

[Subscribe](#)[Past Issues](#)[Translate ▼](#)

# CCPL

CENTRE FOR COMPARATIVE  
AND PUBLIC LAW

比較法與公法研究中心

## CCPL Newsletter

Fall 2017/Winter 2018 Edition

---

Happy new year from the Centre for Comparative and Public Law (CCPL)! And welcome to the new, re-launched CCPL Newsletter. Read on for an introduction to the new CCPL directors, as well as information on past and upcoming events, research grants, knowledge exchange activities at the Centre, visiting fellows, HKU's Human Rights Hub, and experiential learning activities. We hope you enjoy the Newsletter and that you continue to stay in touch with CCPL.

---

### Introducing the New CCPL Team

**Director Kelley Loper.** New CCPL Director Kelley Loper is Associate Professor of Law at the University of Hong Kong Faculty of Law. She is

[Subscribe](#)
[Past Issues](#)

also Co-Director of the [LLM in Human Rights Programme](#), and Co-Editor-in-Chief of the [Asia-Pacific Journal on Human Rights and the Law](#). She



has published extensively on the rights of refugees in Hong Kong and East Asia, the right of persons with disabilities to inclusive education, discrimination and sexual minorities, and the implementation of international human rights law in domestic contexts.



**Deputy Director Alex Schwartz.** Dr. Alex Schwartz joined the University of Hong Kong Faculty of Law as Assistant Professor in July 2017, and is also Deputy Director of Research Post-Graduate Affairs. His research is focused on courts and judicial behaviour, particularly in the context of deeply divided, transitional, and crisis-prone polities. He was previously Lecturer in Law at Queen's University Belfast. Dr. Schwartz is currently working towards a book on judicial power in 'difficult' contexts.



**Associate Director Lindsay Ernst.** Lindsay Ernst is Lecturer in Human Rights Experiential Learning at the University of Hong Kong Faculty of Law and Co-Director of the [LLM in Human Rights Programme](#). She specializes in developing interdisciplinary experiential learning opportunities focused on advancing social justice and human rights. Prior to joining the University of Hong Kong in 2012, Lindsay was the Head of Clinical Programmes at Justice Centre Hong Kong (formerly Hong Kong Refugee Advice Centre) where she designed and launched the Refugee Legal Assistance Clinic in collaboration with the University of Hong Kong.



### [ICON-S 2018 Annual Conference: Identity, Security, Democracy: Challenges for Public Law](#)

Multiple Speakers  
University of Hong Kong  
25-27 June 2018

CCPL is excited to announce that the Faculty of Law at HKU, in conjunction with CCPL, will be hosting the ICON-S 2018 Annual Conference. The theme of this year's conference will be "Identity, Security, Democracy: Challenges for Public Law." Please see the call for papers [here](#).

## Research Grants

[Subscribe](#)
[Past Issues](#)

This past year, CCPL-affiliated faculty have received the following grants from the University Grants Committee's Research Grants Council:

[Hualing Fu](#), Police Power in Transition Societies: China in Comparative Perspectives, \$1,058,488, GRF, 36 months

[Eric Ip](#), The Constitutional Foundations of Free Markets: Economic Provisions of the Hong Kong Basic Law in Comparative Perspective, \$892,484, GRF, 36 months

[David Law](#), The Language and Ideology of Constitutions: A Computational Linguistics Analysis, \$784,538, GRF, 36 months

[Kelley Loper](#), International Human Rights Law and Refugee Protection in Asian States Not Party to the 1951 Convention Relating to the Status of Refugees, \$563,640, GRF, 24 months

[Shitong Qiao](#), National Laws and Local Land Reforms: The Spectrum of Legality, \$555,400, ECS, 36 months.

[Po Jen Yap](#), Courts and Democracies in Asia, \$736,600, GRF, 36 months

## Knowledge Exchange



[Panelists at the Gender Recognition forum. Keynote speaker Stephen Whittle top row, third from right. CCPL Director Kelley Loper bottom row, second from right.]

On 23 September 2017, the Centre held a forum on [Gender Recognition Legislation in Hong Kong](#). The forum featured Professor Stephen Whittle as Keynote Speaker, and brought together lawyers practicing in the field, legal academics, and community voices on this important issue. The video of the forum is available for viewing on [CCPL's YouTube feed](#), at the links below:

- [Video of Keynote & Panel 1](#) - Key Issues, International and Local Legal Perspectives
- [Video of Panel 2](#) - Transgender Community Voices
- [Video of Panel 3](#) - Gender Recognition: Perspectives of Key Stakeholders

On 20 November 2017, Centre Director Kelley Loper made a deputation to the [Legislative Council Panel on Administration of Justice and Legal Services on the Consultation on Gender Recognition](#) issued by the Hong Kong Government's Inter-departmental Working Group on Gender Recognition (IWG). CCPL also

**Subscribe****Past Issues**

made a submission to the WG which is available [here](#) and includes the results of a recent telephone survey measuring public attitudes toward transgender people in Hong Kong.

## Recent Events



[Sébastien Lafrance presenting on Canada's Laws on Money Laundering and Proceeds of Crime on 3 November 2017.]

- 15 December - [Constitutional Remedies in Asia](#)
- 13 December - [Freedom of Expression, Non-discrimination, and the International Regulation of Hate Speech](#)
- 12 December - [Statutory \(and Constitutional\) Interpretation and the Separation of Powers](#)
- 6 December - [How Do You Rebuild Northern Uganda After the Civil War?](#)
- 4 December - [China's National Security: Endangering Hong Kong's Rule of Law?](#)
- 29 November - [Book Launch: Courts and Democracies in Asia](#)
- 3 November - [Canada's Laws on Money Laundering and Proceeds of Crime](#)
- 30 October - [Oath-Taking, Dissent, and the Rule of Law in Hong Kong](#)
- 26 October - [Transnational Civil Litigation in HK: Seeking Remedies for Migrant Domestic Workers](#)
- 23 October - [Book Talk: Does proportionality analysis promote judicial activism?](#)
- 16, 17 & 19 October - [Public Law Lecture Series](#)
- 23 September - [Forum: Gender Recognition Legislation in Hong Kong: Opportunities and Challenges](#)
- 20 September - [The New Dominion Constitutional Framework: Lessons from Pakistan & Uncertain Sovereignty: Ceylon as a Dominion \(1948-72\)](#)
- 13 September - [Judges, Access to Justice, the Rule of Law and the Court of Final Appeal under "One Country Two Systems"](#)
- 11 September - [National Boundary and Maritime Defense Line West of the Chogyo/Tiuyu Islands \(釣魚\) for Min & Shin \(Mdr. Ming & Qing\) Empires 借問國疆何處有，牧童遙指釣臺西](#)
- 8 September - [Brexit through the Lenses of Empire: Reflections on Franchise and Citizenship & The UK](#)



[Subscribe](#)[Past Issues](#)[Supreme Court, Constitution and Brexit](#)[28 August](#)[Some Thoughts on International Administrative Law and Elections](#)

---

## Recent Visiting Fellows



[Sebastian Payne, Visiting Fellow Mara Malagodi, and Deputy Director Alex Schwartz before 8 September 2017 Brexit event.]

### **Mara Malagodi** (2-24 September)

Dr. Mara Malagodi is a Professor at the City University Law School in London. She convenes the LLM course in Comparative Constitutional Law. Mara also teaches on Constitutional & Administrative Law, Legal Method, and Public Law. Mara is a comparative constitutional lawyer with a linguistically-informed specialism in South Asian law and politics (in particular Nepal, India, and Pakistan), human rights law, and legal history. Her publications include the book *Constitutional Nationalism and Legal Exclusion: Equality, Identity Politics, and Democracy in Nepal (1990-2007)*.

### **Carol Tan** (12-26 September)

Dr. Carol Tan is a Professor of Law at SOAS, University of London. She is the Culture & Society Programme Convenor (LLM & MA in Law), and her courses taught includes Law and Society in Southeast Asia. She is on the Academic Staff of the SOAS Centre of Southeast Asian Studies, and is a Member of the SOAS Centre for Migration and Diaspora Studies. Between 1998 and 2000 she was a Research Fellow in Law at the University of Hong Kong. She is author of numerous articles and book chapters, and authored the book *British Rule in China: Law and the Administration of Justice in Weihaiwei 1898-1930*.

### **Nozomu Ishiwi** (20 August - 19 September)

Dr. Nozomu Ishiwi is a Professor in the Faculty of Humanities, Department of Comparative Cultures at the Nagasaki Junshin Catholic University in Japan. He is researching the Senkaku/Diaoyu Islands dispute

[Subscribe](#)
[Past Issues](#)

between Japan and China, is conducting a comparative analysis of their legal and historical positions, and is a top scholar in this area. His publications include the book *Harun Historical Documents of Senkaku*

*Tiohisu Islands.*



**Lindsay Ernst**, CCPL Associate Director, is now Co-Director of the Master of Laws in Human Rights Programme at The University of Hong Kong. She will lead the programme together with **Kelley Loper**, CCPL Director, and **Karen Kong**, CCPL Fellow.

**The Faculty Is currently accepting applications to the LLM in Human Rights programme.**

#### **The Programme aims to**

- enhance knowledge of human rights law and practice,
- connect Asian and international human rights scholars, lawyers, advocates, independent human rights bodies and government officials, and
- advance outstanding human rights scholarship.

#### **The Programme provides opportunities**

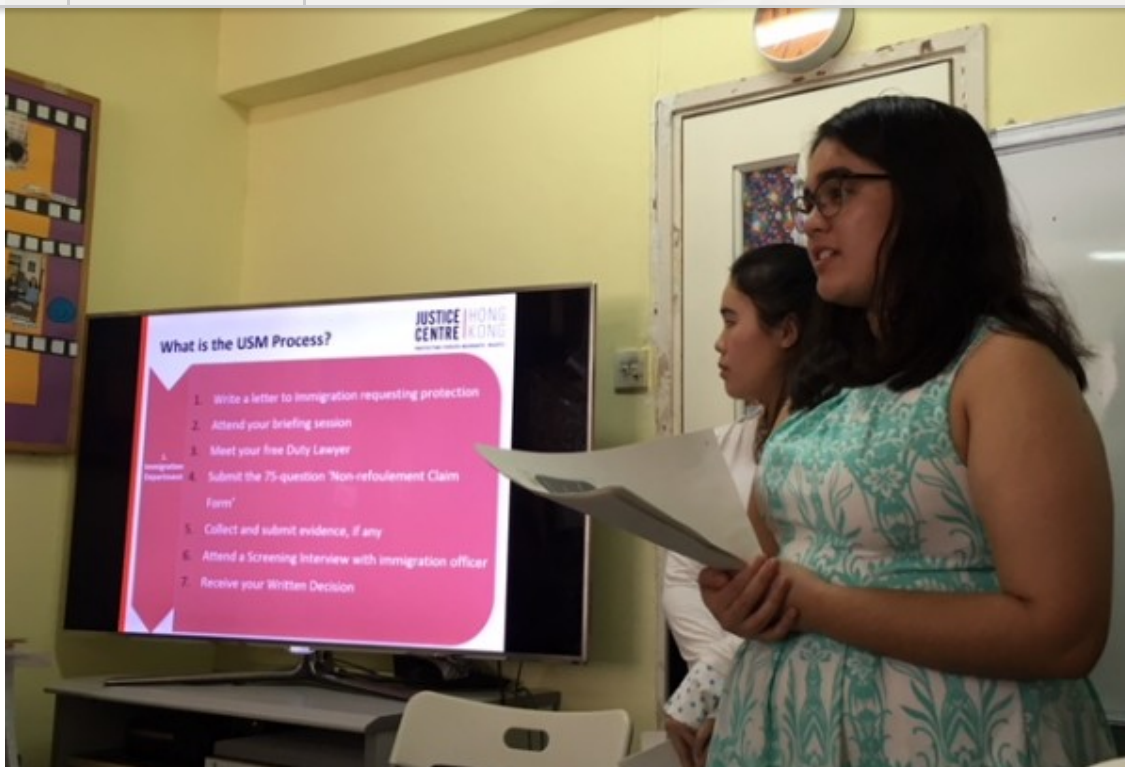
- to learn from and engage with world-class international human rights experts,
- to apply new skills through internships and experiential learning,
- to exchange ideas and develop relationships with a diverse and multicultural group of fellow students, colleagues and inspiring guest lectures.

The programme is offered on a **full-time** (1 academic year) or **part-time** (2 academic years) basis.

**Available scholarships** include the Pam Baker scholarships in Human Rights (for local students) and the Wong Family Scholarships (for non-local students from developing countries).

For more information about the programme and scholarships, please visit the [Human Rights Hub](#) and the [LLM page](#).

## **Experiential Learning**

[Subscribe](#)
[Past Issues](#)


[HRIP students Venissa Chow & Kimberly Johnson presenting on the Unified Screening Mechanism to Justice Centre clients.]

During First Term of academic year 2017-2018, LLB students in Associate Director Lindsay Ernst's Human Rights in Practice (HRIP) course worked with [Justice Centre HK](#), [Mother's Choice](#), [PILnet](#), [PathFinders](#), and [Chosen Power](#) to develop Community Legal Education lesson plans applicable to these NGOs' clients' needs. One example is the team of students that worked with [Justice Centre HK](#). This team, under guidance from Associate Director Lindsay Ernst and Assistant Research Officer Anna Lamut, developed five different sets of lesson plans geared at the needs of Justice Centre HK's refugee protection claimant clients. These lesson plans focused on gathering evidence in Unified Screening Mechanism (USM) claims, human trafficking, forced labour, unlawful detention, and applications for judicial review. More information on the project done with PILnet is available in [this article](#) from the Hong Kong Free Press.

LLM students also participated in the Human Rights in Practice course at the LLM level. These students worked on a range of exciting research projects, including preparing key points for China's Universal Periodic Review, studying how Migrant Domestic Workers fare in the Labour Tribunal, and researching International Human Rights Law's relevance for climate change.

The Experiential Learning work of the Centre will continue next year with a migration-focused clinical course.

---

*Copyright © 2018 Centre for Comparative and Public Law, All rights reserved.*

[Subscribe](#)[Past Issues](#)

Want to change how you receive these emails?  
You can [update your preferences](#) or [unsubscribe from this list](#)



---

Copyright © 2018 Centre for Comparative and Public Law, All rights reserved.

Want to change how you receive these emails?  
You can [update your preferences](#) or [unsubscribe from this list](#).

