

No. 1
Writ of Summons
(O. 6 r. 1)

Claim nature:
A. Non-monetary claim only
B. Tort

HCA /2020

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2020

1847

1847



BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY CONDUCTING
THEMSELVES IN ANY OF THE ACTS PROHIBITED UNDER
PARAGRAPH 1(a), (b) OR (c) OF THE INDORSEMENT OF CLAIM

Defendants

WRIT OF SUMMONS

To the Defendants, namely PERSONS UNLAWFULLY AND WILFULLY CONDUCTING THEMSELVES IN ANY OF THE ACTS PROHIBITED UNDER PARAGRAPH 1(a), (b) OR (c) OF THE INDORSEMENT OF CLAIM, whose last known address is at an unknown location within Hong Kong.

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the back.

Within (14 days) after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Registry of the High Court the accompanying ACKNOWLEDGMENT OF SERVICE stating therein whether you intend to contest these proceedings or to make an admission.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings or to make an admission, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

If you intend to make an admission, you may complete an appropriate form enclosed in accordance with the accompanying Directions for Acknowledgment of Service.

Issued from the Registry of the High Court this 30th day of October 2020.

Registrar

Note: – This Writ may not be served later than 12 calendar months beginning with that date unless renewed by order of the Court.

IMPORTANT
Directions for Acknowledgment of Service are given with the accompanying form.

Indorsement of Claim

The Plaintiff claims against the Defendants for public nuisance in relation to the Defendants' acts of doxxing conducted against Judicial Officer(s) (as defined in section 2 of the Judicial Officers Recommendation Commission Ordinance (Cap. 92)), Deputy/Temporary Judge(s), District Judge(s), Magistrate(s), Presiding Officer(s), Coroner(s) and Member(s) of courts of record (exhaustively set out in Schedule 1 hereto and hereinafter collectively "**Judicial Officer(s)**"), for the following relief :-

- (1) An injunction restraining the Defendants and each of them, whether acting by themselves, their servants or agents, or otherwise howsoever, from doing any of the following acts :-
 - (a) using, publishing, communicating or disclosing to any other person the personal data of and concerning any Judicial Officer(s) and/or their spouses and/or their respective family members (namely parents, children or siblings), including but not limited to their name, job title, residential address, office address, email address, education, age, date of birth, telephone number, Hong Kong Identity Card number, Facebook Account ID, Instagram Account ID, car plate number and photograph ("**Personal Data**"), intended or likely to intimidate, molest, harass, threaten or pester any Judicial Officer(s) and/or their spouses and/or their respective family members (namely parents, children or siblings) without the consent of the person concerned;
 - (b) intimidating, molesting, harassing, threatening or pestering any Judicial Officer(s) and/or their spouses and/or their respective family members (namely parents, children or siblings); and
 - (c) assisting, causing, counselling, procuring, instigating, inciting, aiding, abetting or authorizing others to commit or participate in any of the aforesaid acts;

- (2) An order that paragraph (1) hereof does not prohibit any lawful act(s) which are done solely for the purpose of a “news activity” as defined in section 61 of the Personal Data (Privacy) Ordinance (Cap. 486);
- (3) An order that the Defendants shall take all steps as may be necessary to withdraw from the public any documents or statements or materials which have been published by the Defendants which disclose, cite and/or refer to the Personal Data;
- (4) Consequential directions and further or other relief;
- (5) Costs.

Dated this 30th day of October 2020.

A handwritten signature in black ink, consisting of a large, stylized 'V' shape with a smaller, more intricate mark in the center.

Department of Justice
Solicitors for the Plaintiff

SCHEDULE 1

“Judicial Officer” as defined in paragraph (i) of the Indorsement of Claim

1. Chief Justice
2. Judge of the Court of Final Appeal
3. Chief Judge of the High Court
4. Justice of Appeal
5. Judge of the Court of First Instance
6. Recorder of the Court of First Instance
7. President, Competition Tribunal
8. Deputy President, Competition Tribunal
9. Member, Competition Tribunal
10. Chief District Judge
11. Principal Family Court Judge
12. District Judge
13. Coroner
14. Chief Magistrate
15. Principal Magistrate
16. Magistrate
17. Special Magistrate
18. President, Lands Tribunal
19. Presiding Officer, Lands Tribunal
20. Member of the Lands Tribunal appointed under section 4(1)(c) of the Lands Tribunal Ordinance (Cap. 17)
21. Principal Presiding Officer, Labour Tribunal
22. Presiding Officer, Labour Tribunal
23. Principal Adjudicator, Small Claims Tribunal
24. Adjudicator, Small Claims Tribunal
25. Registrar of the Court of Final Appeal
26. Registrar of the High Court
27. Senior Deputy Registrar, High Court
28. Deputy Registrar, High Court
29. Assistant Registrar, High Court
30. Registrar of the Competition Tribunal
31. Senior Deputy Registrar, Competition Tribunal
32. Deputy Registrar, Competition Tribunal
33. Registrar of the District Court
34. Deputy Registrar, District Court

35. Assistant Registrar, District Court
36. Deputy Judge of the Court of First Instance appointed under section 10(1) of the High Court Ordinance (Cap. 4)
37. Deputy District Judge appointed under section 7(1) of the District Court Ordinance (Cap. 336)
38. Deputy Magistrate appointed under section 5A(1) of the Magistrates Ordinance (Cap. 227)
39. Deputy Coroner appointed under section 3A(1) of the Coroners Ordinance (Cap. 504)
40. Temporary Member of the Lands Tribunal appointed under section 6A(1) of the Lands Tribunal Ordinance (Cap. 17)
41. Deputy Presiding Officer of the Labour Tribunal appointed under section 5A(1) of the Labour Tribunal Ordinance (Cap. 25)

THIS WRIT was issued by the Department of Justice of 6/F, Main Wing & East Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong, acting for the said Plaintiff whose address is 6/F, East Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong.

A handwritten signature in black ink, consisting of a stylized 'W' followed by a vertical line and a diagonal stroke.

Department of Justice
Solicitors for the Plaintiff

No. 14
Acknowledgment of Service of Writ of Summons
(O. 12 r. 3)

Directions for Acknowledgment of Service

1. The accompanying form of ACKNOWLEDGMENT OF SERVICE should be detached and completed by a Solicitor acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Registry of the High Court at the following address: —

“LG1, High Court Building, 38 Queensway, Hong Kong.”

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings **MUST ALSO** file a DEFENCE which must be written in either the Chinese or the English language with the registry and serve a copy thereof on the Solicitor for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words “Statement of Claim” appear at the top of the back), the Defence must be filed and served within 28 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If a Statement of Claim is not indorsed on the Writ, the Defence must be filed and served within 28 days after a Statement of Claim has been served on the Defendant. If the Defendant fails to file and serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

The Defendant’s defence must be verified by a statement of truth in accordance with Order 41A of the Rules of the High Court (Cap. 4 sub. leg. A).

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, you may admit the Plaintiff’s claim in whole or in part by completing Form No. 16 or 16C (as the case may require) accompanying the Writ of Summons.

A completed Form No. 16 or 16C must be filed with the Registry of the High Court and served on the Plaintiff [or the Plaintiff’s Solicitors] within the period for service of the Defence.

4. A Defendant who wishes to dispute the jurisdiction of the Court of First Instance in the proceedings or to argue that the Court of First Instance should not exercise its jurisdiction in the proceedings, and wishes to apply to the Court of First Instance for an order staying the proceedings, must give notice of intention to defend the proceedings and make the application within the time limited for service of a defence.

See attached Notes for Guidance

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Registry of the High Court.

[2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him and a writ served by post or by insertion through the Defendant's letter box is treated as having been served on the seventh day after the date of posting or insertion.]

(Note: Not applicable if the defendant is a company served at its registered office.)

3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Writ of Summons)".

4. Where the Defendant is a FIRM and a Solicitor is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "partner in the firm of (.....)" after his name.

5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.

6. Where the Defendant is a LIMITED COMPANY the form must be completed by a Solicitor or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without a Solicitor acting on its behalf.

7. Where the Defendant is a MINOR or a MENTAL Patient, the form must be completed by a Solicitor acting for a guardian ad litem.

8. A Defendant acting in person may obtain help in completing the form at the Registry of the High Court.

9. These notes deal only with the more usual cases. In case of difficulty a Defendant in person should refer to paragraph 8 above.

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2020

BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
CONDUCTING THEMSELVES IN ANY OF
THE ACTS PROHIBITED UNDER
PARAGRAPH 1(a), (b) OR (c) OF THE
INDORSEMENT OF CLAIM

Defendants

ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

Important: Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.

See Notes 1,
3,4 and 5.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes

no

See Direction 3.

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3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendant intends to make an admission (tick appropriate box).

yes

no

If yes, the Defendant may make the admission by completing Form No. 16 or 16C (as the case may require) accompanying the Writ of Summons.

Where words
appear between
square brackets,
delete if inapplicable

Service of the Writ is acknowledged accordingly.

(Signed) [Solicitor] ([Defendant in person])

Address for service :

Notes as to Address for Service

Solicitor. Where the Defendant is represented by a Solicitor, state the Solicitor's place of business in Hong Kong.

Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, "residence" (居所) means its registered or principal office.

DEPARTMENT OF JUSTICE
Solicitors for the Plaintiff
6th Floor, East Wing, Justice Place
Central, Hong Kong
Tel: 3918 4455
Fax: 3918 4525
Ref.: MIS 541/20

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2020

BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
CONDUCTING THEMSELVES IN ANY OF
THE ACTS PROHIBITED UNDER
PARAGRAPH 1(a), (b) OR (c) OF THE
INDORSEMENT OF CLAIM

Defendants

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Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.

See Notes 1,
3,4 and 5.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes

no

See Direction 3.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendant intends to make an admission (tick appropriate box).

yes

no

If yes, the Defendant may make the admission by completing Form No. 16 or 16C (as the case may require) accompanying the Writ of Summons.

Where words appear between square brackets, delete if inapplicable

Service of the Writ is acknowledged accordingly.

(Signed) [Solicitor] (

[Defendant in person]

)

Address for service :

Notes as to Address for Service

Solicitor. Where the Defendant is represented by a Solicitor, state the Solicitor's place of business in Hong Kong.

Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, "residence" (居所) means its registered or principal office.

DEPARTMENT OF JUSTICE
Solicitors for the Plaintiff
6th Floor, East Wing, Justice Place
Central, Hong Kong
Tel: 3918 4455
Fax: 3918 4525
Ref.: MIS 541/20

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
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BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
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PARAGRAPH 1(a), (b) OR (c) OF THE
INDORSEMENT OF CLAIM

Defendants

ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

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Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.

See Notes 1,
3,4 and 5.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes

no

See Direction 3.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendant intends to make an admission (tick appropriate box).

yes no

If yes, the Defendant may make the admission by completing Form No. 16 or 16C (as the case may require) accompanying the Writ of Summons.

Where words
appear between
square brackets,
delete if inapplicable

Service of the Writ is acknowledged accordingly.

(Signed) [Solicitor] ([Defendant in person])

Address for service :

Notes as to Address for Service

Solicitor. Where the Defendant is represented by a Solicitor, state the Solicitor's place of business in Hong Kong.

Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, "residence" (居所) means its registered or principal office.

DEPARTMENT OF JUSTICE
Solicitors for the Plaintiff
6th Floor, East Wing, Justice Place
Central, Hong Kong
Tel: 3918 4455
Fax: 3918 4525
Ref.: MIS 541/20

HCA /2020

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IN THE HIGH COURT OF THE
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BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
CONDUCTING THEMSELVES IN ANY OF THE
ACTS PROHIBITED UNDER PARAGRAPH 1(a), (b)
OR (c) OF THE INDORSEMENT OF CLAIM

Defendants

WRIT OF SUMMONS

Dated this day of 30 OCT 2020 2020

Filed this day of 30 OCT 2020 2020

DEPARTMENT OF JUSTICE
6th Floor, Main Wing & East Wing, Justice Place
18 Lower Albert Road
Central, Hong Kong
Tel No.: 3918 4455
Fax No.: 3918 4525
Ref: MIS 541/20