

S for S speaks on proposed amendments to Fugitive Offenders Ordinance and Mutual Legal Assistance in Criminal Matters Ordinance

Following is the transcript of remarks by the Secretary for Security, Mr John Lee, at a media session after attending the special meeting of the Legislative Council Finance Committee today (April 12):

Reporter: Mr Lee, are you saying that it is impossible for the Government to withdraw the bill and consult the public again on this extradition method because of the concerns of the Legal subsector of the Election Committee as well as people like James Tien who said you should actually withdraw it?

Secretary for Security: I understand there are different views in relation to the Government's proposal to amend the Fugitive Offenders Ordinance and also the Mutual Legal Assistance in Criminal Matters Ordinance. My colleagues and also colleagues in the DoJ (Department of Justice) have been working hard to prepare for the Bills Committee which is likely to be convened very soon. All these views, of course, are being examined by us to see how our eventual government proposal will be discussed and explained in the Bills Committee. I think we have to come back to the fundamental reason why we make our proposal now, is to deal with the suspect who is involved in a case in Taiwan in respect of which we do not have any law to deal with it. And also the Taiwan murder case has proven that the possibility of another very serious case will happen anytime, at any place, particularly when we have only signed long-term surrender agreements with 20 jurisdictions. So we must do these things to ensure that people who have committed serious offences do face the justice they deserve, and also at the same time to ensure that citizens of Hong Kong are protected from people who have committed serious crimes. So I really sincerely hope that everybody will look at this from a very rational point of view.

It is important, of course, that we will ensure that any person who may be subject to surrender will have all the legal and human rights safeguards, and that is what the present Ordinance (Fugitive Offenders Ordinance) has contained and ensured that all the legal and human rights of a person are fully protected. The present Ordinance is actually made in such a way that we make full reference to the model treaty that is passed in the United Nations. So the present practice has already ensured that the required safeguards, including legal and human rights, are in accordance with the international practice. So what the Government is proposing is that we will do cases where we strongly believe that we must deal with, using the Ordinance which has been in operation smoothly and successfully in the past almost 22 years.

(Please also refer to the Chinese portion of the transcript.)