

Report of the Standing Committee on Convention Against Torture (CAT) Training Course 2016

The Bar Association was informed by the Security Bureau that with effect from 12 September 2016, the current scope of the non-refoulement screening mechanism has been expanded to include assessment on the alleged risks under Article 2 of the Hong Kong Bill of Rights (“BOR 2”). Consequently, the Immigration Department has made changes and clarifications to the “Notice to Persons Making a Non-refoulement Claim”, the “Non-refoulement Claim Form” and “Processing Non-refoulement Claims under USM” by specifically including BOR 2 under “all applicable grounds”.

In light of the changes, the Committee has organised a top up course for members currently on the CAT Scheme panel of the Duty Lawyer Service (DLS). The purpose of the top up course was to provide members with suitable training on the interpretation of “all applicable grounds”, the jurisprudence of BOR 2, and the practical and legal implications of the “clarifications” made by the Immigration Department. In order to accommodate as many participants as possible, the top up course was held twice (on 5 and 19 November 2016) at the Large Moot Court Room of the University of Hong Kong. We are grateful for the University of Hong Kong for providing us with the venue, and for the participation and support of Mr. P.Y. Lo, the moderator of the top up course, and speakers including the representative of the Immigration Department, Mr. Y.T. Wong and members of the Bar Mr. Hectar Pun SC, Mr. Tim Parker and Ms. Kirsteen Lau, and the Bar Secretariat Ms. Fiona Kwok for her assistance.

There were 234 participants on 5 November and 211 participants on 19 November. We have received a total income of HK\$114,900 from the course fees. The total expenditure was approximately HK\$54,900 (with a few outstanding items to be approved by the Bar Council as of the date of this report). Subject to the outstanding items, it is expected that there will be a surplus of approximately HK\$60,000. This amount will be reserved for future CAT-related training for members.

For members’ information, the Committee is going to organise a 4-day CAT Training and Accreditation Programme in the first quarter of 2017 for those who are interested in joining the CAT Scheme panel of the DLS.

Membership:

Selina Kung (Chairman)
Hectar Pun SC
Emma Tsang
Rachael Siu
Albert Chan
Fiona Chong

Selina Kung
Chairman
Standing Committee on CAT Training Course

9 December 2016