

**HONG KONG HUMAN RIGHTS MONITOR**

Room 603, 18-20 Lyndhurst Terrace, Car Po Commercial Building,  
Central, Hong Kong.

Phone: (852) 2811-4488 Fax: (852) 2802-6012

Email: [hkhrm@hknet.com](mailto:hkhrm@hknet.com) Website: <http://hkhrm.org.hk>

**Submission to the Bills Committee on Evidence  
(Amendment) Bill 1999**

**20 April 2000**

1. The Hong Kong Human Rights Monitor is not opposed to this bill which, if passed, will abolish certain statutory requirements that require evidence of sexual offences be corroborated and also the rule of practice that operates independently of statute that requires a judge to warn himself or a jury of the danger of acting on uncorroborated evidence in other cases where there is an offence of a sexual nature.
2. However, Human Rights Monitor hopes that the Administration can demonstrate that abolition of these requirements will in no way impede a judge from giving such warning to himself or a jury that he or she considers appropriate in a case which, but for this bill, a warning about the danger of uncorroborated evidence would have to have been given. (It is accepted that such warning need not necessarily revive the former requirement and the legal technicalities that accompanied it.)
3. Human Rights Monitor understands that lawyers oppose the bill. It is obviously right to heed their views which will be based on practical experience. In this connection it would be instructive to know more about the situation in England & Wales where, we understand, the mandatory requirement to warn was abolished about 6 years ago. Are the judges there directing juries to be especially careful when dealing with the testimony of a victim of a sex offence? If they are, how do they do it without resurrecting the old rules?