

Hong Kong University Press
14/F Hing Wai Centre
7 Tin Wan Praya Road
Aberdeen
Hong Kong
www.hkupress.org

© Hong Kong University Press 2003
First published 2003
Reprinted 2006, 2007, 2009, 2011

ISBN 978-962-209-558-8

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British Library Cataloguing-in-Publication Data
A catalogue record for this book is available from the British Library.

10 9 8 7 6 5

Cover designed by Lea & Ink Design

Printed and bound by Liang Yu Printing Factory Ltd., Hong Kong, China

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Preface

The criminal law of the Hong Kong Special Administrative Region is founded on the same general principles that underlie English criminal law and the criminal law of other Anglo-based legal jurisdictions. Until recently, students and teachers alike of Hong Kong criminal law had easy recourse to established English textbooks for most of their needs. To a considerable extent, this still holds true, but increasingly it is the differences between Hong Kong and English law, and the distinctive features of Hong Kong criminal law that engage the attention of teachers and students and necessitate caution on the part of practitioners. This is all the more so, it could be added, since 1 July 1997, when Hong Kong formally dissolved its constitutional links with the United Kingdom and reconstituted itself as a Special Administrative Region under the sovereignty of the People's Republic of China. With the traditional reliance on English criminal law now less easily maintained, the challenge for Hong Kong's criminal lawyers and the judiciary of the SAR is to both reinforce fundamental principles of the criminal law and also fashion new law to meet the changing needs of Hong Kong's criminal justice system.

This book is intended as a step in that direction. It is a response to increasingly frequent suggestions, entreaties even, by numerous students in recent years for a textbook on Hong Kong criminal law. It has been written primarily with these students in mind, and follows the traditional format and approach of an undergraduate criminal law textbook. It involves first the exposition of the general principles of criminal liability, and then