A Career in the Department of Justice
Hierarchy of the GC Grade

<table>
<thead>
<tr>
<th>Post Title</th>
<th>Posts</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Officer (LO)</td>
<td>5</td>
<td>94 (18.11%)</td>
</tr>
<tr>
<td>DL6 [Current salary: $265,150 – $273,000]</td>
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<tr>
<td>Principal Government Counsel (PGC)</td>
<td>19</td>
<td>425 (81.89%)</td>
</tr>
<tr>
<td>DL3 [Current salary: $208,500 – $227,600]</td>
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<tr>
<td>Deputy Principal Government Counsel (DPGC)</td>
<td>56</td>
<td></td>
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<tr>
<td>DL2 [Current salary: $179,350 – $196,050]</td>
<td></td>
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<tr>
<td>Assistant Principal Government Counsel (APGC)</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>DL1 [Current salary: $150,950 – $165,200]</td>
<td></td>
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</tr>
<tr>
<td>Senior Government Counsel (SGC)</td>
<td>263</td>
<td></td>
</tr>
<tr>
<td>MPS Pt. 45-49 [Current salary: $117,580 – $135,470]</td>
<td></td>
<td></td>
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<tr>
<td>Government Counsel (GC)</td>
<td>162</td>
<td></td>
</tr>
<tr>
<td>MPS Pt. 32-44 [Current salary: $70,465 – $110,170]</td>
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(as at 1.9.2020)
The Secretary for Justice’s Office

- Secretary for Justice
  - Administrative Assistant to Secretary for Justice
  - Commissioner of Inclusive Dispute Avoidance and Resolution Office (IDAR Office)
  - Public Relations and Information Unit
    - Rule of Law Unit
provides support to the Secretary in handling her duties, including assisting the Secretary in handling business of the Executive Council and Legislative Council, coordinating briefs provided by various divisions, overseeing the department's public relations and publicity matters, handling media enquiries, and planning and arranging the Secretary's visits outside Hong Kong and her attendance at various official functions.
The Inclusive Dispute Avoidance and Resolution Office (IDAR Office)

- IDAR Office’s objective is to facilitate access to justice and provide equal opportunities for people from all walks of life and for all sectors of the economy without boundary, advancing Goal 16 of the United Nations’ Sustainable Development Goals in this region and beyond
- Established in January 2019 to better coordinate and implement initiatives that the department undertakes in the areas of dispute avoidance and resolution
- Pursues and concludes co-operation or partnership arrangements with other jurisdictions and international organisations
- Organises, supports or encourages important international events and activities in Hong Kong, as well as raise the international profile of Hong Kong in deal making and dispute resolution through capacity building and promotional activities overseas
- Works directly under the Secretary’s steer and is supported by the Arbitration Unit of the Legal Policy Division, the Mediation Team of the Civil Division and the International Organisations and Legal Cooperation Team of the International Law Division
The Secretary for Justice’s Office

Rule of Law Unit under IDAR Office

- Carries forward Vision 2030, a visionary initiative for building and maintaining a fair and rule-based society underpinned by the rule of law through collaboration with stakeholders towards sustainable development for all, and supported by the CE in the 2019 Policy Address (Supplement)

- Vision 2030 aims to advance the rule of law and contribute to the United Nations’ Sustainable Development Goals in related fields through:
  • Facilitating inclusive stakeholders’ collaboration;
  • Encouraging academic and professional exchange and research;
  • Enhancing capacity building and dissemination of proper information; and
  • Organizing promotional activities and contributing to building a strong rule of law community within this region and beyond

- The Unit acts as the secretariat to support the “Task Force on Vision 2030 for Rule of Law” comprised of local and international renowned experts
The Civil Division

Law Officer (Civil Law)

- DLO(C) (Advisory)
  - Advisory Unit
- DLO(C)(CLU)/1 & DLO(C)(CLU)/2
  - Civil Litigation Unit
- DLO(C) (PEL&H)
  - Planning, Environment, Lands & Housing Unit
- DLO(C) (Commercial)
  - Commercial Unit
- Legal Adviser (Works) (on secondment to the Development Bureau)
  - Legal Advisory Division (Works)
The Civil Division

- provides legal advice to all Government bureaux and departments on a wide spectrum of civil law matters

- represents the Government in the conduct of all civil litigation and in dispute resolution
The Civil Division

- **Advisory Unit** - advises various government departments and bureaux on civil law issues of a general nature relating to the discharge of their functions and duties in a lawful manner and the proper exercise of their discretion and powers; advice given by the Unit covers a wide range of areas, including public and administrative law, statutory interpretation, civil service and disciplinary inquiries, access to information and protection of personal data, civil aviation, marine and transport matters, employment, education, social welfare and family matters.
The Civil Division

- **Civil Litigation Unit** - represents the Government in legal proceedings instituted by or against the Government at all levels of court and statutory boards and tribunals (as advocates or instructing solicitors), and in dispute resolution such as mediation and arbitration; cases handled by the Unit are varied, including judicial review (e.g. constitutional and human rights challenges), immigration related proceedings (e.g. non-refoulement claims), personal injuries cases, revenue appeals (e.g. tax and stamp duty), commercial and contractual disputes; the Unit also represents the Secretary for Justice as guardian of public interest in the wider sense (e.g. in charities cases in which the Secretary is the protector of charities).
Planning, Environment, Lands and Housing Unit advises the Government on specific areas of law under the unit’s purview and acts as instructing solicitors or advocates, as the case may be, in representing the Government in the conduct of related civil claims and disputes before courts and tribunals in respect of those areas of law; it also provides support in the implementation of policy initiatives to promote and develop mediation in Hong Kong and to promote Hong Kong as an international dispute resolution hub in the Asia Pacific Region.
The Civil Division

- **Commercial Unit** - advises Government bureaux and departments on all aspects of commercial law as well as tax and public finance matters; the work is generated by the Government's own commercial activities and by the Government's regulation of utilities and certain business activities.

- **Legal Advisory Division (Works)** - counsel from the Department of Justice are seconded to the Division to provide legal services for both contentious and non-contentious matters in relation to the whole of the Government's construction programme.
The International Law Division

Law Officer (International Law)

- Deputy Law Officer (Treaties & Law)
  - Treaties & Law Unit

- Deputy Law Officer (Mutual Legal Assistance)
  - Mutual Legal Assistance Unit
The International Law Division

- provides legal advice on public international law to the Government
- negotiates international agreements or provides legal advisers for such negotiations
- handles requests for legal co-operation between the HKSAR and other jurisdictions
The Law Drafting Division

- drafts all Government legislation in both official languages

- advises the Government on matters relating to legislative drafting, and generally assists in steering Government legislation through the legislative process

- vets the format of legislation promoted by non-government individuals/bodies

- publishes up-to-date copies of all legislation
  - Hong Kong eLegislation website (including verified legislation)
  - Authorised Loose-leaf Edition
The Legal Policy Division

Solicitor General

Constitutional Affairs Sub-division
- Deputy Solicitor General (Constitutional Affairs)
  - Basic Law Unit
  - Human Rights Unit
  - Constitutional Development and Elections Unit

Law Reform Commission Secretariat
- Secretary, Law Reform Commission
  - Policy Affairs Unit 1
  - Policy Affairs Unit 2

Policy Affairs Sub-division
- Deputy Solicitor General (Policy Affairs)
  - China Law Unit
  - Arbitration Unit
The Legal Policy Division
Policy Affairs Sub-division

– advises on matters from the legal policy perspective (e.g. with reference to sound and well established principles which underpin the legal system of the HKSAR)

– promotes policies and legislative proposals within the policy purview of the SJ, especially those concerning the development of the legal system and of the legal profession

– provides legal advice to the CE or the ExCo, as the case may be, on statutory and non-statutory appeals, objections and petitions, and surrender of fugitives requests; considers claims for compensation for miscarriage of justice, etc.
The Legal Policy Division

Policy Affairs Sub-division (cont’d)

– provides legal advice on Legislative Council procedures

– advises on matters related to Mainland law and takes forward initiatives to further legal cooperation with the Mainland, Macao and Taiwan

– supports the Commissioner of Inclusive Dispute Avoidance and Resolution Office in promoting Hong Kong’s status as an international legal hub for legal, deal-making and dispute resolution services, and in seeking opportunities for the Hong Kong legal and dispute resolution services profession in the Mainland in the context of the Closer Economic Partnership Arrangement and in the Greater Bay Area
Constitutional Affairs Sub-division

- provides legal advice on matters concerning the Basic Law

- provides legal advice on human rights law, including anti-discrimination ordinances

- provides legal advice on constitutional development and election matters
The Legal Policy Division

Law Reform Commission Secretariat

- provides research and secretariat support to the Law Reform Commission (LRC) and its sub-committees

- prepares discussion papers, consultation papers and reports in draft for consideration by the sub-committees and then by the LRC

- co-ordinates public consultation exercises

- organises promotional activities such as the Law Reform Essay Competition
The Prosecutions Division

Director of Public Prosecutions

Office of the DPP
Chief of Staff

DDPP

ODPP

Sub-division II
(Policy & Administration)

DDPP

Sub-division I
(Advisory)

DDPP

Sub-division III
(Advocacy & Appeals)

DDPP

Sub-division IV
(Commercial Crime)
The Prosecutions Division

Office of the DPP

- organises training courses for Counsel, Court Prosecutors, Departmental Prosecutors and Law enforcement agencies

- handles complaints and feedback on prosecution matters
The Prosecutions Division

Office of the DPP (Cont’d)

- advises on cases involving allegations of criminal misconduct of the police
- conducts policy research, trains new recruits
- handles media relations
The Prosecutions Division

Sub-division II

- prepares administration and policy papers
- undertakes the administrative duties of the Division, briefing out and supervises the para-legal and support staff
- advising cases on departmental prosecutions, interception of communication and surveillance
- deals with restraint and confiscation of proceeds of crime in domestic cases
Sub-division I

- advises on and prepares cases to be tried in the Court of First Instance of the High Court, the District Court and the Magistracies

- oversees the work of the Court Prosecutors

- advises on Public Order Event cases, cybercrime prosecutions, as well as obscenity and child pornography cases
**The Prosecutions Division**

**Sub-division III**

- prosecutes serious and complex trials at all levels of courts
- conducts appeals, judicial reviews and reviews of sentence
- handles matters related to the Basic Law and the Bill of Rights Ordinance
The Prosecutions Division

Sub-division IV

- advises on and prosecutes cases investigated by the ICAC and Commercial Crime Bureau of the Police
- advises the Inland Revenue Department
- advises the Customs and Excise Department
- handles commercial crime and copyright crime cases
- handles market misconduct, commercial fraud, money laundering and terrorist financing cases
Terms of Appointment

3 years on probation

⇒ upon satisfactory completion of the probationary service, may be considered for permanent terms of employment with provident fund

subject to service need
Fringe Benefits

Housing Benefits

- Officers are eligible for housing benefits as they reach MPS Pt 34, subject to meeting other eligibility criteria.

As at 1 April 2020, GC entered at starting pay point of GC rank (i.e. MPS Pt 32) will be eligible for housing benefits (non-accountable cash allowance at $19,300 per month) upon completion of two years of service with satisfactory performance. The allowance is payable for a maximum period of 120 months. The rate will be increased with officers' advancement along the pay scale (currently at $53,470 for Law Officers).
Fringe Benefits

Medical and Dental Treatment

- Medical and dental benefits available to the officer and his/her family (subject to prevailing regulations) include:
  - Free consultation at both Families and General Out-Patient Clinics
  - Free conservation treatment at government dental clinics
Fringe Benefits

Civil Service Provident Fund (CSPF) Scheme（公務員公積金計劃）

- The CSPF Scheme is the retirement benefits system for officers when they progress onto permanent terms.

- The total Government’s contributions under the CSPF Scheme follow a progressive contribution rates schedule as follows -
### Fringe Benefits

**CSPF Scheme**

<table>
<thead>
<tr>
<th>Completed years of continuous service on civil service terms (in years)</th>
<th>Government's contribution rate in terms of the % of the officer’s basic salary at the substantive rank capped at $1,500</th>
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</thead>
<tbody>
<tr>
<td>Below 3 (MPF Scheme)</td>
<td>15%</td>
</tr>
<tr>
<td>3 to below 18</td>
<td>17%</td>
</tr>
<tr>
<td>18 to below 24</td>
<td>20%</td>
</tr>
<tr>
<td>24 to below 30</td>
<td>22%</td>
</tr>
<tr>
<td>30 to below 35</td>
<td>25%</td>
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<tr>
<td>35 or above</td>
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## Leave

<table>
<thead>
<tr>
<th></th>
<th>No. of days of leave per year</th>
<th>Vacation leave accumulation limit</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Directorate Staff</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>≥ 10 years' service</td>
<td>26</td>
<td>78</td>
</tr>
<tr>
<td>&lt; 10 years' service</td>
<td>22</td>
<td>44</td>
</tr>
<tr>
<td><strong>Non-Directorate Staff</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>≥ 10 years' service</td>
<td>22</td>
<td>66</td>
</tr>
<tr>
<td>&lt; 10 years' service</td>
<td>18</td>
<td>36</td>
</tr>
</tbody>
</table>
Training

Training / attachment in Hong Kong

- Continuing Professional Development seminars / law conferences
- In-house courses on various legal subjects
- Leadership / Management programmes, such as Leadership in Action Programme, Innovative Managers Programme, etc
- Attachment to barristers’ chambers
Training / attachment outside Hong Kong

- Attachment to Justice Departments / Bureaux outside Hong Kong
- Middle Temple Advocacy Course in the UK
- International law conferences
- National Studies Courses at Tsinghua University, Peking University and the Chinese Academy of Governance, etc
- Overseas management / leadership courses
- Attachment to overseas barristers’ chambers
Unique Opportunities

- Works with different Bureaux/Departments and law enforcement agencies on a vast spectrum of legal issues
- Involves in various areas of legal work and in important legal decisions and processes where public interests are at stake
- Works on high-profile legal cases
- Participates in important international legal conferences and negotiations
- Serves the community and put professional expertise to good use
Deadline for Application:
6 November 2020