



民事法庭使用者委員會主席

撰文

Message from the Chairman, Civil Court Users' Committee

民事法庭使用者委員會是法庭與其使用者的代表之間最主要的溝通渠道。法院極有需要知道，從法律界或從公眾的角度來看，法庭的事情怎樣才能算辦得最好。法律界、公眾和司法機構之間資訊意見的交流，對所有有關人士都具重大的意義。

本委員會定期討論的事項，包括實務指引日後的發展和一般有助法庭順利運作的事宜。去年，我們重點討論了法律界就區域法院設施所反映的意見。令人遺憾的是，區域法院所在大樓的設計只適合作一般辦公室用途，帶來了種種不便。最近，隨著區域法院民事管轄權的擴大，以下三方面的問題就顯得更嚴重了：

首先，大樓內的升降機都不是專門為法院設計的，而只是為配合政府辦公室用途而已，因此使用者出入法庭甚為不便。

第二方面，由於大樓入口並非由法庭人員負責看守，所以在非開庭時間，使用者要到法庭相當不便，而要辦理各類申請的就更覺障礙重重。

第三方面，由於大樓內政府部門的餐廳都已停業，所以，使用區域法院的

The Civil Court Users' Committee is the primary channel of communication between the Court and the representatives of the users. For the Court, it is important to know how best matters can be organised from the point of view of the professions and the public. The interchange of information and views between the professions and public and the Judiciary is important for all concerned.

Routine discussions include future Practice Directions and the smooth operation of the court system generally. An important aspect in the last year has been the feedback from the professions as to the facilities in the District Court. Regrettably, the District Court is housed in a building designed for ordinary government offices. Three aspects in particular have been accentuated as a result of the recent increase in civil jurisdiction of the District Court.

Firstly, access to the court is difficult because the lifts are not designed for court use but are designed for government office use.

Secondly, after hours access is difficult because court staff are not responsible for admission to the building and this has made matters more complicated for those wishing to make applications outside court hours.

Thirdly, the importance of canteen facilities, both for the profession and for members of the public using the court, has come to the fore, because the canteen facilities in the government offices were withdrawn.

律師和公眾人士都紛紛提出餐廳服務不可無。幸而，在民事和刑事法庭使用者兩個委員會據理力爭之下，現在當局已認同大家的需要，相信區域法院新的餐廳很快便會開業。

目前，當局已經認同法院與其他政府部門有別，必須按其特殊性專門設計，總的來看，這可以說是本委員會努力取得的成果。我們已經讓政府清楚知道，法院大樓所需要的設備跟政府辦公大樓所需要的大不相同。將來計劃興建法院的時候，最少應為法院另設出入口、通道、升降機和辦公設備，與其他政府辦公室的設備分開。

本委員會將會繼續提供機會，讓司法機構和法庭使用者多進行必要的交流。本會也肯定會積極參與高等法院民事規則及程序改革工作小組所進行的工作。

要略為一提的是，民事使用者委員會議程上的項目，可以說不一定是重大的事情。有時候，一些雖然看來非常頭疼的問題，也祇不過是一點小事情。舉個例子，有一次，一位律師想將他的手提電腦插上法院大樓的電源以便使用，但遭法庭職員阻止。問題結果也解決了，訴諸常情而已。



高等法院上訴法庭副庭長
羅傑志

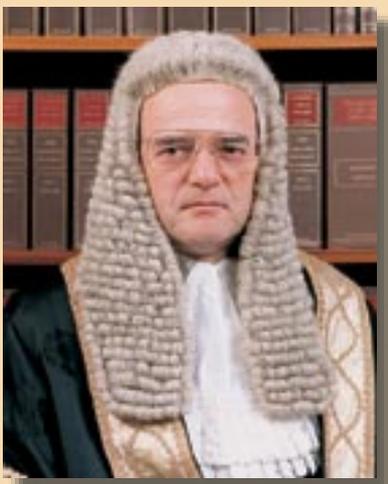
Fortunately, as a result of representations through both the Civil Court Users' and the Criminal Court Users' Committees, the need for a canteen has been appreciated and a new canteen for the District Court should be in operation soon.

As a general matter, it can be said that the importance of purpose designed courts distinct from government offices has now been recognised as a result of the work of the Committee. The clear message has been passed to government that the facilities needed for court buildings are very different from the facilities needed for government offices. In future planning, courts should be separate at least in terms of entrances, access, lifts and accommodation from government offices.

The Civil Court Users' Committee will continue to provide the necessary interchange between the Judiciary and the users and no doubt as the work of the Working Party on Reform of Civil Rules and Procedures of the High Court progresses, the Civil Court Users' Committee will play a part in that.

On a lighter note, it might be said that not all the matters which come up at the Civil Court Users' Committee are necessarily weighty. Sometimes it is a question of trivialities, even though they apparently bother the powers that be. As an example, one member of the profession had been prevented from plugging his portable computer into the electricity supply in the court building. Commonsense eventually prevailed.

Anthony G. Rogers
Vice-President of the Court of Appeal
of the High Court



刑事法庭使用者委員會主席

撰文

Message from the Chairman, Criminal Court Users' Committee

法庭管理得怎麼樣，是所有我們這些跟法庭有交往的人所共同關心的問題。本委員會的16位委員集體代表著刑事法庭使用者，就他們關注的每一項重要的問題發表意見。最近，我們剛迎接了一位新的非專業委員楊寶坤太平紳士，OBE，CPM，他接替了已為我們忠誠服務了多年的周湛榮太平紳士，OBE。

目前，本委員會最關注的事情包括各法院大樓現有的設備、法庭的管理（包括排期和技術上的問題）和若干涉及法庭常規和程序的問題。

辯論的熱點大概就在於爭取保留區域法院的餐廳及高等法院「禁煙」兩方面。我們陳述的意見結果都獲接受，這很大程度上是因為得到司法機構政務長的鼎力支持。

當然，這只是委員會所討論的眾多項目裏其中之二。一直以來，在林林總總的問題中，最重要的一項就是如何設計出一個更有效的方法，避免不必要地傳召某些證人，例如其證供對方不予反駁的證人出庭作證。比如說，不一定傳召入屋犯法案件的受害人出庭正式作證，說明其損失，或陳述犯案者如何闖入犯案現場。現時法例規

In one way or another, all of us who have dealings with the courts have an interest in how they are run. Every important aspect of concern to users of the criminal courts is collectively represented by the sixteen members of the Committee. We recently welcomed Mr Yeung Po-kwan, OBE, CPM, JP, as our new lay member. He has replaced Mr Chau Cham-son, OBE, JP, to whom the Committee is indebted for many years' loyal service.

The principal matters of concern to the Committee include the facilities which are provided in court buildings, the administration of the courts (including listing and technology) and a number of issues which touch upon the practice and procedure of the courts.

Perhaps the liveliest debates centred on the threatened loss of the District Court canteen and the drive towards making the High Court a "No Smoking" zone. Our representations in regard to both topics have produced beneficial results which are in large measure due to the overwhelming support given to us by the Judiciary Administrator.

These, of course, are only two examples taken from a wide variety of issues which have been the subject of discussion. One of the most important of these has been our attempt to design a more effective method of preventing the unnecessary attendance of witnesses whose evidence is not disputed, such as burglary

定，法庭可直接採納這一類證人的證詞為證據，但實踐中，許多證人並沒有因此受惠，仍然要遵照證人傳票的指示出庭作證，免不了因要出庭而憂心煩惱，甚至花費金錢。從經驗我們得知，出現這種情況，一般是因為負責案件的律師並沒有著意將一些對方可預先審閱或同意的證供提早交給對方。在本委員會努力推動下，一些措施已經展開，但是否能改善現時情況，尚待分曉。

我們討論過的其他項目，包括在法庭內使用視像播放系統、在區域法院裏提供甚麼樣的會議室、提供上訴案件所需的審訊膳本，和其他一系列較輕微的程序改革。然而，最重要的一項就是，探討有甚麼方法可以把一般頗為冗長的錄影會面證供縮短，這項研究由彭鍵基法官領導的一組委員負責，目前仍在進行中，研究完成後會提交報告。



高等法院上訴法庭副庭長
司徒冕

victims who give formal evidence of the loss suffered and how entry was gained. Legislation makes the written statements of such witnesses admissible, but in practice many witnesses, rather than being spared the anxiety, trouble and expense of attending court, have instead found themselves having to answer witness summonses requiring their attendance at court. Experience has shown that this is usually because trial advocates have not sufficiently applied their minds to giving advance notice of evidence which can be read or agreed. It remains to be seen whether the improvements which, through the Committee's efforts, have now been injected into the system will bring about the desired change.

Some other topics which have come under discussion have included the video display systems to be used in the courts, the nature of the consultation rooms to be provided in the District Court, the provision of transcripts for the purposes of appeals, and an array of relatively minor procedural reforms. However, most importantly, the sub-committee headed by Mr Justice Pang, which is looking into possible methods of shortening the evidence in often lengthy video-recorded interviews, still has some way to go before making its report.

M. Stuart-Moore
Vice-President of the Court of Appeal
of the High Court



第七章

與法庭
使用者以及
社會大眾
的互聯

CHAPTER 7

Interface with
Court Users
and the
Community





與法庭使用者以及社會大眾的互聯

司法機構以服務社會為己任，致力開創以使用者為本、精益求精的服務文化。我們非常歡迎法庭使用者和社會人士向我們提供意見。

法庭使用者委員會

由法官、法律界代表和行外人士組成的民事法庭使用者委員會和刑事法庭使用者委員會在1993年成立，旨在討論法庭使用者共同關心的問題，包括法庭的實務和程序、法庭的管理（例如：案件排期和新科技的運用）和法庭的設施。

2000年，兩個委員會總共召開了七次會議。

INTERFACE WITH COURT USERS AND THE COMMUNITY

The Judiciary is committed to cultivating a user-focused and striving for excellence culture in serving the community. We welcome feedback from court users and the community.

COURT USERS' COMMITTEES

The Civil Court Users' Committee and the Criminal Court Users' Committee comprising judges, representatives of the legal profession and lay members, were established in 1993 to discuss matters of concern to court users. They include court practices and procedures; administration of the courts (such as listing of cases and the use of new technology); and facilities provided in the court.

In 2000, the Court Users' Committees held a total of seven meetings.



上訴法庭副庭長司徒冕法官(中)主持刑事法庭使用者委員會會議
Criminal Court Users' Committee meeting chaired by The Hon Mr Justice Stuart-Moore, Vice-President of the Court of Appeal (middle)



上訴法庭副庭長羅傑志法官(中)主持民事法庭使用者委員會會議
Civil Court Users' Committee meeting chaired by The Hon Mr Justice Rogers, Vice-President of the Court of Appeal (middle)



法庭各登記處職員向市民提供服務
Staff serving court users in Court Registries



使用者意見調查

為了準確地評估公眾對我們服務的滿意程度，2000年我們進行了數項顧客滿意程度的調查。調查結果對進一步改善服務極有幫助。

(1) 關於高等法院詢問處

這項調查在2000年7月進行。我們在三星期內，成功訪問了385位使用者。調查顯示，百分之八十五的被訪者表示滿意或非常滿意高等法院詢問處提供的服務。調查過程亦包括就被訪者提出的建議詳加討論。這些建議包括改善櫃位的整體外觀和照明系統、提供更明確的方向指示標誌、裝置電腦終端機讓公眾人士查閱資料，增置公用收費電話等。我們已按這些建議着手改善。

(2) 關於遺產承辦處公眾申請組

遺產承辦處公眾申請組接受和處理遺產承辦的申請。有關調查是在2000年6月中至8月中期間進行的，我們成功訪問了781位使用者。百分之九十二的被訪者表示滿意或非常滿意公眾申請組提供的服務。被

USERS' OPINION SURVEYS

To gauge the level of public satisfaction with our services, we have embarked on a number of customer satisfaction surveys in 2000. The survey results assist us to make further improvements in our services.

(1) High Court Information Counter

The survey was carried out in July 2000. Over a 3-week period, 385 clients were successfully interviewed. The survey revealed that 85% of the respondents were either satisfied or very satisfied with the services provided by the High Court Information Counter. The survey also canvassed suggestions for improvements, which include improving the overall appearance and illumination level of the counter, the provision of better signage, installation of a computer terminal for search of information by the public, and additional public pay phone facilities. They have been taken up for implementation.

(2) Public Application Section in the Probate Registry

The Public Application Section of the Probate Registry receives and processes applications for grants of representation to estate of deceased



訪者亦提供了多項建議，包括提供更清晰的方向指示標誌、在當眼處張貼告示、給初次到來的使用者提供更全面的資料等。我們已按這些建議着手改善。

(3) 關於法庭語文組譯文鑑證部

譯文鑑證部接受及處理來自政府部門或律師事務所的鑑證和翻譯申請。關於櫃位服務的調查是在2000年7月中至8月初期間進行的。200位被訪者之中，超過百分之九十對等候時間、櫃位大堂設施、櫃位職員溝通情況和文件處理各方面均表示滿意。



市民向遺產承辦處查詢
Staff of Probate Registry rendering
assistance to court users

persons. The survey was carried out from mid-June to mid-August 2000. A total of 781 clients were successfully interviewed. 92% of the respondents were satisfied or very satisfied with the service provided. A number of suggestions made by the respondents, such as the provision of clearer directional signs, posting of notices at conspicuous places and provision of more comprehensive information on a client's first visit, have been taken up for implementation.

(3) Translation Office of the Court Language Section

The Translation Office receives and processes certification / translation applications from other government departments and law firms. The survey on the counter service of the Translation Office was conducted from mid-July to early August 2000. More than 90% of the 200 respondents found the waiting time, counter lobby facilities, communication with counter staff and document handling satisfactory.



法庭傳譯主任於辦公室工作(圖左)，及為法庭提供傳譯服務(圖右)
Court Interpreters at work in the office (left) and in the court (right)



司法機構網頁

(網址：<http://www.info.gov.hk/jud>)

我們體會到，通過互聯網與法庭使用者和公眾溝通是既方便又快捷的途徑。目前，公眾可以從我們的網頁取得各級法院的案件審訊表、高等法院即將開審案件的日期表、終審法院的判決書／裁決書、各級法院的實務指引和各類表格、還有「法庭服務指南」小冊子和各類統計數字等。公眾的查詢或建議，可以直接用電子郵件傳送到我們的網頁總管。

一個專責小組正在研究如何改善我們的網頁，預期 2001 年年底前司法機構的網頁會面目一新。

提供資料的小冊子和錄像帶

為了使關於法庭的運作和司法機構提供的服務得以廣為傳播，我們製作了一系列名為「法庭服務指南」的小冊子，供大眾參考。這些小冊子用淺白易懂的中、英文寫成，擺放在各級法院的資料櫃台供大眾取閱，指南包括各級法院的簡介、陪審團、申請離婚程序、家事調解服務、遺產承辦處和執達主任所提供的服務等。

我們也製作了多套介紹司法機構服務的錄像，包括「司法機構工作總覽」、「陪審團的組成」、「勞資審裁處的工作」和「家事調解服務」。

THE JUDICIARY HOMEPAGE

(Web Site : <http://www.info.gov.hk/jud>)

We appreciate the effectiveness of communicating with court users and the community through the Internet. At present, the public can obtain such information from our Homepage as the daily cause lists (daily cases) at various levels of court, the warned list (coming cases) of the High Court, judgments/decisions of the Court of Final Appeal, Practice Directions, court forms, Guide to Court Services and operation statistics. Enquiries and suggestions can be directed to our web master through e-mail.

To further improve our homepage, a working party has been formed to consider what enhancement can be brought about. It is expected that our homepage would be revamped by the end of 2001.

INFORMATION PAMPHLETS AND VIDEOS

To disseminate information on court operation and services provided by the Judiciary, we have produced a series of publication known as "Guide to Court Services" for reference by the general public. These pamphlets are written in languages easy to understand and are available at information counters at all levels of court. The pamphlets include brief introduction to all levels of court, jury service, divorce procedures, family mediation, probate and bailiff services.

A number of videos have also been produced to introduce services rendered by the Judiciary. They include Overview of the Work of the Judiciary, Empanelling of a Jury, Work of Labour Tribunal and Family Mediation Service.



司法機構熱綫

司法機構的熱綫查詢（2530 4411）在辦公時間內會由我們的工作人員親自接聽，我們會盡快作出準確的回覆，如有需要，會轉交負責有關事務的人員解答。

參觀法庭

為了使公眾更了解法庭的運作，新聞及公共關係組 2000 年 1 月至 11 月間為（超過 6 000 位）本地和外國人士安排了共 82 次的參觀活動。參觀的人士包括區議會主席和區議員。鑑於很多小學生對參觀法庭亦表示有濃厚的興趣，今年法庭參觀計劃已接受小學生參加。

THE JUDICIARY HOTLINE

The Judiciary Hotline (2530 4411) is operated by staff during office hours. We are committed to answering the enquiries promptly and accurately. Referrals to appropriate officer are made when necessary.

VISITS TO THE COURTS

To promote the understanding of the public on the court operation, the Press and Public Relations Office has arranged a total of 82 visits for local and overseas visitors (more than 6 000 in number) from January to November 2000. They include District Council Chairmen and members. In view of the keen interest expressed by primary schools, the visit programme was extended to primary school students this year.



美國 Santa Clara Law Summer Program 參加者訪問高等法院
Participants of U.S. Santa Clara Law Summer Program visiting the High Court



高等法院首席法官陳兆愷與 Santa Clara Law Summer Program 部份參加者合照
The Hon Mr Justice Chan, Chief Judge of the High Court, with some participants of U.S. Santa Clara Law Summer Program



小學生參觀沙田裁判法院
Primary students paying visits to the Sha Tin Magistrates' Courts



終審法院首席法官接待到終審法院參觀的區議會主席
The Chief Justice receiving District Council Chairmen at the Court of Final Appeal

禁煙活動

為了令職員和公眾人士更強烈地意識到，司法機構下了莫大的決心要為法院大樓內的法庭使用者創造無煙環境，我們在2000年4月舉辦「禁煙週」。我們掛起了寫着「尊重法庭不吸煙，禮貌風度盡顯現」語句的標誌，豎起了印有這道標語、外形生動的展板，提醒法庭使用者不要在法院大樓內吸煙。我們更委派職員擔任「反吸煙大使」，在各法院大樓內當面呼籲使用者不要吸煙。通過這項宣傳計劃，我們得到法官、法律界、各有關組織和政府部門的首長鼎力支持。目前，不在法院大樓吸煙的習慣，法庭使用者已經接受，並漸成風氣。我們會繼續舉辦更多的活動，提倡這「無煙風氣」。

為新聞界提供服務

新聞及公共關係組接受新聞界的查詢，並作出回覆或提供資訊，同時亦處理所有有關傳媒的工作。至於公眾有興趣的法庭判決，在法官宣判後或頒下判決書後，該組會立即將判決書發放給新聞界。

NO SMOKING CAMPAIGN

To enhance staff and public awareness of the Judiciary's commitment to create a smoke-free environment in court premises for all court users, the Judiciary Administration launched a No Smoking Week in April 2000. "No Smoking" signs and figurative display boards depicting the theme "Respect Others, No Smoking" were put up to remind court users not to smoke in court premises. No Smoking Ambassadors were appointed among our staff for all court buildings, whose role was to appeal directly to court users for their cooperation in refraining from smoking. Through the publicity campaign, we have the support of the judges, the legal profession, heads of relevant organisations and government departments. The momentum has built up as court users have accepted the practice of not smoking in court premises. We shall continue to organise activities to sustain the momentum.



司法機構首次舉辦「禁煙週」
Kick-off ceremony of the "No Smoking Week" campaign, the first of its kind held by the Judiciary

SERVICES TO THE MEDIA

The Press and Public Relations Office provides informative and responsive enquiry services to the media and handles all media-related work. The judgments of interest to the public are provided to the media immediately after their delivery or handing-down.