

Terms on Interim Injunction Order granted by the High Court to restrain doxxing and harassment against police officers and their families clarified

The Hong Kong Journalists Association (HKJA) today (November 8) applied to the High Court to clarify the terms of the interim injunction order granted on October 25, 2019 (with amendments dated October 28 and October 31 in 2019).

In today's judgment, the Court recognised that there is a serious and prevalent issue of doxxing particularly against police officers and their families (including young children).

The Court also acknowledged that the Secretary for Justice is properly bringing this action as guardian of public interest.

It was common ground between the parties that:

1. Acts of doxxing of police officers and their family members are not to be supported or condoned. HKJA agrees that there are serious issues of doxxing, and that it does not seek to prevent police officers from seeking legal protection of the Court.

2. Whilst the injunction is not intended to stifle genuine and lawful journalistic activities, a journalist who engages in unlawful conduct amounting to public nuisance, harassment and/or intimidation would come within the terms of the injunction.

We reiterate that the injunction is not intended to target lawful and legitimate journalistic activities, and under the injunction granted by the Court today, journalists can continue to engage in such lawful and legitimate journalistic activities.

However, the injunction remains applicable in prohibiting acts beyond these boundaries. As emphasised by the Court in today's judgment, freedom of expression is not absolute and is subject to legitimate restrictions. It is therefore important to refrain from acts which are prohibited by Court orders, including the various injunction orders (whether interim or final). Relevantly, unlawful disclosure of personal data intended or likely to intimidate, molest, harass, threaten or pester any police officer(s) and their families without their consent, whether by media or otherwise, would remain to be prohibited by the injunction.

Anyone who violates an injunction order may be subject to contempt of court and will be liable to a custodial sentence or be fined if held guilty of such contempt.