

Court administers justice in accordance with law

In response to the comments from local and overseas communities concerning the sentences of three defendants who pleaded guilty to charges in the case WKCC2289/2020, the Department of Justice today (December 2) made the following statement:

The legal proceedings of the case have not yet completed. The DoJ will not comment on it at this stage. Suffice it to note that the magistrate in the Reasons for Sentence stated, "since this case involves disruption of public order and safety as well as threatening the personal safety of members of the public, in order to protect public interest and safeguard the life and property of citizens... I believe that penalties with deterrence are necessary".

Human rights and freedom in Hong Kong, including freedom of speech and freedom of assembly, are fully protected by the Basic Law. However, such freedoms are not absolute. As the Chief Justice of the Court of Final Appeal at the Ceremonial Opening of the Legal Year 2020 stated that, "we see clear limits in the law to the exercise of rights. The enjoyment or insistence on one's rights does not, for example, provide any excuse to harm other people or their property, or to display acts of violence."

The three defendants pleaded guilty to their charges. Those who absurdly demanded for their immediate release not only disrespect our judicial system but also manifest their blatant denial of the fact that the defendants themselves pleaded guilty.

The Government of the Hong Kong Special Administrative Region (HKSAR) is committed to upholding the rule of law. Articles 63 and 85 of the Basic Law stipulate respectively that the DoJ "shall control criminal prosecutions, free from any interference", and the courts of the HKSAR "shall exercise judicial power independently, free from any interference".

It is unbecoming and irrational for people making sweeping attacks and baseless accusations against our judicial and legal systems without reference to the fact and circumstances of the case. Such statements, if made with a view to exert undue influence on our judicial and legal systems will be futile.

Ends/Wednesday, December 2, 2020