

Speech by DPP at opening ceremony of Prosecution Week 2014

Following is the speech by the Director of Public Prosecutions, Mr Keith Yeung, SC, at the opening ceremony of Prosecution Week 2014 today (June 23):

Secretary for Justice; President of the Law Society, Mr Ambrose Lam; Representative of the Bar Association, Mr Graham Harris SC; distinguished guests, ladies and gentlemen:

Thank you all for joining the official opening of Prosecution Week 2014 organised by the Prosecutions Division of the Department of Justice. I extend to all of you my warmest welcome.

Prosecution Week owes its genesis to Mr Zervos, my predecessor, now his lordship. For that, we thank him. For those of you who were involved in the first one held in July 2012, you may still be keeping the souvenirs specifically designed for that event. They were two rulers, one had on it printed the words "RULE OF LAW", and the other one "RULE OUT CRIME" - most fitting themes for the first Prosecution Week.

This term "rule of law" - a term we have heard so much - is however not a mere slogan. It is, without doubt, one of Hong Kong's most important core values. It is the golden thread that runs through the fabric of the Prosecution Code which we adhere to. It is a value which we prosecutors are required to comply with and promote.

How the prosecution complies with and promotes the rule of law, and what we do for that purpose, are the key thinking behind the theme of this year's Prosecution Week. We want to be more specific. In Chinese, our theme this year is "秉持公正，彰顯法治". As explained and supplemented to by our English theme, we emphasise that the prosecution service needs to be Fearless, Accountable, Impartial and Robust in conducting prosecutions. The acronym is "FAIR Prosecutions".

One wonders why "fearlessness" is an essential factor. It is. Prosecutions are often controversial. The prosecutor must have the strength and confidence to resist criticism from whatever quarter, no matter how strident or painful. We welcome criticism. We improve as a result. But to make a prosecutorial decision in a particular way because of fear of criticism will be wrong.

The need to be accountable and impartial is obvious. A prosecutor acts on behalf of the community. A prosecutor has no ego when discharging his or her duties. Personal preferences and idiosyncrasies of the prosecutor have no role to play. Political considerations are completely irrelevant. The judgment of the prosecutor on a case must never be overborne by such irrelevant considerations. Independence is the norm.

It is also important to be robust. "Rule out crime" - I repeat one of the themes of the First Prosecution Week. It is indeed one of the duties of the prosecutor to ensure that the prosecution case is conducted robustly and firmly. I may put it in another way - prosecution is not for the faint-hearted.

But above all, I emphasise, the prosecution should be fair. That is the most important concept, one which we would like to impress upon the public through its adoption as the theme of this Prosecution Week.

We however appreciate this. We may aspire to be fair. We may actually be acting most fairly. But until the public understands how we operate, and until the public believes that we act fairly, we are at most only half way there. It is with this in mind that Prosecution Week was first introduced, and why we continue it. It aims to provide a platform for closer links with the public, and to help increase the accessibility, openness, transparency and accountability of the criminal

justice system to the community as a whole.

The activities of this Prosecution Week 2014 are aimed at bringing the Prosecutions Division and the general public closer together. In particular, we have organised a slogan competition and have received a good response from students of many local secondary schools. Some 108 entries have been submitted. The winners of the competition are with us for today's official opening and the award presentation ceremony will be held shortly.

During Prosecution Week, we will also draw students into the prosecution work process and share our experiences in daily work. We do so through arranging activities such as visits, talks and mock courts. We have even arranged some barrister wigs for students to try on. We have received a keen response from a total of 30 secondary schools for enrolment in the activities, which is the largest number of responses in the three years since Prosecution Week was first launched.

We however appreciate the limitation of this event. It lasts only one week. There are limits as to what we can do during this short span of time. To address that, we have recently launched the Meet the Community programme. It is a programme which runs through the year. The idea is to send our prosecutors out to interested schools and community organisations in the territory. They give talks to students and members of the public on important legal topics relevant to the criminal justice system. The topics we have prepared include the rule of law, the role of prosecutors, drug abuse, cyber bullying, juvenile crimes, sexual offences, white collar crimes, triad activities, etc. On a personal level, we hope that students and our audiences will find the topics useful. What they have heard may help them to identify and steer away from crime. On a general and more important level, we hope that the public will have a better understanding of the criminal justice system. The continuous maintenance of the rule of law hinges on this.

We hope all participants will benefit from Prosecution Week. I know the prosecution can. Thank you.

With these remarks, I invite Mr Rinsky Yuen, SC, the Secretary for Justice, to deliver an opening address for Prosecution Week.

Thank you again for attending today's opening ceremony. Special thanks must go to our Secretary for Justice, Mr Rinsky Yuen, SC, the Bar Association and the Law Society for their overwhelming backing for Prosecution Week. I am confident that with the support from all of you and the general public, Prosecution Week 2014 will be a great success. Thank you.

Ends/Monday, June 23, 2014