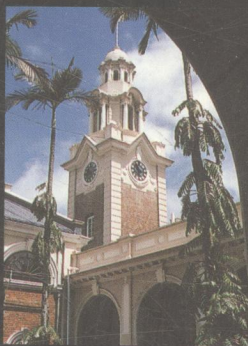


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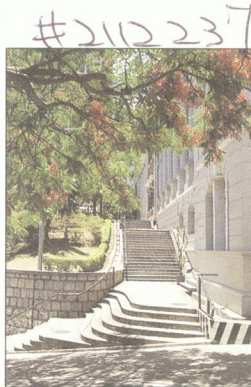
FACULTY OF LAW • THE UNIVERSITY OF HONG KONG



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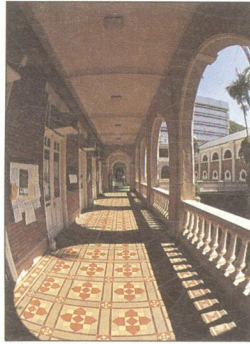
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INTRODUCTION BY THE DEAN

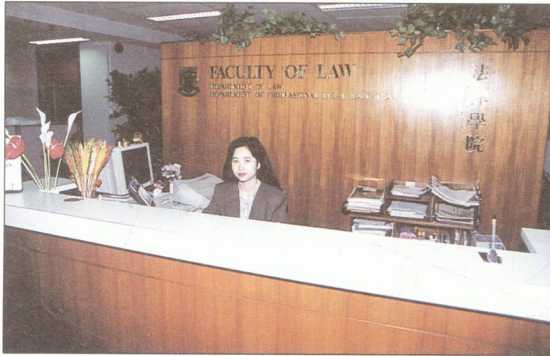


There was no teaching for a degree in Hong Kong law until we began operations in 1969. We were pre-eminent if only because we were the only show in town. But since 1987 an alternative law school has existed at City University (formerly Polytechnic), and although it is not for me to say whether they have matched the standards we have achieved, there is at least a basis for comparison. We cannot and in my view do not relax in the quest for excellence.

In 1994-5 we celebrated our Silver Jubilee, with public lectures, conferences, seminars, an elaborate alumni dinner and student ball, publication of a newsletter, and a degree-conferring ceremony separate from the commemoration held by the rest of the university. At our behest the university established the Centre for Public and Comparative Law. One of our seminars examined our record of teaching and considered suggestions for improvement. Late in the year we mounted an exhibition of research-in-progress to correspond with a visit by the Research Grants Council. Our various regular

activities continued apace: we organise the annual Law Lectures for Practitioners and, through Hong Kong Law Journal Ltd, publish the material presented; we supply both editorial and management services to the *Hong Kong Law Journal*; members of the teaching staff sit on law reform, law reporting, and professional bodies and contribute to continuing legal education courses; the Faculty publishes under its own name various working papers, seminar proceedings, and a bulletin on legal developments relating to the Bill of Rights; and Law-On-Line, a database of Hong Kong and Chinese laws and related business and legal information, formally commenced operations. Our students edited, produced, and wrote the first issue of the *Hong Kong Student Law Review*, a highly commendable venture which we wish continued success. We have once again hosted the summer school run by Santa Clara University and an advocacy training course in association with the British Council. In July 1995, in partnership with Duke University, we launched the Asia-America Institute in Transnational Law. A number of eminent academics from other universities joined us for short periods as part of our distinguished visitors programme. A team from the Faculty participated, with excellent results, in the Philip K Jessup International Law Moot Court Competition, held this year in Philadelphia. We have signed memoranda of academic co-operation with the Centre for Asian and Pacific Law at the University of Sydney and the Faculty of Law, Kyushu University, Japan, and developed a close relationship with the Faculties of Law at the University of Macao and People's University in Beijing. All this is in addition to the teaching and ex-

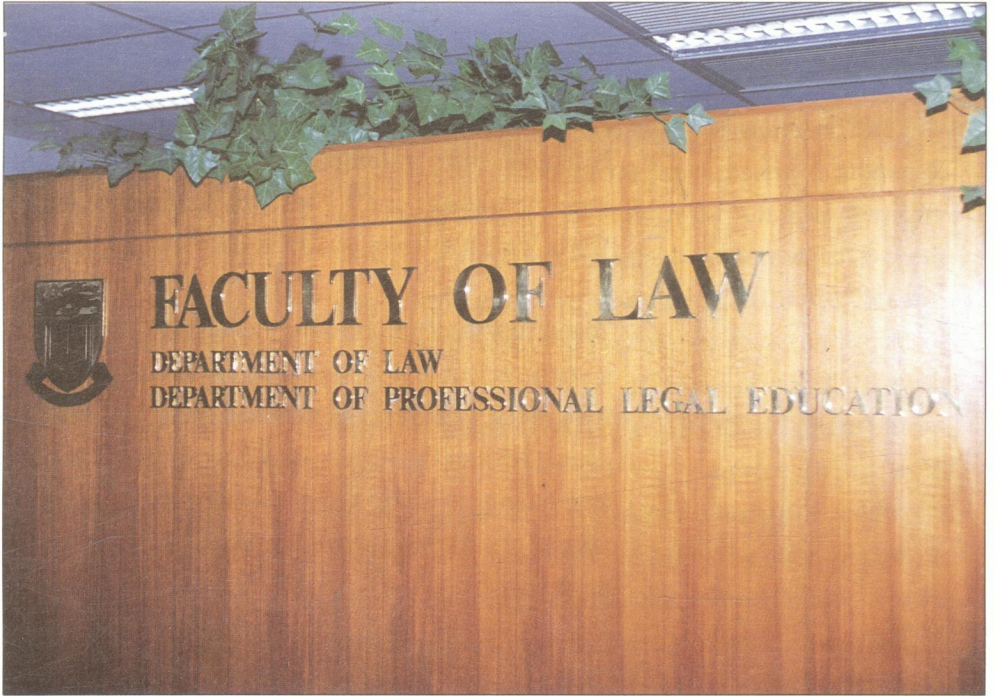
aming of over 700 students in undergraduate and post-graduate degree courses.



This booklet sets out these activities in greater detail. It is supplemented by information contained in the university's calendar and by our own home page on the World Wide Web (<http://www.hku.hk/law/law.html>).

To our new students and to academic visitors we extend a warm welcome. I believe that the Faculty of Law is responding with great vigour to the challenges of higher education and the legal system at a time of considerable change in Hong Kong. We are assisted in this by alumni and the legal profession, whose efforts are much appreciated.

Peter Wesley-Smith
Professor of Law and Dean
September 1995



FACULTY OF LAW

DEPARTMENT OF LAW

DEPARTMENT OF PROFESSIONAL LEGAL EDUCATION

A BRIEF HISTORY OF THE LAW SCHOOL



The first law teacher appointed to the University of Hong Kong was George Keeton in the 1930s, who taught law as part of a general degree and very much from a comparative perspective. He did not stay long before proceeding to a distinguished career as an academic in the United Kingdom, and no one seems to have been appointed to take his place. Not until the 1960s were law teachers once again seen around the campus, this time employed in the Department of Extra Mural Studies to prepare students taking the external LLB degree of the University of London. Hong Kong students who hitherto had wished to become lawyers through the university route had had to proceed to the UK. But part-time, external study in Hong Kong of English law was not a sufficient alternative to taking a degree in Britain: the profession needed a greater number of entrants, and from a wider socio-economic catchment area, than these options could provide. In any event, it was high time that the academic study of Hong Kong law was begun, such as could only be provided by teachers at the University of Hong Kong whose duties included research and publication. Thus by the end of the decade a law degree

at the University of Hong Kong was created with the establishment of the Department of Law in the Faculty of Social Sciences and Law. With Dafydd M E Evans as the foundation Professor of Law and Head, the department received its first students in 1969. When this first cohort graduated three years later they were able to proceed, within the university, to the Postgraduate Certificate in Laws, a one-year course of more practice-oriented instruction accepted by the professions as the equivalent of the professional examinations.

The department later split from the Faculty and became a 'School', along with the two other 'professional' disciplines of Architecture and Education. But the Schools were somewhat anomalous within the university's structure and in due course they matured into separate Faculties in 1984. The Faculty of Law now consists of the Department of Law, whose Head is Mr Albert H Y Chen (himself a graduate of the university who had completed an LL.M at Harvard Law School), and the Department of Professional Legal Education, with Professor Chris Sherrin as Head. Both Heads are elected by their colleagues, as is the Dean, whose primary function is to represent the Faculty within the university and the community. The Department of Law has responsibility for the LL.B while the Department of Professional Legal Education teaches the P.C.L.L. The Faculty also offers a popular coursework LL.M, Postgraduate Diplomas, and the research degrees of M.Phil and Ph.D; in addition, we cooperate with the School of Professional and Continuing Education (successor to the Department of Extra Mural Studies) in teaching the Common Professional Examination Certificate and a separate intake of P.C.L.L. students.

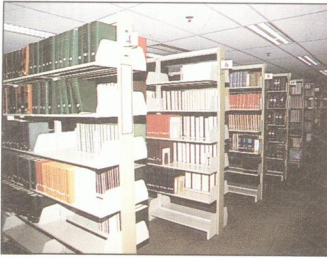
Until the Department of Law opened its doors in 1969 there was virtually no published research on the law of Hong Kong. Since the first issue of the *Hong Kong Law Journal* in 1971, and the first book of *Law Lectures for Practitioners* three years later, the flow of learned analysis of local law has steadily increased, and it has been dominated by the contributions of teachers from the Faculty. There are now numerous books on many aspects of legal doctrine and the legal system. Publication, meaning in this sense the viability of the market, has been dependent upon expansion of the legal profession, and until recently any attempt to sell something as ambitious as an encyclopedia of Hong Kong law would have been unthinkable; now Butterworths has commissioned and marketed a multi-volume local *Halsbury's Laws*. This reflects also an increase in the number of authors - mostly academics - with the resources to prepare material for such projects. More and more loose-leaf practitioners' works, requiring much time and energy for their regular up-dating, are now appearing as well. International legal publishers find it increasingly profitable to operate in Hong Kong, though of course their products tend to be directed towards students or to concentrate on those areas of the law which are of most interest (and commercial value) to practitioners. More contemplative or theoretical or esoteric work can still find an outlet: both Oxford University Press and Hong Kong University Press have published collections of essays devoted to such themes as human rights, the future of the law, and the contributions of legal theory

to the challenge of post-1997 issues. The Faculty itself has become a publisher of note: the Problems and Prospects series of seminar papers, a working paper series, the Bill of Rights Bulletin, and other works published in association with Hong Kong Law Journal Ltd frequently appear.

For further information, contact Ms Alice Iu, Faculty of Law, at tel 2859 2932, fax 2559 3543.



UNIVERSITY OF HONG KONG LAW LIBRARY



The Law Library of Hong Kong University occupies two complete floors of the KK Leung Building, conveniently close to the Law Faculty.

The Law Library is used by the staff, researchers, and students of the Faculty of Law, and by those who are studying law in SPACE, or as part of other degrees - such as Business Studies or Accountancy. Legal practitioners in Hong Kong find the wide range of its collections can often supply materials they have failed to locate elsewhere. Up to 350 users can be seated at one time, and at examination times the Library becomes very busy indeed. It is recognised that students studying for higher postgraduate degrees in law have special needs, and so seven lockable study rooms are provided exclusively for their use.

The law collections cover a wide range of jurisdictions, reflecting both Hong Kong's geographical position in Asia and the Pacific region, as well as the common law tradition which connects it to the legal systems of Britain, America, and the countries of the British Commonwealth. Substantial purchases have been made recently to expand the collections of law reports and legislation in these major jurisdictions. Textbooks on a wide range of legal topics are regularly added to stock, to ensure that changes in the law are fully represented. Looseleaf works are particularly valuable for this purpose and the Library is always adding to its titles in this category.

New technology has affected law no less than other disciplines and now that all the law collections are avail-

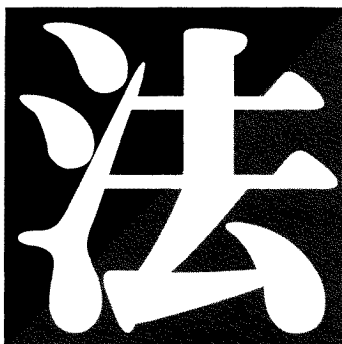
able in the On-Line catalogue, searching for relevant materials is easily undertaken from terminals both in the Law Library, and in other locations in the HKU Libraries system.

The international availability of legal information databases provides a powerful resource for those studying and researching the law. Both LEXIS/NEXIS - the world's largest legal and newspaper database - and Infolaw - containing Hong Kong cases and legislation - are available within the Law Library.

Databases on cd-Rom are cheaper to search, and are adding dramatically to the volume and range of materials available. The Law Library has a wide range of these databases, from collections of legislation, to indexes to legal journals, and United Nations materials, as well as legal precedents for practising lawyers.

The Chinese language collection of PRC law is rapidly expanding, with the regular addition of new texts and journals, and provides a valuable resource for postgraduate and comparative studies. It has recently been enhanced by the addition of a database of Chinese laws and legislation.

The Law Library is administered by a professional Law Librarian and an Assistant, supported by a willing and enthusiastic staff of ten. Assistance to users is available in the form of personal advice from the Law Librarian, as well as group introductions for new users, together with a series of leaflets and guidesheets.



The Hong Kong Law Journal, which has always been edited by members of the Faculty, commenced publication in 1971. Issued three times a year since then, and now completing Volume 25, it has made a very considerable contribution to the Hong Kong legal system and to the work of the Faculty. In formal terms published by a limited company, whose Board of Directors is composed of leading practitioners, it is now managed by the Faculty through an Editorial Committee chaired by the Dean. From Volume 24 it has been given a new look, with a redesigned typeface, cover, and organisation of contents. Its basic editorial policy has not changed: our ambition is to provide readable and relevant commentaries on and analysis of current developments in Hong Kong law, learned articles, digests of decisions of the local courts on sentencing and personal injuries awards, material on Chinese law, and reviews of publications.

The company, which for this purpose is the Faculty's Continuing Education Committee, also organises the annual two-day Law Lectures for Practitioners (held an-

nually since 1974). A book of the lectures follows soon afterwards, and other publications have been produced as well. Currently in preparation is a volume of essays on modern trends in litigation. Other collections of particular interest to legal practitioners are contemplated.

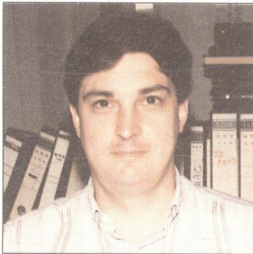
The Secretary of the company operates out of the Faculty under the direction of the Editor-in-Chief. Back issues are available (though some are sadly out of print) along with books previously published and earlier volumes of Law Lectures for Practitioners. Inquiries from the Secretary, Faculty of Law, tel/fax 289 2917.

T H E T E A C H E R S

Current Staff Members in the Department of Law



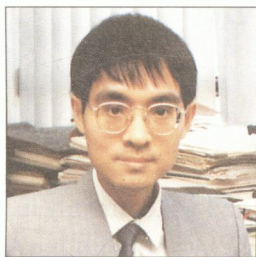
Lecturer **Janice Brabyn** LLB (Victoria), LLM (Yale), LLM (Victoria) teaches and writes mainly in the fields of evidence and criminal law but also has long-term interests in extradition in particular and international mutual assistance in criminal matters generally. Major commitments for 1995-1996 include empirical research about contested confessions in the Hong Kong magistrates' courts and developing a new, active learning introduction course for our first-year students.



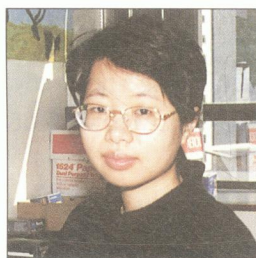
Senior lecturer **Andrew Byrnes** BA, LLB (ANU), LLM (Harvard), LLM (Columbia) is currently Director of the Centre for Comparative and Public Law. He has written widely on international human rights issues. He has helped draft various rights-related legislation in Hong Kong, and has been involved in human rights efforts before United Nations committees. He is co-editor of the *Hong Kong Public Law Reports* and the *Bill of Rights Bulletin* and his academic interests extend to international law, constitutional law, administrative law, feminism and the law, and conflict of laws.



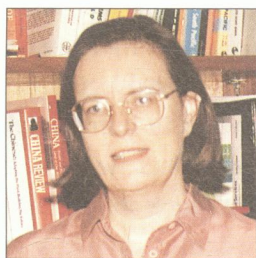
Senior lecturer **Johannes Man-mun Chan** LLB, PCLL (HKU), LLM (London) has written widely on international human rights issues. As a barrister, he has participated in numerous cases involving the Hong Kong Bill of Rights and other areas of public law. He is co-editor of the *Hong Kong Public Law Reports* and the *Bill of Rights Bulletin*. His academic interests extend to international human rights law, civil liberties, constitutional law, and administrative law.



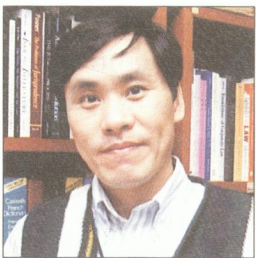
Albert Hung-yeo Chen LLB, PCLL (HKU), LLM (Harvard) is currently Head of Department and Reader in Law. His academic interests include comparative law, legal history, legal philosophy, and social theory. His current research projects encompass Hong Kong's 1997 transition, Hong Kong law in the Chinese language, China's legal developments, and comparative legal traditions in China and the West.



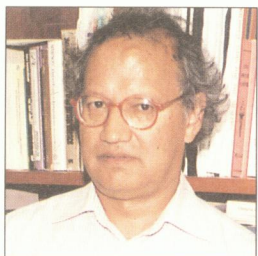
Lecturer **Anne Shann-Yue Cheung** LLB (HKU), LLB (Toronto), LLM (London) joined the Faculty at the beginning of this year. Her major interests include law and sociology, legal theory, and legal education.



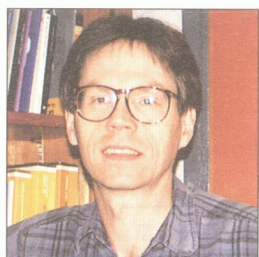
Senior lecturer **Jill Cottrell** LLB, LLM (London), LLM (Yale) has academic interests in the law of tort and environmental law, as well as in research methodology for law students. In addition to her publications about the law of Hong Kong, she has also published on law in Africa, India, and the Pacific. She is currently an Associate Dean of the Faculty.



Lecturer **Peter Feng** BA (Kunming), MA (Beijing), PhD (Harvard), JD (Yale) teaches intellectual property, trusts, property, legal theory, and Chinese civil and commercial law courses in both LLB and LLM programmes. He is *inter alia* Chinese law editor of the HKLJ, Coordinating Committee member of the Chinese Law Programme organised by several universities in Hong Kong, and advisor to the Hong Kong Stock Exchange Listing Division.



Holder of the Sir Y K Pao Chair in Public Law, Professor **Yash Ghai** MA, DCL (Oxon), LLM (Harvard) is particularly interested in constitutional law including human rights. He has written extensively in this area, as well as on the law in many countries, especially in Africa and the Pacific. He has advised governments and other bodies on constitutional developments. He has been a visiting professor in the USA and Canadian and Australian universities, as well as having held full-time appointments in universities in the USA, Africa, England, and Sweden.



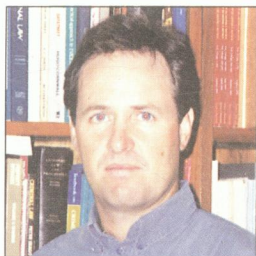
Lecturer **Rick Glofcheski** BA (WLU), LLB (Windsor), LLM (Cantab) teaches and writes in the field of tort law, and teaches or has taught in the fields of criminal law, contract law, and legal systems. He is currently the Deputy Head of the Department of Law.



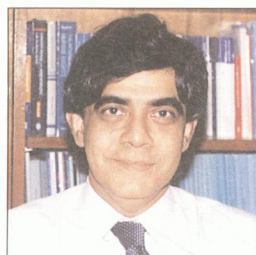
Senior lecturer **Betty May-foon Ho** BA, MA (Berkeley), LLB (Toronto), LLM (Cantab) teaches and writes in the field of commercial law. Her books include texts on contract, security for credit, and agency law.



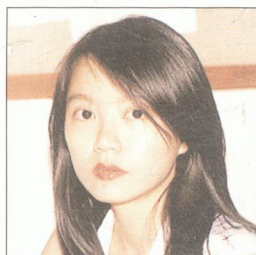
Lusina Kam-shuen Ho BA, BCL (Oxon) has special interest in the law of trusts and property and in jurisprudence. She has been a lecturer since 1992.



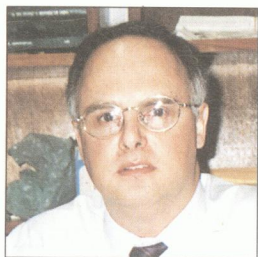
Michael Jackson LLB (Auckland), LLM (BC) teaches and writes mainly on criminal law and procedure. He is presently completing a student textbook on Hong Kong criminal law. He has a particular interest in the field of commercial crime, and has assisted as a solicitor in several major criminal fraud cases in recent years.



Senior lecturer **Nihal Jayawickrama** LLB (Ceylon), PhD (London) practised law in Sri Lanka and served as Secretary of Justice, Attorney-General, and Representative to the United Nations before beginning an academic career in Hong Kong. His principal interests are international human rights law, comparative constitutional law, and administrative law, areas in which he has written widely. In 1992-3, he was the Ariel F Sallows Professor of Human Rights at the University of Saskatchewan, and is the current Chairman of JUSTICE, the Hong Kong section of the International Commission of Jurists.



Lecturer **Alice Suet-ching Lee** LLB (HKU), BCL (Oxon), PCLL (HKU) teaches property law, intellectual property law, and the law of evidence. She has written on property law issues both in English and Chinese. Her academic interests extend also to the use of Chinese in law and bilingualism in Hong Kong's legal system. She has participated in programmes designed to introduce aspects of Hong Kong law to Chinese Language Officers and court interpreters. She is currently co-authoring a book in Chinese on Hong Kong law.



Lecturer **Donald Lewis** AB (USC), JD (Emory), LLM (London) has written extensively, and lectured throughout the Asia-Pacific region, on issues of PRC trade and investment law. He has served as a consultant and expert witness on Chinese law for international law firms and multinational corporations. He was formerly a Fulbright law professor at Nankai and Zhongshan Universities in Tianjin and Guangzhou and a research fellow at the East-West Centre in Hawaii. His principal academic interests are Chinese law and international trade law.



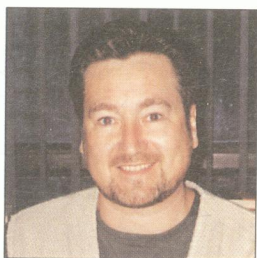
Lecturer **Dr Liu Nanping** is a law graduate from Wuhan University in China. He also holds an LLM and a JSD from Yale University. He has experience practising Chinese law, and has published widely in both English and Chinese. He will be teaching Chinese law and the law of contract during this academic year.



Lecturer **Athena Nga-chee Liu** BA (CNA), PhD (Glasgow) teaches courses in family and tort law and related areas. Her writings (in both Chinese and English) cover family law and medico-legal issues.



Lecturer **Katherine Lynch** BA, LLB, (Osgoode Hall), LLM (Cantab) teaches business associations, company law, alternative dispute resolution, and property law. Prior to coming to HKU, she was in private practice with the law firm of McCarthy Tétrault in Vancouver, BC and was law clerk with the BC Court of Final Appeal. Her writing covers company law and arbitration law and her academic interests extend to alternative dispute resolution, corporate and commercial law, and property law.



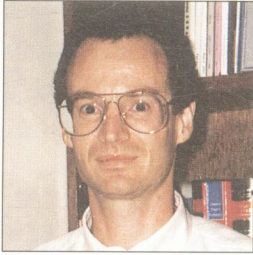
William MacNeil BA, MA (Toronto), LLB (Dalhousie), LLM (London) teaches legal theory, law and society, and legal system. Prior to coming to HKU he was a research assistant at the London School of Economics. In 1992-93, he was a Lawrence Wien fellow at the Columbia University Faculty of Law where he is currently registered as a candidate for the degree of SJD. He writes on legal theory and history and chairs the Post-modern Legal Theory Workshop.



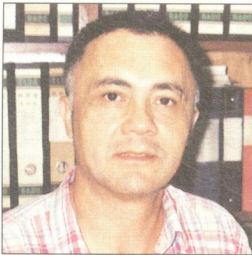
Lecturer **David Murphy** BA, LLB (Toronto), MSc (London) is admitted as a barrister and solicitor in Ontario and as a solicitor in England and Hong Kong. He was a law clerk to the Chief Justice of Ontario, and practised for many years in the area of commercial litigation with a major Canadian firm. He has published numerous articles, and has co-authored *Stare Decisis in Commonwealth Appellate Courts* and authored *Plunder and Preservation; Cultural Property Law and Practice in the People's Republic of China*. His interests are commercial law, litigation, and art and cultural property law.



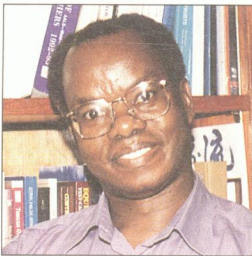
Reader **Roda Mushkat** holds degrees from Jerusalem (LLB), Wellington (LLM), South Africa (LLD), and Manchester (Postgrad Dip Int'l) and is a Member of the Israel Bar. She has been teaching at HKU since 1979 in the subjects of public international law, jurisprudence, law and society, constitutional and administrative law, and conflict of laws. She is the author of numerous publications in the areas of international refugee law, international environmental law, Hong Kong's international personality, international law of war, human rights, and legal theory.



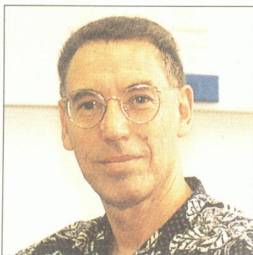
Lecturer **Shane Nossal** BA (Carleton), LLB (Ottawa), BCL (Oxon): during his six years with the Department of Law, he has taught courses in contract, tort, and shipping law in the LLB programme, and shipping law in the LLM programme. He was editor of the *Hong Kong Law Journal* between 1990 and 1993. He has edited a number of works on local law, including *Bank Financing*, and has written on shipping, contract, and banking issues.



Senior lecturer **Peter Rhodes** LLB (Auckland), LLM (Alberta), LLM (Harvard) was Dean of the Faculty from 1987 to 1993. His main areas of academic interest are international business transactions and international trade law. He also has a long-standing interest in tort and personal injury damage assessment.



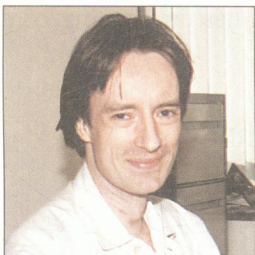
Senior lecturer **Bart Rwezaura** LLB (Makerere), LLM (Harvard), PhD (Warwick) has written widely on family law, the law relating to the child, and on women and the law. His major research focuses on the relationship between economic change and the transformation of family relations and family law. His more recent academic interests include contract law, Hong Kong legal history, and Chinese customary law.



Lecturer **Michael Sandor** LLB (Melbourne), LLM (London) practised briefly as a solicitor, and, after three years as a Legal Officer in the Commonwealth Attorney-General's Department in Australia, came to Hong Kong where he was a Crown Counsel for four years. He joined the Faculty in 1978. His special interests include evidence, procedure, professional conduct, bio-ethics and law, and technology and law.



Senior lecturer **Judith Sihombing** LLB (Melbourne), LLM (Malaya) taught in Malaya and Australia prior to her arrival in Hong Kong. Her special interests include property, commercial law, and customary law (Malaysia, Indonesia).



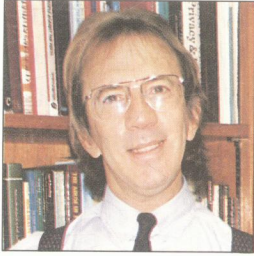
Senior lecturer **Philip Smart** LLB, LLM (London) teaches company law and private international law and has written widely in international journals in these fields. His approach to teaching is that students should never become bogged down in details, but should approach problem-solving from the standpoint of principles and commonsense.



Lecturer **Benny Yiu Ting Tai** LLB, PCLL (HK), LLM (London) teaches constitutional and administrative law and writes mainly on the Basic Law of the Special Administrative Region. His research interests include human rights, legal education, administrative law, and comparative constitutional law. He is now a member of the Bilingual Laws Advisory Committee and the Committee on the Promotion of Civic Education.



Anna Y M Tam joined the Faculty in December 1994 after practising as a solicitor. She is a graduate of this university. After completing her LLB and her PCLL studies here, she was awarded the Sir Edward Youde Memorial Overseas Fellowship in 1990 to study for the Master of Laws in Yale. She currently teaches property law, equity, and company law and her principal research interests are in company law and property law.

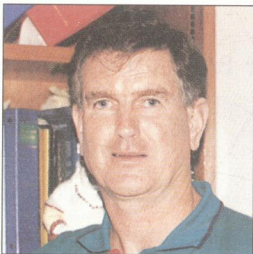


The principal academic specialty of Professor **Raymond Wacks** BA, LLB (Wit), LLM, PhD (London), Dip Law, MLitt (Oxon) is the law of privacy, on which he has authored and edited several books, though he has also written on human rights and jurisprudence. He has edited important collections of essays on aspects of local law, such as *The Future of the Law in Hong Kong* (1989), *Human Rights in Hong Kong* (1992), and *Hong Kong, China and 1997: Essays in Legal Theory* (1993).



Professor **Peter Wesley-Smith** BA, LLB (Adel), PhD (HK) is currently Dean. He is the longest-serving teacher in the Faculty and holds the only doctorate in law awarded by the university. His books cover constitutional and administrative law, constitutional history, and the legal system in Hong Kong, and his academic interests extend also to aspects of international law, legal history, and legal theory.

Current Staff Members in the Department of Professional Legal Education



Lecturer **Brian Baillie** LLB (Adelaide) is a barrister and solicitor of various courts in Hong Kong, Northern Ireland, and South Australia. He was a Visiting Adjunct Professor (Environmental Law) at the University of Oregon in 1986-7. He has practised in, and published extensively on, environmental law issues. His academic interests extend to administrative law, civil litigation and procedure, town planning, and professional negligence.



Lecturer **Charles Booth** BA (Yale), JD (Harvard) is Chairperson of the Faculty Higher Degrees Committee. His teaching and research interests include transnational insolvency, comparative insolvency, Hong Kong insolvency law reform, and commercial law.



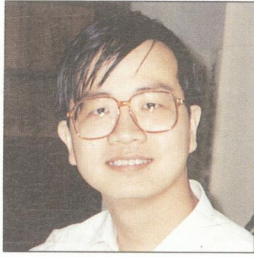
Lecturer **Christine Booth** LLM (HKU), solicitor, teaches probate, conveyancing, landlord and tenant law, commercial law and practice, and civil procedure. Prior to joining the university, she specialized in commercial litigation in an international law firm and was then legal counsel to a multinational corporation where she enjoyed regional responsibilities. Her current projects include a book on the enforcement of judgments in Hong Kong.



Lecturer **Janet Burton** BA, LLB (ANU), LLM (Sydney) studied and practised law in Canberra and Sydney, Australia. Her interests include commercial law and practice, arbitration and alternative forms of dispute resolution, and the law of civil procedure.



Lecturer **Anne Carver** BA, MA (Cantab) has been a lecturer in the Faculty since 1984. She is the author of *Hong Kong Business Law* and *The Guide to Insolvency Law in Hong Kong* and has contributed articles and chapters to books on Hong Kong trade union and employment law. She is currently co-authoring a book to be called *What Lawyers Do: A Theory of Legal Practice*.



Lecturer **Wilson Wai-shun Chow** LLB, PCLL (HKU), solicitor in Hong Kong and England and Wales, is the first full-time local teacher in the Department of Professional Legal Education. His academic interests extend to PRC law and the comparative study of PRC and Hong Kong law.



Lecturer **Caroline Hague** BA (Manchester), solicitor, teaches commercial law and practice, revenue, and accounts. Her principal academic interest is in company and commercial law, in particular the role of company directors.



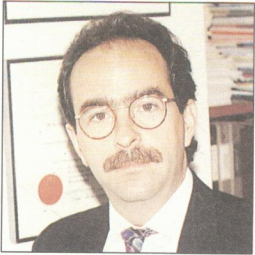
Senior lecturer **Andrew Halkyard** studied law at the Australian National University (LLB) and the University of Virginia (LLM) and is a barrister-at-law in New South Wales. He has published widely on taxation and employment law. He is also co-author of *Encyclopaedia of Hong Kong Revenue Law*. His current interests include a comparative study of Asian-Pacific taxation systems and cross border taxation issues involving the People's Republic of China. He is currently an Associate Dean of the Faculty.



Senior lecturer **Gary Heilbronn** BA, LLB (Qld), LLM (Monash), Dip Crim (Melb), Dip Com L (Monash) studied literature, politics, and law at the University of Queensland, and practised especially in civil and criminal litigation. He has written texts on criminal and civil procedure, aviation law, and travel and tourism law and he is a consultant in these areas with a major Hong Kong law firm.



Lecturer **Helen McCook** LLB, LLM (Canterbury) is admitted to practice in New Zealand, Hong Kong, and England. She teaches and writes in the areas of conveyancing, probate, and litigation.



J A ('Art') McInnis LLB (Saskatchewan), BA (Regina), BCL, LLM (McGill), ACI Arb, barrister and solicitor in Saskatchewan and British Columbia and solicitor in Hong Kong, has been a lecturer in the department since 1988. His special interests are in trade law, commercial law, alternative dispute resolution, civil law, and comparative law. This year he is on leave, working on a doctoral dissertation.

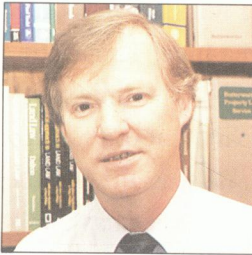


Lecturer **Terri Mottershead** LLB, Grad Dip Legal Prac (QIT) is a solicitor in several jurisdictions and practised as such for over six years before joining the university. She has served on several Law Society committees, was a founding member of the Hong Kong Environmental Law Association, and is a member of the Board of Governors of Friends of the Earth. She has written widely on environmental law issues and practice management. Her academic interests extend to environmental law, commercial law, and practice management.



Senior lecturer **Stephen Nathanson** BComm (McGill), LLB (UBC) has contributed to the design and development of professional legal training courses in Canada, Hong Kong, and England. His main interest is in the development of techniques to enhance teaching and learning in legal education.

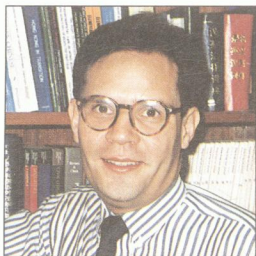
Lecturer **Patrick Sheehan** BComm, LLM (NUI) has academic interests extending to conveyancing, land law, and building and construction law. He has been a member of the Registrar General's Working Party on Title Registration, the Law Reform Commission Subcommittee on Description of Flats for Sale, the Consumer Council's Working Party on Regulation of Estate Agents, and the Conveyancing Panel.



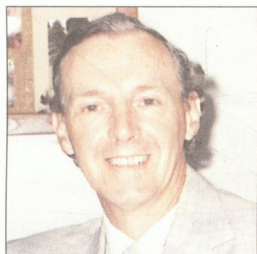
Professor **Christopher Sherrin** LLM (London), PhD (London), barrister (Gray's Inn) joined the department in January 1993 and has been Head of Department since May 1993. He previously taught at the University of Bristol, the National University of Singapore, and the University of North Carolina. His main teaching and research interests are in the field of property law and he has written extensively on the law of wills, intestacy, and trusts. He is the joint editor of *Williams on Wills*, the joint author of the *Law and Practice of Intestate Succession*, and the author of *Probate Practice in Hong Kong*.



Lecturer **Gillian Stirling** MA (Edinburgh), Postgrad Diploma in Financial Studies (Heriot-Watt), solicitor, has taught every subject except advocacy and civil & criminal procedure since she joined the department in 1984. When not teaching she is kept busy chairing the Academic Staff Association, which looks after the interests of more than 900 senior teaching and administrative staff. She is also a member of the Inland Revenue Board of Review.



Lecturer **Ian Tokley** LLB, LLM (Adel) has practised law in a number of jurisdictions including England and Hong Kong. He has written widely on securities and corporate law issues in Hong Kong and in particular on the development of corporate regulation in the People's Republic of China. He is a visiting professor to Tsinghua University in Beijing. His interests extend to banking law and corporate finance law generally.



Senior lecturer **Michael Wilkinson** BA, LLB (Cantab) is a barrister-at-law of the Inner Temple. He spent several years as Head of Law at the University of Malawi and as Head of the Department of Professional Legal Education here at HKU. He specializes in the teaching of litigation and conveyancing and has published books in these areas.

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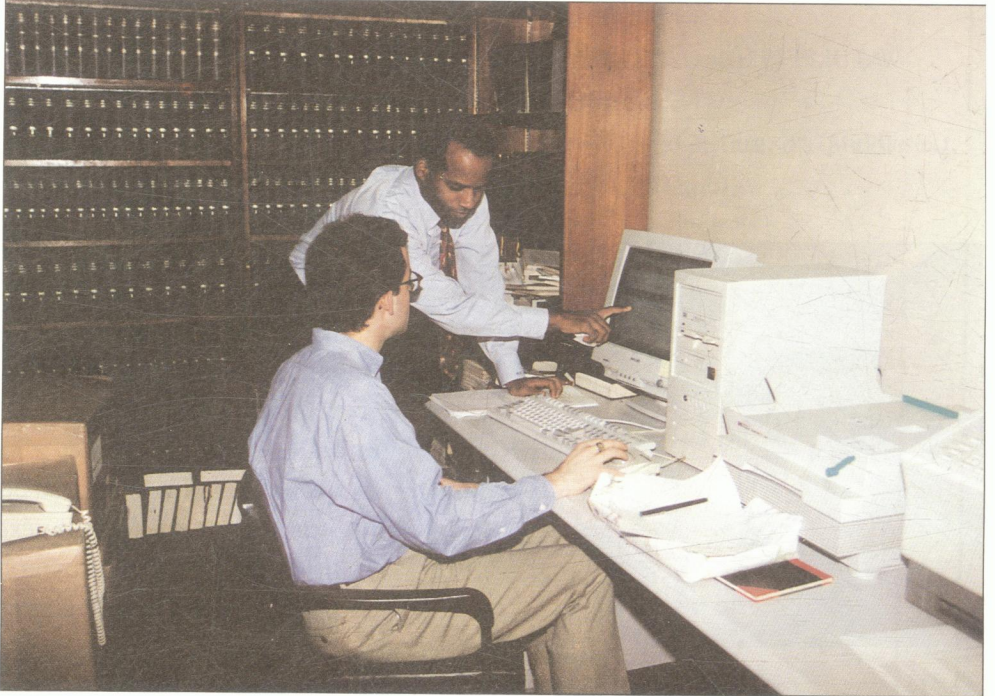
Director: Andrew Byrnes

Manager, Law-On-Line: Jo Jo Tam, BA (Middlesex),
MA (East Anglia), LL.M (Lanc)



In 1994 the **Peter Allan** Memorial Lecture series was inaugurated with a visit from the President of the New Zealand Court of Appeal, Sir Robin Cooke. Peter Allan was a former Solicitor General and Commissioner of the Independent Commission Against Corruption whose premature death robbed us of a true friend. His colleagues and admirers established a fund to perpetuate his memory by the delivery of regular lectures by eminent legal scholars and practitioners. Sir Robin Cooke paid eloquent tribute to his fellow New Zealander in a stimulating lecture (published in (1995) 25 Hong Kong Law Journal 64) on 'Brass Tacks and Bills of Rights.' This year (December 7) the Peter Allan Memorial Lecturer will be Mr Sydney Kentridge, a leader of the UK Bar and member of the Constitutional Court of South Africa. His visit is made possible by a generous donation, supplementing the fund, from a Hong Kong barrister who enjoyed Sir Robin Cooke's contribution so much that he reportedly did not wish to wait two years before the next scheduled lecture. Mr Sydney will be speaking to us on 7 December at the Rayson Huang Lecture Theatre, University of Hong Kong.

Another memorial lecture series has been established to honour one of our most distinguished graduates, **Eric Au**, a rising star in the Legal Department before his untimely demise. The Chief Justice of Hong Kong, Sir T L Yang, delivered the first lecture on 3 October 1994, followed by a reception at the university attended by legal practitioners and friends. Eric's widow came from Canada for the occasion. Arrangements are currently being made for the next lecture in 1995 or 1996.



The Law-On-Line project of the Faculty of Law commenced after the enactment of the Hong Kong Bill of Rights Ordinance in 1991, originating as a human rights database project which later expanded to cover law and related information. Most of the information hosted by Law-On-Line is supplied by various providers, and its services are promoted in the community by a marketing firm.

Databases on the Law-On-Line platform include the following: China Laws and Regulations, China Legal System Daily, Hong Kong LegCo Meetings, China Newspaper Extracts, China Business Information Network, China Daily, Hong Kong Who's Who, China Enterprises, Taiwan Company Database, Asian Intelligence Wire, China Property Transaction Record, China Securities Market Analysis, China Macro Economic Index, and Quest Economics Database.

Law-On-Line aims to encourage access to information and the strengthening of legal research, in particular the comparative study of law in Hong Kong and China. It is hoped that the Law-On-Line services will be used as a tool for teaching and research, and the possibility of making them available to students is being explored.

Traditionally, legal research and information technology has not been an important aspect of law teaching in Hong Kong. It was generally only explored by academically-inclined students interested in research meth-

odology. With more information resources gradually being placed on electronic networks, it has become necessary for law students to acquire requisite skills to access on-line information. It is important not only for comparative studies in different areas, but also for effective updating of changes in a particular area of law and for drawing cross-references from related developments in other countries. Moreover, the approaching change of sovereignty over Hong Kong and rapid legal development in China render it necessary for Hong Kong-educated lawyers to examine various regional laws. In this respect, computer technology serves to assist lawyers in keeping up to date on a wide range of issues, enabling them to be more adaptable to changing circumstances.

The Law-On-Line system is available on Internet and is accessible by anyone with an Internet address. The system may be viewed by using the World Wide Web browser; its URL address is <http://Lawhk.hku.hk>. Law-On-Line also has a guest account that allows access to the demo databases. Both the account name and password are "GUEST". Demo databases contain only sample data from selected databases, but their use allows guest users to obtain a general understanding of the basic functionality of the Law-On-Line system.



The curricula of the law school are very demanding and students in Hong Kong are generally very diligent in their studies. However, law students' participation in extra-curricular activities is active and wide-ranging.

There are many options available to them. They can participate in activities provided by various clubs and societies or activities provided by residential and non-residential halls in the university. But most students confine their interests to the Law Association.

The Law Association is a body for students studying law. It has its own constitution and an executive committee which is responsible for the management of the Association. The Law Association is one of the Faculty Students' Associations under the supervision of the Students' Union of the University of Hong Kong. Nevertheless, the Association enjoys a high degree of autonomy in its day-to-day affairs.

The purposes of the Association as enshrined in the constitution are as follows:

a. to secure the complete organisation and unity within the Association of all past and present students of the Faculty of Law;

b. to promote the general welfare of the members of the Association;

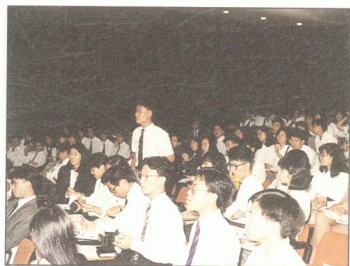
c. to promote an interest in serving the community amongst members of the Association.

The Association serves as a link between law students and students of other Faculties. Sport and cultural activities organised by the Students' Union are promoted by the Association (eg Inter-Faculty Sports Competition and Inter-Faculty Drama Competition).

The Executive Committee

The composition and duties of the executive committee appear from the titles of the members:

- 1 Chairman
- 2 Internal Vice-Chairman
- 3 External Vice-Chairman
- 4 General Secretary
- 5 Treasurer
- 6 Social Convenor
- 7 External Secretary
- 8 Public Secretary
- 9 Sports Captain
- 10 Legal Education Secretary
- 11 Welfare Secretary



Functions

In accordance with its charter, the Association organises a number of functions every year. The following list highlights several of these functions:

ORIENTATION CAMP

Held every year at the Kadoorie Research Centre in the New Territories, it provides an opportunity for the freshmen to meet current students and develop a friendly relationship.

ORIENTATION FORTNIGHT

It is comprised of a number of activities that help new students to integrate into the life of the law school. The activities include individual visits, mass orientation, freshmen night, etc.

LEGAL EXHIBITION

This exhibition is usually held both on and off campus. It aims at educating the public about law and legal issues. The topics in recent years have concentrated mainly on human rights issues.

ANNUAL BALL

In the past, the annual ball has been held in the Exhibition and Convention Centre in Wan Chai or in the Mandarin Oriental Hotel. It is a glamorous event which provides an opportunity for members of staff, past students, practitioners, and current students to be together.

SEMINAR

It is held on the campus and the topic usually involves current legal issues.

INTERFLOW TOUR

In the past we have visited Shanghai and the University of Law and Politics in Beijing. The tour is an excellent opportunity for law students to gain greater knowledge of the life of law students and the legal system in mainland China.

SOCIAL VISITS

The Association plans various activities, such as a visit to a home for the aged, in the hope that law students will become better aware of the needs of the old, the very young, and under-privileged members of the community.

STOCK SALE

The stock sale is held in the Discussion Room every week. The Association sells accessories with the logo of the Association to its members. The aim is to foster a sense of unity of members. The response to these stock sales has been very encouraging in the past and shows that LA members are very supportive of the group.

LAW DIRECTORY

This is a booklet containing basic information regarding all law students, the full constitution, and other particulars. It is issued free to each student.

LEGAL TALKS

The Association delivers talks to secondary schools all over Hong Kong on legal topics.

INTERNATIONAL MOOTING COMPETITIONS

Mooting programmes

The Faculty of Law has participated for many years in international law mooting competitions, most notably:

- the Philip C Jessup International Law Moot Court Competition (the “Jessup Moot”) and
- the Commonwealth Mooting Competition.

These moot competitions deal with problems of international law and consist of two parts: (a) written legal arguments, and (b) oral arguments (as both appellants and respondents) before a panel of three judges. Students of both the Department of Law and the Department of Professional Legal Education are encouraged to participate in these mooting programmes. The benefits from participation are numerous, including improved legal research and writing skills, improved oral advocacy skills, and the chance to travel to the international round of the competitions and meet law students from around the world.

Jessup Moot

The Jessup Moot is administered by the International Law Students Association and is traditionally held in Washington, DC (although the 1995 final was held at the United Nations in New York). 1995 marked the 36th anniversary of the Jessup Moot with more than 300 teams from 35 nations vying for the title of World Champion. The subject of the 1995 competition problem was “The Case Concerning the Ozoonio River” involving the issues of environmental law, development, custom-

ary international law, and state responsibility.

The Faculty of Law holds annual internal selection moots in October to select the members of the Jessup Moot Team (normally five students selected from both departments in the Faculty) who represent the university in the regional competition against the City University of Hong Kong. The regional competition is held in February in the Supreme Court of Hong Kong, with presiding judges from the Hong Kong judiciary, the Bar, and international organisations. The winner of the regional round earns the right to represent Hong Kong in the international round of competition.

Sponsorship

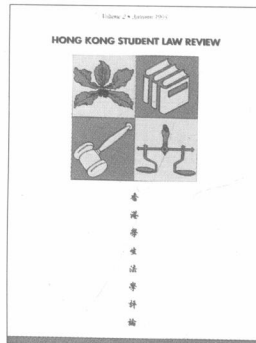
The Faculty's international law mooting programme receives generous sponsorship from the following:

- the law firm of Kao, Lee & Yip
- Nina T H Wang of Chinachem Co
- the Peter Vine Charitable Foundation

In addition, each year the student mooters organise a fund-raising auction and food fair with generous contributions from Faculty members, students, and members of the Hong Kong judiciary and the Bar.

Faculty contact

Watch the student notice boards on the 3rd floor, K K Leung Building for details of these competitions (normally posted in September) or contact Dr Mushkat, Chairperson of the Faculty's International Mooting Competitions Committee.



Since autumn 1994, the *Hong Kong Student Law Review* has been published annually by the students of the Faculty.

This is a student-written, -edited, -published, and -managed publication which aims to provide a forum for law students in Hong Kong to try their hands at serious academic writing, express their opinions on current legal issues, and share their learning experience. The editors also hope to promote academia as a career option for Hong Kong law students.

The contents of the *Review* include articles written by students covering such topics as China's entry into the World Trade Organisation, consumer protection in Hong Kong, and corruption in Hong Kong and China; shorter notes covering topics of general concern and importance to students which have proved to be particularly puzzling for most, such as the Application of English Law Ordinance; and a selection of students' guided research papers.

Students can contribute in many ways to the *Review*; positions as editors, proofreaders, fact-checkers, and business managers are available. Students who have participated in the past feel that working on the *Review* has given them good experience in research and writing as well as in publishing in general.

Thus far, the *Review* has received an enthusiastic response from several law firms and chambers. The editors hope that the *Review* will live up to expectations and will be successful in encouraging students to think and write critically.

Santa Clara University Summer School

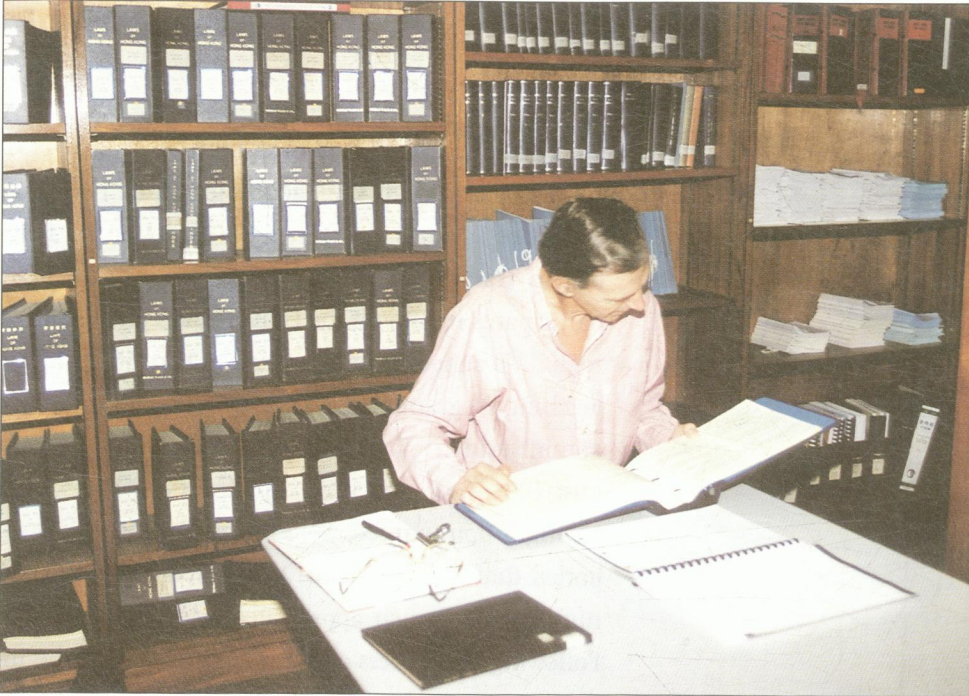
For many years the law school of Santa Clara University, California, has organised a successful session at HKU for US students in June and July. The teachers are mostly from the Faculty. The programme is well-known and well-established and it is accredited by the American Bar Association.

Institute in Transnational Law

In partnership with the Faculty the Duke University School of Law has established the Asia-America Institute in Transnational Law. This is designed to attract participants from both the United States and the Asian region. Teachers from the Faculty contribute to the teaching programme and assist in its organisation and administration. The first session was held in July/August 1995; four student interns from our law school, paying a nominal fee, were in the class, and it is reported that their guidance in relation to Hong Kong nightlife was much appreciated by their classmates. Following the success of the inaugural session the Institute is expected to become an annual event.

Advocacy Summer School

The Faculty has for some years hosted a course on advocacy sponsored by the British Council. Expertly taught by members of the British Bar, it has not only prepared students entering the PCLL but has also served as a refresher course for trainees and barristers' pupils wishing to hone their advocacy skills.



ACADEMIC CALENDAR 1995-96

LLB 1st Semester LLB: 11.09.95 - 03.12.95
Examination Weeks: 04.12.95 - 16.12.95

Designated Vacation: 20.12.95 - 01.01.96

2nd Semester LLB: 08.01.96 - 15.04.96
Examination Weeks: 29.04.96 - 14.05.96

PCLL 1st Semester PCLL: 18.09.95 - 03.12.95
Examination Weeks: 04.12.95 - 16.12.95

2nd Semester PCLL: 08.01.96 - 21.04.96
Revisions Week: 22.04.96 - 28.04.96
Examination Weeks: 29.04.96 - 14.05.96

University Holiday: 19.02.96 - 25.02.96
20.12.95 - 01.01.96

Designated Vacations: 19.03.96 - 26.03.96
01.07.96 - 31.08.96

Public Holidays (subject to confirmation by the government):

9 September 95	Mid-Autumn Festival
1 November 95	Chung Yeung Festival
25-6 December 95	Christmas
1 January 96	New Year Day
19-21 February 96	Lunar New Year
4 April 96	Ching Ming Festival
5-8 April 96	Easter
15, 17 June 96	Queen's Birthday
20 June 96	Dragon Boat Festival

University Holiday:
16 March 1996 University Foundation Day



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UNIVERSITY OF HONG KONG

1995

