



Sham Tsz Kit v. Secretary for Justice: A New Chapter for Same-Sex Couples in Hong Kong

8 November 2023 (Wednesday) 9:45am - 3:30pm
Academic Conference Room, 11/F, Cheng Yu Tung Tower, HKU

On 5th September 2023, the Court of Final Appeal (CFA) reached a decision in the case of *Sham Tsz Kit v. Secretary for Justice* (STK), addressing the rights of same-sex couples. The CFA ruled that the relationships of gay men and lesbians must be recognised under the law, and required the government provide a legal framework for the protection of same-sex couples within two years. Concurrently, the CFA established the neutrality of the Basic Law with regard to same-sex marriage, which is neither mandated nor prohibited by the HKSAR "mini-constitution". This judgement has been immediately recognised as a landmark achievement for the LGBTQI+ community and a further step in the case law of Hong Kong courts towards a more equal society.

This seminar is dedicated to discussing the STK decision and will be comprised of two sessions: the morning panel brings together legal practitioners and community activists who will operate the new system when it is introduced, those who have been involved in the challenges to the previous system, as well as those who have been helping people affected by the current system. In the afternoon, local and international academics will explore the doctrinal, socio-legal, and comparative aspects of the decision.

**- Welcoming Remarks -
9:45am - 10:00am**

**- Morning Panel -
10:00am - 12:00noon**

A View from Legal Practice

Kelley Loper (Chair)

The University of Hong Kong

Azan Marwah

Barrister, Pantheon Chambers

Jerome Yau

Co-Founder Hong Kong Marriage Equality

Nicholas Hemens

Consultant, Haldanes

Suen Yiu Tung

Chinese University of Hong Kong

Mark Daly

Partner, Daly & Associates

**- Afternoon Panel -
1:30pm - 3:30pm**

Theoretical, Constitutional, and Comparative Questions

Stefano Osella (Chair)

The University of Hong Kong

Po Jen Yap

The University of Hong Kong

Kelley Loper

The University of Hong Kong

Robert Wintemute

King's College London

Cora Chan

The University of Hong Kong

