

**The Judiciary Administrator's Presentation
at the Special Finance Committee Meeting
on 1 April 2008**

The Judiciary has the constitutional responsibility to administer justice fairly and impartially. Its mission 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. In the financial year 2008-09, a total provision of \$1,044.8 million is sought to enable the Judiciary to achieve its objectives.

Budgetary Arrangements for the 2008-09 Draft Estimates

2. In accordance with the budgetary arrangements agreed between the Judiciary and the Administration in 2005, the Judiciary submitted its resource requirements for 2008-09 to the Administration in July 2007, prior to the Administration drawing up the operating expenditure envelope for the Judiciary. Based on the experience of the past three exercises, the Judiciary considers that the above budgetary arrangements are working satisfactorily, and the Administration has been helpful in the process.

3. The draft Estimates of 2008-09 for the Judiciary, amounting to \$1,044.8 million, represents an increase of \$114.6

million, or 12.3%, over our revised estimates for 2007-08. This would provide adequate resources for the Judiciary to engage additional judicial manpower to help improve waiting times in pressure areas, and additional staff to provide support to the increased level of judicial and registry services.

Enhancement of the Establishment of the Judiciary

4. Having regard to the workload and waiting times in the past few years, the increasing complexity of the cases and the actual manpower situation including the continual requirements for a considerable number of Deputy Judges and Judicial Officers, the Judiciary has included in the draft Estimates of 2008-09 financial provisions to enhance the establishment of the High Court, District Court and the Family Court.

5. As regards the High Court, it is proposed that one additional Justice of Appeal and five additional Court of First Instance Judge posts will be created. Together with the continued engagement of a correspondingly reduced level of deputy judicial resources, this will help keep the waiting times at the High Court within targets.

6. As regards the District Court and the Family Court, it is proposed that one District Judge post in the Family Court would be upgraded from Judicial Service Pay Scale 13 to 14 as Judge-in-charge of the Family Court, and that one additional District Judge post would be created for the Family Court. This will help address the pressure of work in the Family Court and keep its waiting times within targets.

7. In addition, it is also proposed that an additional Deputy Registrar post would be created to help address the increasing workload of the Masters' Office of the District Court.

8. It is also proposed to create an additional 53 civil service posts to provide support to the increased level of judicial services, and enhance the administrative support to the Judiciary.

Continued Deployment of Additional Temporary Judicial Resources

9. As in the past few years, the Judiciary will continue to engage and deploy temporary judicial and support staff resources to help reduce waiting times in pressure areas. In 2007-08, we paid particular attention to the Lands Tribunal and the Magistrates' Courts, and have been deploying additional temporary judicial resources to these two pressure areas since

the latter half of 2007-08. With the injection of additional temporary judicial resources, we have seen improvements in waiting times recently.

10. In the Lands Tribunal, the average waiting time for compensation cases has reduced from 141 days in 2007 to 117 days for the period between September 2007 and February 2008. For the Magistrates' Courts, the waiting times for charge cases, including custody and bail cases, for the period between September 2007 and February 2008 are now within targets and the waiting time for summons has also reduced from 95 days in 2007 to 74 days for the same period.

11. The Judiciary will continue to monitor the waiting times at all levels of courts closely, and deploy necessary resources with a view to keeping the waiting times within targets. The Judiciary has included in the 2008-09 Draft Estimates financial provisions for the engagement and deployment of temporary judicial and support staff resources for this purpose.

Civil Justice Reform

12. The Civil Justice Reform continues to be an important area of our work. In 2007-08, much progress has been made. The Civil Justice (Miscellaneous Amendments) Bill

2007 was introduced into the Legislative Council in April 2007, and passed in January 2008. The Ordinance was gazetted in February 2008. Since February 2008, the Subcommittee on Draft Subsidiary Legislation Relating to the Civil Justice Reform set up by the Legislative Council has commenced scrutinizing the draft subsidiary legislation. We aim to complete the legislative process within the current legislative session, and implement the reform on 2 April 2009. Meanwhile, the Judiciary will continue to prepare for the implementation of the reform including the provision of infrastructural support and training for Judges and Judicial Officers and support staff.

Conclusion

13. The Judiciary will continue to explore areas for further improvements to enhance access to justice and to provide quality services to court users and members of the public.

14. Thank you.