

The Chinese University of Hong Kong

School of Law

A. THE SCHOOL OF LAW VISION STATEMENT

Enriched by the intellectual and cultural heritage of its University, the School of Law brings together the common law and Chinese law with other great legal traditions and values to promote justice and safeguard the rule of law. An international family of research-led scholars creates a dynamic, flexible, learning environment. Students are encouraged to develop a deep and critical understanding of legal theory and practice in the domestic and international context. Graduates will possess the knowledge base, intellectual and lawyering skills and ethical values to become future leaders and serve the needs of the community.

B. ADVISORY AND GOVERNANCE STRUCTURE

The School of Law was established in the summer of 2004 with a Planning Officer and began formal operation when the Director, Professor Mike McConville, the core academic planning team and supporting administrative staff assumed duty in September 2005.

The School is privileged to have been guided in its planning and development work by two committees: The Planning Committee for Law and The Law Academic Advisory Committee. The Planning Committee for Law chaired by Dr. Anthony Neoh SC includes, amongst other members, representatives from the legal profession from both the Law Society of Hong Kong and the Hong Kong Bar Association. The Law Academic Advisory Committee is chaired by Emeritus Professor Sir David Williams QC, former Vice Chancellor of The University of Cambridge.

In March 2005, the University Council appointed an Executive Committee of the School of Law to oversee the development and assume the overall management of the School. The Committee is chaired by the Hong Kong's former Chief Justice, Dr. The Honourable Sir T L Yang, with Dr. Anthony Neoh SC as Vice Chairman and Pro-Vice-Chancellor of the University, Professor Liu Pak Wai as Member.

The PCLL Academic Board, which will oversee the creation of the Postgraduate Certificate in Laws Programme planned to commence in 2008, is chaired by the Honourable Mr. Justice Kemal Bokhary, Permanent Justice of the Hong Kong SAR Court of Final Appeal.

The membership lists of the Committees are at [Appendix A](#).

C. ACADEMIC STAFF

Professor Mike McConville is the first appointed Chair Professor and Director of the School of Law. In addition, an academic core team of nine has joined the School since the beginning of September 2005. The School embarked on a second staff recruitment exercise at the beginning of this year, attracting almost 300 applications. Up to early April 2006, the School has appointed an additional 9 academic staff, and 5 appointments are being processed.

As well as our full time appointees, the School is privileged to have the support of a number of the distinguished jurists and prominent academics who have accepted appointments on an Honorary or Visiting basis.¹ These include:

Honorary Professors of Law

The Right Honourable The Lord Woolf of Barnes (Former Chief Justice of England and Wales)

Dr. The Honourable Sir T L Yang (Former Chief Justice of Hong Kong)

Sir David Williams QC (Former Vice Chancellor of The University of Cambridge)

Visiting Professors

Professor Paul Redmond (Consultant of the Hong Kong Legal Reform Review and Former Dean, Faculty of Law, The University of New South Wales)

Professor Robyn Martin (Professor of Public Health Law, University of Hertfordshire)

Coming from varied backgrounds and different jurisdictions, the School of Law's international family of scholars possesses a rich and diversified pool of expertise that will greatly enhance the learning environment of students.

A brief summary of the Academic Profile of the School of Law teachers is provided at [Appendix B](#).

¹ The School of Law is in the course of inviting other visiting professors in a variety of specialties, including Chinese law (traditional as well as modern), intellectual property, financial law, corporate governance, international trade, and various aspects of the Common Law. Visiting Professors will be expected to teach courses in their areas of specialty. The School of Law will also appoint Adjunct Professors from among practising members of the legal profession in various areas of specialisation.

D. PROGRAMMES

The School of Law will begin teaching from the next academic year, starting in September 2006. All programmes have gone through rigorous design and approval processes, including involvement of the School Planning and Advisory Committees and also assistance rendered by the legal professional bodies at the design stage prior to formal submission to and approval by the University Senate Committees and by the University Senate itself. Programmes that are currently on offer for admission of students include:

- 1) the four-year full-time Bachelor of Laws (LLB) with 50 UGC funded places, and
- 2) postgraduate programmes with non-UGC funded, full-time and part-time student intakes consisting of the Juris Doctor (JD), Masters of Laws (LLM) in Chinese Business Law, International Economic Law and Common Law, and Master of Philosophy (MPhil) and Doctor of Philosophy (PhD) in Laws.

Details of the programmes can be found in the School brochure.

The LLB and JD Curricula

The LLB and JD curricula are designed to teach students substantive law by challenging them to explore how law affects and is affected by society. The School is committed to the mission of The Chinese University of Hong Kong: the development of a well rounded and liberally educated individual. The School has created a formal curriculum and has planned extra-curricular activities (reinforced by the strong college system), which together are designed to develop the undergraduate student into a lifelong, self-managed learner, keen to contribute to the betterment of Hong Kong.

The Postgraduate Programmes

Taught in the Bank of America Tower building in the heart of Hong Kong, the postgraduate programmes will provide students with unparalleled access to various legal institutions and eminent legal personalities. The LLM programmes in Chinese Business Law, International Economic Law and Common Law are designed so that graduate students will explore areas of law and specialist topics as they enhance their practical and theoretical skills and explore the interplay between law and society.

Student Recruitment

The School of Law has received very encouraging responses to its programme offerings.

For the LLB programme, first choice applications from Form 7 students stand at 8 applications for each available place. As of end March 2006, the 7 offers made to direct applicants, who include some of the best Hong Kong non-JUPAS students, have all been accepted. The first cohort of undergraduates is expected to include very strong academic achievers coming from diverse backgrounds, giving the student mix an international and global flavour.

Application numbers for the JD programme well exceeded the original planned intake and include a great number of exceptionally well qualified candidates.

The School of Law will commence its PCLL Programme in 2008, a decision unanimously endorsed by the Standing Committee on Legal Education and Training on 8 March 2006. The Law Society of Hong Kong and the Hong Kong Bar Association have offered the School their full support in planning the programme and the School will continue to work closely with both branches of the legal profession in the development of a new and innovative programme.

E. PHYSICAL RESOURCES

The School of Law is located on the third and fourth floors of the Mong Man Wai Building (MMW) on the campus of The Chinese University of Hong Kong. It occupies about 1480 m². The fourth floor is fully fitted out and complete. Construction work on the third floor is progressing well and will be completed by mid-June 2006. The School will deliver its undergraduate programme on campus.

The fourth floor of the Mong Man Wai Building hosts the School's General Office, office of the Director, staff offices, the Board Room and a staff common room. It is also home to two research centres and a legal workshop and reference centre. The third floor will host staff offices, the Moot Court, breakout rooms, a meeting room, the students' common area, the Student Society Office and a seminar room.

In addition to the campus premises, the University has acquired the second floor of the Bank of America Tower building (BOA) in Central, which will be home to the School's Graduate Law Centre (GLC). Construction and fitting-out is under way and due for completion by mid-July 2006. All of the School's postgraduate programmes will be delivered at the Graduate Law Centre.

For the next three years, the School will occupy about one third of the total floor area of 1501 m² and will also use an additional one third of the floor area after 6 pm. The Graduate Law Centre will contain lecture theatres, tutorial rooms, and a Moot Court as well as breakout rooms, a student common area and an office area. Starting from 2009, the Graduate Law Centre will occupy the entire second floor of the Bank of America Tower building in order to accommodate its growing number of postgraduate students.

All of the School's teaching venues will be equipped with state-of-the-art technology in order to meet the requirements of advanced teaching philosophies and methods.

Images and design layout of the School's physical accommodation are at [Appendix C](#).

F. THE LAW LIBRARY

During 2004 and 2005 the University Library began preparing for the development of a new law collection and library service to support the introduction of the new School of Law. Visits were made by Library staff to leading international universities and consultants were engaged to provide guidance on the development of the collection.

The existing collection was reviewed, gaps in the collections were identified and the acquisition of new materials started. The total collection now stands at 41,256 volumes. Accounts have been established with Chinese and foreign law book vendors to ensure that newly published materials are acquired immediately before they go out of print. The total number of serial subscriptions taken up to March 2006 is 352. By 2010 a total of HK\$44 million will have been spent on building a state-of-the-art print and electronic Law Library. The projections for growth are approximately 106,000 volumes by 2009-2010 with 600 journal titles.

A Law Librarian was appointed in January this year. As well as setting up the Law Library, he will be involved in course delivery for subjects in legal research and information literacy modules.

The new Law Library will contain:

- shelving space for law materials on two floors of the University Main Library,
- a separately staffed service counter adjacent to the reference collection and a new journal display area with soft seating,
- seating spaces in various configurations including open plan tables, individual study carrels, and group study/small group teaching rooms, and
- full wireless access for laptop use and an Information Common area equipped with personal computers and printing facilities.

G. LEARNING ENVIRONMENT

The School of Law will develop a learning environment in which all undergraduate and postgraduate students are fully engaged and active in learning law and learning about law in its social context. The School's formal and informal curriculum and approach to learning, teaching, and assessment will reflect what is known from research about how tertiary students learn. Theoretical and practical skills will be embedded in the curriculum, and legal research and writing and ethics will be taught pervasively.

The School will exploit the advantages that small group teaching and, where appropriate, customized e-learning afford, while maintaining vigilance to ensure the authenticity of student work. The School will draw on the University's technical expertise and information resources, thereby enhancing face to face learning with the benefits that can be gained from e-learning.

The School has been awarded its First Teaching Development Grant for the development of a CD-ROM game introducing law students to the Hong Kong legal system.

H. RESEARCH AND PUBLICATION

Notwithstanding the short time that has elapsed since the formal inception of the School of Law in September 2005, the School is already established as an active contributor to legal research and scholarly output. Since that date, a number of staff have been engaged in empirical research projects and have produced books, legal practice manuals, refereed articles, conference papers and other publications.

Ongoing empirical research projects include the following: Criminal Procedure in China; The Birth of the Modern Criminal Justice System; Unlocking Intellectual Property; Investigation and Analysis of Issues Raised by Self-Representation in the High Court of Hong Kong; China's Practice on International Law: The Emergence of a New World Power and Challenges to the International Legal Order; Student Interviewing Online Negotiation; and An Investigation into Current Practice and Recommendations for the Improvement of Bilingual Interviewing Practices by Police of Rape Victims in Hong Kong.

Books, chapters, legal practice manuals, refereed articles, conference papers and other publications include the following areas of law: corporate governance and company law; mergers and acquisitions and joint ventures; planning, environmental, and public law; patent claims and interpretation; criminal and civil justice; and planning law.

I. INTERNAL AND EXTERNAL ASSESSMENTS

The School of Law will benefit from the advice of External and Visiting Examiners appointed in accordance with the University Statutes to establish programme standards and monitor student assessment. In line with the planned development of the University, the School will further establish Visiting Committees to give advice on its curricula, education and research, with a focus on the direction for future development. As a professional school, the School of Law will benefit in particular from the generous assistance offered by both branches of the legal profession, government departments and other institutions, with representatives taking part in the School's developmental work, participating in committees and contributing a variety of other ways.

J. UGC START UP GRANT

The School of Law is grateful to have been allocated a UGC earmarked grant for its start-up at HK\$52.16 million to contribute to staffing, book acquisition and spatial requirement costs over a 3 year period from 2005 to 2008.

April 2006

**THE CHINESE UNIVERSITY OF HONG KONG
School of Law**

Appendix A: ADVISORY AND GOVERNANCE STRUCTURE

I. The Planning Committee for Law

Composition

Chairman: Dr. Anthony Neoh, SC

Members: Professor Lawrence J Lau
Vice-Chancellor, CUHK

Mr. Edward Chan, SC
Representative, Hong Kong Bar Association

Mr. Lester Huang
Representative, The Law Society of Hong Kong

Professor Liu Pak Wai
Pro-Vice-Chancellor, CUHK

Professor Billy So Kee Long
Associate Pro-Vice-Chancellor and Registrar, CUHK

Professor Kuan Hsin Chi
Chairman, Department of Government & Public Administration,
CUHK

Professor Lee Kam Hon
Director, School of Hotel & Tourism Management, CUHK

Professor Mike McConville
Director, School of Law, CUHK

Secretary: Mrs. Diana Ying
Planning Officer, School of Law, CUHK

Terms of Reference

- (a) To make recommendations to the Vice-Chancellor on matters relating to the establishment of a Law Academic Advisory Committee (LAAC);
- (b) To design the new Programmes/curriculum in Law taking advice from the LAAC to be established;
- (c) To make recommendations on matters relating to the establishment of the School of Law;
- (d) To make recommendations to the Senate on all academic matters including, examination and admission, and the compilation of the relevant academic regulations;
- (e) To make recommendations to the Administrative and Planning Committee (AAPC) on all budgetary and administrative matters especially on the provision of additional manpower, equipment, space and research grants;
- (f) To assist the AAPC in the recruitment of teachers for the Programmes in Law; and
- (g) To undertake other related duties as prescribed by the Vice-Chancellor.

The Planning Committee may form such sub-committees and co-opt such individuals as it deems necessary to accomplish its tasks.

April 2006

II. The Law Academic Advisory Committee

Composition

Chairman: Professor Sir David Williams, QC
Former Vice-Chancellor and Emeritus Rouse Ball Professor of Law
and Fellow of Emmanuel College
University of Cambridge

Members: Professor William P Alford
Henry L Stimson Professor of Law
Harvard Law School

The Hon Justice Annabelle Bennett
Judge, Federal Court of Australia

Professor Christopher F. Forsyth
Professor of Public Law and Private International Law
University of Cambridge

Professor Wu Zhi Pan
Vice-President and Director, Financial Law Institute,
Peking University

Professor Liu Pak Wai
Pro-Vice-Chancellor, CUHK

Professor Billy So Kee Long
Associate Pro-Vice-Chancellor and Registrar, CUHK

Professor Mike McConville
Director, School of Law, CUHK

Secretary: Mrs. Diana Ying
Planning Officer, School of Law, CUHK

Terms of Reference

- (a) To advise on the academic plans of the School of Law;
- (b) To advise on matters related to curriculum design, including policies on curriculum development, assessment methods and quality assurance of the programmes offered by the School of Law;
- (c) To advise on the interface between the various programmes offered by the School of Law;
- (d) To advise on the scope of teaching and research, including potential areas of teaching and research, of the School of Law;
- (e) To foster collaboration between the legal profession and the School of Law, including professional internship and other practice-related training programmes;
- (f) To foster international academic links of the School of Law; and
- (g) to advise on any other matters related to the School of Law as may be referred to it by the Vice-Chancellor.

April 2006

III. The Executive Committee of the School of Law

Composition

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|----------------|--|
| Chairman: | Dr. The Hon. Sir T L Yang |
| Vice-Chairman: | Dr. Anthony Neoh, SC |
| Members: | Professor Liu Pak Wai Pro-Vice-Chancellor, CUHK |
| Secretary: | Mrs. Diana Ying Planning Officer, School of Law, CUHK |

Terms of Reference

In accordance with the Council's decision the Term of Reference of the Executive Committee shall include:

- (a) Duties and Functions of the School Board and Duties of the Dean of Faculty;
- (b) Terms of Reference of The Planning Committee for Law.

April 2006

IV. PCLL (Postgraduate Certificate in Laws) Academic Board

Composition

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|------------|--|
| Chairman: | The Hon. Mr. Justice Bokhary PJ |
| Members: | 1 Representative from The Department of Justice (To be advised) |
| | Mr. Edward Chan, SC Representative, The Hong Kong Bar Association |
| | Mr. Godfrey Lam Representative, The Hong Kong Bar Association |
| | 2 Representatives from The Law Society of Hong Kong (To be advised) |
| | Ms. Cheung Man Yee Lay Member of the Community |
| | Professor Mike McConville Director, School of Law, CUHK |
| | Professor Elsa Kelly PCLL Programme Co-ordinator, CUHK |
| | Two additional members of the School of Law, CUHK (To be advised) |
| Secretary: | Ms. Annie Cheung Administrative Assistant, School of Law, CUHK |

Terms of Reference

The terms of reference of the Academic Board will be reviewed by the Chairman and discussed at the Board's first meeting in order to be finalized. Essentially however, the Committee is to advise on matters relating to the structure, development and curricula of the new PCLL Programme which will be first introduced in 2008 and to review the standards and criteria for admission to the PCLL Programme.

April 2006

Appendix B: ACADEMIC STAFF PROFILE

I. Academic Core Team (assumed duty on 1 September 2005)

Professor Mike McConville (Chair Professor and Director, School of Law) LLB (Lond.); PhD (Nott.)

Professor McConville is a leading socio-legal scholar specializing in empirical research. He has researched and written on such topics as police interrogation, legal aid and assistance, plea bargaining, trial by jury and legal history. He has undertaken advisory work in countries undergoing major social transition such as Latvia, Malawi, Turkey and Peru. He is currently working with a large group of collaborators on an empirical study of Chinese criminal procedure.

Mrs. Anne Carver (Professional Consultant, School of Law) BA, MA (Cantab); Solicitor, Supreme Court of Judicature of Eng & Wales; Attorney, High Court of Lesotho; Attorney, High Court of Botswana; Solicitor, Supreme Court of Hong Kong

Mrs. Carver is an expert in corporate governance and company law, specializing in Hong Kong company law reform and comparative company law. She has written extensively on Hong Kong business law, corporate governance, legal writing skills and the legal skills of the global lawyer in the twenty-first century. She is admitted as a solicitor in England and Wales and in Hong Kong.

Professor Satnam Choongh (Professor, School of Law) LLB (Warw.); DPhil (Oxon); Final Pract Cert for the Bar of Eng & Wales; Qualified Lawyers Transfer Exam

Professor Choongh is a practicing barrister at the Bar of England and Wales, specializing in planning, environmental and public law. He has taught, researched and published widely in the field of criminal justice studies, and his areas of specialization and research currently include planning law, public law and criminal justice.

Professor Stephen Hall (Professor, School of Law) LLB (Qld.); LLM (Technol. Syd.); DPhil (Oxon); Admitted as Barrister in High Court of Australia and Solicitor in Supreme Court of NSW

Professor Hall has been admitted to practice as a barrister in the High Court of Australia and a solicitor in the Supreme Court of New South Wales. His areas of teaching and research expertise are international law, European Union law, contract law, the traditions of natural law and the common law, administrative law and the law relating to the Association of South-East Nations.

Mr. Dennis Hie (Professional Consultant, School of Law) LLB, PCLL (CityU); LLM (HK); Solicitor, High Court of Hong Kong; Solicitor, Supreme Court of Eng & Wales; Member, The Law Society of Hong Kong

Mr. Hie is a solicitor admitted in Hong Kong and in England and Wales. He is a commercial lawyer and practises in the areas of corporate law, mergers & acquisition, joint ventures and general commercial and China-related matters. Prior to joining the School of Law of the Chinese University of Hong Kong, he was a solicitor with a major law firm in Hong Kong. He provides consultancy services on commercial and China-related matters from time to time.

Professor Elsa Kelly (Associate Professor, School of Law) LLB (Wales); Solicitor, Eng & Wales; Solicitor, High Court of Hong Kong

Professor Kelly specialises in civil justice. Before joining the academic community she practised litigation with international firms in Hong Kong and England, handling disputes primarily in the fields of commercial, shipping and insurance law. Her teaching expertise includes civil procedure, advocacy and professional ethics. Her research and writing interests centre upon civil justice, the legal profession and self-representation in Court.

Professor Marlene Le Brun (Professor, School of Law) BA (Manc.); JD (Conn.); MEd (Tas.); LLM (Adel.); Attorney at Law, State of Connecticut; Attorney, Federal Bar

Professor Le Brun has an international reputation for her work in legal education, law teaching and client interviewing. She has researched and taught law in undergraduate and postgraduate law and judicial education programmes in several jurisdictions. Her areas of research and teaching include legal education, e-learning, legal ethics, interviewing, negotiation, family law and contract. She has worked as a consultant in Asia, India, the Pacific and the United Kingdom. She is admitted to practice in the State of Connecticut.

Professor Ling Bing (Professor, School of Law) LLB (Peking); LLM (Mich.); Dip (The Hague Acad. of Int. Law); Lawyer, All-China Lawyers Assn

Professor Ling is a specialist in international law and Chinese contract law. He previously taught at the law schools of Peking University, University of Michigan, City University of Hong Kong and Fudan University. He is the author of numerous books and articles, including *Contract Law in China* (2002). He was admitted to the Chinese bar in 1990.

Professor Michael Pendleton (Professor, School of Law) LLB, Dip. Juris (Syd), LLM (London). Solicitor & Barrister, Supreme Court of Western Australia & High Court of Australia, Solicitor, Supreme Court of NSW, England & Wales, Hong Kong; Arbitrator, Mediator & Domain Name Panelist, World Intellectual Property Organisation (WIPO), Geneva

Professor Pendleton is the leading academic authority on Hong Kong intellectual property law. He has researched, taught and practiced Hong Kong intellectual property for 25 years. He is also one of the leading authorities on Chinese intellectual property law. His frequent co-author is Professor Zheng Chengsi, IP Institute, Chinese Academy of Social Sciences, Beijing.

Professor Lutz-Christian Wolff (Professor, School of Law) Erste/Zweite Juristische Staatspruefung (Germany); Dr. iur., Dr. iur. habil. (Passau); Solicitor, Eng & Wales; Rechtsanwalt, Germany

Professor Wolff specializes in international and Chinese business law, corporate governance and comparative law. He has studied, worked and done research in a variety of jurisdictions, including mainland China, Taiwan and the USA. He is admitted to practice in England and Wales as well as in Germany and is frequently invited to work for multi-national companies on investment projects in the Greater China region.

II. New Appointee (assumed duty on 31 March 2006)

Professor Kenneth Warren Chase (Associate Professor, School of Law) AB (Princeton); PhD (Harvard); JD (Stanford); Attorney, New York State Bar

Professor Chase specializes in securities and tax law. Before joining the School of Law, The Chinese University of Hong Kong, he practiced law with a major international law firm in New York and Hong Kong for five years, working particularly on international securities offerings and the taxation of financial instruments. Prior to becoming a lawyer, he earned a PhD in Chinese history with a dissertation on imperial Chinese administrative law.

As of April 2006, The School of Law has appointed 9 additional staff and 5 new appointments are being processed.

Appendix C: IMAGES AND DESIGN LAYOUT

I. Mong Man Wai Building (MMW), Shatin, New Territories



Photos of 4/F MMW Building



4/F Lift Lobby



Lobby/Reception Area



The Corridor



General Office



Entrance to Board Room



Reception Area outside Board Room



Board Room (View 1)



Board Room (View 2)



Staff Common Room (View 1)



Staff Common Room (View 2)



Academic Staff Offices



Equipment Room



Legal Workshop and Reference Centre



Legal Research Centre

II. The Graduate Law Centre in Bank of America Tower building (BOA), Central, Hong Kong



Simulated Images of Graduate Law Centre in BOA Tower building



A. Student Common Area



B. Student Common Area



C. Lecture Theatre



D. Lobby



E. Moot Court



F. Moot Court