

# 原訟法庭

## Court of First Instance

原訟法庭(A)、(B)、(C)及(D)組的檢控官負責處理原訟法庭審理的嚴重案件，例如謀殺、誤殺、販毒、強姦及綁架等案件。檢控官根據《檢控守則》評估證據，向執法機關提供法律指引，準備案件以交付原訟法庭審訊或判刑。檢控官除了負責提供法律指引外，還負責各類法庭訟辯工作，包括在審訊中出庭檢控、處理上訴、參與答辯及判刑聆訊、出席提訊日聆訊，以及處理保釋申請。

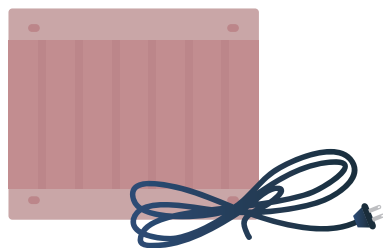
Public Prosecutors in Court of First Instance Sections (A), (B), (C) and (D) handle serious cases in the Court of First Instance ("CFI") such as murder, manslaughter, drug trafficking, rape, and kidnapping. They assess evidence in accordance with the Prosecution Code, advise law enforcement agencies, and prepare cases for committal to the CFI for trial or sentence. In addition to advisory duties, they undertake a full range of court advocacy work including the prosecution of trials and appeals, the conduct of plea and sentence hearings, attending return day hearings and handling of bail applications.



下文載述該組在 2025 年處理的一些值得關注的案件。

Some notable cases handled by the Sections in 2025 are highlighted below.

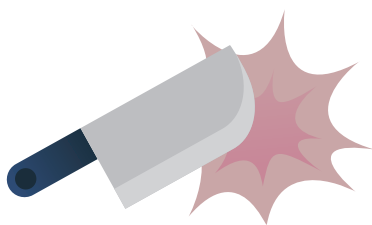
1



在**香港特別行政區 訴 張祺忠** [2025] HKCFI 5292 案中，被告是本港一所大學的工程學院副教授。他用電線勒斃妻子，並製作木箱，把屍體藏在其大學辦公室內。他最初被裁定謀殺罪成，經上訴後獲法庭撤銷定罪並下令重審。重審期間，在控方同意下，被告以當時患有未經確診的重度抑鬱症，出現減責神志失常為理由承認誤殺。被告認罪後，被判監七年四個月。

In **HKSAR v Cheung Kie-chung** [2025] HKCFI 5292, the defendant was an Associate Professor at the engineering faculty of a local university. He killed his wife by strangulation with an electric wire and constructed a wooden box to hide the corpse in his university office. His first murder conviction was quashed on appeal, with a retrial ordered. On retrial, the Prosecution acceded to his offer to plead to manslaughter by reason of diminished responsibility, on the ground that he was then suffering from undiagnosed major depression. Upon pleading guilty, he was sentenced to seven years and four months' imprisonment.

2



在**香港特別行政區 訴 鍾士康** [2025] HKCFI 2355 案中，被告持刀襲擊其 68 歲兄長，導致對方全身多處刀傷，傷重不治。在審訊前，控方拒絕被告以被激怒為理由承認誤殺。審訊期間，被告供稱自己嘗試從祖屋救走母親，其間兩兄弟發生爭執。他聲稱目睹其兄多次對年邁母親態度惡劣，在被激怒下殺害其兄。陪審團一致裁定被告謀殺罪罪成，法庭判處其終身監禁。

In **HKSAR v Chung Sze-hong** [2025] HKCFI 2355, the defendant killed his 68-year-old elder brother with a knife in a frenzied manner, inflicting a large number of wounds on him. Prior to trial, his offer to plead guilty to manslaughter by reason of provocation was rejected by the Prosecution. At trial, he testified that the brothers had a fight when the defendant tried to rescue their mother from their ancestral house. He claimed to have been provoked into killing his brother upon witnessing various ill-treatment of their elderly mother. The defendant was unanimously convicted of murder by the jury and sentenced to life imprisonment.

3



**香港特別行政區 訴 劉佳坪** [2025] HKCFI 2051 案關乎一宗謀殺及虐待兒童案件。案中受害人年僅三歲，為被告的親生女兒。被告在約兩個月內不斷對受害女童施以襲擊，導致女童在 2020 年 7 月出現硬腦膜下血腫而死亡。醫學專家診斷死者傷勢屬搖晃嬰兒綜合症，有嚴重虐待性創傷。被告承認一項虐待兒童罪，但就謀殺罪進行抗辯。經審訊後，陪審團一致裁定被告謀殺罪名成立。法庭就謀殺罪判處被告終身監禁，另就虐待兒童罪判處被告監禁六年五個月。

**HKSAR v Lau Kai-ping** [2025] HKCFI 2051 concerns a murder and child abuse case involving a three-year-old victim, the defendant's biological daughter. The defendant subjected the victim to repeated assaults over a period of about two months, culminating in July 2020 when she sustained a subdural haematoma which led to her death. Medical experts diagnosed shaken baby syndrome and severe abusive trauma. The defendant pleaded guilty to the child abuse charge but contested the murder charge. After trial, the jury unanimously found him guilty of murder. The Court sentenced him to life imprisonment for murder and an additional six years and five months' imprisonment for the child abuse offence.

4



**香港特別行政區 訴 Hossain Md Imran 及另一人** [2025] HKCFI 2917 案是香港首宗涉及夥同犯罪的“搖晃嬰兒謀殺”案件。案中一對已婚夫婦被控謀殺及殘酷對待其幼子，受害嬰兒死時只有 52 日大。父母二人否認兩項控罪，並試圖將殺人行為歸咎於其 22 個月大的長子。專家醫學證據證實受害人全身多處骨折，並有致命的虐待性頭部創傷，與被告的辯解不一致。被告被裁定罪名成立。法官形容案件為“完全可恥的連環事件”，判處兩名被告終身監禁。

**HKSAR v Hossain Md Imran and another** [2025] HKCFI 2917 was the first joint enterprise “shaken baby murder” case in Hong Kong. A married couple was charged with the murder of their younger son who died when he was 52 days old, and with child cruelty in respect of him. The parents pleaded not guilty to both charges and sought to attribute the killing to their 22-month-old firstborn son. The defendants were convicted after expert medical evidence established that the victim sustained multiple fractures and fatal abusive head trauma which were inconsistent with the defendants' claim. Describing the case as a “completely disgraceful saga”, the judge sentenced both defendants to life imprisonment.

5



在**香港特別行政區 訴 蘇翰韜** CACC 39/2022 案中，申請人唆使密謀使用多件槍械及爆炸物料殺害一名綽號為“哈比人”的熟人，招募了數人擔當殺手和把風者。經審訊後，他被裁定“串謀謀殺”罪及“串謀無牌管有槍械及彈藥罪”罪成，判處監禁合共 27 年。他就定罪及刑罰申請上訴許可。經聆訊後，上訴法庭駁回其就定罪提出的上訴許可申請，但對於刑罰的上訴許可則押後宣告判決。

In **HKSAR v So Hon-to, Stephen** CACC 39/2022, the applicant instigated a plot to kill an acquaintance known as “Hobbit”, using multiple firearms and explosive materials. He recruited a few people to act as the killers and lookout. He was convicted after trial of “conspiracy to murder” and “conspiracy to possess arms and ammunition without a licence” and was sentenced to a total of 27 years' imprisonment. He applied for leave to appeal against his conviction and sentence. Following a hearing, the Court of Appeal dismissed the application for leave to appeal against conviction but reserved its judgment on sentence.

6



**香港特別行政區 訴 黃瑞芳 (第 3 號)** [2025] 2 HKLRD 138 案是一宗刑罰上訴案件。上訴法庭就此案檢視了關於販運海洛英、可卡因及甲基苯丙胺鹽酸鹽(通稱“冰毒”)的現行判刑指引是否適當，尤其是關於涉及大量毒品的案件的指引。鑑於近年關於販毒罪行量刑的法律發展，法庭就上述三種毒品發布新判刑指引，以取代先前的指引。

**HKSAR v Huang Ruifang (No. 3)** [2025] 2 HKLRD 138 was a sentence appeal in which the Court of Appeal reviewed the appropriateness of the existing sentencing guidelines for trafficking in heroin, cocaine and methamphetamine hydrochloride (commonly referred to as “Ice”), in particular in cases involving very large quantities of narcotics. Having regard to the legal development on sentencing for drug trafficking offences in recent years, the Court promulgated new guidelines for all three types of drugs, replacing the previous sentencing guidelines.