

立法會

Legislative Council

LC Paper No. CB(4)103/18-19

(These minutes have been
cleared with the Chairman)

Ref : CB4/PL/AJLS

Panel on Administration of Justice and Legal Services

Minutes of meeting

**held on Thursday, 11 October 2018, at 7:00 pm
in Conference Room 1 of the Legislative Council Complex**

Members present : Dr Hon Priscilla LEUNG Mei-fun, SBS, JP (Chairman)
Hon Dennis KWOK Wing-hang (Deputy Chairman)
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Kin-por, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon YIU Si-wing, BBS
Hon CHAN Chi-chuen
Hon CHAN Han-pan, BBS, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon KWOK Wai-keung, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon Holden CHOW Ho-ding
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Hon CHAN Chun-ying, JP
Hon CHEUNG Kwok-kwan, JP
Hon LUK Chung-hung, JP
Hon Kenneth LAU Ip-keung, BBS, MH, JP

Hon Vincent CHENG Wing-shun, MH
Hon Tony TSE Wai-chuen, BBS

Members absent : Hon James TO Kun-sun
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHU Hoi-dick
Hon HUI Chi-fung

Clerk in attendance : Mr Lemuel WOO
Chief Council Secretary (4)6

Staff in attendance : Mr Matthew LOO
Assistant Secretary General 4

Mr YICK Wing-kin
Senior Assistant Legal Adviser 2

Ms Macy NG
Senior Council Secretary (4)6

Miss Katherine CHAN
Council Secretary (4)6

Miss Winnie CHENG
Senior Legislative Assistant (4)1

Ms Carmen HO
Senior Legislative Assistant (4)2

Miss Emma CHEUNG
Senior Legislative Assistant (4)3

Ms Emily LIU
Legislative Assistant (4)6

Miss Ariel SHUM
Clerical Assistant (4)6

I. Election of Chairman and Deputy Chairman

Election of Chairman

Dr Priscilla LEUNG, the incumbent Chairman, presided over the election and called for nominations for the chairmanship of the Panel on Administration of Justice and Legal Services ("the AJLS Panel") for the 2018-2019 session. Mr Vincent CHENG nominated Dr Priscilla LEUNG and Ir Dr LO Wai-kwok seconded the nomination. Dr LEUNG accepted the nomination. As Dr Priscilla LEUNG was nominated, Mr Dennis KWOK, the incumbent Deputy Chairman, presided over the election of the chairmanship of the AJLS Panel. As there was no other nomination, Mr KWOK declared Dr Priscilla LEUNG elected as Chairman of the AJLS Panel for the 2018-2019 session.

Election of Deputy Chairman

2. Dr Priscilla LEUNG, the elected Chairman, presided over the election and called for nominations for the deputy chairmanship of the AJLS Panel. Mr Alvin YEUNG nominated Mr Dennis KWOK and Mr CHAN Chi-chuen seconded the nomination. Mr KWOK accepted the nomination. As there was no other nomination, the Chairman declared Mr Dennis KWOK elected as Deputy Chairman of the AJLS Panel for the 2018-2019 session.

II. Schedule of meetings for the 2018-2019 session

3. Members noted the proposed schedule of regular meetings for the AJLS Panel which was tabled at the meeting. They agreed that the monthly regular meetings of the AJLS Panel for the 2018-2019 session would be held on the fourth Monday of each month at 4:30 pm except for October 2018, December 2018, April 2019 and July 2019, which would be held on 29 October 2018, 19 December 2018, 29 April 2019 and 17 July 2019 respectively at 4:30 pm.

(Post-meeting note: The policy briefing cum meeting in October 2018 was scheduled for 29 October 2018 at 4:30 pm. The schedule of regular meetings for the 2018-2019 session was issued to members vide LC Paper No. CB(4)36/18-19 on 12 October 2018.)

III. Items for discussion at the next meeting

(Appendix V to LC Paper No.
CB(4)2/18-19

- List of outstanding items for
discussion

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Appendix VI to LC Paper No. - List of follow-up actions)
CB(4)2/18-19

Regular meeting on 29 October 2018

4. Members agreed to discuss the following items proposed by the Administration at the regular meeting on 29 October 2018:

- (a) Briefing by the Secretary for Justice and the Director of Administration on the Chief Executive's 2018 Policy Address; and
- (b) 2018-2019 Judicial Service Pay Adjustment.

Items for discussion at future meetings

5. Mr Holden CHOW referred to item 3 of the list of outstanding items for discussion ("the List") on "Law Reform Commission of Hong Kong's Report on Class Actions" and reiterated his request for discussion of the item.

6. Dr Junius HO referred to items 9, 10 and 11 of the List and urged for an early discussion of issues relating to reducing the use of paper in the Judiciary, enhancing the Judiciary's website and community legal assistance in Hong Kong. Dr HO also suggested that item 11 might be combined with item 16 of the List for discussion as the subject of community legal assistance in Hong Kong was closely related to that of introducing codes of conduct for counsel and solicitors providing services to incorporated owners of buildings.

7. Referring to item 15 of the List on "Mutual legal assistance and agreement on surrender of fugitive offenders between Hong Kong and Taiwan", Ms Starry LEE suggested that the Administration should be requested to brief the AJLS Panel on the latest development of the issue as soon as practicable to address public concern. Mr Holden CHOW concurred with Ms LEE.

8. The Chairman recapitulated the Department of Justice ("DoJ")'s advice that the item on "Cooperation between Hong Kong and other places on juridical assistance in criminal matters" included in the list of outstanding items for discussion of the Panel on Security (LC Paper No. CB(2)1480/17-18(01)) was broad enough to cover item 15 of the List. As agreed by members of the AJLS Panel at its meeting on 25 June 2018, the Panel of Security was requested to invite members of the AJLS Panel to join its discussion when the above subject was discussed.

9. The Chairman said that, when she enquired at the meeting of the Panel on Security on 11 October 2018 about the latest progress of the item in paragraph 8,

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the Panel on Security considered it more appropriate for the issues relating to mutual legal assistance and agreement on surrender of fugitive offenders between Hong Kong and Taiwan be taken up by the AJLS Panel. As such, she would follow up the issues with DoJ.

10. Noting that the Inter-departmental Working Group on Gender Recognition conducted a consultation on gender recognition from June to December 2017, Mr CHAN Chi-chuen expressed concern about the outcome of the consultation. He therefore suggested including this issue in the List to be discussed by the AJLS Panel.

11. The Chairman said that she would reflect members' views expressed at this meeting to the Administration in her and the Deputy Chairman's forthcoming work plan meeting with the Administration.

IV. Any other business

12. There being no other business, the meeting ended at 7:14 pm.

Council Business Division 4
Legislative Council Secretariat
24 October 2018