



**JOINT STATEMENT OF THE HONG KONG BAR ASSOCIATION AND
THE LAW SOCIETY OF HONG KONG**

1. In view of the concerns expressed in the media and by members of the public about the recent conviction and sentencing of Miss Amina Bokhary on a charge of assaulting a police officer, the Hong Kong Bar Association and The Law Society of Hong Kong wish to make the following joint statement.
2. As the individual case is still subject to continuing legal process, this statement will not comment on the particular case, but is made with a view to allaying any misgivings of the general public and helping them to understand the Court's approach in a matter of this nature.
3. Whilst the joint legal professions recognize the right to freedom of expression, and that there may be a difference of opinion as to the charges brought and as to the sentence passed in any individual case, and that some in the community may consider a sentence to be too light or too heavy, any attempt made to bring public pressure on a Magistrate or Judge to change his or her mind upon a review of sentence is to be deplored.
4. In delivering a sentence, a Magistrate or Judge must properly consider all sentencing options, and should pass the sentence that he or she considers most appropriate in all the circumstances.
5. The joint legal professions encourage a reasoned discussion of issues that touch on the administration of justice. It is part of the rule of law that the Courts are entrusted with administering justice.
6. There is a review and appeal process that is for reviewing and reconsidering the decisions of lower courts. Hence, the joint legal professions repeat that it is both unhelpful and inapt to criticize Magistrates and Judges, where that criticism is intended to bring pressure on them to decide any case or review of that case in any particular way.
7. Both branches of the legal profession are confident that the rule of law is firmly established in the Hong Kong SAR, and that it is administered by a strong and independent judiciary.

**The Hong Kong Bar Association
The Law Society of Hong Kong
11 August 2010**

Enquiry: Mr. Wong

Tel : 2846-0555

Email : Tristan@hklawsoc.org.hk