

Your ref. CB2/PL/AJLS

Our ref. SC/CR/25/2/1 Pt 13

9 February 2004

Mr. Paul Woo
Clerk to LegCo AJLS Panel
Legislative Council Building
8 Jackson Road
Central, Hong Kong

By Fax & By Post
(Fax No.: 2509 9055)

Dear Mr. Woo,

**Follow-up actions arising from
AJLS Panel meetings**

I set out below the follow-up actions taken by us:

Performance of Bailiff Service

- (a) In 2003, the Court Orders Section received 25,245 requests for executing court orders. It made 33,957 attempts in executing them.
- (b) The Court Orders Section made 78,789 attempts in 2003 to serve 53,529 summonses and legal documents, out of which 34,155 were successful served.
- (c) Annex A provides a breakdown of court orders and the percentages of their execution within and outside the respective waiting times in 2003.
- (d) A Practice Manual for Bailiffs was issued in August 2003. A working group of Bailiff Grade officers has been formed to monitor its usage with a view to updating and improving it where appropriate.
- (e) Annex B sets out recent measures taken to enhance the Bailiff service.

Staffing of Accounts Offices in Magistrates' Courts

Annex C tabulates the staffing of the Accounts Offices in Magistrates' Courts as at the end of the financial year 2002-03 (i.e. 31 March 2003) and the proposed staffing to be achieved by 2006-07.

Merger of the Use of Chinese and the Judgment Translation Units in the Court Language Section

The Use of Chinese Unit provided linguistic support and advice to Judges and Judicial Officers in the use of Chinese and helped them deal with translation problems. It also translated court documents as directed by Judges and Judicial Officers. It was staffed by three Senior Court Interpreters and nine Court Interpreters Class I.

The Judgment Translation Unit translated selected judgments already delivered in the Court of Final Appeal, the Court of Appeal and the Court of First Instance. Such selection was made by the Judges. The Unit was staffed by six Senior Court Interpreters.

The two Units were merged in April 2003 with a reduced staff of six Senior Court Interpreters and nine Court Interpreters Class I. The new Unit performs the whole schedules of work of its predecessors.

Merger of Typing Pools in High Court

The three Typing Pools in High Court have been merged into one, with a complement of 2 Supervisors of Typing Services and 12 Personal Secretaries II. This merger has resulted in the reduction of 1 Senior Typist, 4 Typists and 3 Personal Secretaries II.

Number of Judges

As at 31 December 2003, there were 159 permanent Judges and Judicial Officers and 9 temporary Judicial Officers.

Ranking of the Judiciary Administrator post

The Judiciary Administrator has conveyed the views of the Panel to the Chief Justice.

Modernisation programmes in the Judiciary

As a continuous effort to improve court services and to meet the increasing needs of the public, the Judiciary keeps reviewing its business processes and exploring areas where technology could be used to cope with the workload and enhance service quality at the same time. Annex D sets out the projects to be implemented by 2006-07 at an aggregated cost of about \$19 million. Resources will be redeployed within the Judiciary to meet such cost.

Yours sincerely,

(Augustine L.S. Cheng)
Acting Judiciary Administrator

**Percentages of Court Orders executed
within/outside the target waiting times in 2003**

<u>Nature of Court Order</u>	<u>Target Waiting Time</u>	<u>Execution within Target Waiting Time</u>	<u>Execution outside Target Waiting Time</u>
Writ of Fieri Facias	10 days	92%	8%
Distress Warrant	6 days	78%	22%
Writ of Possession	30 days	92%	8%

Measures to enhance the Bailiff Service

Re-engineering of business process

After a successful trial scheme to re-engineer the process of work assignment, the Court Orders Section fully implemented the re-engineered process in 2003. Each Bailiff is now responsible for planning and undertaking the whole process of executing a court order. The previous arrangements were that tasks were assigned to the Bailiffs by their senior officers and different Bailiffs might be involved in the same case. Improvements to the waiting times have been significant.

Setting up of a re-possession team

The Court Orders Section has deployed a special team of Bailiffs to the Lands Tribunal since April 2003. This service has enabled landlords and tenants attending the Lands Tribunal to know more timely and fully the procedure for executing Writs of Possession. The physical proximity of the team to the Lands Tribunal has also enabled staff to take earlier action to execute the Writs.

Liaison with estate management companies

The Court Orders Section has initiated a programme of visits to major estate management companies since early 2003 to brief their staff on execution of court orders in premises under their management. The briefings have facilitated the Bailiffs in accessing the premises concerned.

Plans are in hand to widen the scope of liaison to include owners' corporations.

Use of technology

The Court Orders Section handles a large volume of mailing of summonses. This is being done manually. After an in-house management review of the procedure for mailing such summonses, the Courts Orders Section will re-engineer the process to enable the folding machine at the Central Summons Processing Unit to be used for the mailing service to enhance the efficiency of the staff.

Recruitment of Bailiffs

A recruitment of Bailiff on non-civil service contract terms is underway to strengthen the number of front-line Bailiffs.

Staffing of the Accounts Office in Magistrates' Courts

Magistrates' Courts	Staffing as at 31-3-2003				Proposed staffing by 2006-07				Deletion of posts
	CO	ACO	CA	OA	CO	ACO	CA	OA	
Eastern	2	4	1	1	1	3	1	1	1 CO 1 ACO
North Kowloon	2	5	1	1	1	3	1	0	1 CO 2 ACOs 1 OA
Kowloon City	2	6	3	1	2	4	2	0	2 ACOs 1 CA 1 OA
Kwun Tong	2	6	2	0	1	3	1	0	1 CO 3 ACOs 1 CA
Shatin	2	4	1	1	1	2	1	1	1 CO 2 ACOs
Tsuen Wan	2	4	1	1	1	2	1	1	1 CO 2 ACOs
Fanling	2	2	2	0	1	2	1	0	1 CO 1 CA
Tuen Mun	2	3	1	1	1	2	1	0	1 CO 1 ACO 1 OA

CO - Clerical Officer
ACO - Assistant Clerical Officer
CA - Clerical Assistant
OA - Office Assistant

Modernisation Programmes in the Judiciary

Court Records Imaging Management System for Family court

At present, the parties to the proceedings have to physically search or inspect the case file for information on the case status or for obtaining proof of certain court records. On occasions, they may have to reconstruct the case file for dormant cases. The online image of case records will facilitate the parties in accessing the required information.

Case Management System for Obscene Articles Tribunal

This project will facilitate the management of case information and application details of the Tribunal. It improves efficiency of the day-to-day operation by promptly generating letters, notices and statistical reports and by allowing the public to make a search from the register.

Drafting and perfection of court orders by E-means

After court hearings, lawyers are required to submit the draft orders to the court for approval before they are formally filed in court. The current processes are entirely paper-based. The option of e-business transaction will shorten the time it takes to approve draft orders and ensure accuracy.

Bailiff Office and Accounts Office Electronic Data Interchange

We will automate the workflow between the Bailiff Office and the Accounts Office. There will no longer be the need to transfer case files between offices and automation will facilitate timely settlement of payments. The Accounts Office system will also interface with case management systems to eliminate duplicate data input.

Leave Application Processing and Leave Calculation

We will automate the leave application processing and leave calculation so as to reduce manual efforts.