



## 資深大律師任命 Senior Counsel Appointment

### 副刑事檢控專員

### 林穎茜資深大律師

2021年5月29日，副刑事檢控專員林穎茜獲終審法院首席法官委任為資深大律師。這項委任是根據《法律執業者條例》(第159章)第31A條，在考慮林專員的能力、法律知識和經驗並諮詢大律師公會執行委員會主席及香港律師會會長後作出。

林專員是由律政司孕育出來的資深大律師，她是1997年中國恢復對香港行使主權後的首批律政司見習律政人員的其中一員。完成在律政司的實習後，她在1999年獲認許為事務律師，自此一直在律政司擔任檢控官。2020年9月，她休假完成為期三個月的大律師實習後轉為大律

### Vinci Lam SC

#### Deputy Director of Public Prosecutions

On 29 May 2021, Ms Vinci Lam, Deputy Director of Public Prosecutions, was appointed as Senior Counsel by the Chief Justice of the Court of Final Appeal. The appointment was made pursuant to section 31A of the Legal Practitioners Ordinance (Cap. 159), having taken into account Vinci's ability, knowledge of the law and experience and after consultation with the Chairman of the Bar Council of the Hong Kong Bar Association and the President of The Law Society of Hong Kong.

Vinci is our home-bred Senior Counsel. She was amongst our first batch of legal trainees after the resumption of sovereignty by China in 1997. Having completed her training with the Department, she was admitted as a solicitor in 1999 and has been a public prosecutor ever since. In September 2020, she switched over and became a

師，其後返回工作崗位繼續履行副專員的職責。

司法機構的委任公告提及林專員的工作是“專責處理刑事上訴工作”。的確，林專員早在2000年便已開始處理在高等法院原訟法庭審理的上訴案件，不久之後更處理在上訴法庭及香港終審法院（「終審法院」）審理的上訴案件。林專員早於2010年及2013年先後以訟辯律師而非領訟大律師副手身分，分別在終審法院上訴委員會及終審法院合議庭席前訟辯，兩次的對手都是資深大律師，而她當時僅是高級檢控官。多年來，林專員經常在全部三級上訴法院（包括終審法院）出庭訟辯，而庭上另一方的代表大律師往往是資深大律師。由於大部分上訴案件均由辯方提起，林專員便以答辯人的代表律師身分為香港特別行政區出庭訟辯，但她也曾代表律政司司長負責多宗由控方就刑事案件提起的上訴案件及刑期覆核申請。

林專員身為資深檢控官，當然也曾在各級原審法院的審訊（包括在高等法院原訟法庭設有陪審團的審訊）中出庭檢控，並曾在死因研訊中擔任死因裁判人員。林專員目前專責監督商業罪案包括洗黑錢及商業詐騙，由廉政公署調查的案件例如貪污及選舉舞弊，由證券及期貨事務監察委員會（證監會）調查的案件例如操控證券市場和內幕交易及由稅務局調查的案件例如逃稅等。

正如在終審法院舉行的委任儀式中提到，林專員感謝首席法官予以委任。她認為是次委任不僅肯定了其能力，也反映曾經在一些案件中帶領她出庭訟辯的領訟大律師的出眾才能，以及多年來一眾與她一同出庭、資歷較淺的同事的潛能。她視這次委任是對檢控工作的重要性給予肯定，並將之歸功於她以往效力的幾位律政司司長、刑事檢控專員和領訟大律師的指引和支持，以及一同出庭的檢控官和部門內提供支援的同事，特別是刑事檢控科上訴事務小組的同事所給予的協助和支持。她對此心存感激。林專員期盼今後繼續維護法治、秉持公義，並且充滿期待，希望看見部門日後孕育更多資深大律師。

林專員是律政司史上第二位出任律政人員期間獲委任的女資深大律師。第一位是前副刑事檢控專員，現為高等法院原訟法庭黎婉姬法官。

barrister after taking leave from the office to serve her pupillage for three months. She then returned to the office and continues to discharge her duties as a deputy director.

In the Judiciary's appointment announcement, Vinci's practice was described as "specialising in criminal appellate work". Indeed, Vinci started prosecuting appeals in 2000 in the Court of First Instance of the High Court then soon after the Court of Appeal and the Hong Kong Court of Final Appeal ("CFA") as well. Her first appearance as the advocate, not as junior counsel, before the Appeal Committee of the CFA was in 2010 and before the full bench at the CFA in 2013, both against Senior Counsel and when she was a senior public prosecutor. Over the years, Vinci has frequently appeared in all three levels of appellate court including the CFA, often with Senior Counsel on the opposite side. Whilst most appeals are initiated by the defence and Vinci appears on behalf of the respondent for the HKSAR, she has also conducted many appeals and applications for review of sentence initiated by the prosecution for the Secretary for Justice in criminal matters.

Being a seasoned public prosecutor, Vinci has also prosecuted trials in all levels of trial court, including jury trials and acted as the coroner's officer in death inquests. She currently oversees white-collar crimes including money laundering and commercial frauds, cases investigated by the Independent Commission Against Corruption (ICAC) such as bribery and election crimes, cases investigated by the Securities and Futures Commission such as stock market manipulation and insider dealing, and cases investigated by the Inland Revenue Department such as tax evasion.

As given in the speech at the Senior Counsel Appointment Ceremony held at the CFA, Vinci thanks the Chief Justice for the honour of appointment. She reckons the appointment as not only a recognition of her own ability but also a reflection of the prowess of her leaders and the potential of many junior colleagues who have been her co-counsel over the years. She regards the appointment as also a recognition of the importance of prosecutorial work. She attributes her appointment to the guidance and support she received from the several secretaries for justice and directors of public prosecutions whom she has served and also that from her leaders, co-counsel and the supporting staff in the Department in particular the Appeals Unit in the Prosecutions Division. She is grateful to all of them. Vinci looks forward to continuing to uphold the rule of law and serve the interests of justice. She also looks forward to and is hopeful of seeing more Senior Counsel in the Department.

Vinci is the second female Senior Counsel appointed whilst serving as a legal officer in the history of the Department of Justice, the first being Miss Anna Lai, former Deputy Director of Public Prosecutions and now The Honourable Madam Justice Lai.