

Judiciary's response to media enquiries

The following is issued on behalf of the Judiciary:

In response to media enquiries regarding the political stance of judges and the posting of Magistrate Ho Chun-yiu, the Judiciary today (September 8) said:

Regarding the political stance of judges

It is neither appropriate nor possible to comment on bare assertions that cases have been handled in the courts by judges with political considerations in mind.

It is, however, important to bear in mind the following. The Judicial Oath, which is required to be taken by all judges, states that it is their duty to serve in full accordance with the law, safeguard the law and administer justice without fear or favour, self-interest or deceit. This means that judges only apply the law, without extraneous factors such as political considerations. Article 92 of the Basic Law states in clear terms that judges shall be chosen on the basis of their judicial and professional qualities. Further, the Judiciary's Guide to Judicial Conduct provides that judges should refrain from associating with political organisations and activities, and that in handling cases, there should be no actual bias or any perception of bias displayed.

There is a complaints mechanism established by the Judiciary to deal with complaints against judges. For example, where there has been any failure has been proved and established in relation to the above matters, appropriate action will be taken.

In relation to judicial decisions, there is a system of appeals in the courts.

Regarding the posting of Magistrate Ho Chun-yiu

There have so far been a large number of complaints of similar or identical nature made against Magistrate Ho Chun-yiu. They are being handled in accordance with established procedures and the Judiciary will not comment on such complaints for the time being.

On July 31, 2020, Magistrate Ho was appointed as a temporary Deputy Registrar of the High Court from September 18, 2020 to June 17, 2021. His duties will include assisting the Criminal Listing Judge in the listing and procedural matters of criminal cases in the High Court. His remuneration will

be commensurate with the acting post.

Magistrate Ho's posting is made for normal operational purposes and is not connected with either the said complaints or recent events.