



委任司法人員

Judicial Appointment



楊家雄法官

楊家雄法官在 2013 年 9 月至 2017 年四年間出任律政司刑事檢控專員，他在此之前私人執業，並於 2009 年獲委任為資深大律師。楊法官於 2013、2018 和 2019 年獲委任為高等法院原訟法庭暫委法官，其後於 2019 年 7 月獲委任為高等法院原訟法庭法官。他任職刑事檢控專員期間推行多項新措施，為刑事檢控科帶來許多新氣象。該等措施包括於 2017 年出版經修訂的《檢控手冊》。除帶領該科應對香港當時嚴峻的挑戰外，他亦曾出庭處理多宗重要的上訴案件，對香港的刑事法理學貢獻良多。香港特別行政區 訴 吳文南 [2016] 5 HKLRD 1 案是其中一例。該案徹底改變以往的量刑慣例，即被告如在審訊首日前任何時間認罪，刑期通常可從量刑起點獲扣減三分之一。上訴法庭同意控方的陳詞，並且訂立新指引，即被告愈早認罪，可獲得愈多的減刑。上訴法庭同時亦就被告在不同階段認罪可獲的不同減刑幅度訂立指引。

The Honourable Mr Justice Keith Yeung

Mr Justice Yeung took up the appointment as Director of Public Prosecutions of the Department of Justice for 4 years from September 2013 to 2017. Before the appointment as Director, he was in private practice and was appointed as Senior Counsel in 2009. Mr Justice Yeung had in 2013, 2018 and 2019 been appointed as Deputy Judge of the Court of First Instance of the High Court before he was appointed as Judge of the Court of First Instance of the High Court in July 2019. During his tenure as the Director of Public Prosecutions, Mr Justice Yeung implemented a broad range of initiatives and brought many new dimensions to the Division. These initiatives included the revamped publication of the Prosecution Manual 2017. In addition to leading the Prosecutions Division in one of the most challenging times of Hong Kong, Mr Justice Yeung appeared in a number of significant appeal cases which contributed immensely to the criminal jurisprudence of Hong Kong. *HKSAR v Ngo Van-nam* [2016] 5 HKLRD 1 was one of them which completely revamped the previous sentencing practice where a defendant would customarily be afforded a one-third discount from the starting point for sentence if a guilty plea is tendered at any time until the first day of trial. In agreeing with the Prosecution's submissions, the Court of Appeal laid down new guidelines to the effect that the earlier the guilty plea the greater the discount in sentence a defendant will get; and laid down guideline as to the various extent of discounts that can be given depending on which stage the guilty plea is tendered.