

No one should interfere with independent prosecutorial decisions

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The Department of Justice (DoJ) today (March 2) stressed that no one should interfere with prosecutorial decisions which are carried out strictly in accordance with the law.

In light of recent comments calling for dropping charges against 47 persons who were prosecuted under Article 22 of the Hong Kong National Security Law, the DoJ reiterated that independent prosecutorial decisions are based on an objective assessment of all admissible evidence, applicable laws and the Prosecution Code, without political considerations.

Article 63 of the Basic Law stipulates that prosecutions in the Hong Kong Special Administrative Region are made by the DoJ, free from any interference. Prosecutions would only be commenced if there is sufficient admissible evidence to support a reasonable prospect of conviction.

Any open demand for immediate release of the defendants, in the course of legal proceedings, is considered a disrespect of our judicial and legal systems. It also undermines the rule of law and is seen as an attempt to meddle in Hong Kong's affairs which are internal affairs of the People's Republic of China.

The Hong Kong National Security Law expressly provides that human rights such as freedom of speech and assembly, be protected, and legal principles such as presumption of innocence be respected and observed.

The DoJ also reminded that it is inappropriate to comment further as the legal proceedings of the case are still ongoing.

Ends/Tuesday, March 2, 2021