

# SCHOOL OF LAW

## *Newsletter*

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香港城市大學  
City University of Hong Kong

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## MESSAGE FROM DEAN

CityU School of Law is constantly reviewing its initiatives to further enhance the quality of legal education that we have been providing for more than thirty years. We have established expertise in Common Law, Chinese Law and Comparative Law. An emphasis on arbitration and mediation has also remained a crucial fixture. In addition, we have built a good reputation in a wide range of areas, ranging from commercial law to public law. We have the only commercial and maritime law centre in Hong Kong promoting research and providing educational opportunities to scholars, lawyers and business professionals. We also launched the Human Rights Law and Policy Forum (HRLF) in September last year.

The Global Legal Education and Awareness Project (G-LEAP) was launched in 2007 in order to respond to the challenges of globalization. In summer 2018, we sent our LLB and JD students to Monash University (Australia) and University College, Oxford (UK) to study law courses under the G-LEAP.

Our credit-bearing Legal Placement course is also now well-established. It provides LLB and JD students with a valuable opportunity to gain practical working experience in law chambers as well as law firms, banks, legal departments of international companies, law courts in mainland China, non-governmental organisations and the legal publishing industry. The School in collaboration with local law firms and companies organizes career talks on an occasional basis for students to enhance their knowledge about the firms and companies and sharpen their interviewing skills. We have also developed a Professional Development Training Programme.

CityU School of Law also offers extensive training and full financial support to students who participate in international moot competition, and our CityU moot programme has earned a formidable world class reputation. In addition to winning several local rounds in the Jessup competition, we have won ten championships in international moot competitions over the past seven years. CityU is the undefeated three-time winner of the Susan J. Ferrell Intercultural Human Rights moot in North America. In 2018, CityU team achieved the 3rd highest overall oralist score in the elimination rounds of the 25th Annual Willem C. Vis International Commercial Arbitration Moot, and got the first prize of the "Best M&A Deal", together with the "Best M&A Letter of Intent" at the 8th Asia-Pacific M&A Moot Competition. Another piece of good news is that we won the 1st ICC Mediation competition in Hong Kong. There were 16 teams from 8 jurisdictions and CityU beat Singapore National University in the Finals. I am so proud of our students and grateful to the coaches who worked so hard with them.

Our School has signed collaborative agreements with the Europe-Asia Research Institute of Aix-Marseille University, the University Paris 1, Pantheon-Sorbonne in France, and Université de Fribourg in Switzerland. Selected students will study at the partner universities and obtain two postgraduate degrees: one from the partner university and the other from CityU. Our School



has also launched student exchange programmes with a number of overseas universities. Not only have these exchange programmes broadened the students' horizons and enhanced their understanding of different jurisdictions, they have also improved the practical skills necessary for becoming a future lawyer.

The Chinese judges who have been studying with us on our campus, furthermore, add colour and diversity to our days spent in the CityU Law School. In collaboration with the Supreme People's Court of China and the National Judges College, we offer a tailor-made Doctor of Juridical Science programme for Chinese senior judges, an LLM programme for Chinese judges, and the advanced programme for Chinese senior judges. By communicating with these incumbent judges from the Chinese courts, we hope our students will gain valuable insights to the Chinese legal system and its development.

As a hub where views from world-class scholars and professionals converge, CityU School of Law has been striving for excellence and pre-eminence in the Asia Pacific region both in terms of its teaching and research. The recent ARWU (Shanghai Jiao Tong rankings for Law) shows that the Law School at City University of Hong Kong ranks number 2 in Hong Kong. The THE (Times Higher Education) 2019 rankings again places us as 2nd overall in Hong Kong. We moved into the top 50 in the world to rank 45 – a jump of 7 places. On the international outlook criterion we are world leading. I think data and rankings can be read in many ways. However, my take away is that as a small law school in a young institution we are doing pretty well and have the basis to do even better in the future.

**Prof. Geraint HOWELLS**  
*Dean and Chair Professor of Commercial Law*

### ***The Australasian Professional Legal Education Council (APLEC) Conference 2018 – “Sunshine or Storm Clouds on the Horizon in Practical Legal Training?” (6–8 December 2018)***

A three-day Australasian Professional Legal Education Council (APLEC) conference entitled “Sunshine or Storm Clouds on the Horizon in Practical Legal Training?” was co-organised by APLEC and the School of Law of the City University of Hong Kong (SLW), a member of APLEC, between 6-8 December 2018. More than 60 educators, researchers and scholars in the field of Practical Legal Training (PLT) from various jurisdictions such as Hong Kong, Australia, New Zealand, Fiji, Papua New Guinea and Canada participated in this event.

The APLEC Conference focused on the Postgraduate Certificate in Laws (PCLL)/practical legal training (PLT) and related issues. In particular, it provided an opportunity for those teaching in the School of Law to present papers on their experiences teaching PLT, or in other related skills areas, to reflect more deeply on their teaching practices, and to network with, and listen to the papers delivered by, experienced educators and leading scholars in the area of PLT.

Prior to the formal conference, an APLEC Heads of Courses Meeting was hosted on 6 December at the SLW to allow the Heads of Courses of APLEC, who work in different parts of Australasia, to discuss issues related to that organization in the one convenient setting.

**Mr Justice Robert Tang** (Non-Permanent Judge of the Court of Final Appeal and Chairman of the Standing Committee on Legal Education and Training) opened the conference with a warm greeting to the participants in his welcome remarks at the Opening Drinks on the evening of Thursday, 6 December 2018.

The conference then more formally kicked off on 7 December 2018 with a welcome speech by video by **Professor Geraint Howells** (Dean and Chair Professor of Commercial Law, SLW). Professor

Howells first thanked **Mr Jack Burke** (Senior Teaching Fellow, SLW) for organising the conference and all the participants for their presence. He expressed his view on the theme of the conference, by stating that PLT in Hong Kong is largely basking in sunshine and he looked forward to hearing about attendees’ opinions on the topic.

Following the welcoming remarks of Professor Howells, **Professor Lin Feng** (Associate Dean, SLW) gave a speech primarily focused on the PCLL programme at the SLW. Professor Lin described the history and the upward admission trend of the SLW PCLL, pointing out that the intake for places is always high. Even though the School is now offering around 210 PCLL places each year to applicants, he was proud to note that it still provides small group teaching to around 10 students in designated group rooms. This ensures that our PCLL students have a conducive environment to effectively manage the demands of this challenging programme. Professor Lin also indicated that about half of our PCLL students are from overseas countries and they have helped produce a very diverse student culture and keen competition in the PCLL programme.

The opening keynote speaker, **Mr Anthony Rogers** (GBS, QC, JP, Former Vice-President of Court of Appeal and the replacement Chairman of the Consultants which undertook the Standing Committee on Legal Education and Training’s broad ranging and landmark Comprehensive Review of Legal Education and Training in Hong Kong) started his illuminating speech by sharing his learning experience of the law and the path he followed to build up his career in law. Mr Rogers pointed out that while the subject of the conference is business as usual for the professors of law, that business will have to be adapted to a world that seems to be changing ever faster. By examining the composition, functions and role of the Standing Committee on Legal Education and Training (SCLET) and the current situation of the legal training programmes of the three law schools in Hong Kong, he brought up the issues influencing the future of legal training nowadays and delivered his insightful views towards these issues.



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In addition to the panel discussion of experts on the current issues concerning PLT in common law and other developed countries and the plenary sessions given by **Dr Christoph Hafner** (Department of English, City University of Hong Kong), and **Ms Terri Mottershead** (Centre for Legal Innovation, College of Law), the conference also held a number of concurrent workshop sessions which allowed speakers to present on other topics and which triggered enthusiastic discussion among the participants during 7-8 December 2018.

Some of the very important themes emanating from the conference were the need to promote psychological resilience in an ever increasingly stressful profession, the challenge of identifying future technological changes in practice and how best to augment them in the delivery of PLT as well as the value of creating a strong body of scholarship around PLT.

The speakers during the concurrent workshop sessions included: **Ms Anuleshni Neelta** (The University of the South Pacific), **Ms Teresa Szunejko** (College of Law, Western Australia), **Ms Yvette Boulos** (College of Law, Sydney), **Ms Debra Cherry** and **Mr Adam May** (Leo Cussen Centre for Law), **Ms Kye Tran-Tsai** and **Ms Sharyn Croke** (College of Law, New South Wales), **Mr David Catanzariti** and **Ms Glenda Bloomfield** (School of Legal Practice, Australian National University), **Ms Michelle Harries** (College of Law, Western Australia), **Ms Beth McKenzie** (Leo Cussen Centre for Law), **Ms Jane Boyd**, **Ms Susan Carr-Gregg** and **Ms Tiffany Thomas** (College of Law, Sydney), **Ms Pia Castelli-Arnold** (College of Law, Western Australia), **Mr Graeme Haas** and **Ms Desi Vlahos** (College of Law, Queensland), **Ms Anthea Fong** (The University of the South Pacific), **Ms Rebecca Murphy** (Institute of Professional Legal Studies, New Zealand), **Dr Kristoffer Greaves** (The University of New South Wales), **Ms Maria Corbisiero** (College of Law, Victoria), **Ms Julie Pastellas** (Queensland University of Technology), **Mr Fabian Horton** (College of Law, Victoria), **Ms Madeleine Dupuche**

and **Ms Deborah Battison** (College of Law, Victoria), **Mr Alex Giannopoulos** and **Mr Fonda Gazis** (Leo Cussen Centre for Law), **Mr Kay Chan** (Barrister, Admiralty Chambers), **Ms Alison Jones** and **Ms Ann Beckingham** (Leo Cussen Centre for Law), **Professor Hoi Kong** (the inaugural holder of The Rt. Hon. Beverley McLachlin, P.C., UBC Professorship in Constitutional Law, Peter A. Allard School of Law, The University of British Columbia), **Ms Alice Lee** (Faculty of Law, University of Hong Kong), **Mr Alan Davis** (College of Law, Victoria), **Ms Anita Hall** (College of Law, Queensland), **Mr Michael Appelby** (College of Law, Sydney), and **Mr Jack Burke** and **Mr Hanif Mughal** (City University of Hong Kong).

In her closing remarks, **Ms Elizabeth Loftus** (Secretary APLEC and Executive Director, Leo Cussen Centre for Law) thanked the SLW, and its staff, for putting on a highly successful conference which was warmly appreciated by all the participants. In particular, she noted that the conference placed scholarship in PLT high on the agenda and that this served as a springboard for APLEC to examine publishing a Journal of Professional Legal Education in the near future.

### ***CityU School of Law Graduation Ceremony 2018 (1 December 2018)***

The School of Law of City University of Hong Kong (CityU) held its graduation ceremony at the Wong Cheung Lo Hui Yuet Hall, 5/F Lau Ming Wai Academic Building on 1 December 2018, celebrating the accomplishments of hundreds of new graduates.

More than 500 participants including faculty members and graduates from Bachelor of Laws (Honours), Postgraduate Certificate in Laws, Juris Doctor, Master of Laws in Arbitration and Dispute Resolution, Master of Laws, Doctor of Juridical Science and Doctor

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of Philosophy programmes, along with their parents, relatives and friends participated in this memorable event and witnessed the solemn moment.

Professor Geraint Howells, Dean of CityU Law School presided at the ceremony. The Honourable Mr Justice Robert Ribeiro, Permanent Judge of the Hong Kong Court of Final Appeal, Professor Howells, and our graduate representative Mr Fong Yan Hon Enoch each gave an address.

Mr Ribeiro said to the graduates: "The knowledge and skills you have gained provide you with the foundations for building a successful career, whether as a legal professional or in some other domain. However, while pursuing your careers, remember that as lawyers, you have a responsibility to contribute to society in broader ways. You have an important role to play in channelling and mediating legal issues arising in our community." He encouraged the graduates that "I am sure that you will rise to the challenges that our community faces and that you will make valuable contributions to our future well-being. It remains for me to congratulate each of you once again on this memorable occasion and to wish you every success in your endeavours."

Professor Howells congratulated the graduates and thanked the faculty of the Law School, who guided the graduates throughout their legal education. He also thanked their families and friends for their endless love and support. "Graduation is not the end; it is the beginning of another new journey." Professor Howells encouraged graduates to critically reflect on what they have learnt at the School, prepare to learn new things and make a difference.

The LLB graduate representative, Enoch said "To all the graduates, thanked for being one another's comrades. You have taught me

the importance of companionship. At this moment, some of us may aspire to be legal professionals while some have a heart for other careers. Whatever our ambitions are, do not let our success or failure blind us to the importance of relationships and happiness which comes from serving others."

The graduation ceremony marks the beginning of a new journey for the graduates. The School of Law is proud of the graduates and wishes them every success in the next chapter of their lives.



### ***The Opening Ceremony for the 5<sup>th</sup> and 6<sup>th</sup> Doctor of Juridical Science Programme for Chinese Senior Judges, the 9<sup>th</sup> Master of Laws Programme for Chinese Judges and the 13<sup>th</sup> Advanced Programme for Chinese Senior Judges was Held Successfully in CityU (19 October 2018)***

The Opening Ceremony for the 5th and 6th Doctor of Juridical Science Programme for Chinese Senior Judges, the 9th Master of Laws Programme for Chinese Judges and the 13th Advanced Programme for Chinese Senior Judges was held on 19 October 2018 in the Connie Fan Multi-media Conference Room at the City University of Hong Kong.

The officiating guests attending the Ceremony included **Ms. Teresa CHENG Yeuk-wah**, GBS, SC, JP, Secretary for Justice, Department of Justice, **Prof. HUANG Wenjun**, President, National Judges College, **Prof. Way KUO**, President and University Distinguished Professor, CityU, **Mr. LIU Chunhua**, Deputy Director-General, Department of Law, Liaison Office of the Central People's Government in the HKSAR, **Dr. ZHOU Lulu**, Director-General, Department of Treaty and Law, Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR, **Mr. CM CHAN**, Vice President, The Law Society of Hong Kong, and **Prof. LIN Feng**, Director, Centre for Judicial Education and Research and Associate Dean, School of Law, CityU.

President Way Kuo: CityU is the best university because she humbly acquires good practice in her interaction with the society as well as through cooperation with other institutions. However, being the best university doesn't mean she is perfect. CityU is willing to embrace her imperfection and will keep making progress. Prof.. Kuo

anticipates to see continuous support from the society for CityU as well as the Chinese Judges Programmes.

Ms. Teresa Cheng Yeuk-wah: there are strengths as well as drawbacks in both common law and statute law. She encourages the Chinese judge students to share their experiences in statute law with practitioners in Hong Kong and in the meanwhile she also urges the students to seize the opportunity to enhance their knowledge in common law.

President Huang Wenjun: with the continuous support from the government of the HKSAR and various government bodies, the Chinese Judges Programmes will further promote the judicial cooperation between Hong Kong and the mainland. He looks forward to seeing integration of values in future as well as the fulfillment of the value of law.

Mr. Liu Chunhua: so far, the City University of Hong Kong has trained more than 700 Chinese judges, more importantly, she has established a new mode of cooperation in legal education between Hong Kong and the mainland, making great contribution to China's legal construction.

Mr. CM Chan: CityU's Chinese Judges Programmes have achieved win-win situation for the judiciary in both Hong Kong and the mainland. The Programmes are not only special but rather competitive. The judge students can expand their horizons by enrolling in such a well-arranged and tailor-made programme.

Judge Zhang Kaixin (student representative of the 6th Doctor of Juridical Science Programme for Chinese Judges and Vice President of the High People's Court of Shandong Province): it is a privilege to become one of the selected senior judges to pursue a doctoral degree in CityU. The University provides professional education, international environment for study and manifests high standard and reputation as well. And that explains why CityU has become a dream school for many students.





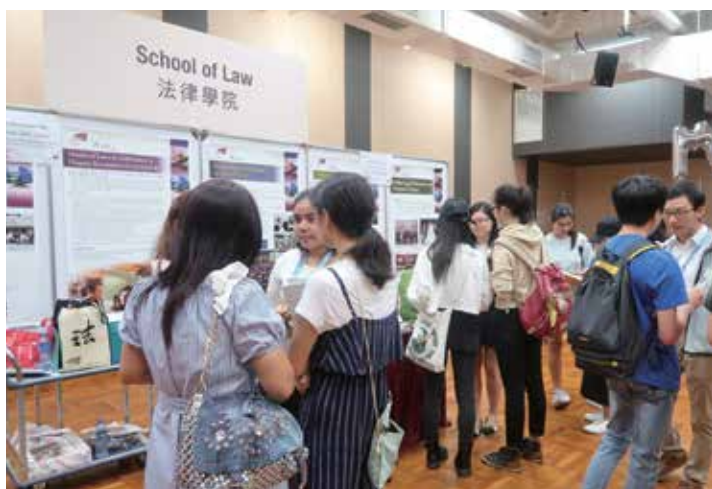
Judge Li Yaxin (student representative of the 9th Master of Laws Programme for Chinese Judges and assistant judge of the Beijing Tongzhou District People's Court): it is very challenging to study common law in English. Our timetable is very tight at CityU which enables us to learn and practice common law knowledge in a comprehensive manner. The Programme has given us confidence in facing and dealing with difficulties in their career.

Judge Yin Yong (participant representative of the 13th Advanced Programme for Chinese Senior Judges and President of the Shanghai Pudong New Area People's Court): the Advanced Programme has actively responded to the new needs arising in the judiciary as the international economy develops. The Programme covers both judicial practice and theoretical study. It is a rewarding and fruitful experience for us.

Prof. Lin Feng: besides paying gratitude to the Supreme People's Court of the PRC, the National Judges College and the legal bodies in Hong Kong for their continuous support for our Chinese Judges Programme, I also want to specially extend my gratitude to the Chinese judge students for their strong aspiration for knowledge. They let us see the future of China's judiciary and it is their sincere attitude and determination that encourage us to continue to perfect the Programmes.

### ***Information Day 2018 (13 October 2018)***

The CityU Information Day 2018 was held on Saturday 13 October from 9:30am to 5:30pm. The School of Law ("SLW") set up display boards and organized various activities to promote the undergraduate programme to prospective applicants. Our staff and student volunteers introduced programme information and addressed queries raised by participants.



A Mooting Training Workshop for secondary school students was held in the morning. It aimed at promoting legal education and inspiring students in debating, public speaking and writing.

Mr. Mike LAM and Mr. LC AU, two moot alumni in the SLW and now practising barristers, kicked off the event by providing the secondary school students with information about mooting and the mooting culture in the SLW. They then shared with the students the impact of mooting on their current legal career. Ms. Karen CHOI and Ms. Vamika PURI, two SLW students who represented the SLW in previous international mooting competitions, shared with the students how mooting had helped them solve the difficulties they faced at the SLW.

The secondary school students also had the opportunity to participate and take part in a short moot. Karen and Vamika assisted them during the moot. Mike and LC presented the awards to the participants of the moot.

An Information Seminar for the LLB Programme was held in the afternoon which was delivered by Ms Anna LUI, LLB Programme Associate Director. She gave an introduction on the LLB Programme and answered participants' enquiries. In the Seminar, two alumni, LEE Chi Tung Christina and TAM Keith were invited to come for sharing. It was well-attended by over 170 secondary school students and parents.

The event was a success and we trust the potential students and their parents and relatives were able to get a lot of useful information in relation to the SLW programmes.

### ***The 10<sup>th</sup> Law Conference of Mainland, Hong Kong, Macao: Legal Issues of the Belt and Road Initiative and the Guangdong-Hong Kong-Macao Greater Bay Area Development (21 September 2018)***

The 10th Law Conference of Mainland, Hong Kong, Macao: Legal Issues of the Belt and Road Initiative and the Guangdong-Hong Kong-Macao Greater Bay Area Development was successfully held at the City University of Hong Kong on 21 September. Officiating guests attending the ceremony included **Mr. ZHANG Mingqi** (Vice President of China Law Society; Vice-Chairman, Law Committee of the 12<sup>th</sup> National People's Congress Standing Committee), **Mr. Andrew LIAO, GBS, SC, JP** (Member of Hong Kong Legal Forum, Vice-Chairman of the 12<sup>th</sup> National Committee of the CPPCC Subcommittee of Social and Legal Affairs), **Ms. LEONG Pou Ieng** (Deputy Director, Legal Affairs Bureau of the Government of the Macao Special Administrative Region), **Ms. Maria TAM Wai-chu, GBM, GBS, JP** (member of the Committee for the Basic Law of the National People's Congress Standing Committee), **Mr. Wesley WONG, SC, JP** (Solicitor General, DOJ), **Mr. Liu Chunhua** (Deputy Director-General, Counsel, Department of Law, Liaison Office of the Central People's Government in the HKSAR) and **Prof. Geraint HOWELLS** (Dean & Chair Professor of Commercial Law, School of Law, CityU).

The “One Belt, One Road” Initiative was first introduced in the fall of 2013. It has not only become China’s primary regional development strategy in 2015, but also its major foreign economic strategy between 2016 and 2020. On the other hand, under the success of the CEPA framework, the Guangdong-Hong Kong-Macao Great Bay Area framework further moves China’s national development into a new high. The Central Government “encourage[s] Hong Kong and Macao to play an important role in promoting cooperation in the Greater Pearl River Delta region, and advance the development of the Guangdong-Hong Kong-Macao Greater Bay Area and major trans-provincial cooperation platforms.”



Prof. LIN Feng, Associate Dean of SLW, CityU was the master of the opening ceremony. The Conference was composed of 3 sessions, including:

1. Issues relating to the construction of the Belt and Road Initiative and legal cooperation (Moderator: Dr. GUAN Wenwei, Associate Professor, SLW and Prof. ZOU Pingxue, Director, Basic Law Research Centre, Shenzhen University),
2. Issues relating to the legal cooperation in the Guangdong-Hong Kong-Macao Greater Bay Area (Moderator: Mr. Samuel WONG, Former President, Hong Kong Institute of Arbitrators and Prof. LIU Zhengquan, School of Law, Wuhan University),
3. Issues relating to the legal cooperation among the mainland, Hong Kong and Macao (Moderator: Dr. WANG Shucheng, Assistant Professor, SLW and Mr. Alfred LEUNG, Partner, YTL LLP).

Almost 100 participants attended the Conference, among which, around 20 were Conference speakers and the rest were law scholars and legal practitioners from the mainland, Hong Kong and Macao. The Conference had a tight schedule and the attendees actively participated in the discussion sessions.

The speech by Mr. CHOW Charn Ki (Hong Kong Legal Forum), Mr. YIN Baohu (China Law Society) and Mr. YI Zaicheng (Macau University of Science and Technology) concluded the Conference. The participants hailed the Conference as successful and fruitful.

### ***School of Law Research Retreat 2018 (10 September 2018)***

The School of Law Research Retreat was successfully held on 10 September 2018 at Royal Plaza Hotel. This year, three guest speakers including Prof. Toni WILLIAMS (Head of Kent Law School, University of Kent), Prof. Christian WAGNER (Chair Professor of Social Media, School of Creative Media, City University of Hong Kong) and Prof. Richard M. WALKER (Chair Professor, Department of Public Policy, City University of Hong Kong) were invited to share their views on grant capture. The Research Retreat kicked off with a welcome speech by Dr. Mark KIELSGARD (Associate Professor, School of Law, City University of Hong Kong). He gave a brief talk on the strategies to succeed in the forthcoming Research Assessment Exercise (RAE). Dr. KIELSGARD also encouraged staff to polish their proposal and probe deeper in their research to get a better score in RAE.



Dr. CHEN Lei (Associate Dean, School of Law, City University of Hong Kong) and Prof. Kelvin LOW (Professor, School of Law, City University of Hong Kong) also shared some views on publication and conference strategies. Dr. CHEN encouraged staff to get potential research outputs published or accepted for publication before the cut-off date of RAE 2020, and emphasized the importance of framing and structure for writing research proposals. Prof. Low shared some technical skills in publishing, including the pros and cons of writing case notes, differences between solely written and co-written research outputs and etc. He also suggested staff to attend conferences and treasure opportunities to build networks with scholars from different institutions.

Prof. Williams shed light on a strategic approach for grant capture. The key factors that compel the panel to support a research project include (i) importance of the project, (ii) credibility of researcher, (iii) value of the project and (iv) probability for the project to succeed. She also shared how to frame and restructure a research proposal to make it more competitive.

Prof. Wagner highlighted the composition of Research Grants Council (RGC), panel membership and overall funding results in 2018–19. He then proposed a list of criteria in writing an appealing research proposal.

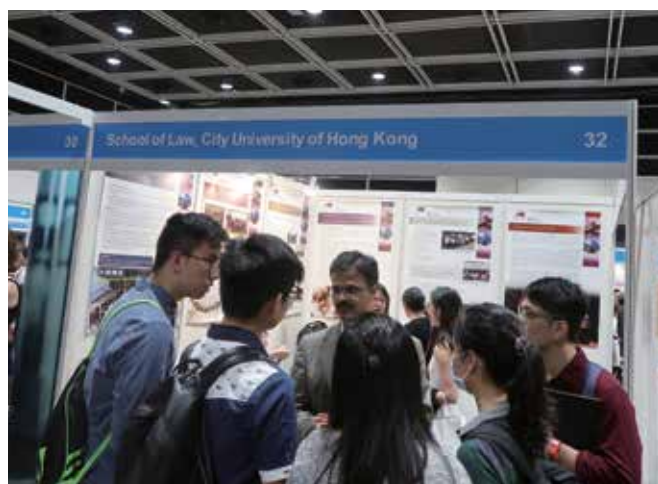
Prof. Walker gave a short talk on the importance of grants to arts, law and social sciences scholars. He emphasized the value of grants and the spending on grants. He pointed out that managing a grant is similar to running a small business, and resources and implementation are the key to drive a grant.

**Dr. Julia TOMASSETTI** (Assistant Professor, School of Law, City University of Hong Kong), **Dr. Peter CHAN** (Assistant Professor, School of Law, City University of Hong Kong) and **Dr. Daniel PASCOE** (Assistant Professor, School of Law, City University of Hong Kong) presented their research proposals and draft papers on various topics. Staff advanced their opinions and were in the midst of lively discussions after the presentations.

The day ended with closing remarks from **Prof. Geraint HOWELLS** (Dean and Chair Professor of Commercial Law, School of Law, City University of Hong Kong). He thanked **Dr. KIELSGARD** for organizing the Research Retreat and all the participants for their presence. He appreciated the constructive comments given by colleagues. He welcomed colleagues to discuss with him if they needed support and encouraged colleagues to take advantage of what the School can offer to add value to their research.

### ***Hong Kong Law Fair 2018 (8 September 2018)***

The Hong Kong Law Fair 2018 was successfully held on 8 September 2018 at the Hong Kong Convention and Exhibition Centre, Wanchai. CityU Law School joined the fair together with other local law schools, legal institutions, as well as major international and local law firms. An information booth was set up to display the detailed information of respective programmes offered by our School. Our staff and student volunteers introduced programme information and addressed queries raised by participants.



### ***Student Orientation 2018: Welcome to CityU School of Law (28 August 2018)***

More than 350 new students from LLB, JD, PCLL, LLM, and LLMArbDR programmes attended the CityU Law School's orientation on 28 August 2018. The orientation included a series of activities meant to introduce new students to the University's resources, facilities, and opportunities, and help them get prepared for their new start.



**Prof. Geraint HOWELLS**, Dean of the Law School, warmly welcomed the new students to the Law School family in the orientation. In his speech, he advised the students to take advantage of opportunities the School provides. To LLB and JD students, he strongly recommended them to take part in independent research, the G-LEAP exchange programme, legal placement programme, and international mooted competitions. "It is an important stage in your life," Prof. Howells advised. He pointed out that grades are important, but developing well-rounded personalities is also important. "Make lasting friendships. Enjoy your study. Develop your skills. Keep your options open. Gain international exposure and look out for opportunities." Prof. Howells hoped that students not only study law, but also engage with the law and a wide range of activities.

Later on, the LLB, JD, and PCLL programme directors also welcomed the new students and set out their expectations. The LLB Programme Director and Associate Director, **Prof. Kelvin LOW** and **Ms. Anna LUI**, encouraged the freshmen to study hard, and to read a lot and widely. The JD Programme Director and Associate Director, **Dr. Mark KIELSGARD** and **Ms. Sara TSUI**, reminded the new students to participate actively in the classes and tutorials, and ask teachers questions if they do not understand. The PCLL Programme Director and Associate Director, **Ms. Theresa LOW** and **Dr. Peter CHAN**, advised the newcomers to always plan ahead and manage time well.

After the luncheon were the introductions on international mooted and advocacy, the law library, professional development, and e-learning. **Mr. Kay CHAN**, the Chairman of the Alumni Association of CityU School of Law, was invited as a guest speaker to share his experiences in legal practice with the students.

The Orientation for LLM and LLMArbDR students was held in the evening. The Dean, **Prof. Geraint Howells**, welcomed the newly admitted students and introduced the history of the programmes, including the LLM programme for incumbent Chinese judges and the collaboration with University Paris 1. The LLM and LLMArbDR students met their programme directors afterwards.

The Student Orientation was a great success. Students got to become familiar with their new environment and gain information useful to their studies at CityU. Welcome all new students again to CityU School of Law! The fascinating CityU journey has now begun.

### ***The 23<sup>rd</sup> Goff Arbitration Lecture by the Rt. Hon the Lord Mance: "Arbitral Autonomy and Applicable and Overriding Law" (9 July 2018)***

The Rt. Hon the Lord Jonathan Mance, former Justice of the Supreme Court of the United Kingdom delivered the 23rd Goff Arbitration Lecture on 9 July 2018 at City University of Hong Kong. The lecture was entitled "Arbitral Autonomy and Applicable and Overriding Law". Renowned legal practitioners such as Rimsky Yuen Kwok-keung, GBM, SC, JP and Philip Dykes SC etc. among about 100 attendants participated.



The lecture was kicked off by the welcome speech of **Prof. Geraint HOWELLS** (Dean of the School of Law, CityU and Chair Professor, Commercial Law). Prof. Howells introduced the background and the aims of Goff Arbitration Lecture. He also thanked all the participants for their support of the lecture.

According to Lord Mance, the hallmark of arbitration is autonomy. There are a variety of reasons that parties would like to choose dispute resolution by arbitration, instead of by a court. He said enforcement is one important factor favouring arbitration. Other than that, they can include the belief that it is easier to ensure the expertise and quality of arbitrators chosen by the parties and find

reliable institutions, than to ensure the expertise and quality of some judges in some jurisdictions. They can also include the belief that parties agreeing to arbitration can exercise great control over applicable law procedures than they can in litigation. He explained arbitration is usually a one-stop-shop without possibility of appeal that seems attractive to many parties.

Lord Mance then examined how far parties can choose the principles governing the procedural and substantive aspects of the arbitration. He considered cases in which such a choice may be affected or overridden by mandatory principles of law or court intervention, by the courts of the seat of arbitration or in enforcement proceedings in another jurisdiction.

He also talked about the potential tension between the interests of party and arbitral autonomy, and the public policy which justifies court interventions in the arbitral process and governs enforcement of awards. He explained that in an European context, the tension manifested itself recently in a marked dichotomy between the attitudes of European Union law to commercial arbitration and to bilateral investment treaty arbitration. Recognising the value attached to arbitration by the commercial community, he suggested that there is still scope for holistic development.

After the lecture, the participants raised interesting questions and interacted with Lord Mance in the Q & A session moderated by **Dr. CHEN Lei**, Associate Dean of CityU Law School. Finally, **Dr. Christopher TO**, the LLMArbDR Programme Director gave a vote of thanks and Dean **Prof. Geraint HOWELLS** presented a gift to Lord Mance, thanking him for delivering an insightful lecture.

#### ***About the Goff Lecture:***

The Goff Lecture was instituted in 1990 by the City University of Hong Kong to celebrate the commencement of our Master of Arts in Arbitration and Dispute Resolution. The first lecture was delivered by Lord Goff of Chieveley, Lord of Appeal, who then consented to the series bearing his name. The Goff Lecture provides an excellent opportunity for discussion and exchange of views among practitioners and academics in the arbitration field. Over the years, the Goff Arbitration Lecture has gathered 23 eminent scholars to share their views on arbitration.

#### ***About the Speaker***

Lord Mance became Deputy President of the Supreme Court of the United Kingdom in September 2017 following his original appointment as Justice of the Supreme Court in October 2009. He only recently retired. He represented the United Kingdom on the Council of Europe's Consultative Council of European Judges. He currently chairs the International Law Association and the Lord Chancellor's Advisory Committee on Private International Law and is the Advocate-General at the European Court of Justice and General Court.

### ***Presentation of Research on Consumer Law in Hong Kong and other Common Law Countries in Asia (26 June 2018)***

The School of Law of City University of Hong Kong organized a “Presentation of Research on Consumer law in Hong Kong and other Common Law Countries in Asia” on 26 June 2018 at the School Conference Room. The attendees included representatives from Commerce and Economic Development Bureau, Department of Justice, Customs and Excise Department, Consumer Council and legal experts.

**Prof. Geraint HOWELLS** (Dean & Chair Professor of Commercial Law, School of Law) first welcomed all the guests and thanked them for their participation. He then presented his research team’s paper “Reforming Consumer Protection in Hong Kong: How to Adequately Protect Consumers?”. The presentation covered a wide range of topics, including the development of Consumer Law in Hong Kong, developing an action plan for Hong Kong Consumer Law.



**Dr. André JANSSEN** (School of Law, City University of Hong Kong) and **Dr. Mateja DUROVIC** (The Dickson Poon School of Law, King’s College London), were invited to comment on the topic. Dr. Janssen compared the Hong Kong Consumer Law with the Lemon Law in Singapore. He recommended the Hong Kong policy makers to initiate discussion on Sales Law and look into a more advanced Consumer Law regime to face challenges of the digital age. Dr. Durovic introduced various Consumer Law models in other countries which served as a good reference for reforming consumer protection in Hong Kong.

The invited guests actively participated in the discussion. They provided insightful views and critical comments regarding the presentation. All participants had a better understanding of Hong Kong Consumer Law system and how the law can best be regulated to protect consumers adequately. The presentation concluded with closing remarks from Prof. Howells. He thanked attendees for their enthusiastic participation which made this presentation a great success.

### ***CityU hosted Conference on “Legal Problems with the Application of Smart Contracts and the Way Forward” (24 May 2018)***

World-renowned experts on intersection of law and technology shared their knowledge and insights on LegalTech issues and shed light on the potential influence of LegalTech on the future legal industry at a conference conducted by City University of Hong Kong (CityU) on 24 May.



The conference entitled “Legal Problems with the Application of Smart Contracts and the Way Forward” was co-organized by School of Law, CityU and CityU Law Review, a student-edited, peer-reviewed academic law journal published by CityU Law School. The objective of this conference was to raise scholars’ and students’ awareness of LegalTech issues and to encourage them to submit papers regarding LegalTech to CityU Law Review for publishing by the end of this year.

The conference was kicked off by the welcome speech of **Prof. Geraint HOWELLS** (Dean of the School of Law, CityU and Chair Professor, Commercial Law). Prof. Howells introduced the background and the aims of the conference. He also thanked all the participants for their support of the conference.

The conference was moderated by Prof. Alexander Loke (Professor and Assistant Dean, School of Law, CityU), and invited speakers for the conference were Professor **Dr. Dirk Zetzsche** (ADA Chair in Financial Law, Professor in Law, University of Luxembourg) who presented on the topic, ‘Blockchain, Distributed Ledger Technology & Smart Contracts’; **Prof. Manuel A. Gómez** (College of Law, Florida International University) who spoke on the theme entitled, ‘The Chimera of Smart Contracts’; **Mrs. Grace Borsellino** (School of Law, Western Sydney University) who shared her thoughts in the paper, ‘Regulating in the Digital Economy: FinTech, Blockchain, Cryptocurrencies and Initial Coin Offerings’, **Prof. Yen-Te Wu** (Department of Law, Chinese Culture University) who discussed issues surrounding the topic, ‘FinTech Innovation and Anti-Money Laundering Compliance’; and **Dr. George Yijun Tian** (Faculty of Law,

University of Technology Sydney) who examined another 'hot topic', 'Cloud Computing and Cross-Border Transfer Pricing: Smart Contract as a Supplementary Solution'.

The conference ended with the closing remarks of Prof. Howells who thanked all the conference speakers for their contributions to the conference. He also encouraged the speakers and participants to submit papers to CityU Law Review. The conference was fruitful and thought-provoking, and the atmosphere throughout the conference was interactive. The insightful views of all the speakers who are experts in the field of law and technology served as an important foundation for further research on LegalTech issues.

### ***Dean's Forum – "The Future of Legal Education" (10–11 May 2018)***

The School of Law of City University of Hong Kong is marking its 30th anniversary as a path-breaking provider of legal education in Hong Kong and the Asia Pacific region. To celebrate this remarkable occasion, the School of Law hosted the Dean's Forum on 10 and 11 May 2018. The objectives of Dean's Forum was to provide a platform where Deans and leading scholars from prestigious law schools in the world shared and exchanged their opinions concerning the future of legal education and put forward useful suggestions to improve their law schools and legal education in general. It also improved knowledge relating to legal education and the ways the School of Law and other universities teach law and prepare their students for the legal market.



The Forum was kicked off by introductory remarks of the Dean of our Law School Prof. Geraint HOWELLS, who explained the themes of Forum, namely, straddling between liberal and professional education with law schools, legal education through the lens of students' career prospects, and legal education and technology.

To promote international collaboration and efficient student exchanges, the School of Law signed various collaborative agreements with the institutions which participated in the Forum, including, Faculty of Law, KU Leuven University; School of International Law, East China University of Political Science and Law; and School of Law, Jilin University.

The Forum consisted of five panels, each followed by discussions. The topics of the presentations are as follows (according to the order of presentation).

#### ***Professional versus Liberal Legal Education: Fundamental Tension or False Dichotomy?***

Prof. Toni Williams (Head & Professor of Law, Law School, University of Kent)

#### ***The Balance Between Liberal and Professional Legal Education – Changing Landscapes***

Prof. Alastair Mullis (Head, School of Law, University of Leeds)

#### ***Liberal and Professional Education: Hong Kong's Future***

Prof. Christopher Gane (Dean, Faculty of Law, The Chinese University of Hong Kong)

#### ***The Development, Challenge and Reform of Juris Master Program in Mainland China***

Prof. Shi Yanan (Director of International Office; Director of Hong Kong, Macau and Taiwan Affairs Office, Renmin University of China)

#### ***Experience of ZUEL Law School in the Integration of Liberal Education into Professional Legal Education***

Prof. Xu Diyu (Dean, Law School, Zhongnan University of Economics and Law)

#### ***Legal Response to Modern Information Technology Development and Establishment of Computational Law***

Prof. Shen Weixing (Dean, School of Law, Tsing Hua University)

#### ***The Role of Moot Court in Legal Education***

Prof. Li Weifang (Dean & Professor of Law, School of International Law, East China University of Political Science and Law)

#### ***Legal Education – Theory, Practice or Both?***

Prof. Goh Yi-han (Dean & Associate Professor, School of Law, Singapore Management University)

#### ***Strengthening Focus Through a Broad and International Scope: The Leuven Approach of Future-proofing Law Graduates***

Prof. Dr. Bernard Tilleman (Dean, Faculty of Law, KU Leuven University)

#### ***Liberal Legal Education: Theory and Practice Reconciled***

Prof. Hoi Kong (Associate Professor, Faculty of Law, McGill University)

#### ***The Challenges of Legally Educating a Global Student Body Toward Multiple Career Paths***

Prof. Martin Hogg (Dean, Edinburgh Law School, The University of Edinburgh)

#### ***An Exploration of the Internationalization of Legal Education in China***

Prof. Kong Qingjiang (Dean & Professor of Law, School of International Law, China University of Political Science and Law)

### *Lack of Education in Social Science in Legal Education*

Prof. Zhang Liang (Vice Dean & Professor of Law, School of Law, Sun Yat-sen University)

### *Challenges Faced by the Law School In a Time of Fast Change*

Dr. Zhang Sheng (Assistant Dean & Associate Professor, School of Law, Xi'an Jiaotong University)

### *Law, Technology and Education: A Perspective from the University of New South Wales*

Dr. Ben Golder (Associate Dean (Education) & Associate Professor, Faculty of Law, University of New South Wales)

### *LegalTech in the Law School Curriculum: Challenges and Opportunities*

Prof. Toby Seddon (Head, School of Law, University of Manchester)

### *Implement Smart Teaching and Promote the Version 3.0 Legal Talents Training Program*

Prof. Cai Lidong (Dean, School of Law, Jilin University)

### *Studio Without Borders: Collaborative Learning for Law and Architecture*

Prof. Alice Lee

(Associate Dean (Academic Affairs) & Associate Professor, Faculty of Law, The University of Hong Kong)

Through discussion and debate, the Forum's atmosphere was full of enthusiasm. While the speakers delivered excellent and insightful presentations, the audience actively participated in the discussion sessions, giving critical comments and putting forward challenging questions to speakers. The Forum enhances the leading role of the CityU Law School as a major local and global actor in the field of legal education and research.

## **Collaboration between CityU and Université de Fribourg, Switzerland (25 April 2018)**

The School of Law (SLW), City University of Hong Kong ("CityU") and the Faculty of Law, Université de Fribourg ("UF"), Switzerland have recently reached a collaborative agreement on the Master of Laws Programmes between the two institutions. Both law schools have been working closely on the collaboration.

Under the agreement, each institution will admit up to 10 students into the programme per academic year. CityU law graduates of Master of Laws (LLM) and Master of Laws in Arbitration and Dispute Resolution (LLMArbDR) or students and graduates of Juris Doctor (JD) are eligible for application. CityU students will be granted a UF LLM Degree upon satisfactory completion of the UF LLM requirements. The UF students of MLaw programme or LLM programme, or their graduates in MLaw programme or LLM programme, are also eligible for application. UF students will be awarded a CityU LLM degree

upon satisfactory completion of the CityU LLM requirements. Both institutions will grant admission scholarship to students with outstanding academic results.



Prof. Geraint HOWELLS, Dean of School of Law, CityU attended the signing ceremony in Switzerland on 25 April. Prof. Samantha BESSON, Vice Dean and Chair of the Faculty's Commission for Exchange Programs and International Relations and Prof. Astrid Kaptijn, Vice-Rector in charge of the International Relations represented the Université de Fribourg signed the agreement.

## **RAE 2020 Workshop (19 March 2018)**

Having noted that the RAE results will have significant impact on the School's local and international credibility as well as the research budget allocations among universities, the School of Law hosted a RAE Workshop on 19 March 2018 to better strategize the RAE 2020.



We were honoured to invite Prof. John BIRDS (Emeritus Professor at The University of Manchester and Honorary Professor at University of Sheffield) who had been on the Law Panel of the Research Assessment Exercise in the United Kingdom twice to share his in-depth experience in RAE and REF, with an aim to optimize the staff's and the School's research profile and RAE performance.

In the workshop, Prof. Birds first introduced the background of RAE and explained in detail how assessments would be done in the

panel. He shared his rich experience in the research strategies on producing and selecting quality publications for assessment, some thoughts on research environments and other related matters. Prof. Birds emphasized the importance of producing quality outputs with new knowledge or concepts.

Over twenty staff participated in the workshop, including Prof. Geraint HOWELLS (Dean, School of Law), Prof. LIN Feng (Associate Dean, School of Law) and Dr CHEN Lei (Associate Dean, School of Law).

With the common goal of improving the RAE results, staff enthusiastically raised many questions in the discussion session. Prof. Birds gave valuable advice and detailed explanation to each specific question. At the end of the workshop, on behalf of the School of Law, Prof. Howells thanked Prof. Birds for providing professional advice which was a significant help to the School in preparing for the RAE 2020.

*For Prof. Birds' bio, please refer to:*

<https://www.research.manchester.ac.uk/portal/john.birds.html>

### ***Roundtable on Lifetime Contracts in Consumer and Related Contracts (16 March 2018)***

On 16 March 2018, the CityU School of Law was honoured to have the two guest professors of the one-credit elective course (Contract Law – Recent Developments and Perspectives in Labour, Consumer Credit and Tenancy Law), Prof. Luca NOGLER (Faculty of Law, University of Trento, Italy) and Prof. Udo REIFNER (Faculty of Law, University of Hamburg, Germany), to hold a roundtable for sharing their insights on Lifetime Contracts and related contracts.



The roundtable was chaired by Prof. Geraint HOWELLS (Dean & Chair Professor of Commercial Law, School of Law). Leading legal scholars in the Asia-Pacific, Prof. Emeritus Hisakazu HIROSE (Professor of Law, Faculty of Law, University of Tokyo), Prof. LOW Wing Li Gary (Assistant Professor of Law, School of Law, Singapore Management University) and Dr. DING Chunyan (Associate

Professor, School of Law, City University of Hong Kong) were also invited to comment on the topic.

The discussion was fruitful and thought-provoking. Participants exchanged their views towards how the concept may be received in the region. The vivid interactions deepened the understanding of how these contracts can best be regulated. The roundtable concluded with closing remarks from Prof. Howells. He presented souvenirs to the speakers and commentators to thank them for presenting insightful and inspiring ideas at the roundtable.

### ***The School of Law marked its 30th Anniversary with a Gala Dinner Celebration (3 March 2018)***

To celebrate the 30th Anniversary of its establishment, the School of Law of City University of Hong Kong ("CityU") held its Gala Dinner at The Excelsior, Hong Kong on 3 March 2018. Legal Professions in Hong Kong, academic staff, students and alumni from City University gathered to share the joyful moments of this special occasion. The officiating guests included The Honourable Chief Justice Geoffrey MA, GBM, Chief Justice of the Court of Final Appeal; The Hon Mr. Justice Robert TANG, SBS, Permanent Judge of the Court of Final Appeal; Mr Rimsky YUEN, GBM, SC, JP, Former Secretary for Justice; Mr. Andrew LIAO, GBS, SBS, SC, JP, Council Chairman, Hong Kong University of Science and Technology; Mr. Stephen WONG, The Commissioner; Prof. Michael HOR, Dean, Faculty of Law, University of Hong Kong; Mr. Edward CHAN, SC, JP, Sir Oswald Cheung's Chambers; Mr. Lester HUANG, JP, Council Chairman, CityU; Prof. Way KUO, President and University Distinguished Professor, CityU; Prof. Alex JEN, Provost, CityU; Prof. LU Jian, Vice President (Research and Technology), CityU; Prof. Horace IP, Vice-President (Student Affairs), CityU; Prof. Paul LAM, Chief-of-Staff, CityU; Prof. YAN Houmin, Dean, College of Business, CityU; Prof. ZANG Xiaowei, Dean, College of Liberal Arts and Social Sciences, CityU; Prof. Richard ALLEN, Dean, School of Creative Media, CityU; Prof. Geraint HOWELLS, Dean & Chair Professor of Commercial Law, School of Law, CityU; Prof. LIN Feng, Associate Dean, School of Law, CityU; Dr. CHEN Lei, Associate Dean, School of Law, CityU; Ir Dr. Raymond HO, SBS, MBE, S.B.St.J., JP, Former Council Chairman, CityU and some distinguished alumni including Mr. Hectar PUN, SC, Barrister, Senior Counsel, Denis Chang's Chamber; Mr. Richard KHAW, SC, Senior Counsel, Temple Chambers; Ms. Bonita CHAN, Former Chairlady, Law School Alumni Association, CityU; Ms. Sandy WONG, JP, Advisor to Law School Alumni Association, CityU and etc.

The Gala Dinner was kicked off by the welcome speech of Prof. Geraint HOWELLS. Prof. Howells first welcomed all officiating guests and alumni who participated in this event. He recalled how he was impressed by the incredible creativity of the School of Law when he first joined the School. "In recent years, the School of Law offers a



wide range of legal programmes including Chinese Judges Programme, legal placement course and professional development training, joint degree programme and etc. For the Chinese Judges Programme, we see ourselves with a mission to act as a bridge between common law and Chinese law and promote the understanding of similarities and differences between the two legal systems. Generations of staff have all shared the same dedication to contribute to Hong Kong and make every joint effort to stay ahead of education and research in Hong Kong.” he said. Prof. Howells is very proud of the students and alumni for their regular success in international competitions, their enterprise in seeking to publish their work and their achievement in working at high levels of the professions.



The Honourable Chief Justice Geoffrey MA congratulated the School of Law on its 30<sup>th</sup> Anniversary. He stated that Hong Kong is firmly recognized as an established common law jurisdiction. Judges, lawyers and the level of legal education in Hong Kong have created a good reputation for our legal system, which is internationally respected. Recalling the past, Hong Kong has gone all out to overcome the challenges and difficulties encountered. At present, the challenges faced by the rule of law in Hong Kong require the concerted effort of all in the legal professions. The quality of the law, the independence of the judiciary, the spirit of law, and the recognition and respect for individual rights are fundamental to the rule of law. Chief Justice Geoffrey MA emphasized that everyone of us should have the obligation to understand these important principles of law.

As a token of appreciation, Prof. Way KUO presented the “School of Law 30<sup>th</sup> Anniversary Commemorative Book” to Chief Justice Geoffrey MA and delivered his vote of thanks to the distinguished guests. He thanked all sectors of the community for their continuous support to CityU and the School of Law. “CityU is actively developing into a professional multi-disciplinary university. We all know that CityU has brought great academic accomplishments during the past years, but now we look forward to becoming an even brighter beacon for excellence in our joint endeavour.” he said.

Prof. Alex JEN commended the contributions and achievements made by the School of Law in the past three decades and encouraged the School to continue its rapid growth and vibrant development.

Prof. Richard ALLEN then led the participants to sing a song written by him and Mr Sunny LEE Wai-kwong, Vice-President (Administration), CityU for the School of Law. They presented this gift to mark the milestone of our 30<sup>th</sup> Anniversary and deliver their blessings to the School. The Law School Alumni Association, CityU had also arranged a wonderful magic show and singing performance to congratulate the School of Law on its 30<sup>th</sup> Anniversary.

At last, we wish the School of Law a happy 30<sup>th</sup> birthday, and may the School keep up the good work and strive for greater success in the future.

### ***The 22<sup>nd</sup> Goff Arbitration Lecture: Making the Best of Arbitration (12 February 2018)***

The 22<sup>nd</sup> Goff Arbitration Lecture was held on 12 February 2018 at the Connie Fan Multi-media Conference Room, City University of Hong Kong. This year, we were much honoured to have the Rt Hon. The Lord Hope of Craighead KT, as the speaker to give a lecture titled “Making the Best of Arbitration”.



In the beginning of the lecture, Lord Hope paid respect to the founder of the lecture, Lord Goff of Chieveley and praised his supreme legal mind and his contribution to arbitration. Then he moved on to introduce arbitration and define it as a means to resolve disputes outside the court system. He emphasized the privacy and confidentiality of arbitration.

Then, he shared various aspects of the arbitration process based on his experience. Being a counsel before becoming a judge, he reminded the audience to be careful in drafting the arbitration clause and choose the appropriate law to govern the procedure. As a judge sitting as a Law Lord in the House of Lords, he highlighted the importance of supporting the arbitration process in a fast growing global market. He adopted the Fiona Trust case as one of the best known decisions in English arbitration case law, setting out a “fresh start” in English jurisprudence with the strong presumption that commercial parties intend all disputes to be determined in a single forum.

As an alternative means of dispute resolution involving foreign trade activities, international arbitration institutions have started

to play a notable role. For example, as a home grown institution, the Hong Kong International Arbitration Centre sets up rules to supplement the local law system; while the International Chamber of Commerce (ICC) as a world business organization based in Paris, helps businesses of all sizes and in all countries to operate internationally and responsibly. Lord Hope provided a critical analysis of the ICC and reminded the audience to evaluate the value of the choice of institution.

On the other hand, third party funding is a growing phenomenon. Lord Hope believed that it enhances access to justice and is a good thing for the equality of arms and for the overreaching principles of procedural fairness and justice. However, he stated the risks of aggravating an already exploding caseload and the arrival of third-party funders may alter the entire landscape by significantly increasing the number of claims.

In conclusion, Lord Hope asserted that arbitration, as a means to resolve disputes, is an inexpensive and impartial alternative to the public courts. He encouraged the arbitrator, as peace maker, to be open and frank in striking a balance of interests. Lord Hope illustrated many of the points made in the lecture with practical examples drawn from his extensive experience as an advocate, arbitrator and judge.

After the lecture, the participants raised interesting points for discussion with Lord Hope in a question and answer session led by Mr. David HOLLOWAY from the School of Law, who proposed a formal vote of thanks to Lord Hope. Finally Dean Prof. Geraint HOWELLS presented a gift to Lord Hope and brought an end to the lecture.

### About the Speaker

Rt Hon. The Lord Hope of Craighead KT (David Hope) is an arbitrator at Brick Court Chambers in London and sat as an appellate judge for 24 years. He was appointed to sit as a judge in the House of Lords as a Lord of Appeal in Ordinary in 1996 and retired from the Supreme Court of the United Kingdom in June 2013. He was one of the two judges representing Scotland in the Supreme Court.

### ***Ceremony of 2017-18 Admission Scholarship, Sir Oswald Cheung Memorial Fund PCLL Scholarship & 2016-17 Outstanding Performance in Mooting Competitions (1 February 2018)***

The School of Law, City University of Hong Kong (CityU) held the Ceremony of 2017-18 Admission Scholarship, Sir Oswald Cheung Memorial Fund PCLL Scholarship & 2016-17 Outstanding Performance in Mooting Competitions on 1 February 2018. The Ceremony was well attended by award recipients, their family

members, distinguished guests, coaches of mooted competitions, senior management of the University and faculty members.

Dean Prof. Geraint HOWELLS delivered the welcome remarks, congratulating all the awardees and thanking their school principals, families and teachers for the support and guidance along the way. He praised mooters for their determination and commitment and expressed his pleasure to be part of the School of Law.

In order to reward outstanding students who are admitted to the School of Law's programmes, the School has established admission scholarships. Two LLB, two JD, eight PCLL and one LLMArbDR students were awarded the 2017-18 Admission Scholarship. Our Associate Dean, Prof. LIN Feng and respective Programme Directors presented the Admission Scholarship to the programme students.

Recipients of 2017-18 Admission Scholarship

### Bachelor of Laws

CHAN Yui Hei Vanessa

WONG Chun Sang

### Juris Doctor

KONG Yee

LAU Cheryl Danielle

### Postgraduate Certificate in Laws

HE Yi

LIU Youming

NG Kianyang

POON Kathleen Hei Tung

SOUSA Antonio Alfred

TSANG Stephanie Yuen Ting

WARDLAW Ella Dylan Muldoon

YEUNG Eric Jon-Haye

### Master of Laws in Arbitration and Dispute Resolution

WONG Wei Sze Grace

Ms CHEUNG Ka Wai Winnie, Principal of Tak Nga Secondary School (right) attended the Ceremony and shared the joy of one of the School's alumni, Ms CHAN Yui Hei Vanessa (second from the right). Vanessa was the recipient of LLB Admission Scholarship.

Sr. Anita KWOK Ming Ying, Principal of Daughters of Mary Help of Christians Siu Ming Catholic Secondary School (second from the left) also attended to share the joy of her former student, Ms Lau Ka Yan (third from the left) who took part in the Vis (East) Pre-Moot Hong Kong, the Vis (East) Moot, the Budapest Pre-Moot and the Vis (Vienna) Moot.

The School was honoured to have Mr Nelson MIU, Director of Sir Oswald Cheung Memorial Fund (second from the right), our Dean, Prof. Geraint HOWELLS (left) and the PCLL Programme Director, Ms Stella LEUNG (right), to present the awards to the following PCLL student.

## SCHOOL EVENTS

Recipient of 2017-18 Sir Oswald Cheung Memorial Fund PCLL Scholarship

### Postgraduate Certificate in Laws

TUNG Yat Ting Ingrid

The School's mooting team achieved outstanding performance in different mooting competitions in 2016-17, including:

The 2017 Philip C. Jessup International Law Moot Court Competition Hong Kong Regional Round held on 18 February 2017

- First Runner-Up
- Best Respondent Memorial
- Best Overall Memorial

The Vis (East) Pre-Moot Hong Kong and the 14th Annual Willem C. Vis (East) International Commercial Arbitration Moot held in Hong Kong from 26 March to 2 April 2017

- Honorable Mention for the Claimant's Memoranda in the Vis (East) Moot

The 7<sup>th</sup> Annual Budapest Pre-Moot held in Budapest from 3 to 6 April 2017, and the 24<sup>th</sup> Annual Willem C. Vis International Commercial Arbitration Moot held in Vienna from 7 to 13 April 2017

- Reached the quarter-finals in the Budapest Pre-Moot
- Advanced to the top 64 out of 338 teams in the Vis (Vienna) Moot
- Honorable Mention for Eric E. Bergsten Award Team Orals in the Vis (Vienna) Moot
- One of the team members: Honorable Mention (Martin Domke Award for Individual Oralists) in the Vis (Vienna) Moot

Manfred Lachs Space Law Moot Court Competition held in Adelaide from 18 to 21 April 2017

- First Runner-Up
- Second Best Memorial
- One of the team members: Oralists Award

International Criminal Court Moot Court Competition held in the Hague, the Netherlands, from 14 to 19 May 2017

- Reached the quarter-finals

Recipients of 2016-17 Moot Team Members

### The 2017 Philip C. Jessup International Law Moot Court Competition Hong Kong Regional Round

*Certificate of Recognition for Outstanding Performance*

BI Yuanchao (LLB)

HUNG Ching (LLB)

JANG Yunyoung (LLB)

LAW Wing Yat Adrian (LLB)

### The 14<sup>th</sup> Annual Willem C. Vis (East) International Commercial Arbitration Moot & The 24<sup>th</sup> Annual Willem C. Vis International Commercial Arbitration Moot

*Certificate of Recognition for Outstanding Performance*

CHAN Chak Ming (LLB)

LAU Ka Yan (LLB)

NG Tsz Cheung (LLB)

WONG Suet Yee Shelley (LLB)

WONG Sze Hei (LLB)

GARGNE Leo (LLM-Paris I)

MERCIER Agathe Clara (LLM-Paris I)

### Manfred Lachs Space Law Moot Court Competition

*Certificate of Recognition for Outstanding Performance*

CHUNG Chun Wai (LLB)

HO Mondy Man Hay (LLB)

TING Darryl Chadlyn (LLB)

### International Criminal Court Moot Court Competition

*Certificate of Recognition for Outstanding Performance*

CHAN Cheuk Lim Kendra (LLB)

CHAN Nai Ying (LLB)

LEUNG Cheuk Yin Christine (LLB)

YAN An (LLB)

YU Lu (LLB)

The School's mooting team attained great achievements in these competitions due to the efforts of the students and the training and encouragement of their coaches. In order to appreciate the moot



team coaches, the School invited **Prof. Horace IP**, Vice-President (Student Affairs) of CityU to present certificates to thank them for their contribution.

2016-17 Moot Team Coaches

Mr. Navin Gopaldas AHUJA

Mr. Brian CHOK

Mr. David HOLLOWAY

Dr. Mark KIELSGARD

Ms. Theo LI

Dr. Vernon NASE

Mr. Mohammed TALIB

After presenting to all award recipients and moot team coaches, the School was honoured to have the presence of **Mr Huen WONG**, Past President of the Law Society of Hong Kong and Past Chairman of the Hong Kong International Arbitration Centre, who delivered a speech to show support and share the joy of scholarship recipients and mooters. He shared with the audiences that “life is like mooting” and encouraged the audiences to strive for the best in every situation.

**Dr. Mark KIELSGARD**, Director of Mooting praised the high quality of the CityU Mooting teams with the dedication and enthusiasm of the mooters. He also expressed his heartfelt gratitude for the support from the University, the Law School, the administrative staff, the coaches and the parents along the way. He regarded the coaching experience as one of the most fulfilling tasks in his life.

Dean **Prof. Geraint HOWELLS** presented the souvenirs to all distinguished guests, followed by our group photos. Finally, recipients’ happy smiles and friendly chatter brought an end to the Ceremony.

### ***The 3+3 Conference: The role of Comparative Law in Teaching and Research (18-19 January 2018)***

The 3+3 Conference “The role of Comparative Law in Teaching and Research”, jointly held by the three renowned mainland Law Schools of Renmin University of China, Peking University and Tsinghua University and three local Law Schools of The Chinese University of Hong Kong, University of Hong Kong and City University of Hong Kong, took place on 18 – 19 January 2018 at the Eminence Galaxy in CityU.



The six Universities will take turns to host the conference and School of Law, CityU was honored to host the conference this year. The purpose of this conference was for academic exchange and collaboration among the Law Schools.

The conference began with the welcome speech given by **Prof. Geraint HOWELLS** (Dean & Chair Professor of Commercial Law, School of Law). Prof. Howells briefly introduced the conference and thanked all participants for their active participation and support. Followed by the welcoming remarks, **Prof. WANG Yi** (Dean and Professor, Law School of Renmin University of China), **Prof. PAN Jianfeng** (Vice Dean and Professor of Law of Peking University Law School), **Dr. SHEN Weixing** (Professor and Dean, Tsinghua University School of Law), **Prof. Michael HOR** (Dean, Faculty of Law of University of Hong Kong) and **Prof. Steven GALLAGHER** (Associate Dean (Academic Affairs), Faculty of Law of The Chinese University of Hong Kong) were invited to give opening speeches at the conference.

The conference was divided into five sessions under the theme of “The role of Comparative Law in Teaching and Research”, including (i) Civil Law, (ii) Dispute Resolution, (iii) Intellectual Property Law, (iv) Constitutional Law and (v) Programme Design and Comparative Method. Invited speakers from the six Law Schools presented their papers covering a wide range of topics which brought new insights for participants in the conference.

The conference played an important role in exchanging thoughts and views in teaching and research between mainland China and Hong Kong. Participants actively shared opinions and suggestions throughout the discussion which offered a good opportunity for exploring and developing cooperation among the six Law Schools.



### ***The 3<sup>rd</sup> Law Forum of Hong Kong, Macau and Guangdong (20 December 2017)***

The 3<sup>rd</sup> Law Forum of Hong Kong, Macau and Guangdong, jointly held by the School of Law, City University of Hong Kong, the Guangdong Law Society and the Faculty of Law, University of Macau took place on 20 December 2017 at the Connie Fan Multi-media Conference Room in CityU and has been brought to a successful close. The Law Forum was not only an important joint event among the three regions but also one of the activities for celebrating the 30<sup>th</sup> anniversary of our Law School.

The officiating guests included **Ms. CUI Xiu Juan**, China Law Society; **Mr. LIANG Weifa**, President, Guangdong Law Society; **Mr. Peter WONG**, Deputy Solicitor General (Policy Affairs), Legal Policy Division, Policy Affairs Sub-Division, Department of Justice; **Ms. Melissa PANG**, Vice President, The Law Society of Hong Kong; **Mr. Patrick FUNG**, S.C., Consultant to Standing Committee on China Practice Development, Hong Kong Bar Association; **Prof. MO Shijian**, Dean of Graduate School and Chair Professor of Faculty of Law, University of Macau; **Mr. YU Xuejie**, Deputy Director-General, Department of Law, Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region; **Mr. James WONG**, Vice Chairman of Greater China Legal Affairs Committee, The Law Society of Hong Kong; **Ms. Maggie CHAN**, Founding President, The Small and Medium Law Firms Association of Hong Kong; **Mr. Lawrence MA**, Chairman, China-Australia Legal Exchange Foundation; **Prof. Geraint HOWELLS**, Dean, School of

Law, City University of Hong Kong, **Prof. LIN Feng**, Associate Dean, School of Law, City University of Hong Kong and **Prof. GU Minkang**, School of Law, City University of Hong Kong.

About forty legal experts and scholars participated in the Forum. They were from various university law schools and legal institutes, including the School of Law, City University of Hong Kong; the Faculty of Law, University of Macau; Guangdong University of Foreign Studies; Law School, Guangzhou University; Guangdong Law Society; Guangdong Institute of Public Administration; Faculty of Law, Shen Zhen University, just to name but a few.

With the theme of "Cooperation of legal service in the Guangdong-Hong Kong-Macao Bay Area", the Forum included three sub-themes: (1) Study on Protection of Intellectual Property in Guangdong, Hong Kong and Macao; (2) Issues relating to legal service of the Guangdong-Hong Kong-Macao Bay Area; (3) Issues relating to legal service of Guangdong, Hong Kong and Macao's participation in the "One Belt, One Road" initiative. These issues are very important to develop deeper cooperation among the three regions. Through discussion and debate, the Law Forum generated significant impact and provided a good opportunity for the exchange of information and views among participants from the three regions.

Presentations delivered at the Forum covered a wide range of topics, offering an opportunity for the participants to gain new insights from different areas of law. The experts and scholars who commented on the presentation provided very detailed and practical suggestions. Other participants also played an active role in the discussion.





**Hong Kong Commercial  
and Maritime Law Centre**  
香港商務及海事法研究中心

### ***Hong Kong Commercial and Maritime Law Centre Private Law Workshop***

HK Commercial and Maritime Law Centre, City University of Hong Kong organized a "Private Law Workshop" on 12–13 July 2018 at the School of Law Conference Room in CityU.



This Workshop aimed to bring together scholars from Hong Kong, Singapore and the United Kingdom to discuss the latest issues and developments in private law, including equity and trusts, contract, torts, unjust enrichment, property and remedies.

The workshop began with welcoming remarks given by **Prof. Geraint HOWELLS** (Dean & Chair Professor of Commercial Law, School of Law). Prof. Howells welcomed all the guests and thanked all participants for their support. Following the welcoming remarks, **Prof. Kelvin LOW** gave some opening remarks for the workshop.

Eleven papers addressing the following topics were presented in the workshop:

- developments on the limits of contractual autonomy;
- unjust enrichment theory;
- tort law reform in China;
- the history and modern developments in equity;
- the consistency of remedies with legal rights and goals; and
- the challenges of modernity (e.g. cryptocurrencies) to the law of property.

The workshop played an important role in exchanging thoughts and views in private law. Guest speakers and participants actively shared opinions and suggestions throughout the discussion. The workshop concluded with closing remarks from Prof. Low. He thanked attendees for their enthusiastic participation which made this workshop a great success.



**Centre for Chinese  
and Comparative Law**  
中國法與比較法研究中心

### ***RCCL Conference on "Dispute Resolution in Asia and Beyond: Progress and Trends", 17-18 May 2018***

On 17<sup>th</sup> and 18<sup>th</sup> of May 2018, the Centre for Chinese and Comparative Law (RCCL) of the School of Law of City University of Hong Kong organized a two-day conference entitled "Dispute Resolution in Asia and Beyond: Progress and Trends". This is one of the series of academic events celebrating the 30th anniversary of the School of Law.

The objective of this conference was to provide a platform for leading scholars and arbitrators worldwide to share and exchange their opinions concerning the status quo and the future of international dispute resolution, and for the Asian region in particular. Under the central theme of "dispute resolution in Asia", the conference was further divided into four sub-themes, namely commercial arbitration, investment arbitration, general trend of dispute resolution and international commercial courts. Speakers coming from different jurisdictions (including Germany, Hong Kong, Netherland, mainland China, Malaysia, Netherland, Singapore, South Korea, Switzerland and Taiwan) and different professions (including, scholars, lawyers, judges, arbitrators and arbitration institution senior personnel) participated in this conference to discuss issues related to these four sub-themes from academic, theoretical, as well as practical perspectives.

The conference was kicked off by the opening speech of the Council Chairman of City University of Hong Kong Mr. Lester Garson Huang JP, who extended a warm welcome to all of our conference participants and wished this important conference a great success. After that, two conference convenors, Dr. Lei Chen (Associate Dean & Associate Professor of School of Law; Director of RCCL) and Dr. André Janssen (Associate Professor, School of Law) explained the background and objective of this conference, and thanked the participants for sparing some of the time out of their busy schedule to come and support this conference, especially for those overseas participants who travelled a long way to Hong Kong.

The first day of the conference focused on commercial arbitration and investment arbitration. Chaired by Ms Kim Rooney (Barrister-at-Law, Gilt Chambers; International Arbitrator), six speakers in Panel 1, including Dr. Jian Chen (Vice-Secretary-General, China Academy of Arbitration Law); Dr. Lei Chen and Judge Hao Wang (Presiding Judge, Hainan Higher People's Court); Dr. Xiaochun Liu (President, Shenzhen

## RESEARCH CENTRES

Court of International Arbitration); Mr. Xiongfeng Li (Secretary of the Council, Shenzhen Court of International Arbitration); and Mr. Heehwan Kwon (Acting Secretary General, KCAB (Korean Commercial Arbitration Board) International)) gave presentations relating to international commercial arbitration, recognition and enforcement of foreign arbitral awards and latest development of international arbitration in mainland China, and the important changes in Korean Arbitration.



Panel 2 continued the discussions relating to the sub-theme of commercial arbitration, including reform of international commercial arbitration in the Asia Pacific, party autonomy in international commercial arbitration, interim injunction in mainland China, and the adoption of conflict of laws rules in cross-border disputes. This panel was moderated by Mr. David Holloway (Assistant Professor, School of Law, City University of Hong Kong), and presenters included Dr. Weixia Gu (Associate Professor, Faculty of Law, The University of Hong Kong); Dr. Winnie Ma Jo-Mei (Deputy Secretary-General, Chinese Arbitration Association, Taipei); Ms Fang Zhao (Partner, Hui Zhong Law Firm, Shanghai); and Mr. Patrick Zheng (Partner & Head of Dispute Resolution, Llinks Law LLP, Beijing).

The sub-theme of investment arbitration was discussed in Panel 3, with Mr. Brad Wang (Managing Counsel, CIETAC Hong Kong Arbitration Centre) being the moderator and Dr. André Janssen of our Law School, Prof. Wei Shen (Dean & Professor, Shandong University School of Law) and Ms Carrie Shang (ADR Legal Counsel, Hong Kong International Arbitration Centre) being the presenters. Topics covered by the presentations in this panel included compatibility of arbitration clauses in bilateral investment treaties with European Union law, China's bilateral investment treaties and foreign investment protection, and investor-state mediation in China.

The second day of the conference, started with Prof. Richard Kreindler (Partner, Cleary Gottlieb Steen & Hamilton LLP, Frankfurt/

New York), Datuk Prof. Sundra Rajoo (Director, Asian International Arbitration Centre) and Mr. Paolo Marzolini (Partner, Patocchi & Marzolini Geneva) discussing the progress and trends in dispute resolution in Asia and Europe. Mr. Ronald Sum (Partner, Locke Lord) was the moderator of this panel.

Panel 5, with Ms Ziyi Huang (Deputy Counsel, Hong Kong International Arbitration Centre) being the moderator, and Ms Sherlin Tung (Senior Associate, CMS Hasche Sigle) and Mr. Brad Wang (Managing Counsel, CIETAC Hong Kong Arbitration Centre) being the presenters, discussed two trends in dispute resolution, namely the rising costs of arbitration and court-assistance on ongoing off-shore arbitration cases in mainland China and Hong Kong.

The last two panels of the conference, which were also the highlight of the whole conference, were devoted to discuss issues relating to international commercial courts in Singapore and China, commercial courts in Germany and Netherlands, as well as dispute resolution in the context of China's "One Belt, One Road" Initiative. Presenters of these two panels included Justice Quentin Loh Sze-On (Judge, Supreme Court of Singapore); Judge Xiaoli Gao (Deputy Chief Judge, No. 4 Civil Trial Division, Supreme People's Court, China); Prof. Gerhard Wagner (Professor of Law, Humboldt University Berlin); Justice Anselmo Reyes (International Judge, Singapore International Commercial Court); Prof. Jeroen van der Weide (Counsellor at Law and Associate Professor of Private Law, Institute for Private Law, Leiden Law School); and Mr. David Holloway (Assistant Professor, School of Law, City University of Hong Kong), while Dr. Christopher To (Adjunct Professor, School of Law, City University of Hong Kong; Independent Mediator, Adjudicator and Arbitrator) and Mr. Thomas Walsh (Consultant, Clifford Chance) being the moderators.

Throughout the whole conference, the atmosphere was inspiring and interactive: while the presenters delivered insightful presentations, the audience also enthusiastically joined the discussion during the question and answer sessions by posing critical and thought-provoking questions to our presenters.

This two-day conference ended with the closing remarks by the two convenors who once again expressed their sincere thanks to all participants for their participation in the conference.

While issues related to dispute resolution in Asia are numerous and could not be comprehensively covered by in a two-day conference, this conference was regarded by participants as highly fruitful and constructive because it not only provided a platform for people with common interests and concerns to get to know each other and exchange views and experiences, but also laid an important foundation for further discussion.



**Centre for  
Judicial Education and Research**  
司法教育與研究中心

### ***CJER and the National Judges College Signed Supplementary Agreements for Collaboration on the Chinese Judges Programmes***

On 30 May 2018, the Centre for Judicial Education and Research (CJER), CityU and the National Judges College signed supplementary agreements to further deepen the collaboration on the Chinese Judges Programmes. Both institutes look forward to the collaboration continuing to nurture international legal talents for the mainland judiciary.



Prof. HUANG Wenjun, President of the National Judges College and Prof. LIN Feng, Director of CJER and Associate Dean of School of Law, CityU signed the supplementary agreements of the 3 Chinese Judges Programmes: the Master of Laws Programme for Chinese Judges, the Doctor of Juridical Science (JSD) Programme for Chinese Senior Judges and the Advanced Programme for Chinese Senior Judges.

The guests attending the signing ceremony included Dr. LI Xiaomin, Vice President, National Judges College, Ms. CHENG Ying, Deputy Director, Department of Education, National Judges College, Dr. XU Yinan, Lecturer, National Judges College, Prof. Geraint HOWELLS, Dean and Chair Professor of Commercial Law, School of Law, CityU, Dr. CHEN Lei, Associate Dean and Dr. DING Chunyan, Assistant Dean, School of Law, CityU. Other participating SLW staff include Dr. John HO, Associate Professor, Dr. GUAN Wenwei, Assistant Professor, Dr. WANG Shucheng, Assistant Professor and Dr. HE Tianxiang, Assistant Professor.

Participants of the 12<sup>th</sup> Advanced Programme for Chinese Senior Judges also witnessed the important moment.



**Human Rights  
Law and Policy  
Forum**

### ***International Conference on Human Rights at a Crossroads: From 1948 to 2018 and Beyond***

The conference on “Human Rights at a Crossroads: From 1948 to 2018 and Beyond” held by the Human Rights Law and Policy Forum (HRLF) took place at the Connie Fan Multi-media Conference Room at the City University of Hong Kong from 10 December 2018 to 12 December 2018.

The first day of the conference commenced with the Human Rights Day Panel Discussion, moderated by Dr Surya Deva (Associate Professor, School of Law, CityU). Invited speakers for this session included Professor Leïla Choukroune (Professor of International Law, University of Portsmouth), Mr Philip Dykes S.C. (Chairman, the Hong Kong Bar Association), Professor Erika George, Samuel D. (Thurman Professor of Law, University of Utah), Professor Cephias Lumina (Research Professor of Law, University of Fort Hare), and Professor Justin Nolan (Associate Professor and Associate Dean (Academic), Faculty of Law, University of New South Wales).

The second day of conference kicked off with the welcoming remarks given by Professor Lin Feng (Professor and Acting Dean, School of Law, CityU). He welcomed all the conference participants and thanked them for their support to the conference. After that, the Director of the Human Rights Law and Policy Forum, Professor Zhu Guobin (Professor, School of Law, CityU) was invited to give opening remarks of the conference. He explained the aims and expected outcomes of the conference.

Before the end of the opening ceremony, all the conference participants were invited to take a group photo to memorize this conference.

The conference consisted of seven sessions in which attendees actively participated in discussion. The seven sessions were (i) Protecting human rights amidst terrorism, national security concerns, and ethnic conflicts, (ii) Human rights responsibilities of business, (iii) Challenges to the existing governance structures of human rights, trade and finance, (iv) Human rights in Hong Kong and Mainland China, (v) Inequality, environment and health, and (vi) Protecting human rights of diverse groups of rights holders, (vii) Dealing with the challenges ahead.

The conference ended with the closing remarks of Dr Mark Kielsgard (Associate Professor, School of Law, CityU) who thanked all the conference speakers for their contributions to the conference. The conference was fruitful and thought-provoking, and the atmosphere throughout the whole conference was interactive.



### **2018 International Model UN Human Rights Council Universal Periodic Review (31 July – 3 August 2018)**

The City University of Hong Kong (CityU) participated in the 2018 International Model United Nations Human Rights Council Universal Periodic Review (MUPR) competition, which was held in South Korea from 31 July 2018 to 3 August 2018. The CityU sent 10 students from both the JD and LLB programme to participate in the competition. With the guidance of **Dr. Surya DEVA** and **Dr. Stephenson CHOW**, CityU participants out-performed all the other country teams and were awarded multiple prizes for their excellent efforts. These prizes include the Best Teamwork Award (Team China), United Nations Office of the High Commissioner for Human Rights Grand Prize (**Leung Yan Yu Michelle** and **Angeline Nicole Martin Corpus**) and the Best Essay Award (**Chan Pui Kei**).



The 2018 MUPR competition was organised by Human Asia, a South Korean human rights NGO, with the sponsorship of the Ministry of Foreign Affairs of the Republic of Korea and the UN Office of the High Commissioner for Human Rights. The aim of the MUPR is to encourage participants to study and find sustainable solutions to the human rights issues in China, Democratic People's Republic of Korea, Republic of Korea and Japan. Participating universities come from various regions in East Asia, including - CityU (Hong Kong, China), International Christian University (Japan), Korea National University (Republic of Korea) and Ritsumeikan University (Japan).

Modelling the procedures of the UN Universal Periodic Review (UPR) mechanism, participants role-played as government delegates of a UPR in session engaging with other countries in dialogue on a number of human rights themes. After two rounds of questions and answers, each team had to submit a written report. The participants are evaluated based on their performances in the review sessions as well as on the quality of their reports. The themes of this year's competition were the freedom of opinion and expression, human trafficking and rights of the children, climate change and environment, as well as gender inequality and violence. In addition, all participants were required to write an essay concerning the human rights situation of the country which they represent.

### **The 8<sup>th</sup> Asia-Pacific M&A Moot Competition 2018 (9 March 2018)**

The City University of Hong Kong (CityU) participated in the 8th Asia-Pacific M&A Moot Competition (M&A Moot) for the first time this year. The CityU team was an interdisciplinary and diverse team, consisting of four students from the School of Law and two students from



the Department of Economics and Finance, College of Business. With the support of the School of Law and under the guidance of **Dr. Lin Yu-Hsin**, the CityU team overcame multiple barriers and bottlenecks through the negotiation process, and concluded with a pragmatic and comprehensive M&A deal. With its accurate grasp of the development opportunities of the industry, practical design of the M&A structure, comprehensive assessment of the legal risk, professional valuation and the outstanding on-site performance, the CityU team brought home the first prize of the "Best M&A Deal", together with the "Best M&A Letter of Intent".

The M&A Moot this year was co-organized by the University of Hong Kong and the China Mergers & Acquisition Association (CMAA), involving a total of 16 teams with around 100 university students from Hong Kong, Macau, Mainland China and Taiwan. The judge panel comprised of professionals from various industries, including **Mr. GE Ming** (Chairman of the CMAA), **Mr. CHEN Shuang** (CEO/Executive Director of China Everbright), **Ms. Jennifer XIE** (Managing Partner at Ernst & Young), **Mr. WAN Ka Ming** (Leung & Wan Solicitors), **Mr. HUA Xinghong** (Managing Director and Head of China at Cerberus Capital Management LP), **Ms. Stephanie TANG** (Partner at Shearman & Sterling LLP), **Mr. MA Guozhu** (Head of Governance Professionals in Taiwan), **Mr. NING An** (CCB International), **Mr. Barry TONG** (Advisory Partner at Grant Thornton International Ltd), etc. The M&A Moot helped promote communication among universities in the Asia-Pacific region, and successfully realized the integration of different subjects.

Team members:

- HE Yi (PCLL)
- ZUO Wei (JD)
- WEN Han (JD)
- NG Hau Yi (LLB)
- HUANG Kai (BEcon & Fin)
- YAO Mingjun (BEcon & Fin)

Coach:

- **Dr. LIN Yu-Hsin**, Assistant Professor, School of Law

Achievements:

- Prize of the Best M&A Deal
- Prize of the Best M&A Letter of Intent
- Prize of the Best Oralist: WEN Han
- Prize of the Best Team Member: HE Yi

## **Selected Publications**

### **John BURKE**

"Creating a Gold Standard for Practical Legal Training in Common Law Countries", *Journal of International and Comparative Law* (June 2018), Vol 5:1 9 (with Hugh Zillmann).

### **CHOW Pok Yin Stephenson**

"After Kong Yunming v Director of Social Welfare: The Status of Socio-Economic Rights in Hong Kong", *Public Law Review* (2018), pp. 133-146.

### **HE Tianxiang**

"Open Innovation and Intellectual Property Issues of 3D Printing", *Journal of CUPL*, No.3 (2018), pp. 152-164 (何天翔：“開放式創新與3D打印知識產權問題”，《中國政法大學學報》，2018年第3期，第152-164頁)。

"Copyright and Fan Productivity in China: A Cross-jurisdictional Perspective", Heidelberg: Springer (November 2017)

### **JIANG Hao**

"Enforcing the Bargain v. Materiality Requirement: The Future of Disclosure-Only Settlements Post-Trulia", *Pace Law Review*, Vol.38, Issue 2 (2018), pp. 569-607.

### **LIN Yu-Hsin**

From Double Board to Unitary Board System: Independent Directors and Corporate Governance Reform in Taiwan" in Puchniak et al. (eds), *Independent Directors in Asia: A Historical, Contextual, and Comparative Approach*, pp. 241-276, *Cambridge University Press* (2017) (with Hsin-Ti Chang & Ying-Hsin Tsai)

"Does Mandating Cumulative Voting Weaken the Controlling Shareholders? A Difference-in-Differences Approach", *International Review of Law and Economics*, Vol 52, pp. 111-123 (Oct 2017) (with Yun-Chien Chang)

### **Fozia LONE**

Historical Title, Self-Determination and the Kashmir Question: Changing Perspectives in International Law (Leiden: Brill/ Nijhoff: Brill's Asian Law Series, May 2018)

### **LOW Fatt Kin Kelvin**

"The Law of Personal Property", 2<sup>nd</sup> edition, Sweet & Maxwell (13 Dec 2017) (with Michael Bridge, Louise Gullifer and Gerard McMeel)

### **Daniel PASCOE**

"Legal Dilemmas in Releasing Indonesia's Political Prisoners", *Indonesia Law Review*, Vol 7, No. 3 (2017) pp. 315-340, <http://ilrev.ui.ac.id/index.php/home/article/view/354>.

"The Functions of Death Penalty Clemency in Southeast Asia: Comparative Lessons for Vietnam", *Asian Law Centre Briefing Papers Series*, No. 7 (2017), <http://law.unimelb.edu.au/centres/alc/research/publications/alc-briefing-paper-series>

### **Julia TOMASSETTI**

"Digital platform work as interactive service work", *EREJ*, Vol. 22 (May 2018), p. 1.

### **ZHAO Liang**

"Fraudulent claims and good faith in insurance law", *The Journal of International Maritime Law*, Vol 24, Issue 2 (Mar-Apr 2018), pp. 131-146

"Achievements and Challenges of Chinese Maritime Judicial Practice" in Y Zhao and M Ng eds., *Chinese Legal Reform and the Global Legal Order: Adoption and Adaption*, pp 125-135, Cambridge University Press (October 2017).

### ***Selected Presentations***

#### **John BURKE**

"Scholarship in Practical Legal Training; The Final Empirical Frontier?", at the Directions in Legal Education 2018 Conference, organized by Chinese University of Hong Kong, Hong Kong, 1-2 June 2018.

Plenary Speakers, "Different Ideas. Different Directions", at the APLEC Conference, Melbourne, Australia (November 2017) (with Hugh Zillmann).

#### **HE Tianxiang**

"Open Innovation and Intellectual Property Issues of 3D Printing", at the 10th IP Seminar in Hong Kong: Intellectual Capital and Intangibles in an Innovation Century, organized by CUHK Faculty of Law, United States-China Intellectual Property Institute (USCIPI) and Asia Innovation and IP Society (AIIPS), Hong Kong, 2-4 August 2018.

"The big 'ban' theory and piracy: which way forward for effective transnational copyright enforcement policy in China?", at Law into the Future: Perspectives from Asia - 15th Asian Law Institute Conference, organized by Seoul National University (SNU) School of Law, Seoul, 10-11 May 2018.

#### **LIN Yu-Hsin**

"An Empirical Study of Default Rules and Menus in China, Hong Kong and Taiwan", at the 12<sup>th</sup> Annual Conference on Empirical Legal Studies Conference, organized by Cornell Law School, Ithaca, New York, USA (October 13-14, 2017) (with Yun-chien Chang).

"Corporate Governance, Human Capital Resources, and Firm Performance: Exploring the Missing Links", at the 3rd Conference of the International Corporate Governance Society, organized by the LUISS University and LUISS Business School, Rome, Italy (September 2-3 2017) (with Lajili, K. and Rostamkalaie, A.)

#### **Daniel PASCOE**

"An Evidence-Based Approach to the Criminal Law Syllabus in Hong Kong" (Auckland University of Technology / CityU Research Seminar, Auckland 23 February 2018)

#### **Julia TOMASSETTI**

Invited workshop participant: "Connecting Ideas and Policies for Change" at the APPEAL Political Economy and the Law Workshop, organized by the Association for the Promotion of Political Economy and the Law (APPEAL) & Political Economy Research Institute (PERI), University of Massachusetts, Amherst, USA, 13-15 June 2018.

"Rebalancing worker rights and property rights in digitalized work", at the Technological Innovation and the Future of Work: Emerging Aspects Worldwide, organized by Universidade de Santiago de Compostela, Santiago de Compostela, Spain, 5-6 April 2018

#### **ZHAO Liang**

"Actual shipper in carriage of goods by sea under Chinese maritime law", at 2017 Annual Conference of the China Maritime Law Association, organized by the China Maritime Law Association, Beijing, PR China (18 September 2017) (awarded Excellent Paper of the conference)



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Dr Peter Chan (Editor in Chief), Ms Laveena Mahtani, Dr He Tianxiang*