

Honorary Fellow A Citation

Professor Mike McConville, LLB, PhD

If they are to flourish, societies everywhere need a sense of fairness: the sense that everyone is treated in the same way by social institutions, and that every individual has the same opportunity to be heard, treated with respect and afforded a measure of dignity. Nothing is more important to this sense of fairness than the rule of law, which means not just having laws but applying them. A fair application of a fair rule of law can go a long way all by itself to actually creating equality and respect for persons in any society.

As the child of an impoverished Irish family growing up in Wales, Mike McConville was aware from an early age of the meaning of social unfairness. It is no coincidence that he has dedicated his professional life as a socio-legal scholar to the principles of fairness and social justice. On them rests all his work in legal aid and assistance, plea-bargaining, trial by jury and legal history.

Professor McConville was the first member of his family to go to university; his degrees were from the University of London and Nottingham University. His career developed at the Universities of Birmingham and of Warwick, through Lecturer, Senior Lecturer and Reader positions to eventual Professorial appointments. At Warwick he later assumed for 10 years the role of Director of the Legal Research Institute as well as becoming for eight years Chair of the School of Law. The prestigious Walter E Meyer Research Professorship of Law at New York University happened along the way.

All this has the familiar appearance of many an academic career, if in this case an unusually successful one. But Professor McConville's deepest beliefs and values could never be fully captured by a mere listing of academic appointments. His 1977 co-authored book *Negotiated Justice* focused on the rights of individuals within the criminal justice system in England—and also, of course, in Wales. The book won the Cobden Trust Human Rights Award in 1978. The Trust, now called the Civil Liberties Trust, was originally named after the distinguished nineteenth-century British reforming statesman Richard Cobden, and is the supporting charity behind Britain's National Council for Civil Liberties, now called simply Liberty. The book displayed the two qualities always characteristic of Professor McConville's work: its scholarly or empirical thoroughness, and its passion for social justice. The award recognized both qualities, and both qualities are on display in all his other work on the British criminal justice system, including, notably, his research on black defendants.

Many other research projects followed, driven by the same value commitments and beliefs. The Walter Meyer project, for example, involved research into the provision of defence services for "indigent" or impoverished defendants, and resulted in a far-reaching reform of the legal advice system in New York, as well as a book and other research on the political background to the rise of plea bargaining. In 1996-97 Professor McConville was the leader of a team funded by the European Union which reviewed the dysfunctional criminal justice system in the impoverished African state of Malawi, following the overthrow of the dictator Dr Hastings Banda. The resultant study established a blueprint for reform and led to large-scale development projects in the country, and indeed to the

reconstruction of the whole legal system, thus contributing substantially to a wider community sense of fairness. Professor McConville has also undertaken important research projects leading to legal and human rights reform in other countries such as Turkey, Latvia and Peru. Outside academia he has long been active as a patron and founder member of the UK charitable organization called "Victims' Voice", which was established to protect the rights of victims and survivors of crime through the criminal justice system. He was also later to serve as a member of the Law Reform Commission of Hong Kong from 2002 to 2008.

With such a distinguished track record, indeed, it was our good fortune in Hong Kong that Professor McConville took up the position of Dean of the School of Law at the City University of Hong Kong in 2001. It was our even better fortune at this University that he became Founding Director of the then School of Law in 2005, going on to become Founding Dean of Law when the School attained Faculty status in 2008. Professor McConville brought years of administrative and fund-raising talent and experience to this role; he has been an especially successful creator of self-financing programmes. But beyond that he has brought the same visionary and innovative enthusiasm to university institution building and assembling teams of academics as he has to social institutions and assembling research teams. This University has been the beneficiary of both of these enthusiasms equally. We now have one of Hong Kong's best and most successful Law Schools, now in its fine new home in the Lee Shau Kee Building, devoted to Professor McConville's fundamental principles of maintaining the rule of law and protecting the rights of individuals.

Long before coming to Hong Kong, Professor McConville had already developed an interest in criminal procedure in China, and this eventually led in 2011 to the publication of perhaps his most significant work to date, *Criminal Justice in China: An Empirical Inquiry*. The book is the outcome of many years of ground-breaking empirical research in China, starting in 1994 at a conference on the reform of the Code of Criminal Procedure, followed by the development of a large research team. From 2002 onwards came the pioneering field investigation of Chinese criminal courts in action. The widely-acclaimed outcome of this largest and most systematic empirical inquiry ever undertaken into the Chinese justice system has been called a "breathtaking" and "tremendous" research effort, showing how social, economic and political transformations in China over the last half-century have influenced the practice of criminal justice in the country.

From his childhood experiences of social unfairness in the small community of Wales to this major investigation into the criminal justice system of the largest country in the world, Professor McConville has remained true to his fundamental beliefs in fairness and respect for the individual, and has sought throughout his career to see those values realized in systems of justice across the world. For this reason, and for his significant contribution to this university, Mr Chairman, it is my privilege to present to you Professor Mike McConville, legal scholar, university leader and champion of human rights in the field of criminal justice, for the award of an Honorary Fellowship of the University.