

ITEM FOR ESTABLISHMENT SUBCOMMITTEE OF FINANCE COMMITTEE

HEAD 92 – DEPARTMENT OF JUSTICE Subhead 000 Operational expenses

Members are invited to recommend to the Finance Committee the creation of the following supernumerary posts for five years in the Department of Justice with immediate effect upon approval of the Finance Committee –

1 Deputy Principal Government Counsel
(DL2) (\$179,350 - \$196,050)

1 Assistant Principal Government Counsel
(DL1) (\$150,950 - \$165,200)

PROBLEM

We need to strengthen legal support at the directorate level in the Department of Justice (DoJ) to –

- (a) take forward the new policy initiatives under “Vision 2030 for Rule of Law” (Vision 2030) which seeks to maintain and strengthen a fair and rule-based society underpinned by the rule of law towards sustainable development;
- (b) facilitate inclusive stakeholders’ collaboration, encourage academic and professional exchange and research, enhance capacity building and dissemination of proper information, and organise promotional activities and contribute to building a strong rule of law community within this region and beyond; and

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- (c) cope with the increased level of variety, breadth, depth, and complexity of the existing and additional workload arising from new and existing projects.

PROPOSAL

2. We propose the creation of one supernumerary post of Deputy Principal Government Counsel (DPGC) (DL2) and one supernumerary post of Assistant Principal Government Counsel (APGC) (DL1) in the Inclusive Dispute Avoidance and Resolution Office (IDAR Office) of the Secretary for Justice's Office (SJO) for five years with immediate effect upon approval of the Finance Committee.

JUSTIFICATION

Existing manpower for taking forward the initiatives under Vision 2030

3. As a leading international city, Hong Kong takes pride in having a strong rule of law and an independent judiciary under the principle of "One Country, Two Systems", which are the cornerstones of Hong Kong's success. However, these core values have increasingly come under challenge, both from within and beyond the city and recently there has been urgent call from society to strengthen proper education on the rule of law and engagement of stakeholders for Hong Kong to achieve greater heights. Internationally, it is necessary for Hong Kong to be more proactive and to take on a leading role on the international stage to refute any incorrect narration of Hong Kong's situation and be committed to restoring confidence. Further, Hong Kong should align its policy with the Central People's Government (CPG)'s national strategy in attaching great importance to the implementation of the goals under the United Nations' 2030 Agenda for Sustainable Development (UN Agenda), continuous and active participation at the international level and contribution to the activities of the UN Agenda so as to facilitate Hong Kong in maintaining and further raising its international status¹.

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¹ Since adopting the UN Agenda in 2015, the CPG has attached great importance to implementing the same, linking domestic mid-term and long-term strategies to national development strategies such as the 13th Five-Year Plan for Economic and Social Development of China. The CPG has taken steps to assess the implementation of the 17 goals under the UN Agenda and published annual progress report with a view to speeding up the global implementation process and sharing best practices with other countries. For the Sustainable Development Goal 16 (which aims at promoting peace, justice and strong institutions, with one of its targets being the promotion of rule of law at national and international levels and ensuring access to justice for all), the CPG will strive to create a peaceful, inclusive and just social environment and is committed to building a government based on the rule of law in essential areas by 2020 and had stated the work priorities in the latest progress report 2019. Hong Kong should align its policy with the CPG's national strategy and to advance global sustainable development for Hong Kong under the "One Country, Two Systems" policy.

4. Vision 2030, a visionary initiative which spans over ten years, was officially launched on 2 November 2020, and seeks to maintain and strengthen a fair and rule-based society underpinned by the rule of law towards sustainable development. The launch of Vision 2030 was supported by the Chief Executive in the 2019 Policy Address, and the Financial Secretary also announced in the 2020-21 Budget the provision of about \$450 million for the implementation of Vision 2030.

5. For effective implementation of Vision 2030, the Task Force on Vision 2030 (Task Force), comprising local and international renowned experts as members, has been set up to provide steer on short-term, medium-term and long-term goals and directions of the initiatives of Vision 2030. Specifically, the Task Force is responsible for studying and discussing different complex legal issues, including (1) interpretation of the concept of the rule of law; (2) evaluating the practice of the rule of law in various jurisdictions through objective ways; and (3) the impact of the regional legal traditions, socio-economic and cultural features, etc. on the practice of rule of law in different regions and territories around the world, with an attempt to adopt a fresh way to assist the governments of various territories to evaluate and improve the rule of law standard domestically. This breakthrough study would differ from several existing international rule of law ranking mechanisms, which are mainly in the form of subjective questionnaires and surveys.

6. The IDAR Office was established in January 2019 to better coordinate and implement initiatives that DoJ undertakes in the areas of dispute avoidance and resolution. A Rule of Law Unit (ROLU) has been established under the IDAR Office to take forward Vision 2030. The IDAR Office works under the direct steer of the Secretary for Justice and is supported by the Arbitration Team and the Mediation Team of the Civil Division, and the International Organisations and Legal Cooperation Team of the International Law Division. Currently, there are two Senior Government Counsel (SGC) and one Government Counsel (GC) who assist the Commissioner of the IDAR Office (pitched at Principal Government Counsel (DL3) level) in performing the functions of the IDAR Office. The major work portfolio of the IDAR Office includes –

- (a) pursuing and concluding cooperation or partnership arrangements with other jurisdictions and international organisations;
- (b) raising the international profile of Hong Kong in deal making and dispute resolution through capacity building and promotional activities overseas;

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- (c) organising regular legal promotional events and international conferences to consolidate and reinforce Hong Kong's position as a leading hub for deal making and dispute resolution (including as a capacity building centre);
- (d) establishing reputable international dispute resolution institutions in Hong Kong;
- (e) hosting important inter-governmental meetings in Hong Kong;
- (f) nurturing local legal professionals through training opportunities at international organisations and legal bodies and attending international conferences;
- (g) increasing Hong Kong's participation in international organisations;
- (h) exploring and enhancing cooperation with the Mainland and in the Greater Bay Area;
- (i) enhancing Hong Kong's position as the capacity building centre in the region; and
- (j) taking forward support measures related to the Coronavirus Disease 2019 for the legal and dispute resolution sectors (details are set out in Enclosure 1).

Encl. 1

Need for creation of two supernumerary directorate posts for five years

7. The capacities of the existing SGC and GC in the IDAR Office are already fully stretched. Also, it is not possible for DoJ to further redeploy its existing manpower resources to cope with the huge workload brought about by the new policies and measures under Vision 2030 on a long-term basis or to deploy non-DoJ staff to take up the work for reasons including the following –

- (1) **High-level leadership and decision-making:** Only directorate-level counsel with extensive experience and professional knowledge are qualified to handle high-level legal tasks involving cross-divisional (within DoJ) and inter-departmental (within the Government) coordination of work as described below, as well as formulation of overall strategic planning and monitoring of the team's work.
- (2) **Complicated and difficult legal research:** Guidance and supervision by directorate-level counsel with extensive legal knowledge and vision are necessary for both the study of the Task Force and the analysis and professional judgment relating to the dedicated Rule of Law Database (RoL Database) and international

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rule of law rankings. Subject to non-interference with the consistency of overall government policies and depending on the actual division of work for the relevant studies, DoJ may consider engaging external organisations to undertake part of the regional study work. However, it is not possible to outsource the entire research.

- (3) **Tasks involving internal government policies should only be undertaken by DoJ personnel:** Many tasks under Vision 2030 involve internal coordination within the Government and confidential information (such as discussions and studies by the Task Force). As the relevant work also involves management of significant government resources, it should be wholly planned and supervised by DoJ and led by experienced directorate-level counsel.
- (4) **Important directorate-level contact point:** The personnel in charge have to maintain constant contact² and collaborate on behalf of the Hong Kong Special Administrative Region (HKSAR) Government with important stakeholders in the Mainland and overseas, the Task Force's experts and academic members, authoritative representatives from the legal, political and business sectors and organisations, etc. Such work should only be undertaken by experienced directorate-level counsel inside DoJ.

8. To ensure proper implementation of the Vision 2030 which has high-level policy support, it is necessary to immediately create the following two supernumerary directorate posts for five years under ROLU in the IDAR Office –

- (a) one supernumerary DPGC post to be mainly responsible for high-level policy formation, strategic planning and supervision of initiatives of Vision 2030 and other initiatives relating to the rule of law, cross-divisional and inter-departmental coordination on the related work initiatives; and
- (b) one supernumerary APGC post to be mainly responsible for the management, promotion, coordination and implementation of initiatives of Vision 2030 and other initiatives relating to the rule of law, as well as advising DPGC on various measures and legal research.

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² DoJ plans to work closely with the United Nations (including the United Nations Economic and Social Commission for Asia and the Pacific), to implement and/or coordinate a number of key activities relating to the rule of law, which includes Hong Kong Legal Week and various signature rule of law engagement events for stakeholders as well as other promotional events, details of which can be seen in the work plan below.

9. In view of the scope, nature and complexity of the abovementioned work as well as the heavy workload involved, the creation of the two supernumerary directorate posts in DoJ is necessary to ensure that Vision 2030, which spans over a period of ten years, could be properly implemented. Otherwise, the capacity of the HKSAR Government in implementing the policy initiative to enhance Hong Kong's sustainable development of the rule of law and to enhance the international profile of Hong Kong would be adversely affected. As it is expected that the work to be carried out in the initial phase of Vision 2030 will be exceptionally substantial and complex, and in view of the complexity of the initial establishment of the RoL Database, the proposed creation of two supernumerary directorate posts is for five years. We will review the continued need for these posts before their lapse, taking into account the steer and views of the Task Force.

Encls. 2 - 4 10. The job descriptions and the work plan of the proposed two supernumerary directorate posts are at Enclosures 2 to 4. The proposed organisation chart of the IDAR Office of SJO after the creation of two supernumerary posts of one DPGC and one APGC is at Enclosure 5.

Encl. 5

Non-directorate support

11. The two supernumerary posts would be supported by contract staff on project and/or time-limited basis as needed. Depending on the nature of the project/tasks and the background and experience required, we would arrange internal deployment of non-directorate counsel and other supporting staff in DoJ to provide assistance where necessary.

ALTERNATIVES CONSIDERED

12. The existing directorate staff in DoJ are already fully occupied by duties under their respective purviews. The possibility of redeploying existing staffing resources to cope with the new tasks and the increased workload has been explored but is considered not feasible as resources in the Department are already fully stretched. There are no viable alternatives other than the creation of the two proposed supernumerary posts.

FINANCIAL IMPLICATIONS

13. The proposed creation of two supernumerary posts of one DPGC and one APGC will bring about a notional annual salary cost at mid-point of \$4,207,200. Details are as follows –

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Post	Notional annual salary cost at		No of posts
	mid-point		
	\$		
DPGC	2,283,600		1
APGC	1,923,600		1
Total	4,207,200		2

The full annual average staff cost, including salaries and staff on-cost, is \$5,522,000.

14. DoJ has included sufficient provision in the 2021-22 Estimates to meet the cost of the proposals and will reflect the resources in the Estimates of subsequent years. Expenditure for contract staff mentioned in paragraph 11 above will be absorbed by existing resources.

PUBLIC CONSULTATION

15. DoJ consulted the Panel on Administration of Justice and Legal Services on 1 March 2021. In response to Members' comments, DoJ issued a supplementary paper on 15 July 2021 to the Panel. Following the circulation of the supplementary paper, Members of the Panel supported the submission of the staff proposals to the Establishment Subcommittee.

ESTABLISHMENT CHANGES

16. The establishment changes of Head 92 DoJ for the last two years are as follows –

Establishment (Note)	Number of posts			
	Existing (as at 1 August 2021)	As at 1 April 2021	As at 1 April 2020	As at 1 April 2019
A	95 + (1) [#]	95 + (1)	93	93 + (2)
B	467	468	470	452
C	937	937	922	895
Total	1 499 + (1)	1 500 + (1)	1 485	1 440 + (2)

Note:

A – ranks in the directorate pay scale or equivalent

B – non-directorate ranks, the maximum pay point of which is above MPS Point 33 or equivalent

C – non-directorate ranks, the maximum pay point of which is at or below MPS Point 33 or equivalent

() – number of supernumerary directorate post

– as at 1 August 2021, there was no unfilled directorate

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CIVIL SERVICE BUREAU COMMENTS

17. The Civil Service Bureau supports the proposed creation of one supernumerary DPGC post and one supernumerary APGC post in DoJ. The grading and ranking of the proposed posts are considered appropriate having regard to the level and scope of responsibilities and professional inputs required.

ADVICE OF THE STANDING COMMITTEE ON DIRECTORATE SALARIES AND CONDITIONS OF SERVICE

18. As the DPGC and APGC posts are proposed on a supernumerary basis, their creation, if approved, will be reported to the Standing Committee on Directorate Salaries and Conditions of Service in accordance with the agreed procedure.

Department of Justice
August 2021

Current Work Portfolio of the Inclusive Dispute Avoidance and Resolution Office (IDAR Office) and the Coronavirus Disease 2019 (COVID-19) related support measures for the legal and dispute resolution sectors carried out by the IDAR Office

(i) Job Creation under Anti-epidemic Fund (AEF)

Under the Hong Kong Special Administrative Region (HKSAR) Government's comprehensive package of measures to support individuals and businesses suffering from COVID-19 pandemic, funding was earmarked in 2020 for launching the Job Creation Scheme 1.0 under which 30 000 time-limited jobs would be created in public and private sectors within two years. The Department of Justice (DoJ) is responsible for legal and dispute resolution-related job creation. With the relevant funding approval of the Finance Committee of the Legislative Council on 18 April 2020, \$10 million is reserved to create around 200 time-limited jobs for engaging legal and dispute resolution professionals to conduct research and other consultancy work, which are handled and coordinated by the IDAR Office.

The Government further allocated funding in 2021 to the AEF for launching the Job Creation Scheme 2.0. Recently, the IDAR Office has assisted in the conclusion of a memorandum of understanding between DoJ and the Law Society of Hong Kong on the administration of the Legal Talent Recruitment Scheme (Trainee Solicitors). Funded by the AEF, the Scheme provides a monthly salary subsidy of \$6,800 for a maximum of 12 months to each eligible law firm for one newly created job opening for a trainee solicitor, with up to 130 new job openings for trainee solicitors in total. The Scheme will not only create new job opportunities during the time of the pandemic, but will also ensure a steady and sufficient supply of legal talents in alignment with Government's policy objectives to nurture legal talents to advance the rule of law and strengthen Hong Kong's development as a centre for international legal and dispute resolution services under the National 14th Five-Year Plan and the Guangdong-Hong Kong-Macao Greater Bay Area development plan. The IDAR Office will continue to assist in monitoring the implementation of the Scheme and the follow-up work.

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(ii) COVID-19 Online Dispute Resolution (ODR) Scheme

In anticipation of an upsurge of disputes arising from or relating to COVID-19, the HKSAR Government launched the COVID-19 ODR Scheme in June 2020 which aims to provide speedy and cost-effective means to resolve such disputes, especially for those involving micro, small and medium-sized enterprises (MSMEs) that may be adversely affected or hard hit by the pandemic. Under the Scheme, eBRAM International Online Dispute Resolution Centre Limited (eBRAM Centre) has been engaged to provide ODR services to the general public and businesses, in particular MSMEs, involved in low value disputes with a view to offering a fast and effective means to resolve disputes among parties.

The IDAR Office assisted in preparing a memorandum of understanding with eBRAM Centre to implement the Scheme, and will assist the Secretary for Justice to monitor and evaluate the implementation of the Scheme to ensure that the Scheme is on the right track and all the essential features including security and efficiency are in place for long-term sustainable development.

(iii) The LawTech Fund

As one of the Government's measures to support individuals and businesses suffering from COVID-19 pandemic, a LawTech Fund was set up in April 2020, of which \$35 million is reserved to assist law firms and barristers' chambers with five or fewer practising lawyers to procure or upgrade their information technology systems (such as video conference facilities), and/or arrange relevant LawTech training for their staff, including the practising lawyers and all employees (including pupils and trainees) in the law firms and barristers' chambers. The IDAR Office has been coordinating and assisting in any follow-up work.

(iv) Hong Kong Legal Cloud

It has been announced in the Chief Executive's 2020 Policy Address that "the DoJ will actively explore the development of the Hong Kong Legal Cloud, a state-of-the-art online facility equipped with advanced information security technology, to provide secure, reliable and affordable data storage services for the local legal and dispute resolution sector to promote the overall long-term development of Hong Kong's legal and dispute resolution services." IDAR Office has been assisting in the relevant work including invitation of the submission from interested non-government organisations and assessing the submission received.

(v) Processing applications from legal/dispute resolution professionals and related persons for exemption from compulsory quarantine under the Prevention and Control of Disease Ordinance (Cap. 599)

DoJ is one of the sponsoring bureaux/departments that has been coordinating with the Office of the Chief Secretary for Administration and the Food and Health Bureau (FHB) in handling the applications made by legal/dispute resolution professionals and related persons for exemption from compulsory quarantine under Cap. 599. Bearing in mind the guidelines issued by FHB and the Department of Health, DoJ supported individual exemptions on a case-by-case basis for approval by the Chief Secretary for Administration should circumstances warrant and cases be considered justifiable. The IDAR Office assists in communicating with the applicants and exempted persons as well as processing the necessary documents.

(vi) Advancing the collaboration work with the United Nations Commission on International Trade Law (UNCITRAL) in the areas of ODR and Lawtech in general

Further to the conclusion of a Memorandum of Understanding with UNCITRAL for collaboration in the field of international trade law and to promote the use of arbitration and other forms of dispute resolution to resolve disputes in international trade, commerce and investments in November 2019, DoJ has, with the support of UNCITRAL, established a Project Office for Collaboration with UNCITRAL to study legal issues relating to the increasing use of emerging technology. Further, the Inclusive Global Legal Innovation Platform on Online Dispute Resolution (iGLIP on ODR) was set up to facilitate studies on ODR related issues. Both the Project Office and iGLIP on ODR are coordinated by the IDAR Office. In the UNCITRAL Commission's most recent meeting in July 2021, the Commission requested the UNCITRAL Secretariat to continue to collaborate with the Project Office and to take part in iGLIP on ODR.

**Job Description of
the Proposed Supernumerary Deputy Principal Government Counsel Post
in the Inclusive Dispute Avoidance and Resolution Office (IDAR Office) of
the Secretary for Justice's Office**

Rank : Deputy Principal Government Counsel (DL2)

Responsible to : Commissioner of the IDAR Office (DL3)

Major duties and responsibilities –

To plan, develop and adopt strategy to take forward various projects and initiatives to promote the rule of law and facilitate access to justice, in particular –

1. To oversee the organisation and related strategies, promotion, implementation and/or coordination of the Hong Kong Legal Week, signature rule of law engagement events and other high profile events to be organised regularly, and/or the biennial Rule of Law Congress;
2. To manage a secretariat for the Task Force on Vision 2030;
3. To advise and formulate strategy on taking forward initiatives of Vision 2030 and initiatives relating to the rule of law;
4. To advise and manage consultancy studies on various areas relating to the rule of law;
5. To oversee the analysis of international rule of law rankings of Hong Kong and oversee the preparation of briefs and other documents for the Secretary for Justice on rankings and rule of law matters; and
6. To advise and formulate strategy on public education initiatives to strengthen the understanding and practice of rule of law.

**Job Description of
the Proposed Supernumerary Assistant Principal Government Counsel Post
in the Inclusive Dispute Avoidance and Resolution Office (IDAR Office) of
the Secretary for Justice's Office**

Rank : Assistant Principal Government Counsel (DL1)

Responsible to : Commissioner of the IDAR Office (DL3)

Major duties and responsibilities –

To manage, maneuver and assist in taking forward various projects and initiatives to promote the rule of law and facilitate access to justice, in particular –

1. To oversee organisation and related strategies, promotion, implementation and/or coordination of capacity-building events in Hong Kong and abroad to promote the rule of law;
2. To oversee preparation of papers and organisation of meetings for the Task Force on Vision 2030;
3. To assist in taking forward Vision 2030 initiatives (such as setting up a rule of law database) and collection of objective data for the rule of law in Hong Kong, and initiatives relating to the rule of law;
4. To assist in managing a consultancy study on the international rankings relating to the rule of law, to explore new objective indicators and methodology to objectively assess the rule of law in a jurisdiction;
5. To assist in overseeing the analysis of international rule of law rankings of Hong Kong and assist in the preparation of briefs and other documents for the Secretary for Justice on rankings and rule of law matters; and
6. To assist in public education initiatives to strengthen understanding and practice of rule of law.

Enclosure 4 to EC(2021-22)19

Work plan of the two proposed supernumerary directorate posts

Major Duties		Deputy Principal Government Counsel (DPGC)	Assistant Principal Government Counsel
(1)	To oversee and support the Secretariat for the Task Force (the Secretariat)	<ul style="list-style-type: none"> • To assist the Task Force to complete large-scale and complex studies (see paragraph 5 of the main paper) within a limited period of time • To guide the Secretariat’s work and carry out the relevant planning and coordination • To advise and manage consultancy studies on various areas relating to the rule of law 	<ul style="list-style-type: none"> • To assist in the study of rule of law matters at different levels (e.g. objective indicators of the rule of law and methodology to objectively assess the rule of law in a jurisdiction) • To examine and explore the impact on the rule of law brought about by regional legal traditions, and socio-economic and cultural features in different regions and territories • To plan and coordinate meetings and prepare discussion papers for the Task Force • To oversee the preparation of reports by the Secretariat to the Task Force
(2)	To supervise the establishment of the Rule of Law Database (RoL Database) (targeted to be launched	Responsible for planning how to – (a) collect and collate a vast amount of data ¹ ;	Responsible for ensuring the effective and continuous operation of the RoL Database, leading the team to –

¹ About 120 entities in Hong Kong (including government bureaux and departments (such as Department of Justice (DoJ) and the Legal Aid Department), statutory organisations and authoritative bodies) have in possession statistics, information and objective data relating to the practice of rule of law, e.g. average processing time of criminal cases, average yearly number of judicial review cases and ratio of government funding for legal aid to Gross Domestic Product.

Major Duties	Deputy Principal Government Counsel (DPGC)	Assistant Principal Government Counsel
<p>within 2021), and its continuous update and management</p>	<p>(b) analyse the use of various data to evaluate the practice of the rule of law and how such data is compatible with rule of law indicators;</p> <p>(c) study how to improve the data relating to the assessment of the rule of law collected by government bureaux and departments;</p> <p>(d) advise senior echelons within the Hong Kong Special Administrative Region (HKSAR) Government and share with other territories outside Hong Kong on how objective data can be used to evaluate and improve their practices of rule of law; and</p> <p>(e) follow up on the establishment of the RoL Database and collect views and reactions by the community and the international society in order to evaluate the effectiveness of this project</p>	<ul style="list-style-type: none"> • request data from different organisations and make enquiries; • make professional judgment and decisions on the content of the RoL Database; • analyse and study the data; and • continuously update and manage the RoL Database
<p>(3) To oversee large-scale local and overseas international legal or capacity building activities (Key activities detailed in Annex 1 to Enclosure 4)</p>	<ul style="list-style-type: none"> • In alignment with the policies of the Central People’s Government, to continuously and actively participate at the international level and contribute to the activities of the United Nations’ 2030 Agenda 	<ul style="list-style-type: none"> • To assist the DPGC in overseeing the preparation, promotion, implementation, coordination, evaluation of effectiveness of the project and follow-up actions of large-scale international legal or

Major Duties		Deputy Principal Government Counsel (DPGC)	Assistant Principal Government Counsel
		<p>for Sustainable Development</p> <ul style="list-style-type: none"> To undertake strategic planning and provide guidance on a number of large-scale local and overseas international legal or capacity building activities organised or participated by the DoJ To evaluate the effectiveness of the projects and take appropriate follow-up actions 	<p>capacity building activities</p>
(4)	To enhance public education initiatives to strengthen understanding and practice of the rule of law (statistics on the relevant projects are shown in Annex 2 to Enclosure 4)	<ul style="list-style-type: none"> To achieve high-level strategic planning and supervision of the implementation of a series of Hong Kong territory-wide “3Es” public education projects², including supporting or collaborating with various groups and research institutes³ to promote the correct understanding of the rule of law, the Constitution of the People’s Republic of China and the Basic Law at various levels of society through multiple methods (e.g. animated short videos, drama, interactive workshops, 	<ul style="list-style-type: none"> To implement the relevant policy measures To represent DoJ or the HKSAR Government to communicate, liaise and collaborate with different international organisations, local or foreign government officials, and legal, political and business authoritative representatives To assist in evaluating the effectiveness of the projects and ensure the relevant project initiatives are mutually coordinated with the

Annex 2

² The “3Es” projects represent: (1) “Engagement” projects targeting the general public; (2) “Empowerment” projects targeting youths; and (3) “Enrichment” projects targeting professionals.

³ Such as the Endeavour Education Center Limited, Hong Kong Policy Research Institute, the Basic Law Foundation, and legal professional bodies.

Major Duties		Deputy Principal Government Counsel (DPGC)	Assistant Principal Government Counsel
		<p>talks and exposure to international conferences⁴), in an attempt to promote a positive social atmosphere</p> <ul style="list-style-type: none"> • To evaluate the effectiveness of the activities • To decide appropriate follow-up actions 	<p>policies of DoJ and the HKSAR Government</p>
(5)	<p>To oversee the analysis of the international rule of law rankings of Hong Kong; and prepare related briefs and analysis reports on the rankings⁵</p>	<ul style="list-style-type: none"> • To oversee the coordination of communication with relevant units of DoJ⁶ and other government bureaux and departments • To prepare responses of the HKSAR Government/DoJ, and refute any false, distorted or misleading comments on the practice of rule of law in Hong Kong with cogent evidence and objective data⁷ 	<ul style="list-style-type: none"> • To take proactive steps to monitor and analyse the relevant rule of law-related rankings in various international ranking reports and to engage the relevant ranking institutions and/or stakeholders • To study relevant international ranking mechanisms in order to analyse how to improve Hong Kong's relevant policies or systems

⁴ The project also includes the work set out in the Panel on Administration of Justice and Legal Services Paper No. CB(4)517/20-21(03), and online education resources relating to the rule of law (for example, teaching materials relating to the rule of law, the Constitution of the People's Republic of China and the Basic Law are available at the platforms such as the websites of DoJ, the Endeavour Education Center and the Basic Law Foundation) which target at people from different social stratification (including youths, teachers, professionals), in order to perform public education work relating to the rule of law in various forms.

⁵ The aim of these steps is to procure representative outcome in the relevant ranking reports as far as it concerns Hong Kong's rule of law condition and to enhance perception by both the local and international community on Hong Kong's rule of law development.

⁶ For example, the Human Rights Unit of Constitutional and Policy Affairs Division of the DoJ.

⁷ The relevant data will derive from the dedicated RoL Database as mentioned above.

Major Duties		Deputy Principal Government Counsel (DPGC)	Assistant Principal Government Counsel
			<ul style="list-style-type: none">• To assist the DPGC to prepare responses or rebuttals for the HKSAR Government/DoJ

**Local and overseas international legal or capacity building activities
to be overseen by the Rule of Law Unit (ROLU)**

(1) The Hague Private International Law Conference Asia Pacific Week

The Hague Conference on Private International Law holds conferences and other events from time to time to promote its texts and initiatives, as well as to promote better understanding of private international law, and its Asia Pacific Week held in Hong Kong is an important capacity building event in the region supported by the Department of Justice (DoJ).

(2) The United Nations Commission on International Trade Law (UNCITRAL) Judicial Summit

DoJ will co-organise the UNCITRAL Asia Pacific Judicial Summit to be held in the Legal Week in November this year, bringing together legal experts and judicial officers from around the world to discuss on a wide range of topics for legal capacity building. DoJ needs to take prompt actions to liaise with UNCITRAL on the preparation and arrangements of the Summit.

(3) United Nations (UN) and Economic and Social Council Commission for Asia Pacific (ESCAP) Events on sustainable development

The Central People's Government was supportive of DoJ's participation in recent UN and ESCAP events on sustainable development, and had no objection to DoJ's proposal to co-organise various events with ESCAP during the Legal Week 2020 (November 2020), which was ultimately held virtually due to the Coronavirus Disease 2019 (COVID-19) pandemic. Hong Kong will continue to explore further opportunities for collaboration, to share experience with our counterparts, especially on Sustainable Development Goal 16 (SDG 16)¹. ROLU is responsible for continual active

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¹ The United Nations' 2030 Agenda for Sustainable Development encompasses 17 Sustainable Development Goals which were adopted by all Member States of UN in 2015 to address global challenges, including poverty, inequality, climate change, environmental degradation, peace and justice, etc. See <https://sustainabledevelopment.un.org/post2015/transformingourworld>. Amongst the 17 Goals, SDG 16 aims to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. Specifically, Target 16.3 of Goal 16 is to promote the rule of law at the national and international levels and ensure equal access to justice for all. Other targets of Goal 16 include the promotion of anti-corruption work and education, as well as the reduction of illicit financial flows.

participation and firm collaboration with UN, including ESCAP, which would facilitate Hong Kong in maintaining and further raising its international status, showcasing the solid foundation of the rule of law in Hong Kong on the global stage.

(4) Annual Investment Law and Investment Mediation Training

With the establishment of the “Mediation Mechanism for Investment Disputes” under the Closer Economic Partnership Arrangement Investment Agreement, DoJ will continue to co-organise the “Investment Law and Investor-State Mediator Training Course” so as to build up a team of investment mediators specialising in handling international investment disputes in Asia, as well as to gather various government officials as well as legal and mediation practitioners around the world for intellectual and professional exchange.

(5) Anti-corruption and rule of law training for countries along the Belt and Road Initiative (BRI)

In collaboration with the Independent Commission Against Corruption, DoJ will organise training and capacity-building initiatives on the rule of law and anti-corruption for countries along the BRI under Vision 2030 for Rule of Law, which fully aligns with the national strategy on BRI and the United Nations’ 2030 Agenda for Sustainable Development.

(6) Overseas seminars/conferences to share Hong Kong’s experience in the practice of rule of law

DoJ organises regular international seminars and conferences with world-renowned international legal organisations to share Hong Kong’s experience in the practice of the rule of law, so as to consolidate and reinforce Hong Kong’s position as a leading hub for deal making and dispute resolution (including as a capacity building centre) and to assist in the advancement of the rule of law in this region and beyond.

(7) Promoting the Asia-Pacific Economic Cooperation (APEC)’s fund for capacity building

Following APEC’s endorsement in 2020, the Secretary for Justice has signed a Memorandum of Understanding with the APEC Secretariat in March 2021 on the establishment of a fund for capacity building to strengthen economic and legal infrastructure of APEC member economies. DoJ would assist to

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make use of the funds in capacity building projects on legal infrastructure and rule of law aspects for APEC economies to further develop international collaboration and partnership with local and international stakeholders and promote the rule of law within the region and beyond.

(8) Hong Kong Legal Week

DoJ plans to hold a Hong Kong Legal Week annually in Hong Kong. The Hong Kong Legal Week will comprise different large-scale international legal or capacity building events every year, which are expected to attract international and local government officials, professionals, experts and other stakeholders.

As an example of the scale and profile of such events, the Hong Kong Legal Week 2020 was held as a virtual event (due to the COVID-19 pandemic situation) from 2 to 6 November 2020, with a range of legal and dispute resolution events for professionals and practitioners. With social distancing measures in place, local guests were invited to physically attend the opening of the Legal Week on 2 November 2020 cum opening of the Hong Kong Legal Hub and the official launch of the Vision 2030 initiative at the Former French Mission Building². Live broadcasts of the event (through various channels) attracted over 48 000 viewers on that day.

Other events of the Hong Kong Legal Week 2020 included the Inaugural Rule of Law Congress (see item (9) below), the 14th Annual Generations in Arbitration Conference, the Sports Dispute Resolution Conference, the launch of the pilot scheme on case settlement conference in the District Court, the annual Hong Kong Mediation Lecture and the Mediation Conference 2020. High-profile and international speakers were featured at the Hong Kong Legal Week 2020, attracting domestic, regional and international audiences.

(9) Inaugural Rule of Law Congress

The Rule of Law Congress, which is held every other year, is an international event under Vision 2030 gathering stakeholders to exchange insights on advancing the rule of law for Hong Kong and beyond towards sustainable development. The Inaugural Rule of Law Congress held in November 2020 attracted over 1 000 viewers via YouTube broadcast on the day of the event.

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² The Former French Mission Building (a declared monument which last housed the Hong Kong Court of Final Appeal from 1997 to 2015), part of Two Exchange Square and part of the West Wing of the former Central Government Offices (CGO) for accommodating law-related organisations, together with the offices of DoJ housed in the Main, East and West Wings of the CGO, form an international Legal Hub in the central business district of Hong Kong.

(10) Rule of Law Signature Engagement Event

In the alternate year of the Rule of Law Congress being held, the Rule of Law Signature Engagement Event will focus on specific areas of law for targeted stakeholders in line with the latest development in the sector. More rule of law engagement events will also be conducted for BRI countries and within the region, with the aim of enhancing the promotion of the rule of law, access to justice and education in anti-corruption.

(11) Capacity Building Workshop for Association of Southeast Asian Nations (ASEAN) officials under the Free Trade Agreement between Hong Kong, China and ASEAN Member States

As approved by the Joint Committee under the Free Trade Agreement, a capacity building workshop on online dispute resolution for officials and representatives from ASEAN Member States will be held during the Hong Kong Legal Week 2021, as part of the ASEAN-Hong Kong, China Free Trade Agreement Economic and Technical Co-operation Work Programme.

(12) Other regular promotional activities

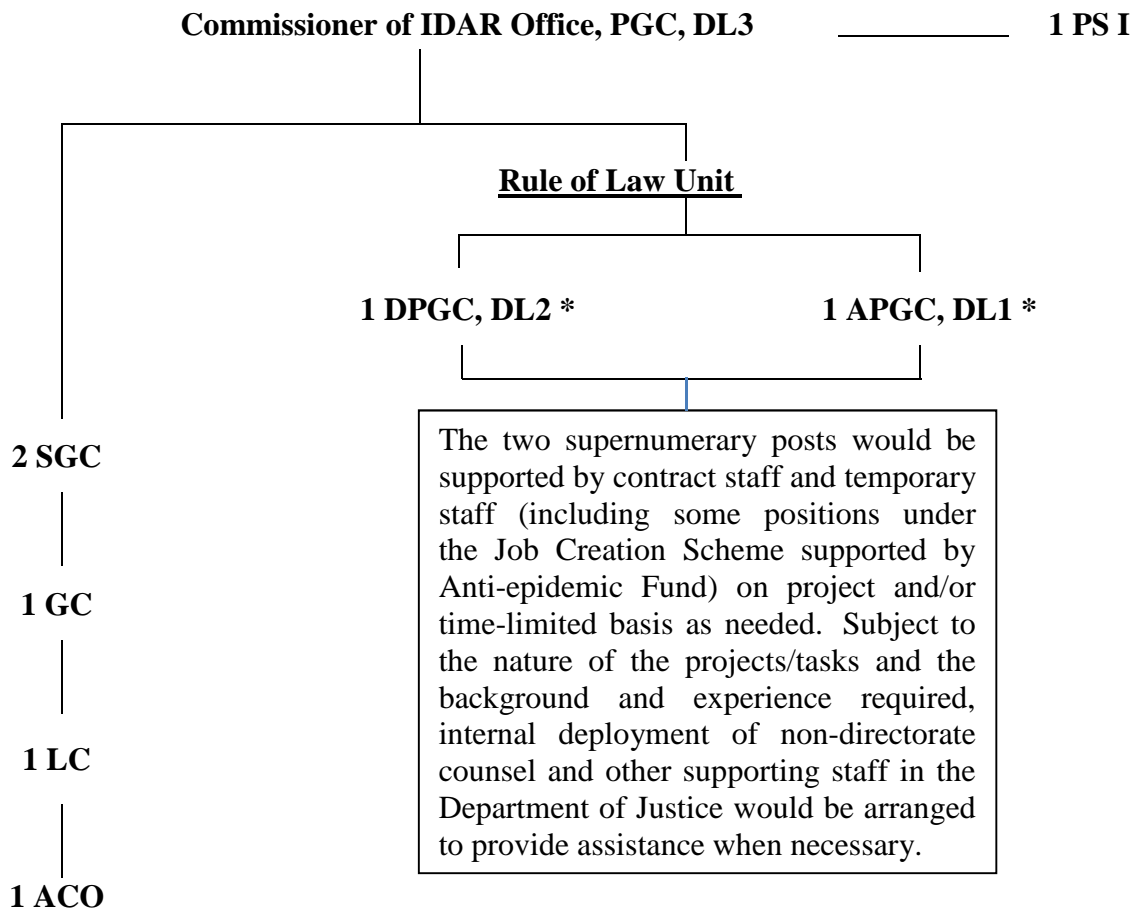
Other activities include the recent “Policies, Strategies and Opportunities” Webinar on Opportunities for Hong Kong’s Legal Industry under the “14th Five-Year Plan”, and planned promotional activities of Hong Kong as Greater Bay Area’s international legal and dispute resolution service centre, etc.

**Public Education Initiatives of the Department of Justice (DoJ) to
Strengthen the Understanding and Practice of Rule of Law
Key Data of Individual Projects**

Projects	Key Data
<p>Teachers</p> <p>Training sessions relating to the rule of law</p>	<p>It is planned that support will be given for conducting multiple training sessions in the 2021/22 academic year for about 500 teachers.</p>
<p>Secondary and Primary Students</p> <p>(1) Rule of law education activities and talks</p> <p>(2) Rule of Law through Drama</p> <p>(3) Online Law Quiz Game and Inter-School Law Quiz Competition</p>	<p>(1) It is planned that education activities and talks relating to the rule of law will be organised at around 50 secondary schools, with the number of participating secondary students expected to be around 5 000.</p> <p>(2) As there are about 60 participating primary schools, it is anticipated that there will be around 100 shows scheduled to take place before March 2022 with around 20 000 participating students.</p> <p>(3) The target number of participating students and schools in the 2021/22 academic year are approximately 3 000 and 50 respectively.</p>
<p>e-Resources of the Rule of Law & Basic Law, such as –</p> <p>(1) Studio DoJ</p> <p>(2) Monthly Online Seminars</p> <p>(3) Online resources of teaching materials on rule of law for secondary school students</p>	<p>(1) About 23 episodes of short videos have been uploaded (hit rate of the most viewed episode exceeds 6 000). DoJ would continue with the production of 60 episodes in the next three years.</p> <p>(2) Since February 2021, the number of participating teachers and education workers has been about 200 and</p>

	<p>the number of participating schools/organisations has been around 40. It is expected that there will be around a thousand participants in the 2021/22 academic year.</p> <p>(3) It is expected to attract more than a thousand visitors in every quarter.</p>
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**Existing and Proposed Organisation Chart of
the Inclusive Dispute Avoidance and Resolution Office (IDAR Office) in
Secretary for Justice's Office**



- Legend:
- * - Proposed new supernumerary posts
 - ACO - Assistant Clerical Officer
 - APGC - Assistant Principal Government Counsel
 - DPGC - Deputy Principal Government Counsel
 - GC - Government Counsel
 - LC - Law Clerk
 - PGC - Principal Government Counsel
 - PS I - Personal Secretary I
 - SGC - Senior Government Counsel