

Secretary for Justice has resumed authority in Hui Rafael case

With a view to avoiding any possible perception of bias or improper influence, the Department of Justice (DoJ) spokesman today (October 18) confirmed in the answer to media enquiries that the Director of Public Prosecutions (DPP), Mr Keith Yeung, SC, has not handled the case of HKSAR v Hui Rafael Junior & 4 others (HCCC 98/2013) in his capacity as the DPP since he took office on September 9, 2013, and will not be involved in the handling of the case as he had provided legal advice on the case when he was in private practice.

Previously, the former Secretary for Justice (SJ), Mr Wong Yan Lung, SC, after satisfying himself that the then DPP, Mr Kevin Zervos, SC, had no connection with any persons involved in the case, had delegated the authority to handle the case to Mr Zervos. Due to the current DPP's above-mentioned previous involvement in the case, the current SJ, Mr Rimsky Yuen, SC, has decided that the previous delegation of authority to the DPP should not continue. Mr Yuen has earlier resumed the authority to handle the case as he has no connection with the persons involved in the case. Mr Alain Shum, the relevant Deputy Director of Public Prosecutions responsible for handling the case, will directly report to the SJ on all matters regarding the case.

There is established mechanism in the DoJ to ensure that all prosecution decisions are made fairly and impartially. The SJ, as head of the DoJ, will ensure that due and proper processes are observed in the conduct of all cases and in strict accordance with the law and prosecution policy.

Ends/Friday, October 18, 2013