



THE CHINESE UNIVERSITY OF HONG KONG
FACULTY OF LAW

香港中文大學
法律學院

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(By fax and by e-mail)

30 November 2011

Legislative Council
Panel on Administration of Justice and Legal Services
Legislative Council Complex
1 Legislative Council Road,
Central
Hong Kong
c/o Miss Flora TAI

Dear Miss Flora TAI,

Use of Chinese in court proceedings

Thank you for your letter dated 10 November 2011.

I am writing to provide you with information on the training provided by the Faculty of Law at The Chinese University of Hong Kong (CUHK) to enhance the proficiency of law students in using Chinese legal language. Proficiency in Chinese is addressed both within the general requirements for the Bachelor of Laws (LLB) degree programme, and within the framework of the Postgraduate Certificate in Laws (PCLL) programme.

So far as concerns the LLB degree, the CUHK implements bilingual education. Chinese language courses form a compulsory part of the curriculum for all students admitted to the LLB programme. Details concerning the enhancement of Chinese Language Proficiency by the LLB programme are set out in Attachment 1.

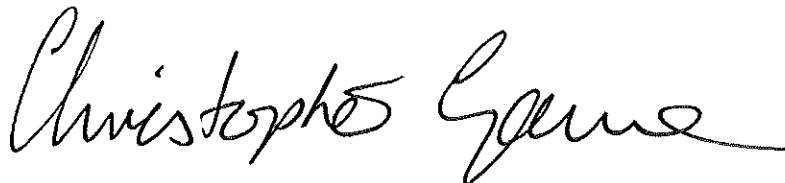
Before joining the profession students are required to complete the PCLL programme. On our CUHK PCLL programme we offer two Chinese language elective courses, *Writing and Drafting Commercial Documents (in Chinese)* and *Writing and Drafting Litigation Documents (in Chinese)* (Civil and Criminal). Details concerning these courses are set out in Attachment 2. Both of these courses should enable the students to familiarize themselves with the terminology required in Chinese in both a non-contentious and contentious context. Although our Trial Advocacy elective course has in the past been taught entirely in English, we hope that in the course next May we will be able to stage a

mock Magistrates' or District Court trial entirely in Cantonese, with the help of invited counsel. Further as part of that course we will encourage students:

- (1) in terms of writing, to read judgments, whether reported or unreported, written in Chinese to become familiar with the terminology, the sentence structure and the way to put forward an argument in Chinese;
- (2) in terms of advocacy, to make regular court visits to observe how a case, whether civil or criminal, is conducted in Chinese.

We hope this is of assistance. The "further development of a bilingual legal system in Hong Kong" is opening up a number of quite fundamental issues with regard not only to legal education and training, but with regard also to the development of materials in Chinese on the law of Hong Kong, the relative "authority" of legal texts presented in both Chinese and English, and, inevitably, the problems of translation between the two languages. The Faculty of Law at CUHK is, of course, happy to engage with these ongoing developments.

Yours sincerely,

A handwritten signature in black ink that reads "Christopher Gane". The signature is written in a cursive, flowing style.

Christopher Gane (Professor)
Dean, Faculty of Law

Encl.

**The Chinese University of Hong Kong
Faculty of Law**

**Enhancement of Chinese Language Proficiency
by the LLB Programme**

The Chinese University of Hong Kong implements bilingual education and Chinese language courses form a compulsory part of the curriculum for all students admitted under both JUPAS and non-JUPAS schemes. The LLB programme places great emphasis on improving the bilingual skills of our students.

1. Chinese Language Courses as a Compulsory Part of the LLB Curriculum

At the Faculty of Law, we require all LLB students to take the Professional Chinese course in their first year of study. It is a course designed to strengthen the students' ability to use Chinese for legal purposes. Students admitted under the non-JUPAS scheme may be granted exemption on a case-by-case basis after assessment of the individual's Chinese language ability. Where exemption is granted, it is compulsory for the relevant student to take another Chinese language course suitable for their level of attainment.

2. Elective Chinese Law Courses to Enhance Chinese Language Skills

The LLB programme offers two electives in Putonghua Chinese on the Mainland for students to acquire a deeper understanding of Chinese law and the Chinese legal system and sharpen their Chinese language skills. The four-week Chinese Law summer course at Tsinghua University has been offered each year since 2007 and attracts an average of 30 students each summer. The six-week Chinese Law Summer Internship allows our students to work under the supervision of judges in the courts of Nanjing, Shanghai and Hangzhou for four weeks after completing an intensive two-week course on Chinese law offered by the China University of Political Science and Law in Beijing. Students who have taken the courses have substantially improved their Chinese language reading, writing and communication skills.

3. Experiential Learning Opportunities and Exchange Programmes

The Faculty of Law regularly organizes short-term study tours on the Mainland to give our law students frequent opportunities to meet professors, students and lawyers across the border so as to exchange ideas, share experience, and practise Chinese language in the legal context. In addition, through the exchange programmes at the University, College and Faculty levels, our students may study for a term or a year at many leading universities in China such as Peking University, Tsinghua University, Fudan University and Wuhan University.

November 2011

**The Chinese University of Hong Kong
Faculty of Law**

Postgraduate Certificate in Laws (PCLL)

Course Descriptions

Writing and Drafting Commercial Documents (in Chinese)

The ability to draft commercial documents in Chinese is a great asset for lawyers. This course provides intensive and skills-focused practical training in this respect. To cater for its unique nature which involves the application of both legal skills and Chinese language skills, the course will be taught by two teachers (one from the Faculty of Law and the other from the Department of Chinese Language and Literature).

Writing and Drafting Litigation Documents (in Chinese)

This course will provide practical training in writing and drafting litigation documents in Chinese in civil and in criminal proceedings. In light of the growing use of Chinese in litigation in particular in cases involving litigants in person, this course will provide you with a good solid foundation in the use of Chinese in drafting litigation documents for your future professional development.