



PRESS RELEASE
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Joint statement by the Law Society of Hong Kong and the Hong Kong Bar Association

The Hong Kong Bar Association and the Law Society of Hong Kong note the recent public statements and discussions concerning applications for judicial review of administrative decisions and actions.

Article 35 of the Basic Law of the HKSAR provides that Hong Kong residents have the right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel.

Applications for judicial review may proceed only with the permission of the Court of First Instance, which is to consider each ground for review put forward and grant permission only if the ground is reasonably arguable. The courts of the HKSAR have various procedural and other means at their disposal to prevent the judicial process from being abused.

The task of the courts is to adjudicate impartially on the legal and factual issues involved in the particular case according to the law, whatever the nature of the controversy and whoever the parties may be. Where a court has ruled on the legal issues in a particular way at first instance, a party dissatisfied with the court's judgment has the avenue of appeal.

Public comments on a case which is currently under appeal are highly inappropriate, particularly from any person representative of or closely associated with one of the parties to the appeal, as it is *sub judice*.

The Hong Kong Bar Association and the Law Society of Hong Kong are committed to upholding the rule of law and the independence of the judiciary as two of the most important pillars of the prosperity and stability of Hong Kong.

Enquiry

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