

Accused denied rights

THE suggestion yesterday by Roderick Woo Bun, president of the Law Society, that the courts may be violating the Bill of Rights every day is disturbing. Mr Woo says a defendant who cannot understand English might reasonably contend that he has been deprived of his rights if he is not given a written Chinese translation of the charges he faces, or of the court's reasons for its findings.

If a defendant successfully appealed against conviction on the grounds Mr Woo outlined, every person convicted under such circumstances might pursue similar appeals. Such a development would have the potential to place an additional burden on the courts that could be catastrophic. In addition to such practical considerations, convicting someone of charges he or she does not fully understand,

for reasons that are not fully explained, would appear to be morally questionable.

The Government is moving in the right direction by seeking to expand the use of Cantonese in legal proceedings, and the pace of such change is fundamentally affected both by the number of Chinese judges and by the number of laws that have been translated into Chinese. Although it is clearly arguable that the administration should have moved earlier to effect such a change, a rush into Cantonese now would probably cause more problems than it solved.

Nonetheless, Legal Department officials should, as a matter of urgency, examine the feasibility of offering defendants more information, in Cantonese, on the charges they face, and, if possible, a summary of judgments against them.