

總幹事

王 姬 麗



Grace S. Wong
Administrator

Ref: CAT1/Corr 44/12 IX

By Fax: 2868 1552 & By Post

25th May 2012

Secretary of Security Bureau,
Security Bureau,
9/F East Wing, Central Government Offices,
2 Tim Mei Avenue
Tamar, Hong Kong.

For the attention: Mr. Chow Wing Hang, Prin AS (Security) D

Dear Mr. Chow,

Immigration (Amendment) Bill 2011

I refer to your letter of 25 May 2012 and would put on record that the tele-conversation of 22 May 2012 mentioned in your said letter was between your goodself and our Chief Court Liaison Officer Mr. Johnson Hau in which Mr. Hau has informed you that all matters touching on the new Bill are now being looked after by the Joint Legal Profession Working Group.

Whilst we have the same appreciation and gratitude to your Bureau for all your understanding of our view points on the operational level and also your support to our enhanced efforts and service to our claimants in their torture claims under our system of law and due administration of justice which is for both the public good and our mutual benefit.

Having said that we regrettably cannot agree with the contents of your said letter due to our data and statistics recorded in the course of the last two years when the Duty Lawyer Service bears the carriage of the implementation of the CAT Scheme and as the operator for assigning legal representation to these CAT claimants as required by the law.

At the meeting of the Bills Committee on 21 November 2011 which was attended by Mr. Joseph Li for the Law Society and Mr. Kumar Ramanathan SC for the Bar. It was recorded that Mr. Li had clearly stated that "*the average processing time of 48 days for submission of completed torture claim form was*

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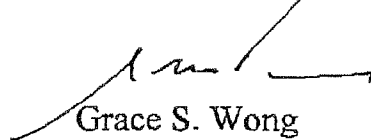


the record in the past two months. However, the average processing time was close to 80 days in the past two years. The Administration should therefore consider seriously whether 28 days was sufficient for completing a questionnaire”.

The Duty Lawyer Service current statistics supports our contention that the proposed time limit of 28 days would be unrealistic and impracticable to carry out by the realistic situation on the ground.

We have been providing data and information of our operation to the Joint Legal Profession Working Group which is the proper forum to deal with your Bureau on matters of public policy. The consensus of the legislative debate will no doubt be implemented as far as practicable by the Duty Lawyer Service CAT Scheme office.

Yours sincerely,



Grace S. Wong
Administrator

c.c. Clerk to Bills Committee

(Attn.: Mrs Sharon Tong, PCS(2) of Fax No.: 2509 9055)