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HKU LAW AT 50
- HKU Law at 50: Time for Celebration!
The dangers of over-reliance on ranking of academic institutions is now very well rehearsed. Yet when the only two international surveys on law schools show us to be in the top twenty in the world (QS 2018 Law @ 19, and THE 2018 @18), there is reason to rejoice. How has this come about? In both algorithms reputational factors seem to predominate. While reputation cannot be reduced to an exact science, it is reasonable to believe that the different sectors of the law school community has been responsible. Our Faculty members acquire reputation through the quality of their research, teaching and engagement with the community. Our students go on exchange and are noticed by host institutions, and visiting faculty are impressed when they teach them. Our alumni are taken up by a range of employers who observe them at work, and clients and customers who encounter them will form a view of their worth. Many of our alumni have carved out very distinguished careers as lawyers, judges, government law officers, in-house counsel, professors, politicians, civil servants, and in innumerable other professions and callings, attracting territorial, national, regional and global attention. Not to be forgotten are a host of others who support and enable us to flourish – our donors, our visitors, part-time teachers, and those who support us in so many ways. In short, we have all played a crucial role.

We will soon begin our 50th Anniversary celebrations and we have been hard at work designing an exciting menu of activity and events which we shall roll out soon. I hope that the entire law school community - past, present and, yes, even future – will join us in recognising the good that we have together done, and to take a breath before forging ahead into an even brighter destiny.

Professor Michael Hor
Dean
Faculty of Law
University of Hong Kong

RANKED 18th FOR LAW

In the latest release of the Times Higher Education World University Rankings 2018 by Subject in which Law is included for the first time, the Faculty comes in 18th in the world and first in Asia. We are delighted that our unwavering commitment to excellence in all that it does in Hong Kong, Asia and globally is recognized internationally.

13 Faculty members receiving $8.5 Million Research Grant Funding from RGC

The Faculty has performed exceptionally well in the 2017-2018 round of Research Grants Council (RGC) research grants. The RGC awarded more than HK$8.46 million in funding to 10 General Research Fund (GRF) projects and 3 Early Career Scheme (ECS) projects, which is the highest among local law schools (which received 6 and 3 grants respectively).

**GENERAL RESEARCH FUND**

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<tr>
<td>Professor Po Jen Yap</td>
<td>Courts and Democracies in Asia</td>
</tr>
<tr>
<td>Professor Hualing Fu</td>
<td>Police Power in Transition Societies: China in Comparative Perspectives</td>
</tr>
<tr>
<td>Ms Rebecca Lee</td>
<td>The Modern International Trust Under Siege: Legislature, Judiciary, and Theoretical Implications</td>
</tr>
<tr>
<td>Professor David Law</td>
<td>The Language and Ideology of Constitutions: A Computational Linguistics Analysis</td>
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<td>Professor Lusina Ho</td>
<td>Developing Compensatory Remedies for Breaches of Trust and Fiduciary Duties</td>
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<tr>
<td>Dr Eric Ip</td>
<td>The Constitutional Foundations of Free Markets: Economic Provisions of the Hong Kong Basic Law in Comparative Perspective</td>
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<td>Ms Kelley Loper</td>
<td>International human rights law and refugee protection in Asian states not party to the 1951 Convention Relating to the Status of Refugees</td>
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<td>Dr Jianlin Chen</td>
<td>Law, State and Emerging Natural Resources: Theoretical Perspective and Case Study of Climate Resource Management in China</td>
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<td>Dr Richard Wu</td>
<td>An Empirical and Comparative Study of Law Students’ Perceptions of Their Values in Four Fastest-Growing Asian Countries: China, India, Thailand and Philippines</td>
</tr>
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<td>Dr Michael Ng</td>
<td>Freedom of Expression, Media Censorship and the Rule of Law in British Hong Kong (1850s-1980s)</td>
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**EARLY CAREER SCHEME**

<table>
<thead>
<tr>
<th>Faculty Name</th>
<th>Project Title</th>
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<tbody>
<tr>
<td>Miss Daisy Cheung</td>
<td>Finding the Right Balance: Constructing a Theoretical Approach for the Assessment of Guardianship Systems for the Mentally Incapacitated in East Asia</td>
</tr>
<tr>
<td>Dr Daniel Matthews</td>
<td>The Aesthetics of Sovereignty in the Age of the Anthropocene</td>
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<td>Dr Shitong Qiao</td>
<td>National Laws and Local Land Reforms: The Spectrum of Legality</td>
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The Standing Committee’s Review (SCLET Review)

The Faculty received the interim report of the SCLET Review in mid-November 2017. The report consists of 8 chapters, over 150 pages (excluding the bibliography and 7 annexures) and 38 recommendations. Half of those recommendations are on “the training contract, pupillage and the overseas qualifying examinations” (Chapter 7). The chapter on the PCLL (Chapter 5) contains a wide range of recommendations, from admission to assessment. The Consultants call for a moratorium of the Common Entrance Examination (CEE) claimed by the Law Society that they have the power to do so. In preparing our further submission to the Consultants, we have circulated the report to the members of the Faculty Board for their comment. We have also circulated the interim report to our students. Soon after we had the interim report, we received from the Law Society the syllabi and the examination standards of their proposed CEE, as well as their revised PCLL benchmarks. On the understanding that the Consultants had also received the same set of documents, we included our observations in our further submission to the Consultants and met them in Hong Kong on the last Friday of January.

Specifically, on the overall regulatory framework, the Faculty’s position remains that the current system has been working reasonably well but we are willing and prepared, together with the other two law schools, to engage in good faith with the two professional bodies to understand more fully their perspectives, and so do better collectively. We have, however, considerable reservations about the feasibility and desirability of the conception of a unified School, which is proposed in the interim report to be neither separate from, nor part of, the three existing PCLL providers. Apart from the disadvantages and difficulties mentioned in the interim report, we foresee formidable design and logistical obstacles. Nor do we think that complete uniformity is either necessary or desirable. Indeed, the interim report seems to recognize that it is only in a situation where cooperation among stakeholders fails that a unified PCLL housed under a standalone School of Professional Legal Studies should be contemplated. Such cooperation may be anchored, for example, in a sub-committee under the auspices of the SCLET. We believe that such a sub-committee can serve as a unified platform where issues and concerns, real or perceived, in all aspects of the PCLL from admission to assessment can be identified, deliberated and resolved in the best interest of the students and the community at large.

We have also noted that the proposed CEE syllabi are substantially similar to those used for the Overseas Lawyers Qualification Examinations (OLOE) (for admission to legal practice in Hong Kong) and the Conversion Examinations (for admission to the PCLL). Despite a short reference to skills assessment, the proposed syllabi heavily focus on substantive knowledge, which do not appear to be consistent with the 80:20 ratio in skills and knowledge as advocated in the Law Society’s benchmarks for the PCLL. In many instances, the proposed syllabi are unrealistic. The proposed standard for the CEE is to be set at a level expected of a holder of a law degree or equivalent. It seems to suggest that overseas graduates cannot take the CEE without the vocational training course but on the other hand, the vocational training course is dispensable for Hong Kong graduates. In contrast, the PCLL has been pitched at the standard expected of a first-day trainee or pupil.

We are expecting the final report of the SCLET Consultants sometime after mid-April 2018.

Chinese Law ejournal – A New LSN Chinese Law Sponsored Subject Matter ejournal

The Faculty is pleased to support the establishment of the SSRN’s new Legal Scholarship Network (LSN) Sponsored Subject Matter ejournal - Chinese Law ejournal. With Professor Fu Hualing and Dr Shitong Qiao as editors, this new ejournal will serve to further enhance our leading role in Chinese Law publications. Practitioners, academics and students may view and subscribe to the papers at the following links:


The links above will take you to the almost 3,500 papers already within the paper series. It is a good way to find the latest Chinese Law research being produced globally.
Recent Appointment to the Judiciary

Permanent Judge of the Court of Final Appeal (with effect from 25 October 2018)

The Honourable Mr Justice Andrew Cheung Kui-nung (LLB 1983, PCLL 1984)

Bar Scholars of 2017
Chan Pui Lam, Tiffany (PCLL 2016)
Lee Ka Yee, Rosa (LLB 2015, PCLL 2016)
Miao Kee Chang, Harrison (PCLL 2016)
Yeung Ka Wai, Geoffrey (LLB 2014, PCLL 2015)

University Excellence Awards 2017
We are delighted that the following colleagues have won the University Teaching Excellence Awards 2017:

Outstanding Teaching Award
Dr Shahla Ali

Early Career Teaching Award
Mr Kelvin Kwok

Faculty Outstanding Teaching Award
Professor Lusina Ho
Dr Daniel Matthews
Ms Vicci Lau

Teaching Feedback Award
Ms Alice Lee

Research Output Prize
Masculinity and the Trials of Modern Fiction
By Dr Marco Wan

Faculty Knowledge Exchange Award
‘Plugging the Justice Gap for Minorities under the Law: Applied Intersectionality Research and Substantive Equality’ by Ms Puja Kapai Paryani

2017 Penny Pether Prize
Another round of applause to Dr Marco Wan, whose monograph, Masculinity and the Trials of Modern Fiction, also received the 2017 Penny Pether Prize which honors the late Australian scholar Penny Pether, and is awarded to the work which has made “the most significant contribution to the field of Australasian law, literature and humanities”.

Dr Marco Wan (left) and Professor Julia Koehn,
School of English at the Book Launch.
International collaboration towards global FinTech and RegTech research

To support Hong Kong’s aspirations of becoming a financial technology (FinTech) hub, Professor Douglas Arner has joined forces with law professors from Europe and Australia to cooperate in researching the law and regulation of FinTech. Professor Arner has partnered with Professor Dirk Zetzsche (ADA Chair in Financial Law/Inclusive Finance) at the University of Luxembourg and Professor Ross Buckley at the University of New South Wales (UNSW) in Sydney, Australia to form an international law team based in three continents and three major global financial centres.

The team, alongside other renowned researchers and FinTech regulators, presented their latest work at the third annual FinTech Conference organised by the University of Luxembourg’s Research Unit in Law on 9 October 2017.

Since embarking on their collaboration, the three FinTech and regulatory technology (RegTech) experts, in cooperation with HKU PhD candidate Janos Barberis, founder of the SuperCharger FinTech Accelerator headquartered in Hong Kong, have produced four draft papers on the impact of big data on the financial system, the challenges of regulating FinTech, a theory of smart regulation that considers different regulatory tools and their role in enabling or restricting innovation as well as an analysis of liability risk and its impact on the use and set-up of blockchain. Together, their works have been downloaded more than 27,000 times on the Social Science Research Network (SSRN) and they have published over 30 scholarly articles and book chapters in the past year.

The financial centres of Luxembourg, Sydney and Hong Kong have been responding to rapid technological innovation and disruption recently. In Hong Kong, for example, the 2017 government’s Policy Address pledged to establish the city as a hub for FinTech application and setting of standards for cutting-edge FinTech. In May 2018, the University will launch, along with collaborators SuperCharger, Cyberport, Centre for Finance, Technology and Entrepreneurship (CFTE), UNSW, Microsoft and Asia Capital Markets Institute (ACMI), the Asia’s first FinTech MOOC (Massive Open Online Course). The course “Introduction to FinTech” (https://www.edx.org/course/introduction-to-fintech) is a six-week online course on Financial Technology, providing a foundational understanding of the forces that are shaping the world of financial services. At the opening of its innovation lab eXellerator on 16 April 2018, Standard Chartered announced its plan to purchase at least 1,000 MOOCs for its internal FinTech training. The original idea came from discussions among Professor Arner, Janos Barberis and Huy Nguyen Trieu (CEO of the Disruptive Group and Co-Founder of the Centre for Finance, Technology and Entrepreneurship). The course will cover: an introduction to FinTech; payment and infrastructure; traditional and alternative finance; data analytics, AI and monetization; RegTech; and customer interface; and is taught by a combination of academic and practitioners as well as feature prominent guest speakers to illustrate the content with practical business examples.

The good news keep coming. Congratulations to Professor Arner who was appointed Kerry Holdings Professor in Law at the Eleventh Inauguration of Endowed Professorship on 21 March 2018. Other details of the event can be found on page 34.
Undergraduate Admissions Statistics (2017-2018)

Our programmes continued to attract the best students, as evidenced by the high admission standards as below:

<table>
<thead>
<tr>
<th>Programme</th>
<th>English Language</th>
<th>Chinese Language</th>
<th>4 core subjects &amp; best 2 electives</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLB</td>
<td>6.182</td>
<td>5.610</td>
<td>5.836</td>
</tr>
<tr>
<td>BA (Literary Studies) &amp; LLB</td>
<td>6.407</td>
<td>5.889</td>
<td>5.827</td>
</tr>
<tr>
<td>BBA (Law) &amp; LLB</td>
<td>6.188</td>
<td>5.813</td>
<td>6.017</td>
</tr>
<tr>
<td>BSS (GL) &amp; LLB</td>
<td>6.279</td>
<td>5.698</td>
<td>5.888</td>
</tr>
</tbody>
</table>

Note: Conversion of HKDSE grades into scores:
Level 5** = 7, 5* = 6, 5 = 5, 4 = 4, 3 = 3, 2 = 2, 1 = 1, unclassified/ others = 0.

HKU-UCL Dual LLB Degree Programme

The HKU-UCL Dual LLB Degree Programme was jointly launched by The University of Hong Kong (HKU) and University College London (UCL) in September 2016 in which students will spend the first two years at UCL and the remaining two years at HKU. Upon successful completion of the whole programme, separate Bachelor of Laws (LLB) degrees will be awarded respectively by these two universities. We are now in the third year of the programme, so let’s hear from the students who have spent a year at UCL:

Students’ Sharing

**CLEMENT CHEUNG**

At UCL, we have students and tutors from all over the world, bringing contrasting views and different regional perspectives. I enjoy such interaction and am impressed by how responsive UCL Laws is to current events like ‘Brexit litigation’.

**HO CHI YAN**

I choose this programme because of the chance to qualify in both the UK and Hong Kong is incredibly rare and an understanding of both local and foreign legal systems is a key to limitless professional opportunities, especially in an increasingly globalized world occupied by multi-national corporations.
RACHELLE TONG

I saw that studying both Hong Kong and English law would be invaluable in such a socially volatile and legally complex time in Hong Kong’s “One Country, Two Systems” era, as I will be able to bring my understanding of Western democracy and common law to Hong Kong’s distinctive combination of common law and HKSAR Basic Law.

LILLIAN WONG

This programme allows me to experience the life in two different reputable universities and meet friends from two distinct places. Apart from normal schoolwork, the placement in the Centre for Access to Justice has enhanced my practice skills outside the classrooms.

KATCH CAMACHO

My experiences at UCL have been fruitful and stimulating, especially the chance to do some pro bono work at its Centre for Access to Justice, where I worked as a receptionist and gained an insight into the struggle to obtain legal advice and what it really meant for people to have access to justice.

CURTIS PAK

London will never disappoint you as a place for both studying and entertainment. Small group tutorials; limited exams and essays at UCL become our motivation for self-learning and deeper appreciation of the contents.

EMILY HA

I have learnt a lot from joining Grassroots Human Rights Project — teaching teenagers the significance of human rights in society and how we should respect each other. This year, I become the Project Leader and am very excited to see what an impact I can make.

MICHIKO HEAD

Apart from enjoying the perfect mix between study and leisure at UCL, this dual degree programme truly offered me the opportunity to acquire a detailed knowledge of the two distinct jurisdictions as well as help in my intellectual and personal development as a global citizen.

ANN MARIE CHOIY

To make the most of this unique programme, I tried a little bit of everything: I joined the UCL AIESEC and became Marketing Director, participated in different competitions offered by the Law Society, and sailed on the River Thames at various boat parties.
A warm welcome to new Faculty members (joined during July 2017 – February 2018):

**Anya Adair**

Anya comes to HKU from the University of Sydney as an Assistant Professor jointly appointed to the Department of Law and the School of English, Faculty of Arts. Her research examines medieval law and literature, with a particular focus on pre-Conquest England; her interests extend also to book history and manuscript studies, Old English and Old Norse language and literature, poetry and poetics, digital humanities and the history of the English language. Anya holds a Bachelor of Arts and Bachelor of Laws from the University of Melbourne and graduate degrees in English Literature from Melbourne, Oxford and Yale.

**Lindsay Ernst**

Lindsay joined the Faculty as Lecturer in Human Rights, Experiential Learning and is no stranger to us. Prior to joining the Faculty in 2012 as a researcher and part-time lecturer, Lindsay was the Head of Clinical Programmes at the Justice Centre Hong Kong (formerly the Hong Kong Refugee Advice Centre) where she designed and launched the Refugee Legal Assistance Clinic in collaboration with this University, Chinese University of Hong Kong, Brooklyn Law School and the University of New South Wales. She specializes in developing interdisciplinary experiential learning opportunities focused on advancing social justice and human rights.

**Alexander Green**

Alexander joined the Faculty as Assistant Professor. His current research, which has been funded by the Modern Law Review, concerns the moral nature of legal statehood and its role in determining the content of public international law. More broadly, he is interested in legal and political theory, moral philosophy, private law, public international law and human rights. Alex currently teaches LLB and JD Tort Law and is Deputy-Director of the Outgoing Exchange Program.

**Professor He Xin**

Before joining the Faculty, Professor He was Professor and Director of Chinese and Comparative Law Center at School of Law, City University of Hong Kong. He had also taught at the Law Schools of NYU and University of Illinois as Visiting Professor. His recent works appear in *American Journal of Sociology, Law & Society Review, China Quarterly, China Journal, and American Journal of Comparative Law*. His monograph *Embedded Courts: Judicial Decision Making in China* with Kwai Ng was published by Cambridge University Press in 2017. His research interests include Law and Society, Empirical Legal Studies, Comparative Laws, and Chinese Legal Systems, especially on Judicial Reforms in China and Chinese Family Laws.

**Syren Johnstone**

Syren has worked for over 20 years in securities regulation and corporate finance. He has undertaken senior management roles regulated by the Securities and Futures Commission and The Stock Exchange of Hong Kong Limited, and is currently a member of the SFC’s Fintech Advisory Group. In 2016 he co-authored “Financial Markets in Hong Kong: Law and Practice” (Oxford University Press). Prior to his appointment as Principal Lecturer and Executive Director of the LLM (Compliance & Regulation) programme, he has been teaching at the Faculty as Adjunct Associate Professor on a part-time basis for the past several years.

**Dr Alex Schwartz**

Alex joined the Faculty as Assistant Professor. His research focuses on courts and judicial behaviour, particularly in the context of deeply divided, transitional, and crisis-prone politics. He was previously Lecturer in Law at Queen’s University Belfast, where he was also an Associate Fellow of the Senator George J. Mitchell Institute for Global Peace, Security and Justice. Before that, Alex was a Banting Fellow with the Department of Political Studies at Queen’s University (Canada), a visiting scholar at the Centre for the Study of Social Justice at Oxford, and a postdoctoral fellow with the Canada Research Chair in Québec and Canadian Studies at L’Université du Québec à Montréal. He is currently working towards a book on judicial power in ‘difficult’ contexts.

**Eva Tam**

After graduating from this University, Eva went on to study LLM at the London School of Economics and Political Science. Prior to joining the Faculty as a Senior Lecturer, she has worked as a solicitor in a number of leading international law firms for over 20 years, and specialised in corporate finance. Her main teaching interests include company law, securities law, mergers and acquisitions and legal research and writing. In her spare time, she enjoys travelling, reading, skiing and the practice of aromatherapy.

**Dr Ryan Whalen**

Ryan joined the Faculty as Assistant Professor last summer. He looks forward to teaching classes focusing on technology and intellectual property law, as well as continuing his active research program. Ryan’s research focuses on patent law, innovation policy, and computational legal studies. He takes a data-driven approach to his work, using data and information science methods to answer questions of interest to legal scholars in novel ways. Prior to pursuing post-secondary education, Ryan worked around the world as a professional juggler and entertainer. These days he likes to spend his free time traveling, scuba diving, reading, and eating good food.

**Dr Angela Zhang**

Angela is an Associate Professor and is currently on leave from King’s College London where she has been teaching for over four years. Before joining academia, Angela practiced bankruptcy law in New York and competition/antitrust law in Brussels and London. She also has some practice experience in Hong Kong and Beijing. Angela’s main research interest is law and economics. Her hobbies include playing basketball and singing karaoke, but now she spends most of her spare time hanging out with her three-year old son.
“Therapy Dog Session” in Law Library

Welcome Jasper to the Law Library!

To help students experience a better academic life, especially during the assessment period, a new pilot programme was launched in December 2017 in which students and staff of the University could book a thirty-minute session with Jasper, a nine-year-old English Sheepdog adopted from Hong Kong Dog Rescue, to play and enjoy his company in a designated space in the Lui Che Woo Law Library.

It is well documented that therapy dogs can contribute to calmness and overall emotional well-being. Therapy dog programmes are being offered in many universities around the world, in libraries, university health services and student counselling units. We hope this programme will enable our students to take a break and reduce their stress level!

Des Voeux Chambers Oxford-HKU Visiting Fellowship - Public Lecture “Humans as a Service? The Promise and Perils of Work in the Gig Economy” by Dr Jeremias Prassl & “Justifying Damages: Corrective Justice, Civil Recourse, or Something Else” by Dr Sandy Steel on 7 September 2017.


Dr Lam Ching-choi, BBS, JP, Chairman of Elderly Commission, HKSAR and Forum on “Action for Restraint-free Care of People with Dementia in Hong Kong” on 20 September 2017, World Alzheimer’s Day (From left: Leila Chan, Professor Timothy Kwok, Professor Johannes Chan SC (Hon) and Dr Jenny Lee)

Professor Stephen Whittle (third from right, second row) at Forum “Gender Recognition Legislation in Hong Kong: Opportunities and Challenges” on 23 September 2017.

Professor Rolf Weber, and Professor Dr. Florent Thouvenin at Public Workshop “FinTech and Data Ownership: Legal Issues of Digital Business Models” (Zürich Meets Hong Kong – À Festival of Two Cities) on 26 October 2017.

Mr Stephen Kai-yi Wong, Privacy Commissioner for Personal Data, Hong Kong at the public symposium “The Future of Privacy” on 26 October 2017.


The 2017 WYNG-HATTON Lecture “Power of Law as a Tool for Health and Justice” by Professor Lawrence O. Gostin on 8 November 2017.

Professor Henry Litton in his lectures “The Marauders Set to Undermine the Legal System” (7 November 2017) and “Judicial Review: Does it Help or Hinder Good Administration?” (20 November 2017).

The Hochelaga Lectures:


The 6th Asian Privacy Scholars Networks International Conference

The conference during 25-29 September 2017 coincided with the 39th International Conference of Data Protection and Privacy Commissioners. Government officials, legal practitioners, academics, advocates and representatives of business and non-governmental organizations across the world gathered and studied the latest developments of privacy and data protection across the globe, including but not limited to Big Data analytics, data-driven governance, artificial intelligence, algorithms, and cyber security.

Conference “Tackling Antimicrobial Resistance (AMR): Meeting the Global Challenge of AMR”

The two-day conference co-organized by the Centre for Medical Ethics and Law and School of Public Health on 9 & 10 November 2017 examined the increasing threat posed by Antimicrobial Resistance (AMR), its future implications in human, clinical and economic costs. Public and professional awareness in both public and environmental health – regulations and international best practice were covered too. Speakers included Professor Sophia Chan Siu-Chee, Secretary for Food and Health; Professor Sally Davies, Chief Medical Officer of England; Professor Yuen Kwok-Yung, Chair of Infectious Diseases of The University of Hong Kong.

Dr Pippa Rogerson delivered the inaugural HKU-Mok Lecture Series in Frontiers of Law

The HKU-Mok Lecture Series in Frontiers of Law is established by the Mok Hing Yiu Charitable Foundation. In the inaugural lecture “Should International Jurisdiction be Determined in Accordance with Rules or is a Discretionary Approach Preferable?” on 19 March 2018, Dr Pippa Rogerson from Caius College, University of Cambridge shared her insight on how the UK Government has to consider whether to enact the Brussels I Regulation rules as English law, either with respect to all parties to litigation in England or only with respect to European parties as BREXIT approaches.
CCPL sparked off discussions on constitutional and administration law

The Conference “China’s National Security: Endangering Hong Kong’s Rule of Law?” jointly organized by the Centre for Comparative and Public Law (CCPL) and Birmingham Law School on 4 December 2017 assembled leading experts in exploring both the risks of introducing security legislation in Hong Kong and the region’s sources of resilience and present a forward-looking perspective on the Rule of Law in Hong Kong, illustrating how it may succeed in resisting pressure to advance China’s security interests through repressive law. On December 15, scholars and experts met and examined novel constitutional remedies in Asian countries including Bangladesh, Indonesia, India, South Korea in the “Constitutional Remedies in Asia Conference.”

Mr Edward Fitzgerald QC delivered the second HKU-Boase Cohen & Collins Criminal Law Lecture

Mr Edward Fitzgerald QC, who specialises in criminal law, public law, judicial review and international human rights law, gave the second HKU-Boase Cohen & Collins Criminal Law Lecture “Criminal Appeals and New Evidence” on 26 January 2018. The lecture by whom his contemporary David Pannick QC described as “a Rolls Royce in the cab rank of barristers” in a tribute article in The Times attracted an audience of 200 including practitioners and law students. The lecture series, supported by Boase Cohen & Collins, was launched in 2017, aiming to increase awareness of significant issues and challenges in criminal law. The inaugural Criminal Law Lecture featured Ms Clare Montgomery QC on “Joint Enterprise.”
HKU Jessup Team Awarded International Rounds Top 1st Oralist

Competing against 600 law schools from 100 jurisdictions, the HKU Jessup Team consists of 5 PCLL students – Ko Lun Jason, Lee Chun-Hin Brian, Sat Sakinah, So Tsz Ching Natalie, and Sum Hiu-Yan Michelle. In February 2018, the Team captured the Hong Kong Regional Champion, together with the Best Memorials for both Applicant and Respondent. In April 2018, Washington DC, the Team defeated Argentina, Pakistan, Indonesia and Armenia, ranking 11th out of 121 teams in the preliminary rounds. The Team later lost to United States in the advanced rounds. Natalie So, Brian Lee, and Jason Ko ranked 1st, 17th and 75th respectively as the Top 100 Oralists. Our thanks go to Professor Po Jen Yap, Eva Sit, Tim Parker, Lester Lee, Adrian Lai, Terrence Tai, Kevin Lau, Isaac Chan, Jeff Chan, Winky So, Victor Lui, Sunny Hor, Henness Leung, Angel Cheng and Jonathan Lee for their kind assistance; and the team coaches Astina Au and Peter Barnes, the team coaches, for their unfailing support.

The 16th Red Cross International Humanitarian Law Moot

March 7-10, 2018 (Hong Kong)

Team Members: Yau Tsun Fung Jeff (PCLL); Chu Fong Ting Fontanne (PCLL); Kan Chi Cheung Alasdair (PCLL)

Ranking/Awards: Second Honourable Submission for the Defendant’s Memorial Second Honourable Mention (Jeff Yau, PCLL)

Coaches: Mr Ernest Ng

The 16th Oxford International Intellectual Property Law Moot 2018

March 15-17, 2018 (Oxford)

Team Members: Cheung Siu Hin Kelvin (PCLL); Mak Hoi Kay Esther (PCLL); Yeung Chi Chung Cedric (LLB 4)

Ranking/Awards: Powell Gilbert Runner-up Prize for Best Written Submissions

Coaches: Ms Alice Lee; Mr Jason Yu

The 7th Hong Kong Human Rights Moot

24 March 2018 (Hong Kong)

Team Members: Noah Chung King Hei (LLB 4); Chiselle Kam Wing Chi (LLB 4)

Ranking/Awards: Winning Team and the Best Written Submissions

The 8th Asia-Pacific M&A Moot Competition

The 8th Asia-Pacific M&A Moot Competition has been successfully held on 9 March 2018. A total of sixteen top law schools from mainland China, Taiwan, Hong Kong and Macau participated in this real-life based corporate merger negotiation, jointly hosted by the Faculty and the China Mergers & Acquisitions Association. Our heartfelt thanks go to our coach, Professor Douglas Arner and congratulations to the HKU Moot Team (Kelly Cheng Hui Kiu (LLB 4), Aaron Chan Chi Lung (PCLL), Kate Chan Kwan Hang (PCLL), Adrian Mak Ho Ting (BBS(GLB) & LLB4), Rose Wong Wing (BBA(Law)& LLB3) and Jojo Zhou Xinyi (PCLL)) was which made the Best M&A team and 2nd runner-up.
Clinical Legal Education Programme

TRAINING via PRO BONO SERVICES

The Clinical Legal Education (CLE) Programme was launched in January 2010, as the first and only live-client CLE Programme in Hong Kong. CLE is an educational ideology and pedagogy often implemented in world-class law schools, offering hands-on experience involving interaction with real clients. Over the years, the Programme has grown and made significant impact on different areas.
The CLE Programme runs a Free Legal Advice Scheme (“FLAS”) on HKU Campus under the Duty Lawyer Service. It offers free preliminary legal advice to members of the public having actual legal problems involving the laws of Hong Kong. In exceptional and deserving cases, it may offer further assistance to clients in obtaining legal aid or pro bono legal representation (primarily in legal aid appeals in civil cases and criminal appeals), achieving positive results to rectify miscarriage of justice and gaining widespread community recognition.

As from 2015, the CLE Programme was expanded to cover Miscellaneous Prisoners’ Cases (“MSPC”), where inmates write to seek assistance in obtaining legal aid for their appeals (when their earlier legal aid applications were refused because the Director of Legal Aid took the view that there were insufficient merits).

The CLE Programme is mainly assisted by senior law students who enroll in the one-semester CLE elective course. The course is offered in all three semesters throughout the academic year. During the course, students handle real cases under the supervision of Teachers (who are also qualified lawyers) and Volunteer Duty Lawyers. Through handling a full range of civil and criminal cases, students develop various lawyering skills, from client care to legal research and drafting.

With the expansion of the CLE Programme, former CLE students now also take on advanced roles as CLE volunteers or Student Research Assistants (SRAs), mentoring current CLE students and passing on the pro bono spirits.
Teachers & Student Research Assistants (SRAs)
- Consider basic information from clients via the Free Legal Advice Scheme
- Identify cases with educational value
- Assign cases of different nature to different pairs of students and different Duty Lawyers
- Supervise CLE Students and provide research directions
- Follow up with clients if necessary

Clients
- Provide relevant information of the case
- Attend the Interview Session
- Complete the customer survey
  - As of December 2017, out of 1,074 clients surveyed since 2010, 95% gave a very positive score of 4 or 5 out of a 5-point scale for their satisfaction level with the advice given

CLE Students
- Enroll in the course and attend a 3-hour Training Session every week
- Work in pairs to handle normally 5-6 cases
- Take instructions from the client during the Interview Session
- Prepare Case Summary and Research Memo
- Discuss with the Duty Lawyer
- Attend the Advice Session during which the Duty Lawyer gives preliminary legal advice
- Prepare Summary of Advice

Volunteer Duty Lawyers
- Review Case Summary and Research Memo submitted by CLE Students
- Hold Discussion Session with CLE Students before the Advice Session
- Provide preliminary legal advice at the Advice Session
- Approve Summary of Advice

FLAS cases
394
1,280

MSPC cases
95
211

(as of December 2017)
Tannie Chan
LLB 2016, PCLL 2017
Student Research Assistant

It was the first time that I realized our legal work can actually make an impact to the lives of others. I vividly remember how the teachers guided me through drafting a letter for leniency to a father who tragically killed his autistic son. This letter might only have taken us a few hours, yet, I believe, has been a placebo to not only the father, but also his wife who sought advice from the CLE Programme, and their younger son.

After graduating from the PCLL, I spent my gap year being a full-time Research Assistant of the CLE Centre. It was my pleasure to work with Counsel, or even Senior Counsel, in drafting letters of advice in support of clients' legal aid applications.

"See those who are not seen by the system" – the CLE Programme reminds me to give as much as I received from the society.

Jacqueline Law
LLB 2011, PCLL 2013
Barrister-at-Law, Des Voeux Chambers

The CLE Programme was the early gateway for us to apply our problem-solving mindset in real case scenarios under the close supervision of teachers and practising lawyers.

It would be an understatement to say that the Programme gave us all a special sense of achievement which could not be felt from receiving high marks in our law exams. Besides the acquisition of skills and experience like assisting the client in his magistracy appeal and drafting formal letters to Court, the most gratifying element of the Programme is the realization of the power of empathy and compassion in our future work as lawyers. The whole CLE experience also inspired me to develop a matrimonial practice in addition to my main area of interest in civil commercial litigation.

Clarice Li
BA (Literary Studies) & LLB 4

Taking the CLE course has been a double-challenge to me as a Mainland student because I needed to "speak Cantonese as a native" and to "think and work as a lawyer". To my surprise, it turned out to be the most wonderful learning experience throughout my studies and offered me a head start in the legal practice. With the teachers' and peers' encouragement and help, I took my first step and bit by bit, I became more confident in my Cantonese and realized how my native Putonghua enabled me to offer extra help to Putonghua speaking clients.

Jason Cheng
BBA(Law) 2012, LLB 2014, PCLL 2015
Associate, Slaughter and May

It would not be an overstatement to say that the standard of work required from a CLE student by the Programme is comparable to, if not more demanding than, the standard required from trainee solicitors and pupil barristers of the best firms and chambers in town.

My experience in the CLE Programme inspired me to engage in pro bono work. As a member of my firm's pro bono committee, I am leading a collaboration between the CLE Centre and my firm. I look forward to participating in the Programme again, albeit this time as a Duty Lawyer rather than a student.
Yu Hin Law  
*BBA(Law) 2014, LLB 2016, PCLL 2017*  
*Trainee Solicitor, Freshfields Bruckhaus Deringer*

In the Programme, I was given plenty of opportunities to sharpen my research, communication and client care skills, all of which are extremely useful for my legal career. Over a period of two years, I have taken up more than 10 cases. Whilst some involved counselling capricious clients whereas the others entailed complex legal analysis, what always stayed the same was that I never felt tired performing my tasks as each and every of them had been such a rewarding experience.

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Janelle Chang  
*LLB (HKU-KCL) 4*

Few universities in the UK run legal clinics, much less offer a semester-long pro bono opportunity for students to handle real cases, with the support of experienced practitioners along the way. It has therefore been my privilege to have taken the CLE Programme after studying 2 years in UK for my dual degree.

Dealing with a diverse range of clients really pushed me to challenge myself and to keep an open mind, because law is – and should be – about responding to the world around me. Sometimes in the rush for internships and training contracts, the “human” side to the law gets left by the wayside, but the teachers on the course are fine examples of what it means to practise law in service of the community.

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Sandy Li  
*BScSc (Govt & Laws) 2010, LLB 2012*

The Programme has indeed taught us way more than just lawyering skills, but professionalism. Being professional is not about projecting that one is superior to the rest of the room – it is about being careful, knowledgeable, thoughtful, and considerate.

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Terri Kong  
*BScSc (Govt & Laws) & LLB 2017*  
*Graduate Trainee, Hong Kong Jockey Club Charities Department*

The CLE Programme gave me an authentic platform to explore the impacts of the law on the multiple aspects of one’s life.

Despite it being a law course, the Programme helped me identify my passion in pursuing a career in the philanthropy field. It reminded me to help the others with our knowledge and skills.

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Kelvin Wong  
*JD 2016, PCLL 2018*

The CLE Programme provides excellent opportunities for the students to meet with a variety of real clients and real cases. The students can learn how to handle cases and apply the legal principles to real life. At the same time, we can help the lay clients. It has been very rewarding to see that they are very thankful to our help.
The CLE Programme provides a real-world dimension to a student's legal studies. Students are given the opportunity to handle live cases, to address the clients' legal questions and to work through solutions to their emotional needs.

Such experiences help students to see the law in context and obtain a deeper understanding of its application. The Programme also enables the students to become empathetic listeners, learn to ask the appropriate questions, improve their research skills and drafting techniques, as well as to observe how lawyers provide their advice to the clients.

These practical experiences and legal skills are competencies that law firms are looking for in their future trainees. Moreover, the ability of students to demonstrate their enthusiasm in the legal career by reference to the real-life situations they have encountered in the CLE Programme will certainly help them to make an impression at an interview.

Participating as a Duty Lawyer in the Programme helps to connect me to the community and such experiences reinforced my belief that my legal education can do good for other people. It provides me with a great sense of satisfaction to be able to assist a CLE client, who in turn shows heart-warming gratitude for the work we have done. I have also enjoyed working with the students, who often bring in a different perspective and ideas to the question in hand. The students have impressed me and the clients with their diligence, dedication and professional attitude.

Helen Wang
Senior Associate, Clifford Chance
I found the CLE Programme very meaningful and my intention was to encourage young members of my chambers to participate in it. I knew I cannot begin to persuade them unless I make a start myself.

Given the limitations in my own areas of practice, my involvement was limited to contractual and property disputes. I was surprised by the volume and complexity of the cases handled by the CLE Programme. I was equally surprised by how well prepared and dedicated the students were over the years.

I believe pro bono work is particularly important to junior members of the profession. Apart from the obvious reason, i.e. that one is doing some good in the world with your legal skills, there are important benefits beyond that.

For a junior barrister, the opportunity to cut your legal teeth on a wide array of disputes is one that you cannot miss. The pro bono work that you do will definitely benefit your client but it will also do a lot of good for your own professional development in your days as a “YB” when there is limited exposure to some areas of work. The value of pro bono work in perfecting one’s craft is often unappreciated. These are opportunities that you cannot afford to lose.

Victor Dawes SC
Temple Chambers
Clients’ Comments and Media Coverage

Thank you so much for your fruitful help to assist me presenting my unfair dismissal case with the previous employer.

It means a lot to me while I was very lost and had no direction on this issue ...... I am very impressed by the two students who have been seeing me, they are very professional.

縱然最後結果一樣，但這頭次法律諮詢，我們了解到我們所擁有的選擇，以及各選擇的後果……因為你們的幫助，使我們一家於判決過後，能心無芥蒂，重新上路。

伸張正義
仗義執言
雪中送炭
為民解憂
公屋戶非固定收入
官指毋須申報
住戶上訴得直

法律教育也需要
「臨床」訓練

港大張達明助平反 官認張正義

無論最終成功與否，
我也衷心感激你們的
幫忙和支持，
給本人帶來信心和
一線希望。
一言難盡。萬般感謝！

在我最彷徨無助的
時候，很多謝港大
伸出援手……
千言萬語都不及
你們辛勞的付出。

雖然還沒有結果，
但這個好消息，
已帶給我家的喜悅。

千言萬語都不能
表達本人內心的
感激之意。

JOIN US  Tel: 3917 4322  Email: lawcle@hku.hk  URL: http://www.law.hku.hk/cle/
The 198th Congregation was held on 6 December 2017 at Grand Hall, The University of Hong Kong. This year, we are very honoured to have 2 judges from the Court of Appeal of The High Court, The Hon Madam Justice Chu and The Hon Madam Justice Kwan to be our Guests-of-Honour, addressing our undergraduate and postgraduate students respectively.

The Congregation saw the graduation of nearly 600 students reading LLB, JD, LLM, MPhil, SJD and PhD; and they are warmly welcome as the newest members of our alumni family.
Speech of The Hon Madam Justice Chu

Mr President and Vice-Chancellor, Dean Hor, members of the Faculty, members of the LLB graduating class of 2017, distinguished guests, ladies and gentlemen,

It is a privilege and honour to be invited to share the joys of the Faculty in graduating another batch of aspiring law graduates and to address the congregation on this happy occasion.

I wish to begin by congratulating all of you who are receiving your bachelor of laws degree today. This ceremony is an important milestone in your journey in life. The conferment of your degree marks your academic achievement and gives testimony to your hard work and dedication over the years.

I wish also to extend my warmest congratulations to your families, whose love, encouragement and generous sacrifices have enabled you to achieve the success you are celebrating today. They have every reason to rejoice and to be proud of you.

Graduation is of course an occasion to celebrate and rejoice. But it is also a moment for reflection and decision.

Typically, a student applying to study law will say something about this question in his university application - Why study law? I believe you would have written something about this in your personal statement, or canvassed this in the admission interview. The Complete University Guide\(^1\) lists eight reasons for studying law, including that a law degree will give you the skills to practise in law and the skills are highly transferrable to other sectors, that law graduates are well respected by employers, and that law
graduates can look forward to good employment prospect. The Trinity College of Cambridge University states on its website that studying law can sharpen your mind, strengthen your understanding and deepen your experience across the full range of humanities and social sciences. Sir Gerard Brennan, the former Chief Justice of Australia (1995-1998) and a former Non-permanent Judge of our Court of Final Appeal (2000-2012), suggests that the basic motivation for coming to law is the desire to see justice done and to see it done according to law.3

No doubt, you came to the study of law for a variety of motives. As you graduate, you will have developed diverse aspirations and ambitions. The majority of you will be entering the world of the law. Some will become barristers; some will become solicitors. Some of you may go into commerce, public service or politics. Some of you may become academics and may perhaps return one day to this Faculty to be a member. Your aspirations and ambitions may or may not accord with your initial reasons for choosing to study law. It does not matter. As Mr. Justice Oliver Wendell Holmes, a distinguished judge of the US Supreme Court (1902-1931) in his oration entitled “The Use of Law Schools” delivered in 1886 on the occasion of the 250th anniversary of Harvard University, observes, “Education, other than self-education, lies mainly in the shaping of men’s interests and aims”, and the aim of a law school should be to make men wise in their calling.4

What is important is that through the undergraduate study, you have not only acquired a wealth of knowledge of the law, but have also gained a deeper insight into the role of law in our community, and the values of honesty, equality, care and respect for the rights and dignity of others, and civil responsibility, all of which underlie the laws that you have studied. Hopefully, too, you will take with you a precious understanding of the fundamental principles that guide the society that we live in, including the rule of law, the presumption of innocence, due process and the right to a fair trial.

You are as important a group of law graduates as at any time in Hong Kong. As graduates of the region’s leading law school, you should be able to make a contribution to our society in many areas of local and global significance. The ability to think creatively, to reason intelligently, and to make judgments that are both critical and constructive are the most valuable assets that you can take from this law school. These attributes will serve you well, whether in legal practice, commerce and business, public office, academic pursuit or as a global citizen.

There are two specific areas that I would implore you to endeavour to make a contribution and to make a difference.

The first is in the promotion of greater access to justice. Your studies in law would have taught you that a measure of civilization and worth of a society can be found in the extent to which it provides justice to all, whether rich or poor, powerful or vulnerable, and in the extent to which it protects the rights of those who, by reason of disability or disadvantage, are unable to protect themselves. Equality before the law has traditionally been taken to be one of the core tenets of the Rule of Law which our community cherishes.

In more recent times, the late Lord Chief Justice Bingham had observed that equality before the law must go hand in hand with equal access to the law, the former was said to be dependent on the latter.5 The “post-war consensus” in western countries is that legal redress should not be exclusive to any section of society and ought not to be a commodity beyond the means of all but the wealthy. Hong Kong shared the same belief when legal aid was created. Over the years, legal aid has narrowed the gap between the rich and the poor in terms of access to legal advice and support. But owing to competing social needs, the pressure on reducing funding for public legal services is mounting, whether here or in other jurisdictions. It has come to the stage that publicly funded legal assistance is mostly only available to the very poor and in criminal cases.

Despite Hong Kong being one of the world’s leading financial centres and the world’s 8th largest trading economy6, there are many in this community who find legal services unaffordable but are at the same time not eligible for legal aid, despite having merits in their cases. About 40% of the civil cases in the Court of First Instance and District Court involve one or more unrepresented litigants.

Experience shows that proper and timely legal advice and assistance has an important bearing on the actions and decisions to be taken by people. They are also critically important to the outcome of many court actions. Well presented and argued cases and competent legal representation are also vital to the well-being and sound development of the jurisprudence and our common law legal system.

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3. “Lesions from a life in the law” delivered at the Hol Wooten Lecture at the University of New South Wales on 23 August 2012.
As students of this Faculty, you may have already been exposed to pro bono work and free legal advice through the Clinical Legal Education programme. The legal representation offered by the programme has helped a number of litigants to achieve justice. I will exhort each of you to play a part in addressing the issue of access to justice by honouring one of the long traditions of the legal profession in offering pro bono services and free legal assistance whenever you can.

The second area I call upon you to make a contribution is in the promotion of the understanding of the function of the court. Although I have earlier on alluded to the increasing instances of self-represented litigants, the function of the Court remains to be little understood in the community. The lack of understanding is reflected by the fact that at times the Court is subjected to criticisms which tend to undermine public confidence in the administration of justice.

The dominant characteristics of our judges is their independence. Their duty is to apply the law to the facts impartially and competently. Their aspiration is to do justice according to the law. Judges will give the same answer to the same question for the same reason, no matter who are the parties and what interests are engaged in the case. The test of the independence of the judiciary lies in the transparency and consistency of the process by which the court arrives at every judgment, even in socially or politically controversial cases. That the function of the Court is properly understood by the people it serves is of paramount importance to public confidence in the administration of justice and in the Rule of Law in Hong Kong.

It is in this that you should share the responsibility. As a law graduate, you have reached a goal that has not been reached by the great majority of our society. Whether you practise as a lawyer or find your destiny in some other fields, you have mastered knowledge and understanding of the role and function of the court. You hold the knowledge in trust for our society. You should use it to scrutinize appropriately the work of the Court, to explain, and to afford to those who are not so informed an understanding of the true function of the Court.

To each and every member of the 2017 LLB graduating class, I congratulate you on your achievements and wish you every success in your future endeavours. You have much to hope for and much to give. As the law anthem shall remind us in a moment, we are custodians of justice. May the aspiration to see justice done according to law that was nurtured here in this law school, kindle in your heart an inextinguishable fire.
Mr President, Dean of the Faculty, staff members, graduands, ladies and gentlemen, good afternoon.

It is a great pleasure and honour for me to be invited to address this congregation. But I stand before you not without a little trepidation, being one without a higher degree and finding myself in this august company. To all graduands of higher degrees, your hard work and perseverance have paid off. You have done yourself proud. Your academic achievement will place you in very good stead in your career in law, or in any other endeavour you may wish to pursue.

I do hope not a few of you will go into law, putting what you have learned in years of legal studies into practice, whether as lawyers, academics, or judges. Speaking as one who has been practising law for close to four decades, I can assure you it is a deeply satisfying profession. The legal field is vast, with a considerable variety of opportunities. There will be a niche for your talents, that would allow you to develop your potential and would suit your temperament. You will find intellectual challenge, enlivened by the human factor in the clients, students or litigants that you come across.

I am asked to offer some words of advice that may assist you in embarking on your careers or studies. I hope these few suggestions and observations may be of some help.

So beware, put yourself in the position of a reasonable person, ask yourself how a reasonable person would have understood the words.
Let me begin with words. Yes, words are of great importance to any one practising law in one form or other. They are our tools of trade. And yet it is words that give lawyers a bad name. Lawyers are regularly derided for their quiddits and quilllets, or, if you like, in modern language, legalese and lawyerspeak, for being legalistic, splitting hairs and picking holes in arguments. That is not how things should be.

When we draft or construe a document intended to have legal use or effect, whether this be a contract, a pleading, a piece of legislation, or a judgment, we are not engaged in a game with words. A contract is to be construed objectively, what a reasonable person placed in the relevant background would have understood the words to mean. A statute is to be interpreted with regard to the intentions of the legislature, and a fundamental tenet in interpreting statutory words is to avoid an outcome that is unreasonable, unintelligible or unworkable. Pleadings form the bedrock of civil litigation and lay down the battle lines. There is every reason for material facts to be set out in a clear, coherent and logical manner. And in this day and age, when judgments are readily accessible to the public, judges have generally taken care to make their judgments comprehensible to a wider readership.

It was famously said by Lord Diplock that in interpreting a commercial contract, “if detailed semantic and syntactical analysis of words in a commercial contract is going to lead to a conclusion that flouts business common sense, it must yield to business common sense.” I daresay this should also apply to the interpretation of the other kinds of documents I have just mentioned.

So beware, put yourself in the position of a reasonable person, ask yourself how a reasonable person would have understood the words. It may not always be possible to express what is required to be expressed in a manner that is jargon-free, but we should strive to keep technical expressions to a minimum. And if by this “reasonable-person check” it struck you what you wish to convey did not get across as clearly and effectively as you would have desired, because of too many twists and turns in your phraseology, or too many premises to bolster your proposition, heed the warning bells. Convoluted language may be symptomatic of ideas not properly thought through. This is not to say you should “dumb down” your writings or arguments to make them simpler and easier for those with no legal training to understand. The intellectual content would not be diminished by making your ideas more readily intelligible. There would be something amiss if that were the case. The best ideas have a broad appeal and logical consistency about them. And what makes for broad appeal and logical consistency is that these ideas are capable of being articulated simply and elegantly.

Let me then come to cases. The study of cases has been the bane of every law student. Cases are a mine of riches. They contain the wisdom distilled through the ages, and help to foster and enrich the development of the common law. The use of cases as precedents helps the law to grow incrementally and in a sure-footed kind of way. Nowadays, with cases of many jurisdictions readily available on the internet, cases in other jurisdictions are frequently referred to even though they are not binding authorities. But over-concentration on cases has its dangers. One may be lost in a maze of case law and cannot see the wood for the trees. It is important to bear these in mind.

Foremost and obvious is that principles formulated in a case are on the basis of the particular problem before the court. Or as judges have repeatedly emphasised, each case is decided on its own facts. One then looks for distinguishing features, some may be obvious ones, others may be subtler. Here is where judgment and legal acumen come in. How do you separate the grain from the duff? Which distinguishing feature is material and
which is not? And why? Some cases have withstood the test of time; others have not aged so well. And do not forget to read judgments in context, not just the context of the particular problem resolved by the court, the context of the law at the time, but, where appropriate, the political and social context of the day. For times have moved on, to give an example, a case decided before constitutional and human rights were made part of our codified law might well be informed by an approach that is not in keeping with the core values of today, notwithstanding the apparent persuasiveness of the legal reasoning.

A legal training should help one to see the different sides of an argument, to better understand the reasoning that may be invoked to support a particular proposition, to be more discerning in the strength or weakness of a line of reasoning. You may not always be in the right, or wholly right. We all have our blind spots, our innate biases. So guard against bigotry. Avoid digging yourself into an entrenched position in the early stages of an argument. Sometimes it is easy to have preconceptions of the merits or lack of merits of an argument just because of the person who presented it. But that goes against the sense of fairness which we, as persons of legal training, should all have or aspire to.

I wish all graduands they may be able in argument, courageous in conviction, honest in dealing with opponents, and empathetic towards those you serve. Ladies and gentlemen, thank you for your time.

Eschew complacency. A little learning is a dangerous thing. In the bigger scheme of things, a higher degree is but a step, albeit a momentous step, towards the advancement of greater knowledge. It is not the be all and end all in the pursuit of knowledge. I would like to leave you with these uplifting lines from “A Little Learning” by Alexander Pope:

> While from the bounded level of our mind
> Short views we take, nor see the lengths behind,
> But, more advanced, behold with strange surprise
> New distant scenes of endless science rise!
> ...
> And the first clouds and mountains seem the last;
> But those attained, we tremble to survey
> The growing labours of the lengthened way;
> The increasing prospect tires our wandering eyes,
> Hill peep o’er hills, and Alps on Alps arise!
Happy Reunion!
Class 91 LLB and Class 92 PCLL at China Club on 19 January 2018

Activities by The University of Hong Kong Law Alumni Association

LAW MENTORSHIP PROGRAMME 2017-2018
This is the third year since the Law Mentorship Programme was revamped. This year, thanks to the support and participation by 40 mentors who selflessly share their life experiences and insights, 74 first year students could join mentees. The relationship is expected to formally last until the as mentees graduate or reach their final year of studies. Following the first gathering on 7 November 2017, a formal dinner and a hike to Lung Fu Shan were arranged on 13 March 2018 and 7 April 2018 respectively.
ALUMNI GATHERING

About 30 alumni shared a wonderful evening at the Hong Kong University Alumni Association Clubhouse on 25 August 2017. Professor Michael Wilkinson, one of the most renowned and respected teachers, shared his stories and jokes as our special guest.

LAW ALUMNI CHOIR RETURNS FOR ITS ANNUAL CONCERT!

The University of Hong Kong Law Alumni Choir gave another fantastic concert, “And the Award Goes To…….”, on 5 November 2017 at the University’s Grand Hall, Lee Shau Kee Lecture Centre.

This is quite possibly the only choir in Hong Kong where all its members, the conductor, and the orchestra are all legally educated. Although not all of them are full-time professional musicians, if one was to go by their usual rates, the concert was most definitely a multi-million dollar production. This year, the concert featured Academy Award-winning and nominated songs, including “Love is a Many Splendored Thing”, “Chitty Chitty Bang Bang”, “Skyfall”, “Born Free”, “A Love Before Time” from Crouching Tiger, Hidden Dragon; “My Heart Will Go On” from Titanic, and “Audition” and “City of Stars” from La La Land.

And the Choir sang for the first time, the Chinese version of Law Anthem, by Ms Winnie Tam SC, composer of the Law Anthem. Here are the lyrics:
HKU Law at 50: Time for Celebration!

The Eleventh Inauguration of Endowed Professorships on 21 March 2018 sees the establishment of “Warren Chan Professorship in Human Rights and Responsibilities”, as well as the successive appointment of “Kerry Holdings Professor in Law”. We congratulate Professor Fu Hualing and Professor Douglas Arner for their respective appointments; and are very grateful to our donors for their support to Hong Kong’s legal education and Rule of Law.

The Faculty’s Endowed Professorships encompass major areas of expertise in the law (Notes). Warren Chan Professorship in Human Rights and Responsibilities underscores the importance of human rights and responsibilities. Professor Fu Hualing, the inaugural appointee, is an internationally renowned scholar in constitutional law, legal institutions, and human rights with a focus on China, and cross-border legal relations in the Greater China region. His work has been important in building the University’s reputation for research and scholarship in relation to China’s law reforms, legal institutions, and civil society.

Mr Warren C H Chan SC believes that the human rights of everyone should be equally protected and the University is in a good position to continue to play a constructive role in promoting the development of human rights. As an alumnus and close friend of the Faculty, he also wishes that others will join him in supporting the Faculty, especially at this time when Hong Kong’s first law school celebrates its 50th Anniversary.

The Faculty is thankful to Mr Chan and is excited that it is the first gift to the Faculty in conjunction with its Golden Jubilee. “One of the Law Faculty’s greatest assets is its outstandingly loyal alumni. Mr Warren C H Chan SC’s munificence caps a long and continuing history of support in many shapes and forms. The Faculty undertakes to ensure that every cent will be spent for the betterment of human rights and responsibilities in Hong Kong, and everywhere else in the world,”, said Professor Michael Hor, Dean of Law, who also looks forward to celebrating this happy occasion with donors, alumni, members of the legal profession and the Hong Kong community.

Established in 1969, The Faculty of Law of The University of Hong Kong is the first law school in Hong Kong and one of the most prestigious law schools internationally. The year of 2019 marks the 50th Anniversary of the Faculty. The year-long celebration with the theme “Law, Justice and Humanity: 50 Years and Beyond” will begin with the largest conference ever organized by the Faculty - the Annual Conference of The International Society of Public Law (ICON-S 2018) in late June 2018. Please visit 50.law.hku.hk, a website which will be officially launched in late June 2018, for the latest information of the activities. ❆

Notes:

Named professorships in the Faculty of Law are (in chronological order):
• Sir Y K Pao Chair in Public Law
• Cheng Chan Lan Yue Professorship in Constitutional Law
• Harold Hsiao-Wo Lee Professorship in Trust and Equity
• Kerry Holdings Professorship in Law
• Paul K C Chung Professorship in Jurisprudence
• Warren Chan Professorship in Human Rights and Responsibilities

Mr Warren CH Chan SC (left) and Professor Fu Hualing