

Decision to prosecute was based on proper legal criteria

The suggestion that the decision to prosecute Falun Gong members for the offences of obstruction and assault was ‘politically motivated’ is baseless.

The decision to prosecute was taken by prosecutors exercising an independent discretion and acting within the parameters of an established and announced prosecution policy. The case against the suspects was straightforward and involved allegations of protracted obstruction of a public place, wilful obstruction of police personnel and assaults on three female police officers. Once the evidence established that there was a reasonable prospect of obtaining convictions against the suspects, which is the traditional test for prosecution at common law, it was decided upon the basis of proper legal criteria to prosecute. It would not have been right, as some have suggested or implied, to have given the suspects immunity from prosecution or other special treatment simply because they were Falun Gong members.

Those who break our laws are liable to prosecution, irrespective of what movement they belong to or where they come from. Equality before the law means that anyone who causes obstruction and assaults others in defiance of our laws must expect to face the consequences of their actions. This has nothing to do with politics, and everything to do with upholding the rule of law.

The Falun Gong movement is allowed to operate freely in Hong Kong, and has done so since 1996. It enjoys freedom of expression, assembly and demonstration, so long as it abides by the law. If its members break the law they will, like everyone else, be liable to prosecution. That is what equality of treatment is all about.