

**Replies to supplementary questions raised by Finance Committee Members in
examining the Estimates of Expenditure 2010-11**

**Controlling Officer : Judiciary Administrator
Session No. : 13**

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
S-JA01	SV026	Hon. EU Yuet-mee, Audrey	80	Courts, Tribunals and Various Statutory Functions
S-JA02	SV028	Hon. HO Chun-yan, Albert	80	Support Services for Courts' Operation
S-JA03	SV029	Hon. HO Chun-yan, Albert	80	Courts, Tribunals and Various Statutory Functions

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-JA01

Head: 80 Judiciary

Subhead (No. & title):

Question Serial No.

SV026

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question:

The Administration is requested to:

In respect of Question Serial No. 2496, Reply Serial No. SJ018, provide information on the number of applications for injunctions under the Domestic and Cohabitation Relationship Violence Ordinance, if available.

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

The information is not readily available as the Judiciary does not normally keep these statistics. However, having regard to the relatively small number of cases involved, the Judiciary has managed to collate manually the figures by going through the relevant case files.

The required figures are as follows:

	2008	2009	2010
(i) Number of applications for injunction	22*	28*	38*
(ii) Number of cases where injunction was granted	18	26	23
(iii) Number of cases where the application for injunction was refused	0	1	3
(iv) Number of cases where the application for injunction was abandoned in the process	1	1	3
(v) Number of cases where legal aid was granted	8	14	12
(vi) Number of applications made by the parties themselves	6	5	8

* Cases other than (ii) – (iv) are either adjourned sine die, discharged, transferred to higher level of court or where undertakings have been given by parties concerned.

Signature	_____
Name in block letters	<u>EMMA LAU</u>
Post Title	<u>Judiciary Administrator</u>
Date	<u>31.3.2011</u>

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Head: 80 Judiciary

Subhead (No. & title):

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question:

The Administration is requested to:

Provide a response on measures to speed up the provision of transcripts of court proceedings to improve the efficiency and accuracy of court trials, including whether the Administration/Judiciary would explore the feasibility of providing simultaneous transcribing service.

Asked by: Hon. HO Chun-yan, Albert

Reply:

First of all, it should be pointed out that generally, for criminal proceedings, a party interested can have access to a copy of the record of proceedings in the form of audio tape, CD or DVD produced from the Digital Audio Recording and Transcription Services ("DARTS") without charge pursuant to the relevant legislative provisions. Provision of such tape, CD and DVD could be processed in a speedy manner.

Based on the record of proceedings, a party may decide whether and which parts of the proceedings need to be transcribed, thus ensuring that resources to be deployed for transcripts would be utilized in the most cost-effective manner. The time required for the production of transcript depends on the length of proceedings concerned.

If the court considers it necessary to play back the audio records of an earlier part of the proceedings, the existing DARTS system is able to do so.

Subject to the consent of the court, simultaneous transcription services are only used in certain special, complex or long cases. It is doubtful that it is necessary to provide simultaneous transcription for all cases. If simultaneous transcription service is to be provided for all cases, the costs involved would be prohibitive.

The Judiciary would continue to keep under review how the application of information technology could enhance the court services, including the provision of recording and transcription services.

Signature	_____
Name in block letters	EMMA LAU
Post Title	Judiciary Administrator
Date	31.3.2011

Examination of Estimates of Expenditure 2011-12

Reply Serial No.

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-JA03

Head: 80 Judiciary

Subhead (No. & title):

Question Serial No.

SV029

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question:

The Administration is requested to:

Provide a paper setting out the accommodation constraints and access problems in relation to lifts and staircases in the Eastern Law Courts Building, and explain any improvement plans and measures.

Asked by: Hon Albert HO

Reply:

A paper setting out the accommodation constraints and access problems in relation to the Eastern Law Courts Building is prepared at the Annex. The paper also outlines measures for their improvement. Please see paper attached.

Signature _____

Name in block letters EMMA LAU

Post Title Judiciary Administrator

Date 31.3.2011

Provision of Lifts and Staircases at the Eastern Law Courts Building

Purpose

This paper sets out the accommodation constraints and access problems in relation to the Eastern Law Courts Building. It also outlines the various measures for their improvement.

Background

2. The Eastern Law Courts Building (“ELCB”) is a joint-user building and the Building Management Committee (“BMC”) of the ELCB is responsible for the day-to-day management of the building with Government Property Agency (“GPA”) acting as the executive agent of the BMC for the provision of management services. It consists of altogether 14 floors – G/F to 5/F, U5/F, 6/F to 12/F. The courtrooms of Eastern Magistrates’ Courts (“EMC”), Obscene Articles Tribunal (“OAT”) and Coroner’s Court (“CC”) of the Judiciary are located on 4/F, 5/F, 6/F, 9/F and 10/F, whereas the registry and accounts office of the EMC are located on 7/F. The Judiciary, as one of the users of the ELCB, has to share the use of the common facilities within the building with a number of other governmental departments/offices (see **Appendix**). GPA has engaged a private contractor to undertake the day-to-day management functions.

Passenger Lift Facilities

3. There are two passenger lifts at the ELCB designed for use by members of the public (“public lifts”). These two public lifts have access to all floors except for 1/F, 2/F & U5/F (with no court and registry facilities) which are accessible by cargo or staff lifts only. Use of the two public lifts is not limited to court users for access to the various court facilities on 4/F – 7/F and 9/F – 10/F as there are also members of the public who need to visit other floors including 3/F, 8/F, 11/F & 12/F. The public lift usage would therefore be especially heavy during peak hours in the weekdays, namely in the morning before 9:30 am as well as before courts’ resumption after lunch break at 2:30 pm.

Staircases

4. There are three sets of staircases in the building: (a) one public staircase running through 4/F, 5/F, 6/F and 7/F within the lobby area for use by court users (“the internal staircase”); and (b) two emergency staircases with passage from G/F to all floors of the ELCB. The two emergency staircase exits are located on G/F facing respectively the waterfront (“the North Staircase”) and the carparking areas (“the South Staircase”).

Improvement Measures

Lift replacement programme

5. As part of the maintenance works, there is a programme to replace the two existing public lifts. Replacement works in this regard have commenced since January this year and the arrangement is that one lift will remain in operation while the other is being

replaced. To cater for this special situation, one of the lifts originally designated for use by staff is being deployed to take court users to 7/F where they will be ushered to the lobby area and from there, the court users could freely move to the various court facilities located on 4/F, 5/F and 6/F via the internal staircase. Additional building management office staff are being deployed on G/F and 7/F as well as the staff lift lobby to assist in regulating the crowd and directing the court users to use the additional passage. Directional signs are also posted at prominent areas of the building. Special arrangement will be made to assist disabled users.

6. During the lift replacement period, the remaining public lift has been regulated such that it would only stop at the floors with court and cell facilities i.e. 3/F – 7/F and 9/F – 10/F. This aims to shorten the travelling time of the lift concerned.

7. We are currently consulting the BMC as to whether three public lifts could be designated for use by court users during peak hours as a long-term measure after the completion of the lift replacement programme.

Use of Emergency Exit Staircases for Public Access to Courtrooms To Be Explored

8. To improve public access to the EMC courtrooms, we would, in consultation with the BMC, study the feasibility of making use of one of the emergency exit staircases during the peak hours. In this regard, we will consider launching a pilot scheme around August 2011 to open up the North Staircase for use after the completion of the current major exterior renovation works of the ELCB.

The Judiciary and Various Departments /Facilities in Eastern Law Courts Building

Floor	Departments/Sections/Offices/Facilities
G	<ul style="list-style-type: none"> • Shau Kei Wan Liaison Team, Eastern District Office • Community Affairs Team, Eastern District Office • Special Duties Team, Eastern District Office • Management Office Counter
1	<ul style="list-style-type: none"> • Eastern Delivery Office , Hong Kong Post • Car Park
2	<ul style="list-style-type: none"> • Car Park
3	<ul style="list-style-type: none"> • Police Office • Police & Correctional Services Department Cell • Air-Condition Plant Office, Electrical & Mechanical Services Department • Management Office
4	<ul style="list-style-type: none"> • <i>Courtrooms of Eastern Magistrates' Courts (EMC)</i> • <i>Central Summons Processing Unit</i> • <i>Judges & Judicial Officers (JJOs)' Chambers</i> • <i>Court Clerks' Office</i> • <i>Senior Court Interpreter (Magistracies)'s Office</i>
5	<ul style="list-style-type: none"> • <i>Courtrooms of EMC</i> • <i>JJOs' Chambers</i> • <i>Court Interpreters' Office</i> • <i>Court Clerks' Office</i>
U5	<ul style="list-style-type: none"> • Court Prosecutors' Office
6	<ul style="list-style-type: none"> • <i>Courtrooms of EMC</i> • <i>JJOs' Chambers</i> • <i>Court Clerks' Office</i> • <i>Personal Secretary II's Office</i> • <i>Digital Audio Recording & Transcription Services Control Room</i> • <i>The Society of Rehabilitation and Crime Prevention, Hong Kong</i>
7	<ul style="list-style-type: none"> • <i>First Clerk's Office</i> • <i>General Office, Registry & Accounts Office of EMC</i> • Eastern Probation Office • Court Liaison Office (Duty Lawyer Service)
8	<ul style="list-style-type: none"> • <i>Information Technology Management Section</i> • <i>Management Information Section</i> • <i>Information Technology Support Team</i>
9	<ul style="list-style-type: none"> • <i>Obscene Articles Tribunal (OAT)</i> • <i>Courtrooms of OAT and EMC</i> • <i>JJOs' Chambers</i> • <i>SJE(Mag)'s Office</i>

10	<ul style="list-style-type: none"> • <i>Coroner's Court (CC)</i> • <i>Courtrooms of CC & EMC</i> • <i>JJOs' Chambers</i> • <i>Senior Court Interpreter (Coroner's Court)'s Office</i> • Coroner's Officers' Office (Police)
11	<ul style="list-style-type: none"> • Eastern District Office • Eastern District Council • Building Management Liaison Team, Eastern District Office • Commercial Buildings and Premises Division, Hong Kong Fire Services Department
12	<ul style="list-style-type: none"> • Hong Kong Training Centre, Hong Kong Regional Office, Auxiliary Medical Service • Drainage Services Department • Eastern Probation Office (1), Social Welfare Department • Labour Inspection Division, Labour Department • E-Strategy Division, Transport Department

Note: The offices/facilities in *italic* are under the purview of the Judiciary.