

Information on the Pending Judicial Review Case

This application for judicial review arises from a demonstration co-hosted by a number of organisations on rights of lesbian, gay, bisexual, transgender and intersex communities on 15 May 2011 in the pedestrian precinct on Lockhart Road, to celebrate the 7th International Day Against Homophobia. The Applicant was one of the participants on the day of event. His complaint in this application for judicial review is that one of the programmes as arranged by the organizers that day – “*The Artistic and Dancing Expression*” – was unlawfully “halted” by the Commissioner of Police (“the Commissioner”) for the reason that no licence for a “*place of public entertainment*” had been obtained under the PPEO.

2. There was an inter partes hearing of the leave application before the Court of First Instance on 7 February 2012. Leave was granted at the hearing exclusively for the question of law as to whether a place of public entertainment for the purpose of the PPEO includes an open space area (not being enclosed) where a political demonstration occurs such that a licence under the PPEO is required. The substantive hearing will be held on 25 April 2012.

3. As legal proceedings are underway, it is inappropriate for the Administration to provide any further information about the case or discuss the same in further detail.

Department of Justice

10 February 2012