



Public Statement on Judicial Independence by The Law Society of Hong Kong

1. The Law Society notes the recent public debate and criticism concerning decisions of the Judiciary.
2. The Law Society considers it important to reiterate that the task of the courts is to adjudicate impartially on the legal and factual issues involved in a 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, the proper avenue for a party dissatisfied with the court's judgment is to pursue an appeal.
3. Any unfair and unfounded attacks solely according to political views cannot be tolerated. Further, nothing should be said or done that will undermine, or will be perceived to undermine, judicial independence and the rule of law in the Hong Kong Special Administrative Region (the "HKSAR"); both of which are fundamental to the HKSAR's common law legal system.
4. Article 85 of the Basic Law expressly provides that the courts of the HKSAR shall exercise judicial power independently, free from any interference.
5. The rule of law is one of the great strengths of the HKSAR. The Law Society is fully committed to upholding the rule of law and we strongly condemn all attempts to undermine respect for judicial integrity and independence.
6. The Law Society has full confidence in:
 - (i) the independence and the role of the courts of the HKSAR; and
 - (ii) the proper functioning of the judicial and legal systems of the HKSAR, under "One Country, Two Systems" in accordance with the Basic Law.

The Law Society of Hong Kong
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