School of Law
City University of Hong Kong

CityU School of Law was established in 1987 with a mission to become an internationally-renowned centre for research and teaching of law in the Asia-Pacific region. Through cooperation with other law schools and professional organizations, the School aims to foster an environment in which both students and staff develop and use their legal knowledge, professional skills and expertise for the benefit of Hong Kong.

Our Programmes on offer:

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Master of Laws (LLM)
Master of Laws in Arbitration and Dispute Resolution (LLMArbDR)

Professional Doctorate Programme
Doctor of Juridical Science (JSD)

Research Degree Programmes
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International outlook enhances appeal

New links in the United States and Europe expand the options for students

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in US School of Law has plaudits for its strengths in areas ranging from Chinese law, maritime law, and commercial law to the teaching on human rights and arbitration and the recurring success of student teams in high-profile mooting competitions. Another aspect, which contributed significantly to its 45th place in the most recent Times ranking of the world’s top law schools, is the development of an international outlook and the opportunities that allow students to excel.

“A large proportion of our students now go on G-LEAP (Global Legal Education and Awareness Project) programmes, and we are expanding the number of options with new links in the US and Europe,” says Professor Geraint Howells, Dean of CityU’s School of Law. “In the previous rankings, we have shown we do very well in international outlook. We take that as an indication we have shown we do very well in international outlook. We take that as an indication we have that we do very well in international outlook. We take that as an indication we have done something that is very successful!”

Under the G-LEAP programme, students can choose to spend anything from a couple of weeks to a semester at partner institutions Monash University in Melbourne and University College, Oxford. There are also internships available at courts in mainland China that are combined with study at Renmin University.

The objective is twofold: to give students an introduction to the academic underpinnings and mechanisms of other legal systems, but also to develop the all-round experience and personal maturity that comes from facing new challenges in a less familiar environment.

“Usually, students prefer the shorter visits, but we are trying to say go for a semester to get broader experience, and we have a course structure to make that possible,” Howells says. “They can do courses overseas which are compatible with the Hong Kong system, and there are plenty of options.”

The number of choices is steadily increasing. A programme at Fribourg University in Switzerland has been added at the Masters level and discussions are under way with Norway’s Bergen University, which is known for its strength in maritime law.

“We believe it is important for students to gain a different perspective, to see how law is taught and thought about in other countries,” Howells says. “They also get essential life skills, becoming stronger themselves and gain a better understanding of the world.”

These links also give more mainland and overseas students the chance to take courses at CityU. They see Hong Kong as a great base for gaining Asia experience and learning about common law, and their presence at classroom debate, creating a more interactive dynamic, which enhances the quality of the learning experience.

“We have a very diverse pool of students. Those who come for a semester just fit into the programmes here - that’s what they prefer,” Howells says. “They want to adapt and to be treated like local students. Because we have relatively small cohorts, we are able to accommodate them.”

He notes that the area of law and technology is now very much in the spotlight as general curriculum planning is concerned. There are plans for new courses on the legal implications of ways technology is affecting business and how law firms will have to work differently.

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Previously, Howells explains, standard practice was to simply type in search terms and press a button. That may have a big impact, not least in potentially reducing the demand for junior lawyers.

Therefore, it is vital for students to understand how technology is changing the legal environment and the new issues being dealt with. The school is arranging professional development seminars where experts explain why future lawyers need to be good at technology, but that is just the first step.

“For most people, the use of the apps is getting easier, but to address the legal issues you have to understand the background, go back to basics and learn about the building blocks,” Howells says. “You have to understand the implications of the algorithms, what is being used to make computing decisions, and what kinds of controls and surveillance there should be. It is a major challenge.”

He adds that many legal norms can probably be adapted to the tech world. As a result, the law itself may not need to change that much. In some areas, though, new laws may have to be formulated, which means working out how to adapt the system to the environment and how to apply the law in the new context.

“These are the sort of challenges being thrown up,” Howells says. “But we also see it as a way to build up the reputation of the law school as a place where quality research is going on. We already have research centres on Chinese comparative law, commercial and maritime law, and human rights. The topics addressed depend on where an individual’s interests lie; there is a lot of academic freedom on how research time is spent.”

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PROFESSOR GERAINT HOWELLS
Programme enhances School of Law’s standing among the best in Asia

Year-long course for junior Chinese judges mostly follows the standard curriculum for the CityU LLM in common law

This year marks the 10th anniversary of a unique and highly successful LLM programme offered by CityU’s School of Law to train around 30 incumbent judges drawn from cities across mainland China each year.

Together with a JSD and a short-term advanced programme for senior Chinese judges, this marks a far-sighted commitment to broadening horizons and providing the highest standards of legal education for different levels within the profession.

Though it was conceived initially as a “capacity-building” scheme, the demand for places and quality of teaching has done much to enhance the school’s international standing and its reputation as one of the best in Asia.

“This is the only programme of its kind outside mainland China,” says Professor Lin Feng, Associate Dean of CityU’s School of Law, who visits Beijing regularly to interview nominated candidates.

“Over the years, we have seen that Chinese judges tend to write very simple judgements, which often lack detailed reasoning,” Professor Lin says. “They usually give facts, applicable laws and a conclusion, but miss out the reasoning part, so the programme gives extra attention to that.”

There is also an internship, which allows each individual to spend two weeks with the Hong Kong judiciary. Besides a wide-ranging introduction to the local judicial system and how it operates, this stint includes the opportunity to shadow specific judges as they go about their business in the High Court and the Court of Appeal.

It also affords the chance to discuss and analyse key aspects of a recent case and raise any pertinent questions.

To provide international experience, the LLM includes a one-month visit to the United States, usually in June, to attend lectures at the School of Law of Emory University in Atlanta, Georgia. This is the starting point for gaining a better appreciation of the American legal system, but there is also an emphasis on observing courtrooms in action.

As part of the Chinese judges programme, CityU’s School of Law has also introduced a three-year JSD (doctor of juridical science) for senior Chinese judges, to enhance understanding of common law and international law, and the ability to analyse problems.

The programme includes a taught component with required subjects, as well as a doctoral thesis. For the latter, a number of recent topics have focused on the current judicial reforms in China, notably the fast-track sentencing mechanisms for suspects who admit to minor offences, judges’ liabilities, and reforms in the jury system and juvenile courts.

“We have also started negotiations with the Guangdong Lawyers Association,” Lin says. The proposed collaboration will be running on a pilot base. If the collaboration is successful, admission of students recommended by other legal and professional institutions such as the All China Lawyers Association will be considered.

In addition, there is an intensive advanced programme for senior Chinese judges, usually lasting two weeks. The tailor-made content aims to provide cutting-edge knowledge, diverse perspectives, and a better understanding of different legal systems.

“We see more demand for training from local courts in China. This is a way to further strengthen the relationship between Hong Kong and the Greater Bay Area in the legal services sector. But we don’t want to do too many of these programmes as our main job is still teaching and research,” Lin adds.

He notes that all courses are under constant review and, where necessary, must change with the times. The LLM has already added components on Chinese public and private law, recognising the fact that many graduates will go on to do cross-border legal work.

The foundation course on legal methods and skills has been significantly strengthened.

“The two basic skills for any lawyer are how to analyse a case and how to interpret statutes,” Lin says. “So we have introduced more lectures and exercises related to that and have revised the Hong Kong legal system course to emphasise the importance of international law and the connection with domestic law within our system.”

For the LLM, which students take after their first degree, there is a strong stream for corporate and commercial law introduced in recent years. There are also a few joint appointments where, for example, a professor of criminology is shared with CityU’s Department of Social and Behavioural Sciences to open the way to more interdisciplinary teaching.

“This curriculum does not stand still,” says Lin, who emphasises the importance of keeping pace with change and offering courses which promote diversity. “If you take more students, the quality may drop. Next academic year, we will do more joint teaching for LLD and JD students. Overall, we can expand if we want to, but a small cohort each year means we can provide a better staff-student ratio and more opportunities.”

The Chinese judges programme is the only programme of its kind outside mainland China

Professor Lin Feng

SCHOOL OF LAW | NEWSLETTER
CityU law students take great leap forward

New strategies and partnerships create a broader outlook at leading school

In emphasising the value of student exchanges and collaboration with partner institutions around the world, CityU’s School of Law has a well-thought-out strategy – and there is no doubt it is paying off.

The essential aim is to create new opportunities for learning, research and personal development. But in parallel with this, all kinds of practical benefits accrue, among them a greater appreciation of diversity, a fuller understanding of legal systems in other jurisdictions, and better prospects when the time comes to pin down a full-time job.

According to Dr Chen Lei, Associate Dean for external affairs of CityU’s School of Law, the main idea in any such initiative is to start with clear objectives and build the right framework.

“A priority for us is to give students a wealth of experience, to let them meet, mingle with and work alongside people from different backgrounds and cultures,” he says. “So, when we choose partners, we look very closely at everything, from what they can offer, to what they require our students to do.”

Discussions are likely to cover the list of courses and curriculum content, the type of internships available, and the minimum number of credits students are expected to transfer back to Hong Kong.

“For any exchange programme, there are broad guidelines, but we want to maximise the benefits of the experience for every student,” Chen says. “Therefore, we give advice, ask them to report back on the courses they are taking, and exercise a high level of quality control.”

As a result, it is perhaps no surprise that the latest Times Higher Education Law rankings put the school number one in the world in terms of its international outlook. Or that the number of tie-ups with overseas institutions – whether for student exchanges, summer schools, visiting professor lecture series or double/joint degrees – continues to grow.

For many undergraduates, a leading choice is the G-LEAP (Global Legal Education and Awareness Project) programme, which allows them to spend one month in summer term at Monash University in Melbourne, or University College, Oxford.

However, there are also numerous other tailor-made options at partner law schools in North America, the UK, Asia and mainland China. And with that comes the opportunity not just to broaden the horizons of Hong Kong-based students, but also to welcome more LLB or JD students from overseas, and to arrange short-term exchanges for faculty members.

“For instance, we have recently started an initiative to attract more students from Asean countries to take the LLB with us,” Chen says. “There is a large pool of talent, and we want to train future leaders in the legal field in Asean countries. Law schools in Hong Kong haven’t yet tapped into that potential.”

Clearly, schemes like this play a big part in promoting diversity, scholarship and cross-pollination. But, as Chen acknowledges, there are also down-to-earth practicalities behind the move to encourage time overseas, bearing in mind the vast majority of law students plan to go into the legal profession and are hoping for offers from the top firms.

“Simply put, it is market-driven,” he says. “When we talk to partners in charge of recruitment at Hong Kong law firms, they are generally looking for LLB or JD graduates with a strong transcript, possessing exchange study or internship experiences in both common law jurisdictions and, ideally, mainland China. That is seen as a real advantage when it comes to dealing with business for major clients.”

To that end, the school provides quite generous financial support for international stays – and it has seen a marked increase in interest and uptake over the last three years. Previously, local students tended to hold back, preferring to remain in their comfort zone, accumulate credits in Hong Kong, and just target a place on the postgraduate PCLL programme.

Now, though, well over 40 per cent of undergraduate students opt to spend some time overseas, and doing overseas study has almost come to be seen as a basic course requirement.

“It helps students to appreciate different cultures, and develops the kind of graduates law firms want to hire,” Chen says.

In this respect, Dr Ding Chunyan, associate professor and Assistant Dean at CityU’s School of Law, notes that it makes sense to enhance international cooperation at various levels. Doing so not only helps to attract students and researchers, it is also a way to broaden the curriculum by covering additional specialist topics.

For instance, the school has introduced a series of shorter one-credit courses taught by internationally renowned professors. These usually involve 13 contact hours in four sessions for one week, as well as assignments and exams. So far, the subjects have included intellectual property (IP), capital markets and consumer protection.

“It is a great way to diversify the curriculum and let students hear from scholars in different fields,” Ding says.

She adds that particular attention is also given to the needs and standards expected of incoming exchange students. There is an orientation programme, a specified number of credits calculated on the basis of reciprocity, and they are eligible for internship opportunities, mooting competitions, and editorial positions with the school’s law review and journal.

“We survey all exchange students and ask for suggestions to improve the programmes,” Ding says. “We emphasise, though, that learning practicalities is part of the process, and we want to see changes at individual level.”

We want to train future leaders in the legal field in Asean countries

DR CHEN LEI

Associate Dean for external affairs of CityU’s School of Law Dr Chen Lei (left) and Assistant Dean Dr Ding Chunyan.
PCLL teaches law students practical skills

Postgraduate certificate equips students to handle both the rough and the smooth

For students with their sights set on a career in the legal profession, a qualifying law degree is the first required step. Afterwards, though, they are expected to complete a postgraduate certificate of laws (PCLL).

This one-year, full-time programme is designed to teach essential professional skills like drafting, interviewing, advocacy and preparing briefs. And, more broadly, it is preparation for the demands, challenges and general cut and thrust of life as a trainee solicitor or pupil barrister.

“We equip students with the practical lawyering skills they will need when they go out to start work,” says Theresa Low, PCLL Programme Director at CityU’s School of Law and a practising barrister who mainly handles arbitration and personal injury cases. “They learn through instruction and experience, and the small-group teaching by faculty members and outside practitioners is found to be very effective.”

With an annual intake of 210—roughly half of whom come from overseas—the programme’s main aim is to ensure “employability”. Before applying, most students know which branch of the profession they hope to enter. But they benefit immensely from the all-round training which covers skills like drafting, interviewing, advocacy and preparing briefs. And, more broadly, it is preparation for the demands, challenges and general cut and thrust of life as a trainee solicitor or pupil barrister.

“We teach practicalities and soft skills,” Low says. “For instance, in the courtroom setting, students may act for the prosecution, the defence or as a witness. And we ask actual judges or practitioners to oversee the case.”

This provides invaluable experience of doing openings, examinations in chief, cross examinations, closing submissions, and of what it feels like to deal with questions and interjections from a judge.

In classes, it is assumed that students already have a good grasp of the law. However, teachers will quickly review certain key principles or, for complex subjects like wills and probate, may also address some of the more substantive areas.

“The majority of courses have some kind of interviewing or role-play,” explains Dr Peter Chan, formerly a litigator and now an assistant professor and Associate Director of the PCLL programme. “Through these exercises, students learn to say things in the right way and how to put a client at ease. These are important skills.”

Chan adds that with the help of video recordings, tutors’ comments and class feedback, students also see the overlap and realise how aspects of the law overlap. “We teach practicalities and soft skills,” Low says. “For instance, in the courtroom setting, students may act for the prosecution, the defence or as a witness. And we ask actual judges or practitioners to oversee the case.”

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Juris Doctor programme promotes critical thinking

Special course allows students to switch courses and pursue a career in law

The JD (Juris Doctor) programme offered by CityU’s School of Law has a very clear purpose: to allow students with a Bachelor’s degree in another discipline to change to law and prepare them for the PCLL and a future career in the legal profession.

This switch is achieved via a fast-paced curriculum which combines theory and practice with opportunities for local internships and semesters overseas at partner schools in Mainland China, Britain, Europe, Australia and the United States.

Such an approach gives students a global view, with an understanding of common law and different jurisdictions, as well as the technical expertise, forensic thinking and personal skills to go on to successful careers as solicitors and barristers, in government service or in various branches of the corporate world.

“We set high academic requirements for entry and candidates must have a good standard of English,” says JD Programme Associate Director Ms Sara Tsui. “So, we create an environment where students have to practise that in classroom discussions and most court sessions, which also hones their ability to think critically and answer unexpected questions.”

In other respects, practical skills are taught in group writing assignments, preparing 2,000 to 5,000-word essays, and in classes on legal method which show, for example, how to draft documents and cite authority.

Students can complete the programme in two years but are strongly advised to take three years. Core courses cover all the main aspects of criminal, civil and commercial law. But the school also emphasises the benefits of studying overseas and doing co-site hearing placements to learn about the court system in Mainland China or experience the routines of a law firm, a barristers’ chambers, or a big finance company’s legal department.

“Getting a law degree is a huge commitment of time and money, so students must be motivated and ready to jump into the deep end from day one,” Dr Kielsgard says. “Many opt for the JD because they feel the need for a change, they have a sense of justice or they have come up against problems with a legal aspect in the course of their previous employment.”

“Public speaking plays an important part in almost every area of the law, whether you become a barrister representing clients in court or an in-house counsel,” says JD Programme Associate Director Ms Sara Tsui. “So, we create an environment where students have to practise that in classroom discussions and most court sessions, which also hones their ability to think critically and answer unexpected questions.”

Every annual intake represents a diverse mix of nationalities, backgrounds and professional experience. Many CityU JD alumni are now leaders in their field, graduates having gone on to become ministers, heads of mainland courts, and law firm partners.

“We not only give our students the best study experience ever but also cultivate them to become the future leaders in law. It is a programme designed for law graduates and practising lawyers who want to advance their knowledge in a specialist field,” says Dr Lin Yu-Hsin, LLM Programme Director. “It focuses on six major areas of expertise, along with one general stream, and all include relevant legal instruction, training in practical skills, and opportunities for independent research.”

Students taking the one-year LLM at CityU’s School of Law choose to follow one of seven streams, each offering a tailor-made curriculum plus opportunities for legal placements and overseas study. The specialist streams are in Chinese and comparative law; international economic law; common law; maritime and transportation law; intellectual property and technology law; and corporate and commercial law.

As a result, the LLM offers a more diverse range of choices than comparable programmes elsewhere. And, in other respects, academic diversity is also seen in the multicultural nature of both the faculty and the student body. To internationalise the programme, the School also invites internationally-renowned professors from around the world to offer intensive short-term courses each semester.

Students gain opportunities to go abroad for exchange or joint degrees. Currently, the LLM programme offers three joint or dual degree programmes with University of Paris 1, Aix-Marseille University in France and the University of Fribourg in Switzerland. Students also have the opportunity to go to selected US law schools for a tailor-made study trip in June every year.

“This is a taught postgraduate programme, but students can also write a dissertation, and some coursework assignments require independent research,” says Dr Xing Lijuan, who was Associate Director of the LLM programme. “Overall, a lot of the courses are seminar-style to encourage discussion of the key issues.”

For students who are trained in civil law jurisdictions, and are therefore unfamiliar with Hong Kong’s common law system and methodology, there is an extra foundation course before the first semester to bring them up to speed.

Other than that, the students in each stream take a mix of core courses and electives to achieve the required total of 24 credits. Most courses include group projects and presentations and if necessary, faculty members are on hand to offer guidance and encouragement.

“We also teach the skills and abilities needed for a future career, such as critical thinking and analytical skills,” Lin says. “And to ensure engagement with the local legal community, we invite practitioners to give lectures on their specialist areas and arrange visits to local courts and the legislative body.”
Striking a deal to settle a dispute outside the courts

CityU School of Law arbitration masters mixes academic and practical training to teach how to resolve tricky issues

In a world where disagreements can arise about anything from contracts and construction claims to matters of family law and alleged medical malpractice, trained experts are needed to help resolve such issues without resorting to litigation and the courts.

That is where the master of laws in arbitration and dispute resolution (LLMAdDR) offered by CityU School of Law comes in. It offers a unique blend of academic and practical training in the legal concepts and methods needed to act as an effective arbitrator in domestic and international cases.

In addition, the two-year part-time course teaches mediation, adjudication and negotiation, using real-world sanitised scenarios which reflect the practices and procedures within the industry and society at large.

“The teaching materials and course content are devised by practitioners to ensure they are current and compatible with today's needs," says Programme Director Christopher To. “And the learning is very interactive. Lecturers have industry-specific knowledge and use case studies, role plays, individual presentations and student-led discussions.”

A typical intake of 80 students includes lawyers, social workers, doctors, construction engineers, civil servants and business people who already have between five and ten years’ professional experience.

In the first year, the focus is on theory; in the second, on the practical side. In this way, students cover key areas like commercial contract and tort law, how to address procedural and legal issues to an Arbitration Tribunal, and how to draft and present arguments. They also learn the practical side. In this way, students cover key areas like commercial contract and tort law, how to address procedural and legal issues to an Arbitration Tribunal, and how to draft and present arguments. They also learn the practical side.

The programme has achieved recognition from a number of professional bodies, including the Chartered Institute of Arbitrators and the Hong Kong Institute of Arbitrators, allowing graduates to practise in the field both in and outside Hong Kong.
Moot court contest victories put CityU top for legal training

How mooting changes students and prepares them for a bright future

The continuing success of CityU teams at international moot court competitions can be put down to various factors, but one definitely stands out. “We train champions, and the key is the amount of work we put in,” says Dr Mark Kielsgard, associate professor in the School of Law and Director of Mooting and Advocacy. “I have no doubt or hesitation in saying that when we go to a competition, we are the best prepared team there. Because of that, we have won ten international championships in the last eight years against teams from scores of countries.” Those triumphs have come at prestigious events commonly referred to as the Vis, the Vis East and the Jessup, as well as at the International Criminal Law Moot Competition in The Hague, in the Netherlands, where hundreds of teams from around the world take part in the early rounds. The broader significance, though, is that each victory further confirms the school’s status as one of the best in Asia in training students for legal practice with the leading firms and have to be the most fluent speakers, but they also have to understand how much work is involved, because it takes a ‘substantial’ commitment. While preparing for the competition, they have to forgo everything except their classes, but they will do this if they want to be champions.”

For the audition, students are given a basic, though unfamiliar, problem involving international or arbitration law. They do the research, prepare a short memorandum, and make a 15-minute presentation as if in an appellate court. “We assess how much effort they have put into the research, what authorities they have cited, and whether they have thought through their arguments, the likely counter arguments, and possible further rebuttals,” Kielsgard says. “The key I’m looking for is depth of reasoning.”

At the initial stage, contenders do not have to be the most fluent speakers, but they must be “trustable.” The build-up to a major competition usually stretches over two semesters and, during that time, the selected students – anything from three to seven, depending on the event – begin by analysing the set case. It may be 10 pages long, with a further 30 pages of factual information and pleadings. The central problem is designed to test different areas of the law, including cutting-edge undecided issues of the day, where a plausible argument can be made for both sides. Mooters must prepare to argue as applicant/claimant or respondent/defendant, with respective roles only decided on the day of the contest.

However, being picked to represent CityU at one of the big international events takes something extra. “It is not for the idle curious,” Kielsgard says. “Students have to audition for spots on the team and impress their would-be coach. They also have to understand how much work is involved, because it takes a ‘substantial’ commitment. While preparing for the competition, they have to forgo everything except their classes, but they will do this if they want to be champions.”

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The usual competition format sees each nominated speaker given around 20 minutes to present their case for or against, before proceeding to counter arguments or cross examinations. All the while, other team members are also trying to “read” the judge – generally a professor or practising lawyer – to determine which points are carrying most weight.

“A judge’s questions can take up a lot of time, so mooters must be very aware of the clock; it is a difficult skill to perfect,” Kielsgard says. “So as not to impact on speaking points or miss out an issue, we recommend having full and alphabetical verses.”

By the end of the process, he adds, some students are better than practising barristers at thinking critically, stepping into an opponent’s shoes, and putting an argument in the most favourable light. “Mooting is the most reliable preparation for working in the world of advocacy and case presentation,” David says. “It turns students into excellent speakers with the skills and confidence to deal with any challenge.”

Dr Mark Kielsgard

The Workshop on “Marine Insurance: risks and interpretation – A Chinese-English Law Dialogue” held by the HK Commercial and Maritime Law Centre, City University of Hong Kong took place at the School of Law Conference Room in CityU on 23 November 2018.

The workshop began with the welcoming remarks given by Professor Geraint Howells (Dean, School of Law). Professor Howells emphasized Hong Kong as a leading maritime centre in the world and praised the Hong Kong Commercial and Maritime Law Centre for being pragmatic and forward looking in responding to the development of maritime law. He presented souvenirs and thanked all participants for their active participation and support.

Following the welcoming remarks, Professor Michael Tsimplis (Fellow of Hong Kong Commercial and Maritime Law Centre) was invited to give an opening remarks for the workshop.

Seven papers were presented under the theme of “Marine Insurance: risks and interpretation”, including:

I. Reading Marine Policies (H Bennett);
II. Insurance for cyber risks—cover, exclusions and interpretation (B Soyey);
III. The risks of third party aggressors: e.g. terrorists, pirates, malicious persons, vandals, saboteurs, violent thieves, and barrators (P Eggers QC);
IV. Risks in shipbuilding and shipbuilding insurance in China (J Hu);
V. Causation requirement for covered risks under Chinese hull insurance clauses (B Chu);
VI. The “perils of the seas” under Chinese judicial practice (W Chang) and Risks and exclusions in marine insurance contract in China (R Zheng).

Invited speakers presented their papers covering a wide range of topics which brought new insights for participants in the workshop. The workshop played an important role in exchanging thoughts and views in marine insurance. Speakers and participants actively shared opinions and suggestions throughout the discussion which offered a good opportunity for exploring and developing cooperation among universities and judicial sector in the United Kingdom and China.

Centre for Chinese and Comparative Law (RCCL)

Conference on “Dispute Resolution in Asia and Beyond: Progress and Trends”

On 17th and 18th of May 2018, the Centre for Chinese and Comparative Law (RCCL) of the School of Law of City University of Hong Kong organized a two-day conference entitled “Dispute Resolution in Asia and Beyond: Progress and Trends”. This is one of the series of academic events celebrating the 30th anniversary of the School of Law.

The objective of this conference was to provide a platform for leading scholars and arbitrators worldwide to share and exchange their opinions concerning the status quo and the future of international dispute resolution, and for the Asian region in particular. Under the central theme of “dispute resolution in Asia”, the conference was further divided into four sub-themes, namely commercial arbitration, investment arbitration, general trend of dispute resolution and international commercial courts. Third speakers coming from different jurisdictions (including Germany, Hong Kong, Netherlands, mainland China, Malaysia, Netherlands, Singapore, South Korea, Switzerland and Taiwan) and different professions (including scholars, lawyers, judges, arbitrators and arbitration institution senior personnel) participated in this conference to discuss issues related to these four sub-themes from academic, theoretical, as well as practical perspectives.

Throughout the whole conference, the atmosphere was inspiring and interactive: While the presenters delivered insightful presentations, other audience also enthusiastically joined the discussion during the question and answer sessions by posing critical and thought-provoking questions to our presenters.

While issues related to dispute resolution in Asia are numerous and could not be comprehensively covered by in a two-day conference, this conference was still regarded by participants as highly fruitful and constructive because it not only provided a platform for people with common interests and concerns to get to know each other and exchange views and experiences, but also laid an important foundation for further discussion.
Centre for Judicial Education and Research (CJER)

Centre for Judicial Education and Research successfully held the 13th Advanced Programme for Chinese Senior Judges
The 13th Advanced Programme for Chinese Senior Judges was successfully concluded on 31 October 2018. From 18-31 October 2018, meetings and discussions in various forms were arranged for 16 Chinese senior judge participants who came from 13 provinces, municipalities and autonomous regions. Through these judicial exchanges, the senior judge participants conducted in-depth discussions with the Hong Kong legal community and thus further advanced their knowledge in common law and the differences between the two legal systems.

CJER has specially arranged four lectures on Civil Justice and Research centres on their fields of expertise. Court of Appeal of the High Court to conduct the lectures.

Prosecutor and Justice Wally Yeung, Vice-President of the Prosecutions (I) (Ag), and Ms Fu Yuet Yee, Senior Public Counsel, Ms Maggie Yang, Deputy Director of Public
Wong, SC, Solicitor General; Ms Ng Ling Ling, Government of Hong Kong Basic Law, we have also invited Mr Wesley and Criminal Justice for the delegation of senior judges.

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during the two-week Programme, they visited the High Court, the Court of Final Appeal, the Department of Justice, the Legislative Council, the Law Society of Hong Kong, the Correctional Services Department, the Hong Kong Customs and Excise Department, the Legal Aid Department, the Ombudsmen, the Office of the Privacy Commissioner for Personal Data, the ICAC, the Office of the Commissioner of the Ministry of Foreign Affairs of the PRC in the HKSAR and the China Legal Service (Hong Kong) Ltd. Justice Chu Fan-ling, Justice of Appeal of the Court of Appeal of the High Court, Mr Leung Kwan, President of the Legislative Council, Ms Melissa Pang, President of the Law Society of Hong Kong, Dr Zhou Lulu, President of the Law Society of Hong Kong, Mr Du Mao, Chairman of the Board, China Legal Service (Hong Kong) Ltd. met and exchanged views and ideas with the senior Chinese judges.

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At the Workshop, the participants were divided into three discussion groups to explore the role of a BHR Network.

Human Rights Law and Policy Forum (HRLF)

Human Rights Law and Policy Forum, Implementing the UN Guiding Principles on Business and Human Rights in Hong Kong and Mainland China: The Role of a BHR Network

On 1 March 2019, the Human Rights Law and Policy Forum of the School of Law of City University of Hong Kong held the Workshop on ‘Implementing the UN Guiding Principles on Business and Human Rights in Hong Kong and Mainland China: The Role of a BHR Network’ at the School of Law Conference Room.

The Workshop consisted of two sessions: While the first session was mainly presentations delivered by guest speakers, the second session was a roundtable discussion regarding to the potential formation of a Business Human Rights (BHR) Network here in Hong Kong.

The Workshop commenced with an introduction to the UN Guiding Principles on Business and Human Rights (UNGPs) given by Dr Surya Deva (associate professor, School of Law, CityU). He explained the importance of UNGPs under which all countries should take a certain duty to support and protect the fundamental concept of human rights.

After the introduction, it moved on to the presentations delivered by guest speakers. It began with Mr Lowell Chow (Business and Human Rights Resource Centre) who presented on the opportunities and limitations to engage with the Chinese Companies on BHR, followed by Mr Johnson Yeung (Clean Clothes Campaign East Asia) on enforcing brand agreement and experiences in holding corporation accountable, then Ms So Sheung (Labor Education and Service Network) on new models for leveraging public procurement purchasing power to implement monitoring and remediation in the supply chain of Information and Communication Technology, and finally Mr Han Dongfang (China Labour Bulletin) on learning lessons from collective bargaining.

The Workshop ended with a closing remark by Dr Surya Deva, who thanked all the guest speakers and attendees for their contributions to the discussion. All attendees agreed to form a ‘google group’ as the beginning to a potential formation of a BHR network.
Succeeding On All Fronts

By Jack Burke *

CityU sports teams have a rallying cry which is, “Be the Best that You Can Be.” It is a phrase that encourages students to be well-rounded and successful individuals, both in the academic and sporting arenas.

Rachel Yuen Shan Ho, a student in this year’s CityU PCLL, is a student who exemplifies that proud tradition. This year has been a particularly memorable year for Rachel who achieved what is certainly a remarkable (and probably a unique) dual achievement, as both an LLB 1st Class Honours Graduate and the captain of the CityU Women’s 2019 Intra-varsity championship winning Rugby team.

Dean Geraint Howells commented here that, “Graduating with a First Class law degree requires both intelligence and application. It requires social and leadership skills to take advantage of that education. Leading a team to victory in an intense and competitive competition demonstrates that Rachel has all those qualities needed to be a great lawyer and a leader in society.”

Rachel was kind enough to take some time out from her busy PCLL schedule to answer some questions about her impressive achievements and her journey as a successful person and law student.

Q: Rachel, you have been a law student now for nearly five years. Can you describe your most beneficial learning experiences during this time?
A: I really enjoyed studying the law electives offered here in CityU. On top of the traditional law courses like Criminal Law and Contract Law, we are given a wide range of electives to pick from, such as Law and Gender, Animal Law and IP Law. These courses enable us to discover and develop knowledge in areas of law that we are personally interested in, most of which are quite niche or newly developed.

In addition, I participated in the GLEAP Programme and studied EU Competition Law at the University of Oxford in 2017. It was a valuable opportunity to be taught by professors at such a renowned institute and to experience the studious atmosphere there in Oxford.

Q: Seven’s Rugby is a very challenging sport to succeed in because of the huge demands it places on participant’s fitness. How were you able to meet the time management demands of training as a rugby player and also consistently achieving high grades as an LLB student?
A: I think it is important to have the right mind-set and to accept that there are sacrifices that I have to make. Sometimes, I might feel stressed for lagging behind in tutorials, or I might feel guilty for skipping a training session. I have learned to turn these negative emotions into motivation to work harder. In practice, I always try to plan ahead and prioritize my to-do list. To have a better work-life balance, it is helpful to adopt a routine in our lifestyle.

We have to appreciate others’ strengths and at the same time accept their weaknesses

RACHEL HO

Q: What did Rugby teach you about leadership and teamwork?
A: Playing rugby has strengthened my ability to communicate and connect with people of different characters and personalities. As clichéd as it sounds, we could win the match only if we have played as a team. Though I am not the fastest or strongest in the team, my role as a scrum-half was to read and control the game. So, we have to appreciate others’ strengths and at the same time accept their weaknesses. It is also important to keep improving yourself and put the team’s needs before your own.

Q: What would you say to other students about the value of achieving a work and life balance?
A: I believe work-life balance is very important to our physical and mental health. It is about taking time off from your hectic schedule and doing what you love–be it exercising, listening to music, reading a book or cooking. Personally, I become more productive at work when I perform well in rugby trainings and competitions, and vice versa. So, my advice to other law students is just: leave the library, go and have some fun!

*Jack Burke is Senior Teaching Fellow at CityU School of Law and Honorary Manager of the CityU Mens and Womens Rugby Teams.

*Images: Rachel Yuen Shan Ho (middle), PCLL student and LLB Graduate at CityU Law School.
The School of Law, City University of Hong Kong (CityU) held the Ceremony of 2018/19 Admission Scholarships, Sir Oswald Cheung Memorial Fund PCLL Scholarship & 2017/18 Outstanding Performance in Mooting Competitions on 2 April 2019. The Ceremony was well attended by award recipients, their family members, distinguished guests, coaches of mooting competitions, relevant programme directors and faculty members.

Dean Professor Geraint Howells welcomed all participants to the Ceremony. He congratulated all the awardees and thanked the efforts of the school principals, teachers and families of the Scholarship recipients. He praised mooters for their determination and commitment, extended his heartfelt congratulations to all the mooters and expressed appreciation to the coaches and staff involved in mooting.

In order to reward outstanding students who are admitted to the School of Law's programmes, the School has established admission scholarships. Four LLB, ten PCLL, three LLM and one LLMArbDR students were awarded the 2018/19 Admission Scholarships. Our Associate Dean, Professor Lin Feng and respective Programme Directors presented the Admission Scholarship to the programme students.

The School was honoured to have the presence of the following distinguished guests:

Mr Mak Yip Shing Andrew, Director of Sir Oswald Cheung Memorial Fund, delivered a speech to show support and share the joy of the scholarship recipients and mooters. He also thanked the School for the support of the Fund and encouraged the students to join the legal profession and contribute to the society.

Mr C.M. Chan, Vice-President of the Law Society of Hong Kong shared with the audience that the knowledge and skills of advocacy learnt from the legal study would be beneficial to students' lifelong use.

Mr Philip Dykes SC, Chairman of Hong Kong Bar Association encouraged students to bear in mind the practicalities when doing advocacy.

After the speeches delivered by the guests, Dr Mark Kielsgard, Director of Mooting, praised the high quality of the CityU Mooting teams with the great effort, focus and commitment of the mooters. The mooters are the best ambassadors of our law school to the legal industry. He also expressed his heartfelt gratitude for the support from the University, the Law School, the administrative staff, the coaches and the parents along the way.

Dean Professor Geraint Howells presented the souvenirs to all distinguished guests, followed by group photos with them.

Hong Kong Maritime Law Scholarship 2018/19 Certificate Presentation

The Hong Kong Maritime Law Scholarship 2018/19 Certificate Presentation was held on 20 December 2018. The scholarship recipient was Zhu Siyan.

The presentation was attended by Professor Geraint Howells, Dean of the School of Law and Professor Michael Tsimplis, Fellow of Hong Kong Commercial and Maritime Law Centre and Professor of the School of Law.

Professor Howells congratulated Ms Zhu on getting the Scholarship.

Professor Tsimplis wished Ms Zhu would keep active in maritime industry upon completion of the programme.

Ms Zhu Siyan indicated that she enjoyed the classes and has learnt a lot of new knowledge and cases in the classes that made her more interested in the maritime field.

First Prize for the ICC International Commercial Mediation Competition – Hong Kong

The first International Chamber of Commerce (ICC) Mediation Competition Hong Kong was held in Hong Kong during 12-15 October 2018. Sixteen teams from universities in Hong Kong and the Asia Pacific Region, including countries along the Belt & Road, participated in the competition. Our CityU team (one coach and four students) beat Singapore National University in the Finals and won the First Prize.

The winning team was funded by ICC-Hong Kong to compete in the ICC Mediation Competition in Paris during 7-13 February 2019. The ICC Mediation Competition is widely recognized as one of the world’s leading mediation competitions for university students bringing many teams together in February each year to the International Chamber of Commerce (“ICC”) in Paris.

Our High Flyers

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Composition of the Team

Coach: Vod K S Chan

Students: 1) Chan Jeffrey Cheuk-fai (JD)
2) Choi Chung Jing Juno (LLB)
3) Lam Oliver Hiu Fung (JD)
4) Lau Matthew Chu Ming (JD)
Congratulations to Six Faculty Members awarded General Research Fund (GRF) / Early Career Scheme (ECS)

The RGC has recently announced the results of the 2019-20 funding exercise of the General Research Fund (GRF) and Early Career Scheme (ECS). The School of Law continued to succeed in developing a strong research culture and has obtained six law research grants which indicates that we have a high quality research environment.

The total amount of the six funded projects captured by the School of Law this year exceeded HK$2.5 million. The principal investigators are (in alphabetical order)

Dr Peter Chan, “Protecting Employees from Unfair Dismissal in Chinese Courts: An Empirical Study on Serious Beach Dismissal Cases” ($424,000).


Dr Ding Chunyan, “Consumer Citizen Suits against Food Safety Violations in China” ($455,606).


Dr Julia Tomassetti, “The Endogeneity of Law and Business Practice: Transforming All Workers into ‘Entrepreneurs’” ($282,330).


Dr Peter Chan, Dr Stephenson Chow, Dr Ding Chunyan, Dr Lin Yu-Hsin, Dr Julia Tomassetti and Dr Wang Shucheng.

Competition is fierce and their hard work has paid off. We congratulate them on their remarkable achievements, and look forward to their outstanding research outputs.

He Tianxiang


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Highlighting their hard work has paid off. We congratulate them on their remarkable achievements, and look forward to their outstanding research outputs.

Colleagues who did not succeed in this round just narrowly missed out. They have made considerable efforts in submitting high-quality proposals. Their work is rarely wasted as it can become the groundwork for another bid or research project.

Eugene Lim


Alexander Loke


“Hedge Funds: Regulation and Structuring” (with Amit Dhume) in Financial Services Law and Regulation, Tjio, Neo & Lan (eds), Academy Publishing (2019) ch 15 (pp.595–627).

Daniel Pascoe


Michael Tsimplis


The Editorial Board would like to thank Ms Agnes Kwok and Ms Judy Xu, as well as members of staff who helped in the preparation of the Newsletter.

Dr Peter Chan (Editor-in-Chief), Ms Laveena Mahtani, Dr He Tianxiang