

Index Page

Replies to initial questions raised by Legislative Council Members in examining the Estimates of Expenditure 2024-25

Controlling Officer : Judiciary Administrator

Session No. : 2

Consolidated e-file name : JA-1-e1.docx

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
JA001	2284	CHAN Man-ki, Maggie	80	(2) Support Services for Courts' Operation
JA002	3257	CHOW Ho-ding, Holden	80	(1) Courts, Tribunals and Various Statutory Functions
JA003	1550	CHU Kwok-keung	80	(2) Support Services for Courts' Operation
JA004	2107	KAN Wai-mun, Carmen	80	(2) Support Services for Courts' Operation
JA005	2108	KAN Wai-mun, Carmen	80	(1) Courts, Tribunals and Various Statutory Functions
JA006	2109	KAN Wai-mun, Carmen	80	(2) Support Services for Courts' Operation
JA007	3775	KAN Wai-mun, Carmen	80	(1) Courts, Tribunals and Various Statutory Functions
JA008	3776	KAN Wai-mun, Carmen	80	(1) Courts, Tribunals and Various Statutory Functions
JA009	2598	KONG Yuk-foon, Doreen	80	-
JA010	3143	KONG Yuk-foon, Doreen	80	(2) Support Services for Courts' Operation
JA011	2246	KOON Ho-ming, Peter Douglas	80	(1) Courts, Tribunals and Various Statutory Functions
JA012	2247	KOON Ho-ming, Peter Douglas	80	(1) Courts, Tribunals and Various Statutory Functions
JA013	0831	LAM San-keung	80	(1) Courts, Tribunals and Various Statutory Functions
JA014	0832	LAM San-keung	80	(2) Support Services for Courts' Operation
JA015	0833	LAM San-keung	80	(2) Support Services for Courts' Operation
JA016	0834	LAM San-keung	80	(2) Support Services for Courts' Operation
JA017	1740	LAM Shun-chiu, Dennis	80	(1) Courts, Tribunals and Various Statutory Functions
JA018	2457	LEUNG Hei, Edward	80	(2) Support Services for Courts' Operation
JA019	0217	LEUNG Mei-fun, Priscilla	80	(1) Courts, Tribunals and Various Statutory Functions
JA020	0222	LEUNG Mei-fun, Priscilla	80	(1) Courts, Tribunals and Various Statutory Functions

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
JA021	0223	LEUNG Mei-fun, Priscilla	80	(2) Support Services for Courts' Operation
JA022	0224	LEUNG Mei-fun, Priscilla	80	(1) Courts, Tribunals and Various Statutory Functions
JA023	0727	LIAO Cheung-kong, Martin	80	(2) Support Services for Courts' Operation
JA024	1333	QUAT Elizabeth	80	(1) Courts, Tribunals and Various Statutory Functions
JA025	1422	YUNG Hoi-yan	80	(1) Courts, Tribunals and Various Statutory Functions
JA026	1423	YUNG Hoi-yan	80	(1) Courts, Tribunals and Various Statutory Functions
JA027	1424	YUNG Hoi-yan	80	(1) Courts, Tribunals and Various Statutory Functions (2) Support Services for Courts' Operation

CONTROLLING OFFICER'S REPLY

JA001

(Question Serial No. 2284)

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 year before last, 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. Please inform this Council:

- (1) of the latest number of registered users in iCMS and the current situation concerning its use? Comparing the figures of last year and the year before last, what is the year-on-year growth of the number of registered users and the take-up rate? And
- (2) to facilitate a quicker and wider adoption of technology in court operations, the Judiciary indicated last year that it was considering setting up a target timeframe. After a year's incubation, will such a target timeframe be set up this year?

Asked by: Hon CHAN Man-ki, Maggie (LegCo internal reference no.: 22)

Reply:

The integrated Court Case Management System (iCMS) is being implemented in two phases. The first phase is further divided into two stages for better management. Under Stage 1 of Phase I, the iCMS has been implemented in the District Court (DC) and the Magistrates' Courts (MCs) by phases since May and December 2022 respectively. 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. We target to roll out iCMS for public use at other levels of court (i.e. Stage 2 of Phase I) incrementally from mid-2024.

As at 29 February 2024, a total of 413 court users (including 333 law firms, accounting for about 36% of some 920 law firms registered with the Law Society of Hong Kong) have registered for accounts under iCMS. About 185 600 new cases have been initiated under iCMS, representing about 43% of the total number of the relevant new cases during the period. Court users have filed some 220 500 documents, conducted about 6 300 inspections of documents and made over 13 000 payment transactions via iCMS. The take-up rate is expected to rise progressively following the continued promotion of iCMS.

The increase in the number of registered users of iCMS and its usage is tabulated below:

	As at 29 February 2024	As at 28 February 2023	Increase (percentage of increase)
Number of registered users	413	102	311 (305%)
Number of new cases initiated under iCMS	185 600	9 300	176 300 (1 896%)
Number of documents filed via iCMS	220 500	3 000	217 500 (7 250%)
Number of inspection of documents conducted via iCMS	6 300	1 900	4 400 (232%)
Number of payment transactions made via iCMS	13 000	2 300	10 700 (465%)

As it is the Judiciary's ultimate aim to make the electronic platform the primary litigation system, we are planning to make it mandatory for all legally represented litigants to use iCMS within a specified target timeframe, unless otherwise exempted in particular circumstances mainly to safeguard the right to access in court. In this connection, we have launched a three-month consultation with the legal profession and other stakeholders on the implementation arrangements in January 2024. Subject to the stakeholders' views, we intend to start mandating the use of iCMS for all legally represented litigants in respect of the relevant case types as from 2026.

- End -

CONTROLLING OFFICER'S REPLY**JA002****(Question Serial No. 3257)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Ms Esther LEUNG)Director of Bureau: Not applicableQuestion:

Regarding the Small Claims Tribunal, please inform this Council of:

1. (i) the total number of cases handled, (ii) the types of cases and their figures, (iii) the staffing establishment including personnel at the front office and all those at the back office, and (iv) the average waiting and handling times for cases each year at the Small Claims Tribunal in the past 3 years. Please provide the information in tabular form;
2. the number of decisions against which appeals were filed each year in the past 3 years; and
3. whether the Judiciary will take measures to expedite the handling of cases? If yes, what are the details? If not, what are the reasons?

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 34)Reply:

(1) (i), (ii), (iv) and (2)

The relevant statistics on Small Claims Tribunal cases from 2021 to 2023 are as follows –

	2021	2022	2023
Number of claims filed	45 649	41 514	52 304
Average court waiting time (from filing of a case to first hearing)	39 days	37 days	35 days
Number of appeals filed to the High Court	53	42	41

The Judiciary does not maintain the other requested statistics. According to the latest operational experience in 2023, the processing time (from filing to conclusion of hearing) for the majority of cases in the Small Claims Tribunal is no more than 50 days.

(1) (iii)

The establishment of Judicial Officers and support staff of the Small Claims Tribunal in the recent three years (i.e. 2021-22 to 2023-24) stood at 12 and 68 respectively.

(3)

While the target average court waiting time for cases in the Small Claims Tribunal (i.e. 60 days) has been met so far, the Judiciary will continue to closely monitor the situation and make on-going efforts to enhance efficiency with a view to further expediting handling of the cases. Such measures include developing and launching an integrated Court Case Management System (iCMS) for handling court-related documents and payments electronically, making use of the existing court facilities including the Small Claims Tribunal Information Centre to facilitate the handling of court cases, as well as encouraging parties of suitable cases to attempt alternative dispute resolutions including mediation to reduce the number of litigations as appropriate.

- End -

CONTROLLING OFFICER'S REPLY

JA003

(Question Serial No. 1550)

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 operation of the Resource Centre for Unrepresented Litigants (the Centre), please inform this Council of:

1. the details of the enhancements to be made to various facilities, including enhanced counter services at the Centre as mentioned by the Judiciary and the current progress;
2. the top three main areas of assistance sought from the Centre and the statistics on the use of the Centre for the past 3 years.

Asked by: Hon CHU Kwok-keung (LegCo internal reference no.: 11)

Reply:

- (1) The Judiciary has been providing support to unrepresented litigants at various levels of courts through various facilities, including the Resource Centre for Unrepresented Litigants (the Centre), Small Claims Tribunal Information Centre and enhanced counter services at the Family Court.

Specifically, the Centre provides 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, competition, employees' compensation and probate matters. The Centre 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 and other agencies which may offer free legal service to litigants, are provided at the Centre. In addition, self-service photo-copying facility, 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. The Centre has stepped up co-ordination with the Duty Lawyer Service and other relevant organisations to refer suitable

court users to the legal advice services administered by them as appropriate.

For matrimonial matters, enhanced counter services have been arranged at the Family Court Registry to offer on-site support to unrepresented litigants on procedural matters and assistance relating to electronic booking of petitions for divorce or joint applications via the existing e-Appointment system.

- (2) The main types of assistance sought from the Centre in the past three years include enquiries service, provision of court forms and computer access and photocopying services. The usage position of these services/facilities is set out as follows –

Service / Facility	Number of Use		
	2021	2022	2023
General counter enquiries	15 489	11 570	11 307
Telephone enquiries	3 288	3 806	3 674
Enquiries by other means (fax, letter and email)	269	265	269
Access to website	373 731 hits	359 441 hits	324 804 hits
Provision of brochures on civil proceedings	116	80	317
Provision of court forms	11 289	8 658	8 582
Provision of computer facilities	185	142	272
Provision of self-service photo-copying facility	82 751 pages	77 495 pages	74 201 pages

- End -

CONTROLLING OFFICER'S REPLY

JA004

(Question Serial No. 2107)

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 figures on remote hearings at various levels of court in the past 3 years (2021-2023):

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

- (2) What are the progress and the effectiveness of the plan to provide electronic filing and related services by phases at different levels of court, and what are the measures to further increase the usage rate?

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 28)

Reply:

- (1) The number of remote hearings conducted at various levels of court from 2021 to 2023 are tabulated by year as follows:

2021

	Hearings using video-conferencing facilities		Phone hearings
	Civil case	Criminal case	
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
Total	147	6	476

2022

	Hearings using video-conferencing facilities		Phone hearings
	Civil case	Criminal case	
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
Total	396	4	203

2023

	Hearings using video-conferencing facilities		Phone hearings
	Civil case	Criminal case	
Court of Final Appeal	3	2	0
High Court	4	0	66
District Court	0	0	0
Family Court	30	Not applicable	0
Small Claims Tribunal	1	Not applicable	0
Labour Tribunal	12	Not applicable	0
Total	50	2	66

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.

- (2) Over the past few years, in line with the Judiciary's commitment to making greater use of technology for enhancing the efficiency of court operations, we have been developing by phases the integrated Court Case Management System (iCMS) across all levels of court for handling court-related documents and payments through electronic mode. Under Stage 1 of Phase I, the iCMS has been implemented in the District Court (DC) and the Magistrates'

Courts (MCs) by phases since May and December 2022 respectively. 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. We target to roll out iCMS for public use at other levels of court (i.e. Stage 2 of Phase I) incrementally from mid-2024.

As at 29 February 2024, a total of 413 court users (including 333 law firms, accounting for about 36% of some 920 law firms registered with the Law Society of Hong Kong) have registered for accounts under iCMS. About 185 600 new cases have been initiated under iCMS, representing about 43% of the total number of the relevant new cases during the period. Court users have filed some 220 500 documents, conducted about 6 300 inspections of documents and made over 13 000 payment transactions via iCMS. The take-up rate is expected to increase progressively following the continued promotion of iCMS.

To incentivise registration under iCMS during the initial years, court users are offered a fee concession of 20% for five years and three years for Stage 1 and Stage 2 courts respectively, counting from the date on which iCMS was implemented for the first case type in that court level on fee items related to the electronic handling of court documents.

We have been making pro-active efforts in promoting the registration and use of iCMS. Specifically, we have been providing information on a dedicated webpage (https://www.judiciary.hk/en/e_courts/refmat_index.html) since April 2022. In addition, we have been operating an iCMS Help Centre at 5/F, Wanchai Tower, 12 Harbour Road, Wan Chai as well as an iCMS enquiry hotline and technical helpline to provide free advice and assistance to all law firms and litigants-in-person. We have also been conducting briefings and demonstration sessions for court users since 2022. From January 2023 to February 2024, 44 briefing-cum-hands-on demonstration sessions for law firms were conducted with the participation of around 570 representatives from some 250 law firms.

We will continue our efforts in promotion and publicity of iCMS with a view to encouraging migration to the electronic mode.

As a facilitation measure, we are planning to introduce a Deposit Account as an additional electronic payment option for the iCMS Organisation Account users in 2024, such that a legal firm can make non-interest bearing prepayments (and subsequent top-ups as required) at or above a specified minimum amount for settling all subsequent payments for transactions under iCMS without the hassle of paying for each individual transaction.

As it is the Judiciary's ultimate aim to make the electronic platform the primary litigation system, we are planning to make it mandatory for all legally represented litigants to use iCMS within a specified target timeframe, unless otherwise exempted in particular circumstances mainly to safeguard the right to access in court. In this connection, we have launched a three-month consultation with the legal profession and other stakeholders on the implementation arrangements in January 2024. Subject to the stakeholders' views, we intend to start mandating the use of iCMS for all legally represented litigants in respect of the relevant case types as from 2026.

- End -

CONTROLLING OFFICER'S REPLY**JA005****(Question Serial No. 2108)**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 number of applications for leave to judicial review, the number of judicial reviews and the number of appeals against judicial review decisions for the past 3 years (2021-22 to 2023-24), and their respective average waiting times? How many of those judicial review cases were legally aided?

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 29)Reply:

The relevant statistics from 2021 to 2023 are as follows:

Judicial Review Cases	2021	2022	2023
Court of First Instance of the High Court			
(a) No. of leave applications filed	1 767	1 545	2 191
(b) Average waiting time from listing to hearing of leave application	24 days	26 days	31 days
(c) No. of substantive judicial review cases filed	7	10	43
(d) Average waiting time from listing to hearing of substantive judicial review case	98 days	88 days	76 days
Court of Appeal of the High Court			
(e) No. of appeals against refusal of leave filed	380	297	264
(f) Average waiting time from listing to appeal hearing in respect of refusal of leave application	58 days	53 days	43 days
(g) No. of appeals against judicial review decisions filed	8	11	1
(h) Average waiting time from listing to appeal hearing	119 days	99 days	81 days
Court of Final Appeal ^{Remark}			
(i) No. of applications for leave to appeal (civil) filed	564	670	352
(j) No. of substantive appeals (civil) filed	6	14	10

Remark:

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.

- End -

CONTROLLING OFFICER'S REPLY

JA006

(Question Serial No. 2109)

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 actual expenditure and staffing establishment on judicial training activities (including those targeting designated judges under the National Security Law (NSL)) and exchanges with other jurisdictions in the past 3 years (from 2021-22 to 2023-24), with details of the activities and exchanges as well as the number of participants by category of activities; and
- 2) the details of the proposed judicial training activities and exchanges with other jurisdictions, as well as the estimated expenditure and the establishment involved in 2024-25, with a breakdown by category of activities.

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 30)

Reply:

The Hong Kong Judicial Institute (JI) is responsible for organizing judicial training for Judges and Judicial Officers (JJOs) (including designated judges) at all levels of court.

The 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 JI's current executive manpower comprises an Executive Director and five Counsel who are legal professionals, as well as five support staff including one Senior Executive Officer, three Assistant Clerical Officers and one Personal Secretary. The provision for salaries and related expenses for these executive staff members, is included in the general operating expenses of the Judiciary.

The JI's judicial training programme of each year typically comprises induction training for newly appointed JJOs; core courses mainly on specific aspects of the law, court craft, judicial ethics, judgment writing, sentencing, and use of technology for meeting their professional

needs and operational needs of the courts; as well as exchange activities with courts in the Mainland and other common law jurisdictions from time to time. 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 organized and exchanges with other jurisdictions attended by JJOs in 2021-22, 2022-23 and 2023-24, are at **Annex**.

The actual expenditure on organizing judicial training/educational activities and exchanges with other jurisdictions (on top of on-going in-house training provided by serving judges in the Judiciary with expenses absorbed within the Judiciary's operating expenditure) for 2021-22, 2022-23 and 2023-24 are \$0.3 million, \$0.7 million and \$1.4 million respectively. In 2024-25, the Judiciary's estimated expenditure for judicial training/educational activities and visit programmes to other jurisdictions, including the Mainland is \$4.2 million. The increased provision seeks to cope with the estimated increase in expenses for the organization of more judicial training and exchanges in 2024-25.

In 2024-25, the JI will continue to organize core judicial training programmes for meeting JJOs' professional needs and operational needs of the courts. In addition, with the easing of the COVID-19, the JI is planning to enhance judicial training and exchanges with the other jurisdictions. These include seminars (including the series of seminars on Chinese law and legal system in Mainland China) and other exchange programmes in the Mainland or other common law jurisdictions which are organized by JI, as well as those exchange activities initiated by local universities or other organizations, and other jurisdictions at different times of the year.

**Judicial Training Activities and Exchanges with Other Jurisdictions
Attended by Judges and Judicial Officers
for the financial year 2021-22**

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

Date	Activity	Number of Judges and Judicial Officers participated
21.4, 26.5, 5.8, 31.8, 29.12.2021 & 17.1.2022	Induction Briefings for Deputy Magistrates / Adjudicators	17
24.4.2021	Seminar on the Constitution of the People's Republic of China, the Basic Law and the National Security Law of the Hong Kong Special Administrative Region	151
30.4.2021	Sentencing Workshop for Magistrates	27
19.6.2021	Induction Course for District Judges and Magistrates	16
29.6.2021	Training on e-hearing for District Judges (Civil)	3
30.7.2021	Case Management Sharing Session	25
4.8.2021	Training on e-hearing for PI Judges and Masters	4
9.8 & 27.10.2021	Training on e-hearing for Family Judges	9
26.8.2021	Demonstration on Digital Evidence and Exhibit Handling for Magistrates	6
9.9 & 14.9.2021	Training on e-hearing for District Judges (Criminal)	15
30.9.2021	Training on Legal Research	7
23.10.2021	Seminar on Industrial Accidents – Electrocution	22

Date	Activity	Number of Judges and Judicial Officers participated
11.12.2021	Seminar on the Constitutional Role of the National People's Congress and the Development of the Judicial System of the People's Republic of China	153

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

Date	Activity	Number of Judges and Judicial Officers participated
9.4.2021	Webinar entitled “Gross Negligence Manslaughter: Should it apply to healthcare practitioners?”, organized by the University of Hong Kong	1
3.5.2021	Webinar entitled “Foreign Judges on Domestic Courts: Joint Keynote presentation”, organized by the University of Hong Kong	3
31.5.2021	Webinar entitled “Digital Assets in Hong Kong: What are they and how are they taxed”, organized by the University of Hong Kong	3
1.6.2021	Webinar entitled “Permanent Bureau of the Hague Conference on Private International Law ("HCCH") 1970 Evidence Convention and Remote Taking of Evidence by Video-link”, co-organised by Asian Business Law Institute and Permanent Bureau of the HCCH	1
11.6.2021	Webinar entitled “Conflicting Limitation Periods - A Comparison between Hong Kong and Mainland China”, organized by the Chinese University of Hong Kong	2
15.6.2021	Webinar entitled “Non Fungible Tokens: What's Beyond the Hype?”, organized by the Chinese University of Hong Kong	2
22.6.2021	Webinar entitled “Statutory Adjudication For The Construction Industry - Its Role And Effectiveness In National Dispute Resolution”, organized by the Hong Kong Institute of Arbitrators	1
2.7.2021	Webinar entitled “Justice, the courts and Covid-19: the need for the judiciary to innovate”, organized by the International Bar Association	2
29.7.2021	Webinar entitled “Overview and Latest Development of Shipping Law in Hong Kong”, organized by the Hong Kong Institute of Arbitrators	1

Date	Activity	Number of Judges and Judicial Officers participated
4.10.2021	Webinar entitled “Law on Mental Capacity”, organized by the Chinese University of Hong Kong	10
6.10.2021	Webinar entitled “Non-fungible Tokens and Digital Art: what are they and what do you get if you buy one?”, organized by the Chinese University of Hong Kong	2
7.10.2021	Webinar entitled “The Recognition and Enforcement of International Mediated Settlement Agreements”, organized by the Chinese University of Hong Kong	2
8.10.2021	Webinar entitled “New Empirical Study of Typologies of Animal Cruelty in Hong Kong”, organized by the University of Hong Kong	1
15.10.2021	Webinar entitled “Gross Negligence Manslaughter: Lessons Learnt from <i>HKSAR v Chow Heung Wing, Stephen, Chan Kwun Chung & Mak Wan Ling</i> ”, organized by the Chinese University of Hong Kong	2
26.10.2021	Webinar entitled “A tale of Two Regions: the Dichotomy between Chinese and Hong Kong Data Privacy Regime”, organized by the Chinese University of Hong Kong	1
27.10.2021	Webinar entitled “Artificial Intelligence: Privacy and Ethics”, organized by the University of Hong Kong	1
28.10.2021	Webinar entitled “Res Judicata in International Arbitration”, organized by the Hong Kong Institute of Arbitrators	1
17.12.2021	Webinar entitled “Anti-suit Injunctions and FRAND Litigation in China”, organized by the Chinese University of Hong Kong	1
26.1.2022	Webinar entitled “Relational Autonomy: Rethinking Informed Consent in Healthcare from Cross-Cultural and Religious Perspectives”, organized by the University of Hong Kong	1
22.2.2022	Webinar entitled “Equality”, organized by the Chinese University of Hong Kong	1

Date	Activity	Number of Judges and Judicial Officers participated
24.2.2022	Webinar entitled “Determining the Law of International Arbitration Agreements - New Insight from the UK Supreme Court”, organized by the Hong Kong Institute of Arbitrators	1
25.2.2022	Webinar entitled “The Asian Principles for the Recognition and Enforcement of Foreign Judgments”, organized by the Chinese University of Hong Kong	1
9.3.2022	Webinar entitled “The Incursion of Antitrust into China's Platform Economy”, organized by the Chinese University of Hong Kong	2
28.3.2022	Webinar entitled “Understanding Administrative Law in the Common Law World (OUP, 2021) with the author - Paul Daly”, organised by the University of Hong Kong	1
31.3.2022	Webinar entitled “Effectively Resolving Dispute with Chinese Parties under the CISG”, organised by the China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center	1

(C) Exchanges with Other Jurisdictions

Date	Exchanges Activity/Meeting	No. of Judges and Judicial Officers Participated
18 – 21.5.2021	Visited Beijing and met with the President of the Supreme People's Court	3
31.5.2021	Attended the "Why Use Hong Kong Law" at a webinar jointly organised by the Department of Justice and the Asian Academy of International Law	1
16.6.2021	The Chief Justice spoke at the Hong Kong Association of the United Kingdom webinar	1
23.7.2021	Attended the First Xiamen Cross-Border Insolvency via video conferencing	1
27.7.2021	Attended the Sixth Seminar of Senior Judges of Cross-Strait and Hong Kong and Macao via video conferencing	8
6.9.2021	Members of the Hong Kong Special Administrative Region Basic Law Committee visited the Judiciary	1
28.9.2021	The Chief Justice delivered a speech at the Third China Judicial Research Summit Forum and Rule of Law Culture and Judicial Practice Seminar via a pre-recorded video	1
26.10.2021	Attended the Maritime Silk Road (Quanzhou) International Forum on Judicial Cooperation organised by the Supreme People's Court via video conferencing	2
1.11.2021	The Chief Justice delivered welcome remarks at the Judicial Conference of the Fourth United Nations Commission on International Trade Law ("UNCITRAL") Asia Pacific Judicial Summit 2021	2
2.11.2021	Attended the legal forum organised by the Hong Kong and Mainland Legal Professional Association entitled "Maritime Dispute Resolution in Hong Kong: Current and Future"	1
2.11.2021	Attended the International Criminal Law Conference	1

Date	Exchanges Activity/Meeting	No. of Judges and Judicial Officers Participated
2.11.2021	Attended the Judicial Roundtable of the Fourth UNCITRAL Asia Pacific Judicial Summit 2021	1
5.11.2021	The Chief Justice delivered the opening address at the Rule of Law Signature Engagement Event “SEE – A Journey of Transformation for a Sustainable Future”	1
21.1.2022	Attended the 14th Edition of the Frankfurt Investment Arbitration Moot Court - China International Economic and Trade Arbitration Commission (CIETAC) Chinese (Mainland) National Round via video conferencing	1
15.2.2022	Attended the "New Mechanism for Reciprocal Recognition and Enforcement in Matrimonial and Family Cases between the Courts of Mainland and the Hong Kong Special Administrative Region" co-organised by the Supreme People's Court and the Department of Justice	1
24 – 25.2.2022	Attended the 7th Judicial Seminar on Commercial Litigation via video conferencing	7

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

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

Date	Activity	Number of Judges and Judicial Officers participated
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

Date	Activity	Number of Judges and Judicial Officers participated
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
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

Date	Activity	Number of Judges and Judicial Officers participated
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
23.3.2023	Webinar entitled “The Application of the CISG in the GBA”, organised by the Chinese University of Hong Kong	1

(C) Exchanges with Other Jurisdictions

Date	Exchanges Activity/Meeting	No. of Judges and Judicial Officers Participated
14.4.2022	Met with a group of Mainland judges attending the Doctor of Juridical Science Programme or the Master of Law Programme of the City University of Hong Kong through video conferencing	1
23.4.2022	Attended the Guangdong-Hong Kong-Macao Greater Bay Area Judicial Case Seminar via video conferencing	3
26.5.2022	Attended the Forum on Rule of Law in Digital Economy hosted by the Supreme People's Court via video conferencing	2
20.7.2022	Attended the 3rd China-ASEAN Justice Forum organised by the Supreme People's Court via video conferencing	1
30.8.2022	Attended the Inaugural Meeting of the Chief Justices and Judges in charge of Technology hosted by the Supreme Court of Singapore via video conferencing	2
21.9.2022	Attended the BRICS Justices Forum organised by the Supreme People's Court via video conferencing	1
20 – 21.10.2022	Attended the fourth meeting of the Standing International Forum of Commercial Court in Sydney, Australia	4
11.11.2022	The Chief Justice delivered an opening remarks at the opening ceremony of the Rule of Law Congress: Rule of Law and Justice for All under Hong Kong Legal Week 2022	2
16 – 17.11.2022	Hosted the 18th Conference of Chief Justices of Asia and the Pacific via video conferencing. It was attended by 24 Chief Justices and eight representatives of Chief Justices from jurisdictions throughout Asia and the Pacific region	1
1.12.2022	Attended the education programmes of the International Academy of Family Lawyers (IAFL) Annual Meeting 2022 held in Marrakech, Morocco	1

Date	Exchanges Activity/Meeting	No. of Judges and Judicial Officers Participated
15.3.2023	Director-General of the International Organization for Mediation Preparatory Office visited the Judiciary	1
20 – 22.3.2023	The Chief Justice led a delegation to visit cities in the Guangdong-Hong Kong-Macao Greater Bay Area and met with the Vice-president of the Supreme People’s Court	5
27 – 30.3.2023	Attended the Asia-Pacific Judicial Colloquium 2023 in Wellington, New Zealand	4

**Judicial Training Activities and Exchanges with Other Jurisdictions
Attended by Judges and Judicial Officers
for the financial year 2023-24**

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

Date	Activity	Number of Judges and Judicial Officers participated
16.5, 17.5, 19.7, 7.8, 21.8, 19.9, 19.10, 30.10, 27.11.2023 & 23.1, 27.3.2024	Induction Briefings for Deputy Magistrates / Adjudicators	29
3.6.2023	Visit to the Government Laboratory	13
12.6.2023	Family Judgment Writing Sharing Session	10
13.6.2023	Training on e-court for Family Judges	5
26.6.2023	Talk entitled “Sir Edward Coke and the Common Law” by The Honourable Mr Justice Patrick Anthony Keane, Non-Permanent Judge of the Court of Final Appeal	50
21.8, 23.8, 27.11.2023 & 28.2.2024	Masters Sharing Sessions	51
Oct 2023, Feb & Mar 2024	Putonghua Courses	10
27.10.2023	Induction Course for Newly Appointed District Judges and Permanent Magistrates	14
22.11.2023	Briefing on Autopsy and Visit to the Forensic Medicine Centre	11
24.11.2023	Introduction to Case Settlement Conference	15
2.12.2023	Visit to the Independent Commission Against Corruption	16
7.12.2023	Briefing on Amendments to the Civil Procedure Law of Mainland China	13

Date	Activity	Number of Judges and Judicial Officers participated
2.2 & 1.3.2024	Sentencing Workshop for Magistrates	32
23.3.2024	Seminar on the roles, functions and duties of the National People's Congress ("NPC") of the People's Republic of China ("PRC") and the Standing Committee of the NPC under the Constitution of the PRC	125

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

Date	Activity	Number of Judges and Judicial Officers participated
15.6.2023	Webinar entitled “Book Talk-The Timing of Guilty Pleas: Lessons from Common Law Jurisdictions (Cambridge University Press, 2023)”, organised by the Chinese University of Hong Kong	1
13.11.2023	Webinar entitled “Trusts in the Courts - a Period of Constant Change?”, organised by the University of Hong Kong	5
21.11.2023	Lecture entitled ““Law and Justice” and book signing for Croc and Roll Law”, organised by the Chinese University of Hong Kong	1
5.2.2024	Lecture entitled “The Common Law Lecture Series: Knowing Receipt after Byers v Saudi National Bank”, organised by the University of Hong Kong	3

(C) Exchanges with Other Jurisdictions

Date	Exchanges Activity/Meeting	Number of Judges and Judicial Officers participated
27.4.2023	The Minister of Justice of the Republic of Azerbaijan visited the Judiciary	2
5.5.2023	The Chief Justice of the Supreme Court of Brunei Darussalam visited the Judiciary	4
11 – 13.5.2023	Visited Guangzhou and Shenzhen, and attended a seminar on exchanges of matrimonial and family law matters	5
18.5.2023	A group of Mainland judges attended the Master of Laws Programme of the City University of Hong Kong visited the Judiciary	1
21 – 24.5.2023	Visited Beijing and met with the President of the Supreme People’s Court	3
31.5.2023 – 4.6.2023	Attended the International Academy of Family Lawyers Asia Pacific Chapter Meeting in Bangkok, Thailand	1
15.6.2023	The President of the Higher People's Court of Zhejiang Province led a delegation to visit the Judiciary	9
4.8.2023	A delegation from the China-AALCO Exchange and Research Program on International Law visited the Judiciary	1
24 – 26.8.2023	Attended the 12th Annual Legal Era India Conclave 2023 in New Delhi, India	1
7.9.2023	The Justice of the Constitutional Court of the Republic of Indonesia visited the Judiciary	3
11 – 13.9.2023	Attended the International Association of Restructuring, Insolvency & Bankruptcy Professionals (“INSOL”) International Conference 2023 in Tokyo, Japan	2
11 – 14.9.2023	Attended “The HCCH Asia Pacific Week 2023 – Access to Justice and Sustainable Development: The Impact of the HCCH in an Inter-Connected World” organised by the Hague Conference on Private International Law	3

Date	Exchanges Activity/Meeting	Number of Judges and Judicial Officers participated
11.9.2023 – 15.12.2023	Three Mainland judges visited the Judiciary for a 3-month exchanges programme with focus on civil and commercial cases	22
15.9.2023	The Prosecutor-General of the Public Prosecutions Office of the Macao Special Administrative Region led a delegation to visit the Judiciary	2
20 – 22.9.2023	Attended the Seventh Seminar of Senior Judges of Cross-Strait and Hong Kong and Macao held in Macao	5
25.9.2023	A group of Mainland judges attending the 16th Advanced Programme for Chinese Senior Judges of the City University of Hong Kong visited the Judiciary	1
17.10.2023	Attended the seminar on "Mainland-HK Arrangement on Interim Measures Four Years on: Retrospect and Prospect"	1
29.10.2023 – 5.11.2023	A group of 17 Judges and Judicial Officers visited Beijing and had exchange with Mainland Judges and attended discussion forums and thematic talks on various topics. The delegation also visited court premises and facilities relating to technology and culture, etc.	17
31.10.2023	Attended the Second Summit for the digitalization in the Judiciary hosted by the Judiciary of North Macedonia	1
31.10.2023	Sir Gibuma Gibbs SALIKA, the Hon Chief Justice of the National and Supreme Court of Papua New Guinea, led a delegation to visit the Judiciary	1
6.11.2023	Professor TIAN He, Head of the Center for National Index of Rule of Law of Chinese Academy of Social Sciences, visited the Judiciary	1
6.11.2023	Attended the Fifth UNCITRAL (United Nations Commission on International Trade Law) Asia Pacific Judicial Summit - Judicial Conference	1

Date	Exchanges Activity/Meeting	Number of Judges and Judicial Officers participated
7.11.2023	Attended the Fifth UNCITRAL Asia Pacific Judicial Summit - Judicial Roundtable	1
10.11.2023	Attended the Hong Kong Legal Week 2023: The Rule of Law for the Future	1
13 – 15.11.2023	Attended the 2023 Asia Pacific Coroners Society Conference in Sydney, Australia	1
15 – 16.11.2023	Attended the 2023 World Intellectual Property Organization Intellectual Property Judges Forum in Geneva, Switzerland	1
16.11.2023	The Rt Hon the Lord Thomas of Cwmgiedd, President of the Qatar International Court and Dispute Resolution Centre, led a delegation to visit the Judiciary	6
19.11.2023	Attended the Greater Bay Area Bankruptcy Law Forum	1
27.11.2023	Mr ZHANG Haibo, President of the Higher People's Court of Guangdong Province led a delegation to visit the Judiciary	8
7.12.2023	Officials from the Human Resources and Social Security Department of Guangdong Province, the Labour Affairs Bureau of Macao and the Labour Department of Hong Kong visited the Labour Tribunal	6
9.12.2023	Attended the International Seminar on Judicial Protection Involving Intellectual Property Rights	1
13 – 15.3.2024	Hosted the 8 th Judicial Seminar on Commercial Litigation attended by judges from 10 jurisdictions	12
28.3.2024	A 28-member delegation from Macao Judicial Officers Training Centre visited the Judiciary	1

- End -

CONTROLLING OFFICER'S REPLY

JA007

(Question Serial No. 3775)

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 establishment, number of posts, ranks, salaries and allowances respectively of the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Obscene Articles Tribunal and the Coroner's Court for the past 3 years (from 2021-22 to 2023-24).

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 48)

Reply:

The establishment, number of posts, ranks 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. 2021-22, 2022-23 and 2023-24) are as follows:

Tribunal/ Court	Establish- ment	Existing number of posts	Estimated salary provision* (\$ million)		
			2021-22	2022-23	2023-24
Lands Tribunal	31	3 – District Judge 2 – Member 8 – Judicial Clerk Grade Staff 17 – Clerical Staff 1 – Office Assistant	23.4	23.9	24.9
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	57.4	58.8	61.3
Small Claims Tribunal	80	1 – Principal Adjudicator 11 – Adjudicator 21 – Judicial Clerk grade staff 46 – Clerical staff 1 – Office Assistant	53.6	55.0	57.2
Obscene Articles Tribunal	7	2 – Magistrates 5 – Clerical staff	5.4	5.5	5.7
Coroner's Court	14	3 – Coroner 1 – Judicial Clerk grade staff 8 – Clerical staff 1 – Secretarial staff 1 – Workman II	9.8	10.1	10.5

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

- End -

CONTROLLING OFFICER'S REPLY

JA008

(Question Serial No. 3776)

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 detailed listing of the names of the Judges who have been elevated and who have retired (including their ranks before elevation/retirement) over the past 3 years (from 2021-22 to 2023-24), the names of the newly appointed Judges of the Court of First Instance of the High Court and their positions, and the vacancies yet to be filled.

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 49)

Reply:

The list of Judges who have been elevated to higher levels of court and Judges of the Court of First Instance of the High Court (CFI Judges) appointed in the past three years from 2021-22 to 2023-24 is set out in Annex A.

The list of Judges who retired from 2021-22 to 2023-24 is set out at Annex B.

Arising from creation of new judicial posts, elevation of JJOs from lower to higher levels of court, and natural wastage (mainly due to retirement of JJOs), the number of vacancies vary at different times of the years. For CFI Judges, the number of vacancies over the past three years from 2021-22 to 2023-24 were 8, 9 and 12 respectively. The Judiciary has been conducting more frequent open recruitment exercises for filling judicial vacancies in recent years. In the last round of recruitment exercises for JJOs, three CFI Judges were appointed in 2021-22. In October 2023, a new round of open recruitment for CFI Judges was launched and new appointments are anticipated to be made in 2024.

I. List of Judges who have been elevated to higher levels of court from 2021-22 to 2023-24

	Name of Judge and rank	Former rank before elevation
1.	Mr Justice Johnson LAM, Permanent Judge of the Court of Final Appeal	Justice of Appeal of the Court of Appeal of the High Court
2.	Madam Justice Maggie POON, Justice of Appeal of the Court of Appeal of the High Court	Judge of the Court of First Instance of the High Court
3.	Mr Justice Godfrey LAM, Justice of Appeal of the Court of Appeal of the High Court	Judge of the Court of First Instance of the High Court
4.	Mr Justice Anderson CHOW, Justice of Appeal of the Court of Appeal of the High Court	Judge of the Court of First Instance of the High Court
5.	Madam Justice Anthea PANG, Justice of Appeal of the Court of Appeal of the High Court	Judge of the Court of First Instance of the High Court
6.	Mr Justice Johnny CHAN, Judge of the Court of First Instance of the High Court	District Judge
7.	Mr WONG King-wah, Registrar of the Court of Final Appeal and Senior Deputy Registrar, High Court	District Judge
8.	Mr HUI Ka-ho, Senior Deputy Registrar, High Court	District Judge
9.	Judge WONG Sze-lai, District Judge	Permanent Magistrate
10.	Judge CHEUNG Kit-yee, District Judge	Permanent Magistrate
11.	Judge Dick Ho, District Judge	Principal Magistrate

II. List of Judges appointed to the Court of First Instance from 2021-22 to 2023-24

	Name of Judge	Pre-appointment rank / position
1.	Mr Justice Johnny CHAN*, Judge of the Court of First Instance of the High Court	District Judge
2.	Madam Justice Anna LAI, Judge of the Court of First Instance of the High Court	Senior Counsel
3.	Madam Justice Yvonne CHENG, Judge of the Court of First Instance of the High Court	Senior Counsel

*Mr Justice CHAN who has been elevated to the Court of First Instance is also included in the list at Part I of this annex.

List of Judges who retired from 2021-22 to 2023-24

Justices of Appeal of the Court of Appeal of the High Court

1. Mr Justice Wally YEUNG
2. Madam Justice Maria Candace YUEN

Judges of the Court of First Instance of the High Court

1. Mr Justice Joseph YAU
2. Mr Justice Albert WONG
3. Mrs Justice Audrey Patricia CAMPBELL-MOFFAT
4. Madam Justice Marlene NG

District Judges

1. Judge David John DUFTON
2. Judge SHAM Siu-man
3. Judge Katherine LO
4. Judge Roy YU
5. Judge Timothy Harry CASEWELL
6. Judge PANG Ka-kwong

- End -

CONTROLLING OFFICER'S REPLY

JA009

(Question Serial No. 2598)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (-)

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

While the actual expenditure in 2022/23 was about \$2.3 billion and that of 2023/24 was about \$2.5 billion, the estimates for 2024/25 is about \$2.6 billion. In this regard, please inform this Council:

- (1) of the criteria adopted by the Administration in assessing the service level of the judicial system;
- (2) of the average length of time taken by the Judiciary to resolve disputes in the past 3 years;
- (3) of the average waiting time for the commencement of proceedings for a case at present and the estimated time required to dispose of the entire backlog of cases;
- (4) of the current progress of digitisation of the judicial system by the Judiciary;
- (5) The Judiciary is an essential cornerstone to the rule of law. However, in comparison to its crucial role, the current financial provision to the Judiciary falls significantly short. For instance, the financial provision to the Hong Kong Police Force for 2024-25 is approximately 10 times that of the Judiciary while the financial provision to the Legal Aid Department for 2024-25 is approximately 60% of the Judiciary's. Furthermore, the Water Supplies Department, responsible for managing the waterworks system, has a budget estimates approximately 4 times that of the Judiciary for 2024-25. Can the Administration explain the reasons for the above situation?

Asked by: Hon KONG Yuk-foon, Doreen (LegCo internal reference no.: 16)

Reply:

- (1) to (3) The Judiciary is fully committed to upholding the rule of law and judicial independence in Hong Kong through maintaining an efficient and effective judicial system. The Judiciary has been assessing the cost-effectiveness of the resources expended mainly with reference to our capacity to handle the caseload and manage court waiting times, as well as take forward the full range of initiatives, with a view to ensuring the effectiveness and efficiency of the administration of justice. The major measures and initiatives include recruitment of judges and judicial officers, management of registry and court operations, drawing up legislative amendments on court procedures, and making greater use of technology in court operations.

To ensure just and expeditious disposal of cases, we have set performance targets on average court waiting times for cases at different levels of court. The actual performance as compared with the targets are reported annually in the Estimates as well as the Hong Kong Judiciary Annual Report. The latest average waiting time targets as well as the actual performance for different levels of court are available in the Estimates for the year ending 31 March 2025 (<https://www.budget.gov.hk/2024/eng/pdf/head080.pdf>) and the 2023 Hong Kong Judiciary Annual Report (2023 Annual Report) (https://www.judiciary.hk/en/publications/annu_rept_2023r). The average waiting times in the past three years are summarised in the Annex.

As shown in the 2023 Annual Report, the Judiciary managed to dispose of an overall caseload slightly higher than that of 2019, before the COVID-19 pandemic. While the target average court waiting times for civil cases have generally been met in overall terms, the average waiting times for several types of court proceedings have yet to meet the relevant targets, particularly for certain types of criminal cases.

In 2023-24, the Judiciary has been making pro-active and dedicated efforts in implementing multi-pronged measures to expedite court proceedings, with priority given to cases relating to the 2019 anti-extradition amendment bill incidents (anti-EAB cases) and national security (NS cases) as appropriate. Though many anti-EAB or NS cases were complicated ones requiring longer case preparation and trial periods, and fresh cases continued to be brought to court in 2023, the Judiciary had disposed of around 93% of over 2 320 anti-EAB cases and around 87% of over 200 NS cases brought at various levels of court, as at end February 2024. The vast majority of the anti-EAB and NS cases have been set down for trial in 2024 and 2025. Their impact on court waiting times of all other cases is expected to be gradually reduced by then. The Judiciary will continue to closely monitor the situation and make on-going efforts to seek improvements as far as practicable.

- (4) The Judiciary is committed to making greater use of technology for enhancing the efficiency of court operations. We have been proceeding at full steam with the implementation of a series of major technology initiatives including the Information Technology Strategy Plan (ITSP), remote hearings, live broadcasting, use of e-bundles at court hearings, e-appointment system for specific court services, use of voice-to-text technologies. We briefed the Panel on Administration of Justice and Legal Services on the Judiciary's on-going efforts in greater use of technology in November 2023 (https://www.legco.gov.hk/yr2023/english/panels/ajls/papers/ajls_20231127cb4-1000-2-e.pdf). We also consulted the Panel on the funding proposal

with regard to the provision of information technology (IT) infrastructure in the new District Court Building at Caroline Hill Road and upgrading of IT infrastructure of the Judiciary in February 2024 (<https://www.legco.gov.hk/yr2024/english/panels/ajl/papers/ajls202400226cb4-214-3-e.pdf>). The latest progress of the development of the integrated Court Case Management System (iCMS), remote hearings and live broadcasting of judicial proceedings outside court premises, three of the major technology initiatives launched in recent years, is summarised below.

iCMS

The development of the iCMS is the core part of the ITSP. Over the past few years, we have been developing by phases the iCMS across all levels of court for handling court-related documents and payments through electronic mode. Under Stage 1 of Phase I, the iCMS has been implemented in the District Court (DC) and the Magistrates' Courts (MCs) by phases since May and December 2022 respectively. 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. We target to roll out iCMS for public use at other levels of court (i.e. Stage 2 of Phase I) incrementally from mid-2024.

As at 29 February 2024, a total of 413 court users (including 333 law firms, accounting for about 36% of some 920 law firms registered with the Law Society of Hong Kong) have registered for accounts under iCMS. About 185 600 new cases have been initiated under iCMS, representing about 43% of the total number of the relevant new cases during the period. Court users have filed some 220 500 documents, conducted about 6 300 inspections of documents and made over 13 000 payment transactions via iCMS. The take-up rate is expected to increase progressively following the continued promotion of iCMS.

To incentivise registration under iCMS during the initial years, court users are offered a fee concession of 20% for five years and three years for Stage 1 and Stage 2 courts respectively, counting from the date on which iCMS was implemented for the first case type in that court level on fee items related to the electronic handling of court documents.

We have been making pro-active efforts in promoting the registration and use of iCMS. Specifically, we have been providing information on a dedicated webpage (https://www.judiciary.hk/en/e_courts/refmat_index.html) since April 2022. In addition, we have been operating an iCMS Help Centre at 5/F, Wanchai Tower, 12 Harbour Road, Wan Chai as well as an iCMS enquiry hotline and technical helpline to provide free advice and assistance to all law firms and litigants-in-person. We have also been conducting briefings and demonstration sessions for court users since 2022. From January 2023 to February 2024, 44 briefing-cum-hands-on demonstration sessions for law firms were conducted with the participation of around 570 representatives from some 250 law firms.

We will continue our efforts in promotion and publicity of iCMS with a view to encouraging migration to the electronic mode.

As a facilitation measure, we are planning to introduce a Deposit Account as an additional electronic payment option for the iCMS Organisation Account users in 2024, such that a legal firm can make non-interest bearing prepayments (and subsequent top-ups as required) at or above a specified minimum amount for settling all subsequent payments for transactions under iCMS without the hassle of paying for each individual transaction.

As it is the Judiciary's ultimate aim to make the electronic platform the primary litigation system, we are planning to make it mandatory for all legally represented litigants to use iCMS within a specified target timeframe, unless otherwise exempted in particular circumstances mainly to safeguard the right to access in court. In this connection, we have launched a three-month consultation with the legal profession and other stakeholders on the implementation arrangements in January 2024. Subject to the stakeholders' views, we intend to start mandating the use of iCMS for all legally represented litigants in respect of the relevant case types as from 2026.

Remote hearings

The Judiciary is working on the draft Courts (Remote Hearing) Bill which seeks to provide a legal basis for the court 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.

The Judiciary conducted a three-month public consultation on the draft Bill in June 2022, and consulted the Panel on Administration of Justice and Legal Services in May 2023. The Judiciary is finalising the Bill in the light of the extensive comments received and targets to introduce the Bill into the Legislative Council within 2024.

A total of around 1 800 remote hearings have been conducted mostly on civil proceedings at various levels of court as from February 2020 up to January 2024 and the experience has so far been positive.

Live broadcast of court proceedings

To enhance the transparency of court procedures and public confidence in the judicial process, the Judiciary has been actively pursuing the initiative of live broadcasting of selected judicial proceedings outside court premises.

The Judiciary launched the first trial run of live broadcasting of court proceedings on two Court of Final Appeal (CFA) cases heard on 10 and 16 January 2024 respectively for testing the technical feasibility of the arrangements, including the IT and audio-visual setup, as well as the logistical and operational details. To further test certain technical and operational arrangements including the possible element of remote hearing and another screen layout of fixed grids view, the Judiciary has identified two additional CFA substantive appeal hearings respectively on 4 March and 3 May 2024 for another trial run of live webcast.

Upon completion of the second trial run, the Judiciary will review and consider the way forward for live broadcasting of court proceedings outside court premises in the longer term.

The Judiciary will continue to explore and enhance the efficiency of court operations through the use of technology, in consultation with legal practitioners and other stakeholders.

- (5) The Judiciary is fully aware of the importance of having adequate resources for maintaining an independent, professional, effective and efficient judicial system. On the other hand, we are also mindful of the need to ensure judicial accountability and cost-effective use of public resources. The Judiciary has all along been taking a pragmatic and prudent approach in drawing up and putting up our request for manpower and financial resources from the Government in each financial year. Over the past 13 years, the Judiciary's operating expenditure and manpower requirements have been fully supported by the Government.

The total estimated expenditure of the Judiciary for 2024-25 is around \$2.6 billion, which represents an increase of 5.7% over the revised estimates in 2023-24.

In the longer term, the Judiciary sees the need for increasing the operating expenditure for supporting the maintenance of the IT infrastructure and implementation of various technology initiatives in court operations. Specifically, we are planning to seek funding approval from the Finance Committee in Q2 2024 for the provision of IT infrastructure in the new District Court Building at Caroline Hill Road and upgrading of IT infrastructure of the Judiciary. Subject to the approval of the Finance Committee, this proposed enhancement to the Judiciary's IT infrastructure and related measures is estimated to require a net additional recurrent expenditure of \$82 million per year from 2028-29 onwards, representing an increase of 3% over the total estimated operating expenditure of the Judiciary for 2024-25. The Judiciary will endeavour to absorb this increase within our overall operating expenditure as far as possible, and seek additional resource provisions for various initiatives where necessary from the Government in the relevant financial years in accordance with the established procedures.

Average waiting time of different levels of court from 2021 to 2023

Average waiting time	Target (days)	2021 (Actual)	2022 (Actual)	2023 (Actual)
Court of Final Appeal				
Application for leave to appeal (criminal) - from notice of hearing to hearing	45	34	37	36
Application for leave to appeal (civil) - from notice of hearing to hearing	35	34	30	31
Substantive appeal (criminal) - from notice of hearing to hearing	100	82	99	89
Substantive appeal (civil) - from notice of hearing to hearing	120	88	95	89
Court of Appeal of the High Court				
Criminal - from setting down of a case to hearing	50	48	48	47
Civil - from application to fix date to hearing	90	86	81	64
Court of First Instance of the High Court				
Criminal Fixture List - from filing of indictment to hearing	-@	383	323	352
Civil Fixture List - from application to fix date to hearing	180	176	178	158
Civil Running List - from not-to-be warned date to hearing	30	16	15	26
Appeals from Magistrates' Courts - from lodging of Notice of Appeal to hearing	90	168	160	208
District Court				
Criminal - from first appearance of defendants in District Court to hearing	100	287	350	442
Civil Fixture List - from date of listing to hearing	120	108	116	115
Civil Running List - from not-to-be warned date to hearing	30	20	18	14
Family Court				
dissolution of marriage - from setting down of a case to hearing				
Special Procedure List	35	35	35	35

Average waiting time	Target (days)	2021 (Actual)	2022 (Actual)	2023 (Actual)
Defended List (all hearings)	110	59	58	53
Financial applications - from setting down of a case to hearing	110-140	74	49	71
Lands Tribunal from setting down of a case to hearing				
Appeal cases	90	N.A.	N.A.	8
Compensation cases	90	64	45	15
Building management cases	90	25	20	32
Tenancy cases	50	16	16	15
Magistrates' Courts from plea to date of trial Ω				
Summonses	50	79	101	74
Charge cases except for Juvenile Court -for defendants in custody -for defendants on bail	30-45 45-60	48 70	62 82	48 66
Charge cases for Juvenile Court -for defendants in custody -for defendants on bail	30-45 45-60	56 74	94 89	40 76
Coroner's Court - from date of listing to hearing	42	64	42	34
Labour Tribunal				
from appointment to filing of a case	30	25	28	38
from filing of a case to first hearing	30	22	24	23
Small Claims Tribunal				
from filing of a case to first hearing	60	39	37	35
Obscene Articles Tribunal				
from receipt of application to classification	5	2	2	2
from referral by a magistrate to determination	21	N.A.	N.A.	N.A.

N.A. Not applicable as there was no relevant application filed/trial listed

@ The average waiting time for criminal hearings remained long as it continued to be distorted by the backlog of re-scheduled cases due to the reduction in court capacity during the COVID-19 epidemic in 2022, the priority accorded to handling of complicated anti-EAB and NS cases, as well as the persistent shortage of judicial manpower. The target average waiting time for the Criminal Fixture List will be reviewed later at an appropriate juncture.

Ω Owing to the design of the case management system in the Magistrates' Courts, the average waiting time shown is calculated on the basis of the duration from plea to the first date of trial and not the first free date which the court can offer to the parties.

- End -

CONTROLLING OFFICER'S REPLY

JA010

(Question Serial No. 3143)

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 Judiciary mentioned that it will implement the Information Technology Strategy Plan (ITSP) to provide electronic filing and related services by phases at different levels of court, and make greater use of technology to enhance efficiency of court operations. In this connection, please inform this Council of:

- (1) the sum to be used for ITSP out of the estimated provision of \$600 million under Programme (2) this year;
- (2) the breakdown of the expenditure on equipment and manpower for the ITSP;
- (3) the manpower and expenditure expected to be saved upon full implementation of the ITSP.

Asked by: Hon KONG Yuk-foon, Doreen (LegCo internal reference no.: 41)

Reply:

- (1) & (2) 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 2024-25, the estimated recurrent expenditure on the planning and implementation of all ICT initiatives, including provisions for on-going support and development of information technology (IT) systems under the Information Technology Strategy Plan (ITSP), is around \$300 million, which accounts for about 11% of the total estimated operating expenditure of the Judiciary.

In 2024-25, we will continue with the phased development and implementation of the integrated Court Case Management System (iCMS), a core part of the ITSP, for the Court of Final Appeal, the High Court, the Small Claims Tribunal and charge cases of the Magistrates' Courts. Within the overall non-recurrent funding commitment of around \$680 million for ITSP, the expenditure on the development of the iCMS, which includes the procurement of hardware, software and implementation services (covering IT professionals engaged on contract) in 2024-25 is estimated at about \$115 million. The estimated salaries and related costs of civil service staff of the Judiciary who will be involved in both the development and implementation of the iCMS (along with all other ICT initiatives) where appropriate in 2024-25 have been included in the above \$300 million relating to ICT within the estimated operating expenditure of the Judiciary.

- (3) Following the full implementation of the iCMS for different levels of court, it is anticipated that more court users will make use of the iCMS to conduct electronic filing of documents. This would bring about reduction in paper storage accommodation costs for paper files in Judiciary premises and savings in manpower resources arising from streamlining of work processes in the longer term. As iCMS has yet been fully implemented at all levels of court, and it remains only an option with a relatively low utilisation rate, we have yet to realise the above benefits in substantial terms. Provision has been made in the operating expenditure of the Judiciary for extra manpower and related resources to be expended during the initial implementation and transitional phases for system development, technical and administrative support, change management and training, as well as promotion and publicity. We will monitor the effectiveness of iCMS and consider how best to assess the savings to be achieved after the iCMS has been fully implemented and made mandatory for all legally represented litigants, taking into account operational experience.

- End -

CONTROLLING OFFICER'S REPLY**JA011****(Question Serial No. 2246)**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 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.: 22)Reply:

(1) – (5)

The respective numbers of divorce cases filed to the Family Court from 2019 to 2023 are as follows:

	2019	2020	2021	2022	2023
Number of divorce cases filed in the year	22 074	17 302	17 774	16 513	20 621

The statistics on the average waiting time ^{Note} and the longest waiting time for the relevant cases from 2019 to 2023, and their respective target waiting time are as follows:

	2019	2020	2021	2022	2023	2024 Target
Special Procedure List						
Average Waiting Time (Days)	35	35	35	35	35	35
Longest Waiting Time (Days)	35	35	35	44	35	-
Defended List						
Average Waiting Time (Days)	89	69	59	58	53	110
Longest Waiting Time (Days)	226	152	191	104	144	-
Financial Applications						
Average Waiting Time (Days)	81	85	74	49	71	110 – 140
Longest Waiting Time (Days)	235	249	264	250	253	-

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:

	2019-20	2020-21	2021-22	2022-23	2023-24
Number of posts					
Principal Family Court Judge	1	1	1	1	1
District Judge	4	7	7	7	7
Judicial Clerk grade staff	26	26	26	26	26
Clerical staff	24	23	23	23	23
Secretarial staff	1	1	1	1	1
Workman II	4	5	5	5	5
Establishment	60	63	63	63	63

	2019-20 (\$ million)	2020-21 (\$ million)	2021-22 (\$ million)	2022-23 (\$ million)	2023-24 (\$ million)
Estimated salary provision*	36.0	44.3	44.3	45.4	47.2

* 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**JA012****(Question Serial No. 2247)**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 5 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.: 23)Reply:

The relevant statistics from 2019 to 2023 are as follows:

Judicial Review Cases	2019	2020	2021	2022	2023
(a) No. of leave applications filed	3 889	2 500	1 767	1 545	2 191
(b) No. of leave applications filed relating to non-refoulement claims	3 727	2 367	1 675	1 439	2 089
(c) Average processing time (from date of filing of leave application to date of decision) <small>Remark</small>	1 155 days	680 days	256 days	159 days	92 days
(d) No. of substantive judicial review cases filed	15	4	7	10	43
(e) No. of substantive judicial review cases filed relating to non-refoulement claims	1	0	1	2	35

Remark:

Statistics on the average processing time reflect the position as at 31 January 2024. 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 the report generation date, but exclude those withdrawn or outstanding leave applications.

- End -

CONTROLLING OFFICER'S REPLY

JA013

(Question Serial No. 0831)

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:

“Justice delayed is justice denied” is a unanimous view held by the legal profession. A speedy trial minimizes the continuing harm caused to the victims. The Judiciary however estimates that the waiting times for certain courts will lengthen in 2024. In this regard, will the Administration inform this Council:

1. why the waiting times for certain courts will have to be increased despite a 7.2% increase in financial provision; and
2. while the Judiciary has mentioned challenges posed to the courts due to the number and complexity of cases relating to the 2019 anti-extradition amendment bill incidents and national security, with the gradual conclusion of these cases, whether the Judiciary anticipates any room for reduction in the court waiting times.

Asked by: Hon LAM San-keung (LegCo internal reference no.: 3)

Reply:

Provision for 2024-25 is 7.2% higher than the revised estimate for 2023-24 is mainly due to increase in costs of essential contractual services relating to information technology support and court security services, as well as increased provision for filling vacancies and a net increase of two judicial and five non-judicial posts in 2024-25. The additional posts seek to cope with additional workload arising from the introduction of legislative amendments to the compulsory land sale regime, the mutual legal assistance arrangements with the Mainland, as well as the co-ordination of more judicial exchange and training programmes.

The actual waiting time of each case depends on a range of factors such as complexity of the case, number of parties/defendants involved, time required by parties for investigation, seeking legal advice and preparation for trials etc., including many which are beyond the control of the Judiciary. While the target average court waiting times for civil cases have generally been met in overall terms, the average waiting times for several types of court

proceedings have been lengthened, particularly for certain types of criminal cases. This can be attributed to the following factors –

- (a) backlog of re-scheduled cases due to the reduction in court capacity during the COVID-19 epidemic in 2022;
- (b) priority accorded to handling cases relating to the 2019 anti-extradition amendment bill incidents (anti-EAB cases) and national security (NS cases);
- (c) continued influx of applications for leave to apply for judicial review on non-refoulement claims and related appeals; and
- (d) persistent shortage of judicial manpower.

The Judiciary has been making pro-active and dedicated efforts in implementing multi-pronged measures to expedite court proceedings, with priority given to anti-EAB cases and NS cases as appropriate. Though fresh anti-EAB/NS cases continued to be brought to court in 2023, with concerted efforts from different fronts, the Judiciary had disposed of around 93% of over 2 320 anti-EAB cases and around 87% of over 200 NS cases brought at various levels of court as at end February 2024. The vast majority of the anti-EAB and NS cases have been set down for trial in 2024 and 2025. Their impact on court waiting times of all other cases is expected to be gradually reduced by then. The Judiciary will continue to closely monitor the situation and make on-going efforts to seek improvements as far as practicable.

- End -

CONTROLLING OFFICER'S REPLY

JA014

(Question Serial No. 0832)

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:

At court hearings, many cases require the recording and production of transcripts, as well as the translation of relevant documents. It is noted that the Judiciary has introduced artificial intelligence (AI) to facilitate the relevant procedures. In this regard, will the Administration inform this Council of:

1. the estimated expenditure on the recording and production of transcripts for 2024-25;
2. the staff costs that can be saved as estimated by the Administration upon the introduction of AI to facilitate the handling of documents;
3. the expenditure earmarked for system maintenance and updates.

Asked by: Hon LAM San-keung (LegCo internal reference no.: 4)

Reply:

1. The estimated expenditure on the production of transcripts through the Digital Audio Recording and Transcription Services (DARTS) for 2024-25 is \$17.5 million.
2. 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 (VTT) technology, which is an artificial intelligence (AI) technology, for recording court proceedings. The Judiciary has been 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 to facilitate judges and judicial officers (JJOs) in taking notes, and in recording court proceedings where appropriate in the longer run. We have been placing particular emphasis on the accuracy of voice recognition of Cantonese and legal terms, given the substantial proportion of court proceedings conducted in Chinese.

However, the accuracy of the earlier versions of the VTT software in the market, achieving approximately 60%, was unsatisfactory. Following rounds of model training using the audio recordings of pieces of legislation/ordinances and pilot runs in real court cases with the participation of JJOs, the accuracy rates have gradually been improved to a more acceptable level of around 80%. With this latest progress, the Judiciary has promulgated the use of the enhanced VTT software for JJOs' real-time note-taking in hearings to facilitate judgement writing. We will continue our efforts in model training with a view to further enhancing the accuracy of the VTT software for preparing transcripts of court proceedings in the longer run. In the meantime, we will continue with the prevailing practice in the production of transcripts for court proceedings through the DARTS. We have yet to formulate any plans to replace this with VTT.

3. In 2024-25, the estimated recurrent expenditure on the planning and implementation of all ICT initiatives is around \$300 million, which accounts for about 11% of the total estimated operating expenditure of the Judiciary. Within the above estimated total operating expenditure on ICT initiatives, a provision of \$9 million has been made for installation of information technology or audio-visual facilities and support equipment, and carrying out related services in courtrooms and chambers for the dedicated support on the use of Judiciary's VTT platform.

- End -

CONTROLLING OFFICER'S REPLY

JA015

(Question Serial No. 0833)

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:

Judiciaries around the world have adopted remote hearing to handle court proceedings for quite some time, and the Hong Kong Judiciary is developing such system. In this regard, please inform this Council of:

1. the estimated expenditure on the development of the system for remote hearings in 2024-25;
2. the progress of the development of the system;
3. the estimated expenditure on system maintenance each year after the system is put into use.

Asked by: Hon LAM San-keung (LegCo internal reference no.: 5)

Reply:

- (1) & (3) 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 2024-25, the estimated recurrent expenditure on the planning and implementation of all ICT initiatives is around \$300 million, which accounts for about 11% of the total estimated operating expenditure of the Judiciary. The average annual increase in the past five years is around 14%. Within the above estimated total operating expenditure on ICT initiatives, a provision of \$30 million has been made for installation of information technology (IT) or audio-visual (AV) facilities and support equipment, carrying out related services in courtrooms and other office areas, including those required for supporting remote hearings.

- (2) In line with the Judiciary's commitment to making greater use of technology for enhancing the efficiency of court business, the Judiciary has been taking forward and promoting the use of remote hearings on an incremental basis from 2020. In 2021, the Judiciary introduced the browser-based video-conferencing option so that parties could use common web browsers and normal desktop or laptop computer devices to connect to the Judiciary's video-conferencing facilities. In 2022, the Judiciary further extended the remote hearing system to support the conduct of remote hearings outside court when access to court facilities was not allowed say due to public health or other reasons. With experience gained on the arrangement and conduct of remote hearings, the Judiciary has progressively been updating the IT/AV facilities and enhancing the IT systems with improved workflows for remote hearings and for meeting new operational needs over the years. We have been further enhancing the IT systems for remote hearings to include new functions as and when required, including remote signing of bail form by parties at the remote end. A total of around 1 800 remote hearings have been conducted mostly on civil proceedings at various levels of court as from February 2020 to January 2024 and the experience has so far been positive.

- End -

CONTROLLING OFFICER'S REPLY

JA016

(Question Serial No. 0834)

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:

According to the Administration, the number of summons services attempted under Bailiff Service is estimated to be over 88 000 in 2024, which is about the same figure as that of 2023. The mode and success rate of service, however, has drawn public concern. There was a report from a member of the public that the Judiciary had repeatedly served summonses to a wrong address despite his feedback. In this regard, please inform this Council of:

1. the public expenditure involved in services of summons and the success rate of service in the past year;
2. the Administration's policy to handle public feedbacks of wrong address.

Asked by: Hon LAM San-keung (LegCo internal reference no.: 6)

Reply:

(1) In 2023, the servicing of summons and legal documents are provided by the Bailiff Section of the Judiciary in strict accordance with the provisions set out in the relevant Ordinances¹. In 2023, 43 517 out of the 63 510 service requests (with 88 035 service attempts made) were successfully served, representing a success rate of around 70%. In 2023-24, the estimated expenditure on the full range of Bailiff's services which include salary and staff-related expenses, as well as the relevant service contract in the Judiciary is around \$65.5 million. The Judiciary does not maintain the breakdown of operating expenses incurred exclusively for the summons services provided by the Bailiff Section.

¹ The Ordinances mainly include Order 10 of the Rules of the High Court (Cap. 4A), Order 10 of the Rules of the District Court (Cap. 336H) and Section 8 of the Magistrates Ordinance (Cap. 227). The modes of service are specified in the respective Ordinances and the most common ones include (a) ordinary or registered post; (b) personal service; and (c) leaving in the letter box or at the last known address.

- (2) For judicial documents served locally, litigating parties (either the local law enforcement agents or parties to the proceedings) have to provide the court with the name and address of the persons to be served. The Bailiff Section will then proceed to serve the judicial documents by post or personal service. In line with established practice, if the relevant documents are returned by the Post Office marked with “no such person” or cannot be served by the Bailiff Section because there is no such person at that address, the same documents will not be repeatedly served but will be submitted to the court for direction as appropriate. Parties with questions about individual cases should enquire with the relevant court registry/office.

- End -

CONTROLLING OFFICER'S REPLY

JA017

(Question Serial No. 1740)

Head: (80) Judiciary

Subhead (No. & title): (000) Operational expenses

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

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

The Small Claims Tribunal (SCT), which facilitates the public to pursue their monetary claims, has a high service utilization rate. There are views that the claim ceiling of \$75,000 should be increased. In this regard, please inform this Council of:

- (1) the expenditure on services provided by the SCT in the past 3 years; and
- (2) whether the Judiciary will consider increasing the jurisdiction of the SCT from \$75,000 to \$100,000? If yes, what are the details? If not, what are the reasons?

Asked by: Hon LAM Shun-chiu, Dennis (LegCo internal reference no.: 16)

Reply:

- (1) As the Judiciary has been flexibly deploying its resources to support the services at different levels of court having regard to operational needs, it does not maintain the breakdown of the expenditure incurred exclusively for coping with the services provided by the Small Claims Tribunal (SCT).

The establishment, number of posts, ranks and estimated salary provision for Judges and Judicial Officers (JJOs) and support staff of the SCT for the past three years (i.e. 2021-22, 2022-23 and 2023-24) are as follows:

Tribunal	Establishment	Existing number of posts	Estimated salary provision* (\$ million)		
			2021-22	2022-23	2023-24
Small Claims Tribunal	80	1 – Principal Adjudicator 11 – Adjudicator 21 – Judicial Clerk grade staff 46 – Clerical staff 1 – Office Assistant	53.6	55.0	57.2

* 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.

- (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. Since then, the Judiciary has been closely monitoring the caseload of SCT.

The Judiciary observed that, for statistics of cases filed to SCT with claim amount exceeding \$50,000, the annual number of such cases in 2020 to 2022 was about 40% to 45% less than that in 2019. As court operation (including that of SCT) was considerably affected by the COVID-19 pandemic during the above period, the statistics may not fully reflect the longer-term impact of this jurisdictional change. While the related caseload in 2023 showed an increase, the level was still around 25% lower than that in 2019.

Considering that any further adjustment of the jurisdictional limit of the SCT would have a significant impact on its operation and caseload, hence delivery of its service to court users, it would be more prudent to collate more data over a longer time period to facilitate a clearer assessment of the need for any further changes to the jurisdictional limit.

- End -

CONTROLLING OFFICER'S REPLY

JA018

(Question Serial No. 2457)

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 Judiciary has set up the Integrated Mediation Office (IMO) and the Building Management Mediation Co-ordinator's Office (BMMCO) to serve the information needs of the parties/litigants who have commenced proceedings in court and facilitate them to seek mediation. In this connection, please inform this Council of the following:

1. Currently, how many branches of the IMO are there in Hong Kong? In the past 3 years, what is the number of visitors to each branch each year? How many pre-mediation consultation sessions were held each year?
2. How many information sessions on mediation were held by the IMO in the past 3 years?
3. How many suitable cases were referred by Presiding Officers of the Small Claims Tribunal to the IMO for mediation service? How many cases among them successfully went through mediation?
4. Currently, how many branches of the BMMCO are there in Hong Kong? In the past 3 years, what is the number of visitors to each branch each year? How many pre-mediation consultation sessions were held each year?
5. How many information sessions on mediation were held by the BMMCO in the past 3 years?
6. How many cases were referred to the BMMCO for mediation service in the past 3 years?

Asked by: Hon LEUNG Hei, Edward (LegCo internal reference no.: 153)

Reply:

Since 2018, the Judiciary has been operating the Integrated Mediation Office (IMO) which aims to assist the parties to understand the nature of mediation and how it may help litigants resolve their disputes. Currently, there are three Mediation Offices located in Wanchai Tower (Integrated Mediation Office (IMO)), West Kowloon Law Courts Building (Integrated Mediation Office (West Kowloon) (IMO(WK))) and Lands Tribunal Building (Building Management Mediation Co-ordinator's Office (BMMCO)) respectively. These Mediation Offices mainly serve the parties/litigants of civil cases in court, including those of proceedings on civil disputes, matrimonial or family matters, small claims as well as building management. They aim to facilitate them in seeking mediation from the professional bodies or private practitioners outside the Judiciary.

Relevant statistics on the number of parties/litigants visiting the three Mediation Offices and their services provided in the past three years are as follows –

IMO	2021	2022	2023
No. of parties/litigants visiting the IMO	812	644	852
No. of pre-mediation consultations	655	492	705
No. of information sessions on mediation organised by the IMO	426	326	407
BMMCO	2021	2022	2023
No. of parties/litigants visiting the BMMCO	212	196	247
No. of pre-mediation consultations	146	149	170
No. of information sessions organised by BMMCO	122	125	137

IMO(WK)*	2022 (July - December)	2023
No. of parties/litigants visiting the IMO(WK)	184	596
No. of pre-mediation consultations	135	477
No. of information sessions on mediation organised by the IMO(WK)	131	382

*IMO(WK) commenced operation in July 2022.

As far as mediations in respect of building management cases and small claims cases are concerned, relevant statistics on the court referrals and success rates in the past three years are as follows–

BMMCO (building management cases)	2021	2022	2023
No. of cases referred to/received by BMMCO for mediation services (a)#	55	51	57
Cases with agreement through mediation (b)	23	10	15
Cases with no agreement through mediation (c)	19	28	33
Cases ongoing/withdrawn/discontinued (d)	13	13	9
Mediation success rate (i.e. (b)/(b+c))	55%	26%	31%

IMO(WK) * (small claims cases)	2022 (July - December)	2023
No. of cases referred to/received by IMO(WK) for mediation services (a) #	66	219
Cases completed with agreement through mediation (b)	37	121
Cases with no agreement through mediation (c)	20	82
Cases ongoing/withdrawn/discontinued (d)	9	16
Mediation success rate (i.e. (b)/(b+c))	65%	60%

**IMO(WK) commenced operation in July 2022.*

The three Mediation Offices arrange mediation services for cases referred by the Court and walk-in visitors requesting such services.

- End -

CONTROLLING OFFICER'S REPLY

JA019

(Question Serial No. 0217)

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 3 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 domestic violence as the ground; the number of cases with male abusers and female abusers respectively;
- (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.: 4)

Reply:

The respective numbers of divorce cases filed to the Family Court during the period from 2021 to 2023 are as follows:

	2021	2022	2023
Number of divorce cases filed in the year	17 774	16 513	20 621

The Judiciary does not maintain the other requested statistics.

- End -

CONTROLLING OFFICER'S REPLY

JA020

(Question Serial No. 0222)

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:

At present, the Judiciary continues to face heavy work pressure at different levels of court. There are figures showing that there is a 36% shortage of judges of all ranks in Hong Kong. Many judicial vacancies are yet to be filled. In this regard, please provide the following information:

1. Are there any measures in place to address the issue of manpower shortage in the Judiciary?
2. How much in the way of additional resources has been allocated to enhance the terms and conditions of service for Judges and Judicial Officers (JJOs)?
3. The Judiciary has been advocating in recent years the extension of judges' retirement ages to address the issue of shortage of judges. Will the Judiciary consider allocating additional resources to nurture young legal talents for them to join the Judiciary? If so, what are the details? If not, why so?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 9)

Reply:

(1)&(3) In recent years, the Judiciary has been conducting regular open recruitment exercises for filling judicial vacancies at different levels of court. Since January 2020, a total of 34 judicial appointments, including three Judges of the Court of First Instance of the High Court (CFI Judges), six District Judges and 25 Permanent Magistrates, have been made. The latest round of recruitment exercises for District Judges and CFI Judges was launched in July and October 2023 respectively, while that for Permanent Magistrates was launched in April 2024. The Judiciary has received encouraging responses to this round, particularly from the middle-ranking members of the legal profession to the latest recruitment drive for District Judges.

To attract legal practitioners to join the bench and retain experienced judicial manpower, enhancements were made to the conditions of service for Judges and Judicial Officers (JJOs)

with effect from 1 April 2017. In addition, with the enactment of the Judicial Officers (Extension of Retirement Age) (Amendment) Ordinance in December 2019, the retirement ages of Judges at the CFI level and above as well as Judicial Officers at the magisterial level have generally been extended for five years. Over 80% of the eligible JJOs have opted to extend their retirement ages accordingly.

The Judiciary has been working closely with the legal profession to promote the judicial career through organizing talks and focus group meetings so as to appeal to legal practitioners for application to join the Judiciary. The response to the above measures has been positive. The Judiciary will continue to closely monitor the judicial manpower situation, launch regular recruitment exercises and promote the judicial career as appropriate.

It has also been a longstanding practice of the Judiciary to engage temporary judicial manpower resources at different levels of court. Apart from meeting the courts' operational needs, these deputy appointments provide opportunities for legal practitioners from outside the Judiciary to gain some judicial experience with a view to considering whether to pursue a judicial career in the future.

The Judiciary has been regularly recruiting legally qualified assistants for providing legal and professional support to Judges through the Judicial Assistants Scheme for the Court of Final Appeal and the Judicial Associates Scheme for the High Court, and for assisting the Judicial Institute in the planning and provision of judicial training to JJOs. These working positions in the Judiciary will help in facilitating these legally qualified assistants' consideration of whether to join the Judiciary as judges or judicial officers in future.

- (2) The various enhancements to conditions of service for JJOs, including housing benefits, medical and dental benefits, local education allowance, judicial dress allowance and transport service for leave travel, have been implemented since 1 April 2017. The provision for the enhancements to these conditions of services¹ for JJOs in 2024-25 is about \$15 million which represents around 50% of the allowances for fringe benefits in the remuneration package for JJOs.

- End -

¹ Apart from salary, the remuneration package of JJOs covers a range of fringe benefits subject to individual JJOs' eligibility. These include (a) Judiciary Quarters & Judiciary Quarters Allowance; (b) Medical Insurance Allowance; (c) Local Education Allowance; (d) Judicial Dress Allowance; (e) transport service for leave travel (the above five items have been enhanced since 1 April 2017); (f) annual leave and other types of leave (e.g. sick leave, maternity/ paternity leave, etc.); (g) Non-Accountable Cash Allowance in lieu of housing benefits; (h) Home Financing Allowance; (i) medical and dental services provided by the Government or the Hospital Authority; (j) Overseas Education Allowance; (k) School Passage Allowance; (l) Leave Passage Allowance; and (m) pension benefits etc.

CONTROLLING OFFICER'S REPLY

JA021

(Question Serial No. 0223)

Head: (80) Judiciary
Subhead (No. & title): (000) Operational expenses
Programme: (2) Support Services for Courts' Operation
Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)
Director of Bureau: Not applicable

Question:

The Judiciary announced on 22 December 2023 that it will launch a trial run of live broadcasting of court proceedings through video webcasting next month (January) on two appellate proceedings in the Court of Final Appeal (CFA); and it will be launching the second trial run of live broadcasting of court proceedings through video webcasting for two appellate proceedings in the CFA to be heard respectively in March and May. In this regard, please inform this Council:

1. if any technical problems arose during the two live broadcasts of cases through video webcasting, such as fuzzy images and unstable connection. Will the Administration adopt relevant measures for improvements?
2. of the detailed costs incurred for the two live online broadcasts.

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 10)

Reply:

The Judiciary has been conducting trial runs of live broadcast of hearings of Court of Final Appeal (CFA) cases since mid-January 2024 for testing the technical and operational arrangements. Three hearings on 10 and 16 January, and 4 March 2024 were selected for the trial runs, with another tentatively scheduled for 3 May 2024. The trial live broadcasts of all three cases were generally smooth, reaching around 8 000 viewers on average (including both the live broadcast and the recorded broadcast). Feedback from the media reports has been generally positive, expressing that the audio and visual quality was clear and satisfactory, and the audience could access the live broadcast webpage at the CFA website promptly without waiting. We will take account of the operational experience of the trial runs in considering live broadcast arrangements in the longer run.

To facilitate our assessment of the feasibility and cost of setting up our own platform for live broadcasts on a regular basis, the Judiciary has been acquiring outsourcing services for the

trial runs. The service provider was responsible for providing the necessary hardware, software and on-site support services at CFA as well as the content delivery network services, which were required to ensure that the live broadcasts, i.e. the hearings, could be viewed smoothly at various geographical locations over the internet. The expenditure on the acquisition of outsourcing services for the trial runs is around \$0.4 million for each hearing on average.

- End -

CONTROLLING OFFICER'S REPLY**JA022****(Question Serial No. 0224)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Ms Esther LEUNG)Director of Bureau: Not applicableQuestion:

The Judiciary has been conducting remote hearings for civil proceedings at different levels of court where appropriate since April 2020. Please inform this Council of the following:

In the past 3 years,

1. the total number of cases for which remote hearings were conducted by the Judiciary at all levels of court.
2. the types and numbers of cases for which remote hearings were conducted.

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 11)

Reply:

The number of remote hearings conducted at various levels of court from 2021 to 2023 are tabulated by year as follows:

2021

	Hearings using video-conferencing facilities		Phone hearings
	Civil case	Criminal case	
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
Total	147	6	476

2022

	Hearings using video-conferencing facilities		Phone hearings
	Civil case	Criminal case	
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
Total	396	4	203

2023

	Hearings using video-conferencing facilities		Phone hearings
	Civil case	Criminal case	
Court of Final Appeal	3	2	0
High Court	4	0	66
District Court	0	0	0
Family Court	30	Not applicable	0
Small Claims Tribunal	1	Not applicable	0
Labour Tribunal	12	Not applicable	0
Total	50	2	66

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.

- End -

CONTROLLING OFFICER'S REPLY

JA023

(Question Serial No. 0727)

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 stated in "Matters Requiring Special Attention in 2024-25" that the Judiciary will implement the Information Technology Strategy Plan (ITSP) to provide electronic filing and related services by phases at different levels of court, and make greater use of technology to enhance efficiency of court operations. In this connection, please inform this Council:

- (1) of the estimated manpower and expenditure for taking forward the technology plan in courts this year;
- (2) the Judiciary obtained a funding for the implementation of its ITSP as early as February 2013. As at the end of last year, there were delays in the implementation plans of computer systems in a number of government departments. Amongst them, there was a delay of 5 years in the implementation of Judiciary's integrated Court Case Management System, and there did not seem to be any significant progress in taking forward its technology plan in courts. Please inform this Council how the Judiciary is going to expedite its technology plan in courts.

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 5)

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. These include, amongst others, the development of the integrated Court Case Management System (iCMS) which is being implemented across all levels of court by phases for handling court-related documents and payments through electronic means, enhancing audio-visual (AV) facilities to enable broadcasting at court premises, upgrading video-conferencing facilities, extending the e-appointment system, managing the Digital Evidence and Exhibit Handling System, piloting the

implementation of voice-to-text function in courtrooms, and promoting to practitioners the application of technology on handling judicial matters.

In 2024-25, the estimated recurrent expenditure on the planning and implementation of all ICT initiatives is around \$300 million, which accounts for about 11% of the total estimated operating expenditure of the Judiciary. The average annual increase in the past five years is around 14%. Additional expenditure and manpower support will be flexibly deployed within the Judiciary's overall funding provision where necessary and justified.

- (2) The Judiciary is committed to making greater use of technology for enhancing the efficiency of court operations. We have been proceeding at full steam with the implementation of a series of major technology initiatives including the Information Technology Strategy Plan (ITSP), remote hearings, live broadcasting, use of e-bundles at court hearings, e-appointment system for specific court services, use of voice-to-text technologies. We briefed the Panel on Administration of Justice and Legal Services on the Judiciary's on-going efforts in greater use of technology in November 2023 (<https://www.legco.gov.hk/yr2023/english/panels/ajls/papers/ajls20231127cb4-1000-2-e.pdf>). We also consulted the Panel on the funding proposal with regard to the provision of information technology (IT) infrastructure in the new District Court Building at Caroline Hill Road and upgrading of IT infrastructure of the Judiciary in February 2024 (<https://www.legco.gov.hk/yr2024/english/panels/ajls/papers/ajls202400226cb4-214-3-e.pdf>). The latest progress of the development of the iCMS, remote hearings and live broadcasting of judicial proceedings outside court premises, three of the major technology initiatives launched in recent years, is summarised below.

iCMS

The development of the iCMS is the core part of the ITSP. Over the past few years, we have been developing by phases the iCMS across all levels of court for handling court-related documents and payments through electronic mode. Under Stage 1 of Phase I, the iCMS has been implemented in the District Court (DC) and the Magistrates' Courts (MCs) by phases since May and December 2022 respectively. 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. We target to roll out iCMS for public use at other levels of court (i.e. Stage 2 of Phase I) incrementally from mid-2024.

As at 29 February 2024, a total of 413 court users (including 333 law firms, accounting for about 36% of some 920 law firms registered with the Law Society of Hong Kong) have registered for accounts under iCMS. About 185 600 new cases have been initiated under iCMS, representing about 43% of the total number of the relevant new cases during the period. Court users have filed some 220 500 documents, conducted about 6 300 inspections of documents and made over 13 000 payment transactions via iCMS. The take-up rate is expected to increase progressively following the continued promotion of iCMS.

To incentivise registration under iCMS during the initial years, court users are offered a fee concession of 20% for five years and three years for Stage 1 and Stage 2 courts respectively, counting from the date on which iCMS was implemented for the first case type in that court level on fee items related to the electronic handling of court documents.

We have been making pro-active efforts in promoting the registration and use of iCMS. Specifically, we have been providing information on a dedicated webpage (https://www.judiciary.hk/en/e_courts/refmat_index.html) since April 2022. In addition, we have been operating an iCMS Help Centre at 5/F, Wanchai Tower, 12 Harbour Road, Wan Chai as well as an iCMS enquiry hotline and technical helpline to provide free advice and assistance to all law firms and litigants-in-person. We have also been conducting briefings and demonstration sessions for court users since 2022. From January 2023 to February 2024, 44 briefing-cum-hands-on demonstration sessions for law firms were conducted with the participation of around 570 representatives from some 250 law firms.

We will continue our efforts in promotion and publicity of iCMS with a view to encouraging migration to the electronic mode.

As a facilitation measure, we are planning to introduce a Deposit Account as an additional electronic payment option for the iCMS Organisation Account users in 2024, such that a legal firm can make non-interest bearing prepayments (and subsequent top-ups as required) at or above a specified minimum amount for settling all subsequent payments for transactions under iCMS without the hassle of paying for each individual transaction.

As it is the Judiciary's ultimate aim to make the electronic platform the primary litigation system, we are planning to make it mandatory for all legally represented litigants to use iCMS within a specified target timeframe, unless otherwise exempted in particular circumstances mainly to safeguard the right to access in court. In this connection, we have launched a three-month consultation with the legal profession and other stakeholders on the implementation arrangements in January 2024. Subject to the stakeholders' views, we intend to start mandating the use of iCMS for all legally represented litigants in respect of the relevant case types as from 2026.

Remote hearings

The Judiciary is working on the draft Courts (Remote Hearing) Bill which seeks to provide a legal basis for the court 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.

The Judiciary conducted a three-month public consultation on the draft Bill in June 2022, and consulted the Panel on Administration of Justice and Legal Services in May 2023.

The Judiciary is finalising the Bill in the light of the extensive comments received and targets to introduce the Bill into the Legislative Council within 2024.

A total of around 1 800 remote hearings have been conducted mostly on civil proceedings at various levels of court as from February 2020 up to January 2024 and the experience has so far been positive.

Live broadcast of court proceedings

To enhance the transparency of court procedures and public confidence in the judicial process, the Judiciary has been actively pursuing the initiative of live broadcasting of selected judicial proceedings outside court premises.

The Judiciary launched the first trial run of live broadcasting of court proceedings on two Court of Final Appeal (CFA) cases heard on 10 and 16 January 2024 respectively for testing the technical feasibility of the arrangements, including the IT and AV setup, as well as the logistical and operational details. To further test certain technical and operational arrangements including the possible element of remote hearing and another screen layout of fixed grids view, the Judiciary has identified two additional CFA substantive appeal hearings respectively on 4 March and 3 May 2024 for another trial run of live webcast.

Upon completion of the second trial run, the Judiciary will review and consider the way forward for live broadcasting of court proceedings outside court premises in the longer term.

The Judiciary will continue to explore and enhance the efficiency of court operations through the use of technology, in consultation with legal practitioners and other stakeholders.

– End –

CONTROLLING OFFICER'S REPLY

JA024

(Question Serial No. 1333)

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 counsel and solicitors, legal aid and all related legal proceedings involving non-refoulement claims?

Asked by: Hon QUAT Elizabeth (LegCo internal reference no.: 1)

Reply:

The statistics maintained by the Judiciary that are relevant to the question for the past three years from 2021 to 2023 are as follows:

Judicial Review Cases	2021	2022	2023
Court of First Instance of the High Court			
(a) No. of leave applications filed	1 767	1 545	2 191
(b) No. of leave applications filed relating to non-refoulement claims	1 675	1 439	2 089
(c) No. of leave applications with leave granted ¹	27 ²	21	14
(d) Average processing time (from date of filing of leave application to date of decision) ³	256 days	159 days	92 days
(e) No. of substantive judicial review cases filed	7	10	43
(f) No. of substantive judicial review cases filed relating to non-refoulement claims	1	2	35
Court of Appeal of the High Court			
(g) No. of appeals against refusal of leave filed	380	297	264
(h) No. of appeals against refusal of leave filed relating to non-refoulement claims	350	279	246
(i) No. of appeals against judicial review decisions filed	8	11	1
(j) No. of appeals against judicial review decisions filed relating to non-refoulement claims	1	6	0
Court of Final Appeal			
(k) No. of applications for leave to appeal (civil) filed ⁴	564	670	352
(l) No. of applications for leave to appeal (civil) filed relating to non-refoulement claims	510	603	307
(m) No. of substantive appeals (civil) filed ⁴	6	14	10
(n) No. of substantive appeals (civil) filed relating to non-refoulement claims	0	0	0

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

Remarks:

¹ Statistics on the outcome of leave applications filed in a year reflect the position as at 31 January 2024. 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.

- ² Statistics include two cases of leave granted by the Court of Appeal of the High Court on appeal.
- ³ Statistics on the average processing time reflect the position as at 31 January 2024. 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 the report generation date, but exclude those withdrawn or outstanding leave applications.
- ⁴ The figures are total number of cases filed to the Court of Final Appeal which include non-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^{Note}. 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 is as follows:

2021-22 (\$ million)	2022-23 (\$ million)	2023-24 (\$ million)
13.3	10.0	10.1

^{Note:} 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 surge 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 closely monitor the progress of cases and flexibly deploy resources in response to operational needs, with a view to enhancing the efficiency in handling non-refoulement claim-related cases as far as practicable in the light of evolving developments.

- End -

CONTROLLING OFFICER'S REPLY

JA025

(Question Serial No. 1422)

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:

Regarding the estimated increase in the average waiting times at most of the court levels in 2024, will the Judiciary inform this Council of:

1. the respective numbers of the cases related to the 2019 anti-extradition amendment bill incidents (anti-EAB cases) and the national security (NS cases) handled by various levels of court in the past 2 years and the estimated number of these cases to be dealt with in 2024, as well as the proportion of such cases in the total number of cases handled;
2. the average time required for handling anti-EAB cases and NS cases in the past 2 years and the average time estimated for handling them for 2024;
3. the reasons why the average waiting times from setting down of a case to hearing for appeal cases, compensation cases and building management cases in the Lands Tribunal in 2023 were 8, 15 and 32 days respectively, but the Judiciary anticipates a substantial increase to 90 days in the average waiting times for these three types of proceedings in 2024;
4. the reasons why it took only 37 and 35 days from the filing of a case to the first hearing in the Small Claims Tribunal in 2022 and 2023 respectively, but the Judiciary anticipates a substantial increase to 60 days in 2024;
5. the reasons why it took only 2 days from receipt of application to classification in the Obscene Articles Tribunal in 2022 and 2023, but the Judiciary anticipates that 5 days will be required in 2024.

Asked by: Hon YUNG Hoi-yan (LegCo internal reference no.: 24)

Reply:

- (1) Since 2020, the Judiciary has experienced an influx of cases relating to the 2019 anti-extradition amendment bill incidents (anti-EAB cases) and the national security (NS cases). The Judiciary has been making pro-active and dedicated efforts in implementing multi-pronged measures to expedite court proceedings, with priority given to anti-EAB cases and NS cases as appropriate. As at end February 2024, around 93% of over 2 320 anti-EAB cases and around 87% of over 200 NS cases brought at various levels of court had been disposed of. While fresh cases continued to be brought to court in 2023, most of the outstanding anti-EAB and NS cases have been set down for trial in 2024 and 2025. The Judiciary will continue to closely monitor the situation and make on-going efforts to seek improvements as far as practicable.
- (2) The processing time of each anti-EAB/NS case varies depending on a range of factors such as complexity of case, number of defendants involved, time required by parties for investigation, seeking legal advice and preparation for trials etc., including many which are beyond the control of the Judiciary. In general, these were relatively complicated cases involving a larger number of defendants and lengthy trials. Previous operational experience indicates that the average processing time from commencement of proceedings to conclusion of trial for these cases generally ranged from 300 to 400 days or more which is about 30 per cent longer than other criminal cases.
- (3) – (5) The target average waiting time for each specific case type at different levels of court has been set through a review and consultation mechanism with reference to a host of factors relevant to the majority of cases in each case type over a reasonable period of time. These include provisions in the relevant ordinances or court rules in respect of that case type (if applicable)¹, the statistics on waiting time, caseload and complexity of cases, the time required by parties to prepare their cases, and the time required by the court or tribunal to process the cases as well as views from stakeholders and court users.

The actual waiting times for different case types in one or two years will invariably be contingent upon the caseload and complexity of the cases received and other circumstantial factors such as public health situation and manpower resources in the relevant years. They may not necessarily represent the general trend figures which are considered prudent and acceptable performance targets over a reasonable period of time. The Judiciary will nevertheless continue to ensure all cases will be handled as expeditiously as possible within the target waiting times in each year, without compromising the due administration of justice. We will also closely monitor the situation and review the targets as and when appropriate.

- End -

¹ The court waiting times for Small Claims Tribunal and Labour Tribunal cases are set with reference to the provisions on time limits for filing of claims in the relevant Ordinances. Section 14(1)(a) of the Small Claims Tribunal Ordinance (Cap. 338) and section 13(1)(a) of the Labour Tribunal Ordinance (Cap. 25) stipulate that the fixing of the first callover date shall not be later than 60 and 30 days respectively from the date of filing of claim.

CONTROLLING OFFICER'S REPLY

JA026

(Question Serial No. 1423)

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:

Concerning the problem of persistent shortage of judicial manpower, will the Judiciary inform this Council of:

1. the current required number and the actual number of personnel in the Judiciary;
2. the post descriptions, the number of vacancies, the number of applicants and the number of new recruits in the Judiciary's open recruitment exercises for the past 5 years;
3. the reasons for the reduction in the expenditure on Allowances under Personal Emoluments in the Judiciary's budget estimates for 2024-25 when compared with that for 2023-24.

Asked by: Hon YUNG Hoi-yan (LegCo internal reference no.: 25)

Reply:

- (1) As at 1 March 2024, against the total establishment of 211 judicial posts, 160 were substantively filled; and there were 49 deputy Judges and Judicial Officers (JJOs) appointed from the legal profession sitting at different levels of court.
- (2) In the past five years from 2019 to 2023, the Judiciary had conducted open recruitment exercises for Judges of the Court of First Instance of the High Court (CFI Judges), District Judges and Permanent Magistrates, and a total of nine CFI Judges, 11 District Judges and 25 Permanent Magistrates were appointed. Arising from creation of new judicial posts, elevation of JJOs from lower to higher levels of court, and natural wastage (mainly due to retirement of JJOs), the number of vacancies varied at different times of the years. The average number of vacancies were 7 and 10 respectively for CFI judges and District Judges, and around 20 for Permanent Magistrates during the above period. A new round of open recruitment exercise for JJOs at different levels of court was launched in July 2023. The recruitment exercises for CFI Judges and District Judges are in progress, while that for Permanent Magistrates was launched in April 2024.

(3) The estimated provision on Allowance under Personal Emoluments for 2024-25 has been slightly adjusted downwards from \$39.325 million in 2023-24 (revised estimates) to \$38.676 million in 2024-25 having regard to the latest assessment with reference to operational experience.

- End -

CONTROLLING OFFICER'S REPLY

JA027

(Question Serial No. 1424)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions, (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Ms Esther LEUNG)

Director of Bureau: Not applicable

Question:

Concerning remote hearings, please inform this Council of the following:

1. The number of cases handled by way of remote hearings each year at various levels of court since 2020 when the Judiciary started to conduct remote hearings for suitable civil cases by phases;
2. The manpower, establishment and ranks of the personnel in the Judiciary responsible for remote hearings and the expenditure for them;
3. The manpower, establishment and ranks of the personnel in the Judiciary responsible for the Information Technology Strategy Plan (ITSP) and the expenditure for them;
4. The legislative amendments necessary for the conduct of remote hearings and their schedule;
5. In the past 3 years, the number of computer system upgrades for the conduct of remote hearings, the contents of such upgrades and the relevant expenditures.

Asked by: Hon YUNG Hoi-yan (LegCo internal reference no.: 26)

Reply:

(1) The number of remote hearings conducted at various levels of court from 2020 to 2023 are tabulated by year as follows:

2020

	Hearings using video-conferencing facilities (from April 2020)		Phone hearings (from February 2020)
	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
Total	62	1	372

2021

	Hearings using video-conferencing facilities		Phone hearings
	Civil case	Criminal case	
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
Total	147	6	476

2022

	Hearings using video-conferencing facilities		Phone hearings
	Civil case	Criminal case	
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
Total	396	4	203

	Hearings using video-conferencing facilities		Phone hearings
	Civil case	Criminal case	
Court of Final Appeal	3	2	0
High Court	4	0	66
District Court	0	0	0
Family Court	30	Not applicable	0
Small Claims Tribunal	1	Not applicable	0
Labour Tribunal	12	Not applicable	0
Total	50	2	66

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.

(2), (3) & (5)

Overall operating expenditure on Information and Communications Technology

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 2024-25, the estimated recurrent expenditure on the planning and implementation of all ICT initiatives is around \$300 million, which accounts for about 11% of the total estimated operating expenditure of the Judiciary. The average annual increase in the past five years is around 14%.

Expenditure on remote hearings

In line with the Judiciary's commitment to making greater use of technology for enhancing the efficiency of court business, the Judiciary has been taking forward and promoting the use of remote hearings on an incremental basis from 2020. In 2021, the Judiciary introduced the browser-based video-conferencing option so that parties could use common web browsers and normal desktop or laptop computer devices to connect to the Judiciary's video-conferencing facilities. In 2022, the Judiciary further extended the remote hearing system to support the conduct of remote hearings outside court when access to court facilities was not allowed say due to public health or other reasons. With experience gained on the arrangement and conduct of remote hearings, the Judiciary has progressively been updating the information technology (IT)/audio-visual (AV) facilities and enhancing the IT systems with improved workflows for remote hearings and for meeting new operational needs over the years. We have been further enhancing the IT systems for remote hearings to include new functions as and when required, including remote signing of bail form by parties at the remote end. A total of around 1 800 remote hearings have been conducted mostly on civil proceedings at various levels of court as from February 2020 to January 2024 and the experience has so far been positive.

Within the above estimated total operating expenditure on ICT initiatives, a provision of \$30 million has been made for installation of IT/AV facilities and support equipment, carrying out related services in courtrooms and other office areas, including those required for supporting remote hearings.

Expenditure on Information Technology Strategy Plan

In 2024-25, we will continue with the phased development and implementation of the integrated Court Case Management System (iCMS), a core part of the Information Technology Strategy Plan (ITSP), for the Court of Final Appeal, the High Court, the Small Claims Tribunal and charge cases of the Magistrates' Courts.

Within the overall non-recurrent funding commitment of around \$680 million for ITSP, the expenditure on the development of the iCMS, which includes the procurement of hardware, software and implementation services (covering IT professionals engaged on contract) in 2024-25 is estimated at about \$115 million.

Expenditure on civil service staffing support

The estimated salaries and related costs of civil service staff of the Judiciary who will be involved in both the development and implementation of the iCMS and supporting remote hearings (along with all other ICT initiatives) where appropriate in 2024-25 have been included in the above \$300 million relating to ICT within the estimated operating expenditure of the Judiciary.

- (4) The Judiciary is working on the draft Courts (Remote Hearing) Bill which seeks to provide a legal basis for the court 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.

The Judiciary conducted a three-month public consultation on the draft Bill in June 2022, and consulted the Panel on Administration of Justice and Legal Services in May 2023. The Judiciary is finalising the Bill in the light of the extensive comments received and targets to introduce the Bill into the Legislative Council within 2024.

- End -