

# Courtroom Experience

## 體驗法庭運作

High-school students hear some court cases and learn about the different paths to a legal career  
 高中生旁聽法院聆訊，並了解投身法律界的不同途徑

**What actually happens in a court of law during a hearing? A group of students from Marymount Secondary School found out on a visit to the Eastern Magistrates' Court on 6 July, arranged as part of the Chamber's Business School Partnership Programme.**

The visit was led by Nicholas Chan, Partner at Squire Patton Boggs. Before the group entered the court, Chan gave students an overview of courtroom etiquette, including not using their phones, and bowing to the front of court when entering or leaving.

The Magistrates' Court tries a wide range of less serious cases, which are heard without a jury. In general, the maximum sentence for these cases is two years' imprisonment and a fine of HK\$100,000.

During their visit, the students heard the cases of several minor offences, including theft, common assault, and possession of duty-unpaid cigarettes and dangerous drugs. The students were surprised to see that these straightforward cases can be settled within minutes. They also heard a more complex case where the defendant was accused of conspiracy to defraud, which was transferred to the District Court.



After the court hearings, Chan spoke to the students about the Hong Kong legal system and explained some basic concepts such as the differences between common law and civil law.

He also explained the key differences between barristers, who defend their clients in court, and solicitors, who perform the majority of their work outside the court, such as providing legal advice and drafting legal documents. Since the two professions require different skill sets and qualities, Chan advised that students consider their strengths and personality when considering which path to take. He added that barristers need to have the discipline to manage their own work as most of them are self-employed.

Chan also explained that the rapid development of technology had

created new legal issues, and stressed that it is important for lawyers to have multidisciplinary knowledge and to pay attention to changing trends. Although Chan is a lawyer, he has a background in computer science.

He also explained how the legal profession, like so many others, was moving to digital. In Mainland China, for example, the judiciary is increasingly making use of technology.

"With internet courts such as the 'China Mobile Micro Court' on the WeChat app, court proceedings have been able to continue even during the Covid pandemic," Chan explained.

Seven law students who were interning at Squire Patton Boggs also shared their experiences with the visiting BSP students.

Some of the high-school students said they were worried they would not get the grades required to study law at university. However, there are other pathways to a legal career, the interns explained. Students can transfer from other courses, and can also do a law conversion course after graduating in a non-law discipline.

The interns also encouraged the school students to participate in mock trials. This will give them some basic legal knowledge and allow them to get a feel for whether court careers suit them.

One of the interns, Julian Chan, a graduate from the Law School at Durham University, starts his Postgraduate Certificate in Laws this year. In the U.K., Bachelor's degree courses generally take three years to complete. Chan said that the term-time workload was one lecture and around four to five tutorials per week. While this may not seem intense, class time is only one part of the course, and students are expected to do a considerable amount of independent reading, research and study.

The BSP students also learnt that studying law cultivates logical reasoning and critical thinking skills, and will help them develop the ability to analyze issues and propose solutions. So besides preparing students for a legal career, these transferrable skills can also open doors to a diverse range of career possibilities.

### 法庭聆訊的實際情況如何？瑪利曼中學的學生在 7 月 6 日參與總商會「商校交流計劃」的考察活動，透過參觀東區裁判法院，親身了解聆訊的程序。

是次活動由翰宇國際律師事務所合夥人陳曉峰帶領。在進入法院前，他首先向學生簡介法院禮儀，包括不得使用手提電話，以及在進入或離開法庭時向法官鞠躬。

裁判法院負責審理各類案情較輕的案件，通常不設陪審團。裁判法院的最高刑罰一般為監禁 2 年和罰款 10 萬港元。

參觀期間，學生旁聽多宗涉及輕微罪行的案件，包括盜竊、普通襲擊及管有未完稅香煙和危險藥物等。這類簡單直接的案件可在數分鐘內結案，令一班同學感到驚訝。她們還旁聽一宗案情較複雜的案件，被告被控串謀詐騙，案件最終移交區域法院審理。

法院聆訊結束後，陳曉峰向學生介紹香港的法律制度，並解釋基本法律概念，例如普通法及民事法的差異。

他還剖析大律師和事務律師的主要分別，前者代表當事人出庭辯護，而後者主要從事法庭以外的事務，包括提供法律意見和草擬法律文件等。鑒於兩個專業範疇要求的技能和特質有所不同，

陳曉峰建議學生選擇發展方向時應考慮自身的強項和個性。他補充，大律師大多為自僱人士，講求自律性，能夠管理好各項工作。

他講解科技迅速發展如何造成新的法律問題，又強調律師需掌握跨領域知識，以及留意不斷轉變的趨勢。陳曉峰除了具備律師資格，亦擁有電腦科學背景。

他表示各行各業現正進行數碼轉型，法律專業亦不例外。舉例說，中國內地的司法機關日漸應用科技。

陳曉峰解釋：「透過開設微信『中國移動微法院』等網上法庭，法院程序在疫情下仍能繼續進行。」

此外，七位在翰宇國際律師事務所實習的法律系學生向參與「商校交流計劃」的學生分享體驗。

有學生表示擔心未能符合入讀大學法律系的成績要求。實習生解釋，除此之外還有其他投身法律事業的途徑，例如轉系或修讀為非法律系畢業生而設的法學轉制課程。

實習生還鼓勵高中生參與模擬法庭比賽，從中學習基本法律知識，並了解法律專業是否適合自己。

其中一位實習生陳上義是杜倫大學法學院畢業生，今年開始修讀法學專業證書課程。他表示英國學士學位課程一般需時三年完成，學期內每周有一節講課及四至五節導修課，課業似乎不太繁重，但課堂時間只是課程的一部分，學生需投入大量時間自習，包括閱讀參考資料、研究和複習。

同學亦了解到修讀法律課程能培養邏輯推理和批判思考技能，並有助提升分析和解難能力。因此，除了為法律事業做好準備，學生也能運用這些通用技能，把握廣泛的事業發展機會。

