Informal lunchtime talks by
Human Rights academics, practitioners, and students

Wednesday, 29 October 2008, 1:00-2:00 pm
Room 303, 3/F KK Leung Building, HKU

Ten Years of Human Rights Litigation in the HKSAR—Any Progress?

Mark Daly
Partner, Barnes & Daly, HKSAR

Mark obtained a Bachelor of Science degree in Cellular, Molecular and Microbial Biology from the University of Calgary in 1986. He then completed a law degree from Osgoode Hall Law School in Toronto in 1992 and was admitted as a barrister and solicitor in Ontario, Canada. He was subsequently admitted as a solicitor in Hong Kong and England and Wales and has a Master of Laws in Human Rights from the University of Hong Kong.

Working in Hong Kong since 1995, Mark has concentrated on human rights and refugee issues. He previously worked with Pam Baker and Company on judicial review and habeas corpus cases and on Vietnamese refugee cases. He has since conducted a substantial number of judicial review cases in the High Court, Court of Appeal and Court of Final Appeal, including a number of the landmark Basic Law constitutional cases on the “Right of Abode”. Recent significant cases include the Court of Final Appeal case of Prem Singh v Director of Immigration (FACV 7 of 2002, Judgment 11 February 2003—resident rights for persons not of Chinese nationality) and the Court of Final Appeal case of Sakthevel Prabakar v Secretary for Security (FACV 16 of 2003, Judgment 8th June 2004) involving the question of refugees and the Convention Against Torture “CAT”.

As Amnesty International’s representative he has attended, as international legal observer, the trial in Kuala Lumpur, Malaysia, of former Deputy Prime Minister Anwar Ibrahim and the appeal of opposition politician, Lim Guan Eng. In May 2000, he represented the Hong Kong Human Rights Monitor before the United Nations Committee Against Torture in Geneva.

Mark is an original member of the Article 23 (re: proposed security legislation) and Article 45 (democracy) Concern Groups and his firm was the winner of the Asian Legal Business “Pro Bono Law Firm of the Year” for 2003. He is also a member of the Law Society’s Constitutional Affairs Committee and the Working Party on Special Advocates and was recently a speaker at the 2005 Commonwealth Law Conference in London and the 2007 Southern Refugee Advocates Conference in Nairobi, Kenya on refugee issues. Mark was also the presenter on the legal position of asylum seekers in Hong Kong at the University of Hong Kong’s 1st “Intensive Course on International Refugee Law” in 2006.

ALL ARE WELCOME!