

Report of the Special Committee on Legal Education

1. The following are members of the Special Committee on Legal Education (“the Committee”) in 2008:

Mr. Edward Chan, SC (Chairman)
Mr. Kenneth Kwok, SC
Miss Lisa Wong, SC
Mr. Godfrey Lam, SC
Mrs. Lisa Remedios
Mr. Michael Liu
Mr. Selwyn Yu
Mr. Richard Khaw
Mr. Cheung Kam Chuen
Mr. Michael Yin
Mr. Colin Wong
Ms. Audrey Campbell-Moffat
Miss Elaine Liu (Secretary)
Mr. Wong Ka Chun (Director of Legal Education).

2. The Committee has held 3 formal meetings but much of the work of the Committee is conducted by exchange of idea by e mail circulation amongst members.

3. This year sees the implementation of new PCLL programmes by the three universities in Hong Kong offering the teaching of law. The PCLL programme of the Chinese University of Hong Kong is offered for the first time by that University. As to the University of Hong Kong and the City University of Hong Kong, their PCLL programmes for 2008-2009 have been completely redesigned. The new PCLL programme is part of the overall new design for legal education whereby the undergraduate Law Degree training is extended to 4 years and the PCLL is to concentrate on vocational and skill training with no or minimal teaching of the substantive law. The Committee has been working closely with all three universities in the design of their new PCLL programmes. Members of the Committee had spent a lot of time in going through the PCLL teaching materials of the universities and making suggestions and comments on the materials. As the PCLL programme of each of the universities is different from the other, and the elective subjects offered to their students vary a lot amongst the universities, the work load on the Committee is a heavy one.

4. To achieve the desired result of ensuring that those PCLL graduates intending to join the Bar would have been adequately equipped for the Bar, the Committee has recommended to the Bar Council that PCLL graduates joining the Bar would be required to have taken particular Bar related elective subjects during their PCLL programme, failing which they would be required to take the missing electives as part of the compulsory ALE programme during their pupillage. As the PCLL programmes of all three universities are differently designed, the particular Bar relative electives subjects are also different from university to university.

5. The Committee also advised the Bar Council on matters like the reduction of ALE points required of the pupil barristers, and the exercise of the discretion to dispense with obtaining the full 14 ALE points before the grant of the full practising certificates. This part of the work of the Committee is exclusively conducted by e mail circulation amongst members.

6. The Committee also advised the Bar Council on the legal clinic proposal of the University of Hong Kong.

7. The Committee also advised the Bar Council on the Government's proposal on the Reform of the Academic Structure of Senior Secondary Education and Higher Education (commonly known as the 3 + 3 + 4 reform). The view taken by the Committee is that provided that the universities could make sure that the "gain" in the teaching of substantive law in the LLB degree course resulted from the recent extension of the course from 3 to 4 years is not lost or diminished as a result of any increase in the teaching of "other discipline" in consequence of the Government's suggested reform, there is no need to increase the length of the LLB course from 4 years to 5 years. Indeed the Committee takes the view that the further lengthening of the LLB programme may deter talents from joining the legal profession and this is not conducive to the growth of the Bar.

8. Some members of the Committee have assisted in the advocacy training of pupils and young barristers and also in workshops held specifically for the Civil Justice Reform which is due to be implemented in April 2009.

9. I would like to take this opportunity to thank all members of the Committee especially those who participated in the vetting of the PCLL teaching materials of the universities for their hard and constructive work throughout the year.

Edward Chan, SC
Chairman
Special Committee on Legal Education

3 December 2008