



AN INDEPENDENT INQUIRY INTO THE RECENT PROTESTS IN HONG KONG

STATEMENT

1. The recent violent clashes in society are cause for serious concern as they affect confidence in both the maintenance of law and order, and the rule of law in Hong Kong. Violence must stop.
2. An urgent solution is required to address the concerns of society as a whole. The Law Society supports the commission of an independent inquiry (“the Inquiry”) by a committee (“the Committee”).
3. The Committee would be tasked with finding the underlying causes of the protests and proposing recommendations to avoid a recurrence of similar incidents, thereby paving the way for reconciliation within society and restoring confidence.
4. With respect to the institution of the Inquiry, it is noted that inquiries may be conducted in a variety of ways and not necessarily by way of a statutory one. By way of example, in August 2011 following a series of riots in England, inquiries were respectively conducted by a special Riots Communities and Victims Panel and the collaboration of the Guardian newspaper and the London School of Economics and Political Science, both with the focus on the cause of such behaviour with a view to avoiding future riots.
5. It is noted that the Independent Police Complaints Council has decided to launch an investigation into the series of anti-extradition bill protests that took place between 9 June to 2 July 2019, and authorities are looking into the violence in Yuen Long on 21 July 2019. The Law Society suggests that the Inquiry should have a wider scope and it should be a comprehensive public engagement exercise.
6. The chairman of the Committee should have a very good appreciation of not just the legal regime but also social needs and could be a retired judge sitting with other members chosen from a cross-section of society.

7. In order to allow an open and frank dialogue on the incidents with all those involved in the protests, those coming forward to give evidence to the Committee must be conferred anonymity.
8. The Government MUST commit itself to cooperate with the Committee.
9. The terms of reference should be clear and set out the inquiry process which shall ensure that the Inquiry be conducted in an open, fair and impartial manner.

The Law Society of Hong Kong

1 August 2019