

**Response by the Department of Justice
to the Ming Pao Article entitled “律政司減外判省開支”**

The Chief Executive has announced in his 2003 Policy Address the Government's target to reduce, through various means, Government's projected spending of \$220 billion in the operating accounts in 2006-07 by \$20 billion. Along with other parts of the Government, the Department of Justice will need to make a significant reduction in our expenditure by 2006-07. Individual Divisions under the Department of Justice are required to critically review all of our expenditure related to Departmental Expenses, Personal Emoluments and Briefing Out Vote to identify savings. Our cost savings proposals are under consultation within the Government. At this stage, it is not appropriate for us to prejudge the outcome of our consultation within the Government. Nevertheless we hope the following information may be of use to the Members of the Panel on Administration of Justice and Legal Services.

2. The Chief Executive has announced that the Government, in order to achieve the goal of reducing expenditure, plans to set an overall target of cutting the civil service establishment by 10% by 2006-07. The Chief Executive has also asked the Government to make full use of this opportunity to explore streamlining and re-organising work procedures and departmental structures. In the pursuit of cost saving measures, we in the Department of Justice are actively considering delayering our departmental structure. We are also contemplating restructuring of various administrative units, streamlining our work processes and reducing some supporting services.

3. As our civil service establishment will be reduced by 2006-07, our counsel will be expected to undertake heavier workloads. We are of course minded to brief out cases to private sector lawyers if deemed necessary and appropriate. In general, the Department may resort to briefing out when –

- (a) there is a need for expert assistance where the requisite skill is not available in the Department;
- (b) there is no suitable in-house counsel to appear in court for the Hong Kong Special Administrative Region;
- (c) there is a need for advice or proceedings involving members of the Department;
- (d) there is a need for continuity and economy, e.g. where a former member of the Department who is uniquely familiar with the subject matter is in private practice at the time when legal services are required; and
- (e) the size, complexity, quantum and length of a case so dictate.

Some criminal cases are also briefed out in order to promote a strong and independent local Bar, to give the junior Bar exposure to our work, and to secure a pool of experienced prosecutors to supplement those within the Department. At the same time, the financial situation requires that we achieve a delicate balance between briefing out and prosecuting cases in-house.

4. Our cost savings proposals cut across the expenditure items under the six Divisions of the Department. However, it would not be appropriate for us to discuss details publicly at this stage when our cost savings proposals are under consultation within the Government.

5. The Department of Justice will share the hard times with the community. We will strive to ensure that the professional services provided by the Department will be delivered in a most cost-effective manner. On the other hand, we will take practical measures to prevent any erosion in the quality of our services.

Department of Justice
25 January 2003