

# 外展及培訓

## Outreach and Training





## 持續法律進修課程

一如往年，本科在 2020 年舉辦了多個研討會和交流會，由來自與檢控相關界別富經驗的演講嘉賓主講，當中包括：

- “數碼法證及加密貨幣罪行” — 在 7 月 15 日舉辦，由警務處網絡安全及科技罪案調查科總督察林永雄先生及兩名高級督察陳鴻先生和陳俊燁先生主講
- “檢控野生生物罪行及殘酷對待動物罪行的新發展” — 在 8 月 20 日舉辦，由香港大學法律學院副教授 Amanda Whitfort 女士主講
- “法證視頻分析、影像模擬及比較” — 在 9 月 29 日舉辦，由政府化驗所高級化驗師譚卓寧博士及化驗師陶志恒博士主講
- “與易受傷害證人錄影會面的基本程序及提問技巧” — 在 10 月 12 日舉辦，由社會福利署高級社會工作主任張林淑儀女士及警務處警察臨床心理學家馮浩堅先生主講

## “與公眾會面”計劃

我們在 2014 年首次開展“與公眾會面”計劃，目的是加深公眾（特別是年輕人）對刑事司法制度、他們在制度中的角色，以及法治的重要性的認識。

## Continuing Legal Education

As in previous years, seminars and sharing sessions were conducted by experienced guest speakers from sectors related to prosecution in 2020. Such seminars and sharing sessions included:

- Digital forensics and cryptocurrency crimes, by Mr Neo Lam, Chief Inspector and two Senior Inspectors, Mr Huma Chan and Mr Philip Chan, of the Cyber Security and Technology Crime Bureau of the Police on 15 July
- New developments in wildlife crime and animal cruelty prosecutions, by Ms Amanda Whitfort, Associate Professor, Faculty of Law of the University of Hong Kong on 20 August
- Forensic video analysis, image simulation & comparison, by Dr Jimmy Tam, Senior Chemist and Dr Tao Chi-hang, Chemist of the Government Laboratory on 29 September
- Protocol and questioning skills for video-recorded interview with vulnerable witnesses, by Mrs Chang Lam Sook-ye, Senior Social Work Officer of the Social Welfare Department and Mr Michael Fung, Clinical Psychologist of the Police on 12 October

## “Meet the Community” Programme

The “Meet the Community” Programme was first introduced in 2014 to enhance the understanding of the general public, in particular, young people, of the criminal justice system and their role in the system as well as the importance of the Rule of Law.

在這項計劃下，本科的檢控人員到訪學校，就不同議題舉行講座，內容圍繞檢控人員如何執行職務的具體情況，包括檢控人員的角色、作出檢控決定的依據等一般事宜，以及檢控人員怎樣處理某特定種類的罪行。鑑於 2019 冠狀病毒病疫情在 2020 年相當嚴峻，我們為學校舉辦了網上講座，廣受歡迎。截至 2020 年年底，這項計劃共舉辦了 175 場講座。

## 見習計劃

這項計劃在 2012 年開展。在計劃下，獲委聘負責檢控複雜及敏感案件的外判資深大律師或資歷較深的大律師，可提名一名經驗不足 10 年的私人執業大律師參與見習計劃，以每日定額酬金，在檢控工作中擔任副手。這項計劃在 2020 年進一步擴展至涵蓋經驗達五年的初級大律師及初級事務律師。這項計劃為私人執業而資歷較淺的初級大律師提供寶貴的學習機會，讓他們有機會汲取檢控較為複雜和敏感案件的經驗和技巧。在 2020 年，共有 22 名私人執業的初級大律師參與這項計劃。

## 刑事訟辯課程

我們在 2020 年為新入職的檢控官和見習律政人員舉辦了兩班刑事訟辯課程。該課程為期 12 星期，包括由資深同事主講的課堂講座，內容涵蓋刑事法律、常規及程序等多項議題。學員會參觀警務處和政府化驗所，然後進行密集式的模擬法庭實習訓練。課程結束前，學員會被派駐到裁判法院實習一段時間，其間執行刑事案件檢控工作。

其他科別的律師如有意提高本身的刑事法知識，也可參與該課程。

今年我們推出了關於刑事事宜法律合作的新單元，由國際法律科律師主講，旨在讓檢控人員加深認識司法互助可如何利便跨境罪行的調查和檢控工作。

Under the Programme, prosecutors of the Division give talks to schools on diverse topics about how prosecutors carry out their duties, including general issues like their role, how they come to their prosecutorial decisions, as well as how they tackle specific types of offences. Amid the severe COVID-19 pandemic situation in 2020, virtual talks were delivered to schools and were well-received. By the end of 2020, a total of 175 talks under the Programme had been conducted.

## Understudy Programme

This Programme was introduced in 2012. Under this Programme, senior counsel or senior junior counsel briefed to prosecute complex and sensitive cases can nominate a counsel in private practice with less than 10 years' experience to act as an understudy and to take part in the prosecution work as his or her junior at a fixed daily rate. In 2020, the Programme has been further extended to cover both junior counsel and junior solicitors with up to 5 years' experience. This has provided valuable learning opportunities to junior counsel for gaining experience and skills in prosecuting cases of complexity and sensitivity. A total of 22 junior counsel in private practice participated in the Programme in 2020.

## Criminal Advocacy Course

In 2020, 2 rounds of Criminal Advocacy Course were held for our newly recruited Public Prosecutors and Legal Trainees. The 12-week course consisted of lectures given by our experienced colleagues, covering a wide range of topics on criminal law, practice and procedures. Participants visited the Police and the Government Laboratory as part of their learning experience. Intensive mock court exercises then followed, with the course concluding with a period of attachment to the Magistrates' Courts where participants prosecuting criminal cases in court.

The course was also open to counsel from other divisions wishing to enhance their knowledge on criminal law.



## 部門檢控人員培訓課程



刑事檢控科於 2020 年 1 月舉辦為期 14 天的部門檢控人員培訓課程，共有 45 名來自政府各決策局 / 部門或自主機構的非法律專業檢控人員參加。該課程旨在向部門檢控人員傳授履行職務所需的知識和技巧。

課程分為三部分：學員首先須出席一系列課堂講座，內容涵蓋裁判法院程序、訊問證人、前後一致 / 不一致的陳述、案中案程序及處置證物等議題。然後，他們到其中一所裁判法院參觀一天，體驗課堂上討論過的法律原則如何應用在實際案件中。課程最後一部分是為期六天的模擬法庭實習訓練，其間學員分別擔當檢控人員、辯方律師或證人的角色。

## 法庭檢控主任培訓

在 2019 年加入刑事檢控科的法庭檢控主任，獲派駐裁判法院工作前，在 2019 至 2020 年接受了專為他們而設的九個月培訓課程。新聘人員身負重任，負責維持裁判法院的高水平檢控工作。

培訓課程為期九個月，包括 (1) 一系列課堂講座，內容集中講解刑法和程序法的一些重要議題；(2) 模擬法庭實習訓練；以及 (3) 派駐裁判法院實習，其間新聘人員會先在督導下執行案件檢控工作，然後才自行處理有關工作。他們也到訪廉政公署和政府化驗所，並與有關人員會面，以加深認識這些部門的日常運作和加強合作。

本司委聘一名擁有豐富檢控知識及專業才能的顧問律師（前任高級助理刑事檢控專員）制訂和監督整個培訓課程。

A new module on legal cooperation in criminal matters was introduced this year. Delivered by counsel from the International Law Division, this module aims to provide prosecutors a better understanding of how mutual legal assistance may facilitate the investigation and prosecution of cross-border crimes.

## Departmental Prosecutors Training Course

The Prosecutions Division organized a 14-day Departmental Prosecutors Training Course in January 2020. Attended by 45 lay prosecutors from different government bureaux / departments or autonomous bodies, the course aimed to equip departmental prosecutors the knowledge and skills necessary for their discharge of duties.

Divided into 3 parts, participants first had to attend a series of lectures covering topics such as Magistrates' Courts procedures, examination of witnesses, previous consistent / inconsistent statement, *voir dire* and disposal of exhibits. They then paid a one-day visit to one of the Magistrates' Courts, seeing how the legal principles discussed applied in real cases. The course concluded by their taking part in mock court exercises for 6 days, taking on the role of a prosecutor, defence counsel or a witness.

## Court Prosecutors Training

Before being deployed to work at the Magistrates' Courts, Court Prosecutors who had joined the Prosecutions Division in 2019 underwent a tailor-made 9-month training programme between 2019 and 2020. The new recruits are expected to play a pivotal role in maintaining the high standard of the prosecution work in the Magistrates' Courts.

The 9-month training programme consisted of (1) a series of lectures focusing on important topics of substantive and procedural law, (2) mock court exercises, and (3) attachment to the Magistrates' Courts during which the new recruits prosecuted criminal cases firstly under supervision and then on their own. The new recruits also paid visits to the Independent Commission Against Corruption and the Government Laboratory to meet with their personnel to gain a better understanding of their daily operations and to enhance cooperation.

A Consultant Counsel, an ex-Senior Assistant Director of Public Prosecutions with extensive knowledge and expertise in prosecution work, was engaged to design and oversee the entire training programme.