

Secretary for Justice on cases involving Tsang Kin-chiu and seven police officers

Following is the transcript of remarks made by the Secretary for Justice, Mr Rimsky Yuen, SC, on cases involving Tsang Kin-chiu and seven police officers at a media session today (October 15):

Reporter: Why is there such a long delay in pressing charges against Mr Ken Tsang and other police officers involved? What is your response on Mr Ken Tsang's comment, saying that he was unexpected to be turned from a plaintiff to being accused?

Secretary for Justice: I think both questions, if I may say, rest on rather false premises. First of all, I don't think there is any delay, to begin with. As I have been explaining on other occasions, we have to deal with the situation from the angle, not just Mr Tsang's case, there is also Mr Tsang's complaint against the seven police officers. So as I was saying in Cantonese just now that we need to take into account the two of them, particularly how to handle the inter-relationship between the two cases, whether they should be tried at the same time or how to approach. And it was after having taken advice from Queen's Counsel and after Director of Public Prosecutions have a chance to very carefully consider the situation that we believe that the two cases should be handled in the fairest possible way, and that's why we make arrangement for Mr Tsang and also the seven police officers to be charged on the same day, this is today. And that they will be arranged to appear before the court for the first time also on the same day and that is the afternoon of next Monday. So that if either of them, i.e. either Mr Tsang or any one of the seven police officers who were charged, take the view that they want to make any submissions as to how their cases should be handled in relation to the other case or on their own, then the police officers as well as Mr Tsang or their legal representatives would have the first opportunity to make submissions to the court on Monday. And it would be

beneficial for both of them to be appearing before the same court on the same day, so that if necessary other logistical arrangements which are conducive to the court to consider submissions from both sides can be arranged. The whole point, if I may emphasise, is to ensure procedural fairness between Mr Tsang, on the one hand, and the seven police officers, on the other hand. Sorry I forgot your second question, can you repeat?

Reporter: What's your response to Mr Ken Tsang's comment saying that he was unexpectedly turned from being a plaintiff to being accused?

Secretary for Justice: I don't think there is something which can be correctly described as unexpected, because I think he should know his own conduct on the day in question. It's not for me to comment because the case will be going into court proceedings. So I don't think it is appropriate for me to comment on his conduct. All that I should say and I can say is he knew what he has done and the whole course of event from his conduct up to the matter forming the basis of his complaint, i.e. the complaint of assault by the seven police officers, they were all, as I was repeatedly saying just now, all happened in a very short span of time. So whatever views or whatever political views that he may hold at the time or now, everyone, as we were again repeatedly saying over all these months, should act in accordance with the law. If anyone acts outside the law, we will act accordingly. And in fact this incident, if I may say, demonstrates that irrespective of which side of the line that you are standing in, whether you are suggesting or expressing your right of freedom or whether we are saying that we should ensure that police officers also act in accordance to the law, we take them seriously and therefore we act in the way that we have advised the Police today.

(Please also refer to the Chinese portion of the transcript.)

Ends/Thursday, October 15, 2015

