

Compilation of recommendations

Language

Prerequisite for entry to an undergraduate law course

1. That the existing English language prerequisite for entry to law studies of a D7 Grade in the UEE be raised by two levels to a C5.

Research studies

2. That the law schools undertake a joint ongoing study to determine if there is a correlation between students' UEE scores and their success in their first and subsequent year courses.
3. That a joint study be carried out by both law schools of students' English language skills at the point of graduation from the LLB; the results to be compared to their language skills at the point of entry to the law school to see if a change occurs.

Special language test for law students

4. On the basis that it would be very difficult to have all secondary students wishing to study law also undertake a special test in addition to the UEE, the development of a test which tested the use of English in law, for the purpose of entry to law school, is not recommended.
5. That the two law schools cooperate to engage experts to design and develop a new test, to be known as the Use of English in Law Test (UELTL), which would seek to test not English language ability generically but its use for legal purposes.

When developed, there could be three levels of the UELTL as follows -

- a test of sufficient stringency, to be undertaken by all law students at the end of first year - those passing it would not be required to sit it again, and those failing it would be permitted to continue their law studies but would be required to undertake remedial tuition (in addition to their law studies).
- a test, of similar stringency, to be undertaken by those students who were required to undertake remedial tuition - to be conducted annually and affected students being given the opportunity to fail it twice.
- a test for all applicants for entry to the new legal practice course - which would be at a somewhat higher level, reflecting that candidates had

completed their undergraduate law studies and were about to commence their practical preparation for practice.

English within the law course

6. That the process of active learning which, it is recommended be a more dominant aspect of law teaching, include a strong and rigorous emphasis on the use of English.
7. That one of the criteria for assessment of all oral and written assessable work in the LLB degree be English language ability appropriate to the work being assessed, and that this criterion be assessed rigorously, to the point where work could be failed on that basis alone.

Exchange programmes

8. That both law schools expand existing, and/or actively explore the possibility of developing, exchange programmes with law schools in English speaking countries, in order to give their undergraduate students the opportunity to study outside Hong Kong for one the long vacation or over summer and gain full credit, and thereby improve their English language ability.

Chinese language

9. It is highly desirable that there be a number of those admitted to practice in Hong Kong who are able to use the Chinese language, where appropriate to their practice, to comparable standards as those in regard to English. Continuing training in the Chinese language should be provided for students and lawyers who have capabilities in the use of Chinese.

The academic stage

Goals and objectives of the academic stage

10. That the undergraduate law degree is a valuable preparation not only for the practice of law but also for a variety of other careers, and that this characteristic should be given weight in planning degree structures and content.
11. That the generic or generally transferable intellectual skills and competencies common to most university education in the humanities and social sciences are essential to legal education.
12. That the goals of the academic stage include the development of intellectual skills and competencies specific to the discipline of law. These draw upon general transferable skills of analysis and problem solving but take on a cast of thought and intellectual method that is specific to the discipline of law.
13. That, subject to the choice of structure of the academic stage, professional legal (or lawyering) skills have a legitimate place in the academic stage of legal

education in Hong Kong, but not as an essential requirement for each school. Accordingly it is appropriate for a law school to include such skills in the LLB curriculum either as an elective subject or subjects or as part of the compulsory core.

14. That it is for each law school to strike a balance between the several goals in intellectual and professional skill development within the broad objectives determined by the statement of standards that applies prescriptively to all stages of legal education for purposes of legal qualification.
15. That law schools should be clear in the identification of their distinctive mix of goals and aims, and should communicate that distinctiveness clearly to students. The precise balance that each strikes should be carefully stated, for example, by stressing the weight given to each of several approaches in the curriculum that are, in the end, competitors for emphasis and resources within the curriculum. They should not be hidden behind vague formulations that conceal the distinctive character of the law programme of the school.
16. That law is a discipline whose study under the appropriate spirit and teaching practices (and with appropriate complements) provides a liberal education for those who undertake it primarily for vocational preparation. in law or in another field, as well as well as for those who undertake it solely for intellectual formation.
17. That the study of law needs to be pursued with a spirit of critical inquiry so that the reason for a rule is as significant as the rule itself.
18. That reliance cannot be placed upon the study of law, even pursued in a multidimensional dimensional character, to secure the desired intellectual skills and competencies characteristic of university education in the humanities and social sciences. Education in this style and intellectual method should not be imposed upon law teachers. Further, the skills required of those practising this method are of a broad range and are not evenly distributed among law teachers.
19. That, accordingly, legal education in Hong Kong should expose students to disciplines outside of law.

Structure of law degree programmes

Graduate law programme

20. That the LLB does not become a programme open only to graduates.
21. That there be a LLB programme for graduates that might be completed in three years, or less with accelerated study.
22. That the LLB programme for graduates should also be available for part-time study so that its completion is not at the expense of the career or employment upon which the graduate has embarked.

Four year LLB

23. That the primary model for the academic stage of legal education in Hong Kong comprise a four-year LLB degree in the first two or three years of which law and non-law subjects are taken concurrently.
24. That non-law subjects represent approximately one-quarter of the credit load for the LLB degree and law subjects three-quarters.
25. That the curriculum in the third and fourth years of the four-year LLB include certain subjects, either as core or as elective subjects, that are presently dealt with in the PCLL programme.
26. That the status of such subjects as compulsory or elective subjects should be a matter for decision by each university subject to any prescription in the statement of academic standards required for professional admission.
27. That in the light of the determination of the Legal Qualifying Council as to what portion (if any) of the PCLL should be required for purposes of admission, the universities should review whether the component of non-law study should be reduced, but not below the equivalent of one-half of one year of study.

Double (or combined) law programmes

28. That the four-year LLB be structured so that students may take a five-year double (or combined) law programme by adding on a fifth year.
29. That students undertaking such a double degree programme study the same law subjects as those in the four-year LLB programme but their non-law studies be sufficient in breadth and structure to lead to the award of a second degree.
30. That the double degree programme be structured and taught as an interdisciplinary degree, at least in the first three years when elements of both disciplinary fields are studied.
31. That the focus and content of non-legal study reflect the character of the individual double degree programme, varying between those programmes that have the objective of broader intellectual formation (eg, an Arts/Law programme) to those with a more explicitly vocational orientation (eg, Finance/Law).
32. That the LLB and double degree programmes be structured with maximum articulation between them, so as to enable students to move with as much flexibility as possible between single and double programmes.
33. That places in double degree programmes receive full UGC funding since they secure valuable academic and/or vocational formation for those who undertake them.

Five year LLB intergrating legal and non-law study

34. That a five-year degree programme which intergrates legal and non-law study is worthy of serious consideration and further development as an alternative to the four-year LLB. The programme would lead to the award of the Bachelor of Arts and Bachelor of Laws.
35. That such a programme might take its place alongside the range of double-degree programmes recommended above or as an alternative to them.
36. That the rationale for such an intergrated programme is that it offers the prospect of true inter-disciplinary teaching and learning under a curriculum in which law is studied in close and structured association with fields of study with which it has an intimate connection. In this study the focus is upon the relationship between law and other fields, not upon each as independent autonomous subjects of study.
37. That this model might also provide for professional or lawyering skill development as part of the holistic development of legal skill and competency, including through supervised and seminar related placements with firms, courts etc, securing a closer integration of academic work and legal experience with real clients.
38. That the scope of subsequent legal practice training required before entry to in-training after such an integrated model would depend upon the place assigned to legal skills development in the programme. The lawyering skills content and clinical experience offered under the integrated programme might feasibly permit direct entry to in-training, perhaps supplemented with more modest institutional training than that proposed under the proposed legal practice course.

Five year LLB integrating academic and professional legal education

39. That a five-year degree model integrating academic and professional legal education is worthy of serious consideration and further development as an alternative form of legal preparation to the four-year LLB. It might take its place side by side with double degree programmes recommended above.
40. That law graduates under this model proceed directly to in-training either in the form of a trainee solicitor contract or pupillage although they might be required to undertake some institutionally provided practical training before, during or at the conclusion of the vocational training stage to complement LLB studies. The scope and duration of such practical training would be less than that proposed for the legal practice course to follow the four-year LLB proposed above.

Funding of law degree programmes

41. That each of the five law degree programme models be fully UGC funded.

The knowledge content of the LLB

42. That the prescription of the areas of knowledge which must be completed before proceeding to the vocational stage of training should be determined by the Legal Qualifying Council.
43. That the possible criteria for identifying the compulsory core of the LLB (including areas within the PCLL) might include considerations such as that the area is one that -
 - deals with principles or subject matter, legal methods, or techniques which are fundamental for the law or legal system as a whole or are of social or political or economic significance;
 - is a "building block" for other subjects or for important areas of legal practice; or
 - assures a broader perspective about the operation of law and the legal system in society.
44. That there is a strong principle supporting greater freedom of choice of electives on the part of students so that they have the opportunity to study particular areas in depth, particularly those that build upon non-legal studies in the LLB or in mixed degree programmes. This principle needs to be borne in mind in considering the scope of areas of knowledge to be prescribed for admission purposes.
45. That the areas of knowledge in the PCLL should not automatically become part of the compulsory core for purposes of professional qualification.
46. That the elective portion of the LLB curriculum address pressing social and technological developments that are likely to have an impact upon legal practice or other careers of graduates where those courses do not satisfy the criteria for inclusion in the compulsory core.
47. That law electives be offered with such consistency and forward projection that student elective planning can be done on a predictable basis from a balanced range of subjects.
48. That, subject to the objective of providing a balanced and predictable elective offering, effort be made to include scope for specialisation by students in particular subject areas.
49. That the law schools explore ways of combining education in Hong Kong law with education in Mainland law, so as to be able to train lawyers who are dually qualified in both jurisdictions.
50. That priority be given in the development of the LLB curriculum to the offering of elective subjects on topics in PRC law of particular legal significance from a practical or intellectual perspective.

51. That Hong Kong law schools continue their commendable initiatives to develop postgraduate coursework programmes in PRC law for the benefit of Hong Kong and Mainland lawyers.

Teaching and learning methods

52. That the aim of teaching and learning in law should be to have students engage with the course material so that the learning experience is one of active and not passive learning.
53. That the existing system of teaching and learning, where it involves the primary use of lectures for the delivery of information supplemented by tutorials, is inadequate to meet the goals and objectives identified for the LLB programme.
54. That the lecture and tutorial method be discarded as the primary mode of instruction in the LLB and be used exceptionally where either staffing resources in a particular area or financial exigency require it.
55. That teaching methods employed in the LLB programme should enable students to think logically, critically and creatively, to have the capacity to evaluate, and to analyse legal problems and issues. What takes place in the classroom and what is required in the examination room must ensure that these capacities are developed and assessed.
56. That interactive teaching in medium sized class groups based upon pre-assigned and pre-read material become the norm of instruction in Hong Kong law schools.
57. That the role of teachers in these class groups be not so much as providers of information but as stimulators, facilitators and modellers of analytical, critical, creative and deep thinking.
58. That, in order to encourage and reward active participation in class, students' participation in class be part of the assessment scheme of each LLB subject.
59. That the effects and outcomes of the methods employed in Hong Kong law schools be monitored by educational research and evaluation.
60. That law schools be funded with such additional resources as are necessary to support the adoption of interactive mode of teaching recommended as the standard mode of teaching and learning since this method requires a lower staff: student ratio than passive modes of instruction based upon large lecture groups.
61. That a commitment by a law school to legal professional skills training be funded at a level sufficient for this teacher-intensive form of learning.
62. That teaching methods are adopted that promote English language proficiency, spoken and written, which should ordinarily form part of the assessable curriculum for all subjects.
63. That the law schools give consideration to the introduction of a law school operated legal clinic, and specifically to a clinic operated jointly by them.

Assessment

64. That teachers make clear to students the purpose of work undertaken for assessment and its relation to the objectives of each subject.
65. That subject objectives, learning activities and assessment, need to be mutually supportive.
66. That assessment tasks address the expected learning outcomes for a subject so students need to perform at a high level to meet the requirements of the subject.
67. That assessment tasks be treated as an integral part of the learning process rather than a summative measure at the end of the subject.
68. That teachers keep students continuously informed as to their progress so as to develop a sense of self-confidence and competence.
69. That a specific proportion of the marks for a subject be attributed to the students' capacity to exercise the particular skills identified as appropriate for each subject.
70. That where an examination is set as part of subject assessment, it should not usually be the sole assessment for the subject.
71. That where an examination is set as part of subject assessment, it should in the ordinary course be of the open-book type so that the examination tests skills and understanding rather than mere knowledge recall.
72. That a student' participation in class be part of the assessment scheme of each LLB subject.
73. That there be a compulsory requirement for the LLB to complete a substantial writing exercise as part of the assessment for at least one law subject.

Part time law degree

74. That at least one of the law schools be permitted, and given the resources to enable it, to offer a true part time LLB degree that might be undertaken by non-graduates as well as by graduates.

Achieving balance between the two law schools

75. That a conscious decision be taken to strengthen the law student intake and, consequently, staffing levels at CityU so that it achieves the critical mass that is a pre-condition to the healthy competition between two strong, balanced law schools in Hong Kong.

The vocational stage

The PCLL

76. That the PCLL be discontinued.

The vocational stage

77. That there be a period of training for both future barristers and solicitors to be known as the vocational stage.
78. That in the case of future barristers this period be one year and four months and in the case of future solicitors it be two years.

Organisational arrangements for a legal practice course

79. That a free-standing institution be established to conduct a course of practical vocational preparation for law graduates seeking to be admitted as barristers or solicitors in Hong Kong.
80. That the course conducted by the institution be known as the Legal Practice Course.
81. That, in the alternative, the course could be conducted by the proposed Academy of Law, a concept which has recently been endorsed by the Council of the Law Society.
82. That the course could be established under the *Legal Practitioners Ordinance* or by its own ordinance, or as a company or in some other way.
83. That the institution (assuming it is not the proposed Academy of Law) be governed by a board on which the two branches of the profession would have substantial representation but which would also include people drawn from the judiciary, government, the universities and the wider community.
84. That the institution, although the profession's own training body, would be required to conduct its affairs in a transparent way.

Numerical entry quotas

85. That the institution not impose any numerical quotas for entry to the legal practice course, although it would be empowered to specify entry standards in regard to matters such as academic merit or language.

Premises

86. That preferably the legal practice course be conducted in its own premises.

Establishment grant

87. That an establishment grant be sought to obtain and set up premises for the legal practice course, to recruit the initial group of staff and to design and plan the course.

UGC funding and fees

88. That the legal practice course be supported with UGC funding to the fullest extent possible but, to the extent that it should not be possible, those students who are not so supported should pay a fee which reflects their proportionate share of the true cost of conducting the course.

Characteristics of the Legal Practice Course

89. That the legal practice course would form part of the proposed vocational stage and that the remainder of the period would be the trainee solicitor contract or pupillage, as appropriate.
90. That the legal practice course be an intensive course of four months (16 weeks).
91. That the legal practice course would take the form of solely practical training, that is training in transactions and skills, within a strong ethical context.

Teaching methods

92. That innovative teaching methods be employed, including learning-by-doing and the inclusion of some distance learning approaches.

Curriculum

93. That the legal practice course curriculum be based on a conceptual framework of how legal work is done rather than necessarily being structured around subject areas of the law.

Relationship with pupillage and trainee solicitor contract

94. That the legal practice course, to the extent possible, seek to complement and reinforce the training received in pupillage or a trainee solicitor contract.

Teachers in the legal practice course

95. That teachers in the legal practice course would generally be practising lawyers with current or very recent experience of practice.
96. That a small core of teachers in the legal practice course would be full time, but extensive use would be made of those appointed for short periods of full time teaching, or part time teachers or guest teachers for specific topics.

Initial planning and design

97. That it would be appropriate to seek expertise and assistance from outside the Hong Kong legal profession and legal education community to work with those responsible for the initial planning, design and presentation of the legal practice course.

Common core and options

98. That the legal practice course could either be two separate courses - one for solicitors and one for barristers, or it could have a common core of instruction for those seeking admission either to the bar or the solicitors' branch, and there would also be options, which could be chosen depending on whether a student intended to practise at the bar or as a solicitor.

Modularisation of the legal practice course

99. That the legal practice course be modularised, enabling students to undertake all of it immediately prior to pupillage or a training contract, or in two blocks, one at the beginning and the other during the remainder of the vocational stage, or spread out in three or more modules throughout the vocational stage.

Part time legal practice course

100. That the legal practice course be available in a part time mode.

Assessment

101. That students would generally be assessed at the end of the various modules and those who did not pass would be required to repeat the module, at some later time during the remainder of their vocational stage.
102. That students would be assessed as to whether they "could do".

Pupillage and the trainee solicitor contract

Generally

103. That the concept of on-the-job training, which pupillage and a traineeship ideally provides, continue to be part of the process of preparation for practice as a barrister or solicitor in Hong Kong.
104. That the vocational stage leading to admission to practice in Hong Kong comprise two elements - pupillage or a trainee solicitor contract. on the one hand, and the legal practice course on the other.
105. That the total period of the vocational stage for barristers be one year and four months, comprising four months for participation in the legal practice course and a one year period of pupillage after call to the Bar.
106. That the total period of the vocational stage for solicitors be two years, comprising four months for participation in the legal practice course and 20 months (the remainder of the two year period) in a trainee solicitor contract.
107. That, in the alternative, the length of vocational preparation for barristers and solicitors be the same, in which case it might be, say, 100 weeks, comprising four

months in the legal practice course and 84 weeks (1 year 32 weeks) in pupillage or a trainee solicitor contract.

108. That, as a solution to problems in regard to pupillage or the trainee solicitor contract, an examination at the end of either of them not be introduced.

Pupillage

109. That the Bar Association appoint a working party to review the adequacy of training being received by pupils and of the system to monitor it, with a view to reforming the system to ensure that there are procedures in place to ensure adequate training for those in pupillage.
110. That the Bar Association's proposal to make participation in the Pupils Programme as from September 2001 be implemented.

Trainee solicitor contracts

111. That the Law Society implement its reforms of the trainee solicitor contract, as now expressed in its *Position on Legal Education and Training*.
112. That the proposal, as now encapsulated in the Law Society's *Position on Legal Education and Training*, to establish a monitoring system, is endorsed.

A common admission standard

Common standard

113. That a common standard of academic preparation for persons seeking professional admission in Hong Kong other than on the basis of overseas qualification and experience as a lawyer be established by the Legal Qualifying Council issuing a statement of academic standards in the preparation of legal practitioners.
114. That the common standard expressed in the statement is that against which the skills, knowledge and values formation content of law courses completed by those seeking entry to vocational training in Hong Kong (other than those of accredited Hong Kong law schools) are judged.

Conversion course

115. That, for persons seeking entry to vocational training in Hong Kong on the basis of academic qualifications other than those of the LLB from a Hong Kong university, a conversion course be established to make up deficits measured against the statement of academic standards required for entry to the vocational stage.
116. That, while the precise area of shortfall that needs to be made up will vary with the nature of the legal education received by each applicant for entry to the conversion course, possible areas of deficit that would need to be made up by those taking their legal education outside Hong Kong universities include:

- Legal System of the People's Republic of China
 - Hong Kong Constitutional Law
 - Hong Kong Property Law and
 - legal research and writing skills.
117. That the subjects required in the conversion courses give credit for study undertaken in overseas courses so that the full local subject requirement is not automatically required but might in a particular area (*eg*, Hong Kong Constitutional Law and Property Law) be simply a bridging course in areas where Hong Kong law is significantly different to that of the overseas legal system studied by the applicant.
118. That the standard duration of the conversion course for the holder of a three year full time law degree might well be six months although a decision as to duration would depend upon the content of the statement of academic standards issued by the Legal Qualifying Council.
119. That the Hong Kong law schools are the natural and obvious providers of the conversion course by dint of their expertise and central role in Hong Kong legal education.
120. That consideration be given to the formal recognition of the conversion course through the granting of an academic award to those who complete it.
121. That although the law schools are the natural providers of the conversion course, if the implementation of the conversion course proposal or its future operation through Hong Kong law schools should prove unsatisfactory, the Legal Qualifying Council might consider accrediting other course providers.

Overseas Lawyers Qualification Examination

122. That the design and operation of the Overseas Lawyers Qualification Examination for admission as solicitors is endorsed.
123. That the overall aims and standards of the Overseas Lawyers Qualification Examination for admission as solicitors be clearly expressed and communicated to all involved in teaching and assessment for the Examination as well as to the examinees. In particular, the statement should clarify the general standard of proficiency against which the examination is set.
124. That the Law Society keep under constant review the selection of heads for the Examination to ensure that they reflect the principal areas of emphasis and skill needed in contemporary legal practice in Hong Kong.
125. That the administration of the Overseas Lawyers Qualification Examination not be transferred to the Legal Qualifying Council

Academic staff development and training

126. That a joint law schools working party be established with a view to developing an appropriate professional development programme for Hong Kong's law teachers -
- in the use of interactive teaching to develop intellectual skills in the classroom
 - in the assessment of such skills
 - in becoming proficient tutors in language within the context of law teaching.
127. That the universities and the government will need to provide sufficient additional funding to ensure there is proper design of such training, that it is provided to all law teachers, and that there is adequate ongoing support for them as they implement these changes.
128. That it would be appropriate for the two universities to seek a special grant from the UGC to enable these recommendations to be implemented.
129. That the universities and the government accept, and respond accordingly to the reality, that the proposed new type of law degree will require a higher level of funding than presently is the case in order that more staff can be engaged so as to enable small group teaching which the interactive form of teaching will require.

Equity and access

Part time law degree

130. That there should be a genuine part time law degree in Hong Kong offered by at least one of the law faculties.

Places in the conversion course

131. That, in any one year, there should be sufficient places in the conversion course and in the legal practice course for all applicants seeking a place - on the basis that the courses will be fee-paying and thus not dependent on government funding, and that there will be more than one entry point during the year.

Law degree by distance education

132. That there is no apparent need for a law degree offered by distance education, but that a number of the pedagogical techniques and technologies used in distance education could be usefully applied to full and part time degrees, the proposed conversion course and the legal practice course.

Mature age students and graduates in other disciplines

133. That there should be opportunity for mature age students, and graduates in other disciplines, to study law - both for equity and access reasons and for the richness and diversity this brings to the law schools and the legal profession.

Scholarships, bursaries and loans

134. That the institutions offering the proposed conversion course and the legal practice course so construct their budgets that some modest funds are available to offer some scholarships, bursaries or interest free loans to selected students from low socio-economic backgrounds.

Artificial numerical barriers or bottlenecks

135. That, as it is contrary to the principles of equity and access, and indeed to the long term health and vitality of the legal profession, no artificial numerical barriers or bottlenecks be imposed in order to control numbers or set standards.

The Bar's Advanced Legal Education programme

136. That the Bar Association make a more substantial commitment to the professional development of its members through its ALE programme, by improving the extent, depth and overall quality of the programme.
137. That the Bar Council consider again whether a mandatory ALE scheme should be implemented.

The Law Society's Continuing Professional Development Scheme

Mandatory continuing professional development

138. That the Law Society maintains its mandatory CPD scheme.

Providers of continuing Professional development

139. That there continue to be a multiplicity of providers of CPD, one of which can be the Law Society, and that the Law Society maintain and, where possible, improve its procedures which seek to ensure the quality of programmes offered.

Accreditation of providers and courses

140. That the Law Society set up a process to review its individual accreditations in the light of the evaluations which are collected and forwarded to the Law Society, and where significant discontent with quality has been reported, the Law Society reconsider its accreditation procedures and identify whether the difficulty could have been anticipated.

Model curricula

141. That the Law Society consider whether it might develop model curricula for some practitioners in various forms of practice, with a view to inviting providers to tender to conduct all or some of the modules making up those curricula.

Specialist accreditation scheme

142. That, should the Law Society introduce a specialist accreditation scheme, it consider requiring attendance at CPD related to the specialist's area of specialisation as a condition of re-accreditation, and also encourage specialists to participate in CPD and in other ways to disseminate their specialty.

Academy of Law

143. That the proposal for an Academy of Law is worthy of serious consideration by the two branches of the profession and the Government of the HKSAR, and that it would be appropriate for government or other funding to be provided to enable the development of this proposal.

The place of values in legal education

A professional culture of public service

144. That in aid of assisting law students appreciate the responsibilities of the profession that most will seek to enter, the Law Society and Bar Association review their formal public statements with respect to the responsibility of the profession, collectively and individually, for the amelioration of legal need through pro bono work and voluntary service.

Developing ethical capacity and social responsibility

145. That the opportunity offered during the law school stage of legal education for "sustained study, discussion and reflection" of ethical responsibilities of lawyers should be taken advantage of by appropriately structured and delivered courses to assist the creation of a professional sensibility and develop a thoughtful and lasting commitment to ethical conduct.
146. That such courses might bring together students and professionals from a number of fields - such as medicine, business, social welfare and education - to heighten students' awareness of the ways others see the legal profession (and other professions) and so that prospective lawyers might learn that there are alternative value systems, approaches and professional resources to those of the legal profession and its dominant modes of thought.
147. That if it is not feasible to establish a university operated legal clinic as recommended at Recommendation 63, the law schools give careful attention to the creation of externship programmes that permit law students to work in a placement under supervision with external legal and other agencies (such as the

Legal Aid Department and the Hong Kong Council of Social Services and its constituent organisations) engaged in direct service provision or policy development in areas that replicate the experience of legal clinics. If there were insufficient agencies available to accept placements it might be feasible to explore the placement of students outside Hong Kong, including in the Mainland.

148. That in relation to externship programmes for students, the law school offer seminars or other tuition to develop students' capacity to reflect upon their experience and support the development of lawyering skills through the externship experience. The externship might be for academic credit as an elective subject and students' performance assessed including through a substantial written project which addresses an issue for the agency or reflects upon work performed in the light of research and other material, including statute and case law.
149. That HKU be commended for its initiative in establishing the social justice summer internship programme in collaboration with the Department of Social Work and Social Administration.
150. That the law schools be encouraged to support the wide adoption by law students of internship programmes that expose them as volunteers to socio-legal issues and inter-disciplinary perspectives or to legal, social and other agencies (such as the Legal Aid Department and the Hong Kong Council of Social Services and its constituent organisations) engaged in direct service provision or policy development.
151. That the law schools give careful consideration to the merits and optimal form of mandatory schemes for pro bono work, particularly at the academic stage of legal education in view of its longer duration.
152. That there is a clear role for professional responsibility education in the vocational stage, in both its institutional element during the legal practice course and in in-training through training contracts and pupillage.

Responsibility of law faculties for community understanding of law

153. That the faculties collectively and their staff individually have a responsibility to contribute to social understanding of, and commitment to, the rule of law and the role of law in underpinning social harmony and development.
154. That university promotion criteria recognise the contributions made by academic lawyers, within their specialist competence and role, in providing leadership in public debate and through their participation in community education.

Legal Qualifying Council

Generally

155. That a Legal Qualifying Council be established.

156. That the Council not be a council to govern all aspects of legal education but rather, one to set, monitor and govern the process of qualification for admission to practice, as either a barrister or a solicitor.
157. That the Law Society and the Bar Association would continue to administer the process of dealing with applications for admission, collection of fees, issuance of practising certificates, and otherwise act as they do now - except that they would operate within the overall policy framework of requirements and standards as specified by the Legal Qualifying Council.

Powers

158. That the powers of the Legal Qualifying Council be -
- a) To develop, prescribe and keep under review a general statement of the requirements and standards of those seeking admission as barristers or solicitors in Hong Kong regardless of where their training was undertaken.
 - b) To prescribe and keep under review the academic requirements for admission to practice.
 - c) To prescribe and keep under review the vocational requirements for admission to practice.
 - d) To prescribe and keep under review requirements for admission for those with degrees or other qualifications from institutions other than the two Hong Kong universities.
 - e) To monitor the provision of academic and institutional vocational training.
 - f) To collect and disseminate statistical information in regard to the legal education and training system in Hong Kong.

Composition

159. That the Legal Qualifying Council might comprise -
- two people drawn from the judiciary and nominated by the Chief Justice
 - two people nominated by the Law Society
 - two people nominated by the Bar Association
 - two people [or one person] nominated by the University of Hong Kong
 - two people [or one person] nominated by City University of Hong Kong
 - one person nominated by the Secretary of Justice
 - one person nominated by the Secretary for Education and Manpower
 - two other persons from the community.

Public accountability

160. That the Legal Qualifying Council report annually, in some detail, on its work to all relevant stakeholders. Its annual reports should be in the public domain.