

12th Inauguration Ceremony of the Advocacy and Mooting Society

Faculty of Law, The University of Hong Kong

25 March 2013 (Mon)

Speech by the Honourable Mr Justice Tang PJ

1. I thought I might share my experience with you. When I was a student at University of Birmingham, we were encouraged to take part in moots in the 2nd year of a 3 year course. The 2nd year was a more relaxed year because about 10 or so % of students dropped out after the 1st year and we were the survivors and the finals were in the 3rd year.

2. The 2nd year was a good idea because of the preparation time required for mooting. I don't exaggerate when I tell you I spent more than 2 weeks preparing for each moot. The time was well spent because otherwise as a student one would not think about a legal problem in such depth. Mooting gives one an opportunity to cover a problem in depth. That's good training, especially for those who have in mind the Bar as a career. But, don't get discouraged if you think you have not done well. Real life is easier. The facts and the law in real cases are easier and you don't have to condense your argument into 20 or so minutes. So in real life, you have time to

develop your arguments. On the other hand, if you do well in mootings you will have nothing to fear in the law as a career. So spread the news and get as many students to participate as you can.

3. I will also say a few words about advocacy. The key of success is preparation. Few people can argue a case or make a speech without good preparation. Even for these few they will do better with preparation. Just ask yourself if you believe the Shakespeare, the Hemingway, you read was a first draft. It is notorious that Hemingway re-wrote his draft every day. Full preparation is essential for good advocacy. So, careful revision is essential. The only limit to one's preparation should be the time available.

4. My experience of all the best advocates I have worked with is that their submissions were all written out in advance. That does not mean that they will just read out their script but it means their words were chosen carefully. The impact of a submission depends on the language and arranging the ideas in the right order.

5. One tip to improve your advocacy. Do a précis of each case you cite. Reading the headnotes can be tedious. A good précis followed by the passage you want to cite will put your advocacy on a higher plane.

6. I hope you will not think this is too daunting. I am the first to accept, to do is not the same as knowing what to do. And too often, I cannot do what I preach. But, it is right to aim high, knowing only too well that one will fall short.

7. So enjoy your mootings, it is fun and it is more important than you think.