



郭榮鏗立法會議員辦事處
Legislative Council Office of the Hon. Dennis Kwok



18th July 2013

Dr Hon. Priscilla Leung, SBS, JP
Chairman of the AJLS Panel
Legislative Council

Madam Chairman,

Trial by Judge and Jury or by Judge Alone

The choice of trial venue is currently decided by the prosecution on the basis of the likely sentence that will be imposed upon conviction. The choice of venue, in turn, determines whether the offence is to be tried by judge and jury or by a single judge alone. Mr Andrew Bruce SC, among others, has on previous occasions rightly pointed out that there may nevertheless be specific instances, such as where there are serious allegations against the government or government officials or where a case involves important social issues, that trial by jury may be more appropriate for reasons of justice. Those present at the Criminal Law Conference held on 17th November last year tended to agree.

For this reason, I am writing to urge you to include in the list of outstanding items for discussion by the Panel reform of the current system to determine whether an offence is to be tried by judge and jury or by judge alone.

Yours faithfully,

Dennis Kwok
Deputy Chairman of the AJLS Panel