

NEWSLETTER

Westlaw Student Representatives 2015-2016:

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Welcome back to the second semester of school! May we wish all of you the very best in your upcoming studies, and a happy Lunar New Year!

As Westlaw Student Representatives, we have prepared this newsletter to update all of you with our NEW mass training and research clinic sessions on Westlaw in the coming semester.



Upcoming Events - What's in Store for You?

Mass Training Sessions

FEB 24TH | **APR 6TH**
3:30-5:30PM | **1:30-3:30PM**

Do you have trouble doing legal research? Come to the mass training sessions, held by your Westlaw Student Representatives! The mass training sessions will introduce basic and sophisticated research skills in Westlaw Asia and WestlawNext, so that both beginner and advanced Westlaw users can benefit. The mass training sessions will begin with an intensive workshop demonstration, followed by interactive activities where participants are given the opportunity to utilize their newfound skills in conducting various research tasks. There will be a total of three mass training sessions held in the coming semester, with each session designed to tailor the needs of a specific LLB cohort based on their syllabus. Free gifts will be distributed to all participants.

Weekly Research Clinic

APRIL | **COMPUTER ROOM,**
5TH - 25TH | **1/F LAW LIBRARY**

WSR	Mon	Wed	Thu
Wilson	1-2pm		
Chloe		11-12pm	
Erica			3:30-4:30pm

If you want to learn or refresh the basics of Westlaw searching, come to the research clinic open weekly at the computer room of the Law Library. Basic research skills will be demonstrated, followed by a personal Q&A session where your specific research needs and questions can be met and answered.

CASE LAW UPDATES

Constitutional and Administrative Law

**ZN v Secretary for Justice,
HCAL 15/2015, 13 November
2015, CFI (Zervos J); [2016] 1
HKLRD 174**

PHRASES

Courts and judicial system - judges - recusal - hearing of application for judicial review involving issue of human trafficking - whether judge to be recused by reason of positive stance he took in combating human trafficking when he was Director of Public Prosecutions - application for recusal by Government should be rare and made only in most obvious cases - no real possibility of apparent bias

APPLICATION

This was an application by the respondents, namely the Secretary for Justice, the Director of Immigration, the Commissioner of Police and the Commissioner for Labour seeking that the Judge dealing with a judicial review recuse himself because of the stance he had taken when he was the Director of Public Prosecutions.

Company Law

**G Ltd, HCCW 318/2015, 4 November 2015, CFI (Harris J);
[2016] 1 HKLRD 167**

PHRASES

Company law - winding-up - petition - foreign company - approach to appropriate jurisdiction - Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap.32) s.327 Company law - liquidation - foreign company - Hong Kong court empowered at common law to recognise and assist foreign liquidators

APPLICATION

This was an application by the petitioner to wind up a foreign company listed in Hong Kong and the early hearing of an application to appoint provisional liquidators.

Tort Law

**Hung Sau Fung v Lai Ping Wai,
CACV 240/2011, CA (Cheung
CJHC, Lam V-P and Chu JA);
[2016] 1 HKLRD 106**

PHRASES

Tort - negligence - causation and remoteness - sick role - injured plaintiff adopted sick role but not malingering - plaintiff's personality caused him to adopt sick role and accident had not changed his personality - accident had not adversely affected his personality - not "thin skull" case - defendant not liable for losses flowing from sick role Damages (Personal injuries or death) - feet - crush injury - fractured big, second and third right toes - residual pain and stiffness in foot - post-traumatic stress disorder - adoption of sick role - 29-year-old apprentice vehicle mechanic

APPEAL

This was an appeal by the plaintiff in a personal injury action against the defendants, Lai Ping Wai and Wu Kwai Ming Danny, formerly trading in partnership in the name of Elegant Motors Service Co, in respect of damages awarded by Bharwaney J on 7 November 2011 (see [2012] 1 HKLRD 1)



Westlaw Searching SKILLS

Do you have difficulty searching cases or other legal materials on Westlaw? The following tips may help you to find what you are looking for quicker:

1. Go to the tab directly.

You will see a search box right after you log in to your Westlaw account. However, if you are certain about the nature of material you are going to search, you can go to the specific tab on the upper part of the page. This can effectively limit your search to a certain part of the Westlaw database.

3. Use logical connectors wisely.

It is not always the case that you will have a particular case in mind. You may be undergoing a research or doing a general analysis on an area of law. Here, logical connectors will be very helpful. A very important connector will be the **quotation marks " "**. If you put a phrase inside the quotation marks, the system will only return those documents where the search terms appeared in the exact same order in those documents. Another useful connector is the **percentage sign (%)**. % means "but not", so if you search "taxation % income", the system will return all results with the word "taxation" but not the word "income". This may be slightly risky in excluding useful documents, but is definitely a useful connector to refine your search if you are searching for a less prominent area of law.

2. Use different search boxes.

This is especially true when you are searching for cases. Instead of typing broad terms in the "free text" search box, try the other ones. For instance, if you have the citation of a particular case with you, just type the citation in the "citation" search box.

Even if you don't have the citation but have the party names, you should try to put the party names in the "party names" search box. If you typed them in the "free text" search box, it will basically return all cases that cited the case. Take *Donoghue v Stevenson* as an example; the "free text" search will result in at least 1,376 cases, while the "party names" search will only result in 2 cases: one of them is what you want.

Content

☒ Last 90 Days ☐ Arch

Free Text

"taxation" % "income"

Subject/Keyword

List of Terms

4. Use special symbols to expand your search.

As most of you may know, asterisk (*) stands for universal character (or wildcard). For example, beg*n will return documents with terms begin, began and begun.

Exclamation mark (!) is a root expander which can help you search for words with multiple endings. For example, object! will return documents with terms object, objected, objection, objecting and objectionable.

