

Panel on Administration of Justice and Legal Services

List of follow-up actions

(position as at 17 April 2014)

Subject	Date of meeting	Follow-up actions required	Administration's response
1. Establishment of an electronic database of Hong Kong legislation with legal status	25 March 2014	The Department of Justice ("DoJ") was requested to provide information on: (a) the serviceable period of the Bilingual Laws Information System ("BLIS"); and (b) the amount of total expenditure incurred for the implementation and maintenance of the BLIS.	Response awaited
2. Compensation for wrongful conviction	25 March 2014	DoJ was requested to provide information on: (a) the amount of money set aside for the payment of <i>ex gratia</i> compensation under the administrative scheme each year in the past five years; and (b) the number of serious wrongful conviction case(s) in the past five years.	Response awaited
3. Mechanism for handling complaints against judicial conduct	23 July 2013 25 February 2014	The Judiciary Administration ("JA") was requested to provide information on and/or responses to the following issues prior to the regular meeting of the Panel scheduled for 22 April 2014:	Based on a realistic assessment of the time required for preparing the requested information, JA expects such information to be made available to the Panel in May or

Subject	Date of meeting	Follow-up actions required	Administration's response
		<p><u>Raised at the meeting on 23 July 2013</u></p> <p>(a) a breakdown of complaint cases against judicial conduct in the past three years by:</p> <ul style="list-style-type: none">(i) the nature of complaints;(ii) the level of courts involved and the rank of judges being complained against; and(iii) how the aforesaid complaints had been dealt with (including the follow-up action taken such as the giving of appropriate advice to the judge concerned, the tendering of an apology to the complainant etc.); <p>(b) the current mechanism for handling complaints against judicial conduct in other jurisdictions;</p> <p>(c) whether the Administration would consider establishing an independent body to receive and investigate complaints against judicial conduct, or to monitor and review the handling of complaint cases against judicial conduct by the Judiciary;</p>	<p>June 2014 at the earliest.</p> <p>JA will also inform the Panel of the outcome of the review on the mechanism for handling complaints against judicial conduct, which is expected to be completed by end-2014.</p>

Subject	Date of meeting	Follow-up actions required	Administration's response
		<p>(d) the number and the percentage of judges and magistrates who had not practised as lawyers prior to taking up the judicial appointments;</p> <p>(e) the number of complaint cases that had been referred to the Judicial Officers Recommendation Commission for attention in the past three years and the subsequent action taken on these cases;</p> <p>(f) what constituted "misbehaviour" of a judge as stated in Article 89 of the Basic Law ("BL89") for which the judge might be removed by the Chief Executive in accordance with the relevant procedures prescribed in the Basic Law;</p> <p>(g) the right, if any, of complainants to access the audio recording of the court proceeding in connection with their complaints against judges;</p> <p><u>Raised at the meeting on 25 February 2014</u></p> <p>(h) what was the basis for concluding that the tribunal under BL89 should consist of judges and judges only;</p>	

Subject	Date of meeting	Follow-up actions required	Administration's response
		<p>(i) whether the number of judges appointed to the tribunal under BL89 for investigation into a judge and Chief Justice ("CJ") could exceed three and five respectively; if not; why not;</p> <p>(j) whether consideration would be given to providing different levels of sanctions, short of removal from office, against judges who were found to have misbehaved after investigating into complaints against them; and</p> <p>(k) which public officers had been appointed by CJ to sit on the tribunal under the Judicial Officers (Tenure of Office) Ordinance (Cap. 433).</p>	