

December 8, 2020

To the Letters Editor, The Times (by email)

Dear Editor,

Your article of 4 December “The Times view on British judges in Hong Kong: Denial of Justice” contains a number of inaccuracies and misunderstandings, and I am writing to put the record straight.

It should be highlighted that the three defendants mentioned in the article pleaded guilty to their charges. The legal proceedings of the case have not yet been completed, but suffice it to note that the magistrate in the Reasons for Sentence stated, "since this case involves disruption of public order and safety as well as threatening the personal safety of members of the public, in order to protect public interest and safeguard the life and property of citizens... I believe that penalties with deterrence are necessary".

The article also claims that the Chief Executive personally picks judges and magistrates to try cases under the National Security Law, and that she would never let a British judge near a national security case. This is definitely not the truth. The Chief Executive only designates, in different levels of courts, a list of judges to hear cases that endanger national security, rather than choosing a judge to preside over a specific case. When adjudicating cases under the National Security Law, judges remain independent and impartial in performing their judicial duties. As pointed out by the Chief Justice of the Court of Final Appeal in a statement he made on behalf of the Judiciary, in “the handling or determination of any legal dispute, only the law and legal principle will be considered.”

Yours faithfully,

Miss Winky So
Director-General
Hong Kong Economic & Trade Office, London