

LCQ15: Hong Kong Common Law Practical Training Course

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Following is a question by Professor the Hon Priscilla Leung and a written reply by the Secretary for Justice, Mr Paul Lam, SC, in the Legislative Council today (February 19):

Question:

Regarding the Hong Kong Common Law Practical Training Course (Training Course) co-organised by the Hong Kong International Legal Talents Training Academy and the Supreme People's Court, will the Government inform this Council:

(1) how the Government assesses the actual effectiveness of the Training Course in promoting exchanges on the legal systems between Hong Kong and the Mainland, including whether there are any specific assessment indicators or supporting data;

(2) of the specific feedback from the Mainland judges participating in the Training Course on the learning of Hong Kong's common law system; whether the Government will collect and make public such feedback on a regular basis, so as to enhance the transparency of the Training Course; and

(3) whether the Government will consider expanding the scope of the target participants of future legal talent training programmes to include judges or legal professionals from other regions; if so, whether it has assessed how such an approach will enhance the influence of Hong Kong's legal system in the international community?

Reply:

President,

Concerning the question raised by Professor the Hon Priscilla Leung, our reply is as follows:

(1) The Hong Kong Common Law Practical Training Course co-organised by the Hong Kong International Legal Talents Training Academy and the Supreme People's Court was

held in Hong Kong from January 6 to 17, 2025.

25 judges from the Supreme People's Court, the High People's Court of Guangdong Province and courts of the nine Mainland cities in the Guangdong-Hong Kong-Macao Greater Bay Area participated in the two-week course, which was the inaugural programme of the Academy after its launch. Through lectures, dialogues and visits etc., the course provided Mainland judges with a comprehensive overview of the operation and practice of Hong Kong's common law system, including topics such as contract law, company law, matrimonial and family law, civil and criminal procedures, arbitration and how courts in Hong Kong and the Mainland deal with foreign-related cases. Speakers (including judges and legal officers, and senior legal practitioners in Hong Kong and members of the Hong Kong International Legal Talents Training Expert Committee) had in-depth exchanges with Mainland judges on various topics.

A number of dialogue sessions were organised, inviting speakers to communicate directly with participants on the same topic. For example, at the dialogue session entitled "Different Roles in Safeguarding the Rule of Law", the Academy invited a Legislative Council member, representatives of the Department of Justice, the Hong Kong Bar Association and the Law Society of Hong Kong to engage in a dialogue on their role in safeguarding the rule of law, in which Mainland judges also had exchanges. At the dialogue session entitled "Handling of Foreign-related Law Proceedings: Comparison between Mainland and Hong Kong", the Academy invited four senior legal practitioners to exchange views with Mainland judges on the similarities and differences in handling foreign-related cases. Through dialogue, mutual understanding and exchange between the two legal systems was promoted.

Besides, at the end of the course, the Academy collected feedbacks from participants to assess the effectiveness of the course.

(2) From the feedback forms, more than 95 per cent of Mainland judges indicated that the topics covered in the course were relevant to their work, contents were vivid and in-depth, speakers' presentation were clear and detailed, and suggested that specialised training on individual topics could be organised in the future. During the graduation sharing, Mainland judges expressed the view that the course was informative, professional, persistent, progressive and productive, enabling them to gain a better understanding of the operation of the common law system in Hong Kong and its

differences from those of the Mainland, as well as to strengthen their confidence in dealing with foreign-related cases, in particular those Hong Kong-related cases.

The Academy will continue to collect comments on each training project and report to the Panel on Administration of Justice and Legal Services of the Legislative Council on a regular basis. At the same time, the Academy will improve and enhance its follow-up work based on the feedbacks.

(3) In future, the Academy will collaborate with different institutions to conduct capacity-building projects for the Mainland, local and international legal professionals, for example, the Academy and the Ministry of Justice would jointly organise the National Training Course for Talents Handling Foreign-Related Arbitration (Hong Kong) in late-February this year, which will provide training to 80 corporate legal advisers, senior arbitrators, lawyers and arbitration practitioners handling foreign-related arbitration. In addition, the Academy will co-organise the Climate Change and International Trade Law Conference with the United Nations Commission on International Trade Law (UNCITRAL) on March 14 this year. The Academy will also provide training to Hong Kong's local legal professionals in relation to the Mainland's legal system and conduct capacity-building projects in co-operation with more international organisations. Through a series of training programmes, the Academy could, on the one hand, provide training for local, Mainland and regional legal professionals, and at the same time, enable Hong Kong to develop into a centre for legal capacity-building and to enhance the influence of Hong Kong's common law system in the international community.

Ends/Wednesday, February 19, 2025