

前言 Foreword



這份年報總結了司法機構 2006 年的重點工作和我們將要面對的主要挑戰。

正如過去的年報一樣，今年的年報內容分為三大部分：第一部分匯報民事司法制度改革的進度；第二部分綜合報導法庭運作和行政工作；第三部分專題介紹我們的法官、工作人員和我們與社會大眾的接觸。

司法機構的使命，是維持司法制度的獨立及其至高的專業水平，以維護法治、保障個人權利和自由，及取得中港和國際人士對香港司法制度的信任。

民事司法制度改革仍然是我們的重點工作項目。2006 年 4 月，民事司法制度改革督導委員會發表《實施民事司法制度改革的法例修訂建議諮詢文件》作為期三個月的諮詢。督導委員會現正因應收集的意見，對草擬的法例條文作出校正，並預計 2007 年向立法會提交立法建議。

由於民事司法制度改革的目標同樣適用於區域法院和土地審裁處，故此，我在 2006 年 9 月擴闊了督導委員會的職權範圍，以便委員會也可監督把《最後報告書》內的改革建議應用於區域法院和土地審裁處的事宜。

This Report highlights the work of the Judiciary in 2006 and the key challenges ahead.

As in the past, this Report is divided into three main parts. Part I reports on the progress of the Civil Justice Reform. Part II gives a picture of the operation of our court system and its administration. Part III focuses on our Judges, our staff and our interface with the community.

The mission of the Judiciary is to maintain an independent and effective judicial system which upholds the rule of law, safeguards the rights and freedoms of the individual, and commands confidence within and outside Hong Kong.

Civil Justice Reform continues to be an important area of our work. In April 2006, the Steering Committee on Civil Justice Reform released the “Consultation Paper on Proposed Legislative Amendments for the Implementation of the Civil Justice Reform” for a three-month consultation. In the light of comments received, the Steering Committee is refining the draft legislation. It is expected that the necessary proposed legislation would be introduced into the Legislative Council during 2007.

As the objectives of the Civil Justice Reform are equally applicable to the District Court and the Lands Tribunal, I expanded the terms of reference of the Steering Committee in September 2006, so that it also oversees the application of the recommendations of the Final Report to the District Court and the Lands Tribunal.

此外，我們在2006年就《土地審裁處條例》及《土地審裁處規則》的檢討完成了諮詢法律界的工作，並於2006年12月向立法會提交落實檢討建議所需的修訂規則，以進行先訂立後審議的程序。至於擬對《土地審裁處條例》作出的修訂，我們正與政府當局磋商，以期在2007年提交所需的法例修訂建議。

司法機構是一個屬於社會、服務社會的機構，要不斷致力求進以達致社會愈來愈高的期望。2006年，土地審裁處及小額錢債審裁處的登記處，以及六所裁判法院的總務處再度就其登記處及法院支援服務獲頒ISO 9001:2000證書。

通過與其他司法管轄區的交流，司法機構得以進一步提高專業水平，與時並進。2006年，司法機構曾參與多個國際會議。我們也接待了來自內地和美國、英國、以色列、澳大利亞、新加坡、泰國等司法管轄區的代表團。透過這些交流和溝通，我們可加深認識其他司法管轄區的最新發展，同時可與他們分享我們在香港實踐司法工作的經驗。

我希望你們喜歡這份年報，也希望大眾透過年報，對我們的工作有更深入的了解。

我們會一如以往堅定不移地維護法治，並竭盡所能，積極面對未來的各種挑戰，不負社會人士對我們的期望。

李國能

終審法院首席法官
李國能

In 2006, we completed consultation with the legal profession on the review of the Lands Tribunal Ordinance and the Lands Tribunal Rules. The necessary Amendment Rules were introduced into the Legislative Council for negative vetting in December 2006. As for the proposed amendments to the Lands Tribunal Ordinance, we are liaising with the Administration, with a view to introducing the necessary amendments in 2007.

The Judiciary is an institution which belongs to and serves the community. It is important to continue to strive for improvements to meet the rising expectations of the community. In 2006, the Registries of the Lands Tribunal and the Small Claims Tribunal, and the General Offices of six Magistrates' Courts obtained the ISO 9001:2000 re-certification for their Registries and Court Support Services.

To enhance professional competence and keep abreast of changing times through exchanges with other jurisdictions, the Judiciary participated in a number of international conferences in 2006. We also received delegates from the Mainland and other jurisdictions, including the United States, the United Kingdom, Israel, Australia, Singapore and Thailand. Through these exchanges and communications, we learnt more about the latest developments in other jurisdictions, and shared with them our experience in the administration of justice in Hong Kong.

I hope you will enjoy reading this Report and gain a better understanding of our work.

We are determined to ensure that the rule of law will continue to thrive in our community. We are committed to meeting the challenges ahead and the community's expectations.

Andrew Li

Andrew Li
Chief Justice