

**立法會**  
**Legislative Council**

LC Paper No. CB(4)834/19-20  
(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 Monday, 20 January 2020, at 4:30 pm**  
**in Conference Room 2 of the Legislative Council Complex**

**Members present** : Dr Hon Priscilla LEUNG Mei-fun, SBS, JP (Chairman)  
Hon Dennis KWOK Wing-hang (Deputy Chairman)  
Prof Hon Joseph LEE Kok-long, SBS, JP  
Hon WONG Ting-kwong, GBS, JP  
Hon CHAN Kin-por, GBS, JP  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP  
Hon Claudia MO  
Hon YIU Si-wing, BBS  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, BBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung, JP  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Hon Elizabeth QUAT, BBS, JP  
Hon Martin LIAO Cheung-kong, GBS, JP  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, SBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon CHUNG Kwok-pan  
Hon Alvin YEUNG  
Hon CHU Hoi-dick  
Hon Jimmy NG Wing-ka, BBS, JP

Dr Hon Junius HO Kwan-yiu, JP  
Hon LAM Cheuk-ting  
Hon Holden CHOW Ho-ding  
Hon Wilson OR Chong-shing, MH  
Hon CHAN Chun-ying, JP  
Hon Tanya CHAN  
Hon CHEUNG Kwok-kwan, JP  
Hon LAU Kwok-fan, MH  
Hon KWONG Chun-yu  
Hon Jeremy TAM Man-ho

**Members absent** : Hon James TO Kun-sun  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon WONG Kwok-kin, SBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Steven HO Chun-yin, BBS  
Hon WU Chi-wai, MH  
Hon SHIU Ka-chun  
Hon YUNG Hoi-yan, JP  
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  
  
Mr Ambrose LEUNG  
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

Miss Ariel SHUM  
Legislative Assistant (4)3

Ms Emily LIU  
Legislative Assistant (4)6

Miss Vivian YUEN  
Legislative Assistant (4)8

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Action

**I. Election of Chairman and Deputy Chairman**

Election of Chairman

Members noted that the proceedings of election of Chairman of the Panel on Administration of Justice and Legal Service ("the Panel") had started at the meeting on 17 October 2019 and the nomination procedure was completed at the meeting on 25 November 2019. A total of nine valid nominations had been made who, in the order in which they were nominated, were Dr Priscilla LEUNG, Mr CHAN Chi-chuen, Mr HUI Chi-fung, Mr Jeremy TAM, Ms Tanya CHAN, Mr Gary FAN, Dr Fernando CHEUNG, Prof Joseph LEE and Dr KWOK Ka-ki.

2. Mr Dennis KWOK, Deputy Chairman of the Panel for the 2018-2019 session, presided over the election of Chairman of the Panel for the 2019-2020 session as Dr Priscilla LEUNG, Chairman of the Panel for the 2018-2019 session, had been nominated for chairmanship. Members noted that Mr Gary FAN had ceased to be a Member of the Legislative Council since 17 December 2019 by virtue of the decision of the Appeal Committee of the Court of Final Appeal made on that date, and Mr CHAN Chi-chuen had been elected Deputy Chairman of the Panel on Home Affairs at its meeting held earlier today (i.e. 20 January 2020). Hence the latest number of valid nominations was seven.

Action

3. Mr Dennis KWOK recapitulated that members had agreed at the Panel meeting on 25 November 2019 that an election forum be held for the chairmanship of the Panel. The election forum had commenced at the meeting on 13 December 2019 and would continue at this meeting. He then invited questions from members. Dr Priscilla LEUNG responded to questions put by Mr CHAN Chi-chuen and Dr KWOK Ka-ki. No members nominated for the chairmanship indicated to make concluding remarks.

4. Mr Dennis KWOK announced a vote by secret ballot. After all members had cast their votes, Mr Charles MOK, Mr Alvin YEUNG and Mr LAM Cheuk-ting, who had nominated the candidates, monitored the counting of votes.

5. After the votes were counted, Mr Dennis KWOK announced that 21 members voted for Dr Priscilla LEUNG and 15 members voted for Ms Tanya CHAN. Mr KWOK declared Dr LEUNG elected as Chairman of the Panel for the 2019-2020 session. Dr LEUNG then took the chair.

Election of Deputy Chairman

6. Dr Priscilla LEUNG, the elected Chairman, presided over the election and called for nominations for the deputy chairmanship of the Panel. Ms Claudia MO 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 KWOK elected as Deputy Chairman of the Panel for the 2019-2020 session.

**II. Schedule of meetings for the 2019-2020 session**

7. Members noted the proposed schedule of regular meetings for the Panel which was tabled at the meeting. They agreed that the monthly regular meetings of the Panel for the 2019-2020 session would be held on the fourth Monday of each month at 4:30 pm.

*(Post-meeting note: The schedule of regular meetings for the 2019-2020 session was issued to members vide LC Paper No. CB(4)277/19-20 on 21 January 2020.)*

### **III. Items for discussion at the next meeting**

(LC Paper No. CB(4)239/19-20(01) - List of outstanding items for discussion)

Appendix VI to LC Paper No. - List of follow-up actions)  
CB(4)2/19-20

#### Regular meeting on 24 February 2020

8. Members noted the following items proposed by the Administration for discussion at the next regular meeting on 24 February 2020:

- (a) 2019-2020 Judicial Service Pay Adjustment; and
- (b) Latest developments in international arbitration for Hong Kong.

9. The Chairman invited members' views. Mr CHAN Chi-chuen suggested inviting the Secretary for Justice to brief members on the Chief Executive's 2019 Policy Address at the next regular meeting on 24 February 2020 as members of the public were concerned about the Department of Justice's policy initiatives.

10. The Chairman also considered it appropriate to discuss the item on "Briefing by the Secretary for Justice and the Director of Administration on the Chief Executive's 2019 Policy Address" at the coming regular meeting, which was normally scheduled for discussion at the beginning of a legislative session. She added that the Administration had indicated that, if members proposed to discuss that item, it was prepared to postpone the item in paragraph 8(b) above for discussion at a future meeting. Members agreed.

*(Post-meeting note: The items on "Briefing by the Secretary for Justice and the Director of Administration on the Chief Executive's 2019 Policy Address" and "2019-2020 Judicial Service Pay Adjustment" were scheduled for discussion at the Panel meeting to be held on 24 February 2020. In view of the latest situation of the coronavirus disease-2019, the Panel meeting scheduled for 24 February 2020 was rescheduled to 23 March 2020, which was further rescheduled to 27 April 2020 for the same reason.)*

Items for discussion at future meetings

11. Ms Tanya CHAN recalled that at the Panel meeting in February 2019, the Law Reform Commission of Hong Kong ("LRC") briefed members on the consultation paper on archives law and that on access to information regime. Ms CHAN expressed concern about the progress since the relevant consultations were conducted more than a year ago, and suggested including this issue in the list of outstanding items for discussion by the Panel ("the List").

12. Mr CHAN Chi-chuen noted that LRC published a report on Review of Substantive Sexual Offences in December 2019, making final recommendations for the reform of substantive sexual offences in the Crimes Ordinance (Cap. 200). He proposed that the Panel should discuss the recommendations in that report.

*(Post-meeting note: The Panel discussed the item on "The Law Reform Commission of Hong Kong's Report on Review of Substantive Sexual Offences" at its meeting on 22 June 2020.)*

13. Ms Elizabeth QUAT suggested that the Judiciary should brief the Panel on measures to address the upsurge in the workload for the court as well as Judges and Judicial Officers ("JJOs") owing to the increase in judicial review cases related to non-refoulement claims, and to avoid the building up of a backlog of prosecutions listed for court hearings as a result of the large number of arrests made by the Police in recent months. Ms QUAT proposed including this issue in the List.

14. The Chairman proposed to discuss allocating additional resources to enhance the security of court buildings and the protection of JJOs' personal safety, in view of the recent arson cases outside court buildings and insults on judges. She said that she would reflect members' views expressed at this meeting in the forthcoming work plan meeting in which she and the Deputy Chairman would meet with the Judiciary Administration and the Administration, and included the above items in the List as appropriate.

**IV. Any other business**

15. There being no other business, the meeting ended at 4:58 pm.