

諮詢中心  
INFORMATION

第十一章

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與法庭  
社會

使用者以及  
大眾的互聯

*Interface with  
the 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。我們歡迎法庭使用者對司法機構的各項服務提出意見。



終審法院首席法官是 2003 年法律週開幕典禮的其中一位主禮嘉賓  
The Chief Justice is one of the officiating guests at the Opening Ceremony of Law Week 2003

## 法庭使用者委員會

民事法庭使用者委員會和刑事法庭使用者委員會由法官、法律界代表、其他法庭使用者代表和行外人士組成，在 1993 年成立，旨在討論法庭使用者關心的問題。

2003 年，兩個委員會召開多次會議，討論在民事和刑事訴訟中與法庭實務和程序、法庭管理及法庭設施有關的重要事宜。民事法庭使用者委員會曾經討論的事項包括對區域法院民事司法管轄權限的檢討及區域法院會見室的使用。此外，民事法庭登記處使用者小組委員會亦已在 2003 年 6 月成立。該小組委員會的職能是要在適當的情況下就終審法院、高等法院、區域法院、家事法庭和土

## 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. Court users are welcome to give feedback on our services.

## COURT USERS' COMMITTEES

The Civil Court Users' Committee and the Criminal Court Users' Committee, comprising Judges, representatives of the legal profession, representatives of other court users and lay members, were established in 1993 to discuss matters of concern to court users.

In 2003, the Court Users' Committees held a number of meetings to discuss the court practices and procedures on civil and criminal proceedings, administration of the courts and facilities provided in the court. The review of the civil jurisdictional limits of the District Court and the use of consultation rooms for the District Court were discussed by the Civil Court Users' Committee. A Sub-committee for Civil Court Registry Users was also set up in June 2003 to advise

地審裁處各法院登記處在日常運作、管理和設施方面提供意見和處理相關問題。另一方面，刑事法庭使用者委員會則曾另行討論刑事案件排期、被告人財物的處理和改善傳召陪審員的安排等問題。

## 無律師代表訴訟人資源中心

近年，高等法院和區域法院無律師代表的民事訴訟人有所增加，這對司法時間和司法資源兩方面都帶來了極大的需求。處理日漸增加的無律師代表訴訟人的案件，正是法院面臨的挑戰。

普通法的對抗式訴訟制度原是為法律專業人士而設，故此，業外人士在無律師代表的情況下進行訴訟，特別是在如何遵照規則和程序要求方面，自會感到困難重重。

終審法院首席法官有見及此，在 2002 年 2 月成立了一個督導委員會，並委任朱芬齡法官為主席。督導委員會就

on and deal with, if appropriate, the day-to-day operation, administration and facilities of the court registries in the Court of Final Appeal, the High Court, the District Court, the Family Court and the Lands Tribunal. Issues on criminal listing, handling of the accused's property and improvements to summons of jurors were separately discussed by the Criminal Court Users' Committee during the year.

## RESOURCE CENTRE FOR UNREPRESENTED LITIGANTS

The instances of litigants appearing in civil proceedings in the High Court and District Court without legal representation have increased in recent years. They represent a significant demand on judicial time and resources. The increasing number of unrepresented litigants poses challenges for the courts.

The adversarial common law system is not designed with lay litigants in mind. It is natural that the unrepresented litigants will face immense difficulties in the conduct of their cases, especially in the compliance with rules and procedure.



在向傳媒介紹無律師代表訴訟人資源中心的簡介會上，終審法院首席法官致辭（左圖）；終審法院首席法官及無律師代表訴訟人資源中心督導委員會主席朱芬齡法官回答問題（右圖）  
The Chief Justice gives opening remarks (left photo); and the Chief Justice and the Hon Madam Justice Chu, Chairman of the Steering Committee on Resource Centre for Unrepresented Litigants, answer questions (right photo) at the media session to introduce the facilities and services of the Resource Centre





無律師代表訴訟人資源中心查詢櫃位  
General enquires counter of the Resource Centre  
for Unrepresented Litigants

- (a) 資源中心的設立和運作提供意見；及  
(b) 與法律界、相關的非政府組織及其他相關團體共同研究，探討如何使他們能夠在資源中心或通過資源中心向無律師代表訴訟人提供協助。

督導委員會在考慮其職權範圍時，已意識到無律師代表的訴訟人、其他有律師代表的訴訟人和法庭三方之間的利益是需要平衡的。委員會認為，在向無律師代表訴訟人提供協助的同時，法庭必須保持中立，還要使之有目共睹，這點沒有妥協的餘地，也是至為重要的。

委員會於2003年12月向終審法院首席法官提交報告，終審法院首席法官亦已同意報告所列的建議。

資源中心設於高等法院大樓低層一樓，並已於2003年12月22日開始運作。根據督導委員會的建議，資源中心主要是向高等法院或區域法院民事法律程序的各方無律師代表

In February 2002, as part of a response to the issue, the Chief Justice appointed a Steering Committee, chaired by the Hon Madam Justice Chu, to -

- (a) advise on the establishment and operation of such a resource centre; and  
(b) to explore with the legal profession, interested non-governmental organisations and other interested bodies opportunities for them to provide assistance at or through the resource centre to these unrepresented litigants.

In deliberating its terms of reference, the Steering Committee has been conscious of the need to balance the interests of the unrepresented litigants, the other parties who are legally represented and the court. The Steering Committee considers it important that the court's impartiality must not be compromised, or seen to be compromised, when assistance is provided to unrepresented litigants.

The Steering Committee submitted its report to the Chief Justice in December 2003. The recommendations therein were approved by the Chief Justice.



無律師代表訴訟人資源中心提供電腦設施及可供書寫的地方  
Computer facilities and writing area at the Resource Centre for  
Unrepresented Litigants



無律師代表訴訟人資源中心播放有關中心設施和服務及法庭程序的短片  
Videos on the services and facilities of the Resource Centre for  
Unrepresented Litigants and court procedures are shown at  
the Centre

的訴訟人或準備展開該等民事法律程序的無律師代表訴訟人提供協助。所提供的協助集中於程序方面的事宜，但並不包括涉及婚姻、土地、僱員補償和遺產的事宜。由於上述事宜涉及特定的規定和程序，因此委員會認為以這些範疇而言，應繼續由各有關登記處的人員向使用者提供協助。

#### 資源中心之目的

- 減省法官在庭上向無律師代表訴訟人解釋各項規則和程序的時間，從而加快法庭程序和節省法律費用；
- 確保向無律師代表訴訟人所提供的協助方式和解釋均是規範一致的；
- 避免其他訴訟各方誤會法官對無律師代表的訴訟人有所偏袒；以及
- 綜合、精簡及加強現時由司法機構不同的登記處及辦事處為無律師代表訴訟人提供的各項服務及協助。

The Resource Centre is established on the First Floor of the Lower Ground of the High Court, and has commenced its operation since 22 December 2003. Following the recommendation of the Steering Committee, the Resource Centre primarily renders assistance to unrepresented litigants who are parties to or about to commence civil proceedings in the High Court or the District Court. The focus is on procedural matters. The proceedings relating to matrimonial, lands and employees' compensation matters and probate applications are not covered by the Resource Centre, as these matters involve specialized rules and procedures. The Steering Committee considers that assistance in these matters should continue to be provided by the staff of the respective registries.

#### Objectives of the Resource Centre

- To save the courts' time in explaining rules and procedures to the unrepresented litigants, thereby expediting the court process and lowering legal costs;
- To ensure uniformity in the approaches where assistance is provided and explanations are offered to the unrepresented litigants;
- To avoid the perception of Judges being partial to the unrepresented party; and
- To consolidate, streamline and enhance the existing facilities and assistance for unrepresented litigants provided at different registries and offices of the Judiciary.



一系列「高等法院、區域法院一般民事訴訟程序指引」小冊子  
A series of "Guide to General Civil Proceedings in  
High Court and District Court" pamphlets

## 資源中心的設施及服務

資源中心提供下列設施及服務：接待及一般查詢的櫃位、解釋法庭程序的短片、電腦、其他附帶設施如可供書寫的地方和自助影印機、以及宣誓服務等。此外，資源中心亦擬備了一系列概括說明高等法院和區域法院民事法律程序的小冊子以供使用者參考。與此同時，使用者亦可在資源中心取得由司法機構印製的一系列介紹法庭服務的小冊子，以及各種法庭表格樣本。

## 司法機構網頁

司法機構網頁在1997年12月啟用。除最新的實務指示、本日聆訊案件審訊表和法庭服務指南外，本港和海外的使用者現時還可在網上查閱區域法院、土地審裁處或更高審級法庭的判決書。

由於網頁的內容日見豐富，故此我們已於2003年12月革新網頁的組織和設計以提高其可用性，並在新網頁加添更多互動元素。

隨着電腦設施在香港日漸普及，近年來公眾通過電子郵件進行查詢的數目大幅上升。電子郵件已成為司法機構與社會大眾溝通的重要渠道。



司法機構網頁  
The Judiciary website

## Facilities and Services at the Resource Centre

The Resource Centre provides reception and general enquiries counters, videos on court procedures, computers, and other ancillary facilities such as writing area and self-service photocopying machines. Oaths and declarations services are also provided. In addition, a series of brochures introducing the broad outline of the civil proceedings in the High Court and the District Court are available for users' reference. The various pamphlets published by the Judiciary on court services and sample court forms are also made available at the Resource Centre.

## THE JUDICIARY WEBSITE

The Judiciary Website was launched in December 1997. Viewers both local and overseas can now have access to court judgments delivered by the District Court, the Lands Tribunal and above in addition to the current Practice Directions, the Daily Cause Lists and Guide to Court Services.

As the contents of the website have been expanding continuously, we revamped the structure and layout of the website in December 2003, with a view to improving its usability. More interactive elements have been added to the upgraded website.

With the growing popularity of computer facilities in Hong Kong, public enquiries made through e-mail have increased significantly over the recent years. E-mail has now become an important communication channel between the Judiciary and members of the public.

## 司法機構熱線和互動聲訊系統

司法機構的查詢熱線（2530 4411）在辦公時間內開放，並由我們的工作人員負責接聽。對於來電查詢，我們會盡快作出準確的回覆。

高等法院、區域法院、家事法庭、遺產承辦處、土地審裁處、勞資審裁處、小額錢債審裁處的登記處，以及執達主任辦事處和法庭語文組辦事處設有共九個互動聲訊系統，向公眾人士提供24小時電話查詢服務。市民可以透過聲訊系統查詢高等法院、區域法院、土地審裁處、勞資審裁處和小額錢債審裁處的每天案件審訊表（即案件的聆訊的日期、時間和法庭編號）、勞資糾紛案件的付款狀況、以及確定是否需要到庭出席陪審員的選任程序。除了可以收聽錄音片段外，亦可利用傳真索取資料小冊子（高等法院的聲訊系統除外）。此外，市民還可通過該系統聯絡有關法庭／審裁處的職員作進一步查詢或作出投訴。

## THE JUDICIARY HOTLINE AND INTERACTIVE VOICE RESPONSE SYSTEMS

The Judiciary hotline (Tel: 2530 4411) is manned by our staff during office hours. We are committed to answering the enquiries promptly and accurately.

A total of nine Interactive Voice Response Systems (IVRSs) have been installed at the registries of the High Court, the District Court, the Family Court, the Probate Registry, the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Bailiff Office and the Court Interpreters' Office to provide 24-hour enquiry services to the public. Callers can check Daily Cause Lists (i.e. date, time and court number for cases to be heard) of the High Court, the District Court, the Lands Tribunal, the Labour Tribunal and the Small Claims Tribunal; enquire the payment status of a labour dispute, and confirm the need of appearing at court for jury empanelling. Apart from listening to the pre-recorded messages, callers can obtain information leaflets through fax (except for the IVRS of the High Court). Also, callers can contact the staff of the respective courts/tribunals for further enquiries or making complaints through the systems.





高等法院查詢櫃位  
The Information Counter of the High Court

## 查詢櫃位

我們在各法院大樓設有查詢櫃位，接受法庭使用者親身或電話查詢。

為了提高查詢服務的效率，高等法院大樓地下已於2003年增設一個「資訊網」，查詢者可在其取得介紹書記主任辦事處、高等法院登記處、執達主任辦事處、遺產承辦處、宣誓處和加簽服務櫃位等各辦事處所提供的眾多服務的一般資料。此外，法庭使用者也可利用網上搜查功能，根據案件編號查閱案件的聆訊日期和其他詳情。

## 網上查詢聆訊日期服務

我們在2003年推出網上查詢聆訊日期服務，讓市民可以利用司法機構網頁迅速取得有關聆訊日期的資料。此項服務現適用於查詢編排在高等法院及勞資審裁處聆訊的案件。

## INFORMATION COUNTERS

Information counters are located at various court buildings to provide public enquiry services to court users in person or through the telephone.

To enhance the efficiency of enquiry services, an information kiosk has been installed at the Ground Floor of the High Court Building since 2003 to offer general information on various services provided by

Clerk of Court's Office, High Court Registry, Bailiff Office, Probate Office, Oath and Declaration Office and Apostille Service Counter etc. The on-line search function enables court users to search by case numbers for hearing dates and particulars of court cases.

## E-HEARING DATE ENQUIRY SERVICES

The e-Hearing date enquiry service was introduced in 2003 to allow quick retrieval of hearing date information on-line. This on-line enquiry service is now available in respect of cases scheduled for hearing at the High Court and the Labour Tribunal.



高等法院設有「資訊網」  
The Information Kiosk at the High Court

公眾人士現在只需輸入案件編號，便可在司法機構網頁查詢排期在當日及未來審理的案件聆訊日期。

有關審訊預告表（高等法院民事流動案件表）上的最新排期資料，亦會在每天（只限週日）不遲於下午2時30分更新。可供查詢的資料內容亦包括最新列入待審案件表（高等法院民事流動案件表）上的案件及每天下午6時後於「本日聆訊案件審訊表」網頁上公布的案件資料。

## 查詢和投訴機制

司法機構政務處有一套既定的機制處理公眾對由司法機構政務長統轄的行政事宜所作的查詢和投訴。投訴組收到投訴後，會進行獨立調查。如果查明投訴是有根據的，便會立即採取補救措施，並向投訴人交待調查結果。投訴組亦會對有關問題進行檢討及作出建議，防止類似的事件再次發生。在2003年首9個月內，投訴組共接獲69宗投訴，投訴事項主要涉及司法機構政務處轄下的職員、向法庭提出申請的程序、我們的服務和法庭設施這幾方面。

此外，關於要求公開司法機構政務處資料的各項個人權利的保障的問題，公眾人士亦時有作出查詢。投訴組接到這類查詢後便會迅速地根據《公開資料守則》處理。

Members of the public can enter their case number on the Judiciary web page to make enquiry about the current and future hearing dates of cases scheduled for hearing.

Information on cases warned for hearing on the Warned List (High Court Civil Running List) is also available with daily (weekdays only) updating at not later than 2:30 p.m. Information on cases put on the Pending List (High Court Civil Running List) and cases published after 6:00 p.m. on the Daily Cause Lists web page is also available for enquiry.

## ENQUIRY AND COMPLAINT MECHANISMS

The Judiciary Administration has an established mechanism to handle public enquiries and complaints on administrative matters under the purview of the Judiciary Administrator. Upon the receipt of a complaint, the Complaints Office will conduct an independent investigation. If the complaint is substantiated, remedial action will be taken immediately and a reply given. Review and recommendations will also be made to prevent recurrence of similar incident under complaint. In the first nine months of 2003, the Complaints Office received a total of 69 complaints against staff of the Judiciary Administration, procedures in making applications to courts, provisions of services, and facilities in courts.

The Complaints Office also handles public enquiries in relation to protection of individual rights to access information on the Judiciary Administration. Such public requests for access to information are handled promptly according to the Code of Access to Information.

## 資料小冊子和錄像

為了更清晰地介紹法庭運作和司法機構的服務，我們印製了一系列更新的「法庭服務簡介」小冊子。新的小冊子不但包括了最新的資料，而且內容更加淺白易懂，方便大眾參考。

小冊子簡單介紹各級法院的工作、陪審團、離婚申請程序、家事調解服務、遺產承辦服務和執達服務、以及取回住宅單位和追收租金程序等。我們在各法院的查詢櫃位擺放各類小冊子供大眾取閱，其內容亦可在司法機構的網頁查閱。

我們也製作了多套介紹司法機構服務的錄像，包括「司法機構的工作」、「陪審團的組成」、「勞資審裁處的工作」、「土地審裁處的工作」和「家事調解服務」。這些短片經常在參觀法庭活動、陪審團召集會和家事調解服務簡介會中播放。勞資審裁處和土地審裁處的等候處亦經常播放相關的錄像。

為了配合司法機構無律師代表訴訟人資源中心的啟用，我們已印製一系列小冊子，以便向無律師代表訴訟人提供如何在高等法院和區域法院展開民事訴訟的基本資料。此外，我們亦制作了兩套短片以供在資源中心播



法庭服務簡介系列小冊子  
"Guide to Court Services" series of pamphlets

## INFORMATION PAMPHLETS AND VIDEOS

To enhance the dissemination of information on court operations and services provided by the Judiciary, a series of updated and reader-friendly "Guide to Court Services" pamphlets have been published for reference by the general public.

These pamphlets give brief introduction to the work of all courts, jury service, divorce procedures, family mediation, probate and bailiff services, repossession of domestic premises and recovery of rent. Copies are distributed at information counters of the courts. The contents are also uploaded on the Judiciary website.

A number of videos have been produced to introduce the services rendered by the Judiciary. They include the "Work of the Judiciary", "Empanelling a Jury", "Work of the Labour Tribunal", "Work of the Lands Tribunal" and "Family Mediation Service". The videos are often shown during court visits, assembly of jurors and family mediation briefing sessions, and at the waiting areas of the Labour Tribunal and the Lands Tribunal.

To tie in with the opening of the Judiciary's Resource Centre for Unrepresented Litigants, a series of booklets have been published to provide basic information to litigants in person on how to start a civil action in the High Court and the District Court. In addition, two videos have also been produced for showing in the Resource Centre. One introduces the services

放；其中一套短片介紹資源中心的服務，而另一套則概述上述兩級法院的民事訴訟程序。我們並會在日後分期制作另外六套短片，以介紹這方面的資料。

## 參觀法庭

我們安排不同的法庭參觀活動，使公眾更了解司法機構的組織、工作和法庭的運作。2003年首9個月，我們為超過6 861名本地和外國人士安排了共193次參觀活動。參觀人士包括法律界專業人士、政府官員和關注團體。我們亦為學校和青少年中心安排參觀法庭，參觀法庭已經成為他們其中一項暑期活動。



高等法院上訴法庭法官袁家寧(左圖)及高等法院首席法官梁紹中(至2003年7月13日止)(右圖)向參觀法庭的學生簡介香港的司法制度  
The Hon Madam Justice Yuen, Justice of Appeal of the Court of Appeal of the High Court (left photo) and the Hon Mr Justice Leong, Chief Judge of the High Court (up to 13 July, 2003) (right photo), brief students on the judicial system during their court visits

## 為新聞界提供服務

新聞及公共關係組為新聞界提供一系列的服務，其中包括提供快捷準確的回覆和資訊、安排傳媒訪問、籌辦／召開記者招待會和與新聞界會面的招待會，以及提供設施以便新聞界報導法庭消息。該組亦會在法庭對公眾關注的案件作出判決後盡快將判決書發放給新聞界，以便報導。

available at the Resource Centre while the other gives an overview of the civil proceedings in these two levels of courts. Six other videos are intended to be produced in phases over a period of time.

## VISITS TO THE COURTS

Court visits are organised to promote understanding of the community on the organisation and work of the Judiciary as well as the court operations. For the first nine months of 2003, a total of 193 visits were arranged for over 6 861 local and overseas visitors, including legal professionals, government officials and interested sectors of the community. Visits were also organised for schools and youth centres as part of their summer programmes.



## SERVICES TO THE MEDIA

The Press and Public Relations Office provides a range of services to the media which include responsive and informative enquiry service, arranging media interviews, organising/conducting press conferences and meet-the-media sessions, and providing facilities for covering court news. Court judgments of interest are also provided to the media soon after their handing-down.



## 宣誓服務

宣誓處為公眾人士就與法庭程序有關的文件辦理宣誓，處理的宣誓文件一般是在各級法院使用或與各法庭程序、領養程序和引渡程序有關的聲明書 / 宗教式誓章 / 非宗教式誓詞。至於需要在法庭使用的文件，公眾人士亦可就其譯本準確性辦理宣誓。2003年首9個月，該處每天辦理超過190次宣誓。此外，該處亦負責處理政府各政策局和部門委任監誓員的申請。

## 義工活動

司法機構義工隊自2001年3月組成至今已逾3年，現時擁有110名隊員。義工隊在2003年繼續組織和參加了多項社會公益活動，發揚應有的社會意識，使香港成為一個更熱心助人的社會。為了對抗「嚴重急性呼吸系統綜合症」，義工隊於4月在天星碼頭向公眾人士派發口罩和衛生署印製有關「嚴重急性呼吸系統綜合症」的小冊子，5月向醫護人員致送「感謝」咭。此外，為了響應環保，義工隊又於6月組織了一項回收舊衣循環再用活動，向同事收集舊衣物，然後捐送給一個非牟利的環保組織。與此同時，義工隊亦參加了由社會福利署推動的「傳心傳義」計劃，編織圍巾送給本港有需要的人士。

## OATHS AND DECLARATIONS SERVICE

The Oaths and Declarations Office administers oaths and declarations for documents relating to court proceedings. The documents generally accepted for declarations service are declarations/affidavits/affirmations for use at all court levels or in connection with all court proceedings, adoption proceedings, extradition, and certification of accuracy of translations for court purposes. In the first nine months of 2003, the Office administered over 190 oaths and declarations daily. The Office is also responsible for appointment of Commissioners for Oaths from government bureaux and departments.

## VOLUNTEER ACTIVITIES

The Judiciary Volunteer Team has been formed for over three years since March 2001 and so far there are 110 members. In 2003, the Team continues to organise and participate in community services to help building Hong Kong a more caring community. To fight against Severe Acute Respiratory Syndrome ("SARS"), the Team distributed face masks and pamphlets on "SARS" published by the Department of Health to the public at the Star Ferry in April and sent "Thank you" cards to the medical staff in May. To promote environmental protection, the Team organised a recycling activity to collect old clothes from colleagues for donating to a non-profit-

making green organisation in June. The Team also joined the "Campaign Evergreen" organised by the Social Welfare Department by knitting scarves for distribution to the needy in Hong Kong.

司法機構義工隊向公眾派發口罩及小冊子  
The Judiciary Volunteer Team distributes masks and pamphlets to the public

