

Statement by Department of Justice on prosecutorial decisions

In response to the arrest of three persons who were charged with offences in relation to criminal intimidation and taking part in an unauthorised assembly, the Department of Justice (DoJ) today (February 29) made the following statement:

As the legal proceedings of the persons in question remains ongoing, apart from reiterating basic principles, any substantive comments are considered inappropriate. It is also wholly speculative and totally baseless to suggest that the prosecutorial decisions were made under undue influence.

The DoJ makes each prosecutorial decision based on evidence, applicable law and the Prosecution Code. All prosecutorial decisions by the DoJ are made with professionalism, without fear or favour. Prosecutors of the DoJ have always been applying the highest professional standards in handling criminal cases and will not be influenced by any investigatory, political, media, community, or individual interest or representation. All cases will be handled in the same manner irrespective of the political beliefs, requests and background of the persons involved.

Article 63 of the Basic Law stipulates that "the Department of Justice of the Hong Kong Special Administrative Region shall control criminal prosecutions, free from any interference". In ensuring the integrity of the criminal justice system in the Hong Kong Special Administrative Region, the DoJ has all along been discharging the prosecutorial duties fairly in accordance with the above principles.