

SJ on execution of injunction orders

Following is the transcript of remarks by the Secretary for Justice, Mr Rimsky Yuen, SC, at a media session on the enforcement of injunction orders after attending the Legislative Council meeting today (November 26):

Reporter: ... The protesters complained that the Police took over the action this morning 10 minutes after the bailiffs moved in.

Secretary for Justice: I wasn't at the scene, so I cannot comment on exactly what the bailiffs did or did not do in the course of the explanation. But if there is any person who takes the view that the bailiffs are not performing their duty properly, I am sure they can take the matter at the appropriate venue. In relation to the second part of your question, I believe the Police would have to act according to the circumstances. As I was saying earlier in Cantonese, the court order, although it contained an authorisation granted to the Police, the court order at the same time made it clear that it is entirely without prejudice to the statutory power of the Police and also the power of the Police under the general law. In other words, in any given circumstances, the Police can, on the one hand, assist the bailiffs, at the bailiffs' request, to discharge their duties in enforcing the injunction. On the other hand, if and when the circumstances become or render it necessary, the Police can, if not duty-bound to, discharge their duties to actually exercise their statutory power to, for instance, maintain the peace as well as to prevent the occurrence of other criminal activities.

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

Ends/Wednesday, November 26, 2014