

THE SCHOOL OF LAW OF THE CHINESE UNIVERSITY OF HONG KONG

A Natural Home for the Third Law School in Hong Kong

- The Chinese University has become one of the region's leading comprehensive research universities in many fields of study. In particular, it has established a strong reputation in humanities and the social sciences, with particular reference to China and Asia.
- The development of legal education and the establishment of a School of Law are in line with the role and mission of The Chinese University of Hong Kong. In discharging its mission, the School of Law will benefit from the very strong programmes of education and research in economics, business, sociology, government and public administration and political science, Chinese history, information technology and other fields.

General Philosophy

- The purpose of the new School of Law at The Chinese University of Hong Kong is to provide a general and professional education in law at both undergraduate and graduate levels and to contribute by its research and its other activities to the understanding and development of law, the legal profession and the legal system in Hong Kong and elsewhere, but to do so in a way that will add to the variety and enlarge the scope of legal studies in the region by bringing to the study and development of law a distinctive character and approach.
- In preparing its students and conducting its research the School of Law will take into account the increasingly international character of law and business practice, the special position of Hong Kong as an international commercial, trading and financial centre, the needs of the wider community and Hong Kong's status as a Special Administrative Region of China and as the seat of an innovative constitutional order.
- Because the School of Law's general philosophy includes a concern to understand the particular suitability and qualities of law as a means of structuring and managing relationships, implementing policies, resolving disputes, and promoting the welfare of the community as a whole as well as the individuals and interests within it, students will look at the relationships between law and legal procedures and other methods of achieving desired goals, and the ways in which law can be used in association with these other methods.

Goals

- One of the goals of the School is to develop in students going into a legal career the professional skills and orientations which will make it possible for them in the course of practice to adapt to changing circumstances and work in a variety of legal contexts and to broaden their perspectives by exposing them to different traditions of law in Hong Kong, China, the Asia-Pacific region generally and the wider global environment.
- A second goal is to ensure that students who do not have long-term aspirations of a career in the practice of law (an increasing fraction of law school student populations in Hong Kong as elsewhere) are provided an education that equips them with a rigorous

intellectual and ethical education so that they can take leadership roles in governmental, business, financial, community or public-interest organisations¹.

- A third goal is to establish close intellectual ties with Mainland China through both teaching and research initiatives. While the School will be an essentially Hong Kong institution it is intended that it will have an international character, developing close relations with other legal institutions and centres of learning in the wider region, in particular with mainland China.

Characteristics of the School

CUHK aims to provide quality legal education that will enhance the standards of legal practitioners, by means of recruiting the best students to be interested in law, making innovations in the teaching and learning of law, and leveraging on its strengths in the humanities and social sciences to enrich the study of law within the broad sociocultural context. The School of Law will establish its identity through its approach to the teaching and learning environment, its teaching programmes and its emphasis upon and orientation towards research.

Teaching and learning philosophy

- The School's overall teaching philosophy is to encourage both staff and students to look behind the contemporary rules of law to the underlying values, purposes and policies and to give more emphasis to the acquisition of transferable skills and competencies than a simple identification of the existing rules can provide.
- The School will assist students in establishing community related initiatives as a core part of their education and encourage them to undertake public interest work to broaden their horizons and better serve the local community. The School's mission will include active promotion of access to justice as a constitutional right of all citizens.
- There will be clearly articulated outcomes in an active learning environment. Students will be enabled to acquire a set of competencies, law-specific as well as generic (including the capacity to collect and assess facts, to communicate clearly, to advocate, to write, to draft, to counsel and advise, to negotiate alternative outcomes).
- Learning will be progressive with a 'skills escalator' delivered through an overall skills' matrix articulated with each course (skills of fact gathering, legal analysis, interviewing, writing, public speaking, counselling). A mix of assessment regimes will be deployed to reflect accurately the extent to which different learning objectives laid down for different subjects have been achieved. Assessment methods will be designed to (i) motivate learning; (ii) measure its effectiveness; and (iii) assure quality.

¹ This important aspect of legal education was underscored by the Chief Justice in his Address at the Opening of the Legal Year in 1999: "[The Bachelor of Laws] is an essential degree for those who proceed to become professional lawyers. But it is also a good degree for those who proceed to other careers, including the public service and financial services fields."

Teaching Programmes

- The School's LLB programme will not be narrowly focused on law subjects only. The School will uphold the emphasis which the University has placed on the importance of general education. With its unique College system and long tradition in general education CUHK has been successful in creating a culture where general education is appreciated by the whole university community as an integral part of university education which broadens the perspective and cultivates critical analytical thinking of the students.
- The School's teaching programmes will give emphasis to both community and regional needs. It will take full account of the special position of Hong Kong as an international financial centre and of its special role within the Greater Chinese economy.
- The School recognises that Hong Kong is a diverse community most of the members of which are not involved in international financial activity but all of whom have a shared interest in a stable legal order and all of whom have a set of legal rights and protections which require defence and support and many of whom will have problems which require the help of a lawyer. The School will accordingly actively promote public interest law. In a range of programmes at least one compulsory course will be taught providing students with learning opportunities related to community needs and the rights and responsibilities of the individual in the maintenance of the rule of law.

Research

- In addition to teaching excellence, the School will be active in research and will promote a strong inter-disciplinary research culture in both staff and students, encouraging collaborative teamwork with a focus upon applied research and changes in the law and the administration of the law.
- The School will promote collaborative research with partner institutions in Mainland China with a view to developing theory at the intersection of civil and common law traditions and with a view to long-term development and capacity building informed by robust empirical data.
- The Universities Service Centre for China Studies is a rich mine for legal research on China. The Centre prides itself on being one of the most extensive and accessible collections of a great variety of first-hand materials on contemporary China. In the field of Chinese law alone, the Centre houses 1,073 compiled archives of legal documents, 98 titles of yearbooks, 161 titles of law journals and 57 titles of newspapers specialised in law.

School Structure and Staffing

- The University has established an Executive Committee of the School of Law, Chaired by Sir T L Yang, to assist the infusion of the University's strong bilingual culture into the School in its formative years and to take over the function of the Dean.
- The University has also established a Law Academic Advisory Committee (LAAC) to advise on the academic plans of the School of Law including curriculum design,

teaching, research and collaborative links. The LAAC is chaired by Professor Sir David Williams, QC.

- The School also has the benefit of a Planning Committee, Chaired by Dr. Anthony Neoh, SC and including representatives of the Law Society of Hong Kong and the Hong Kong Bar Association.
- On the recommendation of the Planning Committee, and following a rigorous selection procedure on a world-wide search for senior academics to lead the School, the University appointed as its first Chair Professor and Director (Designate) of the School, Professor Mike McConville of the University of Warwick.
- The University is currently in the process of recruiting a core team of academic staff members to assist the Director in preparing the initial academic programmes and related activities. It is planned that a core team of eight academic staff will be in post by September 2005. The full academic staff establishment of about 50 will be achieved when the School reaches maturity, while a figure of 25 to 30 will be achieved during the early years.

The School's Inaugural Programmes

Beginning in the academic year 2006-2007, the School will offer the following Programmes:

- Four-Year Bachelor of Laws (LLB)
- Juris Doctor (Full time and Part time)
- LLM (in Business and Law in China; International Economic Law; and Common Law)

With effect from 2007-2008 the School will offer

- PCLL (Full time and Part time)

Other Programmes, including research degrees, Double Degrees and Joint Degrees, will be added as the School's development progresses.

Library

The University has placed strong emphasis upon enhancing its Law Collection to support the new School. A major acquisition initiative has now been given approval by the University which will see some 6000 additions to the monograph collection in 2005/06 and a further 3000 per annum over the years 2006/10. At the same time, print journal and serial publication subscriptions will increase and the Library will re-enforce its law-related electronic resources.

Physical Accommodation

The School will occupy two floors of the Mong Man Wai Building in the central part of the University campus, with a total floor space of about 1355m² when the School opens its doors to welcome its first students. New accommodation, currently planned to become available in a few years' time, will include a moot court, multi-purpose classrooms and seminar rooms, dedicated computer facilities, reading and conference rooms.

Community Support

The University is heartened to have already received generous donations from past benefactors and new supporters including: two named Chair Professorships from Dr. Q W Lee and Dr. Simon Li; a donation of HK\$ 5 Million from Mr. Warren Chan, QC, for the acquisition of library books; over 1,000 volumes of law reports and professional references from C Y Kwan & Co; a collection of 1,719 law reports and references from Mr. K K Chu; a set of the Laws of Hong Kong from Linklaters; and a donation of HK \$ 500,000 for student scholarships from an alumni couple, Mr & Mrs K C Poon.