

# PLE5052: TRIAL ADVOCACY

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## Effective Term

Semester B 2025/26

## Part I Course Overview

### Course Title

Trial Advocacy

### Subject Code

PLE - Professional Legal Education

### Course Number

5052

### Academic Unit

School of Law (FL)

### College/School

School of Law (FL)

### Course Duration

Non-standard Duration

### Other Course Duration

Semester B (2 weeks)

### Credit Units

2

### Level

P5, P6 - Postgraduate Degree

### Medium of Instruction

English

### Medium of Assessment

English

### Prerequisites

Nil

### Precursors

Nil

### Equivalent Courses

Nil

### Exclusive Courses

Nil

## Part II Course Details

### Abstract

This course aims to prepare students for the practice of trial advocacy in both criminal and civil matters.

### Course Intended Learning Outcomes (CILOs)

	CILOs	Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Conduct simulations of a criminal trial		x	x	x
2	Conduct simulations of a civil trial		x	x	x
3	Explain techniques to conduct a case analysis, develop a case theory and draft a chronology for a criminal and civil trial		x	x	x
4	Apply the techniques to conduct a case analysis, develop a case theory and draft a chronology for a criminal and a civil trial		x	x	x
5	Explain the techniques to conduct an opening address		x	x	
6	Apply the techniques to conduct an opening address in a civil trial in accordance with court etiquette, procedure and protocol		x	x	x
7	Explain the techniques to question witnesses in a criminal and a civil trial with an understanding of the ethical issues		x	x	
8	Explain the techniques to question witnesses in a criminal and a civil trial with an understanding of the evidentiary rules and issues		x	x	
9	Apply the techniques of examining a witness to conduct an examination-in-chief of a witness in a criminal trial in accordance with court etiquette, procedure and protocol		x	x	x
10	Apply the techniques of cross-examining a witness to conduct a cross-examination of a witness in a criminal and a civil trial in accordance with court etiquette, procedure and protocol		x	x	x
11	Apply the techniques of re-examining a witness to conduct a re-examination of a witness in a civil trial in accordance with court etiquette, procedure and protocol		x	x	x
12	Explain the techniques to conduct a closing address in accordance with court etiquette, procedure and protocol		x	x	
13	Apply the techniques to conduct a closing address in a criminal and a civil trial in accordance with court etiquette, procedure and protocol		x	x	x

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

**A2: Ability**

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

**A3: Accomplishments**

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

**Learning and Teaching Activities (LTAs)**

LTAs	Brief Description	CILO No.	Hours/week (if applicable)
1	Students will engage in interactive classes during large groups sessions.	1, 2	
2	Students will observe, discuss and gain an overview of principles concerning preparation of a matter in a criminal and civil trial in large group sessions	1, 2	
3	Students will gain an overview of how to conduct a case analysis, develop a case theory and draft a chronology for a criminal and a civil trial in large group sessions and will undertake to do these tasks in small group sessions.	3, 4	
4	Students will observe, discuss and gain an overview of principles of an opening address in a civil trial in a large group session. Students will individually conduct an opening address in a civil trial in a small group session and will receive feedback.	5, 6	

5		Students will observe, discuss and gain an overview of principles of an examination-in-chief in a criminal trial and civil trial in large group sessions. Students will individually conduct an examination-in-chief in a criminal trial in a small group session and will receive feedback.	7, 8, 9	
6		Students will observe, discuss and gain an overview of principles of cross-examination in a criminal and civil trial in large group sessions. Students will individually conduct cross-examinations for a criminal and civil trial in small group sessions and will receive feedback.	7, 8, 10	
7		Students will discuss and gain an overview of principles of re-examination in a criminal and civil trial in large group sessions.	7, 8, 11	
8		Students will observe, discuss and gain an overview of principles of closing address in a criminal and civil trial. Students will individually conduct a closing address for a criminal and civil trial in small group sessions and will receive feedback.	12, 13	
9		National Institute For Trial Advocacy (NITA) Method is being used by tutors to provide feedback on the oral advocacy of students in small group sessions.	1, 2	

10		<p>High Court Mock Civil Trial</p> <ul style="list-style-type: none"> <li>- As part of their formative assessment, students will conduct one or more of the following simulated tasks in the High Court Mock Civil Trial in Hong Kong (in either a morning or afternoon session) on a designated day:             <ul style="list-style-type: none"> <li>* an opening address</li> <li>* a cross-examination</li> <li>* closing submissions</li> </ul> </li> <li>- As far as possible, all students (which may involve sharing questions) should conduct all, or part of, a re-examination of a witness</li> <li>- Students will also discuss attendant feedback from their presiding judge after they have conducted their case</li> <li>- Students (in the session in which they did not conduct a case) will also act either:             <ul style="list-style-type: none"> <li>* as witnesses; or</li> <li>* court clerks.</li> </ul> </li> </ul>	2	
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**Assessment Tasks / Activities (ATs)**

	ATs	CILO No.	Weighting (%)	Remarks ("- " for nil entry)	Allow Use of GenAI?
1	Assessment 1 (Criminal Trial)	1	50	The use of Generative AI tools is not allowed.	No
2	Assessment 2 (Civil Trial)	2	50	The use of Generative AI tools is not allowed.	No

**Continuous Assessment (%)**

100

**Minimum Continuous Assessment Passing Requirement (%)**

50

**Minimum Examination Passing Requirement (%)**

0

### **Additional Information for ATs**

Remark: Students undertaking the Bar Course must undertake this High Court Mock Trial in order to pass this Trial Advocacy Course. Students who are unable to conduct their advocacy related tasks on the designated day of their High Court Mock Trial (with extenuating circumstances) will need to complete an equivalent task. Students who do not participate as directed (with extenuating circumstances) as observers or court clerks (as directed) will need to attend a civil trial physically in person in the Court of First Instance in Hong Kong for 3 hours and complete a court report in a manner designated by the Course Leader.

### **Assessment Rubrics (AR)**

#### **Assessment Task**

Examination-in-chief or cross-examination of a witness or a closing submission in the criminal component of this Course (50%).

#### **Criterion**

Students need to achieve a total of 50% across both assessments in this Course

#### **Excellent**

(A+, A, A-) Students should be able to reach a standard ranging from very competent to outstanding (at the higher end of the range) across the following skills:

- grasp of the issues and the subject matter
- organization
- capacity to analyse and synthesize
- use of court room advocacy skills

#### **Good**

(B+, B, B-) Students should be able to reach a good standard across the following skills:

- grasp of the issues and the subject matter
- organization
- capacity to analyse and synthesize
- use of court room advocacy skills

#### **Fair**

(C+, C, C-\*) Students should be able to reach a competent standard across the following skills:

- grasp of the issues and the subject matter
- organization
- capacity to analyse and synthesize
- use of court room advocacy skills

#### **Marginal**

(D\*)

#### **Failure**

(F) Students have failed to reach a competent standard across the following skills:

- grasp of the issues and the subject matter
- organization
- capacity to analyse and synthesize
- use of court room advocacy skills

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#### **Assessment Task**

Cross-examination of a witness or an opening submission or a closing submission in the civil component of this Course (50%).

## Criterion

Students need to achieve a total of 50% across both assessments in this Course

### Excellent

(A+, A, A-) Students should be able to reach a standard ranging from very competent to outstanding (at the higher end of the range) across the following skills:

- grasp of the issues and the subject matter
- organization
- capacity to analyse and synthesize
- use of court room advocacy skills

### Good

(B+, B, B-) Students should be able to reach a good standard across the following skills:

- grasp of the issues and the subject matter
- organization
- capacity to analyse and synthesize
- use of court room advocacy skills

### Fair

(C+, C, C-\*) Students should be able to reach a competent standard across the following skills:

- grasp of the issues and the subject matter
- organization
- capacity to analyse and synthesize
- use of court room advocacy skills

### Marginal

(D\*)

### Failure

(F) Students have failed to reach a competent standard across the following skills:

- grasp of the issues and the subject matter
- organization
- capacity to analyse and synthesize
- use of court room advocacy skills

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## Additional Information for AR

\*Note: The University's grades C- and D are not used in the PCLL.

## Part III Other Information

### Keyword Syllabus

- Court etiquette and procedure
- Trial advocacy techniques
- Evidentiary issues
- Professional conduct issues
- Examination- in-chief in a criminal matter
- Cross-examination in a criminal matter
- Re-examination in a criminal matter
- Closing submissions in a criminal matter
- Opening submissions in a civil matter
- Examination-in-chief in a civil matter
- Cross-examination in a civil matter
- Re-examination in a civil matter

- Closing submissions in a civil matter

## Reading List

### Compulsory Readings

Title	
1	These include the Trial Advocacy Desk Book and all the Course Materials for this course. The other recommended and required references and reading for each topic will be found in the Desk Book and in the Course Materials for each topic.

### Additional Readings

Title	
1	Bilingual Laws Information System - Hong Kong Ordinances and Subsidiary Legislation ( <a href="http://www.legislation.gov.hk/eng/home.htm">http://www.legislation.gov.hk/eng/home.htm</a> )
2	Lexis and/or Westlaw - available through "Electronic Resources" section of the Run Run Shaw Library website
3	M Wilkinson and V Rajwani and R Pierce - Advocacy & The Litigation Process in Hong Kong (3rd ed. Hong Kong: LexisNexis 2007)
4	Hong Kong Civil Procedure - Hong Kong White Book Series Volumes 1 and 2 (2021)
5	Archbold Hong Kong - Criminal Law, Pleadings, Evidence and Practice (Hong Kong: Sweet and Maxwell 2021)
6	Thomas A Mauet & Les A McCrimmon - Fundamentals of Trial Techniques (Third Edition Sydney: Thomson Reuters 2011)
7	Simon N M Young - Hong Kong Evidence Casebook (Hong Kong: Sweet & Maxwell Asia 2011)