

Transcript of media session by Secretary for Justice

Following is the transcript of remarks by the Secretary for Justice, Ms Teresa Cheng, SC, at a media session at the Hong Kong International Airport today (December 26):

Reporter: What led to the decision to drop the case, and why has the precedent practice of seeking independent legal advice not being followed?

Secretary for Justice: The policy of the Department of Justice (DoJ) in dealing with prosecutorial decisions has been to make the decision within the department itself. Therefore, unless the case involves a member of the DoJ, there would not be outside counsel being engaged. The decision as to why a particular case is or is not prosecuted, is a matter that relates to the case, and I cannot comment on any specific case, in particular any ones that are now under judicial review or other judicial processes.

Reporter: Two questions. The Chief Executive has also urged you to give further explanation regarding the public's questions on CY Leung's case, so are you saying that the Chief Executive also has misunderstanding over the DoJ's work? The second question, is this your original plan to go on leave while the DoJ released such controversial decision?

Secretary for Justice: The Department of Justice has made an informed and professional decision that what has been and can be told to the public has already been set out in our press release on December 12. There is nothing further to add from a professional legal angle. As to why certain people in the media as I have noticed, has recorded and stated that perhaps there are more to add, I cannot comment, and I do not wish to comment because there could be other reasons beyond the legal analysis. The Department of Justice is only dealing with legal issues. Political issues have nothing to do with us, so I will not comment on that.

The second point relates to the leave that I am taking. The decision to not further investigate is of course a decision that is made within the process of the law enforcement agency, and I am not going to look into any specific matter. Therefore, when that is done, the press release has been issued on December 12, making it absolutely clear what can be said has been said. Therefore, the leave that I have taken, which has been planned over a month ago, has nothing to do with the very spurious suggestion that I was avoiding the matter.

(Please also refer to the Chinese portion of the transcript.)