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SCHOOL OF LAW NEWSLETTER



School of Law

香港城市大學
City University of Hong Kong

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.

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International outlook enhances appeal

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

CityU's School of Law has won 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 mooted 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 various rankings, we have shown we do very well in international outlook. We take that as an indication we are doing 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 stirs 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 far 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.

One good example is discovery. Previously, Howells explains, standard

practice was to employ lots of people to look through documents. Now, you can 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 implication 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." ■

"We have a very diverse pool of students. They want to adapt and to be treated like local students"

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.

"The judges have studied the Chinese legal system, so we train them in common law," says Professor Lin Feng, Associate Dean of CityU's School of Law, who visits Beijing regularly to interview nominated candidates. "This is the only programme of its kind outside mainland China, and we organise everything in collaboration with the Supreme People's Court and the National Judges College."

The year-long course, largely taught in Hong Kong, mostly follows the standard curriculum for the CityU LLM in common law. The class generally consists of junior judges, typically those with less than 10 years' professional experience.

Certain aspects of the programme are tailored to meet recognised needs and to give a fuller understanding of the principles, practice and procedures adhered to in common law jurisdictions.

For instance, there is a special course on writing judgements.

"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.

It 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."

He notes that all courses are under constant review and, where necessary, must

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

PROFESSOR LIN FENG

change with the times. The LLB 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 connections with domestic law within our system."

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

"The 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 LLB 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." ■

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



Associate Dean for external affairs of CityU's School of Law Dr Chen Lei (left) and Assistant Dean Dr Ding Chunyan.

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

DR CHEN LEI

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 80 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, mooted 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.” ■

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 everything from speaking to clients and drafting a summons or affidavit to writing letters of advice and taking part in moot proceedings in the High Court.

“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 importance of acting differently when dealing with, say, a financial regulator or a personal injury victim.

“We teach them to empathise and communicate better,” declares Chan. ■



Ms Theresa Low, PCLL Programme Director, and Dr Peter Chan, Programme Associate Director

Bringing legal topics to life boosts LLB’s appeal

Real-world illustrations help students see issues from all sides and realise how aspects of the law overlap

Several notable features have come to define the four-year Bachelor of Laws (LLB) at CityU’s School of Law. These include the size of the cohort being restricted to only 60 or so students per intake; the small class sizes that result from this and the sense of camaraderie this creates; and the various opportunities for instructive legal placements and horizon-broadening exchanges at leading overseas universities.

Underpinning all of this is the ability of professors and lecturers to bring each subject to life.

This skill is not just the result of meticulous course planning, careful research and attention to detail. Rather, it stems from a conscious effort by staff to show, through real-world examples and recent news stories, that the study of law is about both theory and practice – and that the job of a lawyer is often to find workable solutions where there is no obvious right and wrong.

“In every course, we maintain a delicate balance, giving students the basic building blocks and getting them interested by teaching from current events,” says professor Kelvin Low, a specialist in land registration and property law. “I use recent headlines to get them to think carefully about the legal side of things like asset negotiations, MTR construction projects, and rights for buildings.”

This approach ensures each topic has direct relevance to students. And by highlighting the connections between courses, and the overlaps between different areas, students do not develop a “silo” mentality about, say, contract or tort law, viewing them in isolation.

“In tutorials, we teach the law and what happens in practice,” says Anna Lui, teaching fellow and Associate Director of the LLB programme. “We often mix real-life situations into the questions, so students see how the law can – and cannot – be applied.”

As preparation, a class might be asked to find recent examples of, say, negligence cases involving public transport, nuisance cases with noisy neighbours, or issues relating to defamation or privacy.

This helps when analysing the legal principles, but also makes for livelier discussions about recommended strategies and the possible need for other kinds of protection.

Lui adds that, for any aspiring lawyer, it is essential to be able to see from multiple perspectives and to be able to present either side of an argument.

CityU develops these skills through its popular and successful G-LEAP (Global Legal Education and Awareness Project) programme, which provides overseas experience and exposure to different ways of teaching.

There are also legal placement electives with leading firms in Hong Kong and judicial bodies in mainland China. And the comparative law approach is a good way of exploring how other common law jurisdictions such as Singapore and Australia do certain things differently.

“I play devil’s advocate to get students to think how best to deal with difficult issues and to form their own views,” Low says. “I emphasise there are many issues with no obvious right or wrong answers, so it is about values, not just logic, and knowing what the choices are.” ■



Prof Kelvin Low, LLB Programme Director, and Ms Anna Lui, Programme Associate Director

Juris Doctor programme promotes critical thinking

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



Ms Sara Tsui, JD Programme Associate Director

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 Director Dr Mark Kielsgard, who notes that around 100 students are admitted each year. "We are very selective in whom we choose and we teach more or less under the British system with lectures, tutorials and small class sizes which allows for more individual attention."

In tutorials, there is particular focus on developing critical thinking. Students are put on the spot and expected to propose or defend a position with well-reasoned arguments, relevant examples and eloquent explanations.

"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 moot 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 credit-bearing 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." ■

CityU LLM cultivates future leaders in law

Master of Laws hones specialist skills and learning



Dr Lin Yu-Hsin, LLM Programme Director

Every year, around 150 students come from around the world to pursue an LLM degree at CityU, including 30 who are part of CityU's ground-breaking programme for mainland Chinese judges. Every annual intake represents a diverse mix of nationalities, backgrounds and professional experience. Many CityU LLM 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 (LLMArbDR) 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 a decision, explain the reasons for it in clear English, and ensure it is enforceable under law.

The varied case studies then introduce them to different types of dispute – and how to resolve them – concerning everything from quality of work and design faults in

construction disputes, financial matters in commercial arrangements to maritime disputes.

Cases can be complicated by involving multiple parties, different jurisdictions, and having to interpret the law and procedures as well as reviewing case precedents to supplement one’s arguments before an arbitral tribunal. The teachers include practising solicitors, barristers, structural engineers and business managers who emphasise the practicalities entailed in reaching an agreement, not just the principles.

“Our students are not just looking for a qualification, but something they can use in their jobs,” says To, who is an adjunct professor at the School of Law. “They want to learn as much as possible and really understand the subject, so they are able to analyse or prepare a case in future.”

He also points out one important difference between arbitration and mediation. The former sees a neutral third-party make a determination which is binding in law and internationally enforceable. The latter uses a facilitative approach to negotiate and reach a non-binding agreement. Overseeing either, though, requires a high level of knowledge and experience.

“The strength and beauty of the programme is that we are creating a new field of expertise in Hong Kong that will make Hong Kong competitive in the international dispute arena,” To says.

Admission is merit-based, though applicants must have a first degree, or equivalent, and a good standard of English. Those whose work involves arbitration or other forms of dispute resolution may be preferred.

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. ■



Dr Christopher To, Master of Laws in Arbitration and Dispute Resolution (LLMArbDR) Programme Director

Doctoral degrees show breadth of legal learning

CityU School of Law scholarship for mainland judges and general PhD offer chance to re-examine, ask questions and propose change

Two advanced programmes combining coursework and original research leading towards a thesis exemplify the diversity and quality of options offered by CityU’s School of Law. Both promote doctoral-level scholarship in areas of the law which have direct relevance for contemporary society. And they advance knowledge and understanding by providing a chance to re-examine underlying theories, question accepted principles, and propose suggested changes for wider consideration.

One programme, the JSDCJ, or Doctor of Juridical Science (Chinese Judges), has an annual intake of around 10 and takes three to six years to complete. It is tailor-made for senior judges who are often currently president, vice-president, or division chief of local courts in mainland China, and includes compulsory courses in Hong Kong along with independent work towards a final dissertation.

The courses cover research methodology, Hong Kong’s Basic Law, and legal writing. There are topical seminars, visits to the ICAC, Legco, the Department of Justice, and the Hong Kong judiciary, and two courses taught by the National Judges College under the auspices of the Supreme People’s Court.

“For the preliminary defence of their proposal and then researching and writing the thesis, students work closely with their advisers,” says Dr Guan Wenwei, associate professor and JSDCJ Programme Director at the School of Law. “We ask for progress reports every semester to keep track of background reading, research plans, and any surveys or interviews done.”

The programme is taught and written in Chinese, supplemented by English. For the six intakes to date, thesis subjects have ranged from criminal law procedures to the protection of intellectual property rights, mainland family laws, reorganisation of corporate bankruptcy, and comparative studies of common law and Chinese law.

But whatever the topic, the process should include three

key elements of research: doctrinal and theoretical; empirical, involving fieldwork, observation of court cases, or interviews; and the social-legal aspect to understand how law affects policy and functions in society. The JSDCJ Programme’s diversification of our legal education facilitates the mutual understanding, as it facilitates Hong Kong legal community’s understanding of the mainland’s judicial reform and development when introducing to mainland judiciaries the function of the common law in Hong Kong.

In terms of framework and requirements, the separate PhD programme is similar, but following restructuring it is now a full-time, four-year course for most students.

“For admissions, the emphasis is on the quality of the proposal and whether we can provide appropriate supervision in that area,” says Dr Stephen Thomson, Associate Professor and Research Degree Coordinator at the School of Law. “The basic requirement is originality; there must something in the thesis that discovers or argues something new and original. We help students to develop their research capabilities, but the work requires a high level of independence.”

Research proposals span areas as diverse as constitutional law in Hong Kong, Chinese company law, a comparative study of special economic zones, and the World Health Organization. They can relate to public or private, international or domestic law.

“Professors meet with students on a regular basis to gradually refine their research and give it more focus,” Thomson says. “We are also introducing a qualifying exam towards the end of the first year to make sure time is being spent profitably.”

He adds that most PhD students teach in tutorials, providing useful experience for those planning a career in academia, and notes that the university is generous in its financial provision.

“We attract high-quality applicants, people who have worked for law firms, NGOs, and in different countries,” he says. “There is no standard route for admissions; we are very open-minded.” ■



Dr Guan Wenwei, JSDCJ Programme Director (left), and Dr Stephen Thomson, Research Degree Coordinator

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 new distinction further confirms the school’s status as one of the best in Asia in training students for the practicalities of professional life as a barrister or solicitor.

“Mooting is by far the most important extracurricular activity a law student can engage in,” says Kielsgard, a former trial lawyer in the United States. “You won’t find any better hands-on experience with regard to writing, drafting instruments, and arguing a case. The benefits are manifest. Average students can become outstanding, while our former mooters tend to do extremely well in legal practice with the leading firms and have published in top-rated academic journals.”

The LLB programme has a mandatory course on mooting, which includes an intra-mural team competition. That ensures everyone acquires the essential skills and gains relevant experience.



“Mooting is by far the most important extracurricular activity a law student can engage in

DR MARK KIELSGARD

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 ‘ridiculous’ commitment. While preparing for the competition, they have to forego 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 “trainable”. 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 by the toss of a coin.

There are long hours of research and lengthy practice sessions – sometimes all-nighters – to improve the force of an argument. The coaches also work on vocal delivery, tone, gestures, and the ability to think on one’s feet in response to an unexpected twist or a judge’s intervention.

“We expect a team to do very detailed planning for every variable and potential outcome,” says Mr David Holloway, assistant professor and Mooting Associate Director in the School of Law, who has been in practice for many years as a barrister in London. “They must go beyond the superficial, understand legal methods, and be willing to absorb ideas. They learn technical skills and how to work under pressure, but we also teach them how to speak effectively, make eye contact, project their personality, and to enjoy the whole moot court experience, rather than dreading it.”

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 examination.

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 abbreviated versions.”

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.” ■



Mr David Holloway, Mooting Associate Director and his student mooters in Vienna



Hong Kong Commercial and Maritime Law Centre (HKCML)

Marine Insurance: Risks and Interpretation – A Chinese-English Law Dialogue

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 Soyer);
- 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, Netherland, mainland China, Malaysia, Netherland, 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.



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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 Criminal Justice for the delegation of senior judges. Besides Prof Lin Feng's lecture on the core and hotspot issues of Hong Kong Basic Law, we have also invited Mr Wesley Wong, SC, Solicitor General; Ms Ng Ling Ling, Government Counsel, Ms Maggie Yang, Deputy Director of Public Prosecutions (I) (Ag), and Ms Fu Yuet Yee, Senior Public Prosecutor and Justice Wally Yeung, Vice-President of the Court of Appeal of the High Court to conduct the lectures on their fields of expertise.

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 Service Department, the Hong Kong Customs and Exercise 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 Fun-ling, Justice of Appeal of the Court of Appeal of the High Court, Mr Leung Kwanyuen, President of the Legislative Council, Ms Melissa Pang, President of the Law Society of Hong Kong, Dr Zhou Lulu, Director-General, Department of Treaty and Law, Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR, and Mr Du Mao, Chairman of the Board, China Legal Service (Hong Kong) Ltd. met and exchanged views and ideas with the senior Chinese judges.



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 second part of the Workshop was a roundtable discussion related to the proposed BHR Network. Discussions involved possible values that the UNGPs and BHR lens can bring to the table, especially how a BHR Network can be useful for Hong Kong. This includes questions such as what kind of structure and administration should the proposed Network operate in, and what kind of activities and initiatives could the proposed Network undertake using UNGPs and BHR lens, in order to expand their connection towards other like-minded regional and international networks.

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 *



Rachel Yuen Shan Ho (middle), PCLL student and LLB graduate at CityU Law School.

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 Womens 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

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

RACHEL HO

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: Sevens 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.

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.

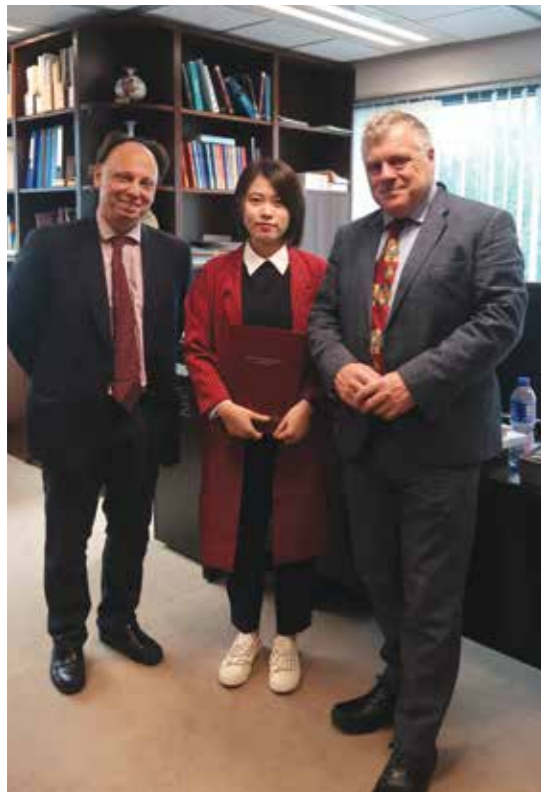
Q: What would you say to other students about the value of achieving a work and life balance?

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.

Our High Flyers



Zhu Siyan received the Hong Kong Maritime Law Scholarship 2018/19

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 competition for university students bringing many teams together in February each year to the International Chamber of Commerce ("ICC") in Paris.



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)



Ceremony of 2018/19 Admission Scholarships, Sir Oswald Cheung Memorial Fund PCLL Scholarship & 2017/18 Outstanding Performance in Mooting Competitions

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 mootings.

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. ■

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, 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.

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.

Details of the six funded grants are as follows:



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



Dr Stephenson Chow, “Self-fulfilment and Human Flourishing: a Re-examination of Human Rights Theories and their Application to the Convention of the Rights of Persons with Disabilities (CRPD)” (\$319,484).



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



Dr Lin Yu-Hsin, “The Politics of Corporate Governance in Chinese Firms” (\$720,415).



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



Dr Wang Shucheng, “Restrictive Right to Religious Freedom of Protestant House Churches in China” (\$696,922).

Selected Publications

Jack Burke

Christoph A. Hafner, Katherine Lynch, Anne Scully-Hill, John Burke, Rajesh Sharma, “Designing and Evaluating Digital Multimedia Resources for Legal English: An Interdisciplinary Approach to Innovation”, *International Journal of Language and Law (IJLL)* (November 2018), pp.142–166.

Chow Pok Yin Stephenson

“Commentary on Article 30 of the CRPD: Participation in Cultural Life, Recreation, Leisure and Sport” (with I Bantekas, S Karapapa and E Polymenopoulou) in *Commentary on the UN Convention on the Rights of Persons with Disabilities*, I Bantekas, D Anastasiou and M Stein (eds), Oxford University Press, (2018) pp.864–921. DOI: <https://global.oup.com/academic/product/the-un-convention-on-the-rights-of-persons-with-disabilities-9780198810667?cc=hk&lang=en&>

He Tianxiang

“To Share Is Fair: The Changing Face of China’s Fair Use Doctrine in the Sharing Economy and Beyond” (with Wang, J.), *35 Computer Law & Security Review*, Issue.1 (2019), pp.15–28.

“The UGC Problem in the Copyright Law Amendment Process – From the Comparative Perspective Between Mainland China and Hong Kong” (with Liu, Y.), *Law Review*, No.1 (2019), pp.123–135 (刘颖, 何天翔: “著作权法修订中的‘用户创造内容’问题—以中国内地与香港的比较为视角,”《法学评论》, 2019年第1期, 第123–135页).

Eugene Lim

“How Chocolate Wars “Shape” the Law: KitKat, Three-Dimensional Trade Marks and the Enigma of “Technical Function””, *Hong Kong Law Journal*, Vol. 48, Part 2 of 2018, pp.533–554.

Alexander Loke

“Disagreement over the Illegality Defence”, *Journal of Contract Law*, Vol 35 (2018), 169.

“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

“Making Sense of the Victim’s Role in Clemency Decision-Making” (2018) *International Review of Victimology* (with Marie Manikis).

Michael Tsimplis

“Information Technology in Navigation: Problems in Legal Implementation and Liability”, (with Papadas, S.), (Accepted/In press/Filed), *Journal of Navigation* (2019), pp.1–17.

“The Legal Status and Operation of Unmanned Maritime Vehicles” (with Veal, R. & Serdy, A.), *Ocean Development and International Law*, published online on 22 Jan 2019. ■



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