

DoJ's response to joint statement by Bar Association and Law Society

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The Bar Association and the Law Society of Hong Kong issued a joint statement today (August 11) with a view to allaying any misgivings that the general public may have in relation to the recent sentencing of Ms Amina Bokhary and with a view to helping them to understand the Court's approach in a matter of this nature.

In response to media enquiries in respect of this joint statement, a spokesman for the Department of Justice said that the department welcomed the efforts of the two professional bodies to assist the public in these ways.

The department wishes the community to know that it understands members of the public may have different views on the outcome of individual cases, and fully respect their right to freedom of expression. However, it urges the public to respect and protect judicial independence and the rule of law in Hong Kong.

After carefully considering the subject case in accordance with established legal principles, the department has decided to apply for leave from the Court of Appeal to review the sentences. As legal proceedings are pending, it is not appropriate for the department to comment further on the case. But it wishes to assure the community that it is handling the case as promptly as it can. On Monday the 9th of August the department wrote to the magistrate requesting the court papers needed to be filed with the application for leave to review. As soon as those papers are received, the Secretary for Justice will apply for leave to review the sentence under the power granted to him by section 81A of the Criminal Procedure Ordinance. If leave is granted, the Secretary for Justice will then file the application to review the sentence and will liaise with the Judiciary to seek an early hearing date of the application.

Ends/Wednesday, August 11, 2010