

23 June 2001

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Legal Policy Division  
Department of Justice  
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(Fax No. 21809928)

Dear Mr Scott,

Proposed amendments to the Crimes Ordinance (cap.200)  
Marital Rape and Related Sexual Offences

Thank you for copying to me your letter to the LegCo Panel on Administration of Justice and Legal Services dated 21 June 2001.

I am of the view that the proposed amendments are to be supported. However, in view of the proposed definition of 'unlawful sexual intercourse' and the principle of affording equal protection to marital victims in relation to sexual offences, I would further like to propose that the reference to 'with whom that person may not have lawful sexual intercourse' in s.117(1A)(b) be deleted in order that unlawful sexual acts other than unlawful sexual intercourse – namely, buggery and gross indecency – may be equally applicable to marital and non-marital victims.

Yours sincerely,

Sin Wai Man  
Lecturer

c.c.	Clerk to the AJLS Panel	25099055
	(Attn: Mrs Percy Ma)	
	Hong Kong Bar Association	28690189
	(Attn: Mr Michael Lunn S.C.)	
	The Law Society of Hong Kong	28450387
	(Attn: Mr Patrick Moss)	
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	(Attn: Ms Robyn Emerton)	