



# School of Law Newsletter



School of Law, City University of Hong Kong

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## Message from the Dean

The last six months have been a golden period of achievements and excitement at the CityU Law School. On several fronts, we have scored one major breakthrough after another.

On the student front, our proudest boast is that our Lachs mooting team was the runner-up in the Asia-Pacific Regional Rounds, with our student Fiona Chan winning the coveted Best Oralist award. This is the second time this year that our mooting team has triumphed. Earlier, at the Frankfurt Investment Arbitration Moot Competition, our team was the runner-up and was honoured as the Best Team from a Non-OECD Country by Oxford University Press. We also won honourable mentions in two other competitions. Our results have been consistently outstanding against a strong field of international teams.



Professor Wang Guiguo

International recognition for our students has also come in other forms. Three of our students have been offered admission to pursue higher studies at Oxford and Cambridge. One of these students has also been awarded the prestigious British Chevening Scholarship.

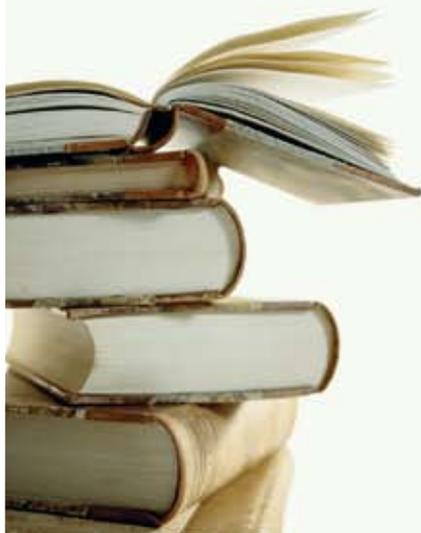
Thrillingly, our School became the first institution to collaborate with the National Judges College of the Supreme People's Court of China and Columbia Law School in offering a one-year LLM programme for mainland judges and a four-week advanced programme for senior judges. These historic breakthroughs reflect our growing role in the legal development of the mainland and the international standing of the School.

Globalisation is here. At CityU, we welcome it with open arms. We hosted two successful international conferences: one in the field of Mediation, and the other the Commonwealth Legal Education Conference on "Teaching Law in the Modern Global Business Environment". Both events attracted a stellar cast of world-renowned legal scholars.

We were honoured to have invited Professor Michael Reisman, Co-Chairman of our School's International Advisory Board and Myres S McDougal Professor of International Law at Yale Law School, to deliver the Goff Lecture in December 2008. Other speakers at our popular public lectures included Mr Daniel Fung, former Solicitor General of Hong Kong; Mr Anees Ahmed, Senior Assistant Prosecutor of the Extraordinary Chambers in the Courts of Cambodia; Mr Cheng Huan, Adjunct Professor of our Law School; and Professor Iain Goldrein, a leading member of the English Bar.

Amid the flurry of activities, our focus is always on providing quality education to our students who, this year, are given English language enhancement workshops and career development talks. These six months have shown that when application matches ambition, CityU Law School is ready to scale the mountain top.

Professor Wang Guiguo  
Dean & Chair Professor of Chinese and Comparative Law





# LLM Programme for Chinese Judges



(From left) Professor Richard Ho, Professor Way Kuo, Dr Priscilla Leung, Ms Elsie Leung, Mr Wang Zhimin, Chief Justice Andrew Li, Justice Wan Exiang, Professor Brian Gibson, Dr Simon Ip, Mr Philip Dykes and Professor Wang Guiguo

The School of Law of City University of Hong Kong (CityU) held the inauguration of the Master of Laws (LLM) programme for 30 judges from the mainland China on 22 January 2009.

The judges commenced their CityU postgraduate legal education programme under the tripartite arrangement between the School of Law of CityU, the National Judges College of the Supreme People's Court of China and the Columbia Law School. It marks a milestone for legal education in Hong Kong and a widening exposure of China's judiciary to common law.

Thirty Chinese judges attended the inauguration of the LLM programme on CityU campus. They are mostly senior judges of the High or Intermediate People's Courts selected from 17 provinces across China. Officiating at the inauguration were Professor Way Kuo, President of CityU; Professor Wang Guiguo, Dean of CityU School of Law; Justice Wan Exiang, Vice-President of the Supreme People's Court of China and Professor Brian Gibson, Dean of International and Comparative Programmes, Columbia Law School. Other premier guests at the inauguration included the Hon Chief Justice Andrew Li Kwok-nang, Chief Justice of the Court

of Final Appeal; Mr Wang Zhimin, Deputy Director of Liaison Office of the Central People's Government in the Hong Kong SAR; Ms Elsie Leung Oisie, Vice Director of the Hong Kong Basic Law Committee; and Dr Simon Ip Sik-on, Vice Chairman of Fu Tak Iam Foundation.

Professor Way Kuo said the programme was unprecedented in the annals of Hong Kong education. It would not only



Chinese judges commence their LLM study at CityU

enhance China's legal competence, but also highlight the special links of Hong Kong and CityU in particular with the mainland. "We at CityU consider this a rare opportunity to contribute towards

the strengthening of the administration of justice on the mainland and it is a clear recognition of our abilities. I believe the programme will be hailed as one of the most imaginative programmes ever launched for the advancement of law and justice worldwide," said Professor Kuo.

Speaking at the inauguration, Professor Wang Guiguo said, "CityU is honoured to provide and drive advance legal studies for China's judges through our reputable LLM programme. It paves the way for future collaborations between the CityU School of Law and the judicial authorities in China. I trust the programme will endow the Chinese judges with a deeper understanding of international legal practices and make a huge contribution to the legal system in China."

Joined by Dr Simon Ip and Mr Gu Minkang, Associate Dean of the School of Law, Professor Wang interviewed applicants in Beijing in November 2008 and selected the 30 judges for admission to the one-year LLM programme.

Mr Wan Exiang remarked, "I consider this tripartite arrangement a watershed moment in the further education of judges in China. This partnership will

have major significance for the legal fraternity in China, Hong Kong and the US. As China's international stature grows, our legal system must grow with it, complete with higher competence



of our judges. Upon their completion of studies at CityU, I am confident they will make important contributions to the betterment of the legal system in China.”

Under this tripartite arrangement, Columbia Law School will help to arrange for the judges to study in the United States for one month. Columbia Law School will offer customised courses and organise a study tour to Washington DC, which includes visits to the US Congress,

the Supreme Court and the Department of Justice.

“Columbia Law School is grateful to be a participating institution in this unprecedented collaboration. The one-month study trip will expose the Chinese judges to special lectures delivered by senior US judges, and to tailor-made courses conducted by our senior professors. I believe this tour is an integral part of the programme in

helping the Chinese judges understand the viewpoints and practices of international legal systems.” Professor Gibson said.

The Fu Tak Iam Foundation has donated HK\$4.4 million as full sponsorship to cover the tuition fees, study tour travels and living expenses at CityU for the 30 Chinese judges to support their LLM studies.

*By Jenny Kwan*



*Visit to the Court of Final Appeal*



*Visit to the Kowloon City Law Courts*

### **The judges who attended the LLM programme expressed how they have benefited from this experience**

Ma Xuetao noted:

“With the first semester of our study coming to an end, the door of common law has been opened for us. Walking through this door, we have totally immersed in studying and experiencing the knowledge and practice of common law. Globalisation calls for more intensive legal cross-fertilizations and judges with international perspectives and knowledge of different legal systems. Only through such exposure, we can better answer the calls of globalisation and better serve the legal development of our country.”

Another student Yan Wei said:

“As one of the thirty mainland judges attending the LLM programme at the CityU School of Law, I have benefited much. I was encouraged by the wonderful lectures given by professors and inspired by the hard work of fellow students (who had to submit twenty-four assignments in one semester!). I had my horizon broadened by exchanging ideas with Hong Kong judges. I went all out to adapt to my new status as a judge-student. I appreciate this LLM programme as a rare chance both for self-improvement and for further understanding of the Hong Kong Judiciary.”



# Advanced Programme for Chinese Senior Judges



Officiating Guests at the Inauguration Ceremony

The CityU School of Law held its inauguration ceremony for the Advanced Programme for Chinese Senior Judges on 25 May 2009. The second cooperative venture between CityU and the National Judges College of the Supreme People's Court of China, the programme provides a systematic, bespoke legal programme for Chinese senior judges.



Professor Way Kuo

The 28 judges taking part are from various parts of China, including Beijing, Guangdong, Nanjing, Xinjiang and Qinghai. Most are senior

judges from Higher People's Courts and

Intermediate People's Courts.

Guests attending the inauguration ceremony included Mr Zhang Wei, Vice President of the National Judges College; the Honourable Andrew Li Kwok-nang, Chief Justice of the Court of Final Appeal; Mr Thomas So, Partner of JSM; and the Honourable Leung Chun-ying, CityU Council Chairman.

After an intensive but fruitful four-week advanced legal programme, the elite members of the mainland judiciary acquainted themselves with the common law system and key international legal concepts through a series of lectures, visits to Hong Kong's legal enforcement and judicial organizations.

Representatives of the Chinese senior judges also conducted a legal seminar for Hong Kong law professionals, promoting legal cooperation between Hong Kong and the mainland.



The Honourable Leung Chun-ying

The closing ceremony held on 19 June 2009 was attended by Justice Wang Xiuhong, Member of the Judicial

Committee of the Supreme People's Court of China; Mr Zhan Yongxin, Deputy Commissioner, Office of the Commissioner of the Ministry of Foreign Affairs

of the People's Republic of China in the HKSAR; the Honourable Dr Justice Patrick Chan Siu-oi, Permanent Judge of



Mr Zhang Wei

Building on the success of the LLM programme for Chinese judges launched earlier this year, the Advanced Programme for Chinese senior judges focused on enhancing the judges' knowledge of the common law system and important international legal concepts. The programme had the generous support of donor JSM.



Mr Thomas So



Officiating Guests and Chinese Senior Judges at the Closing Ceremony

the Court of Final Appeal; Ms Elaine Y M Lo, Asia Chair and Senior Partner of JSM; Dr Norman Leung Nai-pang, CityU Pro-Chancellor; Professor Way Kuo, CityU President, and Professor Wang Guiguo, Dean of the School of Law, CityU.

advancement programme for Chinese senior judges, and aims to promote mainland-Hong Kong judicial development and legal exchange.

Headquarters and other institutions. They have also observed trials and exchanged views with Hong Kong judges and officials of various legal enforcement departments.

“As a donor, we are delighted to see that all participating senior judges have shown great eagerness in comprehending the essence of the common law system. They have temporarily set aside their huge workload on the mainland and focused on their studies here. We are privileged to have the opportunity to support this advanced programme and also gained a good understanding of the development of Chinese law and the Chinese judicial system through our interaction with them,” said Ms Elaine Lo.



Professor Wang Guiguo

Representatives of the Chinese senior judges themselves hosted a seminar, “Adjudication of Hong Kong-related Commercial Disputes in the Mainland: Practice, Problems and Perspective,” on 17 June 2009. The seminar was jointly organised by CityU

School of Law and Hong Kong Academy of Law. It provided law professionals with a comprehensive look at the concepts and principles regarding the adjudication of Hong Kong-related commercial disputes on the mainland. Citing the example of Guangdong Province, the judges summarised the related civil cases, covered the impact of the global



Justice Wang Xiuhong

“This is not simply an academic exchange. Most importantly, it allows judges in Hong Kong and the mainland to better understand and respect each other’s politics and economy and culture,” said Justice Wang Xiuhong.

Professor Way Kuo said CityU derived much pride from the role it played in bringing about this interaction between two different but increasingly interconnected legal systems.



Dr Norman Leung

“I congratulate both CityU and all participating elite judges for making this significant legal programme a tremendous success. I am proud of CityU making a far-reaching contribution to the Chinese legal system,” said Dr Norman Leung.

Generously supported by JSM, this programme provides a pioneering, systematic and tailor-made legal

of education to suite the training needs of senior judges. They have taken away with them an in-depth understanding of common law and the global economy,” Professor Wang Guiguo added.

During the tailored four-week programme designed by CityU, the judges have conducted visits to the Legislative Council, Court of Final Appeal, Department of Justice, ICAC, Police



Ms Elaine Lo

economic crisis on the adjudication of related disputes and discussed the legal development of Hong Kong and mainland China. The seminar provided a platform in Hong Kong for the Chinese judges and local law professionals to exchange views on handling cross-border cases.

Source: CityU News Centre



# Law Students Excel in International Mooting Competitions

Twenty-one Bachelor of Laws (LLB), Juris Doctor (JD) and Postgraduate Certificate in Laws (PCLL) students of the CityU School of Law participated in six international/regional mooting competitions during the 2008–09 academic year. To recognise the achievements and self-development of these students, the School held a reception on 28 April 2009.

“The members of the University community who won at international competitions demonstrate the success of the University in nurturing and developing the internationally recognised talent of students. Participation in the mooting competition fosters cross-cultural exchange of ideas and cements relationships throughout the worldwide university community,” said Mr Leung Chun-ying, Council Chairman of CityU.

“I hope these students will help train their fellow students, so the whole School will benefit,” said Professor Richard Ho



(1st row, from left) Mr Rajesh Sharma, Mr Gu Minkang, Professor Richard Ho, Professor Wang Guiguo and Mr Romesh Weeramantry

Yan-ki, Provost of CityU.

Professor Wang Guiguo, Dean of the School of Law, said, “Since the academic year 2008–09, the School has placed more emphasis on mooting, as it is an essential skill for the students to master. We believe this enhances students’ research capabilities and advocacy and critical

thinking skills. Our students’ success demonstrates that CityU Law School has attained the international benchmark of world-class law schools and that our students are able to compete globally.”

The students achieved several honours and awards in the following four mooting competitions:

## (a) Frankfurt Investment Arbitration Moot: Runner-up and Oxford University Press Award for the Best Team from a Non-OECD Country

Three students from the School of Law garnered grand prizes, including the overall runner-up and the Oxford University Press Award for the Best Team from a Non-OECD Country, at the Frankfurt Investment Arbitration Moot Court Competition held in Germany in March 2009. The only team representing Hong Kong in the competition, CityU’s team was competing in a field of 27 teams from renowned universities around the world.

The winning team members were PCLL students Vicky Chung



(From left) Winki Lam, Candy Tang and Vicky Chung



The Hon Leung Chun-ying (middle) met three award-winning students to congratulate them on their achievements

Wing-kay and Candy Tang So-man; and Winki Lam Wing-kei, a JD student. Their outstanding performance in the international competition is not only testimony to their professional knowledge

and mooting skills but also their international competitiveness.

The Frankfurt Investment Arbitration Moot Court Competition was organised by the Wilhelm Merton Centre of Frankfurt University. The case study used as the debate topic in this year’s competition involved a British merchant who sued the US government

at the end of its civil war in 1865 for a ship forfeited by the country during the war. Under the title of “Private (or Pirate) Investment—Gone with the Wind?”, the case posed a challenge to the students who not only had to understand the historical background of the case but also had to study literature relating to the war. Twenty seven teams



from distinguished institutions, such as Georgetown University (US), La Trobe University (Australia) and Johannes Gutenberg Universitat Mainz (Germany), participated in the moot competitions.

“It was a precious experience for me to apply my legal knowledge and debating skills learned at the School in a competition against students from so many top universities,” Vicky said,

reflecting the competition taught her how to keep calm and cope with unexpected problems.

Candy said winning the awards showed the ability of Hong Kong law students was in no way inferior to their international counterparts. The key to winning the runner-up prize was excellent teamwork and diligent study of related information. Her self-confidence

and courage in public speaking were bolstered by the competition.

Both Vicky and Candy were grateful to their teachers and the School for their supervision and teaching. “Without the continuous guidance and advice of our teachers and the trust and support of the School, we would not have been able to attain today’s achievement,” said Candy.

### (b) Manfred Lachs Space Law Moot (Asia-Pacific Regional Round): Runner-up and the Best Oralist

Three law students — JD student Fiona Chan Ngok-man, and LLB students Fiona Leung Nga-woon and Ryan Law Tak-him — defeated 22 teams and were named the runner-up in the Asia-Pacific regional round of the Manfred Lachs Space Law Moot Court Competition held in Australia in April 2009. It was the second time that the School became the sole Chinese team to earn honours in such a prestigious international moot competition, following success in the Frankfurt Investment Arbitration Moot. Fiona Chan won the Best Oralist in the Asia-Pacific regional round.

It is remarkable that Fiona Chan’s Best Oralist award came in her first



(From left) Professor Richard Ho, Fiona Chan, Fiona Leung, Ryan Law and Professor Wang Guiguo

mooting competition. She said that her art of advocacy was refined during the competition. Her teammate Ryan Law was also participating in his first competition. Ryan said, “Our team did not have any case references or experience in the use of anti-satellite and integrated space based defence systems in Hong Kong. We needed

to put in extra time and effort over a fortnight to study international law and current affairs regarding the national defence in foreign countries.”

The winning team was coached by Dr Vernon Nase, Visiting Fellow at the School. “Where Australian students have approximately three months of free time over their summer break, Hong Kong students have only a couple of weeks of spare research time around Christmas,”

said Dr Nase, who has extensive moot training experience at foreign universities. He also added, “Our three students were dedicated, hard-working and extremely professional in their preparation for the moot. It has been a great privilege to work with them and to know that they achieved international excellence.”

### (c) Willem C Vis (East) International Commercial Arbitration Moot: Honourable Mention for the Best Claimant Memorandum and the Best Oral Advocate



(Back row, from left) Au Lut-chi, Robert Sit, Lam Ho-yan and Tobias Cheng; (front row, from left) Cheng Hiu-man, Dr Vernon Nase and Edward Tang

Six law students carved a reputation and gained invaluable experience in the 6th Annual Willem C Vis (East) International Commercial Arbitration Moot Competition by winning Honourable Mention for the Best Claimant Memorandum. Mr Edward Tang also received Honourable Mention for the Best Oral Advocate.

The competition, held in March 2009, involved 64 teams representing renowned law schools from 17 countries and regions. The School hosted the prestigious competition this year as it welcomed more than 500 students, coaches and arbitrators from around the world.

The CityU team included Au Lut-chi, Cheng Hiu-man, Lam Ho-yan, Robert Sit Tsing-yui and Edward Tang Ho-

ming, LLB students, and Tobias Cheng Yun-chung, JD student. Their efforts in preparing for the competition were not only a testament to their strong team ethic, but also to their remarkable presentation skills.

“Our team competed against other teams from around the world and this helped to boost my understanding of the civil and common law systems and various debating techniques,” said Au Lut-chi, who was taking part in his first competition. He also thanked his team members for polishing his knowledge of complicated international law concepts.

Edward Tang said he gained confidence in his application of legal knowledge and sharpened his team-building skills.



### (d) Foreign Direct Investment International Moot: Ranked 6th out of 20 Teams and Honourable Mention Oralist

The CityU moot team consisting of Vicky Chung, Winki Lam, Jason Szeto and Candy Tang, participated in the first Foreign Direct Investment International Moot Competition held in Boston on 1 and 2 November 2008.

The team mooted against the University of Belgrade from Serbia twice, the Escuela Superior de Economía y Negocios (ESEN) from El Salvador and the University of Wisconsin Law School from the United States.

“We had learnt a lot from this experience both in mooting and advocacy skills as well as in the field of international investment law. Our preparation has equipped us with extensive knowledge in the area that we studied and led us to research about some of the most controversial topics in international



◀ (2nd row from left) Mr Christopher Kee, Mr Jason Szeto and Mr Romesh Weeramantry (1st row from left) Ms Candy Tang, Ms Vicky Chung and Ms Winki Lam

▼ Photo with University of Belgrade

investment law. Our coaches have also equipped us with not only the law required, but also the wit and tactic to handle and answer any possible questions from the panel of arbitrators,” said the moot team.



Thanks to the great efforts of the coaches and the help of all others concerned, the team has performed well in the competition. The team ranked 6th in the competition and Candy Tang, a PCLL student, ranked 7th as an individual oralist and received an honourable mention.

The team has greatly benefited from this experience and will take with them what they have learnt from this competition.

Source: CityU News Centre

## Law School Hosts International Conference on Mediation

The CityU School of Law of hosted an “International Conference on Mediation” on 15 and 16 April 2009. Ms Elsie Leung, GBM, JP, Vice Director of the Hong Kong Basic Law Committee, along with other renowned scholars from mainland China, Australia, Korea, Macau, Thailand, and Taiwan, shared their views on the importance of and application of mediation in Hong Kong and other jurisdictions.

The timing of this conference coincided perfectly with the introduction of the mediation component of the Civil Justice Reform in Hong Kong. Speakers highlighted the success of mediation in their countries and gave prime examples of how the mediation process will benefit the Hong Kong judicial system, as well as Hong Kong society generally.

Professor Tang Houzhi from China International Economic and Trade



Ms Elsie Leung (middle in the front row) with the speakers

Arbitration Commission (CIETAC) pointed out that, in Asia and particularly in China, mediation has played a large role in resolving disputes for many

centuries. With globalisation, there is further need to promote this process in Hong Kong.



*Over 20 representatives of the legal authorities and organisations, practitioners and scholars attended the conference*

This conference provided an opportunity for Hong Kong stakeholders to learn from the experiences of other jurisdictions. Hong Kong speakers, Mr Benedict Lai from the Department of Justice; Mr Russell Coleman, Chairman of the Hong Kong Bar Association; Professor Nadja Alexander, Professor (appointed) from CityU; and Ms Heather Douglas, Mr Rajesh Sharma and Mr Michael Beckett from CityU School of Law, all provided valuable perspectives into the use of mediation in Hong Kong and abroad.

Mr Benedict Lai agreed that the timing of the conference was quite relevant for Hong Kong with the introduction of Civil Justice Reform. In relation to global trends, Mr Lai commented that, "The global trend is moving towards facilitating and promoting a wider use of mediation to resolve civil disputes. We are going along the trend. I am sure the participants will find this conference useful in promoting mediation".

The Dean of CityU Law School, Professor Wang Guiguo added, "CityU, as one of the major legal education institutions in Hong Kong, has a responsibility to strengthen our professional training in mediation for law practitioners and students. This conference has marked the first step in a thousand-mile-long journey". Comments received from participants involved in the conference certainly support the fact that this 'first step' was a valuable and

inspiring initiative in the promotion of mediation in Hong Kong.

Other speakers included Professor Wang Liming, Vice-President and Dean of School of Law, Renmin University of China; Professor Yu Jianlong, Vice-Chairman and Secretary General, CIETAC; Professor Noh-young Park, Director of International Economic Law Institute of Korea and Professor of Law, Korea University; Professor Mi Jian, Dean of Law School, Macau University of Science and Technology; Professor

Sompong Sucharitkul, Dean of Faculty of Law, Rangsit University, Thailand; Professor John Mo, Dean of School of International Law, China University of Political Science and Law; Professor Gabriel Moens, Dean and Professor of Law, Murdoch University, Australia; and Professor Li Xianbo, Dean of School of Law, Hunan Normal University.

The conference concluded with a wonderful seafood meal on Lamma Island.

*By Michael Beckett*



*(From left) Professor Wang Guiguo, Professor Wang Liming, Professor Richard Ho, Mr Benedict Lai, Mr Russell Coleman and Professor Yu Jianlong*



# CityU Hosts Commonwealth Legal Education Conference



*Guest Speakers and Participants*

The CityU School of Law and the Commonwealth Legal Education Association (CLEA) held the global business law education conference, “Teaching Law in the Modern Global Business Environment”, at CityU from 31 March to 2 April 2009. More than 50 law scholars and teachers from all parts of the Commonwealth attended the conference to exchange their perspectives on law teaching and research.

Inauguration guests at the conference were Professor David Mcquoid-Mason, President of CLEA; The Hon Mr Justice Geoffrey Ma Tao-li, Chief Judge of the High Court; Professor Richard Ho Yan-ki, Provost of CityU; Professor Wang Guiguo, Dean of the School of Law; and Professor Anton Cooray, Associate Dean and the Conference Chairman.

Professor Wang Guiguo said, “I am very pleased that so many outstanding experts from around the world are converging on the CityU Law School to share their experience of law and legal education in their own countries. This conference is not just about law teaching. More importantly, it is also about the development and refinement of legal education to meet the challenges of globalisation.”

Justice Geoffrey Ma was the Chief

Guest and delivered an inaugural address entitled “In Pursuit of the Unattainable,” while Justice Kemal Bokhary, Senior Permanent Judge of the Court of Final Appeal, delivered the first of the academic addresses, “The Ombudsman’s Role:

as problems regarding plagiarism and assessment. It also addressed contemporary legal issues, such as good governance, anti-corruption measures, corporate responsibility and Islamic finance.

Dr Ros Macdonald, Director of Graduate Law Programmes of Queensland University of Technology, Australia, who has been associated with the Commonwealth Legal Education for many years, said the conference was by far the best CLEA conference she had ever attended. Mr Aldo Zammit-Borda, Legal Editor of the Commonwealth Secretariat, commended the CityU Law School for bringing together such a diverse community of

legal scholars and hoped for continued institutional cooperation.

Professor Gavin Drewry, Royal Holloway University of London, said, “As a non-lawyer political scientist with an interest in legal institutions, I was particularly struck by the inter-disciplinary breadth of the discussions. The conference strongly underlined the important truth that good law teaching in universities must always be set in broader social and political contexts.”

*By Jenny Kwan*



*(From left) Professor Anton Cooray, Professor Wang Guiguo, Professor David Mcquoid-Mason, Justice Geoffrey Ma and Professor Richard Ho*

Judicial Perspectives.” Professor Richard Ho, who declared the conference open, spoke of the importance of continuing dialogue among academics to learn from their experiences.

The conference saw senior law academics from several countries, including the United Kingdom, Singapore, Australia, South Africa and India, discussing new methods of teaching law as well



## Goff Lecture by Yale Law School Scholar

The CityU School of Law invited Professor Michael Reisman, a distinguished international law expert from Yale Law School, to give the Fifteenth Annual Goff Arbitration Lecture on 16 December 2008. The title of the lecture was “National emergencies and necessities: do they and should they relieve states of their investment obligations?”. Professor Reisman discussed the functions and effects of international investment law in the context of the international financial crisis and foreign investment.

The lecture was jointly sponsored by the School of Law and Freshfields Bruckhaus Deringer, highlighting CityU’s strong ties with outstanding professionals worldwide and its focus on globalised legal education in Hong Kong.

International investment law and public international law are closely related. Professor Reisman discussed the problems of dealing with business disputes through

public international law when “some of the terms of public international law are in conflict with the local law.”

“We should comprehensively consider the necessities of the public international law and other factors when we try to settle the investment disputes,” Professor Reisman added.

Professor Reisman also addressed an important feature of international economic law, which is the responsibility of states with regard to breaches of obligations under international investment protection treaties on the ground of national emergency.

Mr Gu Minkang, Associate Dean of the School of Law, agreed with Professor Reisman’s analysis. “We should consider the differences between the local laws of two contesting countries when we settle business disputes. As an international and cosmopolitan city, Hong Kong has a close business relationship with the mainland and other countries. Local professional



(From left) Mr Gu Minkang and Professor Michael Reisman

law practitioners should consider the merits and drawbacks of using the local or international systems in determining how to best settle and arbitrate disputes that reach across borders.”

Professor Reisman is Co-chairman of the International Advisory Board of the CityU School of Law. He taught the first video-link course on international investment law to the School of Law students during the 2008/09 academic year.

By Zoey Tsang

## Eminent Speakers Lecture Series: Hong Kong’s Contribution to China’s Legal Modernization

On 8 April 2009, the School of Law hosted its most recent talk in the Eminent Speakers Lecture Series entitled “Hong Kong’s Contribution to China’s Legal Modernization” by Mr Daniel R Fung, Senior Counsel of the Hong Kong Bar and member of the School’s International Advisory Board. Mr Fung is the former Solicitor General of Hong Kong and also a former member of the Basic Law Consultative Committee. As a distinguished legal practitioner in Hong Kong with a British legal education background and an enthusiastic politician who has been taking part in Hong Kong’s constitutional transformation, Mr Fung shared his unique experience and insights on Hong Kong’s involvement in China’s recent legal modernization.

According to Mr Fung, having a well-developed common law system with a sound institutional structure and through its interaction with Mainland China, Hong Kong has been in a unique



(From left) Professor Wang Guiguo, Mr Daniel Fung and Professor Richard Ho

position influencing Mainland’s legal modernization since the late 1970s’ and has continued to do so after 1997 under the “One Country Two Systems” framework. Mr Fung illustrated several aspects of Hong Kong’s influence, such as the constitutional conceptualization of the importance of private property, the concept of presumption of innocence in criminal justice, and accountability of corporate governance in business law. Mr Fung also pointed out that Hong Kong’s involvement in China’s legal modernization has always

been a two-way dynamic interaction. The influence of Hong Kong, which remains a common law system under China’s sovereignty, has gone beyond the success of the “One Country Two Systems” framework in that a trend of convergence between the common law system in Hong Kong and the civil law system in mainland China was visible in the current era of globalization.

Professor Richard Ho, Provost of the CityU, and Professor Wang Guiguo, Dean of the School of Law, attended the lecture. The audience included law students from CityU, mainland judges who are currently enrolled in the LLM programme of the CityU Law School, CityU faculty and legal professionals from Hong Kong. All the participants enjoyed the inspiring talk and shared their insights on China’s legal reform during the discussion that followed the lecture.

By Guan Wenwei



## Public Lecture on the Role of Defence Lawyers: Mr Cheng Huan, SC

The CityU School of Law hosted a public lecture on the “Role of Lawyers in Defending the Law” on 10 February 2009. The speaker was Mr Cheng Huan SC, an archetypal defence barrister in Hong Kong and an adjunct professor at the School.

The lecture focussed on lawyers’ defence of the administration of justice and the role of the law. Mr Cheng highlighted three key aspects of the “Basic Principles on the Role of Lawyers” adopted by the 8th United Nations Congress on the Prevention of Crime and the Treatment of Offenders. They are: the equal rights to legal representation; the necessity for the arrested, detained or imprisoned



(From left) Mr Cheng Huan and Professor Wang Guiguo

to consult a lawyer without delay, interception or censorship and in full confidentiality; and the duties of lawyers to advise clients about their legal rights and obligations, as well as to protect and respect their interests. Mr Cheng

explained each aspect with reference to recent local cases. “As lawyers you must always be fearless, always show due courtesy and respect to the court. And conduct yourselves with the codes of conduct of your respective professions,” concluded Mr Cheng.

By Anna Koo



## Lecture Examines the Working and Role of the Khmer Rouge Tribunal: Mr Anees Ahmed

The School of Law invited Mr Anees Ahmed, Senior Assistant Prosecutor for the United Nations Assistance to the Khmer Rouge Tribunal, to give a public lecture on the working of the Tribunal. The lecture entitled “The Khmer Rouge Tribunal: An Experiment in Hybrid Justice” was held on 6 March 2009.



(From left) Dr Surya Deva, Mr Anees Ahmed and Mr Ian Candy

The lecture—which was attended by students, academics, lawyers, NGOs and media alike—focused on the history, process, procedure, mandate and role

of the Khmer Rouge Tribunal. Mr Ahmed also analysed how the Tribunal, the “In City” court, was different from the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda. The lecture explained the multi-facet hybrid nature of the Tribunal, i.e., presence of both Cambodian and international judges as well as prosecutors; application of both Cambodian law and international law. Another remarkable feature of the Tribunal, Mr Ahmed highlighted, is that it allows victims to participate in trials as equal parties. Despite the Tribunal facing several challenges, Mr Ahmed expressed hope that Tribunal would play an important role in redressing past injustice and also contribute to narrating the history of Khmer Rouge’s rule in Cambodia.

Mr Ahmed leads the prosecution teams in the cases of the two senior-most surviving leaders of the Khmer Rouge: Nuon Chea and Ieng Sary. Before joining this



Mr Anees Ahmed

Tribunal, Mr Ahmed was a prosecuting attorney in the ICTY at The Hague. He has lectured around the world on international criminal and humanitarian laws.

During his visit, Mr Ahmed also had discussion with the School of Law’s representative about student internships with the Tribunal and the possibility of law students providing pro bono legal assistance to the Prosecution Department of the Tribunal.

By Surya Deva



## An Eminent English Counsel and Scholar Comes to Town: Professor Iain Goldrein, QC

On 3 March 2009, the School of Law was fortunate to host a talk given by Professor Iain Goldrein QC, a leading member of the English Bar. Professor Goldrein is also an erstwhile General Editor of one of the “Bibles” on Pleadings in the English speaking world, namely, *Bullen & Leake & Jacob on Precedents of Pleadings* (Sir Jack Jacob having been one of Professor Goldrein’s mentors).

Professor Goldrein gave a wide-ranging talk that was attended by well over 100 law students and members of staff. He



entertained the audience with many anecdotes from his past experience, whilst also dealing with subjects such as a career in the field of law, civil justice reform, mediation, and the art of advocacy and mooting. The latter being a topical subject in light of recent mooting successes by students of the School of Law and the School’s PCLL “Bar Course”, which is setting standards for vocational advocacy training in Hong Kong.

Professor Goldrein’s talk lasted approximately ninety minutes and also took the format of a “Q&A” session, with questions taken from members of the audience and put by Senior Teaching Fellow Warren P Ganesh, who organized Professor Goldrein’s talk and was assisted by the ever efficient School’s administrative staff - Pat, Prisca and Rita. The School is particularly grateful to Mr Neerav Srivastava, the School’s alumnus and Publishing Director at Thomson



(From left) Professor Iain Goldrein, Dr George Lam and Mr Warren Ganesh

Reuters/Sweet & Maxwell, for a “tip-off” that Professor Goldrein was coming to Hong Kong and to the law students who attended, particularly the LLB and JD students, some of whom were still asking questions of Professor Goldrein some thirty minutes after the talk had finished.

After a short presentation at the close, a number of students and invited guests including Dr George Lam, alumnus of the School, and Mr Paul Stephenson, retired to the staff restaurant for a pleasant dinner.

It is hoped that Professor Goldrein will return to give a more detailed talk on civil justice reform issues to the School’s PCLL students.

By Warren Ganesh

## New Student-edited Law Journal

The School of Law of CityU is proud to announce the launch of a new law journal: *City University of Hong Kong Law Review (CityU LR/Review)*. The *Review* will be edited by selected law students under the mentorship of experienced faculty members and guidance of a distinguished International Board of Advisors (IBA). Members of the IBA are world-renowned scholars representing leading universities from all six continents.

The *CityU LR* aims to publish papers on cutting-edge issues in any area of law. It is hoped that the *Review* will provide a platform for members of legal fraternity in Hong Kong and overseas to engage in dialogue on contemporary legal issues of local as well as global interest. The



Some Members of the Editorial Board of the CityU Law Review

*Review*, among others, will harness the editing and research skills of law students and encourage them to publish in a scholarly journal read by an international audience.

The first issue of the bi-annual *CityU LR*

will be published in October 2009. The *Review* will feature articles, notes and comments, recent legal developments in Hong Kong and mainland China, and book reviews. Submissions from academics, students, lawyers, judges, and law professionals from all over the world will be accepted on a rolling basis throughout the year.



Editors (from left) Zaineb Amirali Nasir, Dickie Mok Ham-Dick and Prabhjyot Kaur



# Dean Leads a Delegation to the USA to Strengthen Institutional Relations

The Dean of the School of Law, Professor Wang Guiguo, visited the United States during 19–25 April 2009 to further explore and strengthen institutional relationship with some of the law schools of leading US universities such as the the Georgetown University, William and Marry University, Columbia University, Harvard University and Yale University. The Dean was accompanied by Mr Gu Minkang, Associate Dean, and Mr Rajesh Sharma, Visiting Assistant Professor at the School.

other current and former diplomats of America.

At the Columbia University, the Dean oversaw the teaching arrangements made for the



(From left) Mr Rajesh Sharma, Professor Wang Guiguo, Professor Richard Gardner and Mr Gu Minkang

◀ (From left) Professor Wang Guiguo and Professor Stephen Marks



Professor Wang Guiguo (left) attended a conference at Yale Law School

Chinese judges who are currently studying the LLM programme at CityU School of Law. Professor Brian Gibson, Dean of the International and Comparative Programmes, and his colleagues briefed the School's delegation about the details of the programme to

At the Georgetown University, the Dean met with the Policy Director, Law Asia, Ms Susan Roosevelt Weld, and discussed the idea of a joint master's degree programme. In the meeting, it was pointed out that the Master of International Relations and Law, which is a new programme at the Georgetown University, may be a potential programme for a joint degree. During his visit to Washington DC, the Dean was invited to participate in a programme on the US-China Financial Relationship. This special programme was organized by John Day to celebrate the 30th anniversary of the US-China Diplomatic Relationship. In that programme, Professor Wang had some lively discussions with the former treasury secretary, Mr Blumenthal, and

be conducted at the Columbia University as well as the study trip to Washington DC. The delegation also met with the Columbia professors who will be offering courses in this programme and discussed the scope and coverage of such courses. At the Columbia University, the CityU delegation met with the person in charge of the Alternative Dispute Resolution (ADR) Programme to explore the participation of Columbia University in the proposed ADR Moot Competition to be organized by the CityU School of Law in 2010.

At the Harvard University, Professor Wang met with Professor William Alford and Professor Stephen Marks to discuss the idea of delivering lectures by these two professors via video-link facilities,

which will be attended by the CityU law students and the Harvard University law students at the same time. In such way, students from both universities will have an opportunity to interact with each other in a class room setting. Everyone agreed that this will revolutionize the current



state of legal education in Hong Kong. The Dean was invited to give a lecture to undergraduate students on "Autonomy and Self-determination: The Example of Hong Kong". The other lecture was a public lecture which was organized by the China Centre of the Harvard Law School in which Professor Wang talked about "Investment Dispute Resolution: The Chinese Experience".

The Dean's last leg of the US visit was to his alma mater, the Yale Law School. Professor Wang thanked Professor Michael Reisman for his time and effort in giving lectures to CityU law students during the last semester. The Dean also attended a conference as a speaker which was organized to celebrate the 70th birthday of Professor Michael Reisman. The conference provided an opportunity to meet with other law professors who were once classmates of the Dean at Yale Law School. The Dean discussed with them the possibility of staff and student exchanges, joint research and other academic activities with their respective institutions.

Mr Gu Minkang visited William and Marry Law School to further discuss the issue of increasing the number of students in the existing exchange programme between the two law schools.

By Rajesh Sharma



## Visit to Moscow State Law Academy

A CityU School of Law delegation comprising Dr Surya Deva and Mr Jack Burke visited the Moscow State Law Academy in April 2009 to explore academic cooperation between the two institutions. The visit followed an earlier visit to the School by Professor Igor Mackevich and Professor Gennady Esakov.

Dr Deva and Mr Burke met, among others, with Professor Esakov, Mr Valentin Soloriev, Head of International Relations Office, and Professor Serguey Artemenkov, Vice Rector of International Relations and discussed possibilities of student exchanges, faculty visits and research collaboration. They also

gave guest lectures to the law students of the Academy. Mr Burke spoke on “Homicide and Common Law Defences” and Dr Deva addressed students on “Corporate Social Responsibility in Russia”. Many of the students impressed us with their fluency in English and their understanding of the relevant issues.

An interesting feature of the visit was a tour of the Moscow Criminal Court. It was surprising to note the commonalities that exist between the two different systems in relation to criminal procedure, including the use of jury trials. Also impressive was the use of video-link

facilities by the Court at the pre-trial stage.

Overall it was a successful visit and it is hoped that the two institutions would take further steps to strengthen the cooperation.

*By Jack Burke*



*(From left) Mr Jack Burke and Professor Serguey Artemenkov*

## LLB Student Receives Fang Brothers Whole Person Development Scholarship

Mr Steven Liu Wai-hung, an LLB student, has been awarded the Fang Brothers Whole Person Development Scholarship 2008/09 in the amount of HK\$100,000. Mr Liu is very pleased with the award and expressed his feeling as follows:

“You’re like reborn!” Many of my classmates said so. These words of inspiration has, at various occasions, provoked me to pause, rethink and adjust my mindset towards planning my study and life. Undoubtedly, the Fang Brothers Whole Person Development Scholarship is a supreme honour for me, for it is the best recognition of my dramatic change over the last year.

John F Kennedy said: “Things do not happen. Things are made to happen.” This vividly captures the spirit of my course of change last year. A shy, passive and low self-esteem student sitting lonely in fear and trembling when being asked

to answer questions in tutorials, could never think of rising up and getting such a prestigious award. But the award proves that nothing is impossible with the power of education and the dedicated support by all the teachers and staff. My change would not have been possible without the philosophy of CityU School of Law that priority and opportunity is not only just for those who are the best, but also those who seek it the most. This, I believe, is the true genius of the School of Law.

As a Chinese saying goes, “Ninety li is only half of a hundred-li journey”, I will not rest on my laurels. I will look forward. I will go forth and be a man with commitment to our society, for I always believe in what the great Albert Einstein said: “The value of a man should be seen in what he gives and not in what he is able to receive.” Therefore, there is nothing

that I take pride in, but the blessing of studying in the School of Law. May I once again thank all the caring teachers and staff from the bottom of my heart: you are the reason and impetus for my transformation.



*Mr Steven Liu*



## Three Law Students Receive Offers to Study at Oxford and Cambridge

Three students have received offers to pursue further legal studies at Oxford and Cambridge. This again demonstrates the quality and international competitiveness of our students.

Mr Winky So, an LLB student, received an offer for admission to the Oxford University's Bachelor of Civil Law (BCL) programme, which is arguably the most esteemed master's degree level qualification in the common law world. Mr So has also been awarded the British Chevening Scholarship to study the BCL at Oxford.

He said, "I was overjoyed upon the receipt of the BCL offer from Oxford and the Chevening Scholarship, and felt thankful for this great recognition and honour. Yet among the students of CityU, I had not been the first to receive this opportunity to go to Oxford, nor had I been the first Chevening Scholar ever. The fact that CityU could provide students with a platform to success had already been shown by my predecessors, and I am but only furthering this tradition. The legal education here at CityU equipped me with the necessary skills to pursue high studies, as the school had provided various opportunities for us to be taught by leading academics and professionals throughout my undergraduate years here. I wish to thank everyone for their kind support that contributed to make this possible,



(From left) Winky So, Aileen Luo and Tanie Toh

including the teachers at the School and especially Professor D K Srivastava."

Another LLB student, Ms Aileen Luo, received an offer for admission to the LLM programme of the Cambridge University. She was very pleased with the offer.

"I am grateful to be offered a place at Cambridge for studying law. But the winning of honour has never been a personal achievement. As many other offer-holders, I owe a frighteningly large debt to those immediately around me — faculty, teachers, and fellow students — who have encouraged an instructive way of approaching the problems that I pondered over and allowed me to gain a greater depth of understanding than would otherwise be possible. Having said that, I feel obliged not to waste their remarkable patience

and cheer that have been towers of strength to me, and to fulfil the duties allied to their equally remarkable confidence in me, however unostentatious," Aileen said.

Ms Tanie Toh, a PCLL student, also received an offer for admission to the LLM programme of the Cambridge University. She said, "As a graduate from CityU's LLB and PCLL programmes, my offer of admission to Cambridge has open a new chapter in my life. To have been able to go so far, I owe all of my accomplishments to the University, the School of Law and most importantly, to each and every professor and tutor who has taught me in the past, in particular Mr Michael Sandor and Mr Anthony Upham. Those who have taught me have not only equipped me with the black letter law but also taught me many practical aspects of life and have acted as my mentor throughout my five years here."

Ms Toh thanked the School for providing her with quality education. She added, "Applauds must be given to the law programmes run by CityU as graduating students are all equipped with sound legal foundations. Additionally, the School of Law provides a forum for students to be exposed to excellent advocacy skills from many renowned professionals and academics. With this educational platform, my dream to study at Cambridge has been realised—I have moved one step closer to fulfilling my life time career goal as a barrister."

By Becky Mak

## Outstanding Academic Papers by Students (OAPS)

Every year the CityU Library selects outstanding papers written by students. A certificate presentation ceremony was held on 24 April 2009.

This year three papers of the School's students have been accepted by the University Library into their OAPS Collection. The papers are:

1. "Rethinking the Relationship Between the WTO and International Human Rights" by Mr Gao Pengcheng.
2. "Universality of Human Rights and Asian Values: Are Human Rights Universal or Relative?" by Ms Leung So Wa, Joyce.
3. "Scope of the General Meeting's Power in Making Management Decisions" by Ms Woo Shun Yan, Angela.



(From left) Angela Woo, Joyce Leung and Gao Pengcheng



## Evening of Elegance: Inauguration Ceremony of the Law Students' Society

Every year comes a time where ten of our very own students—eager and daring—join together to celebrate that evening we all know as the Inauguration Ceremony. This year's Inauguration Ceremony, held at the Chinese Recreation Club on 20 March 2009, introduced something that has never been seen by the School of Law before—an Inauguration outside the University campus. The never-before-seen feat of choosing an external location took the elegance of the evening to an entirely new level. The feat showed that the Newly Inaugurated Cabinet, namely, Audeamus, will dare to be different and dare to innovate.

The evening was graced by the presence of a number of eminent persons in the legal world of Hong Kong, including Mr Lester Huang JP, President of the Law Society of Hong Kong, Mr Paul Shieh SC, Vice-Chairman of the Hong Kong Bar Association, Mr Alan Leong SC, Member of the Legislative Council, and Professor Wang Guiguo, Dean of the School of Law. Amongst these persons of eminence, other guests that showed their truest support to the students of the Law Students' Society

included various professors, School staff and students, representatives from chambers, firms and all law schools of Hong Kong.

Without a doubt, the highlights of the evening were the beautiful words of wisdom delivered by our four most eminent speakers. Rare is a time where students are able to so closely receive words of advice



*The Cabinet of Audeamus*

and support from persons of such great stature.

After the speeches and buffet dinner—a favourite amongst everyone from Presidents to professors to students—the more formal festivities of the evening commenced. The Newly Inaugurated



*(Front row, from left) Professor D K Srivastava, The Hon Alan Leong, Mr Suraj Sajani, Professor Wang Guiguo, Mr Lester Huang and Mr Gu Minkang*

Cabinet, namely, Audeamus, took their Oath of Office and were ceremonially passed the baton to strive for the betterment of students. All ten members truly showed their daring spirit and they lived up to the meaning of their Cabinet's name—Audeamus—Let us Dare.

The Cabinet would like to thank the Law Society of Hong Kong, the Hong Kong Bar Association, the Legislative Council, Chief District Judge Li, JSM and the School of Law for their support, without whom the evening would have been impossible.

*By Suraj Sajani  
(LLB student)*

## Singapore Study Trip

Unknown to many, students of the School of Law are members of the Asian Law Students' Association (ALSA). Through this organization, a study trip was organized for CityU School of Law students to the Law School of Singapore Management University (SMU) in January 2009. Twelve law students ventured out to Singapore to engage in talks and discussions about ALSA's 2009 theme (i.e., Discrimination), understand the legal

system of Singapore, and experience the life and culture that students at SMU have.

On the academic side, the students were given the opportunity to visit a range of places, e.g., the Law Society of Singapore Pro-Bono Office and Legal Aid Bureau. Both of these



*CityU and SMU students at the Singapore Merlion*



Eating chicken rice at a streetside Singaporean restaurant

organizations play a key role in providing legal aid to litigants in need. At each venue, the students were greeted with utmost hospitality and were given talks by prominent people.

To broaden awareness of other legal systems, the students visited the

Subordinate Court Building and Supreme Court Building. These visits opened our eyes to the different ways each legal system works. The needs of the city are reflected in the structure of its court buildings. Singapore, for example, has a night court, to accommodate to the abundance of citizens that would be at great difficulty if required to attend court in the day. The students also visited the city firm of Rajah & Tann, where the senior partners provided a once-in-a-lifetime Q & A opportunity, which proved truly to be of great benefit to the students. At the

SMU, the CityU students found the most interesting aspect to be the seminar pedagogy that SMU adopts as opposed to the lecture-tutorial method.

But the trip was not just all work, the students at SMU made sure that we thoroughly enjoyed our trip and gained cultural exposure as well. We visited local food stalls, watched a Harbour Front Open Air Concert, and even spent a morning at Sentosa Island -Singapore's version of Ocean Park. On the whole, every student had an experience which one cannot express in words easily. We learnt and broadened our legal education, made everlasting friendships, and had a taste of some of the most outstanding Singaporean Carrot Cake.

By Suraj Sajjani  
(LLB student)

## Reflections on Career Development Workshops

As a third year LLB student, this year is the critical year to apply for internships and training contracts. So the Career Development and Planning Services (CDPS) workshops came at the right time for me. Through these workshops, I have gained knowledge of how to write not-thrown-away-at-once CVs, modern-but-not-standardized interview skills. I had also got a valuable opportunity to listen to young corporate lawyers and barristers sharing their key to success.

As a greenhorn in writing CVs, I had the misconception of 'the more the better' — the more I write about myself, the more outstanding my CV will look like. Fortunately, this misconception has been rectified before my CVs got dumped at first sight by the law firms, and now I can make use of the limited space on one A4 paper to demonstrate all of the most appealing qualities of mine, and leave the law firms a better first impression. These tips have at least helped me to secure some interviews.

Mr Philip Yeung and Ms Sushma Sharma have both given us constructive

guidelines and advices on interview skills. Usually, we learn about the so-called 'perfect' answers for interviews from books and the internet. However, after interviewers have listened to these answers for millions and trillions of times; only some unique and stylish answers could keep them awake during the interviews. At the workshop, we were asked to answer several typical interview questions on-the-spot, and answers were evaluated immediately such that we knew how well we did, and how we should improve. We are always more at ease to talk about ourselves and the workshop enabled students to come up with some natural answers, which in turn would give us greater confidence in answering the questions.

In the last workshop, a number of young corporate lawyers and barristers were invited to share their insights. The corporate lawyers were from some

famous city firms, and the barristers have been quite successful in their field. They shared with students their past experience, the hurdles they have crossed, their daily routine, their life in their current positions. They even stayed behind after the talks to have some more in-depth personal chats with us and answered our enquiries.

So, if there are more CDPS workshops in the future, do not hesitate to join!

By Sally Law  
(LLB student)



Career Development Workshop



## School of Law Retreat

The School of Law held a successful retreat on 8-9 January 2009 at the Hong Kong Disneyland Hotel. A total of 50 teaching and administrative staff of the School plus eight International Advisory Board (IAB) members participated in the retreat. The second IAB meeting was organised as part of the two-day retreat. Staff members of the School also attended this meeting and participated in the discussions.

During the IAB meeting, the Dean reported on the activities of the School



*IAB members*

and briefed IAB members on the future direction of the School. IAB members examined the global trends of legal education and made suggestions on the strategies that the School should take. They also discussed measures to educate students to become lawyers who would also be competent to practise in Chinese.



*Retreat at the Hong Kong Disneyland Hotel*

Professor Paul Lam, Vice-President for Student Affairs, was invited to give a keynote speech on Student Learning and Academic Planning. Many issues were discussed in the two-day retreat, e.g., OBTL—theory and practice, caring for students, the role of research at the School and the future direction of the School.

The retreat achieved the objective of gathering all teaching and administrative staff of the School to brainstorm the future development and direction of the

School, to renew the focus on teaching for quality learning and caring for students, and to discuss ways to improve its teaching and learning through research. Many useful new ideas and suggestions have been generated, which will be considered by the School for follow up actions. In addition, the retreat enhanced the team spirit and communication among teaching and administrative staff of the School.

*By John Ho*

## Retirement of a Long Serving Staff

Mr Tony Upham, Associate Professor at the School of Law, retired at the end of June 2009 after teaching at the School for over nineteen years. Mr Upham, who joined the School in 1990, was one of the longest serving staff at the School and has witnessed various stages of development of the School and the University. He was the LLB Programme Leader for some years and had served on many committees of the School as well

as the University throughout his employment period.

The School is very thankful to Mr Upham for his invaluable contributions and organized a luncheon on 10 June 2009 to bid farewell to him. All staff members expressed their best wishes to Tony for a wonderful retirement.



*(From left) Professor Wang Guiguo and Mr Tony Upham*



## Selected Faculty Publications

### **Björn AHL**

“A Normative or Semantic Constitution? The Discourse on the Constitutionality of the Property Rights Law of the People’s Republic of China”, *Law and Politics in Africa/Asia/Latin America*, Vol. 4, 2008, pp 477–509.

“EU-China Legal Development Co-operation”, *Asia Law Review*, Vol. 5, No. 2, December 2008, pp 1–14.

“Confidentiality and Integrity of IT-Systems — A New Fundamental Right under the German Constitution” (in Chinese), *Faxue* 2009, No. 3, pp 131–141.

### **Anton COORAY**

“Oriental and Occidental Laws in Harmony: The Case of Trusts in Sri Lanka”, *Journal of Comparative Law*, Vol. 3:1, February 2009, pp 133–150.

### **Surya DEVA**

“The Sangam of Foreign Investment, Multinational Corporations and Human Rights: An Indian Perspective for a Developing Asia” in David Kinley (ed.), *Human Rights and Corporations—The International Library of Essays on Rights*, Surrey: Ashgate, 2009, pp 369–391.

“Public Interest Litigation in India: A Critical Review”, *Civil Justice Quarterly*, Vol. 28, Issue 1, 2009, pp 19–40.

### **GU Minkang**

“When Antidumping Becomes Anti “Chinese”: New Features of Western Antidumping Actions”, *The Journal of World Investment and Trade*, Vol. 10, No. 2, April 2009, pp 255–268.

### **HE Xin**

“Routinization of Divorce Law Practice in China: Institutional Constraints’ Influence on Judicial Behavior”, *International Journal of Law, Policy & the Family*, Vol. 23, No. 1, 2009, pp 1–27.

“Dispute Resolution in China: Patterns, Causes, and Prognosis” (co-authored with Randall Peerenboom), *East Asia Law Review*, Vol. 4, Spring 2009, pp 1–61.

“Enforcing Commercial Judgments in the Pearl River Delta of China”, *American Journal of Comparative Law*, Vol. 52, No. 2, Spring 2009, pp 419–456.

### **Anna KOO**

“Truth through Court Interpreters”, *International Journal of Evidence and Proof*, Vol. 13, 2009, pp 212–224.

### **Rajesh SHARMA**

“Confidentiality and Integrity in International Commercial Arbitration Practice” (co-authored with Vijay K Bhatia and Christopher N Candlin), *Arbitration: The International Journal of Arbitration, Mediation and Dispute Management*, Vol. 75, No. 1, February 2009, pp 2–13.

### **ZHU Guobin**

“French Constitutional Law”, in Han Dayuan (ed.), *Foreign Constitutional Law (in Chinese)*, Beijing: Renmin University of China Press, 3rd ed., 2009, pp 49–93.

## Upcoming Events

23–24 November 2009

International Conference on “The New Haven School of Jurisprudence: An Appraisal of its Contribution to Contemporary World Affairs”

10 December 2009

Goff Lecture by Professor David Caron, C William Maxeiner, Distinguished Professor of International Law, University of California at Berkeley

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