



THE

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**LAW SOCIETY**  
OF HONG KONG  
香港律師會

Practitioners Affairs

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CB2/PL/WS

29 December 2008

**President**  
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Lester G. Huang  
黃嘉純

Mr. Chris Lai  
for Clerk to Panel  
Legislative Council Building  
8 Jackson Road, Central, Hong Kong

**Vice-Presidents**  
副會長  
Wong Kwai Huen  
王桂壘  
Junius K.Y. Ho  
何君堯

Dear Mr. Lai,

**Re: Panel on Welfare Services  
Special Meeting on 10 January 2009**

**Council Members**  
理事

Peter C.L. Lo  
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Michael J. Lintern-Smith  
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蘇紹聰  
Angela W.Y. Lee  
李慧賢

I refer to your letter dated 11 December 2008 in connection with the captioned matter.

The Law Society published its Report on the Domestic Violence Ordinance ("DVO") in December 2005 which included discussion of the topic "*Who Can Apply*" and "*Who is Protected*" and inter alia made the following recommendation:

**"Same Sex Couples**

The Law Society notes that other jurisdictions, notably England and Wales, Ontario and New Zealand provide protection for existing and former cohabitants in same sex relationships. This issue is likely to be controversial in Hong Kong as there is no legal recognition of '*same sex marital relationships/partnerships*'. Article 25 of the Basic Law states: "*All Hong Kong residents shall be equal before the law*".

**The Law Society recommends that protection should be extended to same sex couples as failure to do so would be discriminatory."**

The Law Society supports the proposal to amend the DVO to extend cover to cohabitants of the same sex.

The Law Society will not be sending any representatives to the Panel meeting on 10 January 2009.

Yours sincerely,

Joyce Wong  
Director of Practitioners Affairs  
e-mail: dpa@hklawsoc.org.hk

**Secretary General**  
秘書長  
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何志強

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