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### Replies to initial questions raised by Legislative Council Members in examining the Estimates of Expenditure 2023-24

**Controlling Officer : Judiciary Administrator**

**Session No. : 2**

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**JA001**

**CONTROLLING OFFICER'S REPLY**

**(Question Serial No. 1319)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Last year, the Judiciary launched the integrated Court Case Management System (iCMS) which aims to facilitate the handling of court-related documents and payments through an electronic mode. In this regard, please inform this Council:

- (1) of the number of registered users in iCMS and the current situation concerning its use;
- (2) of the timetable and roadmap for the full implementation of the iCMS; and
- (3) whether there is any plan to augment resources and manpower to help solicitors and barristers of small and medium-sized law firms to enhance their digital support facilities with a view to optimizing the use of the system?

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 1)

Reply:

- (1) & (2) The integrated Court Case Management System (iCMS) has been implemented in the District Court (DC) and the Magistrates' Courts (MCs) by phases respectively since May and December 2022. So far, the electronic mode can be used for Personal Injuries Action, Tax Claim, Civil Action and Employees' Compensation Case of the DC, and summons cases of the MCs. It is our target to roll out the iCMS for public use at other levels of courts incrementally from 2024.

As at 28 February 2023, a total of 102 court users (including 56 law firms) have registered for accounts under iCMS. About 9 300 new cases have been initiated under iCMS, representing about 14% of the total number of the relevant new cases during the period. Court users have filed some 3 000 documents, conducted about 1 900 inspections of documents and made over 2 300 payment transactions via iCMS.

To facilitate a quicker and wider adoption of technology in court operations, the Judiciary is considering to set a target timeframe, such as a period of three to five years from the rolling out of the relevant parts of the new system, for requiring all represented

litigants to conduct their litigations electronically, unless otherwise exempted in particular circumstances. The Judiciary is considering the necessary legislative amendments. We will be consulting the legal profession as well as other stakeholders on the initiative in due course. We will put in place safeguards of the right of access to court and provide adequate support and training for judges and support staff. We will also continue with our efforts in promotion and publicity of iCMS with a view to encouraging migration to the electronic mode.

- (3) No special digital support facility is required for the use of iCMS. iCMS can be accessed using personal computers or mobile devices with internet connection, commonly used operating systems and browsers. Relevant technical requirements are available at [https://www.judiciary.hk/doc/en/e\\_courts/AI\\_TechReq\\_iCMS\\_e.pdf](https://www.judiciary.hk/doc/en/e_courts/AI_TechReq_iCMS_e.pdf).

To promote the understanding of iCMS and help potential users familiarize with the conduct of court business in the electronic mode, we have been providing information on a dedicated webpage ([https://www.judiciary.hk/en/e\\_courts/refmat\\_index.html](https://www.judiciary.hk/en/e_courts/refmat_index.html)) which was launched since mid-April 2022. In addition to the dedicated webpage, we have been operating an iCMS Help Centre at 5/F, Wanchai Tower, 12 Harbour Road, Wan Chai. All law firms and litigants-in-person may seek advice and assistance for free on the registration and use of electronic litigation services under iCMS at the Help Centre during office hours of the Court Registry. Court users may also make enquiries about iCMS by calling the General Enquiry Hotline 2477 1002 or the Technical Helpline 2886 6474. We will also continue to work with the legal profession bodies to explore how best to continue promoting the use of electronic mode.

- End -

**JA002**

**CONTROLLING OFFICER'S REPLY**

**(Question Serial No. 2009)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

1. Please provide information about the expenditure for and details of the past 5 years concerning the Judiciary's initiatives for the greater use of technology in courts, including providing new or renovated courtrooms, new software and hardware etc. Please provide the relevant estimated expenditure and item details in 2023-24.
2. Recurrent expenditure in each year since the roll-out of the integrated Court Case Management System (iCMS), and the estimated expenditure in 2023-24.
3. Recurrent expenditure in each year and estimated expenditure in 2023-24 for the e-Appointment service for registries and Digital Evidence and Exhibit Handling (DEEH).

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 1)

Reply:

The Judiciary has been deploying the required manpower and financial resources on Information and Communications Technology (ICT) for implementing various initiatives involving the use of technology which seek to enhance the efficiency in court operations on an on-going basis. These include the development of an integrated Court Case Management System (iCMS) which is being implemented across all levels of courts by phases for handling court-related documents and payments through electronic means, enhancing audio-visual facilities to enable broadcasting at court premises, upgrading video conferencing facilities, e-Appointment System, Digital Evidence and Exhibit Handling System, pilot implementation of voice-to-text function in courtrooms, and promoting to practitioners the application of technology on handling judicial matters, etc. in the past few years. Since the manpower and other resources are being flexibly deployed from time to time for meeting the changing operational needs of various initiatives, we have no breakdown on expenditure for each initiative. In 2023-24, the estimated recurrent expenditure relating to ICT initiatives is around \$270 million, which accounts for 11% of the total estimated operating expenditure of the Judiciary. The average annual increase in the past five years is around 20%.

The ICT-related recurrent expenditures for the past five years are listed below:

	<b>ICT-related recurrent expenditure (\$ million)</b>
2018-19	149
2019-20	184
2020-21	218
2021-22	225
2022-23 (revised estimate)	241

Arising from the fluctuating public health situation under the COVID-19 epidemic, the growing number of high profile cases which attract a lot of media and public presence, and the increasing need to present and handle digital evidence and exhibits at court hearings, the Judiciary has been making greater use of information technology or audio-visual (IT/AV) facilities in court buildings. The resources deployed to installation of IT/AV facilities and support equipment and related services in courtrooms and other office areas in 2020-21, 2021-22 and 2022-23 were \$3.2 million, \$15 million and \$24 million respectively. Making reference to the actual expenditure incurred in 2022-23, an estimated provision of \$24 million has been included in the ICT budget for 2023-24 for enhancing the IT/AV capabilities at relevant court levels.

Separately, the expenditure on capital works projects relating to ICT facilities in court buildings is charged to the Capital Works Reserve Fund Head 710 – Computerisation instead of Head 80. The estimated expenditure for 2023-24 is around \$28 million mainly for implementation of new IT/AV infrastructure and facilities for new or renovated courtrooms and their extension areas for the purposes of conduct of remote hearings, court extension broadcasting, sound quality enhancement and digital evidence and exhibits handling in court hearings. This represents a substantial increase over the average of around \$7.4 million in the past five years.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA003**

**(Question Serial No. 2010)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

1. Please provide the case type and the number of remote hearings conducted at various levels of courts and the expenditure in this regard for the past 3 years.
2. As indicated in the Consultation Document on the Courts (Remote Hearing) Bill published by the Judiciary last year, an incremental approach in implementation would be adopted to promote remote hearings. Has any estimated expenditure been worked out for the implementation of the policy? If yes, what are the details? If no, what are the reasons?

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 2)

Reply:

In line with the Judiciary's commitment to making greater use of technology for enhancing the efficiency of court business, we have been promoting the use of remote hearings at different levels of court where appropriate. In the past three years from 2020 to 2022, 1 667 remote hearings (including 616 hearings using video-conferencing facilities <sup>Note</sup> and 1 051 phone hearings) were conducted at various levels of court. The breakdown is as follows:

	<b>Remote hearings using video-conferencing facilities</b> <sup>Note</sup>		<b>Phone hearings</b>
	<b>Civil case</b>	<b>Criminal case</b>	
Court of Final Appeal	14	11	0
High Court	409	0	752
District Court	27	0	299
Family Court	99	Not applicable	0
Small Claims Tribunal	10	Not applicable	0
Labour Tribunal	46	Not applicable	0
<b>Total:</b>	<b>605</b>	<b>11</b>	<b>1 051</b>

Note These are hearings where Judges and/or Judicial Officers and/or one or more parties were physically absent from the court during the proceedings. Following an internal verification of the statistics on remote hearing in late 2022, the Judiciary has aligned the definition of remote hearings across court registries and suitably adjusted the figures accordingly, including the exclusion of those hearings subsequently vacated.

The Judiciary has been deploying the required manpower and financial resources on Information and Communications Technology (ICT) for implementing various initiatives involving the use of technology which seek to enhance efficiency in court operations on an on-going basis. The average annual increase in the past five years is around 20%. In 2023-24, the estimated recurrent expenditure relating to ICT initiatives is around \$270 million which accounts for 11% of the total estimated operating expenditure of the Judiciary.

With reference to the actual expenditure incurred in 2022-23, an estimated provision of \$24 million has been made in 2023-24 for installation of information technology or audio-visual facilities and support equipment and related services in courtrooms and other office areas, including those required for supporting remote hearings. Eight staff members are estimated to be required for providing dedicated technical support to remote hearings. Additional expenditure and manpower support will be flexibly deployed within the Judiciary's overall funding provision for ICT initiatives where necessary and justified to support the use of remote hearings.

- End -



**CONTROLLING OFFICER'S REPLY**

**JA004**

**(Question Serial No. 2011)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

1) In order to expedite the handling of cases, the Judiciary issued new Practice Directions in May 2022 concerning the Timeframes for Handing Down Judgments. Please provide details of the guidelines on the respective Timeframes for Handing Down Judgments at various levels of courts and the performance of various levels of courts in meeting the target times.

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 3)

Reply:

The Judiciary issued Practice Directions (PDs) 36 and 37 in May 2022 with the aim of ensuring that reserved judgments are handed down as expeditiously as is reasonably practicable having regard to the circumstances of the case, including its nature and complexity, and other commitments of the court.

PD 36 applies to all cases before the High Court, with the exception of non-refoulement claims and related matters. PD 37 applies to all cases before the District Court including the Family Court and the Lands Tribunal. The relevant PDs came into effect in the High Court in June 2022, the District Court and the Lands Tribunal in September 2022 and the Family Court in January 2023.

Details of the guidelines are set out in these two PDs at Annexes A and B.

Since the implementation of the new PDs, almost all the judgements at various levels of court were handed down within the stipulated timeframes.

- End -

**PRACTICE DIRECTION - 36**

**Handing Down of Reserved Judgments in the High Court**

1. This Practice Direction is aimed at ensuring that reserved judgments are handed down as expeditiously as is reasonably practicable having regard to the circumstances of the case, including its nature and complexity, and the other commitments of the court. It applies to all cases before the Court of Appeal, the Court of First Instance and the Masters, except non-refoulement claims and related matters.
2. For present purposes, judgments and reserved judgments include judgments reserved after oral hearings and reasons for judgment, and judgments for paper applications.
3. With effect from 6 June 2022, all reserved judgments will be handed down within the timeframes set out below.

**A. Court of Appeal**

**A1. Civil appeals**

4. For all oral hearings, judgment will be handed down within 6 months after the conclusion of the hearing.
5. For all paper applications, judgment will be handed down within 6 months from the date that a judge is assigned to handle the case. The clerk of the handling judge will notify the parties in writing that the judge has been assigned to handle the case as at the date stated.
6. For applications for leave to appeal to the Court of Final Appeal, judgment will be handed down within 3 months after the close of the parties' submissions or where there is an oral hearing, within 3 months after the conclusion of the hearing.

**A2. Criminal appeals**

7. For all oral hearings before a single judge, judgment will be handed down within 3 months after the conclusion of the hearing.

8. For all oral hearings before the full bench (including a two-member court), judgment will be handed down within 6 months after the conclusion of the hearing.
9. For bail applications, the court should ordinarily be able to deliver judgment at the conclusion of the hearing. If the court reserves judgment or gives judgment with reasons for judgment to be handed down, judgment or reasons for judgment will be handed down within 14 days after the conclusion of the hearing.
10. For applications for leave to appeal to the Court of Final Appeal or other miscellaneous applications, judgment will be handed down within 3 months after the close of the parties' submissions or where there is an oral hearing, 3 months after the conclusion of the hearing.

## **B. Court of First Instance**

### **B1. Civil cases**

11. For trials and substantive applications, such as the substantive hearing of an originating summons, judicial reviews and tribunal appeals, which last for less than 15 days, judgment will be handed down within 6 months after the conclusion of the hearing.
12. For trials and substantive applications which last for 15 days or more, judgment will be handed down within 9 months after the conclusion of the hearing.
13. For interlocutory applications, judgment will be handed down within 3 months after the conclusion of the hearing.
14. For paper applications, judgment will be handed down within 3 months after the close of the parties' submissions.

### **B2. Criminal cases**

15. For magistracy appeals and all other applications (other than bail), judgment will be handed down within 3 months after the close of the parties' submissions or where there is an oral hearing, within 3 months after the conclusion of the hearing.
16. For bail applications, paragraph 9 above applies.

### **C. Masters**

17. While masters are expected to be able to deliver judgment at the conclusion of the hearing for a contested matter, in the event that judgment has to be reserved, the judgment will be handed down within 3 months after the conclusion of the hearing.

18. For assessment of damages, judgment will be handed down within 6 months of the conclusion of the hearing.

### **D. Fixing the handing down date**

19. When reserving judgment after an oral hearing, the court must at the same time fix the actual handing down date of the judgment in accordance with the timeframes set out above.

20. For paper applications or disposals, the court will notify the parties in writing of the actual handing down date once a judge has been assigned to handle the matter or immediately after the close of the parties' submissions, as the case may be.

Dated this 20th day of May 2022.

(Andrew Cheung)  
Chief Justice

**PRACTICE DIRECTION - 37**

**Handing Down of Reserved Judgments in the District Court, Family Court  
and Lands Tribunal**

1. This Practice Direction is aimed at ensuring that reserved judgments are handed down as expeditiously as is reasonably practicable having regard to the circumstances of the case, including its nature and complexity, and the other commitments of the court. It applies to all cases before the District Court including the Family Court and the Lands Tribunal.
2. For present purposes, judgments and reserved judgments include judgments reserved after oral hearings and reasons for judgment, and judgments for paper applications.
3. With effect from 5 September 2022, all reserved judgments in the District Court and the Lands Tribunal will be handed down within the timeframes set out below. The part concerning the Family Court will take effect from 9 January 2023.

**A. District Court**

**A1. Civil cases**

4. For trials and substantive applications, such as the substantive hearing of an originating summons, which last for less than 15 days, judgment will be handed down within 6 months after the conclusion of the hearing.
5. For trials and substantive applications which last for 15 days or more, judgment will be handed down within 9 months after the conclusion of the hearing.
6. For interlocutory applications, judgment will be handed down within 3 months after the conclusion of the hearing.
7. For paper applications, judgment will be handed down within 3 months after the close of the parties' submissions.

## **A2. Criminal cases**

8. For bail applications, the court should ordinarily be able to deliver judgment at the conclusion of the hearing. If the court reserves judgment or gives judgment with reasons for judgment to be handed down, judgment or reasons for judgment will be handed down within 14 days after the conclusion of the hearing.

## **A3. Masters**

9. While masters are expected to be able to deliver judgment at the conclusion of the hearing for a contested matter, in the event that judgment has to be reserved, the judgment will be handed down within 3 months after the conclusion of the hearing.

10. For assessment of damages, judgment will be handed down within 6 months of the conclusion of the hearing.

## **B. Family Court**

11. Due to the special nature of the proceedings in the Family Court, and in order to give priority to children matters, some flexibility is required in fixing the time for handing down reserved judgments in the Family Court.

12. For trials and substantive applications in relation to children matters, judgment will be handed down within 6 months after the conclusion of the hearing.

13. For trials and substantive applications in relation to other proceedings, judgment will be handed down within 9 months after the conclusion of the hearing.

14. For paper applications, judgment will be handed down within 3 months after the close of the parties' submissions.

15. A masters system will be introduced in the Family Court as part of the family procedure rules review exercise. While masters are expected to be able to deliver judgment at the conclusion of the hearing for a contested matter, in the event that judgment has to be reserved, the judgment will be handed down within 3 months after the conclusion of the hearing.

### **C. Lands Tribunal**

16. For trials and substantive applications which last for less than 15 days, judgment will be handed down within 6 months after the conclusion of the hearing.

17. For trials and substantive applications which last for 15 days or more, judgment will be handed down within 9 months after the conclusion of the hearing.

18. For interlocutory applications, judgment will be handed down within 3 months after the conclusion of the hearing.

19. For paper applications, judgment will be handed down within 3 months after the close of the parties' submissions.

### **D. Fixing the handing down date**

20. When reserving judgment after an oral hearing, the court must at the same time fix the actual handing down date of the judgment in accordance with the timeframes set out above.

21. For paper applications or disposals, the court will notify the parties in writing of the actual handing down date once a judge has been assigned to handle the matter or immediately after the close of the parties' submissions, as the case may be.

Dated this 20th day of May 2022.

(Andrew Cheung)  
Chief Justice

**CONTROLLING OFFICER'S REPLY**

**JA005**

**(Question Serial No. 2012)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

- 1) Please provide the number of cases managed through the integrated Court Case Management System (iCMS) at various levels of courts and their percentages in the (total numbers of) cases handled by the respective courts since its implementation.
- 2) According to Chief Justice Andrew Cheung, there have been plans to roll out an electronic litigation system in stages, and to set a timeframe of a period of 3 to 5 years for requiring all represented litigants to conduct their litigations electronically, unless otherwise exempted in particular circumstances. Has the Judiciary worked out an estimated expenditure for the rolling out of the said system in stages? If yes, what are the details? If no, what are the reasons?

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 4)

Reply:

In line with the Judiciary's commitment to making greater use of technology for enhancing the efficiency of court business, we have been making pro-active efforts in implementing the Information Technology Strategy Plan (ITSP). For ITSP, over the past few years, the Judiciary has been developing by phases an integrated Court Case Management System (iCMS) across all levels of courts for handling court-related documents and payments through an electronic mode.

The implementation of the ITSP is divided into 2 phases. Phase 1 of the ITSP is further sub-divided into 2 stages:

- (a) Stage 1 mainly covers the IT infrastructure foundation and the development of the iCMS of the District Court (DC), the Summons Courts of the Magistrates' Courts (MCs); and
- (b) Stage 2 mainly covers the development of iCMS for the Court of Final Appeal, the High Court (HC), the remaining part of the MCs and the Small Claims Tribunal.



The iCMS has been implemented in DC and MCs respectively from May and December 2022. So far, the electronic mode can be used for Personal Injuries Action, Tax Claim, Civil Action and Employees' Compensation Case of DC, and summons cases of MCs. As at 28 February 2023, 562 new DC civil cases and 8 732 new summons cases of MCs were initiated under iCMS, representing 7.1% and 15.3% of the total number of the relevant new DC and MC cases respectively during the period. The Judiciary is preparing the subsidiary legislation for Stage 2 of the ITSP, with the target to roll out the iCMS for public use at other courts incrementally from 2024.

To facilitate a quicker and wider adoption of technology in court operations, the Judiciary is considering to set a target timeframe, such as a period of three to five years from the rolling out of the relevant parts of the new system, for requiring all represented litigants to conduct their litigations electronically, unless otherwise exempted in particular circumstances. The Judiciary is considering the necessary legislative amendments. We will be consulting the legal profession as well as other stakeholders on the initiative in due course. We will put in place safeguards of the right of access to court and provide adequate support and training for judges and support staff. We will also continue with our efforts in promotion and publicity of iCMS with a view to encouraging migration to the electronic mode.

The manpower requirements (including civil service and contract staff) for supporting the implementation of the ITSP projects vary at different stages of the project cycle depending on the evolving technical and operational needs. In 2023-24, an estimated total of around 85 (civil service and contract) staff will be deployed to support the ITSP projects and the estimated expenditure on hardware, software and implementation and related services is around \$110 million.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA006**

**(Question Serial No. 2013)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

- 1) In order to enhance the efficiency of court support services, has the Judiciary allocated resources for examining how to use or better use artificial intelligence (AI) to improve the efficiency of work relating to interpretation services, recording services and production of transcripts, etc.? If so, what are the details and the relevant expenditure? If no, what are the reasons?
- 2) Regarding the use of technology and other modern management tools, does the Judiciary note that there are judges and/or judicial officers using AI-related technologies and tools? If so, what are the details? And regarding the use of AI-related technologies and tools within the Judiciary, have there been any regulations or guidelines formulated?

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 5)

Reply:

The Judiciary has been deploying the required manpower and financial resources on Information and Communications Technology (ICT) for implementing various initiatives involving the use of technology which seek to enhance the efficiency in court operations on an on-going basis. One of these initiatives is the use of voice-to-text technology, which is an artificial intelligence (AI) technology, for recording court proceedings and preparing transcripts. The Judiciary is now testing the voice recognition software products in the market, particularly in respect of accuracy of voice recognition, with a view to making use of this technology in recording court proceedings and preparing transcripts where appropriate in the longer term. Guidelines for deployment of the AI technology will be formulated when it is considered appropriate and ready for long-term application at various levels of court. In 2023-24, an estimated provision of around \$9 million covering the cost of hardware and software, maintenance and support services has been made for AI-powered voice recognition technology.

In 2023-24, the estimated recurrent expenditure relating to all ICT initiatives is around \$270 million, which accounts for 11% of the total estimated operating expenditure of the Judiciary. Additional expenditure and manpower support will be flexibly deployed within the Judiciary's overall funding provision where necessary and appropriate for enhancing the efficiency of court operations.

- End -

**CONTROLLING OFFICER'S REPLY****JA007****(Question Serial No. 0858)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Ms Esther LEUNG)Director of Bureau: Not applicableQuestion:

Please provide in the table below the number of applications submitted for the Judiciary Quarters Allowance, the number approved, and the staffing establishment and expenditure involved to process these applications over the past 5 years:

1. the number of applications submitted for the Judiciary Quarters Allowance and the number approved over the past 5 years:

	2017	2018	2019	2020	2021	2022
Applications submitted						
Applications approved						

2. the staffing establishment and expenditure involved to process the applications over the past 5 years.

Asked by: Hon IP LAU Suk-ye, Regina (LegCo internal reference no.: 19)

Reply:

As part of the housing benefits in the remuneration package, judges at the level of High Court and above may be provided Judiciary Quarters (JQs) subject to meeting the relevant eligibility criteria. If and when JQs are not available for allocation, judges who are eligible for JQs may apply for Judiciary Quarters Allowance (JQA). The number of applications for JQA submitted and approved from 2017 to 2022 is as follows:

	2017	2018	2019	2020	2021	2022
Applications submitted	4	0	3	0	1	1
Applications approved	4	0	3	0	1	1

The manpower and related expenses involved in processing applications for JQA have been absorbed within the general operating expenses of the Judiciary. The Judiciary does not maintain a breakdown of the expenditure incurred exclusively for handling JQA applications.

- End -

**CONTROLLING OFFICER'S REPLY**

<b>JA008</b>
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**(Question Serial No. 1707)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Please provide the figures on remote hearings at various levels of court in the past 3 years:

2020

	Remote hearings using video-conferencing facilities	Phone hearings	
	Civil	Criminal	
Court of Final Appeal			
High Court			
District Court			
Family Court			
Small Claims Tribunal			
Labour Tribunal			
Total			

2021

	Remote hearings using video-conferencing facilities	Phone hearings	
	Civil	Criminal	
Court of Final Appeal			
High Court			
District Court			
Family Court			
Small Claims Tribunal			
Labour Tribunal			
Total			

2022

	Remote hearings using video-conferencing facilities	Phone hearings	
	Civil	Criminal	
Court of Final Appeal			
High Court			
District Court			
Family Court			
Small Claims Tribunal			
Labour Tribunal			
<b>Total</b>			

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 33)

Reply:

The number of remote hearings conducted in the past three years at various levels of court are tabulated by year as follows:

For 2020

	Hearings using video-conferencing facilities (VCF) <sup>Note</sup>		Phone Hearings
	Civil Case	Criminal Case	
Court of Final Appeal	4	1	0
High Court	48	0	350
District Court	0	0	22
Family Court	10	Not applicable	0
Small Claims Tribunal	0	Not applicable	0
Labour Tribunal	0	Not applicable	0
<b>Total</b>	<b>62</b>	<b>1</b>	<b>372</b>

For 2021

	<b>Hearings using video-conferencing facilities (VCF) <sup>Note</sup></b>		<b>Phone Hearings</b>
	<b>Civil Case</b>	<b>Criminal Case</b>	
Court of Final Appeal	3	6	0
High Court	99	0	342
District Court	0	0	134
Family Court	35	Not applicable	0
Small Claims Tribunal	2	Not applicable	0
Labour Tribunal	8	Not applicable	0
<b>Total</b>	<b>147</b>	<b>6</b>	<b>476</b>

For 2022

	<b>Hearings using video-conferencing facilities (VCF) <sup>Note</sup></b>		<b>Phone Hearings</b>
	<b>Civil Case</b>	<b>Criminal Case</b>	
Court of Final Appeal	7	4	0
High Court	262	0	60
District Court	27	0	143
Family Court	54	Not applicable	0
Small Claims Tribunal	8	Not applicable	0
Labour Tribunal	38	Not applicable	0
<b>Total</b>	<b>396</b>	<b>4</b>	<b>203</b>

Note: These are hearings where Judges and/or Judicial Officers and/or one or more parties were physically absent from the court during the proceedings. Following an internal verification of the statistics on remote hearing in late 2022, the Judiciary has aligned the definition of remote hearings across court registries and suitably adjusted the figures accordingly, including the exclusion of those hearings subsequently vacated.

- End -



**CONTROLLING OFFICER'S REPLY**

**JA009**

**(Question Serial No. 1708)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

In respect of bailiff services, please provide information of:

- 1) the establishment of the bailiff grade, including the ranks, salary points and the strength;
- 2) given that the number of executions and summons services etc. have remained at some 20 000 and 90 000 over the years, whether the Judiciary has looked into the changes in the current demand for court services;
- 3) whether other ways have been explored to enhance the efficiency of bailiff services, such as electronic service, direct execution in the Government's computer system, etc.

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 34)

Reply:

- (1) The establishment and strength of the bailiff grade as at 1.3.2023 are 51 and 50\* respectively. The ranks of the bailiff grade and respective pay points are as follows:

<b>Rank</b>	<b>Master Pay Scale Point</b>
Chief Bailiff	34 - 39
Assistant Chief Bailiff	29 - 33
Senior Bailiff	22 - 28
Bailiff	13 - 21

\* Excluding staff who are on pre-retirement leave.

- (2) & (3) The Bailiff Section of Judiciary serves two key functions, namely serving of summonses and legal documents on parties as directed by the court or requested by a party to litigation, and effecting the execution of court orders and judgments.

All along, the Judiciary has been closely monitoring and reviewing the requirements for Bailiff services from time to time with a view to streamlining the workflow and/or enhancing the work efficiency as far as possible. For example, where the

law permits and without affecting administration of justice, the Judiciary may consider if there are other practical means of reducing the workload on Bailiffs/Bailiff's Assistants, such as serving documents on an individual person by insertion through the letter box at his usual or last known address instead of personally serving the documents on that person as the circumstances may deem appropriate.

The Judiciary Administration has been making greater use of technology to enhance the efficiency of the Bailiff services on an on-going basis. For instance, under the integrated Court Case Management System (iCMS) which is being implemented across various levels of court for handling court-related documents electronically by phases since May 2022, registered users can now apply for Bailiff services to serve documents and execution of court orders for personal injuries action, tax claim proceedings, civil action proceedings and employees' compensation cases of the District Court via iCMS.

All Bailiffs and Bailiff's Assistants are provided with relevant mobile device with the Bailiff Operation Mobile Application installed to facilitate their on-site remote retrieval of case details and input of execution or service results which could be instantly uploaded to the iCMS. This has enhanced the efficiency and effectiveness of the execution or service functions.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA010**

**(Question Serial No. 1711)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

On judicial training, please provide information on:

1. the staffing establishment (including remuneration and rank) of the Hong Kong Judicial Institute and the others that are engaged in handling matters on judicial training, and also the required qualifications for the posts concerned; the actual incumbency level of legal professionals and the staffing establishment of other non-legal professionals; the total expenditure involved each year;
2. with the implementation of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (NSL), what measures are in place to enhance the correct understanding of the Constitution, the Basic Law, the NSL as well as the interpretation by the Standing Committee of the National People's Congress (NPCSC) among judges and the legal profession; what will be the extent of staff redeployment and allocation of financial resources for providing training on constitutional knowledge for members of the judiciary;
3. ever since the appointment of designated judges for NSL cases, what training has the authority provided to these judges to ensure their accurate understanding of the NSL and thorough grasp of the decision made by the NPCSC, so as to enable them to correctly interpret the NSL in hearing the cases. Please state in detail the content of the training and the expenditure involved, and whether there is any mechanism for providing the designated judges with the most updated legal information (including other common law developments, corrections to lower courts by higher courts etc.) and guidelines on a regular basis.

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 37)

Reply:

1. The Hong Kong Judicial Institute (JI) is responsible for organizing judicial training programmes for Judges and Judicial Officers (JJOs) at all levels of court for meeting their professional and operational needs from time to time. JI is overseen by a Governing Body chaired by the Chief Justice of the Court of Final Appeal and comprises court leaders at the respective court levels, two experienced judges in the High Court and the Judiciary Administrator.

The current manpower position, monthly salary and qualification requirements of legal professionals in the JI are as follows:

<b>Position as at 1.3.2023</b>			
<b>Position</b>	<b>Qualification</b>	<b>Monthly Salary (\$)</b>	<b>No.</b>
Executive Director	Legally qualified with at least 10 years' post-qualification experience; or a degree with at least 10 years' post-qualification experience in senior administrative/managerial and other related work	213,700 – 233,300	1
Director	Legally qualified with at least 8 years' post-qualification experience	129,375 – 138,855	1
Counsel	Legally qualified with at least 7 years' post-qualification experience	92,090 – 112,925	5

The revised estimates for remuneration of legal professionals in the JI for 2022-23 is \$12 million. Separately, there are four support staff in the JI including one Senior Executive Officer, two Assistant Clerical Officers and one Personal Secretary. The estimated salary provision\* for support staff in the JI for 2022-23 is \$2.2 million.

\* Estimated on the basis of prevailing annual salaries at mid-point; excluding fringe benefits and allowances claimable by eligible civil service support staff.

2. & 3. All designated judges under Article 44 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (NSL) will come from existing JJOs.

The JI is responsible for organizing judicial training and professional education activities for JJOs (including designated judges) at all levels of court. The participation of JJOs varies among the different training activities, depending on the nature of training, the professional and operational needs of JJOs, and their availability as permitted by court diaries. Since 2021, the JI has been organizing a series of seminars on Chinese law to strengthen understanding of the legal and judicial system of the Mainland. The first seminar on the constitution of the People's Republic of China (PRC), the Basic Law and the NSL was conducted in April 2021. It was followed by the second seminar on the constitutional role of the National People's Congress and the development of the judicial system of the PRC in December 2021. The third seminar on the continuation and development of the Hong Kong Special Administrative Region (HKSAR)'s legal system and the mutual legal assistance arrangements between the Mainland and the HKSAR was conducted in September 2022. The fourth seminar on the civil code of the PRC was conducted in March 2023.

The JI will continue to organize more Chinese law seminars and exchange programmes in 2023-24.

Details of the judicial training activities organized in 2022-23 are at **Annex**. In 2022-23, \$0.2 million was spent on judicial training programmes (on top of on-going in-house training provided by serving judges in the Judiciary with expenses absorbed within the Judiciary's operating expenditure) and a provision of \$2.1 million has been made for judicial training and related expenses in 2023-24.

**Judicial Training Activities Attended by Judges and Judicial Officers  
for the financial year 2022-23**

**(A) Local Judicial Training Organised by the Hong Kong Judicial Institute**

<b>Date</b>	<b>Activity</b>
6.4, 7.4, 19.5, 31.5, 29.6, 27.7, 30.8, 1.9, 21.9, 9.11, 1.12.2022, 17.1, 19.1, 21.2, 27.2 & 2.3.2023	Induction briefings for Deputy Magistrates / Adjudicators
8.4 & 13.4.2022	Demonstration and discussion session on Outside Courtroom Hearings
6.5.2022	Training on enhancements to the Integrated Court Case Management System (iCMS) for District Court Civil Judges and Masters
25.5.2022	Contempt of Court Briefing Session
Jul – Aug 2022	Chinese judgment writing courses
3.9.2022	Seminar on the Continuation and Development of the HKSAR's Legal System and the Mutual Legal Assistance Arrangements between the Mainland and the HKSAR
3.3 & 4.3.2023	Induction Course for Newly Appointed Permanent Magistrates
18.3.2023	Seminar on the Civil Code of the People's Republic of China
27.3.2023	Case Settlement Conference Experience Sharing Session

**(B) Other Local Judicial Training Activities Attended by Judges and Judicial Officers**

<b>Date</b>	<b>Activity</b>
1.4.2022	Webinar entitled “Determining the Appropriate Forum by the Applicable Law”, organised by the Chinese University of Hong Kong
12.4.2022	Webinar entitled “Blockchain Asset Registries - Freeing Crypto from Mania”, organised by the University of Hong Kong
20.4.2022	Webinar entitled “Enforcement of Intellectual Property and Related Rights from Internet-based Platforms”, organised by the University of Hong Kong
28.4.2022	Webinar entitled “Hong Kong Competition Law - Comparative and Theoretical Perspectives”, organised by the University of Hong Kong
26.5.2022	Webinar entitled “Disputes Under Insurance Contracts”, organised by the Hong Kong Institute of Arbitrators
7.6.2022	Webinar entitled “Private International Law in the Greater Bay Area: An Empirical Assessment of the Qianhai Court Judgments”, organised by the Chinese University of Hong Kong
31.8.2022	Webinar entitled “International Cryptocurrency Disputes: Trends and Developments”, organised by the Chinese University of Hong Kong
19.10.2022	Webinar entitled “Blockchain, NFTs and the Metaverse: Implications for Disputes and the Dispute Resolution Process”, organised by the Hong Kong Institute of Arbitrators
9.11.2022	Webinar entitled “Sustainability, Inequality, and Competition Law”, organised by the Chinese University of Hong Kong
23.11.2022	Webinar entitled “All in Crypto”, organised by the Chinese University of Hong Kong
25.11.2022	Webinar entitled “Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill - Key Provisions and Impact”, organised by the Chinese University of Hong Kong
5.1.2023	Webinar entitled “Contractual Estoppel: A First Look at First Tower Trustees in Hong Kong”, organised by the University of Hong Kong
1.3.2023	Webinar entitled “The Knights Templar and the Origins of the Common Law of Trusts”, organised by the Chinese University of Hong Kong

- End -

**CONTROLLING OFFICER'S REPLY**

**JA011**

**(Question Serial No. 2059)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

It is mentioned in the Estimate that the provision for Programme (2) for this year is \$3.2 million (0.5%) higher than the revised estimate for 2022-23. Also, past information shows that in 2022-23, the estimated recurrent expenditure relating to Information and Communications Technology (ICT) initiatives was around \$240 million which accounted for 10% of the total estimated operating expenditure of the Judiciary. The average annual increase in the past 5 years was around 20%.

- (1) What is the estimated recurrent expenditure relating to ICT for this year? Has it been considered that the relevant amount be substantially increased in this year with a view to perfecting the administration of justice and the law under the protection of today's technology, thereby further enhancing efficiency?
- (2) Will the Judiciary consider setting up a dedicated fund for the development of a smart judicial system in Hong Kong, including offering high salaries to attract talents with relevant backgrounds in both artificial intelligence and judicial expertise, introducing advanced technologies such as artificial intelligence, as well as increasing training for judicial officers on their ability to use the smart judicial system?

Asked by: Hon KONG Yuk-foon, Doreen (LegCo internal reference no.: 6)

Reply:

- (1) The Judiciary has been deploying the required manpower and financial resources on Information and Communications Technology (ICT) for implementing various initiatives involving the use of technology which seek to enhance the efficiency in court operations on an on-going basis. In 2023-24, the estimated recurrent expenditure relating to all ICT initiatives is around \$270 million, which represents an increase of 12% over the provision of around \$241 million in 2022-23. Additional financial and



manpower resources can be flexibly deployed within the Judiciary's overall funding provision where necessary and appropriate for enhancing the efficiency of court operations.

- (2) Apart from the integrated Court Case Management system, remote hearings, e-bundles, and other technology initiatives, the Judiciary has been exploring whether and how artificial intelligence (AI)-related technologies can be used in enhancing the efficiency and effectiveness of court operations. Specifically, we are exploring the use of voice-to-text technology, which is an AI technology, for recording court proceedings and preparing transcripts. The Judiciary is now testing the voice recognition software products in the market, particularly in respect of accuracy of voice recognition, with a view to making use of this technology in recording court proceedings and preparing transcripts where appropriate in the longer term. In 2023-24, an estimated provision of around \$9 million within the ICT expenditure has been made for this purpose, covering the cost of hardware and software, maintenance and support services. The Judiciary will continue to identify new applications of technology with potential for use in court operations. Training on the use of existing and new IT systems and applications will continue to be organized for the Judges and Judicial Officers as appropriate.

- End -

**CONTROLLING OFFICER'S REPLY****JA012****(Question Serial No. 1455)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Ms Esther LEUNG)Director of Bureau: Not applicableQuestion:

Please provide the figures in each of the past 3 years:

1. No. of leave applications filed for judicial review;
2. No. of leave applications filed for judicial review relating to non-refoulement claims;
3. Average processing time for a judicial review case from date of filing of leave application to date of decision;
4. No. of substantive judicial review cases filed; and
5. No. of substantive judicial review cases filed relating to non-refoulement claims.

Asked by: Hon KOON Ho-ming, Peter Douglas (LegCo internal reference no.: 17)Reply:

The relevant statistics for the past three years from 2020 to 2022 are as follows:

<b>Judicial Review Cases</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
(a) No. of leave applications filed	2 500	1 767	1 545
(b) No. of leave applications filed relating to non-refoulement claims	2 367	1 675	1 440
(c) Average processing time (from date of filing of leave application to date of decision) <sup>1</sup>	415 days	123 days	78 days
(d) No. of substantive judicial review cases filed	4	7	10
(e) No. of substantive judicial review cases filed relating to non-refoulement claims	0	1	2

Remark:

- <sup>1</sup> Statistics on the average processing time reflect the position as at 31 January 2023. Such figures may vary at different report generation date and time. The Judiciary only maintains statistics on the average processing time of leave applications at the Court of First Instance of the High Court and such statistics only take into account the number of leave applications with leave granted or leave refused as at report generation date, but exclude those withdrawn or outstanding leave applications.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA013**

**(Question Serial No. 1458)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

The Hong Kong Judicial Institute is responsible for organizing judicial training activities on various topics for all JJOs (including designated judges). Please set out the details of the various judicial training activities attended by the JJOs at all levels of courts in the past year, including the number of participants, their ranks and monthly salaries.

Asked by: Hon KOON Ho-ming, Peter Douglas (LegCo internal reference no.: 21)

Reply:

The Hong Kong Judicial Institute (JI) is responsible for organizing judicial training and professional education activities for Judges and Judicial Officers (JJOs) (including designated judges) at all levels of court. JI is overseen by a Governing Body chaired by the Chief Justice of the Court of Final Appeal and comprises court leaders at the respective court levels, two experienced judges in the High Court and the Judiciary Administrator.

The participation of JJOs varies among the different training activities, depending on the nature of training, the professional and operational needs of JJOs, and their availability as permitted by court diaries. Details of the judicial training activities attended by JJOs in 2022-23 are at **Annex 1**. The monthly salary of JJOs at all levels of court is at **Annex 2**.

**Judicial Training Activities Attended by Judges and Judicial Officers  
for the financial year 2022-23**

**(A) Local Judicial Training Organised by the Hong Kong Judicial Institute**

<b>Date</b>	<b>Activity</b>	<b>Number of Judges and Judicial Officers (at various ranks) participated</b>
6.4, 7.4, 19.5, 31.5, 29.6, 27.7, 30.8, 1.9, 21.9, 9.11, 1.12.2022, 17.1, 19.1, 21.2, 27.2 & 2.3.2023	Induction briefings for Deputy Magistrates / Adjudicators	30
8.4 & 13.4.2022	Demonstration and discussion session on Outside Courtroom Hearings	20
6.5.2022	Training on enhancements to the Integrated Court Case Management System (iCMS) for District Court Civil Judges and Masters	Not applicable (Online training materials uploaded for self-learning by JJOs)
25.5.2022	Contempt of Court Briefing Session	53
Jul – Aug 2022	Chinese judgment writing courses	8
3.9.2022	Seminar on the Continuation and Development of the HKSAR's Legal System and the Mutual Legal Assistance Arrangements between the Mainland and the HKSAR	119
3.3 & 4.3.2023	Induction Course for Newly Appointed Permanent Magistrates	11
18.3.2023	Seminar on the Civil Code of the People's Republic of China	144
27.3.2023	Case Settlement Conference Experience Sharing Session	11

**(B) Other Local Judicial Training Activities Attended by Judges and Judicial Officers**

<b>Date</b>	<b>Activity</b>	<b>Number of Judges and Judicial Officers (at various ranks) participated</b>
1.4.2022	Webinar entitled “Determining the Appropriate Forum by the Applicable Law”, organised by the Chinese University of Hong Kong	2
12.4.2022	Webinar entitled “Blockchain Asset Registries - Freeing Crypto from Mania”, organised by the University of Hong Kong	2
20.4.2022	Webinar entitled “Enforcement of Intellectual Property and Related Rights from Internet-based Platforms”, organised by the University of Hong Kong	1
28.4.2022	Webinar entitled “Hong Kong Competition Law - Comparative and Theoretical Perspectives”, organised by the University of Hong Kong	3
26.5.2022	Webinar entitled “Disputes Under Insurance Contracts”, organised by the Hong Kong Institute of Arbitrators	1
7.6.2022	Webinar entitled “Private International Law in the Greater Bay Area: An Empirical Assessment of the Qianhai Court Judgments”, organised by the Chinese University of Hong Kong	2
31.8.2022	Webinar entitled “International Cryptocurrency Disputes: Trends and Developments”, organised by the Chinese University of Hong Kong	4
19.10.2022	Webinar entitled “Blockchain, NFTs and the Metaverse: Implications for Disputes and the Dispute Resolution Process”, organised by the Hong Kong Institute of Arbitrators	2
9.11.2022	Webinar entitled “Sustainability, Inequality, and Competition Law”, organised by the Chinese University of Hong Kong	1
23.11.2022	Webinar entitled “All in Crypto”, organised by the Chinese University of Hong Kong	1
25.11.2022	Webinar entitled “Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill - Key Provisions and Impact”, organised by the Chinese University of Hong Kong	8

<b>Date</b>	<b>Activity</b>	<b>Number of Judges and Judicial Officers (at various ranks) participated</b>
5.1.2023	Webinar entitled “Contractual Estoppel: A First Look at First Tower Trustees in Hong Kong”, organised by the University of Hong Kong	1
1.3.2023	Webinar entitled “The Knights Templar and the Origins of the Common Law of Trusts”, organised by the Chinese University of Hong Kong	7

**Monthly Salary of Judges and Judicial Officers at all Levels of Court**

<b>Position as at 1.3.2023</b>			
<b>Level of Court</b>	<b>Rank</b>	<b>Judicial Service Pay Scale Point</b>	<b>Monthly Salary \$</b>
Court of Final Appeal	Chief Justice	19	397,100
	Permanent Judge	18	386,000
Court of Appeal of the High Court	Chief Judge of the High Court	18	386,000
	Justice of Appeal	17	348,050
Court of First Instance of the High Court	Judge of the Court of First Instance	16	331,750
High Court Masters' Office	Registrar	15	269,000
	Senior Deputy Registrar	14	245,300 - 260,250
	Deputy Registrar	13	229,850 - 243,700
District Court (including Family Court and Lands Tribunal)	Chief District Judge	15	269,000
	Principal Family Court Judge	14	245,300 - 260,250
	District Judge	13	229,850 - 243,700
	Member, Lands Tribunal	12	197,750 - 209,850
District Court Masters' Office	Registrar	11	182,150 - 193,100
	Deputy Registrar	10	166,600 - 176,750



<b>Position as at 1.3.2023</b>			
<b>Level of Court</b>	<b>Rank</b>	<b>Judicial Service Pay Scale Point</b>	<b>Monthly Salary \$</b>
Magistrates' Courts/ Specialized Court/ Other Tribunals	Chief Magistrate	13	229,850 - 243,700
	Principal Magistrate/ Principal Presiding Officer, Labour Tribunal/ Principal Adjudicator, Small Claims Tribunal	11	182,150 - 193,100
	Coroner/ Presiding Officer, Labour Tribunal/ Adjudicator, Small Claims Tribunal/  Magistrate	10  7-10	166,600 - 176,750  147,480 - 176,750
	Special Magistrate	1 - 6	95,865 - 113,265

- End -

**CONTROLLING OFFICER'S REPLY**

**JA014**

**(Question Serial No. 1485)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Please provide information of the past 5 years:

- (1) the number of divorce cases filed to the Family Court;
- (2) the number of applications for injunction orders / interim custody orders by victims of domestic violence;
- (3) the number of applications for maintenance;
- (4) the number of cases in relation to access and custody ruled by the court;
- (5) the average waiting time, the longest waiting time and their respective target waiting times for Family Court cases;
- (6) the establishment, number of posts and expenditure on the remuneration of judges, judicial officers and supporting staff in the Family Court.

Asked by: Hon KOON Ho-ming, Peter Douglas (LegCo internal reference no.: 18)

Reply:

(1) – (5)

The respective numbers of divorce cases filed to the Family Court in the past five years from 2018 to 2022 are as follows:

	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Number of divorce cases filed in the year	22 998	22 074	17 302	17 774	16 513

The statistics on the average waiting time <sup>Note</sup> and the longest waiting time for the relevant cases in the past five years from 2018 to 2022, and their respective target waiting time are as follows:

	2018	2019	2020	2021	2022	2023 Target
<b>Special Procedure List</b>						
Average Waiting Time (Days)	35	35	35	35	35	35
Longest Waiting Time (Days)	39	35	35	35	44	-
<b>Defended List</b>						
Average Waiting Time (Days)	111	89	69	59	58	110
Longest Waiting Time (Days)	204	226	152	191	104	-
<b>Financial Applications</b>						
Average Waiting Time (Days)	90	81	85	74	49	110 – 140
Longest Waiting Time (Days)	203	235	249	264	250	-

Note: The waiting time counts from setting down of a case to hearing.

The Judiciary does not maintain the other requested statistics.

- (6) The establishment, number of posts and estimated salary provision for Judges and Judicial Officers (JJOs) and support staff of the Family Court for the past five years are as follows –

	2018-19	2019-20	2020-21	2021-22	2022-23 (Projected as at 31.3.2023)
<b>Number of posts</b>					
Principal Family Court Judge	1	1	1	1	1
District Judge	4	4	7	7	7
Judicial Clerk grade staff	23	26	26	26	26
Clerical staff	22	24	23	23	23
Secretarial staff	1	1	1	1	1

	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23 (Projected as at 31.3.2023)</b>
<b>Number of posts</b>					
Workman II	3	4	5	5	5
<b>Establishment</b>	54	60	63	63	63

	<b>2018-19 (\$ million)</b>	<b>2019-20 (\$ million)</b>	<b>2020-21 (\$ million)</b>	<b>2021-22 (\$ million)</b>	<b>2022-23 (Projected as at 31.3.2023) (\$ million)</b>
<b>Estimated salary provision*</b>	32.2	36.0	44.3	44.3	45.4

\* Estimated on the basis of prevailing annual salaries at mid-point, excluding fringe benefits and allowances claimable by eligible JJOs and civil service support staff.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA015**

**(Question Serial No. 2905)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Under Programme (1) Courts, Tribunals and Various Statutory Functions, paragraph 3 mentions it is to “ensure the Judiciary and the courts keep abreast with changing times” while paragraph 5 “make greater use of technology”. However, progress has been slow in the past two decades or so for the Judiciary to go electronic. Has (any financial provision been earmarked) in the Estimate for members of the Judiciary to be provided with training and international exchanges in order to keep abreast of the progress of going electronic by the judiciaries in the Mainland and overseas and learn about the latest judicial electronic services, thereby assisting the Judiciary in going electronic as soon as possible?

Asked by: Hon LAM San-keung (LegCo internal reference no.: 8)

Reply:

To keep abreast of changing developments, the Judiciary has been maintaining a good working relationship with the Supreme People's Court of Mainland China and other jurisdictions on training and exchange programmes. For this purpose, our judges and judicial officers (JJOs) have been attending regional and international conferences and seminars, as well as visiting other judiciaries from time to time. Use of technology, among others, has been one of the major subjects of discussion during these exchange activities.

Despite the COVID-19 pandemic in 2022, we managed to continue attending and arranging three exchange activities where topics relating to use of technology were included for JJOs and their counterparts in other jurisdictions through on-line video conferencing:

- (a) The 7th Judicial Seminar on Commercial Litigation hosted by the Supreme Court of Singapore on 24-25 February 2022 via video conferencing;
- (b) The Inaugural Meeting of Chief Justices and Judges in charge of Technology hosted by the Supreme Court of Singapore on 30 August 2022 via video conferencing; and
- (c) The 18th Conference of Chief Justices of Asia and the Pacific hosted by the Judiciary on 16-17 November 2022 via video conferencing.

The Judiciary will continue with our efforts in strengthening our exchanges with our counterparts.

The Hong Kong Judicial Institute (JI) is responsible for organizing judicial training programmes for JJOs at all levels of court for meeting their professional and operational needs. Apart from the key subjects of court craft, judicial ethics, judgment writing and sentencing, etc., JI has also been organizing judicial training activities on the use of technology such as remote hearings and use of the integrated Court Case Management System. An estimated provision of \$2.1 million has been made for judicial training and related expenses in 2023-24.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA016**

**(Question Serial No. 2906)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

With regard to Programme (2) Support Services for Courts' Operation, does the Judiciary have sufficient provisions to acquire new technologies to provide electronic automated recording services and interpretation services for court proceedings?

Asked by: Hon LAM San-keung (LegCo internal reference no.: 9)

Reply:

The Judiciary has been deploying the required manpower and financial resources on Information and Communications Technology (ICT) for implementing various initiatives involving the use of technology which seek to enhance the efficiency in court operations on an on-going basis. One of these initiatives is the use of voice-to-text technology, which is an artificial intelligence (AI) technology, for recording court proceedings and preparing transcripts. The Judiciary is now testing the voice recognition software products in the market, particularly in respect of accuracy of voice recognition, with a view to making use of this technology in recording court proceedings and preparing transcripts where appropriate in the longer term.

In 2023-24, the estimated recurrent expenditure relating to all ICT initiatives is around \$270 million, which accounts for 11% of the total estimated operating expenditure of the Judiciary. Additional expenditure and manpower support will be flexibly deployed within the Judiciary's overall funding provision where necessary and appropriate for enhancing the efficiency of court operations.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA017**

**(Question Serial No. 0016)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Please provide the following figures for the past 5 years:

- (1) the number of divorce cases processed by the courts, and the average time needed for handling legally-aided divorce applications;
- (2) the number of divorce cases with unreasonable behavior as the ground, in particular divorces sought on the ground of domestic violence;
- (3) the number of divorce/separation cases in which nominal maintenance of \$1 per year was received from former spouses;
- (4) the number of cases in which joint custody order was made, with breakdown by nationality;
- (5) the number of cases involving the granting of custody, with breakdown by male-and-female ratio and nationality; and
- (6) the number of cases involving the granting of access, with breakdown by male-and-female ratio and nationality.

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 16)

Reply:

The respective numbers of divorce cases filed to the Family Court for the period from 2018 to 2022 are as follows:

	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Number of divorce cases filed in the year	22 998	22 074	17 302	17 774	16 513

The Judiciary does not maintain the other requested statistics.

- End -



**CONTROLLING OFFICER'S REPLY**

**JA018**

**(Question Serial No. 0017)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Please provide the number of applications for leave for judicial review, the number of judicial reviews and the number of appeals against judicial review decisions, and their average waiting times in each of the past 3 years.

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 17)

Reply:

The relevant statistics for the past three years from 2020 to 2022 are as follows:

<b>Judicial Review Cases</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Court of First Instance of the High Court</b>			
(a) No. of leave applications filed	2 500	1 767	1 545
(b) Average waiting time from listing to hearing of leave application	44 days	24 days	26 days
(c) No. of substantive judicial review cases filed	4	7	10
(d) Average waiting time from listing to hearing of substantive judicial review case	78 days	98 days	88 days
<b>Court of Appeal of the High Court</b>			
(e) No. of appeals against refusal of leave filed	450	380	297
(f) Average waiting time from listing to appeal hearing in respect of refusal of leave application	58 days	58 days	53 days
(g) No. of appeals against judicial review decisions filed	12	8	11
(h) Average waiting time from listing to appeal hearing	75 days	119 days	99 days
<b>Court of Final Appeal</b>			
(i) No. of applications for leave to appeal (civil) filed <sup>1</sup>	289	564	670
(j) No. of substantive appeals (civil) filed <sup>1</sup>	11	6	14

Remark:

<sup>1</sup> The figures are total number of cases filed to the Court of Final Appeal which include non-judicial review cases.

- End -

**CONTROLLING OFFICER'S REPLY**

<b>JA019</b>
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**(Question Serial No. 0018)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Please provide information on the size of the establishments (by ranks) and the expenditure on salaries and allowances respectively of the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Obscene Articles Tribunal, the Competition Tribunal and the Coroner's Court in the past 3 years and for the coming year. What are the respective numbers of cases filed with these Tribunals and their average waiting times in each (of the past 3) years?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 18)

Reply:

The establishment, number of posts and estimated salary provision for Judges and Judicial Officers (JJOs) and support staff of the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Obscene Articles Tribunal and the Coroner's Court, for the past three years (i.e. 2020-21, 2021-22 and 2022-23) and the coming year (i.e. 2023-24) are as follows:

Tribunal/ Court	Establish- ment	Existing number of posts	Estimated salary provision* (\$ million)			
			2020-21	2021-22	2022-23	2023-24 (Estimate)
Lands Tribunal	31	3 – District Judge 2 – Member 8 – Judicial Clerk Grade Staff 17 – Clerical Staff 1 – Office Assistant	23.4	23.4	23.9	23.9

Tribunal/ Court	Establish- ment	Existing number of posts	Estimated salary provision* (\$ million)			
			2020-21	2021-22	2022-23	2023-24 (Estimate)
Labour Tribunal	91	1 – Principal Presiding Officer 8 – Presiding Officer 13 – Judicial Clerk grade staff@ 16 – Tribunal Officer@ 41 – Clerical staff^ 6 – Secretarial staff^ 2 – Office Assistant@ 4 – Workman II@	58.5	57.4	58.8	58.8
Small Claims Tribunal	80	1 – Principal Adjudicator 11 – Adjudicator 21 – Judicial Clerk grade staff& 46 – Clerical staff 1 – Office Assistant	53.6	53.6	55.0	55.0
Obscene Articles Tribunal	7	2 – Magistrates 5 – Clerical staff	5.4	5.4	5.5	5.5
Coroner's Court	14	3 – Coroner 1 – Judicial Clerk grade staff 8 – Clerical staff 1 – Secretarial staff 1 – Workman II	9.8	9.8	10.1	10.1

\* Estimated on the basis of prevailing annual salaries at mid-point, excluding fringe benefits and allowances claimable by eligible JJOs and civil service support staff.

@ Including one Judicial Clerk Grade post and two Workman II posts regraded from one Tribunal Officer post and two Office Assistant posts respectively in 2021-22.

& Including two Judicial Clerk Grade posts created and filled in 2020-21.

^ Including one Clerical staff post regraded from one Secretarial staff post in 2022-23.

The Competition Tribunal was established under the Competition Ordinance (the Ordinance) as a specialised court with primary jurisdiction to hear and adjudicate competition-related cases. According to the Ordinance, every Judge of the Court of First Instance of the High Court (CFI), will, by virtue of his or her appointment as CFI Judge, be a member of the Competition Tribunal. The Ordinance provides that the Chief Executive shall, on the recommendation of the Judicial Officers Recommendation Commission, appoint two of the members of the Competition Tribunal to be the President and Deputy President of the Competition Tribunal respectively. The Ordinance also provides that, among others, every Registrar, Senior Deputy Registrar and Deputy Registrar (registrars) of the High Court, by virtue of that appointment, holds the corresponding office or position in the Competition

Tribunal. Where there is no case handled by the Competition Tribunal, the CFI Judges and registrars of the High Court will continue to discharge their normal duties as a CFI Judge and as a registrar of the High Court.

On 15 March 2013, the Judiciary obtained the approval of the Finance Committee of the Legislative Council to create a CFI Judge post and a Deputy Registrar post for the purpose of setting up the Competition Tribunal. The additional CFI Judge post seeks to re-compensate the projected total judicial time to be spent by the President, Deputy President and other CFI Judges/members of the Competition Tribunal on the work of the Competition Tribunal. Similarly, the additional Deputy Registrar post covers the estimated aggregate amount of time to be spent by the registrars of the High Court on the work of the Competition Tribunal.

A total of nine non-directorate civil service posts were created in the Judiciary for supporting the work of the Competition Tribunal. The estimated salary provision for the two JJO posts and these nine support staff posts for the past three years (i.e. 2020-21, 2021-22 and 2022-23) and the coming year (i.e. 2023-24) are as follows:

Tribunal/ Court	Establish- ment	Existing number of posts	Estimated salary provision# (\$ million)			
			2020-21	2021-22	2022-23	2023-24 (Estimate)
Competition Tribunal	11	1 – Judge of the Court of First Instance of the High Court 1 – Deputy Registrar, High Court 1 – Court Interpreter grade staff 3 – Judicial Clerk grade staff 4 – Clerical staff 1 – Secretarial staff	11.0	11.0	11.3	11.3

# Estimated on the basis of prevailing annual salaries at mid-point, excluding fringe benefits and allowances claimable by eligible civil service support staff.

To ensure the optimal use of manpower resources having regard to the caseload of the Competition Tribunal and the increasing operational needs of the High Court, some of the non-directorate staff have been temporarily deployed to support the JJOs in handling court hearings and registry business in the High Court in addition to supporting the operation and administration (including updating of rules and legal references) of the Competition Tribunal.

The number of cases filed and the average court waiting times in the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Obscene Articles Tribunal, the Competition Tribunal and the Coroner's Court for the past three years from 2020 to 2022 are appended below:

## Cases Filed

	Cases Filed		
	2020	2021	2022
<b>Lands Tribunal</b>	4 432	4 358	3 998
<b>Labour Tribunal</b>	3 533	4 278	3 378
<b>Small Claims Tribunal</b>	39 821	45 649	41 514
<b>Obscene Articles Tribunal</b>	14 131	38	34
<b>Competition Tribunal</b>	3	2	3
<b>Coroner's Court</b>	98	154	131

## Court Waiting Time <sup>(Note)</sup>

	Average Waiting Time (days)		
	2020	2021	2022
<b>Lands Tribunal</b>			
- from setting down of a case to hearing			
appeal cases	39	_#	_#
compensation cases	29	64	45
building management cases	31	25	20
tenancy cases	24	16	16
<b>Labour Tribunal</b>			
- from appointment to filing of a case	61	25	28
- from filing of a case to first hearing	23	22	24
<b>Small Claims Tribunal</b>			
- from filing of a case to first hearing	41	39	37
<b>Obscene Articles Tribunal</b>			
- from receipt of application to classification	3	2	2
- from referral by a magistrate to determination	10	_#	_#
<b>Coroner's Court</b>			
- from date of listing to hearing	70	64	42

# Not applicable as no such cases have been filed.

Note: As only six cases have been set down for trial/substantive hearing in the Competition Tribunal since its establishment, the waiting time is inapplicable. We will consider whether to set the target average waiting time when more cases are set down for trial/substantive hearing at the Tribunal.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA020**

**(Question Serial No. 0019)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

- (1) Please provide information on the establishment and expenditure on the remuneration of judicial officers in the Family Court in each of the past 3 years, and the number of divorce cases filed in the year;
- (2) What are the average waiting times and the longest waiting times for the Special Procedure List, Defended List and financial applications in the Family Court in each of the past 3 years, and what are their respective target waiting times for the coming year?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 19)

Reply:

- (1) The establishment of Judges and Judicial Officers (JJOs) in the Family Court as at 1 March in the past three years are as follows:

<b>Judicial Rank</b>	<b>1.3.2021</b>	<b>1.3.2022</b>	<b>1.3.2023</b>
Principal Family Court Judge	1	1	1
District Judge	7	7	7

The estimated salary provision for JJOs in the Family Court in the past three financial years from 2020-21 to 2022-23 is as follows:

	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
<b>Estimated salary provision* (\$ million)</b>	22.4	22.4	22.9

\* Estimated on the basis of prevailing annual salaries at mid-point, excluding fringe benefits and allowances claimable by eligible JJOs.

The respective numbers of divorce cases filed to the Family Court in the past three years from 2020 to 2022 are as follows:

	2020	2021	2022
Number of divorce cases filed in the year	17 302	17 774	16 513

(2) The statistics on the average waiting time <sup>Note</sup> and the longest waiting time for the relevant cases in the past three years from 2020 to 2022, and their respective target waiting times are as follows:

	2020	2021	2022	2023 Target
<b>Special Procedure List</b>				
Average Waiting Time (Days)	35	35	35	35
Longest Waiting Time (Days)	35	35	44	-
<b>Defended List</b>				
Average Waiting Time (Days)	69	59	58	110
Longest Waiting Time (Days)	152	191	104	-
<b>Financial Applications</b>				
Average Waiting Time (Days)	85	74	49	110 – 140
Longest Waiting Time (Days)	249	264	250	-

Note: The waiting time counts from setting down of a case to hearing.

- End -



**CONTROLLING OFFICER'S REPLY**

**JA021**

**(Question Serial No. 0508)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Given that the operation of courts and tribunals continues to be subject to challenges from the COVID-19 epidemic, the influx of applications for leave to apply for Judicial Review on non-refoulement claims and related appeals, etc., how will technology (such as remote hearings) be put to good use by the Administration to speed up court proceedings?

Asked by: Hon QUAT Elizabeth (LegCo internal reference no.: 17)

Reply:

The Judiciary is committed to making greater use of technology to enhance the efficiency of court business. The latest progress of the major initiatives launched in recent years is set out below.

Integrated Court Case Management System (iCMS)

One of the key initiatives being pursued is the development of an iCMS across various court levels by phases for handling court-related documents and payments through an electronic mode as an option to the traditional paper-based system. The iCMS has been implemented in the District Court (DC) and the Magistrates' Courts (MCs) respectively from May 2022 and December 2022. It now covers personal injuries action, tax claim, civil action, employees' compensation cases in the DC, and summons cases in the MCs. It is our target to roll out the iCMS for public use at other levels of courts incrementally from 2024.

To facilitate a quicker and wider adoption of technology in court operations, the Judiciary aims to ultimately make iCMS the primary litigation system in Hong Kong. We are considering setting a target timeframe, such as a period of three to five years from the rolling out of the relevant parts of the new system, for requiring all represented litigants to conduct their litigations electronically, unless otherwise exempted in particular circumstances. To

prepare for requiring mandatory use of iCMS for litigation, we will conduct full consultation with the legal profession and other stakeholders on the implementation arrangements, and put in place safeguards for the right of access to court. We will also continue with our efforts in the promotion and publicity of iCMS with a view to encouraging migration to the electronic mode. For instance, we conducted a series of briefing-cum-hands-on demonstration sessions at the iCMS Help Centre at the DC for around 80 law firms, targeting lawyers, para-legals and legal clerks from January to February 2023. We are prepared to organize similar sessions as and when required.

### Remote hearings

The Judiciary has been promoting the use of more remote hearings for civil proceedings since April 2020. So far, over 1 600 remote hearings (including video-conferencing and phone hearings) have been conducted and the experience has been positive. The Judiciary is working on the draft Courts (Remote Hearing) Bill (the Bill) to provide the court with the flexibility to order remote hearings as it sees fit, having regard to all relevant circumstances, as well as the dual requirements of open justice and fairness. The Bill seeks to remove legal obstacles to the general application of remote hearings to criminal proceedings and provide express provisions setting out how matters should be handled when a hearing is conducted remotely. We conducted a three-month public consultation on the draft Bill in June 2022, and aim to introduce the Bill into the Legislative Council within this year.

### Live broadcasting of selected judicial proceedings

In line with the principle of open justice, live broadcasting of court proceedings enhances the transparency of court procedures and public confidence in the judicial process. The Judiciary is now examining the guiding principles as well as the implementation practicalities of live broadcasting of selected court proceedings, with the target to introduce live broadcasting of at least some court proceedings or at some court levels within this year, if practicable.

### Voice-to-text technology

The Judiciary is now testing the voice recognition software products in the market, particularly in respect of accuracy of voice recognition, with a view to making use of this technology in recording court proceedings and preparing transcripts where appropriate in the longer term.

### E-appointments

To minimize the need for court users to queue up for registry services, reduce people flow at court buildings where necessary (such as due to general public health situation), and facilitate a more efficient use of court facilities, the Judiciary introduced an e-appointment system in

March 2021 for selected registry services for the Probate Registry, Family Court and Lands Tribunal. Arising from the positive experience, we extended the system in January 2022 to cover selected services for the High Court Registry, the Appeals Registry of the Clerk of Court's Office of the High Court and the Integrated Mediation Office.

#### E-bundles at court hearings

The Judiciary has been trying out the use of e-bundle at hearings for suitable DC civil cases since December 2020. At the High Court, a new Practice Direction was issued to mandate the use of e-bundles for cases of the Commercial List at the Court of First Instance with effect from 11 May 2022. Taking into account operational experience, the Judiciary will see how best to encourage more e-bundle hearings at various court levels in the longer run.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA022**

**(Question Serial No. 1572)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Please provide the number of applications for leave to judicial review, the number of judicial reviews and the number of appeals against judicial review decisions in the past 3 years. Among them, what is the number of non-refoulement claim cases? What are the number of cases in which leave has been granted and the time spent on processing them? How many of these cases were legally aided? What are the various expenses and the total expenses incurred from the handling of applications for leave to judicial review, judicial reviews, appeals against judicial review decisions, engagement of briefed-out counsels, legal aid and all related legal proceedings involving non-refoulement claims?

Asked by: Hon QUAT Elizabeth (LegCo internal reference no.: 37)

Reply:

The statistics maintained by the Judiciary that are relevant to the question for the past three years from 2020 to 2022 are as follows:

<b>Judicial Review Cases</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Court of First Instance of the High Court</b>			
(a) No. of leave applications filed	2 500	1 767	1 545
(b) No. of leave applications filed relating to non-refoulement claims	2 367	1 675	1 440
(c) No. of leave applications with leave granted <sup>1</sup>	19	26 <sup>2</sup>	13
(d) Average processing time (from date of filing of leave application to date of decision) <sup>3</sup>	415 days	123 days	78 days
(e) No. of substantive judicial review cases filed	4	7	10
(f) No. of substantive judicial review cases filed relating to non-refoulement claims	0	1	2
<b>Court of Appeal of the High Court</b>			
(g) No. of appeals against refusal of leave filed	450	380	297
(h) No. of appeals against refusal of leave filed relating to non-refoulement claims	413	350	279
(i) No. of appeals against judicial review decisions filed	12	8	11
(j) No. of appeals against judicial review decisions filed relating to non-refoulement claims	1	1	6
<b>Court of Final Appeal</b>			
(k) No. of applications for leave to appeal (civil) filed <sup>4</sup>	289	564	670
(l) No. of applications for leave to appeal (civil) filed relating to non-refoulement claims	252	510	603
(m) No. of substantive appeals (civil) filed <sup>4</sup>	11	6	14
(n) No. of substantive appeal (civil) filed relating to non-refoulement claims	0	0	0

**Remarks:**

<sup>1</sup> Statistics on the outcome of leave applications filed in a year reflect the position as at 31 January 2023. Such statistics may vary at different report generation date and time since they are live data subject to changes upon conclusion of the outstanding leave applications.

<sup>2</sup> Statistics include 2 cases of leave granted by the Court of Appeal of the High Court on appeal.

<sup>3</sup> Statistics on the average processing time reflect the position as at 31 January 2023. Such figures may vary at different report generation date and time. The Judiciary only maintains statistics on the average processing time of leave applications at the Court of First Instance of the High Court and such statistics only take into account the number of leave applications with leave granted or leave refused as at report generation date, but exclude those withdrawn or outstanding leave applications.

<sup>4</sup> The figures are total number of cases filed to the Court of Final Appeal which include non-judicial review cases.

The Judiciary does not maintain the other requested statistics on judicial review cases.

The expenditure on handling legal proceedings relating to non-refoulement claims forms part of the general operating expenses of the Judiciary. The Judiciary has been flexibly deploying its resources to support the work at different levels of court having regard to operational needs. The relevant expenditure includes the salary and related expenses as well as other operating expenses of judges and supporting staff in the High Court and the Court of Final Appeal who are handling these cases alongside all other cases on a rotational or day-to-day basis <sup>Note</sup>. The Judiciary does not maintain the breakdown of operating expenses incurred exclusively for coping with cases relating to non-refoulement claims. On top of the recurrent operating expenses from serving judges and supporting staff involved in handling such cases, the Judiciary has been engaging Deputy Judges in the Court of First Instance of the High Court and contract supporting staff who are designated for handling judicial review cases arising from non-refoulement claims. The additional expenditure in the past three years for such extra manpower are as follows:

<b>2020-21</b> <b>(\$ million)</b>	<b>2021-22</b> <b>(\$ million)</b>	<b>2022-23</b> <b>(\$ million)</b>
6.5	13.3	10.0

<sup>Note</sup> The breakdown of expenditure of judges in the Court of Appeal of the High Court and Court of Final Appeal is not available as the number of appeal cases listed for their disposal in a year hinges on multiple varying factors.

The Judiciary has been coping with the upsurge of non-refoulement claim-related cases since 2017 through a number of pro-active measures. These include streamlining the relevant court procedures, promoting the wider adoption of paper disposals to deal with suitable cases, increasing judicial manpower and deploying dedicated temporary judicial manpower. The Judiciary will continue to monitor the situation and strengthen our efforts to enhance efficiency in processing non-refoulement claim-related cases as far as practicable in light of evolving developments.

- End

**CONTROLLING OFFICER'S REPLY**

**JA023**

**(Question Serial No. 0950)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

It has been nearly 5 years since the jurisdictional limit of the Small Claims Tribunal was increased to \$75,000 in 2018. Please inform this Council:

- (1) of the number of cases dealt with by the Small Claims Tribunal and the breakdown of the claim amounts each year since 2018;
- (2) it is noted that the Administration originally planned to review whether it would be necessary to further increase the jurisdictional limit of the Small Claims Tribunal after around 2 years of raising it. As of now, does the Administration have any plan to further increase the jurisdictional limit of the Small Claims Tribunal to \$100,000? If so, what are the details? If not, why so?

Asked by: Hon TSE Wai-chun, Paul (LegCo internal reference no.: 27)

Reply:

For (1), the respective number of cases filed to the Small Claims Tribunal (SCT) in the past five years from 2018 to 2022 and the breakdown on the claim amount are appended below:

Claim Amount (HK\$)	Number of Cases Filed				
	2018	2019	2020	2021	2022
≤ 25,000	35 911	32 090	25 999	30 792	26 483
> 25,000 - ≤ 50,000	17 558	9 474	6 194	6 840	6 329
> 50,000 - ≤ 75,000	1 536	14 315	7 628	8 017	8 702
Total	55 005 [Note]	55 879	39 821	45 649	41 514

Note: With the increase of the jurisdictional limit of SCT from \$50,000 to \$75,000 from 3 December 2018, we had to upgrade the system to capture the total caseload of SCT. As an established practice, dummy cases were created to test the system. Following an internal verification of the statistics recently, rectification has been made to take out

two dummy cases which had been inadvertently included in the total caseload of SCT in 2018 and disclosed to the Finance Committee.

For (2), the jurisdictional limit of SCT was increased from \$50,000 to \$75,000 with effect from 3 December 2018. The increase was made having regard to a comprehensive and objective analysis taking into account a host of factors, including the need to enhance access to justice, impact on demand for and operation of SCT's services, changes in economic indicators as well as stakeholders' views. We originally planned to conduct a review to see if there was a case for further revision of the jurisdictional limits after around two years of implementation.

Since then, the Judiciary has been closely monitoring the caseload of SCT following the previous increase in its jurisdictional limit. According to the caseload statistics from 2018 to 2022 as shown in the table above, while there were more than 14 000 cases filed in 2019 with claim amount exceeding \$50,000, the number of such cases filed dropped significantly to around 7 600 in 2020, 8 000 in 2021 and around 8 700 in 2022. As court operation (including that of SCT) was considerably affected by the COVID-19 epidemic during the past three years, the statistics may not fully reflect the longer-term impact of this jurisdictional change.

Any further adjustment of the jurisdictional limit of the SCT would have a significant effect on its operation and caseload, hence delivery of its service to court users. We consider it more prudent to collate more data over a longer time period not affected by the COVID-19 epidemic to facilitate a clearer assessment of the need for any further changes to the jurisdictional limit.

- End -



**CONTROLLING OFFICER'S REPLY**

**JA024**

**(Question Serial No. 0411)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Concerning expediting court proceedings, please inform this Council of:

1. the budget set aside to purchase computers for different levels of courts and the number to be purchased;
2. the number of computers purchased or to be purchased, and disposed of or to be disposed of, over the past 3 years and in the estimated expenditure for the (fiscal) year 2023-24;
3. the actual and estimated expenditure for upgrading IT systems in courts, the number of the systems and their details, as well as the staffing establishment (including ranks) and actual and estimated expenditure for managing and maintaining the daily operation of the IT systems over the past 3 years and in the (fiscal) year 2023-24;
4. the actual and estimated expenditure for promoting court businesses being conducted electronically over the past 3 years and in the (fiscal) year 2023-24;

Asked by: Hon YUNG Hoi-yan (LegCo internal reference no.: 1)

Reply:

- (1) & (2) Currently, around 4 300 computers are being used and deployed for meeting the operational needs of different levels of courts in the Judiciary. The number of computers (including desktop stations and notebooks) procured and disposed of in the past three years and the respective estimated numbers for 2023-24 as well as the expenditure on procurement of computers for these financial years are set out in the table below:

<b>Financial Year</b>	<b>No. of computers procured</b>	<b>Expenditure on procurement of computers</b>	<b>No. of computers disposed of</b>
2020-21	450	\$4.3 million	50
2021-22	244	\$3.4 million	40
2022-23	225	\$3.3 million	26
2023-24 (estimated)	270	\$3.7 million	35

(3) & (4) The Judiciary has been deploying the required manpower and financial resources on Information and Communications Technology (ICT) for implementing various initiatives involving the use of technology which seek to enhance the efficiency in court operations on an on-going basis. These include the development of an integrated Court Case Management System (iCMS) which is being implemented across all levels of courts by phases for handling court-related documents and payments through electronic means, enhancing audio-visual facilities to enable broadcasting at court premises, upgrading video conferencing facilities, e-Appointment System, Digital Evidence and Exhibit Handling System, pilot implementation of voice-to-text function in courtrooms, and promoting to practitioners the application of technology on handling judicial matters, etc.

The ICT-related recurrent expenditures for the past three years are listed below:

<b>Financial Year</b>	<b>ICT-related recurrent expenditure (\$ million)</b>
2020-21	218
2021-22	225
2022-23 (revised estimate)	241

In 2023-24, the estimated recurrent expenditure relating to ICT initiatives is around \$270 million which accounts for 11% of the total estimated operating expenditure of the Judiciary. The average annual increase in the past five years is around 20%.

The development and upgrading of Information Technology (IT) systems are funded under the above ICT provision. Over the years, the Judiciary has been developing and upgrading various IT application systems to meet its operational requirements. Examples of these IT application systems include the court case management systems which support the case-related processing; the electronic information management systems which facilitate sharing and management of

non-court case related knowledge, documents and records; the human resources management system which handles resources functions for staff and Judges and Judicial Officers, the accounting systems which handle financial tasks such as budgeting and forecasting, procurement support, as well as other ancillary and back office systems which support office automation. To ensure the smooth running of these IT systems for meeting the latest operational needs, technical support and on-going maintenance tasks such as regular IT security patching and system software upgrading, and system enhancements are arranged as and when necessary.

Regarding the staffing establishment, the number of civil service IT staff deployed for implementing the different ICT initiatives as well as managing and maintaining the daily operation of the IT systems in the past three years and 2023-24 are as follows:

<b>Financial Year</b>	<b>Chief Systems Manager</b>	<b>Senior Systems Manager</b>	<b>Systems Manager</b>	<b>Other IT staff (Note 1)</b>	<b>Total</b>
2020-21 (Note 2)	1	4	11.5	33.5	50
2021-22	1	4	11	33	49
2022-23	1	4	11	33	49
2023-24 (estimated)	1	4	11	38	54

Note 1: Including Analyst/Programmers I (A/P I), Analyst/Programmers II, Assistant Computer Operation Manager, Senior Computer Operators and Computer Operator I.

Note 2: Including one Systems Manager and one A/P I temporarily deployed to the Judiciary for 6 months in 2020-21 to assist in implementation of new IT application systems.

Since the manpower and other resources have been flexibly deployed from time to time to meet the changing operational needs of various initiatives, we have no breakdown on the expenditure for each initiative/IT application system.

- End -

**CONTROLLING OFFICER'S REPLY**

**JA025**

**(Question Serial No. 0443)**

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

In respect of the Resource Centre for Unrepresented Litigants, please inform this Council of:

1. the number of cases at various levels of courts supported by the Resource Centre for Unrepresented Litigants and the expenditure involved in the past 3 years and in the 2023-24 estimate;
2. the number of staff responsible for the Resource Centre for Unrepresented Litigants out of the current 436 staff members providing support services for courts' operation, their ranks, the expenditure and the proportion of their permanent and supernumerary posts;
3. the details of the support to be provided for unrepresented litigants in the High Court and the District Court as indicated by the government, including the specific details of the support, the estimated number of cases supported and the manpower and expenditure involved, etc.

Asked by: Hon YUNG Hoi-yan (LegCo internal reference no.: 33)

Reply:

- (1) The Resource Centre for Unrepresented Litigants (the Centre) seeks to provide information and assistance about court rules and procedures to unrepresented litigants, who are parties to, or about to commence, civil proceedings in the High Court or the District Court except for those relating to matrimonial, lands, employees' compensation and probate matters. The Centre provides assistance to unrepresented litigants on procedural matters only, and does not give legal advice or make any comments on the merits of the case. Computer terminals with access to the Judiciary website and interlinked with the websites of relevant organisations, e.g. the Legal Aid Department, the Duty Lawyer Service or agencies which may offer free legal service to litigants, are provided at the Centre. In addition, self-service photo-copying, writing areas, leaflets introducing the system of the civil proceedings in the High Court and the District Court, sample court forms and videos on court procedures are also available.

As users/visitors of the Centre are not required to disclose whether they are engaged in any court proceedings, there is no information on the number of cases involving unrepresented litigants who had used the services provided by the Centre. Information concerning the service provided by the Centre for the years 2020 to 2022 is set out as follows. For 2023, we estimate that the usage of various facilities or service provided by the Centre would be similar to previous years.

Facility / Service	Number of Use		
	2020	2021	2022
General counter enquiries	12 107	15 489	11 570
Telephone enquiries	4 104	3 288	3 806
Enquiries by other means (fax, letter and email)	282	269	265
Access to website	340 971 hits	373 731 hits	359 441 Hits
Provision of brochures on civil proceedings	93	116	80
Provision of court forms	8 937	11 289	8 658

- (2) The support staff of the Centre and estimated salary provision in the past three years and for 2023-24 are as follows:

	2020-21	2021-22	2022-23	2023-24
<b>Support staff</b>	6#	7@	7@	7@
<b>Estimated Salary Provision*</b> (\$ million)	3.04	3.48	3.57	3.57

\* Estimated on the basis of prevailing annual salaries at mid-point; excluding fringe benefits and allowances claimable by eligible civil service support staff.

# Including 1 Senior Judicial Clerk I, 4 Judicial Clerks and 1 Assistant Clerical Officer

@ Including 1 Senior Judicial Clerk I, 5 Judicial Clerks and 1 Assistant Clerical Officer

- (3) The various other services provided to unrepresented litigants such as the Legal Advice Scheme for Unrepresented Litigants on Civil Procedures are not provided by the Judiciary. We have no information on the number of cases supported as well as the relevant operating expenses so incurred by the Government.

- End -