

Interflow Tour '98

HONG
KONG



SINGAPORE

HK Trip : 20-28 May
Singapore Trip : 3-11 June



Law Association,
University of Hong Kong



Law Club,
National University of Singapore

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The Hong Kong University
Law Association

Interflow Tour '98



Hong Kong Trip: 20-28 May

Singapore Trip: 3-11 June

Preface

Maggie Chong (II), Chairperson of the Interflow Tour '98

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With the aim of broadening the horizons of law students, the Law Association has organized several Legal Interflow Tours to mainland China and Taiwan in the past. This year, the Association has conducted, together with the Law Club of the National University of Singapore, a new joint-scheme — Interflow Tour '98, which comprised two parts: I) Hong Kong Trip and II) Singapore Trip. Response from members was encouraging especially for the local trip.

Both academic and cultural exchange activities were organized during the eighteen-day programme with two major objectives:

1. To provide an opportunity for members to learn more about another legal jurisdiction and to compare it with that in Hong Kong.
2. To promote cross-cultural understanding and friendship between law students of the two places.

It was the first time the Association organized an interflow tour in the form of an exchange programme. Despite all the difficulties arising from the lack of experience, it proved to be particularly effective in fostering cultural exchange. Unlike in past years, members who could not join the overseas trip could still benefit from the programme by taking part in the local trip. Through various activities and interactions with the visiting students, local participants gained insight and understanding in their own society as well as other cultures. It was also our greatest pleasure to have Miss Miho Ishizuka, the representative of the Asian Law Students' Association from the Tokai University, to be our guest participant of the Hong Kong Trip.

Hong Kong is a unique place with an almost intact traditional Chinese culture coexisting with Western values; while Singapore, with a multiracial background, is a fascinating example of a diversified yet harmonious culture. Interflow Tour '98 gave students of both lands an inimitable opportunity to learn from each other and to develop international friendships.

This publication embodies all that we have gained - both legal and non-legal knowledge, invaluable experiences, friendships and memories. I sincerely hope that while reading it you can share the combination of our dedication and enthusiasm — Interflow Tour '98.

Introduction to the Law Association

Selwyn Chan (II), Chairman of the HKU Law Association



Law Association
HKUSU

The Hong Kong University Law Association having been established in 1969, has always stood up as a student body for the law students in The University of Hong Kong. In its early years, the Association focused mainly in co-ordinating social functions and providing welfare for the members among each year. Towards the end of the 70's, the promotion of social awareness among members and legal education to the public were also realized as important directions of the Association. Hence, the Association contemporarily carries out programmes which justifies a balance between these areas.

The Association is currently administered by 12 Executive Committee members, namely the Chairman, the Internal-Vice Chairman, the External-Vice Chairman, the General Secretary, the Treasurer, the Social Convenor, the External Secretary, the Publication Secretary, the Sports Captain, the Legal Education Secretary, the Welfare Secretary and the Marketing Secretary. Each functional secretary specifies in a particular role which is essential for the smooth operation of the Association.

Each year, the Association encourages its 600 members to partake in its many functions which range from internal gatherings to external programmes as we believe that a balance should be met between schoolwork and other activities. Interactions between law students both at a national and international level highlight one of the main objectives of the Association. This can be illustrated in our keen effort in building up links with local universities and other law student bodies such as The Asian Law Students' Association and the Australasian Law Students' Association.

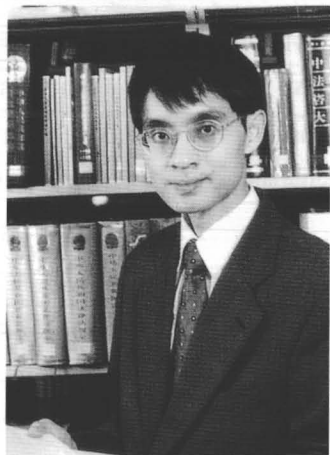
Student activities has always been an indispensable part of university education and as the representing body of law students, we will continue to design and renew our programmes in order to meet the demands and challenges that may pursue in future.

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Message from the Dean

Professor Albert H. Y. Chen

The speech delivered by Professor Albert H Y Chen, Dean of the Faculty of Law, University of Hong Kong, at the reception dinner organised by the HKU Law Association on 20 May 1998 to welcome the visiting Singaporean and Japanese students participating in the Interflow Tour.



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Good evening, students and visitors. It is my pleasure to see all of you here at this wonderful occasion. It is a nice time of the year as exams have just finished. On behalf of the Faculty of Law, HKU, I would like to express our warmest welcome to those of you who are visiting from Singapore or Japan. I would also like to offer my heartiest congratulations to the HKU Law Association, which has taken the initiative to organise this exchange activity between law students in Hong Kong and Singapore. When I was told about this idea several months ago, I thought it was an excellent idea, and a great innovation in the sense that nothing of this kind has been organised before by law students here. And I am so glad to see that the idea has now finally materialised into this event today. The organisers must have put a great deal of effort into this activity, and may I wish it every success in the course of the next few days.

I was asked to say a few words to introduce to our visitors our law school here. The law school was established in 1969, and we are celebrating its 30th anniversary next year. When it was first established, it admitted 40 students per year, but since then it has undergone successive stages of expansion. Now it is admitting 150 students per year. Our teachers come from all over the world. For example, Mr Rick Glofcheski, Head of the Department of Law, is from Canada. I myself was born and grew up in Hong Kong. Other teachers come from a variety of places like Canada, the USA, Britain, Australia, New Zealand, mainland China and Hong Kong itself. There is also one teacher from Israel, one from Tanzania, and one from Kenya. English is the common language of our teachers, and English is also the medium of instruction in our law school.

As you all know, on July 1 last year, Hong Kong ceased to be a British colony and became a special administrative region of the People's Republic of China. However, the transfer of sovereignty does not mean a change in the laws of Hong Kong. It is clearly provided by the Basic Law of the Hong Kong Special Administrative Region, the new constitutional document of Hong Kong's legal system, that the existing laws of Hong Kong will continue to take effect after the 1997 transition. Indeed, we can all observe that except for the abolition of appeals to the Privy Council and the establishment of a new Court of Final Appeal in Hong Kong, the judicial and legal systems in Hong Kong have remained unchanged after the 1997 handover. Lawyers in Hong Kong continue to practise the same laws and procedures which they

Message from the Dean

practised in the past, and law students here continue to study basically the same cases and legislative materials which previous generations of law students here studied.

In the three decades of its existence, our law school has produced generations of law graduates, most of whom have joined the legal profession as solicitors or barristers. Others have become in house legal advisers in companies, government lawyers, civil servants, legislators, judges, law teachers, journalists, businessmen and businesswomen, etc. As the legal profession in Hong Kong becomes larger and larger in size, we expect that the career patterns of our graduates will continue to increase in diversity. This has important implications for the content of the legal education which this law school provides. The challenge is to broaden the intellectual exposure and skills training that we provide to our students, so that they can be better equipped to pursue as many different career paths as possible. We believe that the traditional training in reading cases, analysing legal problems, constructing legal arguments and interpreting legal documentation is useful in developing general skills of reasoning, verbal expression and problem solving. In addition, we are now seeking to broaden the content of the curriculum itself, to enable students to be exposed to disciplines other than law, such as the social sciences, the humanities and natural sciences. So as from autumn this year, a general education programme will be incorporated into all undergraduate curriculums in this university.

But as I have said to students on previous occasions, university education is much more than vocational training for future careers. The most beautiful and precious part of university education is, I think, interaction among students in the process of learning more about life itself. Life in all its dimensions, happiness and sorrow, hopes and disappointment, dreams and realities, ideals and daily life, and, above, all, sincerity, kindness, trust, understanding, sharing, solidarity and friendship. And aren't these what events and activities like this gathering tonight are about? So, on this wonderful and memorable occasion, let us celebrate this gift and miracle of international friendship, cross-cultural understanding, and global communion of peace and goodwill.

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Organizing Committee

Co-organizers : Hong Kong University Law Association (HKUSU)
Law Club, National University of Singapore

Directors : Maggie Chong (HKU)
Lee Shu-Chern (NUS)

Hong Kong Trip

Chairperson : Maggie Chong (II)
Vice-Chairperson : Suen Wai Yu (II)
Sub-committee : Yeda Hong (III) (P.I.C.)
Michelle Liu (III) (P.I.C.)
Jennifer Cheung (II)
Grace Fung (III)
Kevin Ho (II)
Jo Lit (III)
Sabrina Mak (III)
Kapai Puja (II)
Eugene Yim (III)
Betheny Yu (III)

Editorial Team : Maggie Chong (II)
Belle Liu (II)
Daniel Tang (II)
Marina Tong (I)
Annie Szeto (I)



Participants

Hong Kong Trip

HKU

1. Stephen Chan (M. Phil.)
2. Teresa Ki (PCLL)
3. Alice Kung (PCLL)
4. Wendy Lam (PCLL)
5. Johnny Ma (PCLL)
6. Sharon Ng (PCLL)
7. May Yeung (PCLL)
8. Elanie Wong (PCLL)
9. Yeda Hong (III)
10. Michelle Liu (III)
11. Sabrina Mak (III)
12. Ida Chan (II)
13. Selwyn Chan (II)
14. Amy Chau (II)
15. Maggie Chong (II)
16. Caroline Fung (II)
17. Kevin Ho (II)
18. Wanda Lau (II)
19. Flora Lee (II)
20. Yvonne Leung (II)
21. Shelly Mok (II)
22. Suen Wai Yu (II)
23. Philips Wong (II)
24. Jennifer Yung (II)
25. Sylvia Zee (II)

NUS

1. Lee Shu-Chern (IV)
2. Anand Nalachandran (IV)
3. Edwin San (IV)
4. Gwendoline See (IV)

5. Tan Teck Wang (IV)
6. Carolyn Woo (IV)
7. Fidelia Yeo (IV)
8. Elaine Khoo (III)
9. Chong Shiao Hann (II)
10. Fiona Kwok (II)
11. Joyce Low (II)
12. Anita Sonia Parkash (II)
13. Terence Quek (II)
14. Ellis Tang (II)

Tokai University

Miho Ishizuka

Singapore Trip

HKU

1. Grace Fung (III)
2. Yeda Hong (III)
3. Sabrina Mak (III)
4. Jason Chan (II)
5. Selwyn Chan (II)
6. Jennifer Cheung (II)
7. Maggie Chong (II)
8. Melissa Chim (II)
9. Thomas Kho (II)
10. Carmen Kwok (II)
11. Karine Lau (II)
12. Teresa Lau (II)
13. Daniel Tang (II)
14. Jacky Tse (II)
15. Suen Wai Yu (II)
16. Chloe Wang (II)
17. Philips Wong (II)
18. Carol Yin (II)

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Year of study specified as in 1998-99.

Hong Kong Trip - Itinerary

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20 May

Arrival
Campus Tour
Reception Dinner



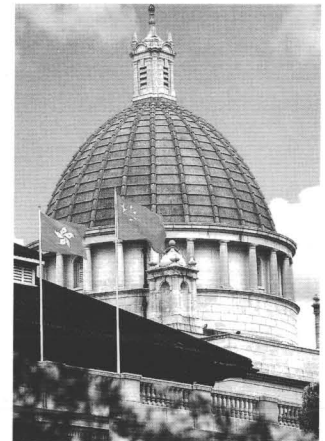
21 May

Legal Talk I
Visit to the Hong Kong Bar Association



22 May

Legal Talk II
Visit to ICAC
Harbour Cruise



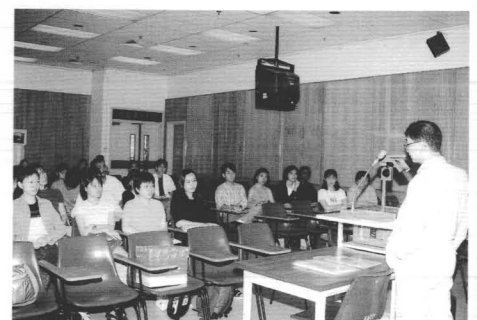
23 May

Law Firm Visit I
Visit to CUHK
Poon Choi Dinner



24 May

Lantau Island

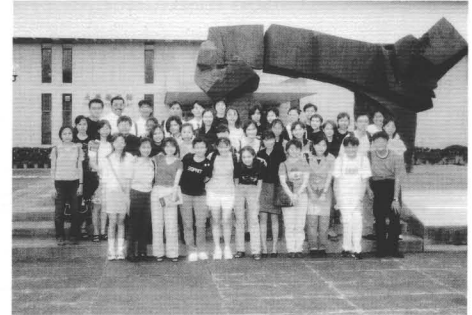


Hong Kong Trip - Itinerary



25 May

Court Visit
Workshop
Law Firm Visit II



26 May

Legal Talk III
Visit to Stanley Prison



27 May

BBQ



28 May

Departure

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Way To Go!

Introduction to HKU

The University of Hong Kong (HKU) is the oldest tertiary education institution in Hong Kong. Its main estate covers over sixteen hectares on the north-western slopes of Hong Kong Island between 50 and 150 metres above sea level, and provides at present a total floor area of about 143,200 square metres for academic-related activities of the University.



On March 16, 1910, Sir Frederick Lugard, the then Governor of Hong Kong, laid the foundation stone for the University, signifying the birth of Hong Kong's first tertiary institution. Two years later, the University celebrated its official opening together with its two founding Faculties of Engineering and Medicine.

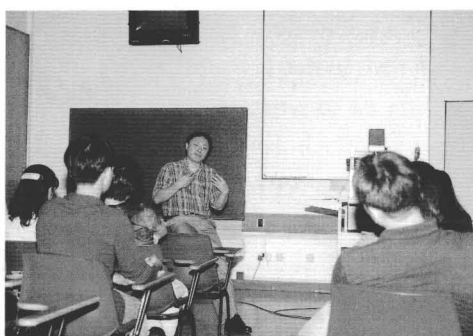
The University today has a student population of over 13,500, including 9,000 undergraduate students and 4,600 postgraduate students. From the modest beginnings of only two faculties, the University has grown to embrace almost all the major areas of teaching and research and it can confidently claim to be one of the best and most well-established universities in the region. There are now nine Faculties - Architecture, Arts, Dentistry, Education, Engineering, Law, Medicine, Science, Social Sciences, offering more than 50 first degree programmes and 20 Master's degree curricula. In addition, all Faculties and their departments provide teaching and supervision for research (M.Phil. and Ph.D.) students.



Introduction to the Faculty of Law



The Department of Law was established in 1969 as part of the Faculty of Social Science. It then split from the Faculty later and in due course matured into a separate Faculty in 1984.



The Faculty of Law comprises the Department of Law and the Department of Professional Legal Education. The former is responsible for the 3-year Bachelor of Laws Programme (LLB) and the latter for the Postgraduate Certificate in Laws Programme (PCLL). The Faculty also offers a popular coursework LLM, Postgraduate Diplomas, and the research degrees of MPhil, PhD and SJD; in addition, it co-operates with the School of Professional and Continuing Education in teaching a separate intake of PCLL students.

The LLB degree is designed not only to offer students an education in substantive law subjects and legal techniques which are useful for future practitioners of law, but also to provide education in the broadest sense of expanding the intellectual horizons of the students. Some of the courses are designed with a view to placing the law in its social, theoretical or comparative contexts, and all students are required to have some exposure to such courses.

The PCLL is a one-year full-time curriculum leading to pupillage (for future barristers) or employment as a trainee solicitor and then professional qualification as a barrister or solicitor in Hong Kong. The overall aim of the course is to prepare students to become lawyers by teaching them the knowledge, skills and professional ethics necessary for legal practice. The aim is achieved through a variety of learning methods: lectures, small-group sessions, simulations, and practical drafting, writing and problem-solving exercises.

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Understanding the Law in HK

Legal System

Court System

Court Visit

Constitutional Transition

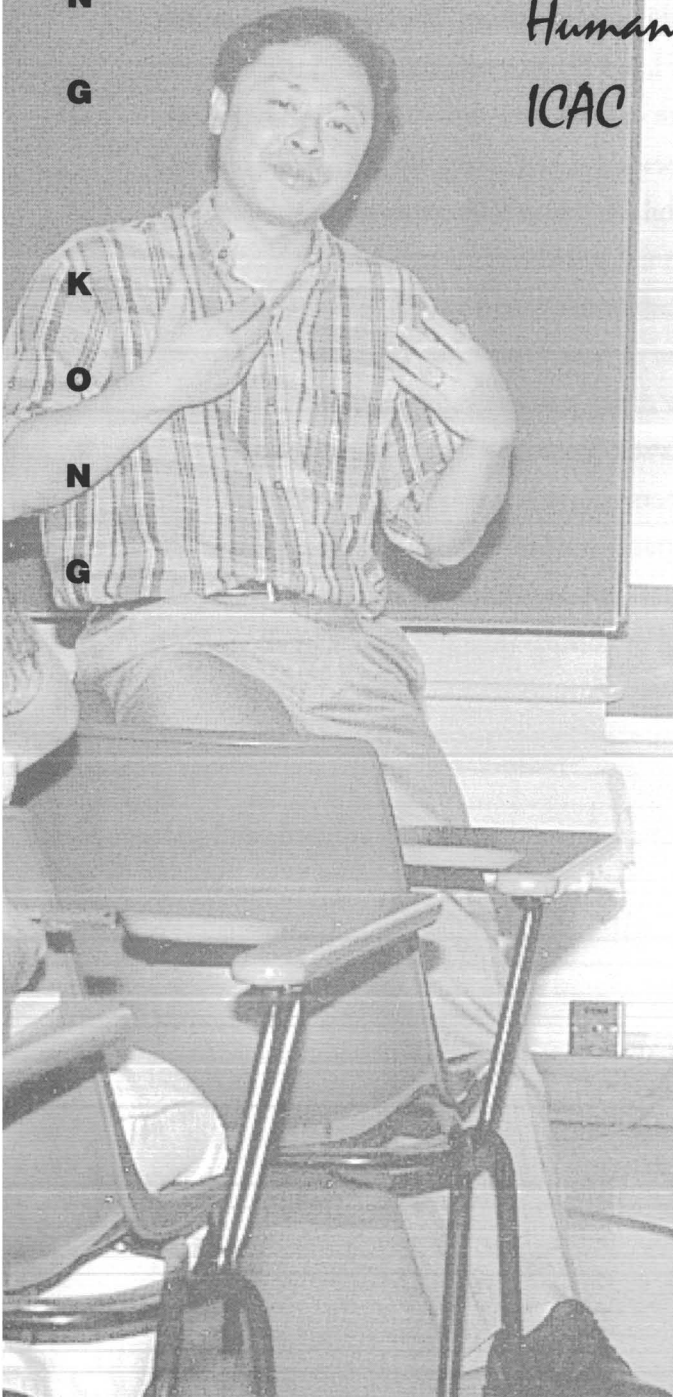
Correctional Services Department

Human Rights

ICAC

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Understanding the Law in HK

Legal System

HK Trip Sub-committee

Does the Basic Law replace the laws previously in force in Hong Kong after 1997? Are English decisions still binding in Hong Kong after the handover? Are national laws from China applicable in Hong Kong?

These questions look simple but they highlight the queries about the legal system in Hong Kong after 1997 in the minds of the Singaporean students, who took part in the Hong Kong trip of the Interflow Tour'98 jointly organised by the Law Association of the University of Hong Kong and the Law Club of the National University of Singapore.

In an one-hour academic seminar, our guest speaker, Miss Anne Cheung, Assistant Professor in Law of the University of Hong Kong, tried to bring a brief picture to the visiting students from Singapore of how the local legal system works after the resumption of sovereignty of Hong Kong by China. She talked mainly on the changes to the sources of Hong Kong law after 1997, which was followed by a question and answer session.

Does the Basic Law of HKSAR replace the laws previously in force in Hong Kong after 1997?

This might be the very first question that came up to the Singaporean students' minds when they were each given at the beginning of the seminar a copy of the Basic Law of Hong Kong Special Administrative Region. However, they soon knew that the Basic Law was to replace the Royal Instructions and the Letters Patent under the British colonial reign as the highest constitutional document in Hong Kong. Quite to the contrary, it states clearly in the Basic Law that the laws previously in force continue to be applicable in Hong Kong.

Are English decisions still binding in Hong Kong?

Like many other independent countries of the

Commonwealth, Hong Kong abolished the Judicial Committee of the Privy Council as part of their judicial system when the British rule came to an end. It is logical to ask whether the English decisions are still followed in Hong Kong after 1997. On principle, English authorities, like authorities of all other common law jurisdictions, such as Singapore and Canada, are no longer binding here. In practice, however, they are still frequently referred to in court because a majority of the legal personnel here were trained with the English case law system.

Are national laws from China applicable in Hong Kong?



Unlike Singapore, Hong Kong was not turned into an independent state after colonial era ended but became a special administrative region under the sovereignty of China. Though the laws previously in force will continue to be applicable, it is sensible to raise doubts about whether the national laws of China will become a new source of law in Hong Kong. According to the Basic Law, national laws from China do not apply in Hong Kong except for those listed in its Annex III, which are confined to matters relating to defence and foreign affairs as well as matters outside the limits of the autonomy of Hong Kong. That is to say, Chinese national laws do not automatically form a new source of Hong Kong law unless it is specially listed in the Basic Law.

As quoted by Miss Cheung in her speech, it reads in the Singaporean Strait Times that "it is now Singapore's time to criticise Hong Kong" (referring to the criticisms from Singapore on the recent local amendment to the Interpretation and General Clause Ordinance concerning the definition of "State"). The Singaporean students might come to this seminar with a few queries in mind on the local legal system. Hopefully they would have these queries cleared by the time they left and could probably start forming their own critical views on the legal system of Hong Kong on obtaining a better understanding of it during their stay here.

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Understanding the Law in HK

Court System

HK Trip Sub-committee

Apart from the sources of law, a legal system is also made up of its personnel and the courts. A court visit was arranged for the Singaporean students, so that they could see how the local legal system is at work at different levels of courts.

Magistrates' Courts: the lowest level of court is the magistrate's court. Its primary jurisdiction is over summary offences. The maximum sentence a magistrate may impose is two years in prison (three years in relation to two or more separate offences where the sentences are to run consecutively) and a fine of HK\$10,000.

District Courts: its civil jurisdiction is limited to actions in contract or tort where the debt, demand or damage claimed is not more than HK\$120,000; actions for the recovery of land where the rateable value does not exceed HK\$100,000; and equitable jurisdiction where the value of the interest is not greater than HK\$120,000. Its criminal jurisdiction extends to charges relating to indictable offences which have been transferred by magistrates, excluding serious offences, such as murder and treason.

The Court of First Instance: it is part of the High Court, which also consists of the Court of Appeal. Its civil jurisdiction is defined by reference to that of the High Court in England, in addition to that expressly conferred by any other law. It also has the jurisdiction which in the UK is exercised by the Lord Chancellor and judges of the Supreme Court in relation to the Mental Health Act 1983. Its criminal jurisdiction also



follows that of the High Court in England. It always acts through a single judge but in all criminal cases a jury also sits to determine questions of fact.

The Court of Appeal: it forms another part of the High Court. It has no original jurisdiction. It hears appeals from the Court of First Instance, the District Court and other bodies as specified by law. It usually sits as a court of three judges.

The Court of Final Appeal: it replaces the Judicial Committee of the Privy Council as the highest court in Hong Kong. Its jurisdiction is established by analogy with that of the Privy Council, which means the matter in dispute must be of the value of at least HK\$500,000 or the question must be one of great general or public importance. The jurisdiction of the Court of Final Appeal is restricted by the Basic Law as the final interpretation of the Basic Law is vested in the Standing Committee of the National People's Congress (Art 158 BL).

Tribunals: a variety of tribunals deal with different minor legal issues. They include the Small Claims Tribunal, the Labour Tribunal and the Land Tribunal.

Understanding the Law in HK

Court Visit - Wanchai Law Courts

Joyce Low (II), NUS

After being presented with an overview of the Hong Kong legal system in lectures, I was eager to embark on a visit to the HK courts to see the legal system “in practice”. My only previous impression of HK courts came from those dramatic courtroom scenes in HK drama series and this visit definitely proved reality to be different from drama!

Looking conspicuous in formal black and white attire, a barrister even asked whether we were students from HKU! (He gave us an impromptu summary of the case when he found out that we were actually visitors from Singapore). It was difficult deciding which courtrooms to sit in as there were many interesting cases. We finally settled on “courtroom hopping” amongst cases ranging from a sex with a minor case, a CBT case and another on breach of contract; all at various stages of the trial process. Zing! Enter a few odd looking people into the **Sex with a minor trial..**

We were thrust right into the middle of a juicy examination-in-chief of the minor whose boyfriend was charged with having sex illegally. Human nature doesn't change whether you're in Singapore or HK. The girl tried to defend her boyfriend, arguing she voluntarily had sex with him whilst the prosecution tried hard to obtain information out of an unwilling witness.

The distinguishing feature of this trial was that the EIC was in Cantonese! Although the handover did mean that Cantonese could be used in courts, we had been informed that its use was generally restricted to subordinate courts level. I found myself relying on my hosts to translate. We thus witnessed the move towards bilingualism in the legal system. The courts in fact are keen to make the legal system more accessible to the Hong Kong people not fluent in English. However, problems with this were evident in this trial where there

were references to authorities in English. The barristers and judge needed to be proficient in both languages and able to switch over at any time (no mean task!) Whish! The scene is now the **CBT case..**

Picture of an angry judge and a confused witness (the accused). The courtroom observers were definitely more comfortable in Cantonese here. The accused was trying to conduct his own defence and apparently the intricacies of the rules of evidence eluded him (Hah! We're not the only ones unclear about this intriguing subject!) Thus we had an animated lady judge gesticulating wildly, scolding the witness, trying to get him to understand why the evidence was inadmissible. I suppose the judges are another distinguishing feature of the HK courts. It is rather difficult imagining any of our own High Court judges acting in such a manner. The wanderers step into a **Breach of contract case..**

“Your Honour, it is submitted that...” *Voila!* The familiar phrases at last! We have transported ourselves into a courtroom with the expected English barristers, wigs and all. More familiar scenes await us. The old, stern English judge was chiding counsel for delaying the court and not preparing sufficiently to conclude since he felt that there were no more controversial points for examination. The noteworthy point was that this expression of disapproval was a marked distinction from the previous courtroom. No wild gesticulations, everything done in a dignified way, typical of English judges.

That concluded our adventure for the morning. It was a new experience to see what the HK courts were like and the practical difficulties of operating courts in a system where there is a renewed emphasis on bilingualism in the courts. Certainly, it is no exaggeration to say that the visits had been an immense eye-opener for us.

Understanding the Law in HK

Constitutional Transition

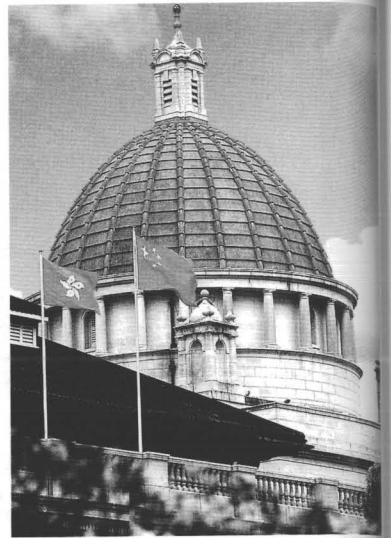
HK Trip Sub-committee

On 22nd May we invited our lecturer Mr. Benny Yiu-Ting Tai to deliver a seminar on the constitutional transition in Hong Kong. This seminar was aimed at providing the visiting students a better understanding of the constitutional movement in Hong Kong before and after the handover as well as the term “one country two system”.

1997 is an important year for all Hong Kong people. Since 1898, Hong Kong has been a British colony and under the rule of the British government. On July 1, 1997, China resumed the exercise of sovereignty over Hong Kong and a Hong Kong Special Administrative Region was established in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China. The Letters Patent and Royal Instructions are no longer the Constitution of Hong Kong, but instead, the Basic Law came into place as the constitutional document for the HKSAR, enjoying the highest status among all the laws.

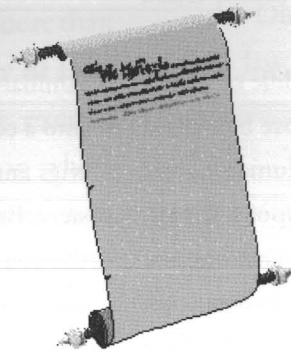
The Basic Law incorporates the policies of PRC regarding Hong Kong as set out in the Sino-British Joint Declaration signed by the Chinese and British Governments on December 19, 1984. It enshrines within itself the important concepts of “One Country, Two Systems”, “a high degree of autonomy” and “Hong Kong People ruling Hong Kong”. Under these principles, the capitalist system and lifestyle shall remain unchanged for 50 years.

Art.2 of the Basic Law provides that HKSAR has a high degree of autonomy and enjoys executive, legislative and independent judicial power, including that of final adjudication.



Before 1997, HK enjoyed the executive power in day-to-day matters. However, in matters of importance to the UK, the Governor was expected to act in accordance with the instructions from the British Government, but now, HKSAR fully conducts the administrative affairs of the Region in line with the provisions of the Basic Law (Art.16). The Central People's Government shall, nonetheless, be responsible for the foreign affairs, national affairs and defence of the HKSAR.

As for the Legislative power, in the past, this power was subject to royal assent of the Governor (LPVII(1)), also, the Crown had full power to legislate for a colony and the power of the Parliament to legislate for HK was also unlimited, though in practice the Parliament only used this power for limited purposes. After 1997, this power is subject to the power of Standing Committee of the National People's Congress to



Understanding the Law in HK

Constitutional Transition

return local laws to the HK legislature that contravene the Basic Law regarding the affairs within the responsibility of the Central authorities or the relationship between them and the HKSAR (Art.17).

The independent judicial system has been inherited. Before 1997, the final appellate court was the Judicial Committee of the Privy Council. But now, the power of final adjudication of the HKSAR is vested in the Court of Final Appeal of the Region, which may as required invite judges from other common law jurisdictions to sit on the Court of Final Appeal (Art. 19, 82).

Art.39 of the Basic Law provides that the provisions of the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR) and international labour conventions as applied to Hong Kong shall remain in force, though the repeal sections in the Bill of Rights Ordinance was declared inconsistent with the Basic Law by the SCNPC, the mechanism of repealing can be traced through common law and this article of the Basic Law gives the entrenched status for the ICCPR. Thus, nothing seems to have been worsened by the change of sovereignty.

The First Legco Election of HKSAR

Before inviting the visiting students to witness the historic '98 Legco Election and to experience the atmosphere at polling stations on 24th May,98 we briefly explained to them how the list voting system works.

First of all, 60 legislators were to be chosen

in the election. 30 of them to be elected by the 27 functional constituencies, which represent the business field, the professionals, social services and so on. Another 20 to be chosen by the public in 5 geographical constituencies and 10 to be chosen by the 800-member election committee.

List Voting System is a form of Proportional Representation Voting System and is widely used



in many countries. The election is to be contested in the form of lists. All candidates of a list had to rank themselves in order of priority. Names of candidates were printed on the ballot paper in order of that priority. Each list might consist of any number of candidates up to the number of seats in the relevant constituency. Electors may only choose one of the lists of candidates as printed on the ballot paper.

The allocation of seats followed the largest remainder formula. For example, there are 5 seats in a constituency and there are 300,000 valid votes in total. Each list getting one-fifth of the votes (i.e. 60,000) will get a seat and the candidate ranked first in the list will be elected. Any remaining seats will be awarded to the list with the largest number of remaining votes and the candidate(s) who is ranked next in the list will then be elected.

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Understanding the Law in HK

Correctional Services Department

Maggie Chong (II)

Hong Kong has developed over the years a penal system which places increasing importance on correcting and rehabilitating inmates. With an establishment of over 7000 staff, the Correctional Services Department is responsible for the administration of 23 correctional institutions which now accommodate about 12000 inmates. These include minimum, medium and maximum security prisons, a psychiatric centre and training, detention and drug addiction treatment centres. There is also a staff training institute, an Emergency Support Group and four half-way houses. The department also runs an extensive community-based aftercare service. In addition, it is responsible for managing detention centres housing Vietnamese migrants.



In order to have a clearer picture of how the Department carries out its functions, a visit to the Stanley Prison, a maximum security institution with accommodation for 1584 prisoners, was arranged on 26th May. According to the informative talk by the Deputy Superintendent, the prison operates in accordance with the Prisons Ordinance (Chapter 234, Laws of Hong Kong) and is headed by a Chief Superintendent who is responsible for the administration and management of the institution. He is assisted by two Superintendents as his deputies and other supporting staff as well.

All prisoners are engaged in useful work in well-equipped workshops managed by specialists. Various programmes such as educational classes and recreational programme are specially designed for them. Meals are prepared on the advice of the Department of Health and cooked by prisoners under supervision of qualified catering instructors. Besides, there are medical services, psychological and psychiatric services, welfare services, religious services and several schemes all for the purpose of facilitating the rehabilitation of inmates.

Under Prisoners' Earning Scheme rates of pay is dependent upon the type of work undertaken and the degree of skill required for the job. In accordance with the provisions of Prison Rules,

prisoners may receive any number of letters from relatives and close friends, and send one letter at public expense every week. Local prisoners without close friends or relatives are visited occasionally by members of the Prisoners' Friends' Association. Moreover, the Never Again Association, the Pre-release Therapeutic Course and the Society for the Rehabilitation of Offenders provides programmes which help preparing prisoners for discharge.

Rights of Prisoners are also ensured by verbal explanation and through an information booklet issued to each prisoner on admission. Prisoners may see the Chief Superintendent and other senior

Understanding the Law in HK

Correctional Services Department

Melissa Chim (II)

officers, Visiting Justice of the Peace, and the Commissioner of Correctional Services if they wish to make a request or complaint. They may also direct their complaints to the Complaints Investigation Unit or the Office of the Ombudsman. Notices are prominently displayed throughout the institution advising prisoners of this right.



Spirits were high the day we were to set out for the Stanley Prison — one of Hong Kong's maximum security prisons. As our coach drew nearer to our destination, a gradual solemnity came over us — the barb wire, the officers, the high walls, the dreary looks on the faces of the few prisoners we saw all suggested an aura of monotony and gloom.

Upon entering the gates of the prison, our identification documents were confiscated. We were then invited to attend a briefing session by the Deputy Superintendent. After that, we were taken around the Stanley Prison to see for ourselves what we were only able to see before on television.

All the corridors connecting each section of the prison have two gates and were not to be left open at the same time. As we went along, I could not help but notice the abundance of potted plants and the grassy fields designated for prisoners to exercise on. In great contrast to the sombre exterior of the prison, the inside proved to be cheery and full of sunshine. Wherever we went, the prisoners had to stop all their work and remain

standing when we entered but they did not seem to mind too much that our visit would slow down the progress of their



work. Personally, I was rather uncomfortable with the idea of parading through their normal course of work and having to observe them as though they were animals in the zoo and so I tried as much possible not to stare or to look too aloof.

We were shown the exercise fields, the workshops, the kitchen, the cells for offenders of lesser crimes and finally, the cells housing prisoners serving maximum sentences. The cells were empty when we visited but simply reading the list of offences under the names posted at each cell was enough to sent shivers down our spines. As we left, I was unable to suppress a certain unease at having just been where all of Hong Kong's biggest criminals were concentrated.

On the whole, after having visited the Stanley Prison, I was left with the impression that prison life was not as bad as some might be left to think and that the officers at the prison were not at all mean to the prisoners. However, what we have been shown can barely be called a complete picture of what prison life is. If indeed the Stanley Prison were as much of a resort as one might have been led to believe, the deterring factor of imprisonment would be seriously diminished in Hong Kong.

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Understanding the Law in HK

Human Rights in Hong Kong

HK Trip Sub-committee

As part of the academic programmes of the Interflow Tour '98, we conducted a seminar on introduction to human rights in Hong Kong. The seminar was divided into two parts. The first session was a talk given by our guest speaker, Professor Johannes Chan, on the sources and protection of human rights in Hong Kong. It was followed by a session of group discussions.

Being the main sources of international human rights law, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) are the most influential international treaties on human right applicable to Hong Kong. The reporting mechanisms of these two covenants and their effectiveness in protecting human rights in Hong Kong were duly discussed in the seminar.

An international treaty, though it is applicable to Hong Kong, does not have any binding effect on the local courts unless it is formally incorporated into the law of Hong Kong. In order to implement the ICCPR locally, the Hong Kong Bill of Rights Ordinance (BORO) was enacted in 1991. The BORO therefore can hardly be omitted in any discussion on the local human rights law. The BORO has adopted most of the provisions in the ICCPR and has the power to repeal any pre-existing legislation that is inconsistent with it. Consequently, the BORO has very great impact on different areas of law in Hong Kong, such as freedom of expression, right of abode and right to fair hearing.

In the second part of the seminar, participants, including both Singaporean students and Hong Kong students, were divided into several groups. Each group was given two sets of materials, which were actually the facts of two leading human rights cases in Hong Kong, namely *R v Sin Yau Ming* (1991) 1 HKPLR 88 and *AG v Ming Pao Newspaper Ltd* (1995) 5 HKPLR 13. Under the directions given by Professor Chan, the groups were able to work out their own judgments on the facts so that they could compare with the original decisions.

The seminar gave a very good introduction to the human rights in Hong Kong. Through the group discussions, in which the participants showed great enthusiasm, the visiting students from Singapore could have a better understanding of the attitude of the local courts towards human rights and could compare it with the situation in their own jurisdiction.



Understanding the Law in HK

Visit to ICAC

Elanie Wong (PCLL)



Both Hong Kong and Singapore are one of the most stable and prosperous commercial centers in the world. Their success is largely contributed by the governments' effort in prohibiting corruption and ensuring "fair-play" in society. With an aim to understand the operation of anti-corruption machinery in Hong Kong, a visit to the ICAC was held during the Hong Kong trip of the Interflow Tour '98.

The visit was scheduled on 22nd May, 98. We were received warmly and given a comprehensive talk on the operation of the ICAC by Mr. Raymond Chow, the Deputy Regional Officer. A video was shown introducing the history and functions of the ICAC. The Independent Commission Against Corruption (ICAC) was established in February 1974 as a consequence of the widespread corruption in the 1970s. The ICAC is independent of the police and the Civil Service; and its Commissioner is directly responsible to the Chief Executive (the Governor before 1997). With the primary duty to guard against corruption in both public and private sectors, its eventual aim is to improve the bureaucratic machinery and to promote public awareness against corruption.

A three-pronged attack strategy has been adopted by the ICAC to form an integrated fight against corruption - investigation, prevention and education. The Operations Department, Corruption Prevention Department and the Community Relations Department were accordingly established. Their duties are as follows:

Corruption Prevention Department:

- To examine the practices and procedures of government departments and public bodies in order to find opportunities for corruption.
- To advise heads of government departments of possible changes in these practices and procedures in order to reduce corruption opportunities.

Operations Department:

- To receive and investigate corruption complaints.
- To investigate offences under Prevention of Bribery Ordinance, Corrupt & Illegal Practices Ordinance and the ICAC Ordinance.

Community Relations Department:

- To educate the public against the evils of corruption.
- To enlist and foster public support in fighting corruption.

Over the last two decades, the ICAC is reputed as one of the most effective and self-disciplined government organization and its attack on corruption has proved to be effective and remarkably successful. Hong Kong enjoys the second lowest corruption crime rate in Asia, while Singapore ranks first and Japan third. The visit is valuable for both Hong Kong and Singapore students. The notable success of Hong Kong in anti-corruption is much appreciated. However, viewing that Hong Kong would become closer with the Mainland after the handover, students are concerned with the possibility of increasing crime rate in relations to bribery in the future. Therefore, there is a stringent need to fight against corruption, particularly among the private sector. Being the advocates of justice, law students should share the responsibility in preserving a 'clean' society and uphold the "fair-play" rule in our community.

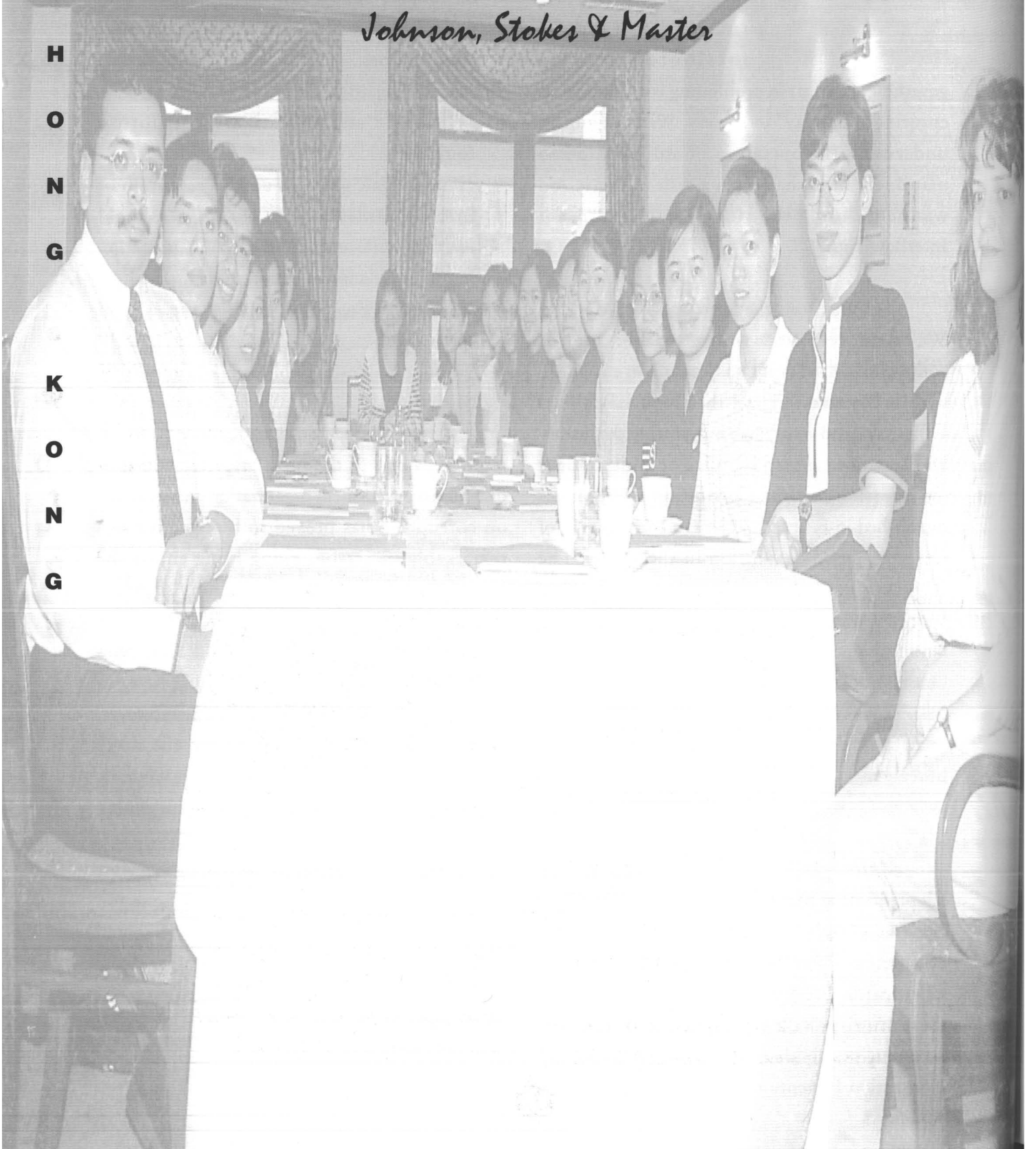
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Legal Profession

*The Hong Kong Bar Association
Deacons, Graham & James
Johnson, Stokes & Master*

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Legal Profession

Visit to the Hong Kong Bar Association

Miho Ishizuka

During the Hong Kong trip of the Interflow Tour '98, a visit to the Hong Kong Bar Association was organized in the afternoon of 21st May, 98. The HKBA is located in the High Court Building and we were warmly received when we arrived.

We had the opportunity to meet two members of the Bar Council, Mr. Alan Leong and Mr. Russell Coleman during the visit. Since the private profession of lawyers in Japan is not branched into solicitors and barristers as it is in Hong Kong, I only realized the distinctions between them after the brief introduction the HKBA gave.

Founded in 1949, the Hong Kong Bar Association is the professional organization of all barristers in Hong Kong and is registered under the Societies Ordinance. The objectives, as set out in its Rules and Regulations, are to consider and to take proper actions on all matters concerning the legal profession and the administration of justice in HK. These includes:

- the maintenance of the honour and independence of the Bar;
- the improvement of the administration of justice in Hong Kong;
- the prescribing of rules of professional conduct, discipline and etiquette;
- furtherance of good relations and understanding within the legal profession.

After the talk we chatted with the two friendly barristers about the work and lifestyle of

barristers in Hong Kong as well as their views on some current issues such as the decline of the profession due to economic downturn. I not only had the chance to understand more about the legal profession in Hong Kong but also to revise what

I have already learnt about the Japan Federation of Bar Associations (JFBA)¹.

I was amazed by the multi-cultural background of Hong Kong lawyers when I heard of the number of foreign lawyers practicing in the region. In Japan, only 0.5% of all practicing

lawyers are non-Japanese. Foreign lawyers who are granted approval by the Minister of Justice to practice law in Japan are required to have their names registered in the roll maintained by the JFBA, right now there are only 86 of them, which is a relatively small figure comparing to that of Hong Kong.



Lee Shu-Chern, Chairman of LSIRC, NUS, presenting souvenir to the two friendly barristers.

¹ *The work of the JFBA covers several areas: protection of Human Rights, protection of consumers' rights, training and educating of candidates for the legal profession, international relations, reformation of the Japanese judicial system, several publications and extending Legal Aid Services.*

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Legal Profession

Visit to Law Firms - Deacons, Graham & James

Teresa Ki (PCLL)

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Two firm visits were organized during the Hong Kong trip of the Interflow Tour'98, one of which was to Deacons, Graham & James, an esteemed law firm internationally well known. Mr. Mark Roberts, the Managing Partner of the Hong Kong Office, introduced us to the history, background and practices of the firm. His detailed and enthusiastic presentation had certainly enhanced our appreciation of the established legal practices in Hong Kong.

Deacons, Graham & James is one of the most prominent and prestigious law firms in Hong Kong. It was established in the 1850s, when its founders were among the first to practice in Hong Kong. The firm is now one of the largest firms in the territory with over 130 lawyers, patent attorneys and trademark agents. Its major practices include China law practice, Corporate and Commercial, Intellectual Property, Finance, Litigation and Property.

Apart from the Hong Kong Office, Deacons, Graham & James has an international network throughout Asia, the United States, Australia and Europe. Offshore offices and affiliates of Graham & James LLP extend the firm's services to London, Milan, Brussels, Bucharest, Dusseldorf, Jeddah, Kuwait and Riyadh. There are also a number of jointly owned and managed offices in Bangkok, China, Hanoi, Ho Chi Minh City, Jakarta, Taipei and Tokyo.

In terms of working environment within the Hong Kong Office, people were friendly and

amicable. Before we were shown around the firm, a lawyer from Singapore introduced herself and gave us a warm welcome. She also shared with us her working experiences in the firm and briefly mentioned job opportunities for Singaporean lawyers in the Hong Kong Office, which must be of particular interest to the Singaporean students. According to her, there are working opportunities for lawyers from Singapore. However, she suggested that they would be expected to have professional expertise of legal practices in Singapore. As a result, it would be better if they could practice in their own jurisdiction for a number of years and get an indepth knowledge of their own jurisdiction before they come.

After the chat with the Singaporean lawyer, we were introduced to a wide range of departments, library and research facilities. We were very much impressed by the extensive computer network available to all members of the firm. Before the end of the visit, we had further chats with two coordinators of the firm who provided us with precious opinions regarding the recruitment of trainee solicitors in Deacons, Graham & James as well as some other general reminders.

We all enjoyed our visit to Deacons, Graham & James through which the students from both Hong Kong and Singapore had a more thorough understanding of legal practice in Hong Kong.

Legal Profession

Visit to Law Firms - Johnson, Stokes & Master

Shelly Mok (II)

Upon our arrival at Johnson, Stokes & Master, one of Asia's leading law firms, our former perception of the cluttered, hectic office typical of a large co shelved. Now as JSM speckless and spacious, the people there were warm and amiable. Miss Rosaline Cheung (JSM) cheerfully led us to the tea reception where we raised questions concerning the firm. What we had dreaded to be a solemn question-and-answer session turned out to be a casual, friendly chat on topics ranging from the meticulous operations of the firm to a sharing of school days.

JSM was founded nearly 140 years ago in 1863. With its headquarters in Hong Kong and other offices in Shanghai, Bangkok, Hanoi, Ho Chi Minh City and Macau, JSM draws from the experience of over 200 lawyers, making it one of the pre-eminent firms in the region. The expansion of the firm's head office has paralleled Hong Kong's development into a major financial centre. As a



Reception at JSM.

result, principal areas of legal service provided in Hong Kong include banking, finance, securities, infrastructure and project finance, corporate commercial matters, property, construction and planning, shipping aviation, telecommunications, litigation, tax and trust planning, and intellectual property. Its in-depth knowledge and international linkages along with the latest data retrieval and communication system enable JSM to provide various services to its wide net of clients.

After the introduction to the firm, the students all seemed to be interested in matters

concerning recruitment. Rosaline reminded us that apart from academic results, communication skills as well as a pleasant and mature personality were also very important.

Although a tour around the firm could not be arranged, what we had learned concerning JSM and its operation was satisfying enough to impress us deeply.

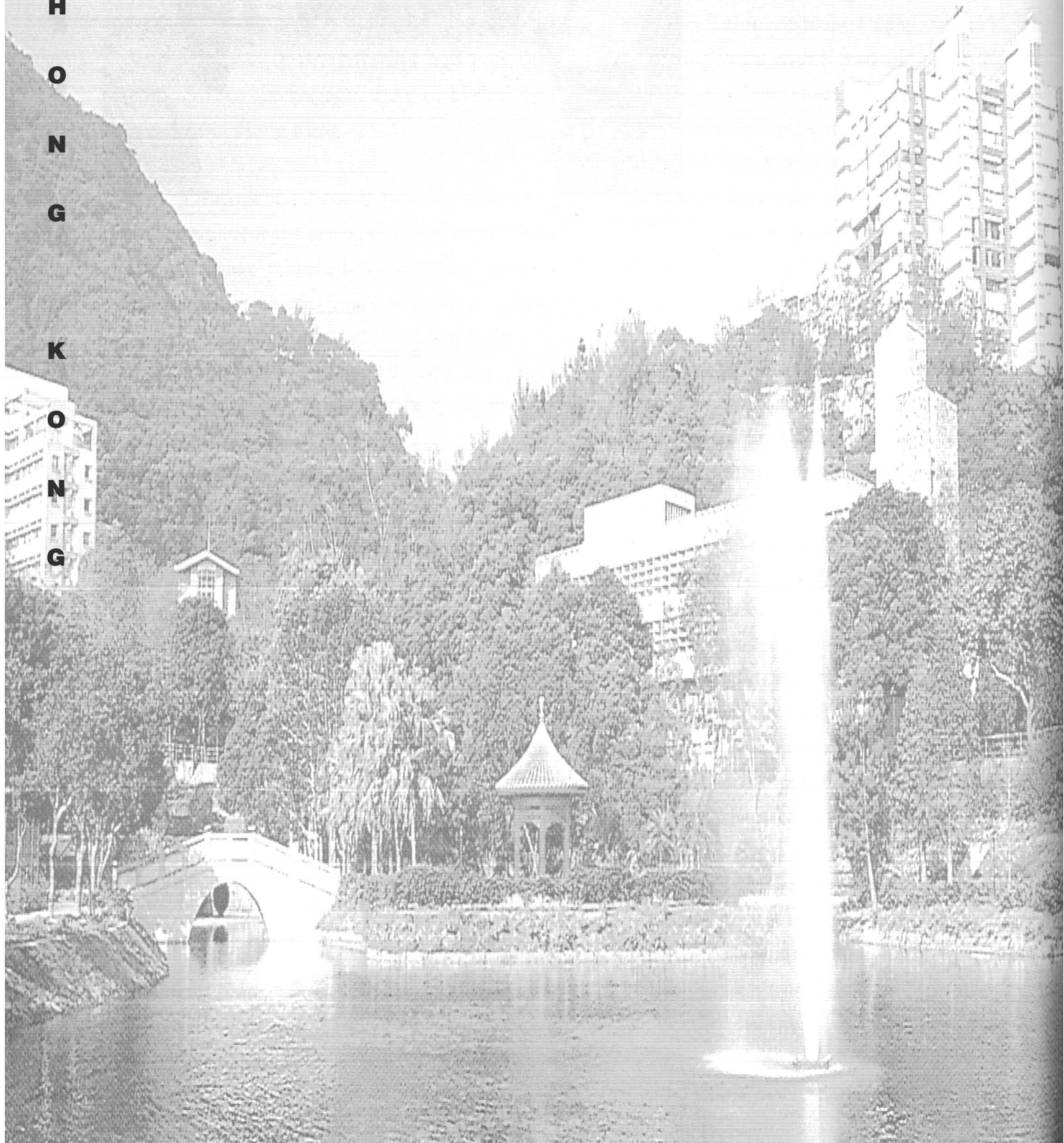
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Cultural Exchange

*Chinese University Of Hong Kong
Workshop*

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Cultural Exchange

Visit to the Chinese University of Hong Kong

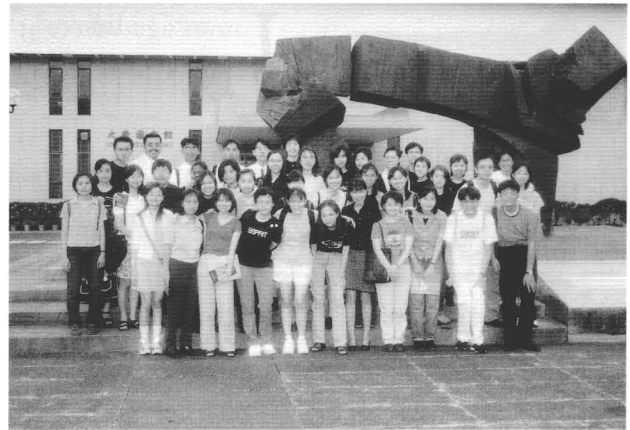
Johnny Ma (PCLL)

On 23rd May 1998, after we had had our lunch in Shatin, we headed for the Chinese University of Hong Kong. As we arrived, some students of the Department of Government and Public Administration, Faculty of Social Science, warmly welcomed us, and led us to a lecture theatre where we were presented with a newly-taped video introducing their University.

Afterwards, we had a tour around the University. We paid a visit to an exhibition of the Jades of the Liangzhu Culture, the Dawn of the Chinese Civilization, which was jointly presented by the Liangzhu Culture Museum and the Art Museum of the Chinese University. We then strolled around the University by coach. We once stopped by a lake, which was called "Mei Yuen Woo". It was really a nice place for a leisurely walk and for reading. Finally we got off the coach and walked through a footpath with a gorgeous view, and were taken to a reception room where refreshment was prepared.

We sat by three tables and chatted with each other for about 30 minutes on various topics such as current affairs, university life, hobbies and interests. Having presented souvenirs to our counterparts of the Chinese University of Hong Kong and thanked them for their kind hospitality, we got on our coach again and left with smiling faces.

At first sight of the schedule of the trip, I was a little bit surprised by the visit because there was no law department in the CUHK. When I was told that we would be received by students of the Department of Government and Public Administration, I then realized that the visit may be worthwhile because it would be a precious opportunity to discuss some hot issues with them. To my delight, the chat in the reception room had achieved part of my wish, but at the same time to my



disappointment, the time available for discussion was too short, it would have been better if there was more time for discussion.

In my opinion, a visit to another university and a chat with non-law students would be beneficial to all of us because it is very important to broaden one's horizons. Drilling into the legal field without paying regards to other fields of study would not lead to success but only narrow-mindedness.

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Cultural Exchange

Workshop

HK Trip Sub-committee



In an age where it is difficult to capture the important moments faced by the nations of the world, it is essential to grasp any opportunity to consider and understand the important issues which reflect the world today. The “Workshop” is geared towards this end. The issues considered have all recently made the news in the region and some are closer to home in Hong Kong.

Materials and newspaper cuttings were provided so that all participants could have a thorough understanding of the issues. Through discussions and presentations, sharing and exchanging of opinions were enhanced. Below is a brief record of the presentations by each group:

Status of Women



Over the recent decades, the status of women in politics had been rising in both Singapore and Hong Kong among other Asian countries. Singapore has even become a treaty party of the Diminishing Discrimination Against Women Treaty and there has been an emergence of female Parliament speakers. However, the status of women in Japan is relatively low. Females can hardly be promoted to higher positions because the employers often think that they will get married, pregnant and then resign.

Tourism

Tourism in Hong Kong has declined as the currency of other Asian countries devalued. In Singapore, with promotion by the government, tourism was not seriously affected. Tourism in Singapore has only seriously declined once, due to the large-scale deforestation by Indonesian farmers, which caused thick smoke to spread all over West Malaysia and Singapore.

Medical Negligence

In Hong Kong, recent medical accidents have caused a significant increase in complaints about medical negligence. These accidents include piping milk instead of blood into a woman’s vein and mixing cough syrup with more than 20% tooth rinse. The students suggested that a balance between the rights of patients and the confidence in the medical profession should be maintained. The Singaporean students were surprised at these accidents since there were very few cases of medical negligence brought to courts in their homeland. In Singapore, there are generally two streams of assessment of medical negligence. One is the “reasonable test”— a board of doctors determine the reasonableness and submit their professional opinion to the court on whether the treatment has been reasonable. Another stream is the “self-determination test” — this test emphasizes the voluntary consent of patients and is a more popular test among Western countries such as Australia and New Zealand.

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Cultural Exchange

Workshop

Infringement of copyright



The students found the problem of pirate VCD serious in both Singapore and Hong Kong. The main reason for the popularity of pirate VCD is the enormous difference in price. It was suggested that imposing liability on customers could be a possible way to prohibit the sale of pirate VCD since the market of such products would immediately decline, other suggestions include reducing the price or speeding up the release of original VCDs.

Bird Flu



The bird flu outbreak has sparked fears across the territory, and attracted worldwide attention. It was found that the origin of the deadly disease was in Hong Kong and the transmission was from poultry to men. A chicken slaughter resulted and the issue was thus over. The Singapore students had been worrying about food in Hong Kong prior to their arrival as they had heard of some food in Hong Kong being unsuitable for consumption, for example, 0157 virus in beef, asthma medicine found in pig's internal organs and toxic red tides which killed fish. The students agreed that it should be the government's responsibility to ensure suitability for consumption of food before allowing the sale.

Juvenile Crime



The rate of juvenile crime in both places is relatively low when compared to other countries in the world. The issue the students are concerned with is that who should bear the responsibility of youth problem. In Hong Kong there is a welfare system that the government provides for those people in need including problem families. However, in Singapore, the function of the welfare system is not to provide for the people in need. Instead, the government imposes legal obligations on the parents to feed and take care of their children. At the same time, it is also a legal obligation to look after parents when they have reached a certain age.

Asian Economic Crisis



Both Hong Kong and Singapore have suffered from the economic downturn. Tourism is one of the industries which has declined significantly in Hong Kong. Besides, many companies went into liquidation and even some professionals and employees in the management sector had lost their jobs. In Singapore, tourism was not seriously affected but many blue-collar workers lost their jobs instead. The Hong Kong government proposed to set up a fund to encourage people to start their own business, however, it was criticized as wasteful and ineffective.

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Sightseeing & Social Activities

Reception Dinner and Harbour Cruise



The Dean, Professor Albert Chen chatting and eating merrily with the students during the Reception Dinner.



The Head of the Department, Mr. Rick Glofcheski drawing the attention of the students with his sense of humour during the Reception Dinner.



Aside from the breath-taking view and the spectacular Tsing Ma Bridge, there were also many entertaining games during the harbour cruise.



Sightseeing & Social Activities

Lantau Island

Amy Chau (II)

Most people would probably recall 24th May, 98 as the historic date of HKSAR's first Legco election, but for all the participants of the Interflow Tour '98, this rainy Sunday also marked our memorable trip to the Lantau Island.



*"Can everybody understand me?" "No!"
- Our Sports Captain proves to be a failure at translation.*

Early in the morning we hopped onto our coach and headed for the biggest outlying island in Hong Kong. Our ride did not seem long at all as we got an exceptionally enthusiastic tour guide who provided us with interesting statistics about Hong Kong. At times he switched from Cantonese to his "not-so-fluent" Mandarin hoping that the Singaporean students could understand better, but that was proved to be far from comprehensible! We couldn't help bursting into laughter and begged him to switch back to Cantonese. He then showed off his singing talent by performing a few oldies and even invited us to join in his singing. Much entertainment also came from Acid Rain, our official interpreter who, as usual, incorporated his sense of humour into his translation and kept everyone in high spirits.

Fortunately, despite the amber rainstorm signal, the magnificent Tsing Ma Bridge was still open for use and in no time we arrived at the Po Lin Monastery. We enjoyed an authentic vegetarian meal there and we were all fascinated by the many splendid dishes like the fried fish (which was actually made from taro!) Because of the rain, we could not walk up the 268 steps leading to the giant Buddha whose grandeur was hidden by the thick fog. That left us with time to relax and chat with each other.

After that, we set off for Tai O, an old fishing village on the north of the island which is indeed in marked contrast with the hustle and bustle of the urban Hong Kong. We trod along the narrow paths around the village and a few of us bought some special local snacks from the food stalls. As the rain became heavier, we started our way back to Kowloon and some of the more energetic ones spent the rest of the evening shopping in Tsim Sha Tsui (most of them being the girls). On such a rainy day, it was not surprising that shopping malls would turn out to be a more popular tourist attraction!



At Tai O Pier.

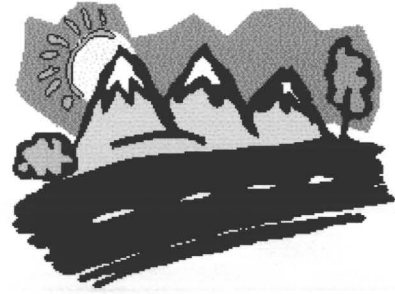
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Sightseeing & Social Activities

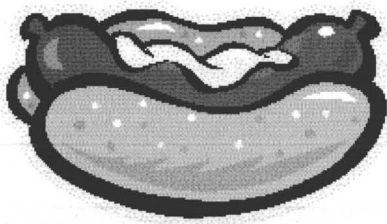
Ocean Park and BBQ



Yipee! The balloon is about to fly up into the sky!! Experience the infinite fun at Ocean Park.



As an alternative form of a farewell dinner, the LA threw a BBQ party for the visiting students.



Both local and visiting students trying out characteristic local cuisine —Poon Choi in the New Territories.



Sightseeing & Social Activities

Hong Kong Cuisine - My Story

Miho Ishizuka

What do you expect when you travel?

For me, the greatest expectation when I travel is food. Chinese food, especially Cantonese food has always been on the top of my list. As soon as I set foot in Hong Kong, I was very excited about the thought of eating the local food.

The first place that I was bought to was a restaurant where they served desserts. It was after midnight but the place was full of people. Many questions came up to me: Why is the place opened until this late? Where do these people come from? How can they make the desserts so quickly? It seemed like only thirty seconds ago that we ordered. I had a cold white bean soup and Chinese pasta with an egg. managed to finish them up even though I was full since the soup and the pasta tasted very good. The desserts were all new to me but I like them very much since they turned out to be as luscious as I had expected.

One of the most memorable dinners during the tour was the Poon Choi feast. We went to try Poon Choi after visiting the Chinese University of Hong Kong. When we got there, I saw the most enormous bowl on a table. Lots of things such as chicken, pork, vegetables, pig's skin were in it. I enjoyed the meal very much.

Back home, I usually pack lunch to school. I don't eat at the school cafeteria because the price is not reasonable and the food they serve there is too salty and oily for me. I have had lunch at HKU's cafeteria for a couple of times and I really

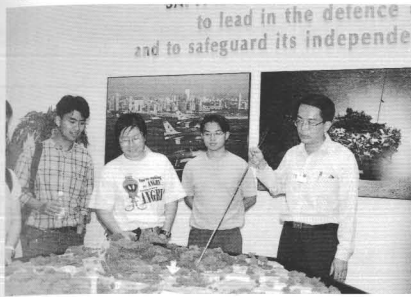
enjoy eating there because it (1) has many kinds of food; (2) has a Chinese Restaurant; (3) is inexpensive; (4) tastes very good. I would always eat at a cafeteria in Japan if it were like those in HKU.

Every time I travel, there is always interesting new food that I have never tasted before. I have tried alligator, horse, and even rabbit meat. I didn't like them much though. Although I like to tryout different food, there was one thing in Hong Kong that I didn't dare to eat. We went to this Chinese restaurant where they served roasted birds called "pigeon". I didn't know what exactly it was, so I checked with my English-Japanese dictionary to find out — then I screamed. *Hello?* This is something I see at a park. At the Olympic game. At a station. Maybe I should have tried it but I didn't have the courage to do that. I still wonder what it tastes like every time I see a pigeon in my garden. It remains a mystery to me.

Although there were a lot of surprises, I honestly enjoyed eating in Hong Kong. If I hadn't been with local people, I couldn't have eaten all these tasty food. I would have had serious problems reading a menu.

When I came home, the first thing that my parents asked me was "Wow! What did you eat? *How much* did you eat?!" The next day at school, my friends said, "You must have eaten lots of good foods." It was then that I realized that I gained three kilograms during my stay in Hong Kong.

Singapore Trip - Itinerary



3 June Arrival

4 June Campus Tour
Workshop I
Law Firm Visit I

5 June Seminar I: Environmental Law
Seminar II: Civil Law
Visit to SAFTI Military Institute
Formal Dinner

6 June Sentosa

7 June Orchard Road

8 June Visit to Academy of Law
Visit to High Courts
Changi Prison & Drug
Rehabilitation Centre
Night Safari

9 June Civic Tour
Law Firm Visit II
Boat Quay

10 June Workshop II
Seminar III: Dispute Resolution
Visit to the Subordinate Courts

11 June Departure

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Introduction to NUS

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The National University of Singapore (NUS) inherits its rich academic tradition from a lineage of distinctive predecessor institutions which includes the University of Malaya (1949), Nanyang University (1955) and the University of Singapore (1962).

In 1905, the Straits Settlements and Federated Malay States Government Medical School was found, which was later renamed as the King Edward VII Medical School. With Academic expansion in the Medical School. in 1921, the school name was changed to King Edward VII College of Medicine. In 1929, Raffles

College was established to teach Arts and Science at tertiary level. It was later merged with King Edward VII College of Medicine to become the University of Malaya in 1949.

In 1955, the Nanyang University began functioning in a 500 acre site in Jurong and in 1962, the University of Singapore was established. The University of Singapore and Nanyang University established a common admissions board in 1974 to streamline admission of students to first degree courses of both universities. Eventually in 1980, the two universities merged and form the National University of Singapore.

Introduction to the Faculty of Law

The Faculty of Law traces its beginnings to the establishment of a Law Department in the then University of Malaya (located in Singapore). In 1959, faculty status was attained and the first Bachelor of Laws (LL.B.) degrees were conferred in 1961. Since then, the Faculty's graduates have formed the majority of those entering the legal profession in Singapore. The Faculty has about 850 students in its undergraduate and graduate programs, and 60 full-time teaching staff.

The Faculty is the sole law school in Singapore. The undergraduate program leading to the Bachelor of Laws (LL.B.) Honours degree takes four years of study, law students are given a comprehensive foundation in the core subjects, such as criminal law, contract law and tort law. They are also taught the skills of advocacy. In their third and fourth years, students can choose specialist subjects in which they have an interest.



The LL.B. degree conferred by the NUS is the principal route of entry into the legal profession in Singapore. After the LL.B degree, graduates proceed directly to practical training. This involves completing the Postgraduate Practice Law Course and six months of pupillage. After that, they are eligible to be called to the Bar to become full-fledged lawyers.

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Understanding the Law in Singapore

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Legal System

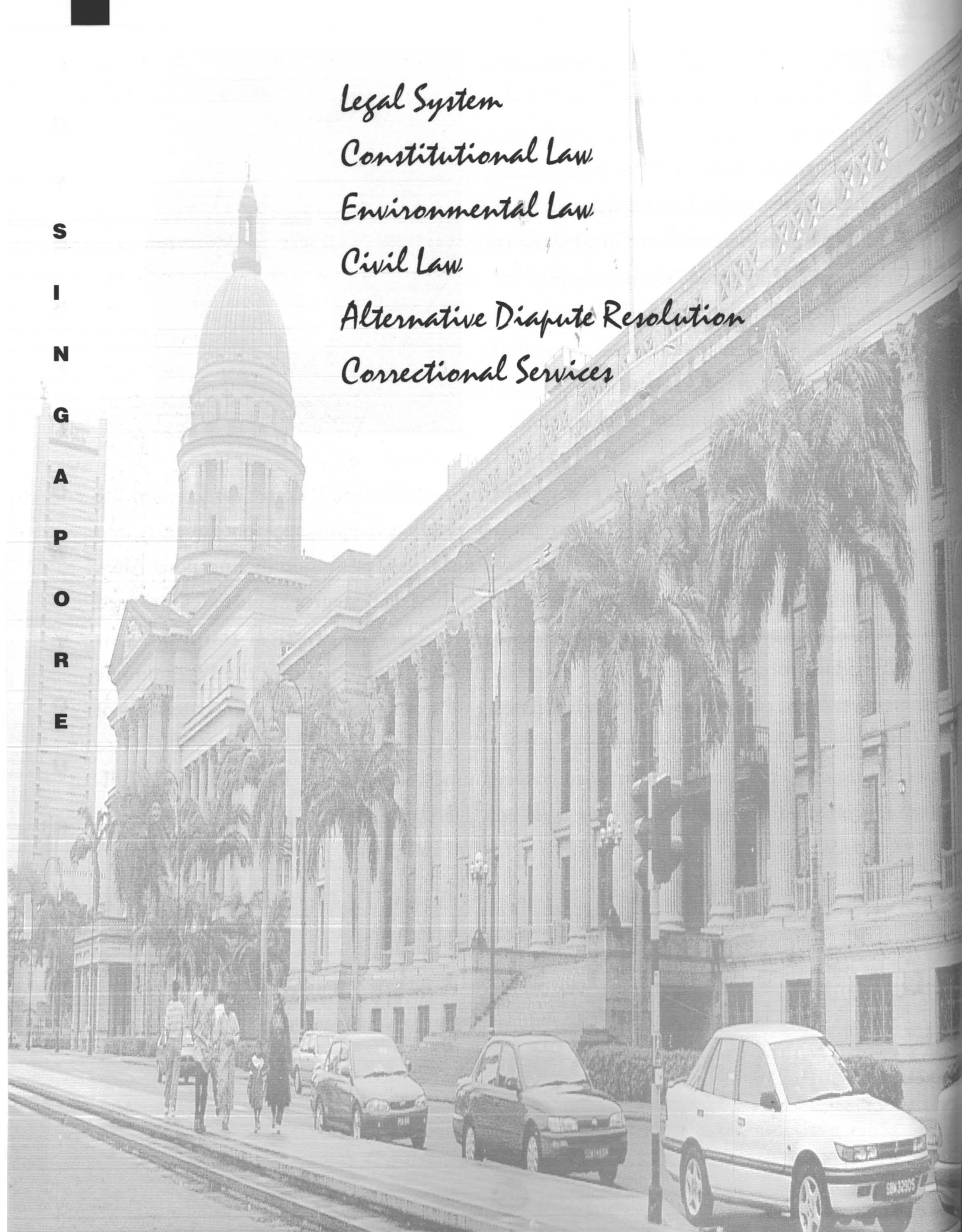
Constitutional Law

Environmental Law

Civil Law

Alternative Dispute Resolution

Correctional Services



Understanding the Law in Singapore

Legal System of the 21st Century

Jason Chan (II)

It was only when I joined the Interflow Tour '98 to Singapore that I got to know more about the legal system there.

Court System

First of all, I would like to give a general description of the courts in Singapore I visited. The Supreme Court of Singapore is composed of the Court of Appeal and the High Court. The Court of Appeal, which is presided by the Chief Justice and the Judges of Appeal, is the final appellate court in Singapore.

The High Court

The High Court hears both criminal and civil cases as a court of first instance. It exercises general supervisory and revisionary jurisdiction over all cases in the Subordinate courts. It is supported by the Registrar, a Deputy Registrar and Assistant Registrars who deal with certain civil proceedings in chambers. The Registry comprises various legal counters. It is responsible for the processing, registering and storing records to make them available for court

hearings as well as for inspection by litigants. A civil case can only be commenced in the High Court if the value of claim exceeds \$250,000. Probate matters are commenced in the High Court only if the value of the deceased estate exceeds \$3 million. The High Court generally tries cases concerning offences punishable with death penalty or imprisonment for a term exceeding 10 years and it has the power to impose unlimited punishment as well as a maximum of 24 strokes for canning.

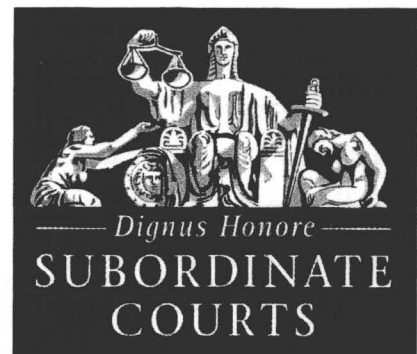
The Subordinate Courts

The Subordinate Courts consist of the District Courts and the Magistrate's Courts which hear both civil and criminal cases. Generally, the District Courts deal with civil claims not exceeding \$250,000. For probate matters, they can deal with cases in which the deceased's estate does not exceed \$3 million. In criminal cases, the maximum sentence that a District judge may impose is 7 years in prison, a fine of \$10,000 and canning of 12 strokes. The Magistrate's Courts have criminal jurisdiction only.

The maximum sentence a magistrate may impose is 2 years in prison, a fine of 2 years and canning of 6 strokes.

Information Technology

Within this legal skeleton, the most striking feature is the use of technology in courts. I was so impressed that the judiciary had put in efforts to electronize



SINGAPORE the administration of justice. Bearing in mind that a user-friendly legal system is very important in the nowadays business world, the judiciary has introduced various technological reforms to assist the smooth operation of business. Their achievements are widely recognised. According to the World Competitiveness Yearbook 1998 by the Switzerland-based International Institute for the Management Development (IMD), Singapore ranks

Understanding the Law in Singapore

Legal System of the 21st Century

second, among the Commonwealth countries, in confidence of the administration of justice in the world, followed by New Zealand, Australia and Hong Kong.

The use of information technology can be seen in the Supreme Court to facilitate the process of trials and filing. I was delighted that the Supreme Court arranged a visit for us into the Technology Court. After walking through the entrance we saw a large screen. Counsels, judges, litigants and the public can look at the screen for the presentation of evidence, summarised arguments of counsels and judges presented in courts and cross-examinations on witnesses. Through the screen and Internet, witnesses may be allowed by the court at its discretion to give evidence through video conferencing. The system is particularly useful to overseas witnesses and victims of sexual offences. The court proceedings can be

digitally recorded by a Computer Based Recording Transcription System. Hi-tech computer systems are available on the seats of the judge and the counsels. This system allows quick referencing to voluminous documents and exhibits by electronic linking. Much time can be saved so that judges can concentrate on



counsel's submissions instead of fumbling through various bundles of paper.

LawNet

The LawNet, which is expanded constantly to increase the types of information services available in the 'Litigation' and 'Legal Research' modules, increases the efficiency of research work for lawyers. Lawyers can now access to the hearing results of the

Court of Appeal cases. The Supreme Court planned to add information services in 1998, namely taxation, probate matters, and the award of damages in cases involving personal injuries and death.

Electronic Filing System (EFS)

The Electronic Filing System (EFS) was officially launched on March 8, 1997. The system allows law firms and other organizations to file documents electronically which have to be filed in paper forms in the Supreme Court. This is the primary service. Previously only the judge could access to the court file but the EFS will enable multiple parties to have simultaneous access to court documents using the additional computer monitors to be installed in the courtrooms and chambers. Three other components of the EFS include the electronic extract service, electronic service of documents and the electronic information service.

Mediation

Apart from all these, the

Understanding the Law in Singapore

Legal System of the 21st Century

Singapore Judiciary also promotes the use of mediation. The Singapore Mediation Centre (SMC) has its origin from the Commercial Mediation Service provided by the Singapore Academy of Law. On 16th August 1997, the SMC was launched as a company limited by guarantee to serve the public. It plays an important role to promote of the concept of mediation and to provide training for mediators. The mediation is court-directed with the judge-mediator playing a proactive role. Mediation is now extended to selected criminal matters relating to interpersonal relationships. This system is successful as only 5% of the

complaints have proceeded further to trial.

Mentioned above are only some of the significant achievements of the Singapore Judiciary. The Singapore Judiciary gave us an impression that they can cope with the changing society by implementing technology into the courts. Programmes like LawNet, Electronic Filing System also need the co-operation and support from the legal profession. It is delightful that some of the legal practitioners are so enthusiastic in incorporating the uses of computers in their profession. I think the Singapore Judiciary is flexible in its administration.

It carried out measures to ensure the smooth running of trials, such as pre-trial conference allowing the counsels and litigation parties to know what is going on and the advice from judges. For family matters, the Family Court introduced a legal clinic which provides free legal advice to eligible parties.

The tour to the Judiciary was inspiring. It reminded me that as an intending legal practitioner in Hong Kong, I should familiarise myself with the information technology so that I can access to the latest information easily. I should be responsive to the changing world as well as the needs of clients.



Understanding the Law in Singapore

Constitutional Law

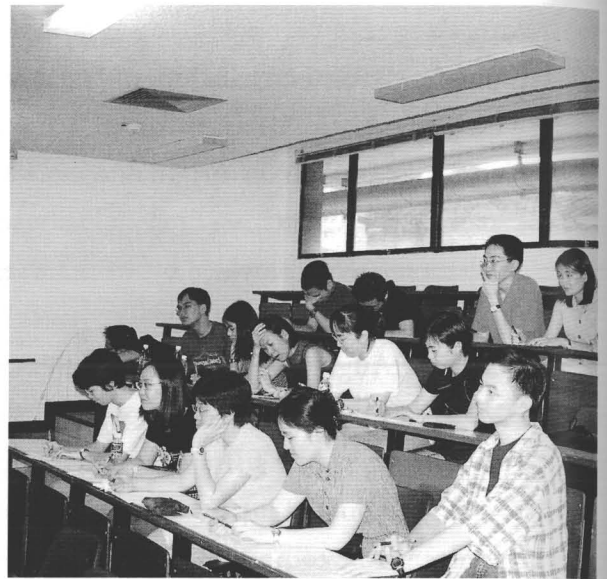
Yeda Hong (III)

On the morning of 10th June, one of our NUS colleagues gave us a brief introduction of the Constitutional Law of Singapore. It was a useful talk for us to get an overview of their Constitutional Law- to learn how it works and to understand the basis of their legal system.

The first Constitution was written in 1946. Since Singapore became independent in 1965, their Constitution has undergone a gradual evolution, as follows:

- 1966 Wee Chong Jin Commission Report came out
- 1969 Setting up of the Singapore judicial system
- 1972 Referendum requirements in surrender of sovereignty inserted
- 1984 Non-Constituency Members of Parliament (NCMP) could occupy 6 seats
- 1988 Group Representative Constituencies (GRC) took 15 seats among 74 Members of Parliament
- 1990 Nominated Members of Parliament (NMP) came up to 9
- 1991 Elected Presidency

There are three sources of Constitutional Law in Singapore: 1) the Republic of Singapore Independence Act, 2) the State Constitution of Singapore and 3) the Constitution of the Federal Republic of Malaysia.



The features of the Constitution are typical: 1) it is formalistic and technical; 2) it specifies the structure and formation of the government, e.g. how the Parliament should be elected; 3) it aspires to the notion of “Separation of Powers” in its outline of the powers and structures of the Legislature, the Executive Branch and the Judiciary. Although the President has much authority in Singapore, the Parliament still retains the veto power if they obtain a two-third resolution.

Many of the fundamental liberties are also guaranteed in the Constitution. It is mentioned in it that all citizens are entitled to personal liberty, equality, freedom of movement, freedom of speech, freedom of assembly and association, freedom of religion and the right to education. Moreover, slavery and forced labour is prohibited, minority rights are ensured, and citizens are protected against retrospective criminal law and repeated trials.

Understanding the Law in Singapore

Overview of Environmental Law

Grace Fung (III)



On 5th June, we attended a seminar with the title 'Overview of Environmental Law in Singapore'. It was given by Professor Lye Lin Heng, a lecturer of NUS specializing in Environmental Law. Singapore has a reputation for its outstanding achievement in conserving the environment and the well-established Environmental Law in the region contributed greatly to it. Therefore it is a valuable opportunity for us to understand more about the principles and mechanisms of how their Environmental Law carries out its functions.

Environmental Law is a broad subject in Singapore and many areas of law are somehow related to certain environmental rules. The earliest law concerning the environment to appear was the Health Law, which dealt with the safety in workplace. As safety was closely linked with the environment in the workplace, Environmental Law in Singapore was gradually developed.

There are three types of instruments used in the Environmental Law: 1) national; 2) international; 3) regional, and emphasis was laid on the national instrument in this seminar. The national instrument includes the Common Law and the local statutory laws. For the Common Law, actions in tort for nuisance, negligence and *Rylands v Fletcher* are applied. However, the Common Law lacks the preventive element because actions can only be taken after destructions have been made. In order to achieve an efficient conservation of the environment, local statutory laws were thus set up as preventive measures.

Local statutory laws can be classified into two main categories, one concerning pollutions and the other concerning nature conservation. The Code of Practice on Pollution Control passed by the Ministry of the Environment deals with all kinds of pollution, namely air pollution, water pollution, marine

pollution, noise pollution, land-based pollution as well as pollution by poisons and dangerous/hazardous substances. Under this Code of Practice there are acts, rules and regulations to monitor the above mentioned types of pollution.

The nature conservation can be divided into five branches: 1) general protection; 2) natural parks and nature reserves; 3) other parks; 4) international trade in endangered species and 5) protection of marine eco-systems. Similarly, acts, rules and orders were passed to deal with these five branches of nature conservation.

Apart from all the rules there are also some "Soft Law" instruments such as The Singapore Green Plan (1992), The Singapore Green Plan Action Programmes (1993) and The Singapore Green Plan Workgroups (1993). Moreover, the government also provides economic incentives through the Income Tax Act (1996) and the Income Tax (Efficient Pollution Control Equipment) Rules (1996). In addition, Singapore has entered into many international and regional agreements concerning the protection of the environment, for example, the Convention for the Protection of the Ozone Layer (Vienna) (1990) and the ASEAN Agreement on the Conservation of Nature & Natural Resources.

At last, Professor Lye Lin Heng stressed that no matter how good the laws are, the environment still could not be freed from destructions if they were not effectively enforced. Therefore a good environmental management system is very important. In Singapore, there are six Ministries under which there are various departments and boards involved in environmental management. The Ministry of the Environment is certainly one of them and it is further branched into more than twenty divisions and departments, dealing with extensive issues on environmental engineering, education and public health, environmental policy and management as well as environmental research.

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Understanding the Law in Singapore

Civil Law

Sabrina Mak (III)

On the morning of 5th June, we were given a seminar on Civil Law by Mr. Gary Bell, a lecturer in NUS. Through this seminar, we learnt about some basic concepts of civil law and the following is an excerpt from the talk.

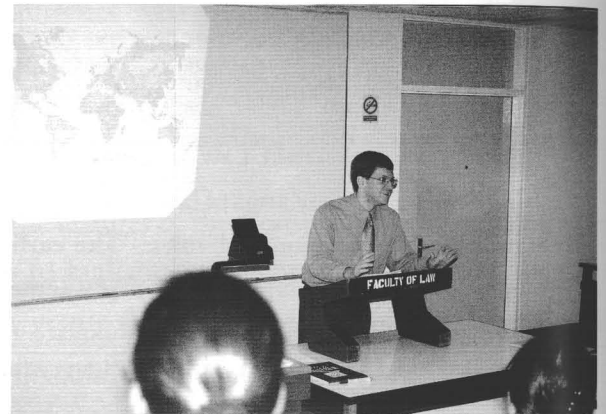
The Common Law system, having been adopted by the UK, Australia, and other Commonwealth countries, is not the only prevalent system for countries firmly obliged to the rule of law. Civil law was also adopted by most European countries except England and Ireland.

There are two traditions in Civil Law: the French and the German; with the latter being purer, more systematic, consistent and organized. In fact, Civil Law originated from Roman law where codification was very important. As a result, The French Civil Code, for example, was codified in 1904, though codification is not the only characteristic of Civil Law.

A noticeable difference between Civil Law and Common Law is the language — most jurisdictions within the Civil Law system do not use English as the official language. Another difference is that as far as contract law is concerned,

there is no need for “consideration” in order to enforce a contract. An advertisement in a newspaper can be regarded as an offer in law. In contrast, under the Common Law system it is only regarded as an invitation to treat.

One significant feature of Civil Law is the absence of the principle of stare decisis. The judges



need not follow decisions of the same court or higher courts on similar cases. Whether this constitutes a demerit in the Civil Law system remains a question. The suitability of adopting the Civil Law system varies from different countries, each with a unique background.

There is an interesting finding saying that Civil Law in some countries actually comes from university professors who decide what the law should be. The judges would readily refer to textbooks in deciding what the law is and these professors act more like legislators who fill up the gaps in the law. However, morality, rather than business efficacy, would be the guideline for the court since Civil Law embodies the notion of justice and rights.



Understanding the Law in Singapore

Alternative Dispute Resolution —

Why people need arbitrators, mediators instead of judge?

Jason Chan (II)

Instead of a formal lecture, the illustration of the situations in which parties may seek alternative dispute resolutions was by a game. The game imitates a model of obligatory market, in which price agreement is common.

The visiting students from Hong Kong were divided into 3 groups. Each group was further divided into 2 corresponding teams (A and B). Team A and Team B of the same group represented the two giant producers of an electronic product in Singapore of which neither were able to monopolize the market. Both producers realized that the price must not be set above \$200 otherwise the customers would turn to purchase imported products and it also must not be lower than \$100 or else they will have no profit. The proportion of profit to price per unit sale is as the table below:

Team A Price	\$200	\$150	\$100
Team B			
\$200	\$35 Profit \$35	\$35 Profit \$25	\$35 Profit \$15
\$150	\$25 Profit \$35	\$25 Profit \$25	\$25 Profit \$15
\$100	\$15 Profit \$35	\$15 Profit \$25	\$15 Profit \$15

The teams could change their prices every month, and in the game there was a total of 8 months. Before the 4th and 7th month, the teams were given a chance to meet and negotiate with their corresponding teams to reach any agreement. To make it more exciting, the profits earned in the 4th and 7th rounds were doubled and tripled respectively.

In one group, both teams declared the lowest price \$100 in all rounds, it was because one of their teams refused to attend the negotiation and they never reached a price agreement. In another group, one team earned much more than the other because team A betrayed team B after the negotiation, setting the lowest price in all rounds while team B showed sincerity and reliability by offering the highest price in all rounds. Both teams of the third groups showed their distrust towards each other by setting a different price from the agreed price after the negotiations.

The first group represented a situation of price war. When both producers showed no trust to the other, both of them will offer the bottom price to avoid customers from being stolen by the other producer. They preferred a minimal profit than letting others gain more than they do. Actually, in this case, the customers are the ones who benefit from the lower purchasing price.

The other two groups demonstrated the reasons that the two producers might intend to negotiate for a price agreement: they both realize that the best situation for both of them would be offering the highest price together. Unfortunately, tempted by short-term profit, one of the producers might break the agreement (especially in high seasons). The other producer would feel betrayed and complained for the loss, further negotiations might be abandoned due to distrust.

Therefore, in the business world, the main reasons for the need of dispute resolutions are:

- (1) to negotiate for an agreement beneficial to both parties in the market under the supervision of a witness that both parties trust;
- (2) to settle complaints on breakage of such agreements and the arrangement of compensation thereof.

Alternative dispute resolutions mean the ways through which parties may settle disputes and claim for compensation other than through litigation. Some common methods include negotiation, mediation and arbitration. Besides lower costs in terms of money and time, the parties can choose a mediator or arbitration or a third person whose proficiency, professional knowledge and experience in the operation of the market in that business are recognized by the parties. They may expect the dispute to be settled in a manner more suitable to the business' real operation than in the courts.

The Singapore Judiciary realized that litigation would not be able to cope with increasing number and diversity of complaints. Therefore, the institutions to carry out mediation were introduced to the legal system of Singapore. It is estimated that a larger proportion of disputes would be settled outside courts in the future.

Understanding Law in Singapore

Correctional Services

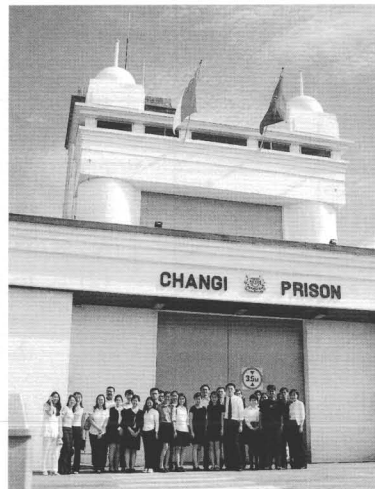
Maggie Chong (II)

Singapore Prisons Department is headed by the Director of Prisons and he is assisted by the Deputy Director, Assistant Director (Administration), Assistant Director (Operations) and Assistant Director (Personnel & Training). The Department is organized according to staff and line functions with each institution and unit responsible for different spectrum of work. Currently the line functions consist of Penal Institutions, Drug Institutions and various Support Units.

PThe Singapore Prisons Department has grown in size and complexity over the years. At present, it administers a total of 17 institutions consisting of 8 penal institutions, 7 Drug Rehabilitation Centres (DRC) and 2 institutions functioning simultaneously as Prison as well as DRC. There are currently about 8,500 prisoners and 7,500 drug inmates.

In pursuing the mission of 'To protect society by ensuring the secure custody of offenders in a humane environment, and to facilitate their return to society as law-abiding citizens by providing rehabilitative opportunities' there are four limbs of the operation philosophy as guidelines:

1. Prisons and Drug Rehabilitation Centres are not holiday resorts, conditions shall be Spartan but not an affront to human dignity.
2. Prisoners are here with us as punishment but not for punishment .
3. Drug inmates are here with us, not as punishment but for treatment and rehabilitation.
4. Every inmate will be given opportunities to change, but more effort will be accorded to those genuinely desirous of changing.



The Singapore Prisons Department does not subscribe to the concept of treatment for criminal behaviour but regards criminal behaviour as a behavioural problem. The criminal is neither a victim of society nor of circumstances and is responsible for the consequences of his action. It must be recognised that other than a rehabilitative role, Prisons also perform the social control functions of

punishment and deterrence. The incarceration of the individual is the punishment he receives for his crime and the deterrence element comes from the regime he has to undergo during incarceration.

The rehabilitation programme for prisoners comprises Work, Education, Physical Training, Religious Counselling and Social Counselling. The inculcation of strong work ethic and discipline to the offender is a major priority of the rehabilitation programme. The ability to hold on to a job will serve as a stable foundation for the reintegration of the offender into society so that he can be a useful, productive and a law-abiding citizen upon his release. Another element is the provision of Education (either academic or vocational) to upgrade the prisoners' educational status and skills. Inmates are provided with the opportunity to acquire degrees and diplomas during their stint in prison.

Physical training and recreational games are arranged to keep inmates healthy and fit. As it is an established fact that religion can play a major role in helping inmates change their errant ways, religious counselling is provided by counsellors from various

Understanding Law in Singapore

Correctional Services

religious organizations. Besides, social counselling is also provided to the inmates by trained officers and individual volunteer counsellors.

In order to have a clearer picture of how the Department carries out its functions, a visit to the Changi Prison, Singapore's maximum security institution, and the Changi Drugs Rehabilitation Centre was organized on 8th June.

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Before our arrival, at Singapore's maximum security institution, the general conception of Changi Prison was that it was clean and spacious; like the rest of Singapore. However, the interior was to prove very different from what it looked like from the outside. After a half-hour briefing by the Superintendent, we were first taken to the cells housing the prisoners. There were cells open for our viewing and despite my great curiosity, I was rather reluctant to go inside because of the stench. Inside, rather to our surprise, five to six prisoners were to share an unfurnished cell no larger than my own room. Mattresses were cluttered on the floor and the walls were pale and bare.

We then proceeded to a narrow room with a raised platform at one extreme upon which laid a table and several

chairs. At the other extreme stood an odd-looking frame with a dummy attached to it. Shortly, a burly guard entered with a handful of wooden rods. Before long, a mock-canning demonstration was conducted for us. It was an extremely disturbing experience for all of us especially when we think back on the gushing of the wind with every strike of the cane. According to the Superintendent, he has full discretion as to the amount (up



to 7 at most) and frequency of punishment a trouble prisoner may receive. That might explain the high degree of discipline among prisoners of Changi Prison.

The workplace and the kitchen of Changi Prison are similar to that of Stanley Prison. There was however, a wider selection of food to choose from since there are prisoners of different race and religion in Singapore (in Hong Kong, the

Melissa Chim (II)



vast majority of the population, and thus, the prisoners, are Chinese).

After our tour of the prison, we were taken to the Changi Drug Rehabilitation Center situated next to the Prison. We had the privilege of watching the detainees march before us in the courtyard and to tour their bunks. The smell there was far worse than in the prison and the conditions more crowded. One cell was to be shared among eight people (True) with barely any room left for doing anything else but sleep. The officer in charge of taking us about had the sense of humour enough to lock us all up in one of the cells for a considerable duration.

All in all, both places were enlightening and the tour, educational. One thing I've learnt is that the nauseous stench that hung throughout Changi Prison and Changi Drug Rehabilitation Center alone would have been enough in itself to deter one from breaching the law in Singapore.

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Legal Profession

BAKER & MCKENZIE

The Academy of Law

Baker & McKenzie

Khattar Wong & Partners

ADVOCATES & SOLICITORS

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Legal Profession

Visit to the Academy of Law

Philips Wong (II)

On the morning of 8th June, we all dressed up for our visit to the Singapore Academy of Law with an expectation of understanding a legal organisation which we don't have in Hong Kong. We were told that the Academy is an organisation for the whole legal profession in Singapore, and its members include not only lawyers but also judges, teaching staff of the Law Faculty of NUS, and literally anyone whose occupation is related to law. We were so eager to know more about it: what functions it serves and who runs the organisation? (In Hong Kong, solicitors run the Law Society and barristers run the Bar Association) We headed for the Academy with many questions in mind.

We were delighted to be warmly received by some members of the Executive Committee as well as other committees of the Academy. Through their introduction, we soon understood more about the Academy's structure and operation. It is a statutory body set up in 1988 under the Singapore Academy of Law Act (Chapter 294A, Revised Edition 1989) ('the SAL Act').

It was observed that in the United Kingdom, there were Inns of Court which also served as places for judges, lawyers, academics and law students to gather together and share their experiences with one another. Such institutions had similarly enabled junior lawyers to socialise with senior lawyers and to learn from the latter's rich experiences. As such facilities were not available in Singapore, the SAL Act was passed to create the Academy as an institution for

continuing legal education and to take up the role of providing a place where judges, lawyers, academics and law students could meet informally with one another.

The Academy is composed of the Senate, the Executive Committee and 9 committees. They are the Library & Publications Committee, the Committee on Legal Education & studies, the Law Reform Committee, the Endowment Committee, the House & Social Committee, the Professional Affairs Committee, the Board of Commissioners for Oaths & Notaries Public, the Board of Legal Education and the LawNet Management Committee.



In November 1995, the SAL Act was amended to enable the SAL to play a wider role. As the members of the Academy comprise judges, lawyers, state counsels, academics and people interested in the law and the legal system, the Academy was in a strategic position to strike a balance between the competing interests of its members and the public.

At present, there is no such academy for the whole legal profession in Hong Kong, where the legal profession is branched and each division is monitored by its own organisation. Together with other visits to law firms, courts etc., it is obvious that although both practise the common law, there are still many differences between the legal fields in Hong Kong and Singapore due to different backgrounds and situations. It is important for us to learn from another legal jurisdiction and improve our own according to the changing needs of society.

Legal Profession

Visits to Law Firms

Jennifer Cheung (II)

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Unlike Hong Kong and the United Kingdom, where the legal profession is branched into that of barristers and solicitors, Singapore has a fused legal profession. Our visits were to two prestigious law firms within the territory: Baker & McKenzie and Khattar Wong & Partners. This provided us with a golden opportunity to acquire a deeper understanding of the legal practice in Singapore, as well as a greater appreciation of the practical application and management of a fused legal profession.

Visit to Baker & McKenzie

As one of the pre-eminent multinational firms in the world, Baker & McKenzie currently operates from more than 50 offices in over 30 jurisdictions around the world. The Singapore office, established in 1981, has rapidly flourished into the largest international law firm in Singapore, forming an integral part of the legal service infrastructure of the country. It is also a key office of the Baker & McKenzie network in Asia. At present, it comprises of over 30 lawyers, practising English, American, Malaysian and Australian law. As many of them have worked in other offices of the firm, their experiences enable them to bring a fresh perspective to both international and domestic assignments. Since Baker & McKenzie does not practice Singapore law, they work closely with their associated Singapore law firm (Wong & Leow, which shares their offices), in domestic matters.

Our visit commenced with a warm and welcoming tea reception in their conference room and after a brief introduction, we got the chance to chat and mingle with different legal personalities, ranging from pupils to legal experts. Through lively and interesting conversations, we gained a deeper understanding of the Singaporean legal profession.

Topics discussed varied from queries on different specialities in law to study skills and tips. Students found

the training programme offered to summer students and trainee lawyers at Baker & McKenzie most impressive. On the other hand, most of us were enchanted by the inspiring talk we had with a Hong Kong lawyer who had been practising there for some years. While we updated her with news of the HKU law faculty, she shared with us her school life during her years of study at HKU. Aside from that, she also shared with us her working experience in Hong Kong. When asked to compare and contrast the lifestyle and work of a Hong Kong lawyer with that of a Singapore lawyer, she pointed out that one of the major differences lies in the smaller scope of conveyancing practice in Singapore owing to the different social and economic circumstances. She also suggested that when compared to Hong Kong, working in Singapore is less stressful; however, there are significant differences in terms of economic return and social status.

Our visit there ended with a short tour around the firm. The Baker & McKenzie office consists of two levels in one of the most prestigious buildings within the Singapore Central Business District. Apart from the large collection of books in their library, we were most impressed by their new conference room not only for its spectacular view overlooking the CBD and the Singapore river, but also for its modern equipment in information technology, such as video conferencing, to enhance communication between offices around the globe.

The visit to Baker & McKenzie was a memorable and enlightening experience to all of us. We learnt about the international aspect of the legal practice in Singapore, an important financial centre in the world, and gained greater knowledge of a foreign common law jurisdiction, which enables us to acquire a broader understanding of the concepts and practices in our own study of the common law.

Visits to Law Firms

Jennifer Cheung (II)

Visit to Khattar Wong & Partners

Khattar Wong & Partners is one of the largest local law firms in Singapore. Since its founding in 1974, the firm has grown steadily into a regional and multidisciplinary practice. The Khattar Wong group currently operates from five regional offices located in Singapore, Malaysia and Hong Kong. Its international connections extend to more than 20 affiliate law firms in over 15 foreign jurisdictions around the world.

Their scope of practice lies mainly in commercial law in the region of East and Southeast Asia. The main office in Singapore has a team of over 100 lawyers who are capable of communicating effectively in a number of languages and South East Asian dialects. They also include qualified practitioners from China, Hong Kong, Indonesia and Malaysia to assist clients in their transactions in those major financial centres in the region.

We were received with a very cordial welcome at their office late in the afternoon on the 9th June. At their conference room, we were introduced to managers of their key practice groups followed by a briefing on the historical development of the firm. After the introductory session, we got the chance to chat with distinguished lawyers and legal experts in different areas of law during a tea reception. We were very much inspired by our conversation with a legal consultant from Beijing who had been teaching as a professor in several prestigious law schools in China before his retirement. He has close links with Hong Kong due to family relations and his field of study. Sharing with us his views on Hong Kong's future development in its legal and political field, he suggested that Hong Kong lawyers would serve as an

important bridge in maintaining a relationship between other countries and mainland China. Therefore, he advised Hong Kong law students to equip themselves by acquiring good language skills and keeping abreast of legal development in China in order to get well prepared for this challenging mission.

Another interesting experience we had at Khattar Wong & Partners was the meeting with several foreign summer students who were on exchange from overseas affiliate legal firms. Through our chats we learnt more about the fused legal profession in other common law jurisdictions such as Australia and Canada. Our interaction with a German student was indeed a very enlightening one. Apart from comparing the study and practice of the common law with that of the civil law, she also told us about several special phenomena within the legal profession in Germany, for example, the deeply rooted traditional value of male lawyers over female lawyers.

When it was near the end of our visit, we had a tour around the firm. The office is located on the 25th floor of a prestigious business tower at Raffles Place, the city centre of Singapore, and was specially designed for its multidisciplinary practice by situating the library in the middle. As we left the building at a slow pace, we saw gleaming rays penetrating the facade falling onto timber flooring of the interior. The tower stood out from the rest of Singapore's renowned skyscrapers and basked in the warmth of the setting sun, awaiting night-time to fall.

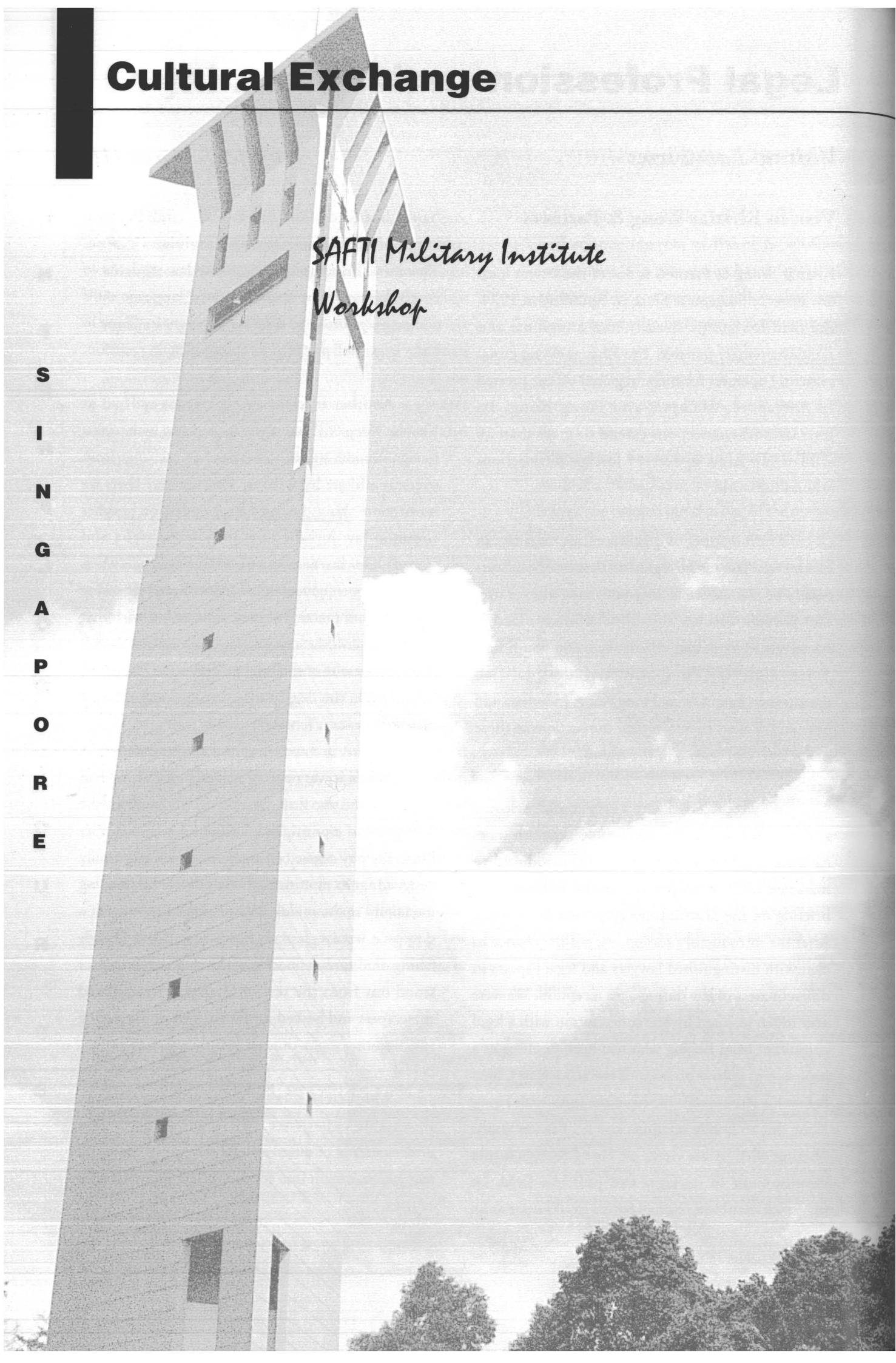
Our visit to Khattar Wong & Partners was an invaluable experience. We acquired a broader understanding of different legal systems in the world and gained insight into the multidisciplinary practice of laws.

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Cultural Exchange

*SAFTI Military Institute
Workshop*

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Cultural Exchange

Visit to the SAFTI Military Institute

Carol Yin (II)

SAFTI Military Institute is the place where male citizens of Singapore were trained for the Armed Forces during their military service. Singaporean guys sure would not find this place where they had spent the toughest days in life interesting for a visit, but the rest of us, including Singaporean girls and especially Hong Kong guys, were extremely excited!

When we got off the coach at the huge entrance, we found ourselves standing in the middle of a spacious land under the sun shining bright. It was totally different from our imagination. The place was clean and all the buildings in sight were like museums, we looked around with wide-opened eyes — this is where soldiers are trained. We took some photos then walked to the general office where we received the warmest welcome by a senior staff. He first showed us a video of the brief history of Singapore as well as the SAFTI, then the model of the whole Military Institute, preparing us for our ready-to-go short tour.

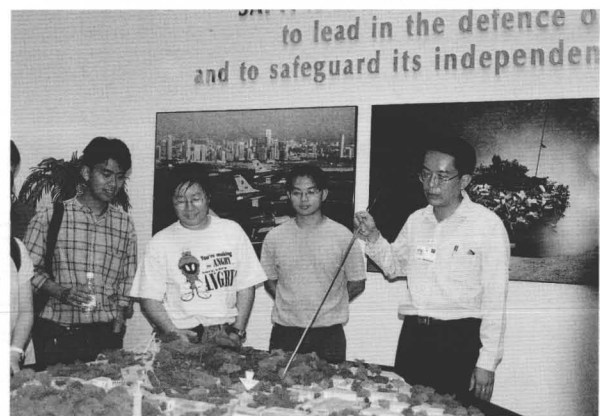
“To develop a corps of SAF officers to lead in the defense of Singapore and to safeguard its independence and sovereignty” is the mission of SAFTI Military Institute. It derives its name from the former Singapore Armed Forces Training Institute whose acronym SAFTI became a household word amongst Singaporeans in the years following its establishment on 14th February 1966 at Pasir Laba Camp. The new military institute, which was officially opened on 25th August 1995, retained the acronym SAFTI as a kind of linkage with the old SAFTI.

Today, SAFTI Military Institute conducts courses for the education and training of officers from the Army, Navy and Air Force (Tri-Service Training). This is done at three main levels as represented by the Officer Cadet School, the SAF advanced Schools, and the Singapore Command and Staff College (Tri-Level Training). Closely supporting the schools in their education and training missions are the Instructional Technology Center (and its Computer-Aided Instruction, video production and instructional methodology components), the Military History Branch and the SAFTI Library.

All the buildings in SAFTI are very far apart, we

had to go from one place to another by coach for each visit, however, on the way, we often saw young soldiers marching from here to there despite the immense heat of the sun. We went up a sky-high tower (none of our gentlemen dared to reach the top by running up the stairs instead of taking the lift) where we could view almost the entire Singapore. We stopped by several spots such as the hall where the soldiers have their initiation ceremony and the more than fully-equipped library. We visited the residence of the young soldiers and the arsenal where real guns, bombs and other weapons were stored. All of us were so amazed! We don't have military service in Hong Kong and all the guys had never even touched a real gun before, whereas in Singapore almost every young man has to join the army for military service.

Our visit ended with an exchange of souvenirs in a splendid dining hall where we could see decorations and things ready for some kind of functions. We were then



Model of SAFTI Military Institute.

told that a matching party would be held that night. The party is an annual function for those tough young soldiers to get to know ladies, it sounds so interesting but unfortunately we did not have that chance to join. Being a colony before 1997 and a special administrative region after, military matters are never to be concerned by us Hong Kong citizens. Our visit to SAFTI Military Institute, a place where male Singaporeans are trained to defend their own country against external threat, a symbol of patriotism, did provoke us to think more deeply about our identity as Chinese.

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Cultural Exchange

Workshop

Homosexuality

In Singapore, it is a criminal offence to be involved in any homosexual activity even with the consensus of both adults and in the privacy of one's home. According to the criminal code, the police have authority to search a house if they suspect that there is homosexual activity being conducted within and to confiscate what may be used as evidence against the accused.

A point of interest is the prominence given to social order over a person's individual right of privacy which stands in contravention to the International Covenant on the Individual's and Political rights. It may be in the public's best interest that society's peace should be kept at the expense of an individual's right to privacy. However, the question still remains: Does homosexual activity conducted in the privacy of one's home constitute a threat to society's peace and justify state intervention of the kind found in Singapore?

Reasons in favour of the notion have been put forward such as the minimizing of deviants from the social norm, curbing the spread of AIDS and STDs, deterrence of homosexuality showing society's non-acceptance but all arguments seem to root primarily from the people's general conservatism.

Singaporeans are reputed to be more orderly as a result of the strict regulation by the government. It seems no surprise therefore that homosexuals should fall under the close scrutiny of the state because of their relative unfamiliarity to the people and the many rumoured problems that might be generated. In contrast, Hong Kong people are more open to this Western concept, evident in the greater number of gay bars, support groups and even a joint university society concerned with homosexuals. Despite the fact that there is a more widespread acceptance of homosexuality in Hong Kong, there are still similar provisions in our law concerning homosexual activities.

Whether or not one thinks that criminalizing homosexual activities and invading an individual's privacy rights may be justified on the grounds of social order varies with different people. Perhaps then, legislation has to be reviewed at times to conform to the changing conditions of society.

Traffic System

We found roads in Singapore much wider than that in Hong Kong. As for the public transport we believe that there is a greater variety in Hong Kong. For example there are Mass Transit Railway, Kowloon-Canton Railway, Light Rail Transit,



Tram, Star Ferry, buses, minibuses, taxis in Hong Kong whereas in Singapore, there are Mass Rapid Transit, buses, ferry to Sentosa, taxi and shuttle buses.

Moreover, one significant difference is that the road scheme in Hong Kong is far less mandatory. In Singapore, there is an Electronic Pricing System and during peak hours, no taxis or cars carrying less than four persons can enter the Central Business District. We concluded that on the whole, Hong Kong government directs traffic by building extensive infrastructure like tunnels and highways, and by providing more alternative public transports whereas the Singapore government does so by imposing strict measures to reduce the number of vehicles on the roads.

Cultural Exchange

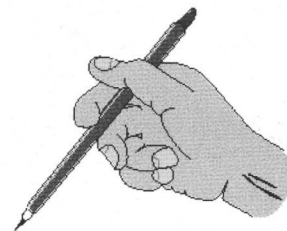
Workshop

Criminal Law on Provocation

After comparing the criminal law on provocation in Singapore and Hong Kong, we observed certain differences between the two. The main difference is that principles of provocation in Singapore are codified in the Penal Code, cases, especially English ones, were seldom referred to. Whereas in Hong Kong, principles of provocation mostly came from English and Hong Kong cases in the past.

Another difference is that when deciding whether a defence of provocation can be established, Hong Kong courts, following the precedents, apply both the objective test and the subjective test. However, Singapore courts usually apply the objective test only. The *Abluwalia* case and *Luc Thiet Thuan v R* were used to illustrate the two tests and the battered woman syndrome. The subjective test is to decide whether the provocative words or conduct have actually caused

in the defendant a sudden or temporary loss of self-control that led him to commit the crime. The objective test is to decide whether the provocative words or conduct might have caused a reasonable man to suffer such a loss of self-control and to behave as the defendant did.



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Customary Law

Chinese law and custom, though mostly abolished in the year 1971, still plays an important role in the law of modern Hong Kong. In fact, the existence of customary law in Hong Kong was, to a large extent, the promise of the early colonial government, as a means of showing respect and approval to the customs and formalities of the indigenous inhabitants of the New Territories. It was merely an agreement between the government and the villagers of the New Territories. On the other hand, its existence in Singapore is ratified by the urge for racial harmony in order to preserve the diversified nature of the community.

In Hong Kong, customary law mainly applies to the inheritance of land for the inhabitants of the

New Territories, which involves the granting of a special right to a privileged class. This is the right of the male to inherit land from his ancestors. Females are deprived of such a right. Apparently, this has led to many controversies and debates throughout the territory as to whether such right is compatible with the notion of equality between the 2 sexes nowadays.

Whereas in Singapore, the most predominant form of customary law that exists today is that of the Muslim or Islamic law. The Singapore judicial system incorporated a Syariah Court in order to handle Islamic matters. The reason for the existence of the Syariah court is to facilitate the administration of Muslim affairs. For instance, the Islamic laws on divorce are different from that of the local laws (statutory or otherwise).

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Sightseeing and Social Activities

Formal Dinner

The formal dinner provided us with a precious opportunity to mingle with the teaching staff as well as students of the Faculty of Law, NUS. The Dean of the Faculty delivered an enlightening speech and afterwards our Chairman gave a brief introduction of the HKU Law Association.

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Associate Professor Chin Tet Yung — Dean of the Faculty of Law, NUS.



Selwyn Chan — Chairman of the HKU Law Association.



Spot the Goddess!



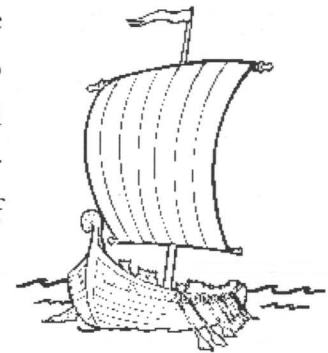
Enjoying the mealz

Sightseeing and Social Activities

Both Boat Quays

Melissa Chim (II)

Like matchbox houses lazing the time away by the cool of the Singapore River, Boat Quay is innocently cozy by day and a colourful contrast to the neighbouring skyscrapers and historical landmarks. As the sun sets and life drains from the CBD, the pulse of Boat Quay thickens and the trailblazer of exotic pubs, jazzy bars, alternative and high end dining light the bank of the river and carries on into the small hours of morning.



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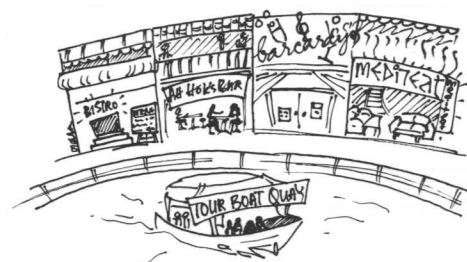
The Riot at Boat Quay

My first taste of Boat Quay came in the form of a Flaming Lamborghini that a friend had dared me to drink. At the wake of our visit, Boat Quay had seemed to me to be a snazzier version of our own Lan Kwai Fong that glided snake-like along the water's edge rather than uphill. The pub that we went to was a dark, sinister and deafening place that I would call barren (or was I supposed to have found it artistically minimalistic?). After the Flaming, Boat Quay became an amusement park with Christmas lights shouting into my face and intoxicating drinks, conversations and music running through the air. I have my friend to thank for giving me a glimpse into the surreal dimension of Singapore's nightlife and although the hangover was a nightmare (I'll save you the gory details), Boat Quay only grew to be more mysterious and more of a challenge to me. I was so ready for another go.

The Sleepy Haven

My next visit turned out to be completely different from what I had anticipated. Having gone with half a heart to get drunk again, I ended up on the balcony of a quiet Mediterranean bistro looking upon the bustling riverside. My friend and I chatted comfortably over the soft music and the bouncing candlelight about everything. What I was most thankful for was the big comfortable chairs that swallowed the whole of me and the many polite people who waited on us — I could have sat there for eternity — or at least downstairs on one of those grand sofas of the wine cellar far from the worries that plagued me.

As I left Boat Quay that night, there was a confused feeling of belonging coupled with a longing to always be there. I knew that it would be some time till my next riot as my stay in Singapore was coming to an end, but I was contented enough having met both the removed Boat Quay and his evil twin. As for the many other faces of Boat Quay that I have yet to discover, all I can say is that I am so ready for another go.



Sightseeing and Social Activities

Civic Tour

In order to acquaint us with the history and culture of Singapore, one of our NUS friends, Tan Choon Leng, had specially arranged a civic tour for us. We visited many must-see historic and tourist spots where Tan told us stories about the places. All this provided us with an insight into the cultural fabric of Singapore society.

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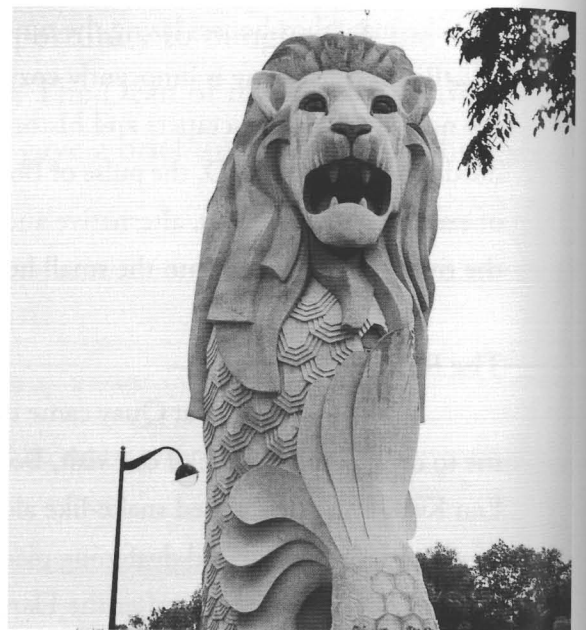
Parliament House

Once a stately colonial mansion built in 1827, the Parliament House is Singapore's oldest government building. Now it is the home of Singapore's democratically elected Parliament. Visitors to the stately building are greeted by a bronze elephant statue, a gift from King Chulalongkorn of Siam in 1871.



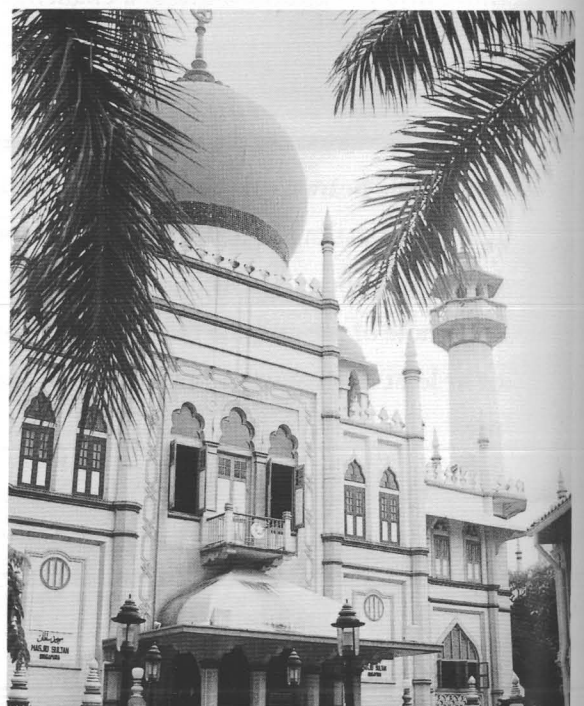
Supreme Court

One of the finest buildings ever built during the British Rule of Singapore — the Supreme Court, opened in 1939 as the first stage of a grand design to replace the Parliament House, the Victoria Theatre and the Singapore Cricket Club. However, World War II intervened and the plan was unfortunately, shelved.



Merlion Park

Merlion is the symbol of Singapore, and is a mythical beast said to be half lion, half fish. The eight-metre high Merlion statue stands guard at the mouth of the Singapore River.

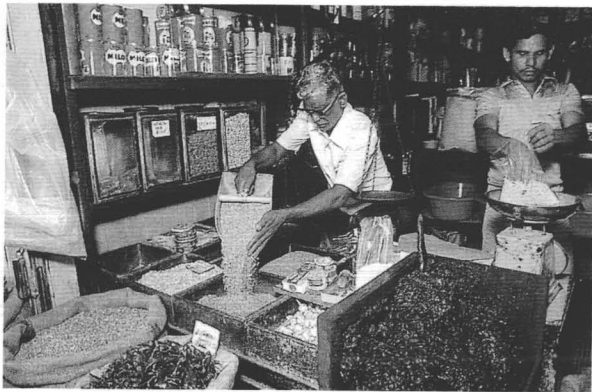


Sultan Mosque

With its massive golden dome and huge prayer hall, the Sultan Mosque is one of Singapore's most imposing religious buildings and the focal point of Muslim Singapore. The mosque, designed by Denis Santry, was built in 1928. We also went to two historic Muslim burial grounds nearby where the guide told us interesting stories about the Mosque.

Sightseeing and Social Activities

Civic Tour, Night Safari and Sentosa



Little India

We had an interesting short tour guided by Anand around Little India — a testimony to the nation's rich ethnic, cultural and historical heritage. We could find religious monuments as well as quaint shophouses selling bolts of glittering silks, temple garlands, gold jewellery, silverware, brassware and a selection of food in the spice-scented streets. The Hindu religion plays an important part in the life of the Indian community, we visited two Hindu Temples in the area and Tan told us tales behind those sculptures and statues of gods and goddesses. Afterwards we had a delicious meal in a prominent Indian restaurant for lunch.



Night Safari

There are over 110 exotic species of animals in 8 zones that recreate various geographic regions like the Southeast Asian rainforest, African savanna, Nepalese River valley, South American pampas and Burmese jungle. After a leisurely tram-ride we started our exciting adventure along several walking trails where we could see animals engaging in their night lives — prowling, hunting, feeding and playing at a close distance.



Chijmes

CHIJMES, formerly the Convent of the Holy Infant Jesus (CHIJ), has now been meticulously restored and converted into food and beverage outlets, a multi-purpose function hall and an art gallery interspersed with ample outdoor spaces and courtyards, cloistered walls and long covered walkways.



Sentosa

Being a theme island in Singapore, Sentosa offers both entertainment and education. Upon our arrival we immediately jumped into the Monorail which provided a scenic ride around the island. We then visited the Asian Village, Fort Siloso, Musical Fountain and Images of Singapore. It was a pity that there was so much for us to discover yet the time was too short.

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Sightseeing and Social Activities

Kranji War Memorial

Carol Yin (II)

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When we arrived at the beautifully landscaped grounds of the Kranji War Memorial, we were all pleasantly surprised. The environment was very clean and green, it inspired an inner peace in us and also reminded us of the respect that we should show towards the place — the graveyard of the Allied troops who sacrificed their lives in the battle for Singapore during World War II.



To me, it also serves as a reminder as to how destructive a war could be in that so many precious human lives were sacrificed.

We spent about half an hour there, walking around the place and listening to the stories about the war told by our guide—. We then took a couple of pictures and headed on to our next destination with peace in our hearts.

The whole grassy area of the park was covered by thousands of tombstones and on the top of the slope, stood a huge pillar on which a brief introduction of the place was engraved. There were also places where all the memorial's walls were inscribed with the names of those who died in the war. In actual fact, most of the bodies of those who sacrificed were never found, but the Singapore government set up the park as a memorial after the war. Their citizens as well as tourists can visit the place once in a while to pay their respects for the country heroes.



Sightseeing and Social Activities

Singaporean Cuisine

Melissa Chim (II)

At the heart of Asia Minor, Singapore is *the* place to go if one wanted a taste of Asian food. Not only are the local dishes mouth-watering, Singapore also boasts a wide selection of food from across the continent and beyond.

Among the many Singaporean dishes, the most impressive would be the Singaporean Laksa. Unlike Penang Laksa, the former is a delectable meal of noodles in a mild curry soup. Chicken rice



Hurry up and take the picture! WE WANNA EAT!

people are fanatic over 'Singaporean style fried bee hoon', no one seemed able to find such a dish when we actually got to Singapore.

Apart from local food, we were also able to find Western food, Chinese

extremely spicy and those that was flamingly hot. The comforting part was that all were given a glass of lime water to sooth our throats. Aside from Indian cuisine, the Cantonese restaurant at Novotel was absolutely astounding. The dim sum and the various dishes that were presented before our eyes were intricately designed and prepared ñ so much so that we were quite reluctant to gobble it down.



Guess whether it is 'not extremely spicy' or 'flamingly hot'?

in Singapore is nothing like that found in Hong Kong — lean and tasty chicken meat coupled with rice specially cooked in chicken broth make a perfect combination and leaves the tongue longing for more. The funny thing though was that despite the fact that Hong Kong

food, Hokkien food, Indian food, Malaysian and Indonesian food but to name a few. On one occasion, we were taken to a prominent Indian restaurant in Little India. The curry there was the very best that we had ever had — there was curry that was not

The selection of fruits in Singapore was most eye-opening. All sorts of fruit and even those that weren't available at the time in Hong Kong could be found all over fruit stalls in Singapore — making a fine balance between the spicy dishes and the refreshing aftermeal-desserts.

Reflections

Our Afterthoughts

Never have I thought of spending 8 days on a local trip in Hong Kong the place where I have lived for over 20 years!

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My friends and I joined the Hong Kong trip of the Interflow Tour '98 this summer. We were responsible for receiving law students from Singapore and Japan. The objectives of the tour was twofold to show Hong Kong to the overseas participants and to introduce them to our legal system.

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Eight days is perhaps a bit too long for a Hongkonger to "visit" Hong Kong but time just flies when you are travelling with people who are extremely great to be with. Our overseas guests were all cheerful, outspoken and full of humour. It was always easy for us to join in their conversations and they showed keen interest in knowing more about Hong Kong. There were precious moments of discussions on legal topics of interest in different countries; for example, we exchanged thoughts on the development of human rights in Hong Kong after 1997.

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Except for the legal talks which Hong Kong participants found the content to be familiar, they were very satisfied with the programme. To me, this tour was certainly a successful one for not only did it bring law students from different nations together, thereby fostering both academic and cultural exchange, but it also nurtured friendships among the participants.

Bearing in mind the scene of the participants busy exchanging email addresses and taking photos on the last day of the trip, I am confident that our friendships will continue to flourish in the future.

Sharon Ng (PCLL)

As soon as the tour started, I was amazed because everything was perfectly organized. It was far from my expectations and I was comfortable all the time during the tour. I didn't expect Hong Kong people to pick guests up at the airport by coach because it would never happen in Japan (it's very expensive to charter a coach). Having our own coach to go to the Chinese University of Hong Kong or to go to the Stanley Prison was easy, comfortable, and lots of fun. All the transportation was secure and on time, so it was good that we didn't have to wait and hang around for other transportation and waste time.

I truly enjoyed the programmes. I say this because during the limited time, we covered lots of places but yet the schedule was not too tight. We visited must-see legal places: Courts, law firms, and government organizations such as the prison and the ICAC. As for the Legal Talks and Workshop, it was a great experience to both hear informative talks and to share thoughts and stories through discussions. I thought it was a good idea to visit two law firms because if I'd visited only one firm, I would have gone home with a blinkered view. One of the best parts was that we had enough free time. I had enough time to shop and visit museums.

Our association, the Asian Law Students' Association, has only been established for a relatively short period of time; we were born in December 1996. Therefore, I was very surprised to hear that the Law Association has about thirty years of history. The variety of your association's functions such as Sports Activities, publication of Law Media, and Stock Sales also surprised me. So

Reflections

Our Afterthoughts

far we have only organized social visits, legal talks, and study trips. I think we have lots of things to learn from you, so I have shared my experiences and ideas that I gained from you with ALSA people after I came back to Japan. It sure will help us grow in the future.

In conclusion, it was very nice to know wonderful people from the University of Hong Kong and the National University of Singapore. It was a memorable trip and I would like to thank the Law Association very much for having me.

Miho Ishizuka

Long has it been for the members of the Law Association to actually take part in any exchange programme with students outside the territory. This year, the unique chance of participating and enduring the process of organizing a 18-day-tour for the Singapore-Hong Kong Trip was indeed a remarkable experience for all of us.

To me, interflow activities are of utmost importance as people from different regions get the valuable chance to meet each other. During the short stay, they get to talk about worldwide issues, meet the people of that area, explore the indigenous culture and also get to see around the place with its many fascinating landmark spots.

As law students, one of our many aims for an Interflow Tour is to get to learn about the legal

system and its role in the society. The prospects of lawyers together with the current legal issues are also topics of interest. We are also concerned whether there is rule of law and the implementation of equality of every man before the law. It is only in this way that we get to compare our situations with that of the other countries and thus give us a basis for evaluating our own systems.

The Interflow Tour in June successfully achieved its aim in providing a marvellous opportunity for us to pick up some insights into both the situations in Hong Kong and Singapore. Though being both common law systems in nature, we found that circumstances varied as we had perceived. This is evident especially during the past year as there appears to be increasing disputes in constitutional matters and the common law which has produced significant changes in our laws. Contrary to my belief, the Singapore trip gave me a newer and better impression of the country as I previously thought that the place was encircled by rules which would restrict much, if not whole, freedom of the people. However, through my observations, I found that people still enjoys freedom in many areas.

As part of one's tertiary education, I find it appropriate to encompass exchanging activities so that one may not only develop a sense of awareness to local affairs but may also be alert of the ever-changing issues in the areas around him or her. These two aspects are what I think are lacking in Hong Kong students at the moment.

Selwyn Chan (II)

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Our Afterthoughts

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It was such a fruitful month! When I was preparing for the academic activities of the Hong Kong trip, which was the first part of the Interflow Tour '98, I always wondered how smart the Singaporean law students were as for what kind of programme we should design. Would they find talks and seminars boring? Would they participate actively in the workshop? Were they coming over to Hong Kong for leisure, shopping rather than learning?

A thousand questions lingered in my head but it turned out that all these worries were redundant. The visiting law students were brilliant and extremely inquisitive. They were attentive in all the programmes we provided and they thought, questioned and responded critically with clear minds. Their attitude was a most admirable one which Hong Kong students should learn from.

The Singapore trip was also an excellent experience too. The combination of education and fun in that nine days was so wonderful that I was totally fascinated by this joyful journey. Visiting the courts, law firms and prison, I understood how the Singaporean legal system runs; Attending the workshops and seminars, I knew more about her society and culture; Playing around in Sentosa, Night Safari and Boat Quay, I experienced how Singaporeans spend their leisure. Moreover, the Singaporeans' familiarity of the country's history also impressed me very much.

Apart from all the knowledge that I have gained, the friendship we cultivated during the Interflow Tour '98 was what I treasured most. They were all so nice! I could never forget the last night we stayed in NUS — we were watching World Cup while two of the Singaporean friends went out silently to buy local food for us at almost 1a.m! Their warmest hospitality will last forever in my mind.

Yeda Hong (III)

Featured as an appealing, dynamic and energetic metropolitan city in TV commercials, Singapore did not differentiate itself from other modern cities in my perception. However, the uniqueness of the Lion City was revealed to me through my recent experience with the Interflow Tour '98.

I remember wandering in the Singapore National Museum and weaving through the 3D models



featuring historical events. They sent me on a trip to the past and I saw Singapore evolve through all its different phases- from a British Colony to an independent state; from the Japanese Occupation to the Unification and subsequent Separation from the Malaysian Commonwealth. I learnt to appreciate the special brand of courage, determination and stamina shown by Singaporeans as they fought for a better future.

Another admirable Singaporean attribute is their multiculturalism. I could experience their diversified yet blended culture everywhere. For example, in the People's Park Complex in China Town, sounds of familiar Cantonese dialects from all around relieved me of homesickness. Stepping into Little India, I was transplanted into Hindu territory and scents of the spices permeated the streets. In the splendid Temple of Sri Srinivasa, tales of gods and goddesses were illustrated on the sculptures and wall paintings whilst I found the peaceful murmurs of prayers in the background calming to my soul. Continuing my exploration, I moved on to the Arab Street and took a fascinating glimpse at the Arab way of life. Finally the day ended with an enchanting musical performance at Chijmes down the Orchard Road. That's how inspiring a day in the Lion City could be!

Daniel Tang (II)

Reflections

Our Afterthoughts

As I didn't take up any summer jobs after the examinations and had been staying at home with nothing to do, I looked forward to the Singapore trip with great expectations. I arrived at the airport on time on the day of departure, but to my great disappointment, I was informed at the check-in counter that my passport had expired! I didn't check my passport beforehand as I took it for granted that there wouldn't be such a problem. I felt so frustrated! The only thing that I could do then was to go back home, collect all the necessary documents, rush to The British Consulate and beg them for a prompt renewal of my passport. I thought that getting my new passport would take several days or even a week, but surprisingly, I got it within an hour! Due to the assistance from the helpful staff in the British Consulate, I managed to leave for Singapore the next day.

To me, friendship was the most important thing that I gained from this trip. Not only was I able to meet new Singaporean friends, but also had the chance to get to know some of my schoolmates better. We stayed up all night playing cards, telling ghost stories and chatting. I really treasure those precious moments.

The trip was really interesting. We visited a lot of places the Changi Prison and Drugs Rehabilitation Centre, the SAFTI Military Institute, the courts etc. to name a few. I really enjoyed myself there and hope that there will be similar interflow trips in the future.

Carmen Kwok (II)

What a wonderful tour! In the Hong Kong trip of the Interflow Tour '98, I made a lot of new friends with the visiting students from Singapore and Japan. In doing so, I learnt more about the legal and education system as well as the culture of their countries.

What impressed me most? The workshop was the most interesting part of the programme. We were all like sponges absorbing a lot of information from talks, visits and other activities before but had nowhere to express opinions. The workshop provided us with an opportunity to discuss different social and cultural issues and in the meantime foster mutual communication and interaction. Before we might know that the status of women in Asia is relatively low due to traditional values but not how it is reflected by real situations in life. After the workshop we came to understand more — in Hong Kong and Singapore, we have had women legislators for over a decade whereas in Japan there is only one up to that moment and that she had encountered many extra obstacles before reaching that post. We then understood how lucky we are to be women in Hong Kong and Singapore.

Another funny thing I discovered from the trip is the difference in culture. Chinese like to eat roasted pigeon because of its delicious flavour, however, when our guest from Japan, Miho, learnt that what she was chewing was pigeon she was stunned and immediately threw it up! Miho explained to us afterwards that to the Japanese, pigeon symbolizes peace so they don't kill pigeons, not to mention cooking them for supper. This experience has vividly illustrated to all of us one of the many cultural differences between the two places.

All in all, the tour has achieved its aims of widening students' horizon and enriching our university life satisfactorily. I enjoyed it very much and think it is worth organizing.

Michelle Liu (III)

Reflections

Our Afterthoughts

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When the preparations for this mutual exchange got underway, the Law Students' International Relations Committee 97/98 was very excited. It was only after months of preparation and frantic emailing, when the Singapore contingent of 14 left for Hong Kong on the 20th May.

Our purposes for this trip, inter alia, were to learn about the changes (or the lack thereof) after the '97 Handover as well as to foster stronger bonds with our HK counterparts. We were greeted with a wondrously warm welcome and till, the end, we were constantly in hospitable and gracious company.

Throughout the 9 days, the participants were given a fantastic tour of Hong Kong, ranging from shopping through the streets, to a cruise out into the Hong Kong Harbour. We also visited Deacons, Graham and James and were warmly received in Johnson, Stokes and Master two of the largest law firms in Hong Kong. The academic talks never failed to interest and educate us, especially the seminars on Human Rights by the learned Assistant Professor Johannes Man-Mun Chan and on Constitutional Law by Mr. Benny Tai. It was

also a great honour to have met Professor Albert Chen, Dean of the Faculty of Law, the University of Hong Kong. We were also privileged to view the first Legislative Council Election in the HKSAR on the 24th May.

We were truly fortunate to meet with such a friendly and jovial bunch of students, who had provided endless entertainment and fun. Though we are all Chinese (save for Anand and Anita), our cultures and lives are vastly different. It was really a great learning experience for all of us.

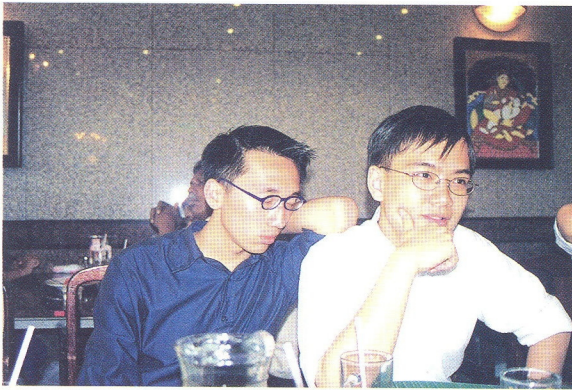
On behalf of the LSIRC and the Law Club, I would like to thank all the students from The University of Hong Kong, especially those who had organized the trip and the Final Year students, who took time off from their busy schedules to show us around. There was a clear bond that was fostered after both trips had taken place and I am certain that these ties would prove useful for the future generations of Law students in both universities.

Lee Shu-Chern (Chairman of the Law Students' International Relations Committee, Law Club of NUS)

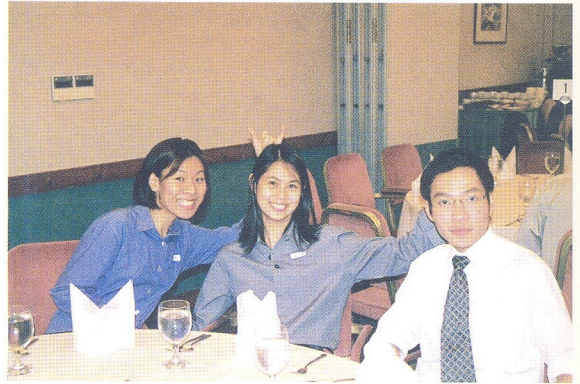


Snapshots

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Thomas: "There seems to be a weight upon my back – I seriously wonder what it could be..."



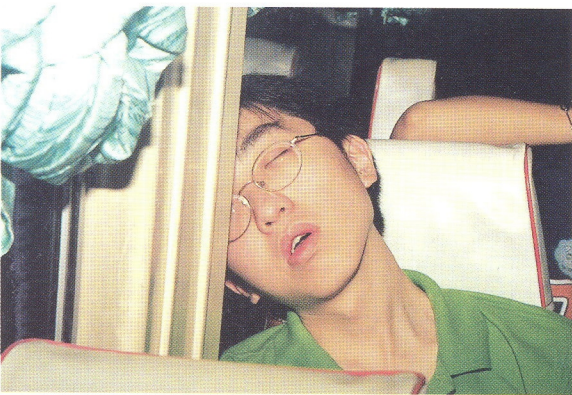
*Jacky: "At such a solemn occasion, I must be at my best!"
Chloe: "Can you see the horns? Can you see the horns?"
Melissa: "Yup! They're here!"*



"Come on girls! Let's hide Johnny!"



Everyone takes a picture with the outside world before they are hauled off to the prison

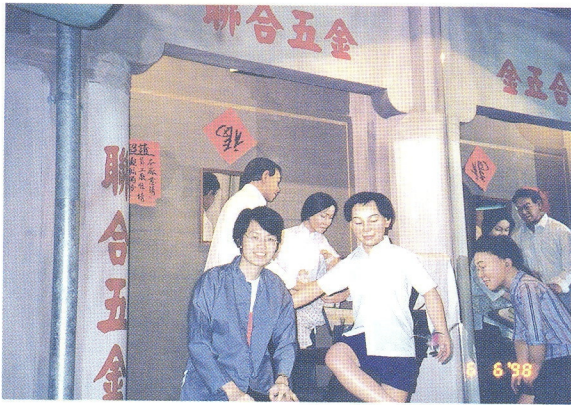


Dribble Dribble Dribble



Let us out! We are innocent!

Snapshots



Guess how many REAL people are there in the picture.



"Au, is there a mosquito bite? Here, let me help you."



Let's take a picture before the lecture continues.



Three men fighting for a beauty.



A big hand for Edwin's great performance!



Give me five!

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We would like to express our sincere gratitude to the following individuals and organizations for sponsoring the Interflow Tour '98:

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Mr. Martin Lee S.C.
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Acknowledgements

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The End

