

**THE FUTURE  
OF  
LEGAL EDUCATION  
AND  
THE LEGAL PROFESSION  
IN  
HONG KONG**



**Faculty of Law  
University of Hong Kong**

# THE FUTURE OF LEGAL EDUCATION AND THE LEGAL PROFESSION IN HONG KONG

Papers presented at a conference held by  
the Faculty of Law, University of Hong Kong  
to commemorate twenty years of law teaching

Hong Kong, 15 and 16 December 1989

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Edited by  
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Published 1989  
Faculty of Law, University of Hong Kong

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## INTRODUCTION

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The formidable project of understanding, anticipating and building the future Hong Kong has barely begun. And the future of legal education and the profession is of course inescapably bound up with the future of the territory itself.

Dystopian visions are becoming increasingly common. Some despair that, in the face of an obdurate government in Beijing, the prospects for the common law are grim.[1] The Rule of Law will, in the minds of some, survive only as a memory after 1997.[2] The shores of Canada continue to beckon a growing number of Hong Kong people, including a disturbingly high proportion of professionals.

There is, as yet, no evidence of a significant departure of lawyers, though it is likely that this is merely a matter of time. Signs are certainly present that 'portable' courses (like accountancy) have found a new popularity with prospective students. Law may be a casualty. And the consequences would be far more serious than in 'normal' jurisdictions: without a steady supply of well educated law graduates the health of our legal system may be seriously undermined.

Can a crisis be averted? Does it lie within the power of the people of Hong Kong, let alone its lawyers, to protect the common law? There is much that can be done, though it carries no guarantee that it will achieve its purpose. To begin with, there must be a recognition that our system is far from perfect:[3] it stands in need of long overdue reform.

And it is frequently the eye of the 'objective outsider' which sees this most keenly. We are therefore fortunate to have three distinguished participants from Britain at our conference. Lord Mackay, the Lord Chancellor, Professor William Twining, Quain Professor of Jurisprudence, University College London, and Professor Michael Zander, Professor of Law, the London School of Economics.

Lord Mackay has of course been both lauded and lambasted for his radical Green Papers on the legal profession. The debate continues and the Lord Chancellor decided that, in order to maximise the piquancy of his contribution, he would prefer to wait until the conference before completing his paper. The text has not therefore been included in this volume, but will be available separately.

D M Emrys Evans, who was largely responsible for the establishment of Hong Kong's first law school, recalls with nostalgia the establishment of the Department of Law in 1969 and the 'long march' towards faculty status in 1984. The genesis of this development is, as he shows, rooted in the emergence of the 'new Hong Kong' after the War. He sketches some of the difficulties - and achievements - of those early years as well as several of the features of legal education that still exist today.

One of the members of that first intake of 37 students in 1969 is now a Queen's Counsel. In his paper, Edward Chan QC laments the fact that two-thirds of Hong Kong practitioners admitted in the last five years have been trained abroad. This compares with a figure of nearly 60 per cent in the case of medical practitioners trained in Hong Kong. Noting the important differences between English law and the law of Hong Kong, he argues that 'the legal education provided by the University (of Hong Kong) better equips a newly qualified solicitor or barrister to practise law in Hong Kong'.

William Twining reminds us of the relative affluence of law schools in so-called developed countries, but suggests that, notwithstanding the privations especially in certain African jurisdictions, there are encouraging developments in legal education in the Commonwealth. He shows how the Commonwealth Legal Education Association (CLEA), of which he is chairman, plays an important role in a number of areas of co-operation. Professor Twining also argues the case (which he has long advocated) for law schools to become 'multipurpose centres that are concerned in a sustained way with all levels of legal education in society'.

Peter Wesley-Smith essays for the acceptance of law as a liberal education. Drawing on the views of lawyers, educators, philosophers and committees which tend to comprise all three, he suggests how we might adapt our curriculum and teaching methods to achieve this objective, one which is essential in Hong Kong in order to 'provide our graduates with the skills and attitudes to fit them both for practice of the law and a role in public life'.

Examining the question of professional legal education, Stephen Nathanson offers an account of the importance of problem-solving as a central and unifying legal skill. He provides a detailed guide to its theory and practice, and suggests how it might be integrated into the design of professional courses.

Derek Roebuck, Head of Hong Kong's 'other' law school, identifies a need for the extension of the undergraduate law curriculum to allow for subjects 'which nourish the student's young brain', particularly in political theory. Echoing Edward Chan's view, he argues for legal education to 'cater for those who will be here to use it for the people of Hong Kong of the future'.

Michael Zander's paper provides an illuminating historical account of the effects (one is tempted to say 'fall-out') of the Lord Chancellor's proposals concerning the legal profession in England and Wales. The 'Big Bang' generated unprecedented hostility and invective from, in particular, the Bar and the Bench, a reaction which Professor Zander suggests was both misguided and damaging.

Both papers by the leaders of the legal profession in Hong Kong exhibit a desire for change. President of the Law Society of Hong Kong, A Donald Yap, wonders whether the amalgamation of some of the territory's (extremely high proportion of) smaller firms of solicitors might not provide a better service to clients. He stresses too the importance of computerisation, diversification, and continuing legal education for practitioners.

Robert C Tang QC, Chairman of the Hong Kong Bar Association, while rejecting the case for fusion of the two branches of the profession, emphasises the need for reappraisal of the role of lawyers: 'We must be ready and able to defend our practices. If they cannot be justified on the ground of public interest ... they should be discarded'. He calls also for a greater awareness of the importance of the Rule of Law in Hong Kong for, without it, the Bar has no future.

The Attorney General of Hong Kong, Jeremy Matthews, examines several features of the transfer of sovereignty that generate important work for the Legal Department. He stresses the need for continuing localisation, but recognises that expatriate lawyers have a role to play in his Chambers.

I am indebted to all the contributors, most of whom managed to comply with the tight deadline compelled by the decision to have this book in your hands today. I must record also the contribution of my colleague Michael Wilkinson who did so much of the work in organising this conference. My thanks too to Mrs Monnie Lee, secretary of my department, whose assistance reduced the anxiety that inevitably attended the rush to publication. No thanks to the GPO who, at the time of writing, have still not delivered a disk, posted three weeks ago in England, which contains the text of one of the papers. His paper had therefore to be entirely re-typed. And if as a consequence of my haste I have inflicted damage on any of the papers or failed to detect their solecisms, I am sorry.

1989 is already being proclaimed a year that will come to be recognised as one of portentous significance. In Hong Kong the crackdown in China shattered confidence overnight, and the events unfolding in Eastern Europe suggest changes on a major, perhaps global, scale. None of this was reasonably foreseeable when we decided some two years ago to hold this conference. But they make some of the questions that underlie the papers that follow even more pressing.

## REFERENCES

1. See Raymond Wacks (ed), The Future of the Law in Hong Kong (Hong Kong, Oxford, New York: Oxford University Press, 1989) for some suggestions as to where the law might be going. See too Peter Wesley-Smith and Albert Chen (eds), The Basic Law and Hong Kong's Future (Hong Kong, Singapore, Malaysia: Butterworths, 1988) for a collection of thoughts from several quarters as to the possible the impact of Hong Kong's post-1997 Basic Law.
2. See Raymond Wacks (ed), Civil Liberties in Hong Kong (Hong Kong, Oxford, New York: Oxford University Press, 1988, reprinted 1989).
3. See Raymond Wacks (ed), The Law in Hong Kong 1969-1989 (Hong Kong, Oxford, New York: Oxford University Press, 1989) where deficiencies in a number of areas are identified.



## TAKEN AT THE FLOOD: HONG KONG'S FIRST LAW SCHHOL

D M Emrys Evans  
Professor of Law, University of Hong Kong

'If you never assume importance you never lose it'

Those words are attributed to Lao Tzu, the legendary Chinese philosopher, spoken, it is said, some 2,500 years ago.<sup>1</sup> As we celebrate in 1989 twenty years of law teaching in the University of Hong Kong, we may trace the evolution of the original Department of Law, through an autonomous School of Law, into a fully fledged Faculty with an independent voice in the governance of the University.<sup>2</sup> At such a time, we might indulge ourselves in reflecting on the importance of our Faculty and our students in the development of modern Hong Kong during that period of twenty years. We may also anticipate playing an important role in the years immediately ahead. We must in truth, however, concede that the past importance of our Faculty will rest on judgment best left to historians at a later point in time and it behoves us to address our minds to those immediate and more pressing tasks which the coming years will demand of us as a Faculty. Much of which we can be proud may have been achieved but even more lies ahead and, for the Faculty and the University, we must be content to receive the judgment of a future historian.

My theme, my present task, is not to seek to anticipate or influence that judgment but to relate, on the occasion of its twentieth birthday, an account as I have seen it of the conception, birth and childhood of Hong Kong's first law school. I cannot be completely objective as I have spent the major part of my professional life in the University of Hong Kong and, as you might expect, my life has become inextricably entwined not only in the development of legal education in Hong Kong but in the territory itself.<sup>3</sup> As the only teacher whose experience spans the two decades of the law school's history in its entirety, it may well be that much of its folk history is closeted in the recesses of my memory alone and it is some part of that folk history which I now seek to offer.

## THE BACKGROUND TO TWO DECADES OF LEGAL EDUCATION

It would be inappropriate and unnecessary for me on this occasion to look too deeply into the historical past of Hong Kong's English legal system and the qualification to practise law here. It will suffice to confine our attention in terms of time largely to the new Hong Kong which emerged in those frequently troubled

years after the end of the World War in 1945 but to broaden this attention at the same time beyond the strict confines of the legal system. This is the Hong Kong of the years since peace returned, the dynamic, the extrovert, the ceaselessly changing and adaptable Hong Kong, a city state which achieved a rapid metamorphosis, in one of the most dramatic economic revolutions of all times, from a staid commercial entrepôt, overshadowed by the wealth, bustle and business of pre-war Shanghai, into a highly industrialised country. Almost overnight, by historical standards, Hong Kong emerged as a world force, dominating certain areas of manufacturing, from textiles, plastic flowers and wigs of human hair, to the highly technically complex areas of sophisticated electronic goods, components and finished products. And many more!

More recently, Hong Kong has become home to some of the largest shipping empires in the world. It continues to boast a vigorous manufacturing economy buttressed now with container and general port handling facilities ranking it not only among the best but also the biggest in the world, serving not only Hong Kong itself but the rapidly growing industrial economy of South China also.<sup>4</sup> Lastly, and perhaps now in some ways most important development, Hong Kong is now one of the financial capitals of the world with a vital role to play in today's round-the-clock, round-the-world financial market.

On the physical side, Hong Kong's usable land area has been considerably enlarged through massive reclamation from the sea<sup>5</sup> and site formation on Hong Kong's steep hillsides. Today's extensive urban areas have grown to be amongst the most densely populated in the world yet with an effective, if in the past sometimes crude, mass housing policy which has been aimed at the systematic elimination of the running sores of hillside squatter villages and at the renewal of decaying or underutilised urban areas.

In terms of population alone, Hong Kong has almost doubled in the last two decades or so, a growth achieved against a background of steadily falling birth rates and death rates and steady but sometimes massive influx of people from the People's Republic of China. In terms of sheer government, accordingly, Hong Kong, frequently hailed or abused as the last bastion of laissez faire government, has taken on a task of caring and providing for its citizens on a scale which beggars its far eastern neighbours.

All of these massive changes, which have taken space within no more than some four decades of Hong Kong's history, have themselves both caused and have been the cause of major changes in the governance of Hong Kong and of its external relations and in the very ethos of its inhabitants. It does not take a Toynbee determinist view of history to perceive in Hong Kong the ever-present interrelationship of stimulus and response, a recurring theme manifesting itself today in the territory's preparation for China's reassertion of sovereignty in 1997.<sup>6</sup> Yet in political terms, in spite of this spectacular metamorphosis, Hong Kong's constitutional position has not changed, for it remains a British Crown Colony, a dependent territory of the United Kingdom with a government deriving its formal power from the prerogative of the British Crown. The actuality is vastly different. Hong Kong is

far and away the largest of the United Kingdom's few remaining dependent territories but the 'China factor', China's persistent refusal to acknowledge the validity of the 'unequal treaties' through which the United Kingdom acquired the sovereign rights to Hong Kong, has always set it apart, and the right to self-determination, so embedded in the ethos of the United Nations Organisation and granted in the years after the Second World War to so many British colonial territories, has never been contemplated in determining the future political status of Hong Kong and its inhabitants.

The formal structure of Hong Kong's constitution is nevertheless no clear guide to the realities of Hong Kong today. Though the full panoply of colonial government remains largely unchanged in form, the Hong Kong government has been left to run not only its internal affairs but a broad span of external affairs also in, for example, the area of general trade relations generally with Hong Kong's trading partners.

A few short years before the foundation of the law school in 1969, the government was very visibly 'colonial' with expatriate civil servants, largely from the United Kingdom, firmly entrenched in the upper echelons of government, security, education and the welfare services generally. Although popularly seen for many years as the last bastion of *laissez faire* economics, the government has assumed progressively the burden of providing the basic provision of public housing, welfare, health and education. In parallel with this apparent contradiction, the actual workings of government have been progressively opened up to various forms of popular participation while leaving the realities of the formal colonial or non-democratic power structure of Hong Kong fairly intact.

The dynamics of government have accordingly changed, particularly since the Cultural Revolution in the People's Republic overflowed into the streets of the city in 1967. But the conscious determination to provide a framework of government embracing greater popular representation with a more efficient system of policy formulation and implementation commenced with the tenure of Sir Murray (now Lord) MacLehose, the governor in the years 1972 to 1982. Future historians may consider it very significant that Lord MacLehose was the first Governor of Hong Kong who came to the governorship from a Foreign Office (or diplomatic) background rather than from a Colonial Office background. His two successors, the late Sir Edward Youde and the present Governor, Sir David Wilson, similarly had an exclusively Foreign Office background. Many changes of substance in the fabric of daily life were consciously effected under Lord MacLehose's careful eye. Perhaps the most interesting was the manner in which Hong Kong's image as an employer of child and accordingly cheap labour was effectively shattered by the introduction of free and compulsory education to Form 3 level in Hong Kong's secondary schools. On the one hand, criticism of this aspect of Hong Kong's labour practices were stifled at the same time as introducing a most important social and far reaching change affecting a huge number of Hong Kong's inhabitants. Other changes were less visible to the man on the North Point tram but made their own significant if quiet impact on the style of government in what has become known as 'the MacLehose era'.

The social and economic forces which were to change the face of Hong Kong and its society in the two decades of the Law School's existence had already begun to stir some time before the disruption of China and its consequential impact on Hong Kong during the Cultural Revolution. Hong Kong recovered rapidly from the immediate effects of the Cultural Revolution but more subtle influences were at work. Even before the collapse of the 'Gang of Four' after the death of Mao Zedong in 1976, the Hong Kong economy was burgeoning and the American rapprochement with China opened the way for the 'open door' policy from 1978 with that enormous economic potential which Hong Kong was ready to exploit until domestic economic and social ills erupted into the democracy movement so bloodily suppressed in June, 1989. Today, looking back over all of these varied and sometimes troubled times, Hong Kong's social and economic fabric has undergone a visible and tangible transformation.

#### SOCIAL CHANGE AND EDUCATIONAL OPPORTUNITY

One immediate effect of the Cultural Revolution in Hong Kong itself was felt in the educational sector. While a good number of Hong Kong students had for some years sought their education abroad, there was a perceptible increase after 1967 and this was accompanied by growing migration, particularly to North America. The University of Hong Kong, founded in 1911, and the Chinese University of Hong Kong, founded in 1963,<sup>7</sup> with the benefit of positive planning and more assured government financing, were growing and it became apparent that more students from less affluent homes were taking advantage of the greater opportunities now offered to them, a process greatly assisted by the inception of systematic student financing by the government. This was accompanied by a rapid and permanent decline in the Chinese language education in the 'middle schools'. Many of these schools had left wing affiliations or leanings and were forced to respond to parental preference for non-political schools in which the medium of instruction was either actually or nominally English.<sup>8</sup> Though the Hong Kong economy suffered periodic set-backs during, for example, the fuel crisis of the mid-nineteenseventies and periodic and sometimes catastrophic stock market reverses, the general standard of living and quality of life of Hong Kong improved immeasurably and this new state was accompanied by a much increased rate of public spending on all aspects of public service, a process greatly assisted by Sir Murray MacLehose's reorganisation of the upper echelons of government. While the University of Hong Kong had, for example, some 3,000 students when the Department of Law opened its doors in 1969, that number now stands at some 8,000 students studying over a considerably enlarged range of disciplines. Furthermore, not only did the Chinese University expand rapidly but the new Hong Kong Polytechnic provided a considerable number of new tertiary education places in disciplines more closely allied to Hong Kong's industrial and economic needs. Tertiary opportunities have subsequently expanded even further through the foundation of the City Polytechnic of Hong Kong, the publicly funded upgrading of the Baptist College, an independent foundation, and the more

recently founded Hong Kong University of Science and Technology.<sup>9</sup> All of this background is important to an understanding of the nature of the Hong Kong society in which the need for a Law School was conceived and in which our Law School was born. The general standard of living and quality of life not only improved but the aspirations and daily expectations of the citizens of Hong Kong rose sharply and this has been reflected commercially in the emergence of an 'affluent society' (though not forgetting the continuing enormous discrepancy between the wealthiest and the poorest, a social problem diminishing at least in sheer numbers affected). As children passed through their school years into adulthood, their Hong Kong began to resemble its contemporaries elsewhere. Suddenly, somehow, life was a more complicated affair with higher rewards but more stress, more problems, perhaps more failures, more disappointments. But to return now to the legal profession and legal education.

#### THE LEGAL PROFESSION IN TIMES OF CHANGE

At the beginning of this phenomenal period of growth in all sectors of Hong Kong, the professions, the banks, the businessmen, the managers, all were smaller in number and narrower in their bases than they are now. The reason was simple: Hong Kong had no significant need in that earlier age for anything larger, more complex or more sophisticated. The legal profession in the immediate post-war period had been still dominated by practitioners from the United Kingdom and, indeed, all professions, except that of medicine,<sup>10</sup> were largely dominated by foreigners. In the post-war and post-1949 years, however, an increasing number of Hong Kong people began prepare themselves to enter the professions.

As Hong Kong grew in fits and starts, punctuated by calamities and politics and economic slump, the demand for more and better qualified lawyers able to service the increasingly diverse needs of the population made itself increasingly felt. Doubts were very properly conceived, nurtured and then expressed about the ability of existing channels of qualification to meet a growing overall need for lawyers in Hong Kong. For historical reasons Hong Kong, along with similar colonial territories, depended predominantly on qualification in England.<sup>11</sup> There was no Hong Kong qualification as such for the practice of law, a common state of affairs at one time in all Britain's dependent territories.

This very fact did itself make Hong Kong dependent not only on Hong Kong citizens trained as lawyers in the United Kingdom but also on lawyers originating from the United Kingdom and not from Hong Kong itself. True, there had been a number of outstanding lawyers who originated from Hong Kong.<sup>12</sup> But the nature of the qualification and the manner in which it could be obtained naturally tended to restrict it to the more affluent and better connected. In the decade preceding the establishment of the Law School, Hong Kong's changing times dictated, compellingly if only silently, that the members of its professions be drawn from a wider cross section of the community.

It was possible for for students from all socio-economic

levels to qualify for the practice of medicine. In law, it was certainly possible but it was not easy. The difference between accessibility of the medical profession was largely accounted for by Hong Kong's long established medical school open to all whereas not only was there no law school but there was also no mode of qualification which readily accessible to the not so well off and the less well connected. That having been said, there was a significant number of less affluent students whose ability was recognised and whose law studies were supported by philanthropic individuals. Many such students are now amongst Hong Kong's most distinguished practitioners. Furthermore, there was a steady if small stream of Hong Kong University graduates who studied for the legal profession after completion of their degrees in other disciplines and the contribution to the profession and to the community of this group must not be underestimated. As HKU graduates, they received certain preferential treatment in terms of articles and there is no doubt that this particular group of solicitors have contributed and are still contributing considerably to the common good of modern Hong Kong.

In the process of setting the stage for the development of Hong Kong's modern legal practice qualification, we must remember that a very large number of English lawyers qualified for practice through professional examinations and without having studied for a law degree. Some of modern Hong Kong's most respected practitioners are not University graduates and it should be appreciated that this was an accident of history, qualifying as they did at a time when starting with a law degree was by no means the norm either in England or Hong Kong.<sup>13</sup> Many of them did attend and graduate from Universities but in other disciplines and their legal education then took the form of service in articles to a solicitor coupled with the passing of the English Law Society's examinations or, for the Bar, a combination of keeping dining terms at an Inn of Court, passing the Bar examinations and a period of pupillage in chambers during which time the practicalities of the barrister's craft and business was learnt from a practising barrister. At the time of those moves which were to lead to establishment of the University's law school in 1969, it was possible for intending solicitors to qualify in the manner described totally within Hong Kong as the Law Society of England and Wales allowed their examinations to be taken in Hong Kong in conjunction with service of articles in Hong Kong also. (though many of those who were able to went to England notwithstanding) but intending barristers had no option but to spend the requisite period in England.

#### TOWARDS A LAW SCHOOL FOR HONG KONG

At the time of the University of Hong Kong's Golden Jubilee celebrations in 1961, the then Vice-Chancellor, Sir Lindsay Ride, expressed the belief that the University would have eventually to establish a Law School, not so much because the system of training barristers and solicitors was becoming less satisfactory but because

in this Colony where two great civilisations meet, each with a long established legal tradition of its own, law should be



taught in a school where knowledge of both traditions exists, and where they may be studied in close association with other disciplines.

brave words! The practicalities of the matter, whatever the academic merits of Sir Lindsay's admirable suggestion, were bound to be paramount in pragmatic Hong Kong and such a school was never founded, could never have been founded and is indeed not even today in contemplation.<sup>14</sup> But this is not to say that, in the light of Hong Kong's impending symbiosis with China under the 'one country, two systems' model for 1997, we should not now actively impel the Faculty of Law much more aggressively towards a centre of comparative law studies which might proceed in the spirit at least of Sir Lindsay's suggestion.

Perhaps the first real impetus towards a better and more regular system of legal qualification (at a time when professionals in England were also contemplating similar matters) came in 1962 from the then President of The Law Society of Hong Kong, Peter Vine,<sup>15</sup> when he urged the government to take some interest in considering ameliorating the situation through the provision of more systematic and effective legal education and training. The Attorney-General of the day, Sir Maurice Heenan, a New Zealander, warmed enthusiastically to this call and advised that there was an immediate need for some form of local legal education in the law applicable in Hong Kong, a need made more acute by the fact that so much of the copious new legislation in the United Kingdom was aimed at United Kingdom needs and diverged from the still somewhat simpler English law in Hong Kong. Those educated and qualified in English law might not, it was suggested, be sufficiently acquainted with the differences between English and Hong Kong English law. That was never a very convincing reason taken by itself but there was no doubt that the arguments in favour of providing legal education in Hong Kong were irrefutable but without, at the same, disturbing the 'English' avenue of qualification. The Attorney-General's suggested output of 55 lawyers was, accordingly, intended to provide for the replacement of retiring or dying practitioners as well as for overall growth also. As events happened, the Law School started with an intake too small to achieve Sir Maurice's goals but its intake was swiftly to grow to a much larger figure before reaching its present figure.<sup>16</sup>

#### CHANGES IN ATTITUDE TOWARDS LEGAL EDUCATION

At about this time, attitudes towards legal education were changing in England and Wales and the basic precepts of education and training for legal qualification were undergoing re-examination. The mood changed in favour of university law schools and a law degree as the foundation for a practising qualification. The universities in the United Kingdom were themselves also changing in response to social and other pressures and the broad thrust of legal education was being increasingly seen in the context of the burgeoning social sciences of the day and not, as had traditionally become the case, in relative isolation from other disciplines.

The Hong Kong government responded both to Mr Vine's

initiative and the Attorney General's advice with commendable celerity in a matter at that time so fundamentally novel as establishing a law school. In 1964, it requested the University of Hong Kong to consider the manner in which it could make some initial exploratory provision for the legal education of aspiring Hong Kong practitioners with a view to the permanent establishment of a law school.

With the promise of appropriate funding but without an appropriate internal organisation to pursue the government's request, the University turned to its then small and relatively new Department of Extra-Mural Studies, under the directorship of the energetic and enthusiastic Ieuan Hughes and he, quite properly bent on the rapid and effective expansion of his Department into the community, took up this challenge with characteristic verve.

The University of London had, with its external degree structure, long served as a means by which many predecessor colleges of English municipal universities had first been able to offer degree studies to a far-ranging public.<sup>17</sup> Now, that University agreed to treat the Extra-Mural Department's proposed programme of evening studies in the same manner as those then mounted in some of the University's constituent colleges in London. That meant that the course could extend over only three years of study with courses of instruction being offered in the evening to students remaining in full time employment. This was an attractive proposition but not one for the faint hearted. The response from potential students was very encouraging and the experiment proceeded, albeit with a minimum of teaching staff drawn, as part-timers generally with little teaching experience at best, from the ranks of the profession and government service.

Ieuan Hughes, assisted by his aide Priscilla Tso, speedily secured suitable premises in 'town' (in the Chiao Shang building on Queen's Road Central opposite Hong Kong's Central Market), advertised for students and tutorial staff and suddenly, within a remarkably short space of time, systematic law teaching towards a law degree was under way. Neither Rome nor Hong Kong were built in a day though in Hong Kong's case it did not seem to be much more than one day - the rapid development of Hong Kong in the decades since the ending of the Japanese occupation indicated the willingness and the ability of Hong Kong people to thrust ahead confidently into uncharted territory without that caution which still characterises so many so-called 'developed' societies.

Those first gallant teachers not only generally lacked experience themselves in teaching but also lacked an experienced hand to guide them. Ieuan Hughes, involved in adult and extension education for much of his life, himself did have a law degree but had neither practised nor taught law. His infectious enthusiasm and ability to motivate others were, however, key factors. Without delaying the students' commencement on the University of London Intermediate LLB courses, he invited to Hong Kong two Australian law teachers to advise, assist and teach during the Australian long vacation (over Christmas). They were Professor (now Sir) Zelman Cowen, then Dean of the Faculty of Law at the University of Melbourne and ultimately to serve his country as Governor-General,<sup>18</sup> and his colleague Cliff Pannam, now a silk in practice at the Melbourne Bar. This working vacation was probably



the single most important factor in getting the experiment up and running. Things were not easy, either for teachers or students, but the experiment was certainly running.

The following year, Ieuan Hughes was able to entice Professor Cowen back and, this time, he was accompanied by Mary Hiscock, another colleague from the Melbourne Faculty of Law where she is still serving as Reader in Law. Ieuan Hughes had, however, been advised that it would be highly desirable to have in post a full time law teacher both to take a major part in the teaching and to co-ordinate and advise more generally. In the summer of 1965, he went to London to seek such a person. He had been given the name of Andrew Park, then a young lecturer and my colleague at the London School of Economics. As luck would have it, Andrew Park had only recently returned from serving for three years under Professor L C B (Jim) Gower, then at the LSE, in establishing Nigeria's College of Law in Lagos<sup>19</sup> and he felt that he should now remain in England and recommence building his academic career.<sup>20</sup> He suggested to me that I might like to consider in his place a spell in Hong Kong. I met and discussed the proposition with Ieuan Hughes and the result was our arrival in Hong Kong on New Year's Day 1966.

#### THE EXPERIMENT PROCEEDS

The whole of the Far East was a totally new and adventurous experience for my wife and myself as we arrived in Hong Kong on New Year's Day 1966. Foreign travel, at least outside Europe, was a great deal less commonplace than it is now and a sojourn in Hong Kong was an adventurous odyssey. My only connection with the Far East was, so far as I knew, my maternal grandfather who had come to Hong Kong and Shanghai many times on board five masted sailing ships.

We landed literally in a very strange world and one which was unbelievably more 'colonial' than it is today. Indeed, it is difficult to recall the Hong Kong of those days other than as a much smaller, confined place in which people in different occupations and different social and economic strata occupied their own different circles. You were lucky if your circle intersected with one other and very lucky if it intersected with more than one. So far as social interaction with Chinese was concerned, the situation was considerably worse than it is today and there was not a great deal that an individual could do about it. There was no doubt but that we, as expatriates, occupied a distinct and discrete niche. Fortunately, we were able to make contact at more levels simply by reason of being in the University, itself a very much smaller and really quite rough and ready place.

Since Zelman Cowen and Mary Hiscock were in Hong Kong for their Australian summer vacation only, classes were proceeding apace in the University vacation and I had little time to acquaint myself at leisure with the strange place in which I found myself or the particular needs of my new students. Ieuan Hughes, effervescently energetic, swiftly put me in the picture and I was into teaching more or less straightaway. I was, of course, fully familiar with the London syllabuses (which were at