



HONG KONG BAR ASSOCIATION

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Statement of the Hong Kong Bar Association
on the Use of Force by the Hong Kong Police at Harcourt Road
on 28 September 2014

1. The Hong Kong Bar Association (“HKBA”) is deeply disturbed by, and deplores and condemns, the excessive and disproportionate use of force by the Hong Kong Police on demonstrators gathering at Harcourt Road in the afternoon of 28 September 2014.
2. The circumstances in which the Hong Kong Police commenced the use of CS gas on demonstrators gathering at Harcourt Road in the afternoon of 28 September 2014 were well documented in the local and international media. Even though on occasions, a minority of demonstrators became confrontational with the police, the

overwhelming majority of the demonstrators were visibly conducting themselves peacefully. Many demonstrators were young students. There had also been widespread reports of absence of display of visual signs before the use of CS gas.

3. There can be scope for disagreement on the underlying political debate or demands leading to the demonstration. Some demonstrators may have committed criminal offences during the course of the demonstration. However, *none of the above matters* can justify the use of excessive or disproportionate force by the Police against unarmed civilians as a matter of law and common decency. Even after giving due allowance to the professional judgment of the police force in the maintenance of public order and the prevention of public disorder in a difficult and delicate situation, the HKBA *still* considers that there was plainly no justification to commence the use of CS gas against peaceful demonstrators, let alone repeated, systematic, indiscriminate and excessive use of CS gas. The escalation in the use of force by the Hong Kong police in such circumstances was uncalled for, disproportionate, excessive and had unnecessarily aggravated public feelings of resentment and frustration.

Dated 29 September 2014.

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