

29 April, 2021

Editor
The Australian
Email: letters@theaustralian.com.au

Dear Editor,

Your editorial entitled “Courageous Hong Kong democrats crushed” on 19 April 2021 refers.

In response to the comments concerning the sentences imposed by the court on the nine defendants who were jointly charged with organising and knowingly taking part in an unauthorised assembly, the Department of Justice (DoJ) of the Government of the Hong Kong Special Administrative Region (HKSAR) said in a statement on 16 April 2021 that two of the defendants pleaded guilty before trial while the remaining seven were convicted of all the charges by the court on 1 April 2021. The judge set out the reasons for the verdict in her judgment on the same day, which was publicly available at the Judiciary's website. The judge also stated the sentencing principles in court in imposing the sentences.

The Government of the HKSAR had repeatedly pointed out that where a defendant pleads guilty or was found guilty after trial, it was the court's duty to impose a just and appropriate sentence, applying the relevant principles to the circumstances of the crime and those of the offender. Baseless attacks on sentences imposed by the court, which properly and aptly exercises judicial power independently as guaranteed under the Basic Law, manifest a total disrespect to the rule of law.

The Government of the HKSAR always respects and attaches great importance to the rights and freedoms (including the freedoms of assembly, of procession and of demonstration) protected under the Basic Law. However, it should be noted that such rights and freedoms are not absolute and may be subject to restrictions which are, amongst others, in the interests of public order (ordre public) and the protection of the rights and freedoms of others.

Yours sincerely,

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