

Report of the Special Committee on Constitutional Affairs & Human Rights

2012 began with a broken promise. The Chairman of this Special Committee, instead of retiring, accepted an invitation from the Chairman of the Bar Association to continue to serve.

In the course of this year, members of the Special Committee assisted the Bar Council in formulating submissions or responses to the Food and Health Bureau's public consultation on the legal, privacy and security framework for electronic health record sharing, the Security Bureau's second round consultation on the comprehensive review on the Interception of Communications and Surveillance Ordinance, the Legislative Council (Amendment) Bill 2012, the Radio Television Hong Kong's public consultation on the pilot project for Community Involvement Broadcasting Service, the United Nations (Anti-Terrorism Measures) (Amendment) Bill 2012, Committee Stage Amendments to the Personal Data (Privacy) (Amendment) Bill 2011, the Immigration (Amendment) Bill 2011, the procedure for seeking an interpretation of the Basic Law of the HKSAR under Article 158(1) of the Basic Law, and the Commerce and Economic Development Bureau's second round consultation on the review of the Control of Obscene and Indecent Articles Ordinance.

From October 2012 onwards, the Special Committee assisted on the drafting of the Bar Association's press releases reiterating basic and yet fundamental principles of the Rule of Law with judicial independence that the Bar believes to be of importance to an on-going public debate.

The Court of Final Appeal will hear and determine questions of interpretation of the Basic Law of the HKSAR in early to mid-2013. The Secretary for Justice will announce the Government's legal maneuvers to resolve the perceived problem of 'Doubly Non-permanent Births' soon. The statutory scheme for screening torture claimants, with enhanced features, has come into operation. Two United Nations treaty bodies, namely the Human Rights Committee and the Committee on the Right of the Child, will hold hearings on the compliance by the HKSAR of the International Covenant on Civil and Political Rights and the Convention on the Right of the Child in 2013. The coming year will be eventful and challenging.

It remains for the Chairman to thank members for the help during the year and the Bar Secretariat for the assistance throughout.

Membership:

P. Y. Lo (Chairman)
Raymond Leung
Hectar Pun
Lin Feng
Newman Lam
Annie Leung

Lau Wan Ching
Earl Deng
Timothy Parker
Lee To Ching
Bonnie Cheng

P. Y. Lo
Chairman
Special Committee on Constitutional Affairs and
Human Rights

5 December 2012