

Submission from CityU School of Law to LegCo for the Oral Hearing at Panel on Administration of Justice and Legal Services on 25 June 2018

City U SLW welcomes the engagement of Legco with discussions on Legal Education. The SCLET consultants' report provides Hong Kong with the opportunity to modernise its framework of regulation for legal education by introducing appropriate standards and accreditation procedures. At a time when England and Wales solicitors are venturing into the unknown by abolishing the Legal Practice course, Hong Kong has the opportunity to shine as providing the gold standard in the common law world for legal education and professional training. It has three highly rated law schools offering LLBs and JDs and a demanding PCLL programme.

Our law schools benefit from close co-operation from the professions, who teach, advise and examine on our programmes and offer internship and training opportunities for our students. We want to work with the profession to enhance the preparation of our young people for legal practice. However, we need to have realistic expectations. It is sometimes said that students are not practice ready. This may be a complaint every generation has of the next. But we need to remember that students are only being prepared for their training period which is an important part of training them to be fully fledged lawyers.

We have not always been clear about the exact mischief the Law Society is seeking to address in its professional training reform proposals. At times it has seemed to be a question of admission numbers, at other times consistency

between the providers and most recently it has been expressed as a desire to have more control on the entry course so it meets the needs of the profession.

As regards numbers we increased PCLL places by 40 for the double cohort and have maintained those numbers. It is a political question as to whether there should be more places. We are open to discussion about further modest increase of places. For our part we see the PCLL as being a rigorous course and if we significantly increased numbers we fear we would see more failures and more unemployed graduates: in both cases students would be left with high debt and no career in the law. There is also the issue of the bar being flooded with numbers.

The profession is heavily involved in every facet of the three PCLL programmes: from review of syllabi and course materials, attendance in lectures and tutorials, to review of exam questions and answer scripts. There are sufficient mechanisms through which to raise concerns about consistency of standards. We have not seen these voiced through these channels and through our assessment panels or boards. Hopefully any new regulatory structures will allay concerns. The introduction of the LSE in fact creates even more risk of inconsistent standards.

If the profession has any views about how the course content can be made more relevant we are more than willing to listen. That said we see the course as a generic course for universal skills and key areas of content. We are always willing

to consider new options, but very niche practices can best be addressed by in-house or sectorial training programmes during the training contract.

If there is to be a new regulatory structure for the PCLL, we would expect the LSE to also have to comply with those norms. We cannot understand the logic of having two programmes of study for students entering at the same stage i.e. post first law degree. This will certainly puzzle and confuse the outside world. If the LSE was aimed at a different group of students e.g. those who had served an apprenticeship as paralegals then we could see the value of an alternative route. However, this alternative route would seem to overlap with our current PCLL admission policy (and that of HKU) of reserving a certain number of places (16 in 2017-18) for those applicants who are weaker academically but have substantial (minimum of two years) law-related work experience.

We have always encouraged the Law Society to talk with us about their ideas at an early stage and continue to remain open for dialogue with one of the key stakeholders that our Law School seeks to serve.