

Additional transparency measures to enhance understanding of court decisions and complaints

The following is issued on behalf of the Judiciary:

The Judiciary today (October 8) announced additional transparency measures to enhance public understanding about the reasoning of court decisions as well as complaints against judicial conduct.

Currently, in accordance with the principle of open justice, all court hearings, save for some very limited exceptions (e.g. involving children), are open to the public. Judgments, reasons for verdict and reasons for sentence for District Court and above are available on the Judiciary website.

Starting from this month, summaries of selected decisions in the District Court and Magistrates' Courts which may attract great public attention will be prepared and uploaded to the Judiciary website as far as practicable.

Separately, starting from July 2020, where there have been a large number of identical or similar complaints on judicial conduct in relation to any case, the Secretariat for Complaints against Judicial Conduct would post on the Judiciary website the gist of the complaints, the outcome of investigation and the underlying considerations. The investigation into the first batch of complaints has been completed and the relevant information (including transcripts of relevant court decisions) have been posted on the relevant webpage today (www.judiciary.hk/en/about_us/similar_complaints.html).

Other complaints relating to judicial conduct posted on the relevant webpage will be handled as soon as reasonably practicable (and, in any case, after the expiry of the review/appeal period or conclusion of all relevant court proceedings) and their outcome will also be uploaded when the investigations have been completed.

In line with the cardinal principle of judicial independence, the Judiciary cannot and will not handle complaints against judicial or statutory decisions. The reason for this is that the mechanism to deal with any dissatisfaction with judicial or statutory decisions is by way of appeal, review or related judicial proceedings. Past records indicate that the majority of the complaint cases disposed of are complaints against judicial or statutory decisions.