

## 司法人員培訓委員會主席

### 撰文

## Message from the Chairman, Judicial Studies Board

司法人員培訓委員會旨在為法官和司法人員提供優質培訓，藉此提高他們的專業技能，讓他們認識最新的科技和法律領域的最新發展並掌握有關的專門知識，以及給他們機會放眼香港以外地區的司法制度，學習及借鑑其經驗。

2000年，本委員會為法官和司法人員舉辦/籌劃了60多項大型培訓活動。8月，在北京第二度與清華大學合辦了為期四星期的漢語訓練課程，共有10位法官和司法人員參加。4月和10月又與清華大學合作，為只諳英語的法官和司法人員先後開辦了兩項法律課程，參加者共31人，他們都給予這項課程高度的評價。2001及2002年，我們將繼續舉辦上述兩類課程，目的是讓所有法官和司法人員都有機會到這些內地最負盛名的大學接受培訓。

2000年本會亦安排了一些與其他法域交流的項目，以取相互補足的效益。4月，美國聯邦上訴法院第九巡迴審判庭法官 The Hon Justice Clifford Wallace 率領代表團來到高等法院訪問，一行七人都是非常出色的法官和律師。當時他們主持的案件管理研討會，採用了輕鬆活潑的形式，簡短發言之後還有生動的小組示範。這次研討會共有

The objectives of the Judicial Studies Board (JSB) are to provide judges and judicial officers (JJOs) with high-quality training to upgrade their professional skills, to equip them with knowledge and expertise on the latest technologies and legal development, and to expose them to learning and experience of other jurisdictions.

In 2000, the JSB organised/co-ordinated over 60 major training programmes for JJOs. The four-week Chinese Language Training Course organised with the Tsinghua University in Beijing was run the second time in August 2000 for a total of 10 JJOs. The JSB also pioneered two other Tsinghua Law Courses, respectively in April and October 2000, for a total of 31 monolingual JJOs. Feedback from the participants was very positive. We shall continue with both kinds of courses in 2001 and 2002. Our aim is that all JJOs will have the opportunity of being trained at one of the Mainland's most prestigious universities.

Cross-fertilisation with other jurisdictions also took place. In April 2000, a panel of seven distinguished judges and lawyers led by The Hon Justice Clifford Wallace of the United States Ninth Circuit Court of Appeal visited the High Court and gave a seminar on case management. The seminar took the lively format of a short presentation, followed by a dynamic group demonstration. A total of 91 JJOs attended the session. In June 2000, at the invitation of the

91 位法官和司法人員參加。6 月，加拿大最高法院法官 The Rt Hon Madam Chief Justice Beverley McLachlin，應首席法官的邀請蒞臨高等法院大樓演講，共有 190 多位法官、司法人員和法律界人士出席。

為了配合區域法院民事司法管轄權的擴大，司法程序已作修訂。2000 年 8 月，我們一些同事曾多次在法律界兩個專業團體舉辦的研討會上就新程序發表演說。出席研討會的法律專業人士眾多，座無虛設，足見司法機構的參與甚受法律界歡迎。

踏入二十一世紀，本委員會為了趕上這資訊科技新年代的步伐，由 2000 年 6 月 1 日起，給法官和司法人員的通知書和通告已開始用電郵發出。採用這種高效率的溝通模式，已廣為同事接受；而且藉此我們可為環境保護工作稍盡棉力，這是我們所喜見的。

我自 1999 年 1 月擔任委員會主席以來，深深感受到法官和司法人員那種鍥而不捨、孜孜不倦的學習精神。在餘下的任期內，我定必繼續與眾委員共同努力，迎接未來種種挑戰，及時並積極地配合法官和司法人員因時而異的培訓需求。



高等法院上訴法庭法官  
胡國興

Hon Chief Justice, The Rt Hon Madam Chief Justice Beverley McLachlin of the Supreme Court of Canada gave a lecture to over 190 JJOs and members of the legal profession at our High Court Building.

In August 2000, a number of our colleagues gave talks in seminars organised by the two branches of the profession on the newly introduced procedure to cater for the increased civil jurisdiction of the District Court. The welcome to the Judiciary's participation was evident from the capacity attendance by members of the profession.

As we enter the 21st Century, the JSB has attempted to keep pace with the new era of information technology by beginning to disseminate notices and circulars to JJOs by electronic means from 1 June 2000. This effective mode of communication has been well received by our colleagues, and we take satisfaction in knowing that we are making a small contribution to help protect our environment.

Since I become Chairman of the JSB in January 1999, I have seen and been impressed by the perseverance and efforts of JJOs in their quest for continuous learning. In the remaining tenure of my office, I shall do my utmost to make sure that the JSB will rise to the challenges ahead and respond promptly and positively to the ever-changing training needs of our JJOs.



K H Woo  
Justice of Appeal of the Court of Appeal  
of the High Court

Lecture by The Rt. Hon. Madam Chief Justice Beverley McLachlin  
Supreme Court of Canada  
27 June 2000



第六章

司法培訓、  
與其他  
司法管轄區  
的互聯

CHAPTER 6

Judicial  
Development  
and Interface  
with Other  
Jurisdictions





### 司法人員培訓委員會

司法人員培訓委員會在1988年成立，負責為各級法官和司法人員策劃和統籌培訓活動，為他們提供持續學習的機會。委員會由全體委員會和執行委員會組成，並由一個小規模的秘書處提供行政支援。

全體委員會的成員除了包括高等法院上訴法庭和原訟法庭、區域法院、裁判法院的法官和司法人員外，還包括司法機構政務長、律政司、本地兩間大學的法律學院、香港大律師公會和香港律師會的代表。

司法人員培訓委員會的職權範圍如下：

- 為新加入的司法人員制訂入職課程。
- 就如何善用司法培訓制度，包括在法官的委任、怎樣按要求分配司法



上訴法庭副庭長司徒冕(中)及梅賢玉(左)、上訴法庭法官王見秋(右)主持區域法院量刑研討會  
*District Court Sentencing Conference chaired by The Hon Mr Justice Stuart-Moore (middle), The Hon Mr Justice Mayo (left), Vice-Presidents of the Court of Appeal; and The Hon Mr Justice Wong, Justice of Appeal of the Court of Appeal (right)*



上訴法庭法官祁彥輝(中)、原訟法庭法官孫國治(左)及石輝(右)主持人身傷害訴訟研討會  
*Seminar on Personal Injury Actions chaired by The Hon Mr Justice Keith, Justice of Appeal (middle), The Hon Mr Justice Seagoatt (left) and Justice Suffiad (right), Judges of the Court of First Instance*

### JUDICIAL STUDIES BOARD

The Judicial Studies Board (JSB) was set up in 1988 to plan and co-ordinate training programmes for the continual development of judges and judicial officers at all levels. The JSB, made up of a full Board and an Executive Committee, is served by a small secretariat which provides administrative support.

Apart from judges and judicial officers from the Court of Appeal and the Court of First Instance of the High Court, the District Court and the Magistrates' Courts, the full Board comprises the Judiciary Administrator and representatives from the Department of Justice, law schools of the two local universities, the Hong Kong Bar Association and the Law Society of Hong Kong.

The terms of reference of the Judicial Studies Board are as follows:

- To devise programmes for the induction of new holders of judicial office.
- To advise the Chief Justice how he might best use a system of judicial studies in respect of the appointment of judges; the matching of judicial



資源、和創造轉換工作崗位的機會等各方面，向終審法院首席法官提供意見。

- 籌辦培訓活動。

司法人員培訓委員會不斷舉辦各類會議、研討會、講座和培訓課程，又安排參觀，讓法官和司法人員學習必須的知識和技能，以應付日新月異的情況，幫助他們掌握新科技、最新的管理策略和其他地區法律領域的新動態。

2000年，司法人員培訓委員會舉辦的培訓活動大體上分類如下：

#### (1) 專業培訓：

包括每年為裁判官舉辦的入職訓練課程和復修課程，為只諳英語的法官和司法人員舉辦的清華大學法律

resources to demands; and the creation of opportunities for changes of work.

- To run training programmes.

Conferences, seminars, talks, visits and various training courses are organised by the JSB on an on-going basis to equip judges and judicial officers with the necessary knowledge and skills to cope with changing times, as well as to keep them up-to-date with new technology, management initiatives and legal developments in other jurisdictions.

Training programmes organised by the JSB in 2000 can be broadly categorised as follows:

#### (1) Professional Training:

This includes annual Induction and Refresher Course for Magistrates, law course at the Tsinghua University for monolingual judges and

judicial officers, seminars on a variety of subjects such as sentencing, vendor and purchaser summonses, personal injury actions, Electronic Transactions Ordinance, District Court (Amendment) Ordinance, Building Management



法官及司法人員修讀清華大學舉辦的法律研討課程後，與清華大學教授合照  
*Judges and judicial officers with professors of the Tsinghua University after completing a law course on the PRC legal and judicial system*



美國聖地亞哥聯邦上訴法院第九巡迴審判庭法官 The Hon J Clifford Wallace (左四)，與其他美國法官及律師主持以案件處理為題的座談會

The Hon J Clifford Wallace, United States Ninth Circuit Court of Appeal, San Diego (fourth left), and other US judges and lawyers conducting a seminar on case management

課程，和各項專題研討會，主題包括判刑、買賣方傳票、人身傷害訴訟、《電子交易條例》、《區域法院（修訂）條例》、《建築物管理條例》、《精神健康條例》、和《城市規劃（修訂）條例》等。

## (2) 語文訓練：

包括本部門內部舉辦的普通話課程和中文寫作工作坊，以及為雙語法官和司法人員在清華大學舉辦的、為期四週的漢語及判詞撰寫課程等。



有關非法燃油的供應及使用研討會  
Seminar on Supply and Use of Illicit Fuel

Ordinance, Mental Health Ordinance and Town Planning (Amendment) Ordinance.

## (2) Language Training:

This includes in-house Putonghua courses, Chinese Writing workshops and a residential 4-week language course on writing of judgment in Chinese at the Tsinghua University for bilingual judges and judicial officers.

## (3) Topical Training:

This includes seminars on subjects such as commercial fraud, computer crime and computer forensics, electronic evidence discovery, supply and use of illicit fuel, equal opportunities, intellectual property, textiles export



**(3) 專題培訓：**

包括各項專題的研討會，內容計有商業詐騙、電腦罪行及電腦法證、電子證據披露、非法燃油的供應及使用、平等機會、知識產權、紡織品出口管制、食物及環境衛生和邊境地區管理等。

**(4) 本地的參觀活動：**

包括參觀證券及期貨事務監察委員會、廉政公署、社會福利署的教導所和院舍、懲教處各單位、中英街（主要考察邊境地區管理方面）和海關基地。

control, food and environmental hygiene, and border district management.

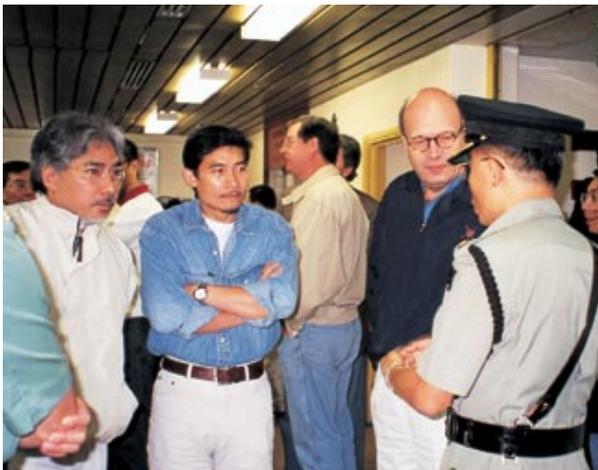
**(4) Local Visits:**

This includes visits to the Securities and Futures Commission, Independent Commission Against Corruption, Social Welfare Department correctional/residential homes, Correctional Services Department establishments, Chung Ying Street (with focus on border district management), and Customs & Excise Department depots.

### EXCHANGES WITH OTHER JURISDICTIONS, INCLUDING WITH THE MAINLAND

The JSB is keen to liaise and network with other jurisdictions to derive optimal benefits from exposure and cross-fertilisation.

In 2000, a total of 13 judges and judicial officers participated in 10 international conferences in Singapore, Australia, United



參觀香港海關  
Visit to the Customs and Excise Department



參觀廉政公署  
Visit to ICAC



苗禮治勳爵發表演說  
Lecture by Lord Millett

### 與其他司法管轄區包括與內地的交流

司法人員培訓委員會一向熱衷於與其他司法管轄區保持聯繫和建立溝通網絡，目的是藉認識和互相交流，盡量互補不足。

2000年，有13位法官和司法人員曾赴海外參加了10個分別於星加坡、澳洲、美國、加拿大及南非舉行的國際會議。與會之餘，他們還盡量抽空訪問當地的法院，又和當地法官就與司法工作有關的事宜進行有意義的討論。

去年，司法人員培訓委員會接待了多位海外嘉賓，並且安排他們與司法機構的成員會面。2000年4月，美國聯邦上訴法院第九巡迴審判庭法官 The Hon J. Clifford Wallace 率領的七人代表團來訪，為法官和司法人員主持了一個以案件管理為主題的講座，內容富知識性，又有啟發意義。6月，加拿大最高法院法官 The Rt Hon Madam Chief Justice Beverley McLachlin 來到高等法院訪

States, Canada and South Africa. Wherever possible, they took the opportunities to also visit the overseas courts and to engage in useful discussions with their counterparts on matters of judicial interest.

In the past year, the JSB has received a number of distinguished overseas visitors and made arrangements for them to meet members of the Judiciary. In April 2000, a 7-member delegation from the United States led by The Hon J. Clifford Wallace of the United States Ninth Circuit Court of Appeals gave an instructive and thought-provoking lecture on case management to our judges and judicial officers. In June 2000, The Rt Hon Madam Chief Justice Beverley McLachlin of the Supreme Court of Canada visited High Court and delivered a talk to an audience of some 190 participants comprising members of the Judiciary and the legal profession. In November, The Rt Hon Lord Millett gave a lecture on 'Ramsay comes to Hong Kong'. The lecture was attended by more than 140 judges and members of the legal profession.



問並發表演說，約有190人包括司法機構人員和法律界成員出席。11月，苗禮治勳爵曾為140多位法官和法律界人士主持講座，講題為‘Ramsay comes to Hong Kong’。

11月，英國法官 The Rt Hon Lord Justice Mantell，應司法人員培訓委員會的邀請來到香港訪問一星期，並協助構思一項專為負責處理刑事訴訟程序的法官和司法人員而設的培訓課程。

### 司法人員培訓委員會圖書館

司法人員培訓委員會圖書館內有各類書刊和關於海外會議和本地研討會的資料，供法官和司法人員參考。這圖書館亦收藏了所有關於本部門內部培訓課程的錄音帶和錄像帶。這些材料可利用內部的網上法律參考系統瀏覽。

At the invitation of the JSB, The Rt Hon Lord Justice Mantell from the United Kingdom visited Hong Kong for a week in November to help design a dedicated training programme for judges and judicial officers handling criminal proceedings.

### JSB LIBRARY

Publications and seminar materials pertaining to overseas conferences and local seminars are kept in the JSB Library for reference by judges and judicial officers. The library also maintains a collection of audio and video tapes of all in-house training programmes. Access to these materials is by means of the in-house Legal Reference System.

## 培訓統計數字 TRAINING STATISTICS

培訓活動種類 Types of Training Activities	在2000年的活動數目 No. of Activities in 2000
1 專業訓練 Professional training	15
2 語文訓練 Language training	6
3 國際會議／訪問 International conferences / visits	10
4 在本港舉行但主講者來自海外的研討會 Local seminars involving non-HK speakers	4
5 由內部舉辦並在本港舉行的專題研討會 Local in-house topical seminars	10
6 在本港舉行的參觀及訪問 Local visits	6
7 由外間團體在本港舉辦的研討會 Local seminars organised by outside organisations	17
合計 Total	68