

Panel on Administration of Justice and Legal Services of the Legislative Council

27 April 2015

Submission of the Faculty of Law, The University of Hong Kong (HKU)

1. The Faculty of Law, HKU, welcomes the invitation of the Panel to discuss “Legal Education and Training in Hong Kong”. As a major provider of legal education and training in Hong Kong, we appreciate this opportunity to be heard. In this written submission, we wish to highlight briefly a few matters of interest.
2. *Common Entrance Examination (CEE)*: We note that the proposal was extensively aired in the previous meeting of the Panel on 16 December 2013. We also anticipate that the comprehensive review commissioned by the Standing Committee on Legal Education and Training (SCLET) will begin soon and that further discussion on the CEE ought to be informed by the report of this broader inquiry.
3. *Improving the PCLL Admission System*: Although the current admission policy remains heavily reliant on academic results, the Faculty has already taken steps to enhance the admissions procedure. It began a pilot scheme in the 2014 intake to interview borderline applicants and admit them after taking into account, among other things, their interview performance. We are closely monitoring the progress of these students with a view to further enhancing and expanding the scheme where appropriate.
4. *Increasing Government-Funded Places in the PCLL*: It is the experience of the Faculty that there are deserving candidates (including both local and overseas graduates with 2:1 or equivalent degrees) who are not able to benefit from government funding because of limited UGC-funded places. For instance, in 2014-15, 58 HKU 2:1 law graduates, and other overseas returnees in this category, were denied a government-funded place. These students do not necessarily come from well-off families, at least not as compared to students who could afford a self-funded law degree programme. It is important that deserving students are not denied access to the legal profession due to lack of financial means. In response, the Faculty, in its development plan has made a request for 10 more government-funded PCLL places, which we hope will be granted.
5. *Review of Legal Education*: The Faculty welcomes SCLET’s upcoming comprehensive review and looks forward to participating in this endeavour to further improve the quality of legal education in Hong Kong. The Faculty was recently reviewed by an HKU-appointed Panel chaired by Professor Mark Bray of the Faculty of Education, HKU, and comprising members such as Professor David Dixon, Dean of the University of New South Wales Law Faculty and Professor Jacques De Lisle of University of Pennsylvania Law Faculty). Although the review report is still being finalised, initial indications from the Panel have been very positive. The Panel was impressed with the great strides the Faculty has made in the past 15 years in which it has grown into an internationally reputed Law School.

6. We append a copy of the annual reports of the Department of Law and the Department of Professional Legal Education which had earlier been submitted to SCLET for comment at its next meeting scheduled to be held in June 2015.



The University of Hong Kong
Department of Law

Report on the LLB and JD Programmes to the Standing Committee on Legal Education and Training

March 2015

The main themes for the academic year 2014-2015 have been the entry of the double cohort of the LLB degree programme (some additional 100 students) to the third year, with increased demand in elective courses and exchange opportunities, as well as heightened concerns about entry to PCLL and career prospects. The Department has made special efforts to address these needs, and is glad to report satisfactory progress.

Admissions 2014-2015

The LLB and mixed-degree undergraduate programmes remain signature programmes that cement the reputation of the HKU, as seen by robust admissions figures.

A total of 101 students were admitted into the undergraduate programmes: 71 through the JUPAS scheme; 25 through the non-JUPAS admissions process; and 5 through Mainland recruitment.

In addition, 154 students have been admitted to the three mixed-degree programmes: BBA (Law) & LLB – 69; BSocSc (Govt & Laws) & LLB – 59; and BA (Literary Studies) & LLB – 26.

All these programmes have achieved outstanding admission results, with median scores in the range of 6.0 to 6.3 (best 5 subjects). Three of the programmes (LLB; BBA (Law) & LLB; and BSocSc (Govt & Laws) & LLB) are within the top ten programmes amongst all tertiary institutions in Hong Kong.

JD admissions figures continue to be strong. We admitted 40 students from nearly 400 applications. Student profiles are diverse, with 26 fresh graduates and 14 having had work experience.

Exchange

We have been able to accommodate additional demand by the double cohort for exchange opportunities. Current figures for out-going law students comprise 174 students, undertaking studies in 15 countries, mostly in the UK (69), Canada (32), and USA (23).

Curriculum

The “3+3+4” curriculum has entered its third, elective year. The Department has also de-cross-listed electives in both the undergraduate and postgraduate programmes, to allow teachers to better take into account the skills and competencies of students in their courses.

The Department promotes experiential learning for students to develop practical skills and learn law in action. The Clinical Legal Education course has been in high demand and allows HKU and has handled over 600 cases since its launch in 2011.

The Department has introduced a Legal Writing Clinic, whereby consultants mark student work in advance and conduct one-on-one feedback sessions for students, with the kind help of 19 barristers from Temple Chambers. Students responded very well and found such individualized feedback particularly useful.

The JD programme has undergone a review as part of HKU’s internal review of taught postgraduate programmes. The Report of the Review Panel has been very positive, and an action plan has been devised to takes steps to improve the programme.

Career Advice

The Department has appointed an in-house Career Development Manager who has since been conducting individual career advice consultation sessions for undergraduate and Postgraduate Certificate of Laws (PCLL) students. The Career Development Manager also operates an Employers’ Corner to help employers identify suitable candidates.

Staffing

Our staff has been able to offer a wide range of electives in the undergraduate programmes to accommodate the surge in demand arising from the double cohort. Two senior professors will be retiring at the end of this academic year. The Faculty is conducting an active search for their successors. Our teaching expertise has been strengthened by the appointment of a second Professor of Practice, who has formerly a senior regulator of the Securities and Futures Commission.

Conclusion

The Department is aware of the challenges facing the double cohort, such as greater curriculum needs and concerns about job opportunities. We have taken special efforts to ensure that the rigour and diversity of teaching have not been compromised, and additional support in terms of career advice has been provided to the students.

Professor Lusina Ho
Head, Department of Law

Report on the HKU PCLL

January – December 2014

Overview

1. During the calendar year 2014 applications for admissions to the HKU PCLL continued greatly to exceed the number of places, a large number of practitioners assisted with the teaching of the programme and all but a few students succeeded in attaining the certificate at the first attempt.

Assessments and examination results 2013/14

2. Students are informed of the assessment method of each course by the course co-ordinator at the beginning of the course. They are required to pass all assessments, skill-based and knowledge-based, oral and written.
3. It is our understanding that our first-attempt pass rate falls within an acceptable and normal range regarded by any reputable Legal Practice Courses overseas. Our pass rate after the supplementary exams in August usually increases to over 97%. Among a total of around 340 full-time and part-time Year 2 students in 2013/14, the Board of Examiners awarded overall distinction to the top 10% of the cohort. The top five students were all HKU LLB or mixed degree (MD) LLB graduates.

Admissions 2014/15

4. The number of PCLL students admitted in September 2014 was 260 to the full-time course and 80 to the part-time course. 10 part-time students were admitted on the strength of their interview performance and their practical experience of law or other relevant achievements, who have academic qualifications that are satisfactory but which alone might not justify admission. We are monitoring closely their progress.
5. There were 1070 applications from 747 individual applicants, of which 616 applicants designated HKU as first preference. Applicants, as in the past, had to make separate applications to the full-time and part-time programmes and many of them applied for both.
6. About two-thirds (i.e. 174) of the full-time intake held a HKU law degree (including JD). The proportion in the part-time programme was much lower, just 20% (16 out of 80). The remaining places in the part-time PCLL were mainly filled by graduates with the London International LLB and Common Professional Examination operated by MMU/SPACE or UK providers, and from City University and Chinese University of Hong Kong.

7. We allocated 121 government-funded full-time places, all on merit. About 82% of those (99) were given to HKU graduates. The balance of places was shared among other categories of applicants, with UK LLB graduates having the largest share. These were all Hong Kong people.

Curriculum and teaching

8. The Chief External Examiner (CEE) jointly nominated by the Bar Association and the Law Society gave a comprehensive report on the programme and raised no concerns that required attention. Whilst remaining grateful for the CEE's positive and encouraging comments, the Department has been looking proactively for opportunities and ways to further improve our PCLL.
9. One of those initiatives is by way of interviewing 'standardized clients' who are lay to law. This has become a part of the assessments in two electives: Wills Trusts and Estate Planning (WTEP) and Employment Law and Practice (ELP), while every student has an opportunity to practice and experience it in the Civil Litigation course. In WTEP, such simulated interviews are conducted in Cantonese but students who are not conversant in the language can opt for an English interview.
10. In 2014/15, Listed Companies was again the most popular elective course of the year, followed by Commercial Dispute Resolution and Drafting Commercial Agreements (formerly Corporate and Commercial Transactions II). Around 100 students, full-time and part-time, opted for Trial Advocacy. ELP which is now being recognized as a Bar elective has increased strongly in popularity just after one year of its inception. Another recently added elective Use of Chinese in Legal Practice was over-subscribed, the number of which is capped at 20 mainly because of resource constraints.

Planning and preparation for the double cohort years

11. The double cohort will hit the HKU PCLL in 2016/17 and 2017/18. The extra number of HKU LLB and MDLLB applicants is projected to be about 100 each of those years. On such basis and subject to merit, we therefore target to increase the total number of HKU PCLL places by a maximum of 100 in each of those two years. In any event, the maximum number of our full-time PCLL places (government-funded and self-funded in total) will likely be capped at 340, the maximum capacity that our Large Moot Court can accommodate. Additional funding from the Government for some of these additional places (44 and 45 respectively for the two years) have been confirmed.
12. It is anticipated that with the additional number of students, the same practical sessions for different small groups may have to be scheduled for two consecutive days, instead of on the same day as they currently are. This requires careful timetabling and human resources

planning. We are planning for a trial run of a new timetable in 2015/16. Moreover, we continue to count on the support of the legal profession by referring suitably qualified part-time teachers to us while we attempt to further develop our network.

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March 2015