

## **General Policy of Response to Enquiries of Disciplinary Matters**

1. Investigation and the procedures of disciplinary proceedings conducted pursuant to the Legal Practitioners Ordinance, Cap 159 and the Barristers Disciplinary Tribunal Proceedings Rules, Cap 159P are generally confidential. Unless the Bar Council or the Barristers Disciplinary Tribunal decides to disclose information relating to disciplinary matters or decisions concerning any disciplinary proceedings no information regarding complaints or disciplinary investigation and decisions will be disclosed and no response will be made to general enquiries from the public.
  
2. At the stage of investigation by the Bar Council through the Standing Committee on Discipline (“the Standing Committee”), unless there are special reasons not to do so, the following responses will be made to the respective persons:
  - The Standing Committee will acknowledge receipt of a complaint to a named complainant
  - Upon enquiry by the complainant the Standing Committee will inform the complainant of the general progress of the investigation
  - At the end of the investigation the Standing Committee will notify the complainant of the result of the investigation and whether the complaint will be referred to the Barristers Disciplinary Tribunal for disciplinary inquiry
  - Enquiries from the media will only be entertained if:
    - (a) It is directed at whether complaints have been made against any named barrister, and
    - (b) The conduct complained of against the named barrister is committed in public and that the matter has aroused public interest.
  
3. When a complaint has been referred to the Barristers Disciplinary Tribunal for inquiry under section 35(1) of the Legal Practitioners Ordinance, generally the proceeding is to be conducted in camera and all information about the disciplinary inquiry by the Barristers Disciplinary Tribunal will not be divulged to anybody except when the Tribunal makes an order allowing such disclosure.