

**立法會**  
**Legislative Council**

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LC Paper No. CB(4)220/12-13

(These minutes have been  
seen by the Administration)

**Panel on Administration of Justice and Legal Services**

**Minutes of special meeting  
held on Tuesday, 30 October 2012, at 4:30 pm  
in Conference Room 1 of the Legislative Council Complex**

**Members present** : Dr Hon Priscilla LEUNG Mei-fun, JP (Chairman)  
Hon Dennis KWOK (Deputy Chairman)  
Hon Albert HO Chun-yan  
Hon James TO Kun-sun  
Hon CHAN Kam-lam, SBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Abraham SHEK Lai-him, SBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon Cyd HO Sau-lan  
Hon Starry LEE Wai-king, JP  
Hon CHAN Kin-por, BBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung  
Hon WONG Yuk-man  
Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon NG Leung-sing, SBS, JP  
Hon Steven HO Chun-yin  
Hon YIU Si-wing  
Hon Charles Peter MOK  
Dr Hon Kenneth CHAN Ka-lok  
Hon Kenneth LEUNG  
Hon Alice MAK Mei-kuen, JP  
Dr Hon KWOK Ka-ki  
Dr Hon Elizabeth QUAT, JP  
Hon Martin LIAO Cheung-kong, JP  
Hon TANG Ka-piu  
Dr Hon CHIANG Lai-wan, JP  
Hon CHUNG Kwok-pan

Hon Tony TSE Wai-chuen

**Members  
absent** : Hon LEE Cheuk-yan  
Hon MA Fung-kwok, SBS, JP

**Public Officers :  
attending** : Item I

Ms Kitty CHOI, JP  
Director of Administration

Mr Howard LEE  
Assistant Director of Administration

Item II

Mr Arthur HO, JP  
Director of Administration and Development  
Department of Justice

Mr Wesley WONG  
Deputy Director of Public Prosecutions (I)  
Department of Justice

**Clerk in  
attendance** : Miss Mary SO  
Chief Council Secretary (4)2

**Staff in  
attendance** : Miss Winnie LO  
Assistant Legal Adviser 7

Ms Cindy CHAN  
Senior Council Secretary (4)2

Ms Rebecca LEE  
Council Secretary (4)2

Ms Mandy WAN  
Administrative Assistant(4)1

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**I. 2012-2013 Judicial Service Pay Adjustment**

[CSO/ADM CR 6/3221/02 and LC Paper No. CB(4)61/12-13(01)]

At the invitation of the Chairman, Director of Administration ("D of Admin") briefed members on the judicial service pay adjustment for 2012-2013 as detailed in the Legislative Council ("LegCo") Brief (CSO/ADM CR 6/3221/02).

Judicial remuneration

2. Ms Emily LAU said that she had no objection about the proposed judicial pay increase of 5.66% for 2012-2013 recommended by the Standing Committee on Judicial Salaries and Conditions of Service ("the Judicial Committee"). Ms LAU however pointed out that the salary of the Chief Justice ("CJ") of the Court of Final Appeal, i.e. \$251,950, was much lower than that of the Secretaries of Departments, i.e. \$350,000, despite the fact that CJ ranked higher than Secretaries of Departments in the Precedence List of the Hong Kong Special Administrative Region. Ms LAU asked whether the Judicial Committee had looked into such salary gap.

3. D of Admin responded that it was inappropriate to make direct comparison between the pay of judges and judicial officers ("JJOs") with that of officials appointed under the Political Appointment System in that the former was entitled to a wide range of benefits and allowances, such as housing and retirement benefits and education allowances, in addition to salary, which was not the case for the latter. Furthermore, JJOs enjoyed security of tenure until they reached retirement age, which was not the case for political appointees. D of Admin further said that in recognition of the independence and uniqueness of the Judiciary, JJOs were remunerated according to an independent salary scale. Further, judicial salaries were subject to regular reviews that were distinct from that carried out in respect of the civil service, with the Judicial Committee rendering advice to the Chief Executive on matters concerning judicial remuneration.

4. Ms Emily LAU requested the Administration to provide information on the remuneration of JJOs vis-à-vis that of senior government officials/ministers in overseas jurisdictions. D of Admin agreed to follow up with relevant parties.

5. Mr NG Leung-sing said that he did not see the need to increase the pay of JJOs to align with that of Secretaries of Bureaux, having regard to the fact that, as indicated in paragraph 8 of the LegCo Brief, the total packages for JJOs remained attractive to outside talents who wished to join the bench. Moreover,

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it was mentioned in paragraph 3 of the LegCo Brief that the Judicial Committee maintained the view that as the responsibility and working conditions of JJOs were different from those of private legal practitioners, making direct comparison between the two was inappropriate. Mr NG was of the view that if the Judicial Committee considered it inappropriate to compare judicial pay with private legal sector pay, proposing aligning judicial pay with that of Secretaries of Bureaux would invite criticism from the public, as judicial pay was footed by taxpayers.

6. Mr WONG Yuk-man noted from paragraph 17 of the LegCo Brief that apart from considering the basket of factors approved by the Chief Executive ("CE")-in-Council in May 2008, the Judicial Committee considered that in order to uphold the principle of judicial independence, it was essential to ensure that judicial remuneration was sufficient to attract and retain talents in the Judiciary. While he had no strong view about the basket of factors used by the Judicial Committee to consider judicial pay, Mr WONG disagreed with the stance of the Judicial Committee set out in paragraph 18 of the LegCo Brief. Mr WONG pointed out that the proposed judicial pay increase of 5.66% for 2012-2013 exceeded the underlying consumer price inflation forecast of Hong Kong for 2012 by some 1.6% and was higher than the pay increase for civil servants in the directorate and upper salary band for 2012-2013 at 5.26%, not to mention that the judicial pay in Hong Kong was in general better than that in the six overseas common law jurisdictions studied by the Judicial Committee in considering the judicial pay adjustment for 2012-2013. Mr WONG further noted from paragraph 18 of the LegCo Brief that it was the Judiciary's position that there should not be any reduction in judicial pay as a matter of principle. Mr WONG asked if this meant that no reduction would be made to judicial pay even if the economic situation of Hong Kong had worsened.

7. D of Admin responded that, as approved by the CE-in-Council in May 2008, judicial remuneration was determined according to a mechanism separate from that of the civil service, having regard to the uniqueness of judicial work. D of Admin further said that notwithstanding the Judiciary's position that there should not be any reduction in judicial pay as a matter of principle, it should be noted that judicial pay was frozen for 2009-2010 and 2010-2011 and had a 4.22% increase for 2011-2012 as against the pay increase for civil servants in the directorate and upper salary band for the same three yearly periods at -5.38%, 1.60% and 7.24% respectively.

Judicial manpower situation and long court waiting times

8. Ms Emily LAU expressed concern about the judicial manpower situation. According to paragraph 6 of the LegCo Brief, as of 31 March 2012, against the

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establishment of 189 judicial posts, only 144 were filled substantively and there were 45 vacancies.

9. D of Admin advised that as of 1 November 2012, against the establishment of 191 judicial posts, 154 were filled substantively and there were 37 vacancies. D of Admin however pointed out that out of these 37 vacancies, 13 Permanent Magistrates vacancies would not or could not be filled for the time being for the following reasons which had previously been explained by the Judiciary Administration to this Panel at its meeting held on 28 May 2012:

- (a) there was operational requirement for seven Principal Magistrates only (one each for the seven Magistrates' Courts) and the remaining two Principal Magistrate vacancies would not be filled for the time being; and
- (b) the number of vacancies at the Magistrate level that could be filled was constrained by the number of available courtrooms in the Magistrates' Courts. Due to this constraint, 11 Permanent Magistrate vacancies could not be filled for the time being pending the completion of the West Kowloon Law Courts Building.

Accordingly, the total number of fillable vacancies for all levels of courts was 24, representing about 13% of the establishment.

10. D of Admin pointed out that in 2011, the Judiciary conducted another comprehensive review of the judicial establishment and considered that the current level of establishment could be regarded as generally sufficient to cater for its operational needs, having regard to its prevailing workload. To cope with the increasing workload in the Lands Tribunal, particularly arising from more compulsory sale cases since 2009, two new judicial posts were created in 2012. Further, with the establishment of the Competition Tribunal within the Judiciary following the passage of the Competition Bill in June 2012, two more additional judicial posts would be proposed for creation to enable the Judiciary to discharge its function under the new setup.

11. D of Admin further said that as a result of the successful completion of recruitment exercises for various levels of court launched by the Judiciary in June 2011, the substantive judicial manpower position had been enhanced. Pending the filling of vacancies in the substantive posts, the Judiciary would continue its established practice of engaging temporary judicial resources to help relieve workload. D of Admin added that the Judiciary was keenly aware of the importance of having adequate resources for the continued delivery of its mission to maintain an independent and effective judicial system. To this end,

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the Judiciary had kept under constant review of its judicial establishment and manpower situation having regard to operational needs. The next round of comprehensive review of the judicial manpower situation would be conducted by the Judiciary, upon the completion of the current round of recruitment exercises in 2012-2013.

12. Mr Dennis KWOK said that the Civic Party considered that it was of cardinal importance that judicial remuneration, appointment and promotion should be free from political considerations, and that the work of the Judicial Committee should be entirely above politics. Mr KWOK further said that the legal profession was very concerned about whether the Judiciary was getting sufficient resources to enable judges to conduct their caseloads in an efficient manner and to ensure reasonable court waiting times. Mr KWOK pointed out that despite the efforts made by the Judiciary to improve judicial manpower situation, court waiting times had become longer and which was unfair to litigants. In the submission of The Law Society of Hong Kong tabled at the meeting, it mentioned that the average waiting time for civil fixture cases had increased from 179 days in 2009 to 231 days in 2011. For the cases in the civil running list, the average waiting time from "the setting down of a case" to "hearing" had increased from 55 days in 2009 to 83 days in 2011. Mr KWOK also pointed out that to engage temporary judicial resources to relieve workload, such as appointing deputy judges to sit in the High Court ("HC"), in the long run would affect the independence of the Judiciary.

13. D of Admin responded that according to the Judiciary, the current judicial manpower situation could be regarded as being generally sufficient for the operational needs of the Judiciary. To her understanding, it was not a matter of insufficient resources why the Judiciary engaged deputy JJOs. Rather, it had been a long standing practice adopted by the Judiciary for, inter alia, the following purposes: (a) to help maintain the level of necessary judicial resources pending the intake of substantive judicial manpower from recruitment exercises; and (b) to help reduce waiting times arising from additional demands due to fluctuations in workload which were beyond the control of the Judiciary. D of Admin further said that the problem of long court waiting times should be viewed in totality. According to the Judiciary Administration's Controlling Officer's Report, whilst the waiting times for certain courts, such as the Court of First Instance ("CFI") of HC insofar as the Civil Running List and the Criminal Running List were concerned, had exceeded their waiting time targets, the court waiting time targets for the Court of Final Appeal and the Family Court etc. were met. D of Admin added that the Judiciary Administration had earlier provided a detailed paper on the judicial manpower at various levels of court and various matters relating to JJOs to this Panel for its meeting on 28 May 2012 (LC Paper No. CB(2) 2107/11-12(01)).

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14. Dr KWOK Ka-ki said that he supported the proposed judicial pay increase of 5.66% for 2012-2013. Dr KWOK further said that to address the problem of long court waiting times, one way might be to fill the judicial vacancies substantively as soon as possible. To achieve such, Dr KWOK asked whether consideration would be given to increasing the pay of JJOs to align with that of the Directors of Bureaux and to recruiting qualified candidates from overseas.

15. D of Admin responded that she was not in a position to comment whether the Judiciary should recruit qualified candidates from overseas. However, according to the Judiciary, it had not encountered any undue recruitment problem in recent years.

16. On the determination of judicial pay, D of Admin said that the CE-in-Council agreed in May 2008 that judicial remuneration should be determined according to a mechanism separate from that of the civil service. Specifically, judicial remuneration was determined by the CE-in-Council after considering the recommendations of the independent Judicial Committee. The new mechanism comprised (a) a benchmark study to be conducted on a five-yearly basis which sought to check whether judicial pay was kept broadly in line with the movements of legal sector earnings over time; and (b) an annual review. In coming up with the recommendations, the Judicial Committee would take into account the basket of factors approved by the CE-in-Council in May 2008, the principle of judicial independence and the position of the Judiciary. The basket of factors included the responsibility, working conditions and workload of judges vis-à-vis those of lawyers in private practice; recruitment and retention in the Judiciary; retirement age and retirement benefits of JJOs; unique features of the judicial service; prohibition against return to private practice in Hong Kong; benefits and allowances enjoyed by JJOs; cost of living adjustment; general economic situation in Hong Kong; budgetary situation of the Government; overseas remuneration arrangements; private sector pay levels and trends; and public sector pay as a reference.

17. D of Admin further said that while it was inappropriate to make direct comparison between judicial pay and private legal sector pay having regard to the uniqueness of judicial work, the findings of the 2010 benchmark study revealed that while the pay of Magistrates and District Judges was higher than that of the legal practitioners with comparable level of experience in the private sector, the pay of CFI Judges was lower than that of the legal practitioners with comparable level of experience in the private sector. In respect of the pay differentials between CFI Judges and senior counsels with the same years of practice, the pay differential had narrowed from 47% to 42% since 2005. It

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should however be noted that the changes in differentials between judicial pay and legal sector pay, with some widening and some narrowing at different ranges, pointed to the diversity of legal sector pay. No clear trend could be established from such pay differentials. D of Admin also said that one interesting observation from the benchmark study was that comparing with solicitors who participated in the benchmark study, a greater number of barristers who participated in the same had expressed interests in joining the bench.

18. Mr Paul TSE queried whether inadequate judicial resources and judicial vacancies were the main reasons for the longer court waiting times, having regard to the fact that courts were given greater case management powers after the implementation of the Civil Justice Reform in April 2009. Mr TSE urged the Judiciary to seriously look into what really caused long court waiting times. Mr TSE further said that although the pay of judges lagged behind that of Secretaries of Bureaux, it should be noted that judicial pay in Hong Kong fared better than their counterparts in other overseas common law jurisdictions as pointed out in paragraph 12 of the LegCo Brief. Mr TSE also said that he did not see the need for the Judiciary to recruit judges from overseas, as Hong Kong had adequate qualified candidates to join the bench. Moreover, due to language difficulties and cultural differences, past experience showed that judges recruited from overseas might sometimes come up with questionable judgements due to their lack of understanding of the local characteristics. As many judges approaching the retirement age were still going strong, Mr TSE asked whether consideration would be given to extending the retirement age of judges so as to further improve judicial manpower situation.

19. D of Admin explained that the reason why the waiting times for cases in the HC had exceeded its targets in most of the cases was due to more complex and lengthy cases as well as the refixing of cases. It was also due to the temporary constraints in the deployment of judicial manpower in the HC as a result of the retirement of judges and elevation of judges to higher positions. As far as the Court of Appeal of the HC was concerned, all judicial posts had been substantively filled since 13 December 2011. However, there remained some backlog of cases which accumulated before that, and CJ was giving top priority to deploying judicial resources for hearing criminal cases. As regards the CFI, the lengthening of waiting time for cases in 2011 was not due to insufficient number of judicial posts but to the temporary shortfall of substantive judicial manpower. As mentioned earlier at the meeting, the recruitment for CFI Judges was well underway. To address the situation in the interim, the Judiciary had been making every effort to engage deputy judges who were considered suitable for appointment as Deputy HC Judges from both within and outside the Judiciary to help reduce the waiting times.



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20. As regards the retirement age of judges, D of Admin said that the statutory normal retirement age for JJOs was 60 or 65, depending on the level of the court. For the permanent judges of the Court of Final Appeal, their statutory retirement age can be extended from 65 up to 71 on a case-by-case basis.

Admin 21. Mr Paul TSE requested the Administration to provide more information on the pay of JJOs in the six common law jurisdictions referred to in paragraph 12 of the LegCo Brief and statistics on extension of service of judges. D of Admin agreed to check the availability of and provide the requested information after the meeting.

22. Mr NG Leung-sing noted from paragraph 5 of the LegCo Brief that retirement was the main source of wastage among JJOs. Mr NG asked whether the Judiciary had any succession plan to groom and retain existing talents in anticipation that more JJOs were due to retire in the coming two years as pointed out in The Law Society of Hong Kong's submission.

23. D of Admin replied in the positive. D of Admin advised that following comprehensive reviews of the judicial manpower conducted by the Judiciary in 2008 and 2011 respectively, the judicial establishment at various levels of court was substantially enhanced with a net addition of seven JJOs and two new judicial posts in the Lands Tribunal. Furthermore, as a result of the recent successful completion of open recruitment exercises for JJOs, many posts were filled substantially. D of Admin further advised that following the completion of the current round of open recruitment exercises for JJOs, the Judiciary would conduct another round of comprehensive review of judicial manpower at an appropriate time next year.

24. Mr NG Leung-sing noted from Appendix E to the LegCo Brief that the total number of cases handled by the courts had dropped from 505 837 in 2009 to 504 202 in 2010 and further dropped to 479 906 in 2011. Mr NG asked whether such reduction in the total caseload was due to a lack of judicial manpower or a decrease in the number of cases received by the courts.

25. D of Admin explained that the main reasons why the number of cases handled by various levels of court had dropped from 2009 to 2011 were due to more complex and lengthy cases as well as the re-fixing of cases.

26. Mr Ronny TONG said that there were sufficient local talents who wished to join the bench and recruitment from overseas was unnecessary. Mr TONG further said that the growing number of unrepresented litigants might be one of

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the causes for the longer court waiting times. Mr TONG requested the Administration to provide information on the number and percentage of civil and criminal cases involving unrepresented litigants and the average time spent by the courts on adjudicating civil and criminal cases involving unrepresented litigants vis-à-vis that spent by the courts on adjudicating such cases involving represented litigants. Mr Dennis KWOK also requested the Administration to provide information on why court waiting times had become increasingly longer and whether there were any measures to tackle the problem.

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27. Ms Emily LAU requested the Administration to include information on the issues raised by members at the meeting in its submission to seek funding support from the Finance Committee ("FC") on the proposed judicial pay increase of 5.66% for 2012-2013. D of Admin agreed.

28. The Chairman concluded that members generally had no objection to the proposed adjustment.

## **II. Proposed creation of a supernumerary post of Deputy Principal Government Counsel in the Prosecutions Division of the Department of Justice**

[LC Paper No. CB(4)61/12-13(02)]

29. Director of Administration and Development, Department of Justice ("D of AD") briefed members on the proposal to create one supernumerary post of Deputy Principal Government Counsel ("DPGC") (ranked at directorate legal officer ("DL2")) in the Prosecutions Division of the Department of Justice ("DoJ") from 18 December 2012 to 30 September 2017 to handle the substantial corruption case ESCC 2530/2012(HKSAR v HUI Rafael Junior and four others), details of which were set out in the Administration's paper [LC Paper No. CB(4)61/12-13(02)].

30. Mr WONG Yuk-man said that it was not unreasonable for DoJ to create a dedicated team headed by a DPGC, with support from one Senior Government Counsel ("SGC") and one Government Counsel ("GC"), to handle the case. Noting that an Assistant Principal Government Counsel ("APGC") (ranked at DL1) had already been appointed to head the team since 18 June 2012, Mr WONG queried whether the proposed DPGC post was created to promote this officer. In this regard, Mr WONG asked about the mechanism adopted by DoJ for selecting candidates to fill the proposed DPGC post, and whether such a mechanism was in line with past practices.

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31. D of AD explained that as there was immediate need for additional manpower to undertake the on-going work of the case, with the approval of the Civil Service Bureau, a six-month supernumerary DPGC post was created under delegated authority for the period from 18 June to 17 December 2012 before a longer term post could be created. The supernumerary post was being filled by an APGC on an acting basis, who was assigned to the post in accordance with established mechanism having regard to her experience, ability and suitability. D of AD further explained that if the creation of the proposed supernumerary post was approved by FC, it was intended that the officer would fill the post and continue to handle the work concerned on an acting appointment basis. This intended arrangement would cause the least disruption to the preparation work for the trial.

32. Mr WONG Yuk-man said that as the duration of the proposed supernumerary post was about five years, he asked whether the post, if approved by FC, would continue to be kept by DoJ should the case be concluded earlier.

33. D of AD assured members that the post was created solely for the purpose of handling the case in question and the post would not be kept for a duration longer than would be necessary.

34. Ms Emily LAU informed members that her office received a letter dated 30 October 2012 from members of the public expressing their concerns over the proposed supernumerary post to handle the case. With the concurrence of the Chairman, the letter was tabled at the meeting.

35. Ms Emily LAU welcomed that the current Secretary for Justice ("SJ") followed the practice of the former SJ that in order to avoid any possible perception of bias or improper influence, after satisfying that the Director of Public Prosecutions ("DPP") had no connection with any persons involved in the case, had delegated to the DPP the authority to handle the case and if and when required to make any decision as to whether any prosecution action was warranted.

36. Noting that the officer who presently headed the team to handle the case was ranked at DL1, Ms Emily LAU questioned the need for ranking the proposed supernumerary post at DL2 if it was DoJ's intention for the officer to handle the case until the case was concluded.

37. D of AD explained that the ranking for the proposed DPGC post was determined based on actual operational need and having regard to the nature, profile and sensitivity of the case, as well as the volume and complexity of the

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work that it would entail. D of AD further explained that the filling of the post was decided on the basis of the officer's ability, experience and suitability.

38. Ms Emily LAU further asked whether the DL1 staff holding the post on an acting appointment basis would get promotion subsequent to the approval of the proposed post.

39. D of AD said that if the proposed post was approved by FC, it was intended that the officer holding the interim post would fill the proposed post and continue to handle the case on an acting appointment basis. In accordance with the established mechanism for the selection of suitable officers for promotion or acting appointment in the civil service, the continued acting appointment of the officer in the post would be reviewed every year together with all other eligible officers.

40. Mr Ronny TONG was concerned as to whether the officer holding the post under the continued acting arrangement would have an advantage over other eligible officers in the annual review for the selection of suitable officer for filling the proposed post.

41. D of AD replied that the officer holding the post would be considered on an equal footing with all other eligible officers in the annual review. In general, if the officer in the post continued to perform satisfactorily, she could continue to fill the post for continuity.

42. Mr Dennis KWOK opined that for continuity of case management, he was supportive of filling the post with the same officer subject to her satisfactory performance. Mr KWOK asked about the costs incurred if an external counsel with similar years of practice was to be engaged.

43. Deputy Director of Public Prosecutions (I) ("DDPP(I)") responded that as the prevailing pay rate at taxation of legal costs for solicitors with over 10 years of post qualification experience could be as high as \$4,000 an hour, engaging an experienced in-house counsel would not only enhance the effectiveness in the handling of the case but also save a significant sum of public expenses.

44. Mr LEUNG Kwok-hung said that he did not see the need for creating a DL2 rank to handle the case. He asked whether consideration would be given to re-deploying existing staff at a DL1 rank.

45. D of AD reiterated that DoJ had considered alternative staff re-deployment but found that not feasible. Noting that the existing staff strength had already stretched to the limit, assigning the case to other officers on

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top of their current duties would entail an adverse impact on the effectiveness of the handling of the case and quality of prosecution of other cases as well as the case in question.

46. Mr Michael TIEN expressed concern that if the proposed post for the sole purpose of handling the case was approved, it would give the public an impression that the defendants were being treated unfairly. Mr TIEN then asked whether DoJ had created time-limited posts to handle past mega cases.

47. DDPP(I) replied that there were precedent cases that DoJ had created time-limited posts at similar ranks to handle a mega case but approval of FC was not required as it could be achieved by internal re-deployment of available resources.

48. Mr Kenneth LEUNG was concerned about the substantial amount of resources commitment for engaging a designated team of a DPGC, a SGC and a GC in the handling of a single case. He asked as to whether DoJ had engaged a designated team of similar size for the handling of past mega cases, for example, the "Carrian Case".

49. Echoing Mr Kenneth LEUNG's concern, Mr CHUNG Kwok-bun asked about the level of DoJ's manpower commitment with respect to the "Carrian Case".

50. DDPP(I) responded that in cases like the "Carrian Case", the Administration had arranged through other means for counsel at DPGC-equivalent rank to handle the work on a dedicated basis (e.g. engagement of consultants or re-deployment of post). DDPP(I) added that the same arrangement had been made with respect to the Ng Ka Ling v Director of Immigration series of cases on the eligibility for right of abode in Hong Kong. D of AD said that to his understanding, any operational needs arising from past mega cases were either met from DoJ's internal resources, or enhanced manpower support.

51. Ms Claudia MO opined that the case in question was not comparable to the "Carrian Case" in terms of the scale and coverage. She noted that the prosecution of the "Carrian Case" spanned over a decade and involved a good number of international or publicly listed companies as well as extensive media reports. She asked whether other than the "Carrian Case", there were any precedent cases of similar scale and complexity which warranted the creation of a DPGC post for the sole purpose of handling a single case.

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52. DDPP(I) remarked that the case in question was unprecedented and past mega cases were not comparable to it in terms of the nature and gravity of the crime involved, the background of the defendants and the company in question as well as the extensive array of local Senior Counsel and overseas Queen's Counsel engaged by the defendants.

53. The Chairman concluded that no members had objection to the Administration submitting its proposal to the Establishment Subcommittee ("ESC").

Admin

54. Ms Emily LAU requested the Administration to address in the Administration's proposal to ESC the concerns expressed by members. D of AD agreed.

**III. Any other business**

55. There being no other business, the meeting ended at 6:40 pm.