



外展及培訓 Outreach and Training

國際刑事法律研討會 2021

國際刑事法律研討會於 2021 年 11 月 2 日在香港會議展覽中心舉行，是香港法律周 2021 於 11 月首周舉辦的重點活動之一。

研討會的講者來自不同司法管轄區，均為知名刑事法律從業者，包括前終審法院常任法官、高等法院首席法官、法學教授、國際檢察官協會參議會副召集人、資深執法人員、御用大律師及資深大律師。講者就“刑法中的人權問題”、“判處罪犯：維持公眾對刑事司法的信任”、“在內地與香港打擊貪污”，以及“眾籌還是募集犯罪資金”四個刑法議題進行討論。超過 900 名人士親身出席或透過網上平台參與。

研討會為刑事法律從業者提供交流平台，探討其他司法管轄區的經驗和審視香港的做法，以促進刑事司法制度的發展。參加者對研討會安排、討論議題及內容的評價非常正面。

International Criminal Law Conference 2021

The International Criminal Law Conference was held on 2 November 2021 at the Hong Kong Convention and Exhibition Centre and it was one of the focal events of the Hong Kong Legal Week 2021 which was organized in the first week of November.

Distinguished criminal law practitioners from different jurisdictions gave speeches in the Conference. These included former Permanent Judge of the Court of Final Appeal, Chief Judge of the High Court, Professor of Law, Vice Chairman (Senate) of the International Association of Prosecutors, experienced law enforcement officers, Queen's Counsel and Senior Counsel. The speakers engaged in discussions on four criminal law topics, namely "Human rights considerations in the criminal law context", "Sentencing offenders: maintaining public confidence in criminal justice", "Combating corruption in the Mainland and Hong Kong" and "Crowdfunding or Crime-funding?". More than 900 participants took part in it by attending in person or joining through internet platforms.

The Conference provided a platform for exchanges, to examine experience from other jurisdictions and to review our own practices with a view to enhancing the development of the criminal justice system. The participants of the Conference gave very positive feedbacks on the arrangement of the Conference as well as the topics and contents.

持續法律進修課程

本科在 2021 年舉辦了多個研討會，反應良好。研討會議題廣泛，例如副刑事檢控專員譚耀豪資深大律師主講的研討會探討私營機構賄賂法的最新發展；國際法律科副首席政府律師陳淑玲女士則在她主講的研討會中分享對刑事事宜法律合作的見解。



實習計劃

在 2021 年，多個內地機構的官員在不同時期於刑事檢控科實習，以了解香港刑事司法制度的運作情況和香港如何進行檢控工作。實習人員包括：

- 河北省司法廳孟德新先生 (5 月 17 至 21 日)
- 陝西省司法廳周欣女士 (5 月 17 至 28 日)
- 天津市司法局李燕女士 (6 月 7 至 18 日)
- 深圳海關古麗雅女士 (6 月 15 至 18 日)
- 全國人民代表大會常務委員會法制工作委員會林哲思女士 (6 月 15 至 25 日)

中學法律講座

本司自 2020/2021 學年起推出“明法・傳法計劃”，促進中學生正確理解及實踐法治，包括加強他們的守法意識。

在這項計劃下，本科的檢控人員到訪中學，就不同議題舉行講座，內容包括檢控少年被告、校園欺凌、性罪行、濫用藥物、電腦網絡罪行及與公眾秩序相關的罪行，深受教育界歡迎。我們希望透過法律講座讓學生深入認識法治，以及刑事司法制度和他們在當中擔當的角色。

Continuing Legal Education

Various seminars were conducted in 2021 and were well-received. The topics were wide-ranging, for example, a seminar was held by Mr William Tam SC, Deputy Director of Public Prosecutions on recent developments in the law of bribery in the private sector. Ms Ada Chan, Deputy Principal Government Counsel of the International Law Division gave a seminar to share her views on legal cooperation in criminal matters.

Attachment Programme

In 2021, a number of Mainland officials from various institutions were attached to the Prosecutions Division for different periods of time during which they were arranged to understudy the operation of the criminal justice system in Hong Kong and how prosecution work is carried out here. The participants included:

- Mr Meng Dexin, from the Hebei Provincial Department of Justice (17-21 May)
- Ms Zhou Xin, from the Shaanxi Provincial Department of Justice (17-28 May)
- Ms Li Yan, from the Tianjin Justice Bureau (7-18 June)
- Ms Gu Liya, from the Shenzhen Customs District (15-18 June)
- Ms Lin Zhesi, from the Legislative Affairs Commission of the Standing Committee of the National People's Congress (15-25 June)

Law Talks for Secondary Schools

Starting from the academic year 2020/2021, DoJ introduced the “Rule of Law Enlightenment” Programme to promote proper understanding and practice of the rule of law, including law-abiding awareness, among secondary school students.

Under the Programme, prosecutors of the Division give talks to secondary schools on diverse topics including prosecution of juvenile defendants, school bullying, sexual offence, abuse of drug, cybercrime and offences relating to public order. The talks were well-received by the education sector. It was hoped that through the law talks, students could gain an in-depth understanding of the rule of law as well as the criminal justice system and their role in the system.

練習計劃

自 2020 年起，經驗不足 5 年的私人執業大律師及律師可於此計劃下輪流擔任資深大律師或資歷較深的大律師的副手。他們會以每日定額酬金，在合適的外判案件中協助進行檢控工作。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，讓他們汲取檢控較為複雜和敏感案件的經驗和技巧。在 2021 年，共有 20 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 2021 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。



部門檢控人員培訓課程

刑事檢控科於 2021 年 7 月舉辦為期 14 天的部門檢控人員培訓課程，共有 33 名來自政府各決策局／部門及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。

Understudy Programme

Since 2020, counsel and solicitors in private practice with less than 5 years' post call/admission experience can be engaged, on a rotating basis, to act as an understudy to senior counsel or senior junior counsel and to take part in the prosecution work of suitable briefed out cases at a fixed daily rate under this programme. This has provided valuable learning opportunities to junior counsel for gaining experience and skills in prosecuting cases of complexity and sensitivity. A total of 20 junior counsel in private practice participated in the programme in 2021.

Criminal Advocacy Course

In 2021, two 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.

Departmental Prosecutors Training Course

The Prosecutions Division organized a 14-day Departmental Prosecutors Training Course in July 2021. Attended by 33 lay prosecutors from different government bureaux / departments and autonomous bodies, the course aimed to equip departmental prosecutors the knowledge and skills necessary for their discharge of duties.



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 2021 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，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，包括一系列課堂講座，內容集中講解實體刑法和程序法的一些重要議題；模擬法庭實習訓練；以及派駐裁判法院實習，其間新聘人員會先在督導下執行刑事案件檢控工作，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。

Divided into three 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 six 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 2021 underwent a tailor-made nine-month training programme. The new recruits are expected to play a pivotal role in maintaining the high standard of the prosecution work in the Magistrates' Courts.

The nine-month training programme consisted of a series of lectures focusing on important topics of substantive and procedural law, mock court exercises, and 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.

