

Report of the Committee on Family Law 2019

1. In 2019, members of the Bar's Committee on Family Law (CFamL) comprised Corinne Remedios (Chairman), Jeremy Chan (Vice Chairman), Bonnie Cheng (Treasurer), Theresa Chow (Secretary), David Pilbrow SC, Thelma Kwan, Mairead Rattigan, Robin Egerton, Richard Todd QC (E&W), and new member Lareina Chan.

A. Talks and Seminars

A1. April 2019 Three-Day Family Law Conference

2. With thanks first to the Bar for advancing the necessary funds and secondly to the persuasive powers of Richard Todd, CFamL invited The Honourable Mr. Justice Mostyn to come to Hong Kong and speak on key developments in Money and Children issues. Mostyn J was joined by Elizabeth Clark and a senior Officer of CAFCASS. An ad hoc sub-committee of CFamL comprising Richard Todd, Corinne Remedios and Robin Egerton and members of the HK Family Law Association and the Law Society co-organised the 3-day Family Law Conference (25 to 27 April 2019). The topics at the Seminar included an update on claims by and against third parties in Family cases, CAFCASS' approach to Parental Alienation and many more cutting edge subjects. The Conference was a "sell-out" and was attended by most of the Family Court Judges, some High Court Judges, and many Family practitioners from both branches of the profession.

A2. June 2019 Seminar

3. On 20th June 2019, CFamL held a Seminar on the draft Guidelines that had been handed down by the Judiciary for Family Practice and Procedure, to explain what was being proposed and to gather comments if any. The discussion was supplemented by a practical Talk presented by Jeremy Chan on e-Bundles and going paperless.

A3. September 2019 Talk

4. On 19th September 2019 Bonnie Cheng, Theresa Chow and Lareina Chan organised a Talk on preparing for and advocacy at First Appointment Hearings, giving practical tips to a good turn out, mostly from the more junior end of the Bar.

B. Family Legislation

5. Members of CFamL prepared a Paper on the draft Bill and Rules for Reciprocal Recognition and Enforcement of Judgments in Matrimonial and Family Cases. The Paper has since been adopted and uploaded onto the Bar's website.

C. Family Practice and Procedure

C1. Judiciary Guidelines

6. Corinne Remedios has reported back on developments in practice and procedure as initiated or notified by the Family Proceedings Court Users Committee, (FPCUC), a multi-disciplinary Group chaired by The Hon. Mr. Justice Lam VP. Over the last year, Corinne has sent out Notes for Family Practitioners in various Bar Circulars.

C2. Code of Practice for Family Law Practitioners

7. On behalf of CFamL, Corinne attended various meetings with members of the HK Family Law Association and the Law Society on a Code of Practice for Family Law Practitioners in Hong Kong. In November, a draft Code was submitted to the Judiciary member of FPCUC for feedback.

C3. Litigants in Person

8. The large number of Litigants in Person (LIPs) in Family litigation continues to be a cause for concern - up to 50 LIP cases each day before the Family Court. This puts a tremendous pressure on the system and the parties. CFamL has asked Kay Chan and Madeleine Booth to look into what can be done to assist.

D. Young Family Bar

9. CFamL has continued in its objective to share experience and expertise, with succession in mind. In September 2019, CFamL set up a scheme to “match-make” ie put together a junior barrister with a more senior member of the Family Law Bar so that the former could attend a relatively straightforward Chambers application and watch how it is done.
10. Theresa Chow is continuing to “match-make”, if anyone is interested. If you can help, let one of us know.
11. It only remains for me as Chairman of CFamL to thank all members of the Committee on Family Law and Doreen Fan, Administrative Secretary, for their help and support.

Corinne Remedios
Chairman
Committee on Family Law

30 December 2019