

Annual Report

For the period from 1 January 2016
to 31 December 2016



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.

COURSES CONDUCTED

The Academy conducted 383 Continuing Professional Development (“CPD”) and Risk Management Education (“RME”) courses during the year. Of the 383 courses, 12 courses were conducted in Cantonese, one course was conducted in Putonghua and the remainder in English. 16,789 participants attended the courses.

Those courses not only updated the skills and knowledge of the participants, but where the participants were legal practitioners, helped them to maintain their competitive edge in their legal practice, provided them with the opportunities to network and exchange experiences with local and foreign professionals and to promote and explore new business opportunities.

The Academy is grateful to the 101 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 courses. Please click [here](#) for the full list of presenters.

Some of the highlights of the courses are:

Limited Liability Partnerships (“LLP”)

The Academy conducted two briefing sessions on LLP on 22 January and 3 February. The seminars provided an overview of the major provisions in the new Part IIAAA of *Legal Practitioners Ordinance*, Cap.159 which introduced LLP for law firms in Hong Kong with effect from 1 March. Over 430 participants attended the briefing sessions.



Solicitors’ Accounts Rules (“SAR”)

The SAR , Cap. 159F amended by the *Solicitors’ Accounts (Amendment) Rules 2012* came into effect on 1 July. The Academy conducted 12 courses (both before and after the amendments came into operation) to update practitioners and to demonstrate how the revised Rules would operate in practice. The courses were open to practitioners, law firm support staff and representatives nominated by law firms. Over 1,850 participants attended the courses.



Arbitration

A symposium entitled “Developing Commercial Law through the Courts: Rebalancing the Relationship between the Courts and Arbitration” (“Symposium”) was held on 17 October to discuss the development of commercial law and arbitration. The Right Honorable The Lord Phillips of Worth Matravers, KG PC, Past President of the Supreme Court of England and Wales was the keynote speaker. 155 participants attended the Symposium.



Mediation

Mediation has become one of the primary means of alternative dispute resolution in Hong Kong with PD 31 coming into effect on 1 January 2010.

The Academy and the Mediation Committee of the Society conducted six free sharing sessions on mediation. The speakers shared their experiences with the participants on topics including the challenges faced by solicitor-mediators in their practice, confidentiality and settlement negotiation issues, the Qianhai Mediation Initiative, mediation cases involving separation and divorce matters, personal injuries, medical claims and employment disputes. Over 270 participants attended the sharing sessions.

In addition, a panel of experienced solicitor-mediators conducted a seminar entitled "Risk Management in Evaluative Mediation Practice" on 18 October. Over 180 participants attended the seminar.



Competition Law

The Competition Ordinance, Cap. 619 came into effect on 14 December 2015. The Academy conducted a seminar entitled “Risk Management and the New Competition Law” on 7 June. The seminar provided an update on how the competition law may have an impact on law firms’ risk management procedures and clients, and practitioners’ practice areas in mergers and acquisitions, IPOs and advice to industry associations. Over 175 participants attended the seminar.

Another seminar, entitled “Update on the Hong Kong Competition Law”, was conducted on 25 November. The seminar provided practitioners with an overview of the Ordinance and practical tips to minimise the risk of contravening the Ordinance. 99 participants attended the seminar.



Information Technology

The Academy conducted 5 courses on information technology. Topics included computer forensics, big data, artificial intelligence and privacy, handling digital data with secure and forensically sound practices, useful mobile applications for lawyers and legal systems vulnerability for lawyers following the Mossack case. Over 570 participants attended the courses.



Insolvency Law

The Academy conducted a seminar entitled “Bankruptcy (Amendment) Ordinance 2016” on 21 June. The seminar examined the salient features of the Ordinance and discussed the implication and the procedure of its implementation. Over 170 participants attended the seminar.

Another seminar, entitled “Trust and Insolvency”, was conducted on 27 October. The seminar discussed the situations in which a creditor could elevate his claim against the insolvent estate to a “proprietary claim” and how liquidators or trustees in bankruptcy could make use of trust concepts to enlarge and strengthen their assets recovery actions. 77 participants attended the seminar.



Civil and Criminal Advocacy

Two workshops on trial techniques were conducted on 20 January and 23 January. The workshops assisted practitioners in improving their advocacy skills in conducting examination-in chief and cross examination.

In addition, the Academy conducted a 2-day training course on civil practical advocacy on 4 and 5 March to improve and enhance the advocacy skills of practitioners in conducting interlocutory applications and substantive trials. A half-day training course on civil written advocacy was held on 5 April. 11 participants and 10 participants attended the training courses on civil practical advocacy and civil written advocacy respectively.



Property Fraud & Cybercrime

The Academy conducted a seminar on property fraud on 6 September to provide an update on the property fraud cases in Hong Kong and the common modi operandi of fraudsters in property fraud, and to advise practitioners on the precautionary measures which could be taken against property fraud. Another seminar, entitled “Cybercrime from a Law Enforcement Perspective”, was conducted on 28 October. The seminar discussed the focus of the law enforcement agencies in cybercrime investigations and their difficulties in tackling cybercrimes. 440 participants attended the two seminars.



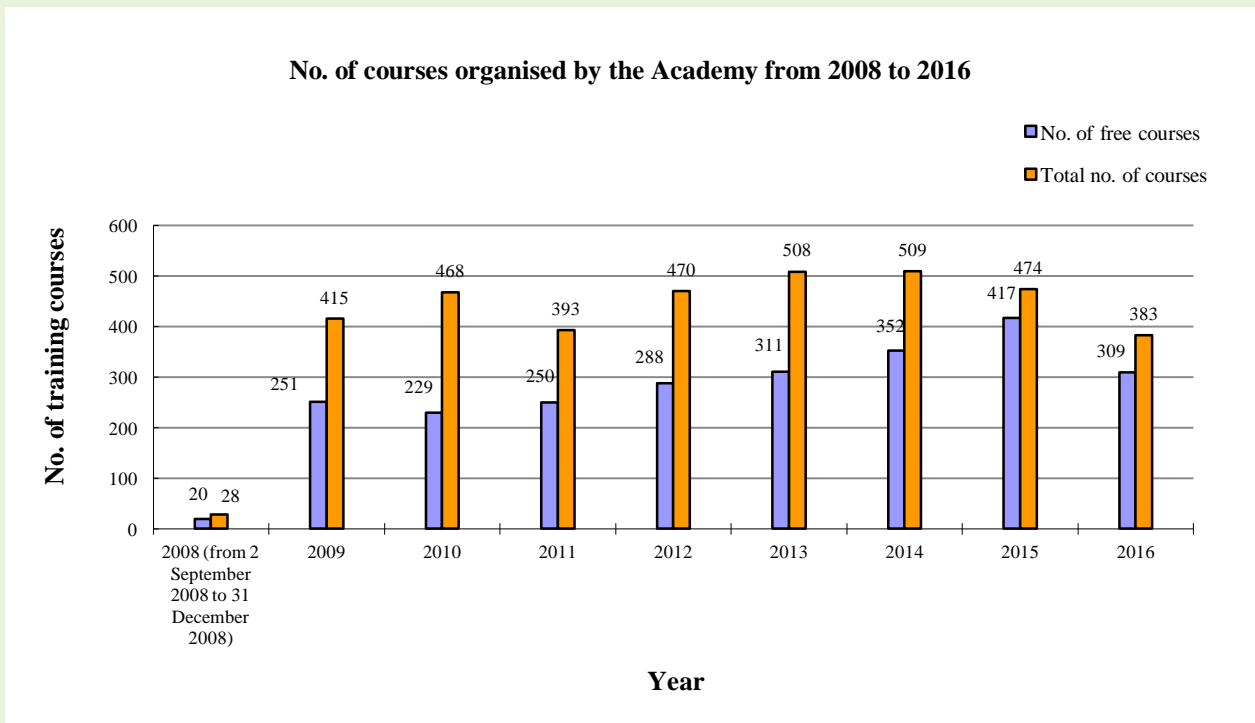
Pathway Guidance

In July, the Academy held a sharing session with law students working as interns in law firms. Speakers from private practice, the Judiciary, the Department of Justice and the commercial sector shared their insights in the many career options open to law students. About 62 interns and trainee solicitors participated in the sharing session.

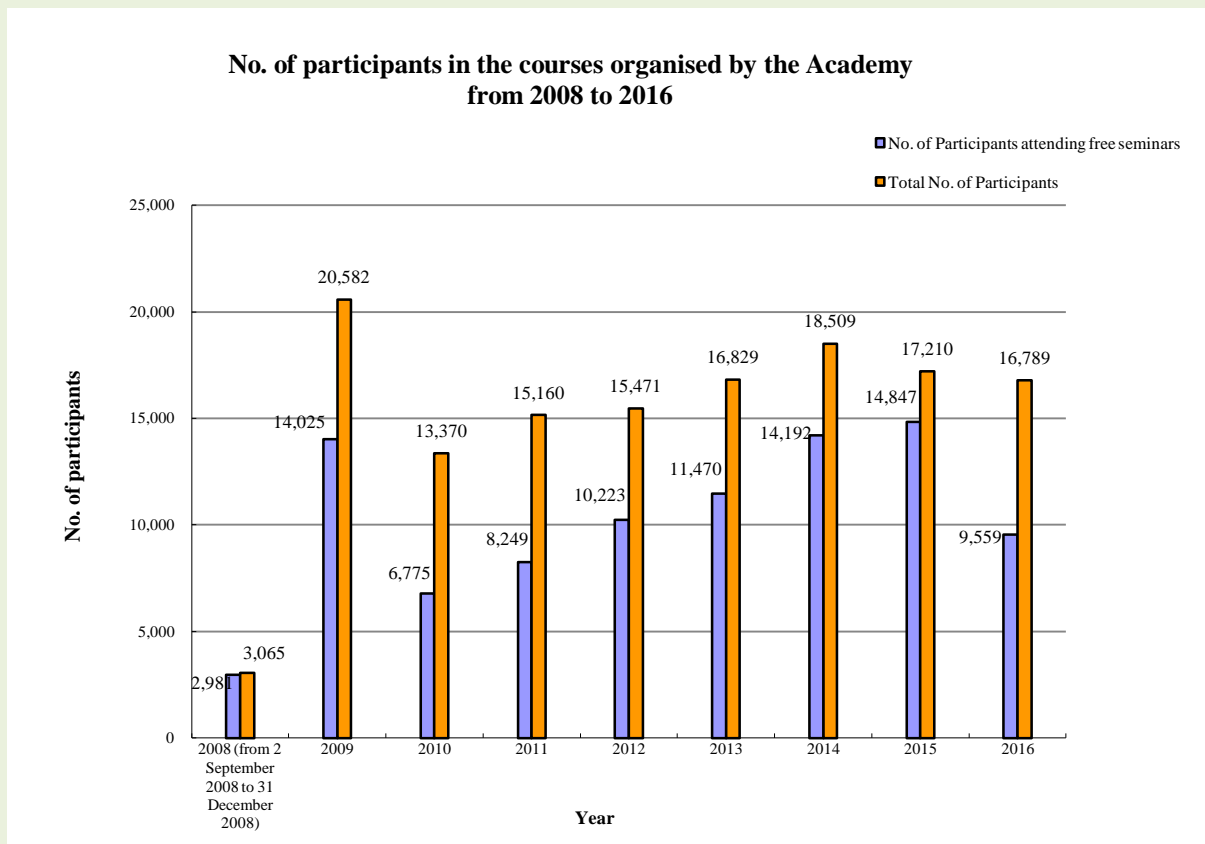


RME electives have since 1 November 2008 been offered free of charge to those participants who have to fulfil their RME obligations in the relevant RME practice year and who have not attended any other RME electives during that year. Free core courses have also been offered by the Academy to all trainee solicitors since 1 November 2009. With effect from 1 November 2014, to mark the 10th Anniversary of the *RME Programme*, the Principals' Core Courses, Non-Principals' Core Courses, Registered Foreign Lawyers' Core Courses and the Compulsory First Elective Courses for Trainee Solicitors are also offered free of charge. Accordingly, all courses within the *RME Programme* are free.

The total number of courses and free courses in each of the nine years from 2008 to 2016 are as follows:



The total number of participants and the number of participants attending free courses organized by the Academy in each of the nine years from 2008 to 2016 are as follow:



SPONSORSHIPS, SCHOLARSHIPS AND DONATIONS

The Academy considered various applications for the Peter Alan Lee Vine Memorial Scholarship, applications for bursary and applications to attend international conferences.

The Academy provided 51 registrants with sponsorships to attend the LawAsia Family Law and Children’s Rights Conference.

Through the donations of the Inter-Pacific Bar Association (“IPBA”) 25th Annual Meeting and Conference, the Academy was able to sponsor 10 registrants to attend the IPBA 26th Annual Meeting and Conference.

The Academy approved eight applications for bursary to enable the applicants to study a legal executive course.

UPDATED DEVELOPMENTS

The following courses are being offered regularly under the RME Programme of the Academy:

- (i) Core Courses for Principals
- (ii) Core Courses for Non-Principal Solicitors
- (iii) Core Courses for Trainee Solicitors
- (iv) Compulsory First Elective for Trainee Solicitors
- (v) Core Courses for Registered Foreign Lawyers
- (vi) Anti-Money Laundering
- (vii) Advanced Risk Identification and Analysis
- (viii) Commercial Drafting – Mergers and Acquisitions
- (ix) Commercial Drafting – Debentures
- (x) Conflicts of Interest and Confidentiality
- (xi) Crisis Management and Business Continuity
- (xii) Financial Planning and Risk Assessment
- (xiii) Fraud Risk and the Modern Law Firm
- (xiv) Legal Professional Privilege
- (xv) Liability and Legal Development
- (xvi) Litigation Risk
- (xvii) Managing Human Capital
- (xviii) Project Management and Risk Assessment
- (xix) Pro Bono Work: Legal and Risk Perspectives
- (xx) Reputation Risk Management
- (xxi) Risk Management and Cloud Computing
- (xxii) Risk Management in Commercial Practice

The Academy continues to explore the educational and training needs of the legal and wider communities.

The following courses are being developed:

- (i) Risk Management in Conveyancing
- (ii) Elective on Practice Management

A manual on practice management is being compiled and the manual will be used as part of the course materials for the practice management elective.

The Academy had in the past conducted most of its courses at the Joint Professional Centre, Unit 1, G/F, The Center, 99 Queen's Road Central, Hong Kong ("JPC"). With effect from 1 December 2016, JPC is no longer available and the Academy has endeavoured to source alternative venues, taking into account the budget, seating capacity, availability and proximity to Central to ensure convenience to course participants. The HKSAR Government ("Government") invited and the Academy submitted an application for use of space in the West Wing of the former Central Government Offices and the former French Mission Building for conducting courses and other activities of the Academy. Unfortunately, the application was unsuccessful

but in response to the invitation of the Government, the Academy has submitted a supplementary application.

Following the announcement in the 2016 Policy Address and the funding approval by the Legislative Council in July, the Government established the Professional Services Advancement Support Scheme (“PASS”) of HK\$200m funding to support the professional service sectors in enhancing exchanges and co-operation with the Belt and Road countries and other regions outside Hong Kong and to promote related publicity activities. Eligible applicants for funding include professional bodies and eligible projects include training courses.

The Academy is exploring the feasibility of applying for funding from PASS for conducting courses including conferences to achieve the dual purpose of enhancing the skills and knowledge of practitioners to meet the demands and opportunities arising from the Belt and Road Initiative, and to promote their expertise and competitiveness to visitors from the Belt and Road countries.

Other initiatives which are being considered by the Academy include exporting the RME Programme to the ASEAN countries and seeking international recognition of the RME Programme. The Academy is liaising with the Society on incorporating modern technology into its operation, in particular, the feasibility of utilizing the QR Code to facilitate registration at the courses and hopes to trial run such technology in the near future.