our legal system. However, before drawing any conclusions, it is necessary to first understand, at least, what the law actually means and what the rule of law entails. It is only with this in mind can we make informed and balanced opinions of our legal system, and stand up for the rule of law. I therefore wish to share with you some thoughts on the meaning of law and the importance of the rule of law in these difficult times.

The meaning of law

First, what is the meaning of law? I am sure this is already well-covered in your jurisprudence class, so I do not intend to bore you with all the details and theories again, something which you must have tried so hard to get away from by graduating today. I only wish to highlight one essential aspect of it which I believe is worth reiterating, and that is, understanding the meaning of law in its social context. The letter of the law is only part of the equation; the spirit of the law is equally if not more important.

Law is integral to society. It is there to facilitate the functioning of a society and to achieve mutual respect and harmony. Hence, the law means not only a respect for individual rights and interests, which by itself is of course important, but also respect for the rights and interests of the public at large. Law is meant to and intended to guide and balance the interests of every stakeholder in the society. This fundamental balancing element of the law is well entrenched in the common law world.

Our Chief Justice Ma has put it most succinctly in a speech given at this Faculty’s 50th Anniversary Kick-off Ceremony:

“The proper appreciation of the role of the law in Hong Kong is as important now as it has ever been in our history. Some people may believe that the law is there only to serve individual interests, but in truth it is there to serve everyone and everybody is equal before the law. As I stated earlier, while individual rights and freedoms are there to be respected, so are the rights and freedoms of other people within a society. No one person’s rights trump another person’s although sometimes a balance of
interests must be reached. And when different interests are balanced, the exercise does not involve upholding the validity of one principle while denying validity to other principles: the balancing approach reflects the notion that the legal validity of all conflicting principles is kept intact.”

When you visit the Court of Final Appeal building, you will find, standing on its top, the statue of Lady Justice, the Greek Goddess of Justice and Law. In her right hand are the Scales of Justice. They precisely represent the Court’s role in balancing different considerations and interests, and according different weights to them on the particular facts of the case. Indeed, such balancing exercise is a technique well-known to the legal process, as you will see especially in public law cases.

The rule of law

Bearing in mind the meaning of law in its social context, it is perhaps logical and natural now to turn to the importance of the rule of law in these difficult times, and what this means to us as lawyers.

Rule of law is no doubt most important in difficult times as in peaceful times. As said by the former Chief Justice of Canada, Beverley McLachlin in a 2003 speech:

“[the rule of law] should be preserved, even in times of peril and national distress. It stands … for four values that are as important in times of crisis as in times of peace – legitimacy, universality, rights protection and accountability.”

On the other hand, as I have earlier mentioned, there may be misconceptions in the community about the rule of law. As law graduates, you hold your legal knowledge on trust for the community, and because of that the community has placed their trust on you. In these challenging times, it is therefore all the more important that you pass it on to the public so that they will have a correct understanding of the rule of law.

In this respect, Chief Justice Ma in his recent speech given at the 32nd LAWASIA Conference has made this timely reminder: “When times and situations are challenging, when emotions can sometimes run high and positions become extreme and polarised, one can lose sight of fundamental principles. It is our duty as lawyers – all of us without exception – to remind ourselves and others of these fundamental principles.”

What exactly, then, are the fundamentals of the rule of law? While there are various schools of thought, there are certain facets of the rule of law that most people would agree on. These are commonly grouped under the thin and thick conceptions of the rule of law. I have no doubt that you are all familiar with these concepts. I would therefore just briefly mention what they are.

Let me begin with the thin conception, or formal aspects, of the rule of law. This encompasses the well-known fundamental constituent elements of equality before the law, judicial independence, due process and procedural fairness. For the present purpose, I wish to particularly mention two further elements of this aspect of the rule of law, and they are these:

(1) First, for rule of law to prevail, it is important that the law should be prospective, accessible and certain. Relatedly, its operation should be transparent. For example, in Hong Kong, court proceedings are generally open to the public. The court’s reasoning is also publicly available, in the form of written judgments, and so is our legislation. These features are important because the law is supposed to guide conduct, which cannot be achieved if it is secret, ambiguous or retroactive.

(2) Second, compliance with the law is another commonly agreed and important aspect of the rule of law. This is indeed the fundamental and basic meaning of the expression “rule of law”. This explains why the law must be capable of guiding conduct, and why the rule of law entails those features of the law like certainty and accessibility that I have just mentioned.

The thick version of the rule of law is different. It refers to its substantive dimension which is underlined by at least these two fundamental elements:

(1) First, under the notion of the rule of law, the government and authority must exercise their powers in good faith, fairly, reasonably and for the purpose for which the powers were conferred. In this respect, the availability of judicial review in a common law jurisdiction such as Hong Kong therefore constitutes a very important fabric of the rule of law, as it provides an
essential foundation for government accountability and good governance. It enables citizens to seek legal redress against public bodies to ensure they act in accordance with the law and are subject to necessary checks and balances.

(2) Second, the rule of law is and should also be closely associated with a respect for fundamental rights. It is recognised that even among civilized countries or jurisdictions, there is no universal consensus on the rights and freedoms which are fundamental. But within a given society there is ordinarily a large measure of agreement on where the lines are to be drawn at a particular time, even though standards change over time. In the last resort, the courts are there to draw them. In our own jurisdiction here in Hong Kong, at the least, there are these fundamental rights that have been set out expressly and are safeguarded under Chapter III of the Basic Law and the Bill of Rights. They include, to name a few, the right to equality and non discrimination (under Article 25 of the Basic Law and Articles 1 and 22 of the Bill of Rights), freedom of expression (under Article 27 of the Basic Law and Article 16 of the Bill of Rights) and freedom of assembly (under Article 27 of the Basic Law and Article 17 of the Bill of Rights).

Recently, there have been reinvigorated discussions about the status of the rule of law, including protection of individual rights in Hong Kong. This ties in with our earlier discussion on the meaning of law: the law of course promotes a respect for individual rights, but it means more than that. It is not confined only to private interests, but is also about the wider public or community interest. As such, some of our individual rights are not necessarily absolute. The exercise of rights may be subject to limits to ensure that others may also reasonably exercise their rights. The proportionality test in public law aptly exemplifies this. Ultimately, the ideal of law is fairness or justice – the balancing of various considerations and interests to achieve harmony in society.

Conclusion

What do these all mean for you as law graduates? In short, I hope that you will bear in mind two matters as we explore the meaning of law and the rule of law in difficult times.

The first is that we should not only confine our understanding to the letter of the law, but we should consider the spirit of the law in its wider social context. In an increasingly complex but polarised society with different or even opposing interests pulling in different directions, the law acts as an arbiter between these competing interests. So far as the judiciary is concerned, the role of courts is to impartially apply the law to determine what our rights and duties are. Thus, adjudication is ultimately a balancing exercise. This is of course no easy task and it is impossible, and in any event is not intended to, achieve a result that can please and satisfy all parties. Yet it would be wrong to say that a particular outcome is inconsistent with the rule of law simply because it is not to one’s liking. The last thing we want is the judge’s nervous glance at the public galleries, or a wary eye on political ridicule. If a party is aggrieved by the court’s decision, the proper recourse is to use appropriate legal procedures such as appeals or reviews. That is what the rule of law is also about.

This brings us to the second matter: our responsibility as law graduates in the context of the rule of law.

As people who are trained and learned in the law, we have a role and obligation to speak out and advance notions of the rule of law, even sometimes pushing the limits if necessary to preserve it. Lawyers stand in a unique position. Our legal learning and training give us the awareness of how the law operates. We are best placed to champion human rights and defend the rule of law, especially in these challenging times.

In so doing, we should not allow the key points to go marginalised and forgotten. We must not overlook all the emblematic elements of the rule of law that I have earlier mentioned.

Each and every one of us has a part to play. In these challenging times, people tend to lose sight of the fundamentals, and unwarranted criticisms will only do a disservice to the rule of law. It is therefore all the more important that we, as lawyers and law graduates, should remain confident in our legal system and be vigilant in upholding the rule of law in its proper sense. As guardians of the rule of law, be courageous, step up, and speak out and comment on the soundness of our legal system on an informed and rational basis.
The pandemic has affected every community across the planet. What we knew or experienced may no longer be sufficient to deal with this unforeseen and unpredictable situation, so all of us – teachers, students, admin staff, alumni, members of the legal profession, the University and our partner institutes – are striving to cope with the challenge with perseverance and creativity. The difficulties and frustrations that have been felt at times over the switch to online have also reminded us of the value and pleasure of face-to-face teaching and learning, which we used to take for granted. At the same time, they have afforded us an opportunity to develop new skills, enhance and explore the use of technology in legal education as we had never done before. As we continue to navigate this new digital-oriented environment, we wish you all a safe and strong 2021.

Besides the Keynote Address, we have made available online the Vote of Thanks, Dean’s Message and congratulatory message from colleagues. Please revisit the videos at https://congregation.law.hku.hk/.

Vote of Thanks by Graduate Representative, Mr Cheung Yan Wah Clement.

Colleagues’ congratulatory message
The Faculty is delighted and honoured to welcome its alumnus, Andrew Cheung Kui Nung, as the third Chief Justice of the Court of Final Appeal of the HKSAR (with effect from 11 January 2021) and the first to be both born and educated in Hong Kong.

Chief Justice Cheung read law at The University of Hong Kong, obtaining a Bachelor of Laws degree in 1983 and a Postgraduate Certificate in Laws in 1984. He was a highly successful barrister in private practice before joining the bench in 2001, where he has commanded wide respect from the legal community.

The University and the Faculty applaud the appointment of Chief Justice Cheung, the first locally trained Chief Justice, and wish him every success.

Up to three times as many people are displaced by natural disasters as by conflict and violence each year. Yet while there exist regional and international protective frameworks for victims of the latter, such as the 1951 Refugee Convention, there are no existing protective frameworks for climate ‘migrants’, much less a legal definition of them. This is important because the problem is growing in magnitude – more than 1 billion people may be displaced due to climate stressors over the next 30 years. To address this problem and the shocking legal vacuum, Stephanie Hader (JD 2020) and her colleague Yumna Kamel co-founded Earth Refuge in December 2020, the planet’s first legal think tank dedicated solely to climate migrants.

Earth Refuge seeks to tackle the issue from 3 angles: to initiate lay discourse about climate-induced displacement and dispel existing misconceptions in the ‘Archive’, to amplify the voices of those directly affected or involved and provide a platform for their testimonies through the ‘Faces’ (interview) initiative, and to research and secure legal protection for climate migrants in a region-by-region approach by producing ‘Legal Toolkits’. The think tank’s ultimate goal is to dispel the myth that lawyers are the gatekeepers of justice by enabling active discussions and problem-solving between those on the frontlines, and those with the means to help. To learn more about Earth Refuge, please visit https://earthrefuge.org/.

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