

# *Annual Report*

*for the period from 1 January 2011  
to 31 December 2011*



HONG KONG  
ACADEMY of LAW  
香港法律專業學會

## **AIMS**

Hong Kong Academy of Law Limited (“Academy”) was incorporated on 2 September 2008 as a company limited by guarantee and its charitable status was confirmed by the Inland Revenue Department shortly after its incorporation.

The Academy is promoted by The Law Society of Hong Kong (“Society”) and is dedicated to reaching out and promoting law through education and training to the Society Members and to the local and international communities.

The main aims of the Academy are:

- (a) to raise public awareness of the rule of law and other core values of the legal profession;
- (b) to enhance public interest in the learning of law and to promote law as a “public profession”;
- (c) to nurture social awareness of the connection between law and other community development; and
- (d) to provide pathway guidance to law students and quality development programmes for the profession.

## **PATRON**

The practice of the Academy is to appoint the Chief Justice of the Court of Final Appeal of Hong Kong to be the Patron.

The Academy was deeply honoured to have Mr. Andrew Li Kwok-nang, S.C., C.B.E, G.B.M, J.P. to be its Patron since its inauguration in 2008. Upon the retirement of Mr. Li from the Bench, the Academy invited The Hon. Geoffrey Ma Tao-li, Chief Justice to be the Patron who graciously accepted the invitation.

## **MEMORANDUM AND ARTICLES OF ASSOCIATION**

The Academy amended the Memorandum and Articles of Association to replace all references to “Executive Committee” with “Board of Directors” and all references to “Executive Committee Member” with “Director”, to clarify the objects of the Academy is to advance the learning of law and all matters of or concerning legal education, to provide an express power to grant scholarships, sponsorships, bursaries and prizes and to provide for solicitors holding current practicing certificate and academia to sit on the Board.

The amendments were approved by the Inland Revenue Department.

## **COURSES CONDUCTED**

The Academy conducted 393 courses including Continuing Professional Development (“CPD”) and Risk Management Education (“RME”) courses during the year. Of the 393 courses, seven courses were conducted in Putunghua or Cantonese and the remainder in English. The courses attracted the attendance of 15,160 participants.

Some of the highlights of these courses are:

### ***Civil Justice Reform (“CJR”)***

CJR has been implemented since April 2009. As part of the CJR Training Programme, the Academy and Hong Kong Bar Association (“Bar”) jointly organised a session in May on an update on CJR which focused on personal injuries practice. About 460 practitioners attended the session.



*(From left to right) Ms. Heidi Chu, Secretary General of the Society, Mr. Kumar Ramanathan S.C., Chairman of The Bar, with guest speakers, The Honorable Mr. Justice Bharwaney, Judge in Charge of the Personal Injuries List of the High Court; Master Marlene Ng, PI Master of the High Court; His Honour Judge Poon, Acting Chief District Judge of the District Court; Mr. Ashok Sakhrani, Member of the Special Committee on Personal Injuries of the Bar, and Mr. Mark Reeves, Managing Partner of Munros, at the General Session – CJR Update: Personal Injuries Practice, jointly organised by the Academy and the Bar on 28 May.*

The Academy also organised five free specialist training sessions on CJR covering topics like case management, originating process and pleadings, offers to settle, evidence, trials, appeals and costs. About 790 participants attended the specialist training sessions.

## ***Mediation***

With the introduction of Practice Direction 31, mediation has increasingly been used as a means of alternative dispute resolution. The Academy offered three general mediation training courses, four family (two basic and two advanced) mediation training courses and a training course on mediation representation during the year.



*Professor Harold Abramson, Professor of Law, Touro Law Center, New York presenting at the “Mediation Representation Training” organised by the Academy on 17 and 18 May.*

## ***Reverse Mortgage***

The Reverse Mortgage Programme (“Programme”) was launched by The Hong Kong Mortgage Corporation Limited (“HKMC”) in July. Under the Programme, elderly homeowners must receive counselling by solicitors to ensure they fully appreciate the salient features and legal implications of a reverse mortgage before they can apply for one. The Academy and HKMC co-hosted two courses entitled “Role of Solicitors under the Reverse Mortgage Programme of the HKMC” in June and August respectively for solicitors who would like to become a counsellor. About 350 participants attended the courses.



*(From left to right) The moderator, Mr. Billy Ma, Council Member and Chairman of the Committee on Reverse Mortgage of the Society, with guests speakers, Mr. James H. Lau Jr., J.P.; Mr. Lester G. Huang, J.P., and Ms. Susie Cheung from HKMC presenting at the course held on 18 June.*



## ***Training Programme on the Convention Against Torture (“CAT”) Claims and Refugee Law***

The Government has put in place a publicly-funded legal assistance scheme through the Duty Lawyer Service, the CAT Scheme to assist claimants who have made a claim to the Immigration Department under Article 3 of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. As a supplement to the two series of 4-day training on CAT and refugee law held in 2009 and 2010, the Academy arranged a 4-hour seminar in March. Over 140 participants attended the supplementary seminar.



*One of the guest speakers, Mr. Mark Ockelton, Vice President of the Upper Tribunal, Immigration and Asylum Chamber, UK, presenting at the supplementary seminar organised by the Academy on 11 March.*

## ***Law Management Conference***

The Academy and LAWASIA co-hosted a 2-day Law Management Conference entitled “From Good to Outstanding – It’s All About your People” in Hong Kong on 9 and 10 September. Seven speakers from three jurisdictions including Australia, Canada and Hong Kong were invited to provide practical advice to law firms on how to manage their legal practice and to motivate their employees to attain performance. Over 80 local and overseas delegates attended each day of the Conference.



*(From left to right) Mr. Paul Malliate, Chairman of the LAWASIA Law Management Section, Mr. Junius Ho, President of the Society and Mr. Lester Huang J.P., President of LAWASIA, officiated the opening of the Law Management Conference on 9 September.*

### ***Seminar on Risk Management***

The Academy organised a seminar entitled “Reflections on the Shanghai Land Case” on 17 September aiming at alerting practitioners to the pitfalls and risks involved in handling instructions from clients in corporate finance transactions.



*The guest speaker (right), Mr. Simon Lai, together with the Moderator, Mr. Huen Wong J.P. (left), Immediate Past President, Council Member of the Society, and Chairman of the Academy presenting at the seminar “Reflections on the Shanghai Land Case” organised by the Academy on 17 September.*



*About 1,500 participants attended the seminar.*

### ***Pathway guidance***

In July, the Academy held a sharing session with law students working as interns in law firms in Hong Kong. Mr. Michael Lintern-Smith, Past President and Council Member of the Society led a panel of experienced practitioners to share their insights in the many career options open to law students. Each Panel guest has a successful career in a different law-related field – Mr. Michael Lintern-Smith in private practice; Mr. James Jamison as General Counsel of Deloitte China; and Mr. Cheung Ping Kam Arthur as Senior Assistant Legal Adviser of the Legislative Council Secretariat.

About 110 interns and trainee solicitors from 35 law firms participated in the sharing session.



*The guest panelists (from left to right), Mr. Cheung Ping Kam Arthur; Mr. Michael Lintern-Smith and Mr. James Jamison sharing their valuable experiences with the participants at the sharing session.*

### ***Training Programme on Property Management***

The Academy conducted a training programme on Property Management for solicitors who would like to be admitted onto the Society's Panel of solicitors to provide pro bono legal advisory services to the public at the Property Management Advisory Centres of the Hong Kong Housing Society. The training programme consists of six 2-hour sessions. Completion of all 6 sessions of the programme is a pre-requisite for admission onto the Panel. Those who have completed the programme will be retained on the Panel for 3 years. On average about 22 practitioners participated in each of the 6 sessions.



*The presenter, Mr. Malcolm Merry, Barrister-at-law, presenting at the training programme.*

### ***Joint Seminars with Other Professions***

The Arbitration Ordinance, Cap. 609, (“Ordinance”) was enacted in November 2010 and came into force on 1 June 2011.

The Academy and the Hong Kong Institute of Arbitrators (“HKI Arb”) jointly organised a seminar in January. The seminar provided attendees with an overview of the Ordinance and covered topics such as the background and history of the reform of the arbitration law in Hong Kong, the advantages and the structure of the Ordinance, and comparison of the Ordinance with the previous arbitration regime in Hong Kong.





*The Panel moderator, Mr. John Lee (middle), Principal, Lee and Council Member of The Hong Kong Institute of Arbitrators and guest speakers, Mr. Gary Soo (first from left), Barrister-at-law and former Secretary-General, Hong Kong International Arbitration Centre, Mr. Samuel Wong (second from left), Barrister-at-law, Mr. Frank Poon J.P. (second from right), Solicitor General, Department of Justice (“DoJ”), Mr. Peter Caldwell (first from right), Member of the DoJ Working Group on the Reform of Arbitration Law, presenting at the seminar.*

Mr. Gregory So Kam-Leung J.P., Secretary for Commerce and Economic Development presented a seminar entitled “Overview of Competition Law in Hong Kong” jointly organised by the Academy and HKIArb in May. The topics covered included key elements of the Competition Bill, enforcement by the Competition Commission, remedies, private action and exemptions and exclusions.

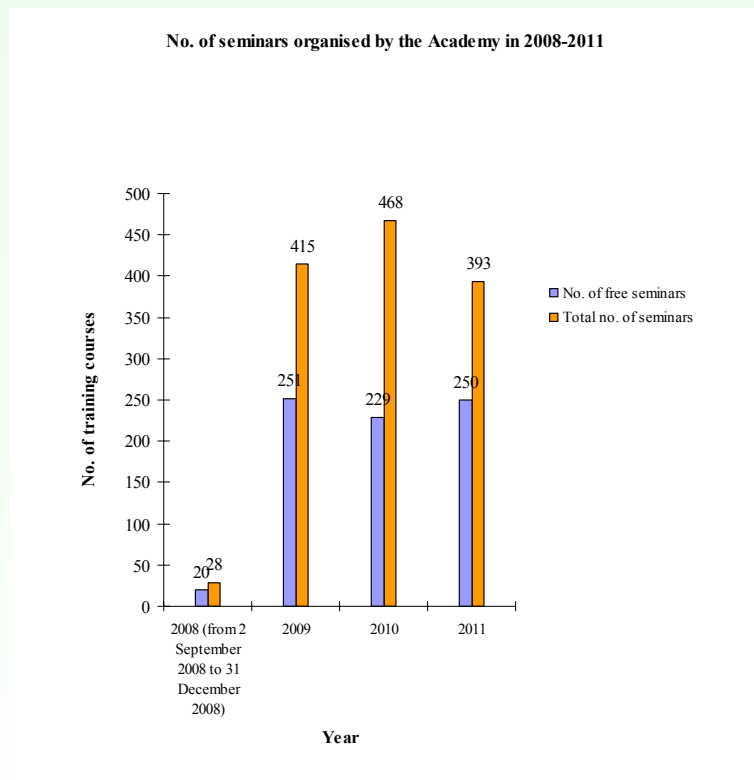


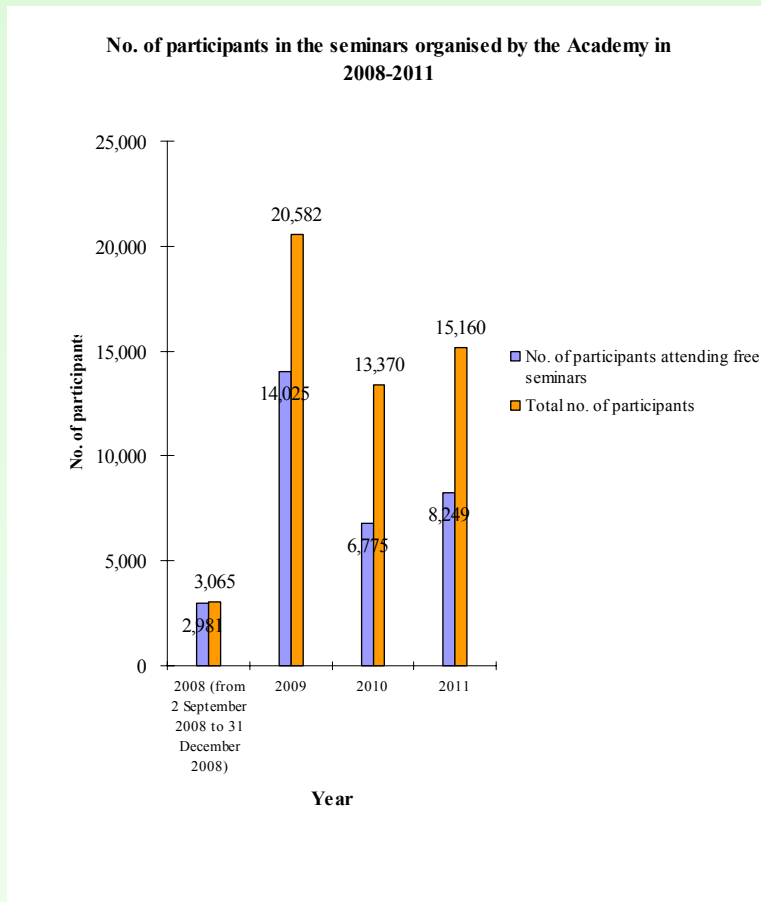
*The guest speaker, Mr. Gregory So Kam-Leung, J.P. (left), Secretary for Commerce and Economic Development, together with Mr. Huen Wong J.P. (right), Immediate Past President, Council Member of the Society, and Chairman of the Academy at the seminar on 3 May.*

The Academy, the Bar and Chairman of the Academy and International Chamber of Commerce (“ICC”) co-hosted a 3 half-day training programme entitled “Arbitration: Domestic, International (including ICC) and in China” in February and March. Over 100 participants attended each day of the training.



*The guest speakers (from left to right) - Mr. James Kwan, then Partner of Simmons & Simmons, Ms. Ruth Cowley, Partner of Norton Rose, Mr. David Sandborg, FHKI Arb and FCI Arb, and Ms. Cheng Yee Khong, ICC International Court of Arbitration Asia Office, together with the moderator, Ms. Kim Rooney, Barrister-at-law and Chair of ICC Hong Kong Arbitration Committee at the second day of the seminar on 26 February.*





The Academy is grateful to the 109 presenters who are experienced solicitors, barristers, foreign lawyers, judges and prominent members of society for sharing their valuable knowledge and expertise at the Academy’s training programmes. For a full list of the presenters, please click [here](#).

## **SPONSORSHIPS, SCHOLARSHIPS AND DONATIONS**

The Academy granted full or partial sponsorships to 135 applicants to attend the following Conferences during the reporting period:

- UIA Competition Law Seminar from 17 to 18 March;
- LAWASIA Law Management Conference from 9 to 10 September.

The Academy approved one application from a student for the Peter Alan Lee Vine Memorial Scholarship to complete a full-time double law degree programme at one of the universities in Hong Kong.

In addition, the Academy made a cash donation to the law library of another university in Hong Kong.