

與法庭使用者以及社會大眾的接觸

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。

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業外人士組成，在1993年成立，旨在討論法庭使用者關心的問題。

2004年，兩個委員會曾研究不同的議題，包括涉及法庭設施、民事和刑事案件排期、大律師證書的要求、擔保申請，以及就裁判法院移交法律程序上有關文件證物的翻譯等範疇。

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。2004年，小組委員會召開了多次會議，討論清盤人賬單的評定、聆訊文件冊的準備、聆訊日數的估計及無律師代表上訴人的排期申請等事項。

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 2004, the Court Users' Committees considered a number of issues relating to court facilities, civil and criminal listing, requirement of counsel's certificate, bail applications and translation of documentary exhibits for transfer proceedings in Magistrates' Courts.

The Sub-committee for Civil Court Registry Users was set up in June 2003 to advise 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. In 2004, the Sub-committee held a number of meetings to discuss taxation of liquidators' bills, preparation of hearing bundles, estimation of hearing time, and applications by appellants acting in person to fix a date for hearing.



終審法院首席法官是2004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 2004

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月成立了無律師代表訴訟人資源中心督導委員會（督導委員會）。在督導委員會的建議下，無律師代表訴訟人資源中心（資源中心）已經成立，該中心設於高等法院大樓，並已於2003年12月22日開始運作。

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.

In February 2002, as part of a response to the issue, the Chief Justice appointed the Steering Committee on Resource Centre for Unrepresented Litigants ("the Steering Committee"). Following the Steering Committee's recommendation, the Resource Centre for Unrepresented Litigants ("the Resource Centre") had been established in the High Court Building, and commenced operation on 22 December 2003.

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，由於這些事宜涉及特定的規定和程序，故由各有關登記處的人員提供相關的協助。

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 primarily renders assistance to unrepresented litigants who are parties to or about to commence civil proceedings in the High Court or 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 specialised rules and procedures. Assistance in these matters is 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.



香港社區組織協會訪問團（左圖）及大學生（右圖）參觀無律師代表訴訟人資源中心
A delegation from the Society for Community Organisation (left photo) and a group of university students (right photo) visit the Resource Centre for Unrepresented Litigants

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、宣誓服務、電腦、其他附帶設施如可供書寫的地方和自助影印機等。此外，資源中心亦擺放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。這些存放在資源中心的小冊子和短片亦已上載至司法機構網址內為資源中心特設的網頁。



無律師代表訟訴人資源中心的設施
Facilities at the Resource Centre for Unrepresented Litigants

截至2004年9月30日止，在資源中心運作的首九個月內，資源中心一共接待了3 104名訪客，以及處理了1 912個電話查詢。同期，資源中心網頁的點擊次數錄得超過130 000次。

Facilities and Services at the Resource Centre



無律師代表訟訴人資源中心的查詢櫃位
Resource Centre for Unrepresented Litigants enquiries counter

The Resource Centre provides reception and general enquiries counters, videos on court procedures, oaths and declarations services, computers, and other ancillary facilities such as writing area and self-service photocopying machines. 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 brochures and videos available at the Resource Centre are also uploaded onto the dedicated webpage of the Resource Centre on the Judiciary's Website.

For the first nine months of its operation up to 30 September 2004, the Resource Centre received 3 104 visitors and 1 912 telephone enquiries. During the same period, over 130 000 hits at the Resource Centre's Webpage were recorded.



無律師代表訟訴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



資源中心備有一系列高等法院和區域法院一般民事法律程序指引的小冊子供使用者參考
A series of Guide to General Civil Proceedings in High Court and District Court brochures are available for users' reference.

自資源中心啟用以來，司法機構一直監察其運作，並計劃於一年後進行檢討。為此，司法機構已於2004年11月成立一諮詢委員會。委員會由法官，以及香港大律師公會、香港律師會、法律援助署、當值律師計劃、香港社會服務聯會、香港大學法律學院及香港城市大學法律學系的代表所組成。檢討工作將評估資源中心在多大程度上已達到其目標，同時亦會研究是否需要作進一步的改善，以迎合使用資源中心的無律師代表訴訟人的需要。

司法機構網站(<http://www.judiciary.gov.hk>)

司法機構網站在1997年12月啟用，其後於2003年12月進行全面更新。更新後的網站設有新穎的版面設計和邏輯選單結構，令使用者更容易找到所需的資料。而一些最經常使用的網頁，包括法庭判案書、審訊案件表和陪審員出庭通知等，都可以從網站的首頁直接點擊進入。

The Judiciary has been monitoring the performance of the Resource Centre since its commencement of operation and will conduct a review after one year. For this purpose, in November 2004, the Judiciary set up a consultative committee comprising judges and members from the Bar Association, the Law Society, the Legal Aid Department, the Duty Lawyer Scheme, the Hong Kong Council of Social Service, the Faculty of Law of the University of Hong Kong and the Law School of the City University of Hong Kong. The review will evaluate the extent to which the Resource Centre has achieved its objectives, and assess whether further improvement is required to better meet the needs of the unrepresented litigants using the Resource Centre.

THE JUDICIARY'S WEBSITE (<http://www.judiciary.gov.hk>)

Launched in December 1997, the Judiciary's Website was completely revamped in December 2003. With a new layout and a logical menu structure, the users will find it easier to locate the information they need. The most frequently visited pages, which include court judgments, cause lists and jurors attendance notice, can be accessed directly from the front page.



司法機構網站
 The Judiciary website

此外，我們亦不斷豐富網站的內容。除了為法庭使用者提供有用的法庭服務簡介指南外，我們亦加添了介紹文件加簽服務和核證譯文服務的資料。除此以外，投訴法官的程序及《法官行為指引》亦可在網上查閱。

與此同時，公眾可以透過網站提供的一般查詢電子郵箱向我們作出查詢、建議或投訴。現時，電子郵件已成為司法機構與社會大眾溝通的一個便捷渠道。

此外，司法機構的網站也提供以下的電子服務：—

- 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。此項服務最初只適用於查詢編排在高等法院及勞資審裁處聆訊的案件，現時已擴展至所有級別的法庭（淫褻物品審裁處除外，因該處的案件紀錄電腦化工作正在進行中）。有關審訊預告表（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，以供使用者查閱。

The contents of the website are being enriched continuously. In addition to the Guides to Court Services which provide useful pointers for court users, information about the apostille service and the certification of translation service has been added. Procedures on complaints against judges and the Guide to Judicial Conduct are also available.

Members of the public can make enquiries, offer suggestions or lodge complaints through the general enquiries e-mail account which proves to be an efficient means of communication between the Judiciary and the community.

Moreover, the Judiciary's Website provides the following e-services –

- e-Hearing Date Enquiry Service

The e-Hearing date enquiry service was first introduced in 2003 to allow quick retrieval of hearing date information on-line for cases scheduled for hearing at the High Court and the Labour Tribunal. This on-line enquiry service has now been extended to all levels of courts (except the Obscene Articles Tribunal where case records computerisation is in the pipeline). Information on cases warned for trial from the Warned List (Civil Running List) is also available. The information on the Warned List is updated daily (weekdays only) not later than 2:30 p.m.



勞資審裁處的電子預約服務
Labour Tribunal e-Appointment Booking Service

- 勞資審裁處的電子預約服務及查詢裁斷款項交收情況的服務

由2004年3月29日起，訴訟人可以通過司法機構網站與勞資審裁處預約時間以便提交申索書。2004年5月14日起，案件的當事人亦可以在線查詢有關裁斷款項的交收情況。

司法機構的查詢熱線和互動聲訊系統

司法機構的查詢熱線（電話：2869 0869 及2530 4411）在辦公時間內開放，並由我們的工作人員負責接聽。2004年首九個月，我們接獲共13 878項查詢。對於來電查詢，我們會盡快作出準確和禮貌的回覆，如有需要，我們亦會將查詢轉介有關的工作人員處理。

- Labour Tribunal e-Appointment Booking Service and Award Payment Enquiry Service

With effect from 29 March 2004, litigants can make use of this on-line service via the Judiciary's Website to make appointment booking with the Labour Tribunal in relation to the filing of their claims. With effect from 14 May 2004, parties concerned can also make on-line enquiry about the award payment status of their individual claims.

THE JUDICIARY HOTLINES AND INTERACTIVE VOICE RESPONSE SYSTEMS

The Judiciary hotlines (Tel: 2869 0869 and 2530 4411) are manned by our staff during office hours. A total of 13 878 enquiries were received in the first nine months of the year. We are committed to answering the enquiries promptly, politely and accurately. Referrals to appropriate officers are made as and when necessary.

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。

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「資訊站」，查詢者可在此取得介紹書

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、宣誓處和加簽服務處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索功能，根據案件編號查閱案件的聆訊日期和其他詳情。



高等法院的查詢櫃位
The information counter at the High Court

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.

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 was set up on the Ground Floor of High Court

Building in 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 Office, etc. The on-line search function enables court users to search by case numbers for hearing dates and particulars of court cases.



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

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2004年首九個月內，投訴組共接獲113宗投訴，投訴事項主要涉及司法機構政務處轄下的職員、登記處的程序、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。

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 2004, the Complaints Office received a total of 113 complaints against staff of the Judiciary Administration, registry procedures, 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.



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

資料小冊子和短片

為了更清晰地介紹法庭運作和司法機構的服務，我們印製了一系列淺白易懂的「法庭服務指南」小冊子，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主任服務、以及收回住宅單位和追討租金的程序等。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短片，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講座中播放。勞資審裁處和土地審裁處的等候處亦經常播放相關的短片。

為了配合司法機構無律師代表訴訟人資源中心的成立，我們印製了一系列小冊子，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，我們亦製作了兩套短片；其中一套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。除了這兩套自資源中心啟用以來已供播放的短片外，我們在2004年還製作了以下六套短片—

INFORMATION PAMPHLETS AND VIDEOS

To enhance the dissemination of information on court operations and services provided by the Judiciary, a series of 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's 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 information sessions on family mediation, and at the waiting areas of the Labour Tribunal and the Lands Tribunal.

With the establishment 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 to the two videos (one on the services available at the Resource Centre, and the other giving an overview of the civil proceedings in the High Court and the District Court) which had been available for showing at the Resource Centre since its opening, the following six additional videos have been produced in 2004 -

- 如何展開民事訴訟
 - 如何申請「非正審聆訊」
 - 如何準備審訊
 - 法庭內的審訊程序
 - 如何執行裁決
 - 如何申請上訴
- How to start a civil action
 - How to make interlocutory applications in court
 - How to prepare for a trial
 - How is a trial or hearing conducted in court
 - How to enforce a judgment
 - How to apply for appeal



高等法院首席法官與參觀高等法院的 Santa Clara Law Summer Programme 學生會面
The Chief Judge of the High Court meets with students of Santa Clara Law Summer Programme during their visit to the High Court

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。2004年首九個月，我們為超過6 970名本地和外國人士安排了共259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。

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 2004, a total of 259 visits were arranged for over 6 970 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.



高等法院原訟法庭法官彭鍵基（左）向參觀高等法院的亞洲法律學生聯會會議的代表介紹香港的司法制度
The Hon Mr Justice Pang, Judge of the Court of First Instance of the High Court (left) briefs the representatives from the Asian Law Students' Association Conference on Hong Kong's judicial system during their visit to High Court.



長者參觀高等法院
A group of elderly visits the High Court

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。

宣誓服務

高等法院登記處的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、領養和引渡有關的聲明書/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。2004年首九個月，該處每天辦理超過182次宣誓。

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.

OATHS AND DECLARATIONS SERVICE

The Oaths and Declarations Office of the High Court Registry 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 court proceedings, adoption, extradition, and certification of accuracy of translations for court purposes. In the first nine months of 2004, the Office administered over 182 oaths and declarations daily.

義工活動

司法機構義工隊於 2001 年 3 月組成，現時擁有 110 名隊員。義工隊在 2004 年 3 月舉辦了一次分享會，讓同事分享他們在籌辦和參與義工活動方面的經驗。義工隊在 2004 年 6 月，籌辦了一次探訪安老院的活動，其後又於 11 月籌辦了一次探訪兒童院的活動。此外，為了響應環保，義工隊又於 9 月組織了一項回收物品循環再用活動，向同事收集舊的衣物、玩具、書籍和電器等，捐送給一個非牟利的環保組織。

VOLUNTEER ACTIVITIES

The Judiciary Volunteer Team was formed in March 2001. Currently, there are 110 members. In March 2004, the Team organised a sharing session for colleagues to share their experiences in organising and participating in volunteer activities. In June and November, the Team organised a visit to an elderly home and a children home respectively. To promote environmental protection, the Team organised a recycling activity to collect old clothes, toys, books, electrical appliances, etc. from colleagues for donation to a non-profit-making green organisation in September.



司法機構義工隊探訪護理安老院
The Judiciary Volunteer Team visits an elderly home