

Report of the Special Committee on Criminal law and Procedure

The Special Committee on Criminal Law & Procedure faced a number of issues during the course of 2013. These ranged from a consideration of the first part of the Law Reform Commission's review of the law in relation to sexual offences to practical consideration of how younger members of the Bar are treated in the Magistrates Courts. The Committee was also engaged in discussions and provided recommendations to encourage more briefing out of cases by the Department of Justice. These recommendations are starting to bear fruit - especially in relation to briefing out in the Magistrates Court. In addition, we considered some proposals which would permit a judge of the District Court to hand down his/her Reasons for Verdict rather than read it out and proposals to amend the provisions of Part IIIA of the Criminal Procedure Ordinance, Cap 221 to widen scope of taking evidence by live television link.

In addition, the Committee was active in providing assistance in the efforts of the Department of Justice to move various topics forward in relation to the reform of criminal Law and procedure. This year the Department of Justice in partnership with the Bar and the Law Society held what were known as The Debates. The Debates were held over a Saturday in October this year and focused on 4 topics ranging from money-laundering to procedural aspects of legal professional privilege. The Debates this year were a much more detailed and in-depth look at the reform of criminal Law and procedure than had occurred in the past.

Membership:

Andrew Bruce, SC (Chairman)
Audrey Campbell-Moffat SC
James McGowan
Giles Surman
Dominic Yeung
Martyn Richmond
Maggie Wong
Edwin Choy
Derek Chan
Felix Hoe
Joe Chan
Kay Chan
Joseph Lee
Samuel Sung
Shirley Hung

Andrew Bruce, SC
Chairman
Special Committee on Criminal Law & Procedure

19 December 2013