

Statement of Chief Justice of Court of Final Appeal

The following is issued on behalf of the Judiciary:

Chief Justice Andrew Cheung of the Hong Kong Court of Final Appeal makes the following further statement in response to Lord Sumption's recent article published in the Financial Times on his resignation from the Court as Non-Permanent Judge:

1. The Chief Justice reiterates the Hong Kong Judiciary's grateful acknowledgment of Lord Sumption's past contribution to the work of the Court of Final Appeal.
2. The Judiciary does not comment on ongoing proceedings including possible appeals before the courts, nor on comments by others on them. It respects everyone's right to have their views, but opinions voiced publicly could amount to pressure on or interference with the courts' administration of justice and should be expressed, if at all, with the greatest circumspection.
3. Judges at every level are expected to and do adhere to the Judicial Oath to decide cases impartially and independently, in accordance with the law and evidence. Any suggestion that their decisions have been or may be influenced by extraneous considerations, political or otherwise, is a serious allegation that must be duly substantiated and should not be lightly made.
4. As in other jurisdictions, a tension often exists between protection of fundamental rights and safeguarding national security, both of which the Hong Kong Judiciary is firmly committed to doing. Striking the right balance in individual cases can be difficult and outcomes controversial at times. It is one thing to disagree with a court's decision, but it is quite another to suggest that fundamental rights have been compromised because of political concerns.
5. Court decisions are subject to appeal in accordance with applicable procedures. The Chief Justice has every confidence that the Court of Appeal and the Court of Final Appeal will continue to act with integrity and professionalism in handling any appeals.