

Speech by SJ at Criminal Law Conference 2012 (English only)

Following is the opening address by the Secretary for Justice, Mr Rimsky Yuen, SC, at the Criminal Law Conference 2012 today (November 17):

Distinguished guests, ladies and gentlemen:

It gives me great pleasure to welcome you to the Criminal Law Conference 2012, organised by the Prosecutions Division of the Department of Justice.

The rule of law and judicial independence are the core values of Hong Kong. Under the Basic Law, Hong Kong remains a common law jurisdiction, and enjoys independent judicial power including that of final adjudication. Rights and freedoms of Hong Kong residents and other individuals are safeguarded under the Basic Law, the Bill of Rights Ordinance and other relevant legislations. As far as criminal justice is concerned, it has always been our aim to put in place a system that is fair and effective, and one that strikes the right balance between the protection of human rights and the need to protect the community from criminal activities.

The annual surveys conducted by the Political and Economic Risk Consultancy on expatriates' confidence in different judicial systems around the world regularly put Hong Kong's legal system in a very favourable light. Its latest report released in August this year described our system as "transparent, accessible and efficient". Indeed, our robust legal system has been one of the most important factors contributing to the continued success of Hong Kong. It has enabled our city to remain vibrant and cosmopolitan, and to win the reputation of being one of the world's freest and competitive economy, commanding the confidence of both the local and international communities.

The holding of this conference, with the theme "Reforming

the criminal justice system of Hong Kong", shows that we are not complacent, and that we are always mindful of the need and importance of maintaining a high-quality criminal justice system together with other stakeholders. The enhancement of the administration of criminal justice is an ongoing commitment. The Department of Justice is committed to ensure that Hong Kong's criminal justice system will develop appropriately to meet the needs of our ever changing society.

Amongst others, the success of a criminal justice system depends upon its being fair and consistent at all times, dispensing justice in an effective but even-handed manner to all. As lawyers, we all have a keen interest and an important role to play in making our criminal justice system as successful as possible. This is measured to a large degree by the confidence and trust that the public have in our system of justice. This conference seeks to consider a wide range of matters as part of an overall appreciation of the fairness and efficiency of our criminal justice system. There is no doubt that this is the right direction in the reform of our criminal justice system so that it can better meet the expectations of the community that it seeks to serve. This process will and should involve stakeholders and the public in attaining a criminal justice system that has the confidence and trust of all concerned.

We sincerely hope that the conference, as an important initiative undertaken by our Prosecutions Division, can provide an additional platform for exchanges to promote better understanding and facilitate useful discussion on topics of significance to the criminal justice system.

This conference would not have been possible without the participation of our distinguished speakers, including members of the judiciary, practitioners and academics both in Hong Kong and from overseas. In particular, I wish to express our utmost gratitude to all our overseas speakers who have given up their valuable time to be here today, to share with

us their knowledge and experience in our deliberations over the various topics that have been listed for discussion. We also have in attendance representatives of other common law jurisdictions as part of our programme of cooperating and working with prosecuting agencies in other jurisdictions. Needless to say, I also thank our Director of Public Prosecutions, Mr Kevin Zervos, SC, and the other colleagues of our Department of Justice for the hard work they have put in to make this conference possible.

On this note, may I wish this conference every success, and also wish all our overseas guests and speakers an enjoyable stay in Hong Kong. Thank you very much.

Ends/Saturday, November 17, 2012