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22 February 2019

Mr Lemuel Woo
Clerk to Panel on Administration of
Justice and Legal Services
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

By E-mail
(yfwoo@legco.gov.hk)

Dear Mr Woo,

**Panel on Administration of Justice and Legal Services
A motion passed at the meeting on 28 January 2019**

I refer to your letter dated 29 January 2019 enclosing the motion passed at the above meeting. Our reply is as follows.

The Department of Justice (“DoJ”) is pleased to note that the Panel passed the motion supporting the DoJ’s continued effort to act independently and professionally in accordance with the prosecution policy, as set out in the Prosecution Code, when making prosecutorial decisions.

The rule of law is the cornerstone of our society, and the administration of criminal justice is an important aspect of our legal system. It underpins the rule of law in Hong Kong.

To this end, it is important to safeguard the independence of

prosecutors, as enshrined in Article 63 of the Basic Law. Professional, impartial and independent prosecutorial decisions are pivotal in achieving the proper administration of criminal justice and safeguarding the rule of law in Hong Kong.

The DoJ will continue to uphold prosecutorial independence. In making prosecutorial decision, our prosecutors must act fairly and dispassionately on the basis of the law, the facts provable by the admissible evidence, other relevant information known to the prosecution and the applicable policy or guidelines.

The legal discussions within the Department will also be conducted with professionalism and in confidence so as to uphold the rule of law.

Yours sincerely,



(Hinz Chiu)
Administrative Assistant
to Secretary for Justice