

Secretary for Justice on case of Mr Donald Tsang Yam-kuen

Following is the transcript of remarks made by the Secretary for Justice, Mr Rimsky Yuen, SC, at a media session this afternoon (October 5):

Reporter: Secretary, can you comment on the case against Donald Tsang? Why didn't the Department of Justice recommend to charge or prosecute other than those two charges? Do you feel the other charges are not pursuable and how serious are the allegations and the charges of misconduct in public office?

Secretary for Justice: First of all, as the prosecution has already been commenced, it would not be appropriate for me to comment or say how serious or how not serious those charges are. Those matters would be before the court and it would be up to the court to decide the matter. As to the other part of your question, we have stated in the press statement this morning that we, the Department of Justice, and of course the ICAC, appreciate that there have been various reports by the media on certain matters concerning Mr Donald Tsang, other than those which are now covered by the two charges made by the ICAC this morning. Those matters, or if I may call them those other matters, have been investigated by the ICAC. We have also received materials and information from the ICAC on those other matters. The Department of Justice has looked at those evidence. We have given them due consideration. We have also sought advice from London Queen's Counsel on whether or not it is appropriate to commence prosecution on those other matters. But the conclusion is, as we stated in this morning's press release, it is our decision at the end of the day that there is no sufficient evidence to justify or warrant any criminal prosecution. And that's the reason why, at the end of the day, in the final advice we gave to the ICAC, we recommend the commencement of prosecution on those two charges which the ICAC has actually done in this morning.

(Please also refer to the Chinese portion of the transcript.)

Ends/Monday, October 5, 2015