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S.C.M.P.

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A question of a communication gap

I HAVE found it extremely disturbing to learn that here in Hongkong, where Chinese is an official language, all court writs of summons and claims against Chinese people are issued solely in English, and further, that Chinese people are required to issue their defence or counter claims in the English language (S.C.M. Post, May 28.)

Certainly it is absurd to expect that all Chinese in Hongkong can read and write English (especially legal English), or even that they will all have access to the aid of English-speaking friends.

How can they be expected to act as responsible citizens and to respond to such legal documents if they cannot even read them?

Equally disturbing is the fact that a series of letters raising this very issue have appeared in your paper (S.C.M. Post, May 28, July 14, August 12 and September 3), and yet no response has been forthcoming.

Three very clear questions are raised concerning justification for the exclusive use of English in these legal

interchanges.

Briefly they ask: 1. Why are all writs and claims against Chinese people not issued in Chinese by courts and solicitors? 2. Why are Chinese required to issue defence or claims in English? 3. Is this use of English a deliberate attempt to force defendants to hire solicitors?

The Registrar of the Supreme Court, the Hongkong Bar Association, and the Legal Aid Department all have failed to respond to these questions.

This is a very serious issue which affects the majority of the Hongkong population. Such an unjust situation should not be tolerated. It seems that it would be quite simple to provide such court documents in Chinese, as well as in English, and likewise to allow response in Chinese. Is there any reason why Chinese people are not informed of court action against them in their own language?

I am anxiously awaiting a response.

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