

**Presentation by Secretary for Justice
at the Special Meeting of the Finance Committee
on Tuesday, 26 March 2002**

INTRODUCTION

The Department of Justice's role is to provide legal services to the Government of the Hong Kong Special Administrative Region (SAR). It also makes independent prosecution decisions and conducts prosecutions in court. In the financial year 2002-03, a total provision of \$981.8 million is sought.

HIGHLIGHTS

2. I would like to highlight some major areas of work of the Department of Justice.

Review of Legal Education

3. In order to strengthen legal education and improve both the quality and efficiency of legal services, my Department is steering a comprehensive review of legal education and training in Hong Kong in collaboration with the Law Society, the Bar Association, the two law faculties and others. The first stage of the review, which comprised a consultancy study and was funded largely by a grant from the Innovation and Technology Fund, was completed in early August 2001, as marked by the release by two overseas consultants of a detailed report containing 160 recommendations. Taking into account the submissions made in response to the report, the Steering Committee overseeing the review has to date examined, in some depth, some of the major recommendations made by the consultants (e.g. the reform of the LLB and the PCLL courses). It will continue meeting, for at least the next six months, to finalise its consideration of the report.

Prosecution of Crime

4. In the year ahead we will continue to prosecute cases vigorously and fairly, in accordance with the prosecutorial traditions of the common law world.

5. New prosecutors will be joining the department during the year, and intensive training courses in all aspects of prosecutorial responsibility will be provided for them, ensuring that they will understand and strive to achieve the highest ethical and professional standards. Departmental prosecutors

will participate in some of these courses with a view to enhancing their existing capabilities.

6. In recognition of the threats posed by complex and transnational crime, our prosecutors will consult with their counterparts in other prosecution services through the International Association of Prosecutors, with a view, by the sharing of knowledge and expertise, to ensuring that we have the capacity to combat developing areas of crime. In this regard, our ability to cope with the problems of computer and copyright crime, at both the local and international levels, will be further enhanced by the strengthening and training of specialised teams of prosecutors.

7. It is important, as a responsible prosecuting authority, that the work we do is fully understood and appreciated by the community we serve. We will continue, through the publications of the Prosecutions Division, to promote transparency and openness, and to explain to the public at large how prosecutors operate, and what they do and achieve both locally and internationally.

Civil

8. With the rapid development of new technology and increasing public demands, the work of the Civil Division is increasing, both in terms of volume and complexity. The Electronic Transactions Ordinance, the implementation of the information systems strategy in the Immigration Department, the anticipated establishment of the Market Misconduct Tribunal following the enactment of the Securities and Futures Bill in 2002, and the right of abode issue have added or will add to the work pressure of the Division. My Department has sought additional resources in 2002-03 so that we can be ready for and respond efficiently and effectively to new initiatives and public expectations in those important areas.

International Law

9. In the coming year the International Law Division will continue to provide advice on international law issues, negotiate international agreements or contribute as legal advisers in negotiations and handle requests for international legal co-operation to bring benefits to the SAR.

CONCLUSION

10. I would like to conclude my introductory statement this morning by emphasizing that the Department of Justice will be guided in all its work by an unconditional commitment to uphold the rule of law under the Basic Law, and the independence of the judiciary. We will be using the resources allocated to us to promote those vital concepts, and to enhance confidence in the legal system. We are also committed to providing efficient

and effective legal services to the Hong Kong SAR Government, and to maintaining and improving the present legal system.