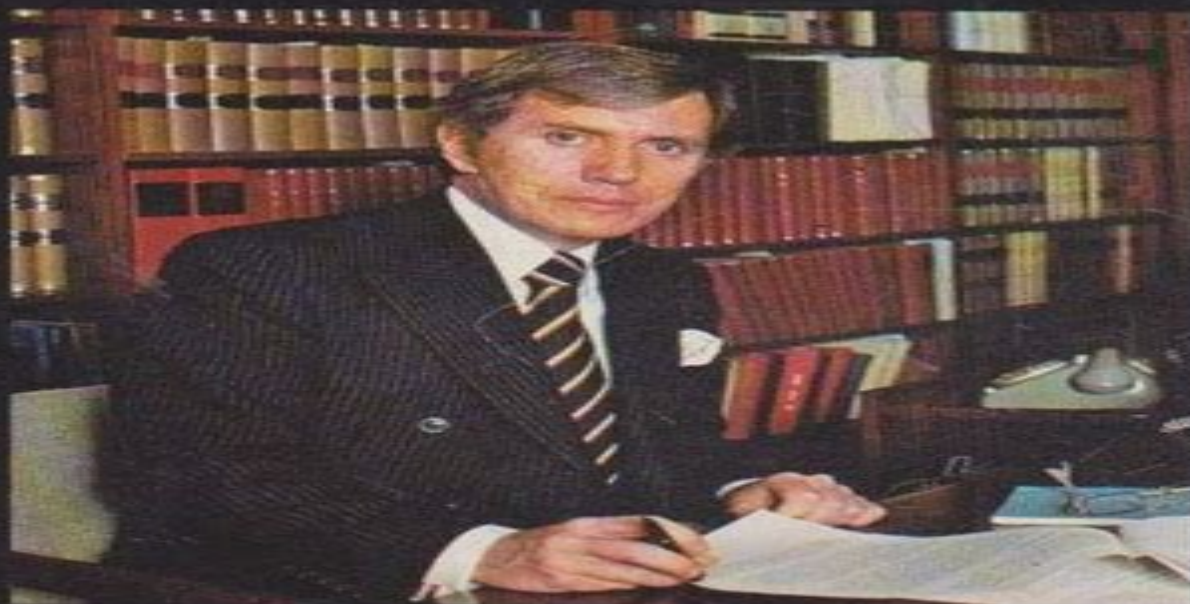

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Reform the Law Michael Donald Kirby, 1983 *Reforming Law Reform* Michael Tilbury, Simon N.M. Young, Ludwig Ng, 2014-01-01

As a special administrative region of China Hong Kong has its own legal system rooted in the common law. Reforms to this system take into account Hong Kong's unique conditions as an international city and draw widely on practices around the world. Since 1980 recommendations from a Law Reform Commission chaired by the Secretary for Justice have resulted in comprehensive revisions in key areas of law ranging from commercial arbitration and interception of communications to divorce and copyright. Recently however the government has been slow to act on the Commission's recommendations. Questions have also arisen about whether the Commission under resourced part time and government led can really meet the needs of an increasingly sophisticated society. Is law reform itself also in need of reform? This collection of essays by distinguished experts from around the world seeks answers to the question. The book explores the varied experience of law reform in Hong Kong and other common law jurisdictions and makes recommendations for strengthening the process of law reform both in Hong Kong and elsewhere. Michael Tilbury is Kerry Holdings Professor in Private Law in the Faculty of Law the University of Hong Kong. Simon N M Young is a professor in the Faculty of Law the University of Hong Kong and was formerly Director of the Centre for Comparative and Public Law. Ludwig Ng is a partner in ONC Lawyers Hong Kong. This important book should be a wake up call to lawmakers in Hong Kong and beyond on the urgent need for effective law reform. It is especially important for Hong Kong whose competitive advantage is being harmed by institutional paralysis and official lethargy. The editors' modest recommendations deserve urgent action by Hong Kong's governors to bring up to date its archaic and outmoded legislation. Lord Lester of Herne Hill QC Law reform is essential especially in these fast changing times. The law reform agency plays an important role in this process. This work examines the experience of the agency in Hong Kong and elsewhere and discusses how its effectiveness can be enhanced. This valuable contribution deserves to be read. The Hon Andrew Li Chief Justice of Hong Kong 1997-2010. This is probably the first collection in Hong Kong of writings on law reform examining clinically how law reform is and can be processed with reference to other law reform institutions in the pursuit of effectively meeting the often shifting needs of society and economy. Important chapters on reform of different areas of law are also included in this book. The editors and contributors are to be congratulated for masterminding such an admirable source of information and inspirational ideas. Stephen Kai yin Wong Barrister Secretary of the Law Reform Commission of Hong Kong. In this collection of essays the learned editors Tilbury Young and Ng have drawn together an outstanding group of authors representing many years of experience in law reform across the common law world. From the UK Canada Australia and Hong Kong the insights of the authors are both reflective and forward looking providing a rich resource towards reforming law reform. Professor Rosalind Croucher President Australian Law Reform Commission.

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International Medical Malpractice Law Dieter Giesen,1988-09 This monograph is the most comprehensive comparative law study of legal responsibility arising from medical care presently available It is written for doctors as well as health care administrators and legal professionals Focusing on the problems of civil liability it presents the development points of contact with and differences between the modern law of medical liability stemming from both the Common Law and Civil Law traditions of England Scotland Eire New Zealand Australia Canada the United States South Africa France Belgium West Germany Switzerland and Austria It demonstrates the extent to which both problems of medical law and trends towards their solution are already familiar in these legal systems The work describes principles and trends not by confronting the reader with national reports and separate chapters on different legal systems rather the relevant legal problems are analyzed from an integrative comparative viewpoint The main thrust of the presentation is the analysis of numerous court decisions the number of which is rising ominously in the United States on the civil liability of doctors and hospitals for damages arising from substandard treatment or inadequate disclosure of information to the patient References to the legal and medical literature indexes and a refined system of cross references together with an important collection of appendices covering legal and ethical declarations make this work accessible as a handbook and reference work for the legal and social problems encountered today in the wide area of law ethics and medicine

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