

Department of Justice

An Overview

The Secretary for Justice is appointed by the Central People's Government upon nomination by the Chief Executive of the Hong Kong Special Administrative Region. The Secretary for Justice is the principal legal adviser to the Chief Executive, to the government and to individual government departments and agencies. The incumbent Secretary has been appointed to the Executive Council. In addition to her duties and responsibilities in relation to the conduct of criminal proceedings, the Secretary for Justice is the defendant in all civil actions brought against the government.

Before 1 July 1997, the post of Secretary for Justice was called Attorney General.



Please click [here](#)[format: doc] for the biography of the Secretary for Justice, Ms Elsie Leung.

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Role of The Secretary for Justice

The Department of Justice is headed by the Secretary for Justice, who fulfils a wide range of duties. Chief among these is to act as the principal legal adviser to the Chief Executive, to the Government and to individual Government bureaux, departments and agencies. The Secretary for Justice is also a member of the Executive Council.

The decision to prosecute criminal offences is the sole responsibility of the Secretary for Justice who in this respect operates independently, free from any interference. The Secretary for Justice is also the defendant in all civil actions brought against the Government and represents both the Government and the public interest in the courts.



As guardian of the public interest in a wider sense, the Secretary for Justice may make application for judicial review to enforce public legal rights. The Secretary has a right to intervene in any case involving a matter of great public interest. The Secretary represents the public interest as counsel to tribunals of inquiry. The Secretary is the Protector of Charities and must be joined as a party in all actions to enforce charitable or public trusts. The Secretary for Justice also has a more general public interest role as *amicus curiae* (literally, friend of the court), the most important example of which is the bringing of alleged contempts to the notice of the courts.

Amongst many other functions, the Secretary for Justice is Chairman of the Committee on Bilingual Legal System, the Chief Secretary for Administration's Legal Affairs Policy Group, the Legal Practitioners' Liaison Committee and the Law Reform Commission, Vice-Chairman of the Fight Crime Committee, and serves on the Chief Executive's Advisory Committee on Legal Education.

