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Replies to initial written questions raised by Finance Committee Members in examining the Estimates of Expenditure 2016-17

Controlling Officer : Judiciary Administrator

Session No. : 2

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CONTROLLING OFFICER'S REPLY**JA001****(Question Serial No. 4052)**Head: (80) JudiciarySubhead (No. & title): (000) Operational expensesProgramme: Not SpecifiedControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

The Judiciary stated that the number of non-directorate posts will be increased by 49 to 1 696 posts as at 31 March 2017. Please inform this Council of the nature of work, ranks and salaries of these new posts.

Asked by: Hon Abraham SHEK Lai-him (Member Question No. 68)Reply:

The net creation of 49 non-directorate posts is for the following purposes:

Purpose	Number of posts	Rank of posts	Annual salary at mid-point (\$)
To provide necessary support to the additional courts and new initiatives upon co-location of the new West Kowloon Magistrates' Courts (to replace the existing Tsuen Wan Magistrates' Courts), Small Claims Tribunal ("SCT"), Coroner's Court and Obscene Articles Tribunal at the	22	1 Accounting Officer I 1 Court Interpreter I 2 Senior Judicial Clerks II 2 Clerical Officers 1 Judicial Clerk 11 Assistant Clerical Officers 3 Clerical Assistants 1 Workman II	7.22 million

future West Kowloon Law Courts Building			
To provide support for new initiatives for, inter alia, full implementation of the new listing arrangement in the SCT; commencement of maintenance for the new infrastructure and application systems developed under the Information Technology Strategy Plan ("ITSP") after implementation; and formulation and implementation of the accommodation strategy for the Judiciary in the long term	21 (net)	1 Chief Executive Officer 1 Senior Architect <i>offset by deletion of –</i> <i>1 Senior Architect</i> 1 Senior Executive Officer 1 Systems Manager 1 Assistant Computer Operation Manager 1 Analyst/Programmer I 3 Senior Judicial Clerks II 1 Senior Computer Operator 4 Analyst/Programmers II 1 Clerical Officer 7 Assistant Clerical Officers	10.91 million
To enhance existing services, such as strengthening of support for coping with increased workload, etc.	6	1 Executive Officer II 1 Judicial Clerk 3 Assistant Clerical Officers 1 Clerical Assistant	1.74 million
To regrade the posts for meeting operational needs	0 (net)	3 Clerical Assistants 2 Workmen II <i>offset by deletion of –</i> <i>5 Office Assistants</i>	0.03 million
To provide continued support for the implementation of the ITSP and file disposal exercise of the Judiciary	0 (net)	1 Senior Systems Manager 1 Chief Judicial Clerk 1 Senior Executive Officer 2 Systems Managers 1 Senior Judicial Clerk I 2 Analyst/Programmers I 3 Senior Judicial Clerks II 1 Judicial Clerk	0 million

		4 Assistant Clerical Officers 2 Workmen II <i>offset by deletion of –</i> <i>1 Senior Systems Manager</i> <i>1 Chief Judicial Clerk</i> <i>1 Senior Executive Officer</i> 2 Systems Managers <i>1 Senior Judicial Clerk I</i> 2 Analyst/Programmers I 3 Senior Judicial Clerks II 1 Judicial Clerk 4 Assistant Clerical Officers 2 Workmen II	
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CONTROLLING OFFICER'S REPLY

JA002

(Question Serial No. 1181)

Head: (80) Judiciary

Subhead (No. & title): (-)

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

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Please provide information on the size of establishment, number of staff, ranks, salaries and allowances respectively of the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Obscene Articles Tribunal and the Coroner's Court for the year 2015-16.

Asked by: Hon Albert HO Chun-yan (Member Question No. 33)

Reply:

The establishment, number of posts and approximate salary expenditure for Judges and Judicial Officers ("JJOs") and support staff of the Lands Tribunal, the Labour Tribunal, the Small Claims Tribunal, the Obscene Articles Tribunal and the Coroner's Court for the year 2015-16 are as follows –

Tribunal/ Court	Establishment	Number of posts	Annual salary at mid-point* (\$)
Lands Tribunal	31	3 – District Judge 2 – Member 8 – Judicial Clerk grade staff 17 – Clerical Staff 1 – Office Assistant	19.3 million
Labour Tribunal	92	1 – Principal Presiding Officer 8 – Presiding Officer 2 – Judicial Clerk grade staff 28 – Tribunal Officer 39 – Clerical Staff 8 – Secretarial Staff 5 – Office Assistant 1 – Workman II	49.4 million

Tribunal/ Court	Establishment	Number of posts	Annual salary at mid-point* (\$)
Small Claims Tribunal	54	1 – Principal Adjudicator 7 – Adjudicator 12 – Judicial Clerk grade staff 32 – Clerical Staff 2 – Office Assistant	29.2 million
Obscene Articles Tribunal	7	2 – Magistrate 4 – Clerical Staff 1 – Office Assistant	4.4 million
Coroner's Court	14	3 – Coroner 1 – Judicial Clerk grade staff 8 – Clerical Staff 1 – Secretarial Staff 1 – Workman II	8.1 million

* The estimates have included any acting allowances payable in individual cases where acting appointments are necessary.

- End -

CONTROLLING OFFICER'S REPLY**JA003****(Question Serial No. 1182)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (2) Support Services for Courts' OperationControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

With regard to the Resource Centre for Unrepresented Litigants, please give the number of litigants seeking legal support through the Resource Centre, the size of the establishment, and the revised estimate for the year 2015-16. What are the projected number of such litigants, size of the establishment and expenditure for the year 2016-17?

Asked by: Hon Albert HO Chun-yan (Member Question No. 34)Reply:

The requested information for the years 2015 and 2016 is as follows:

	<u>2015</u>	<u>2016</u> (Estimate)
Number of use		
Visits	12 324	12 500
Telephone enquiries	3 223	3 300
Access to webpage	296 884	297 000
	<u>2015-16</u>	<u>2016-17</u> (Draft Estimate)
Approximate expenditure	\$3,144,000*	\$2,756,000**
Staff strength	6	6

* Figure given is the estimate made last year to facilitate easy comparison with the information in the other column

** Reduction of estimated expenditure was due to estimated decrease in salary expenses on replacement of officer after retirement

It should be noted that to maintain the impartiality of the Judiciary, the Resource Centre does not provide legal advice. It provides information and assistance on court rules and procedures in relation to civil proceedings in the High Court or the District Court except matrimonial, lands, employees' compensation and probate matters. Although the Judiciary Administration has no available information to ascertain that the users of the services of the Resource Centre are litigants or would-be litigants, it is believed that they are likely to be.

- End -

CONTROLLING OFFICER'S REPLY**JA004****(Question Serial No. 1183)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

Please provide the number of the applications for leave to judicial review, the number of judicial reviews and the number of appeals against judicial review decisions in the year 2015-16, and their respective average waiting times? How many of those judicial review cases were legally aided?

Asked by: Hon Albert HO Chun-yan (Member Question No. 35)Reply:

The information requested on judicial review cases in 2015 is as follows:

	2015
(a) No. of leave applications filed	259
(b) No. of leave applications filed with at least one of the parties being legally aided as at filing of application	64
(c) Average waiting time from listing to hearing of leave application	47 days
(d) No. of appeals against refusal of leave application filed	23
(e) Average waiting time from listing to appeal hearing in respect of refusal of leave application	77 days
(f) No. of substantive judicial review cases filed	77
(g) No. of substantive judicial review cases filed with at least one of the parties being legally aided as at filing of substantive application	52
(h) Average waiting time from listing to hearing of substantive case	94 days
(i) No. of appeals against judicial review decisions filed	20
(j) Average waiting time from listing to appeal hearing	126 days

- End -

JA005

CONTROLLING OFFICER'S REPLY

(Question Serial No. 3977)

Head: (80) Judiciary

Subhead (No. & title): (-)

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

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

1. The estimated number of cases in the Lands Tribunal remains at 4 740, which is more or less the same as that of last year, and the average waiting time “from setting down of a case to hearing” in the 2016-17 estimate has increased by about 2.5 times (90/36) as compared to that of last year. Yet, the Judiciary Administrator stated that “in 2015, the overall performance of the programme area was satisfactory, save for the High Court”. Why is that so?
2. Please explain why the average waiting time is estimated to be increased by 2.5 times.

Asked by: Hon Albert HO Chun-yan (Member Question No. 52)

Reply:

The court waiting time targets are set by the Judiciary in consultation with the court users' committees having regard to a wide range of factors, including caseload, complexity of cases, judicial resources, time required by the parties to prepare their cases, etc. For the Lands Tribunal, appeal cases, compensation cases and building management cases will each have a target of 90 days while for tenancy cases, the target is 50 days. These targets are set to indicate that it is reasonable to expect that respective cases should be processed within the target time. It does not mean that the Judiciary aims to lengthen the waiting times to the target even if it is able to over-achieve the targets in some instances.

The figures on court waiting time for Lands Tribunal cases from setting down of a case to hearing in the past two years are as follows:

	2014 (Actual)	2015 Target	2015 (Actual)	2016 Target
Appeal Cases	25	90	36	90
Compensation Cases	37	90	63	90
Building Management Cases	30	90	36	90
Tenancy Cases	22	50	28	50

Although the actual court waiting time for different types of cases in 2015 were longer than that in 2014, they have been kept well within the targets set. The Judiciary will continue to closely monitor the situation and will make every effort to improve the actual waiting times.

- End -

CONTROLLING OFFICER'S REPLY**JA006****(Question Serial No. 5367)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

Please provide information for the past year on the following:

- (1) The establishment and operating expenses of the Obscene Articles Tribunal.
- (2) In the form of a table, the number of cases and the categories of articles classified by the Obscene Articles Tribunal as Class I (neither obscene nor indecent), Class II (indecent) or Class III (obscene) before and after publication; the number of cases in which a request for review was made and out of that the number of cases in which the classification was confirmed or altered.
- (3) The number of users of the Obscene Articles Tribunal's repository and the manpower and expenditure involved.

Asked by: Hon CHAN Chi-chuen (Member Question No. 125)Reply:

- (1) The establishment (including Judicial Officer and support staff) and approximate expenditure of the Obscene Articles Tribunal in 2015-16 are as follows:

	2015-16
Establishment	7
Approximate expenditure (including salary expenditure and departmental expenses)	\$5.25 million

- (2) The total number of articles classified by the Obscene Articles Tribunal in exercising its statutory administrative classification function in 2015 and their results are set out as follows:

	2015	
	Before publication	After publication
Class I (neither obscene nor indecent)	73	0
Class II (indecent)	195	0
Class III (obscene)	555	0
Total	823	0

There are five review cases in respect of classified cases in 2015 and their results are as follows:

Number of Review Cases	Type of Article	Results
5	Back Cover of a Comic Book	Confirmed as Class II

- (3) The number of usage of the Obscene Articles Tribunal's repository which keeps articles submitted for administrative classification in 2015 was six and the total number of articles searched was 17.

One Assistant Clerical Officer is deployed to provide general and logistical support for both the registry and the repository of the Obscene Articles Tribunal. His duties include collation of newspaper cuttings, records management and filing, assisting the Officer-in-charge of the Obscene Articles Tribunal in making logistic arrangements and liaising with adjudicators, logistic support to visitors and other court support work, etc.

The approximate expenditure for the above-mentioned Assistant Clerical Officer in 2015-16 is as follows:

	2015-2016
Approximate expenditure (including salary expenditure and departmental expenses)	\$292,392

- End -

CONTROLLING OFFICER'S REPLY**JA007****(Question Serial No. 5583)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

Please provide statistics regarding the following cases:

	2011	2012	2013	2014	2015
a. No. of cases where a divorce application was made					
i. among which the no. of cases where divorce mediation services were used					
b. No. of decrees of divorce issued					
i. no. of cases with a child custody or access order made					
ii. among which the no. of cases requiring a social investigation report as regards child custody and access arrangements					
iii. among which the no. of cases involving court hearing as regards child custody and access arrangements					
iv. among which the no. of cases where a sole					

custody order was made					
v. among which the no. of cases where a joint custody order was made					
vi. among which the no. of cases where a split custody order was made					
c. No. of cases where legal proceedings (independent of the divorce proceedings) for a child custody or access order were instituted					

Asked by: Hon CHEUNG Kwok-che (Member Question No. 758)

Reply:

The information requested under (a), (a)(i) and (b) is as follows:

	2011	2012	2013	2014	2015
(a) No. of cases where a divorce application was made	22 543	23 255	22 960	21 980	21 467
(i) among which the no. of cases where mediation services were used*	177	234	235	230	235
(b) No. of decrees of divorce issued	19 597	21 125	22 271	20 019	20 075

* These are the figures known to the Judiciary. Some parties may choose to directly approach private mediators without referral through the Judiciary.

For (b)(i)-(vi) and (c), the Judiciary does not keep such statistics.

- End -

CONTROLLING OFFICER'S REPLY

JA008

(Question Serial No. 7271)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Generally speaking, what are the academic and professional qualifications required of a court interpreter? How to assess the proficiency of the interpreters in ethnic minority languages and to monitor their service quality? Will questionnaires and views on interpretation service be collected?

Asked by: Hon CHEUNG Kwok-che (Member Question No. 764)

Reply:

1. The Judiciary maintains a core team of full-time Court Interpreters who mainly provide interpreting and translation services in English and Chinese in relation to court proceedings. Some of them also provide interpreting services for Putonghua and a few Chinese dialects (other than Cantonese). They are staff of the Judiciary.

2. The entry requirements for the basic rank of the Court Interpreter Grade, i.e. Court Interpreter II, include the following:

- (a) holding a bachelor's degree from a university in Hong Kong, or equivalent;
- (b) attaining 'Level 2' results in the two language papers (Use of Chinese and Use of English) in the Common Recruitment Examination, or equivalent;
- (c) attaining a pass result in the Aptitude Test in the Common Recruitment Examination; and
- (d) being fluent in spoken Chinese (Cantonese and preferably in Putonghua) and spoken English.

Candidates are also required to pass a translation test and an interpreting test.

3. Apart from the core team of full-time Court Interpreters, the Judiciary also maintains a register of part-time interpreters providing interpreting and translation services in relation to court proceedings in foreign languages. These part-time interpreters are not staff of the Judiciary.

4. Where there is a request for interpreting service in court in a foreign language, the Judiciary will make arrangements for a part-time interpreter to provide the service.

5. Generally speaking, to qualify for registering with the Judiciary as a part-time interpreter for a foreign language, a person should:

- (a) be proficient in the foreign language concerned;
- (b) possess a recognized university degree or an equivalent academic qualification;
- (c) be also proficient in either English or Cantonese; and
- (d) pass written and oral entrance tests.

Recommendations are usually sought from relevant Consulates for appointment of examiners who possess greater language proficiency.

6. Feedback on interpreting service provided by part-time interpreters is received from court users from time to time. Moreover, as an integral part of the performance management system, inspections on the performance of part-time interpreters in courts are conducted by the Part-time Interpreters Unit of the Judiciary Administration.

- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 3252)

Head: (80) Judiciary

Subhead (No. & title): (-)

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

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Regarding the waiting times set out by the Judiciary for different types of cases, please inform this Council:

(1) For civil cases in the Court of Appeal of the High Court, regarding the average waiting time from application to fix date to hearing, the target for 2015 was 90 days while the actual time required was 112 days. For the criminal fixture list in the Court of First Instance of the High Court, the average waiting time from filing of indictment to hearing fell even far short of the target of 120 days for 2015 with the actual time required being 272 days. What were the reasons for the failure to meet the targets?

(2) While it is evident that the targets were not met, the Judiciary did not make adjustments to the waiting time targets for 2016. What were the reasons? What measures do the Judiciary have to ensure that the targets are met?

(3) The average waiting time for summonses in the Magistrates' Courts exceeded the target and the Judiciary explained that it was due to "the more complex nature" of summonses. For what reasons were the cases more complex and what types of cases were they?

Asked by: Hon Dennis KWOK (Member Question No. 52)

Reply:

(1) There are a number of reasons why a few waiting time targets in the High Court were not met:

- (a) In general, the High Court has been experiencing some constraints in the deployment of judicial manpower as a result of elevation of Judges to higher positions and retirement of Judges over the past few years. In addition, there are quite a number of posts of Judge of the Court of First Instance of the High

Court which remain unfilled. This has led to a shortage of substantive judicial manpower at the Court of First Instance level;

- (b) Specifically, for the Court of Appeal of the High Court, pursuant to a direction by the Chief Judge of the High Court, great efforts and priority had been given to timely disposal of criminal appeals. With such efforts, the average waiting time for criminal appeals in the Court of Appeal of the High Court had been maintained at a level close to the target. Notwithstanding the manpower constraints, additional judicial resources have been deployed in the Court of Appeal of the High Court as a whole and as a result, the gap between the average waiting time for civil appeals and the target has further narrowed in 2015; and
- (c) As for the Court of First Instance of the High Court, the average waiting time for the criminal fixture list exceeded the targets due to more complex and refixed cases as well as heavy caseload. It is noted with concern that the average waiting time for the criminal fixture list continued to lengthen and exceeded the target by a wide margin in 2015 despite the deployment of additional temporary judicial manpower to handle criminal trials at the Court of First Instance of the High Court. To examine the situation more closely with a view to identifying whether there are other causes to the problem, the Chief Judge of the High Court has formed some task groups in late 2015 to look into different aspects of criminal listing and hearing matters. The task groups are looking into the different aspects of the processing of the criminal fixture cases and the respective roles of different stakeholders in the process. Good progress is being made and it is expected that the task groups would come up with more concrete findings and recommendations in 2016 for consultation with all relevant stakeholders.

- (2) The court waiting time targets are set in consultation with the court users' committees having regard to a wide range of factors, including caseload, complexity of cases, judicial resources, time required by the parties to prepare their cases, etc. The following measures have been/will be taken to improve the waiting times:

- (a) Various efforts have been made to improve the judicial manpower situation. On 20 March 2015, approval was obtained from the Finance Committee of the Legislative Council for the creation of additional judicial posts which included three Justices of Appeal of the Court of Appeal of the High Court posts and one Judge of the Court of First Instance of the High Court post. Upon the filling of all these additional and other existing judicial posts, it is expected that the substantive judicial establishment will be enhanced with a view to making improvements to the waiting times at the High Court;
- (b) In 2012, 2013 and 2014, the Judiciary conducted three open recruitment exercises for the Judges of the Court of First Instance of the High Court. As a result, a total of 16 appointments have been made as at 6 January 2016, but not all available vacancies could be filled. Experiences of the past few open

recruitment exercises for the Judges of the Court of First Instance of the High Court showed some recruitment difficulties at this level of court. The Judiciary has embarked on a number of reviews with a view to addressing these issues, such as the review of the retirement ages of Judges and Judicial Officers and the review of the terms and conditions of service for Judges and Judicial Officers; and

- (c) Pending the filling of the available vacancies, deputy judges have been and will be appointed to meet operational needs.

In light of the measures set out above, it is considered that a more prudent approach would be appropriate without making major changes to the court waiting time targets until the manpower situation at the High Court has been settled.

- (3) The average waiting time for summonses in the Magistrates' Courts continued to exceed the target mainly due to the more complex nature of disputed summonses and more self-represented parties. From operational experiences, there are more summons cases involving points of law, thereby requiring more judicial time to process them. The Judiciary does not keep statistics on the type of cases.

- End -

CONTROLLING OFFICER'S REPLY

JA010

(Question Serial No. 3253)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

In the Judiciary's budget estimates for this year, the estimated provision for Plant, Equipment and Works for 2016-17 has substantially increased by 267.8% because of the increased requirement for minor plant and equipment in court buildings. Please inform this Council of the reason for the substantial increase in the requirement for minor plant and equipment in court buildings.

Asked by: Hon Dennis KWOK (Member Question No. 53)

Reply:

The increase in the provision under Subhead 661 Minor plant, vehicles and equipment (block vote) by 267.8% from \$2,603,000 to \$9,573,000 is mainly due to the increased requirements involving more projects for air-conditioning related and other minor projects, such as the replacement of the closed-circuit television system and PABX telephone system in some law court buildings, as well as the inclusion of provision for two air-conditioning projects costing \$2.6 million and \$3.5 million respectively as a result of the updating of the ambit of this block vote from the previous maximum of \$2 million to \$10 million as set out in the Introduction to the Estimates.

- End -

CONTROLLING OFFICER'S REPLY**JA011****(Question Serial No. 4907)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

Regarding the performance of the Judiciary, please inform this Council, for various types of cases, of the average times taken from conclusion of the cases to delivery of judgments by the courts:

	2013-14	2014-15	2015-16
Court of Final Appeal – Applications for leave to appeal in criminal matters			
Court of Final Appeal – Applications for leave to appeal in civil matters			
Court of Final Appeal – Criminal cases			
Court of Final Appeal – Civil cases			
Court of Appeal of the High Court – Criminal cases			
Court of Appeal of the High Court – Civil cases			
Court of Appeal of the High Court – Judicial review cases			
Court of First Instance of the High Court – Criminal cases			
Court of First Instance of the High Court – Civil cases			
Court of First Instance of the High Court – Applications for leave to apply for judicial review			
Court of First Instance of the High Court – Judicial review cases			
District Court – Criminal cases			
District Court – Civil cases			
Magistrates' Courts			
Others			

Reply:

The Judiciary only maintains statistics on the average time taken for delivery of judgments in respect of civil cases of the Court of Appeal of the High Court, the Court of First Instance of the High Court and the District Court. For cases which hearings were concluded in the period from 2013 to 2015, the average time taken from conclusion of hearing to the delivery of judgment, with position as at 17 March 2016 are as follows:

Court Level	Type of Case	Average time taken for cases with hearings concluded in the year (days) ⁽¹⁾		
		2013	2014	2015
Court of Appeal of the High Court	Civil appeals ⁽²⁾	38	30	21
Court of First Instance of the High Court	Civil trials/ substantive hearings ⁽³⁾	111	116	48
	Tribunal and miscellaneous appeals	29	37	23
District Court	Civil trials/ substantive hearings	55	85	42

Remarks:

- (1) The figures are live data which may vary at different report generation date and time. Normally, the figures for a year would become stable by end of the subsequent year when judgments for most of the cases concluded in the year are delivered. This is particularly true for cases concluded toward the last quarter of the year.
- (2) No breakdown figures in respect of appeals on judicial review cases (including appeals against refusal of leave applications and appeals against substantive judicial review decisions) are available.
- (3) No breakdown figures in respect of substantive judicial review cases are available. Also, the figures do not cover applications for leave for judicial review as the Judiciary does not maintain statistics on the average time taken for delivery of judgments in respect of hearings of applications for leave for judicial review.

The Judiciary does not keep statistics on the time taken from conclusion of hearing to the delivery of judgment in respect of the cases of the Court of Final Appeal, and the criminal cases of the Court of Appeal of the High Court, the Court of First Instance of the High Court and the District Court, and all cases of the Magistrates Courts.

For cases of the Court of Final Appeal, from operational experience gained in the past 18 years, judgments are usually handed down within a month or so after the conclusion of the hearings.

For criminal cases of the Court of Appeal, from operational experience, the judgments for most of the cases are normally delivered within a short period of time after conclusion of the hearings having regard to the nature of such appeals.

For criminal trials heard in the Court of First Instance, no judgment would be made as the verdicts are given by the jury. In respect of the appeals from the Magistrates' Courts, from operational experience, the judgments are normally given expeditiously having regard to the nature of such appeals.

For criminal cases of the District Court, pursuant to the relevant statutory provisions, reasons for verdict and/or sentence must be reduced into writing and signed by the judge within 21 days pursuant to section 80 of the District Court Ordinance, Cap. 336.

For cases heard in the Magistrates' Courts, judicial decisions are delivered orally in court with no written judgment.

- End -

CONTROLLING OFFICER'S REPLY**JA012****(Question Serial No. 6045)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

Please provide the respective numbers of Care and Protection Orders that the courts, the Police Force and the Social Welfare Department applied for under the Protection of Children and Juveniles Ordinance (Cap. 213) in the past 5 years, as well as the numbers of the Orders so granted, with a breakdown by category of the care or protection needed.

Asked by: Dr Hon Fernando CHEUNG Chiu-hung (Member Question No. 15)Reply:

Care and Protection Orders can be granted either on applications by government departments such as the Hong Kong Police Force, the Social Welfare Department and the Customs and Excise Department, or on the court's own initiative.

The number of Care and Protection Orders granted under the Protection of Children and Juveniles Ordinance (Cap.213) in the past five years are as follows:

In relation to cases initiated by	2011	2012	2013	2014	2015
Hong Kong Police Force	638	484	354	300	188
Social Welfare Department	305	359	280	309	269
Customs and Excise Department	0	0	1	0	20
Total	943	843	635	609	477

The Judiciary does not keep information on the breakdown of the above figures by (a) whether they are granted on application or on the court's own initiative; and (b) by category of the Care and Protection Orders.

- End -

CONTROLLING OFFICER'S REPLY**JA013****(Question Serial No. 7163)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

Please provide the following figures for the past 5 years:

- (1) The number of divorce cases processed by the courts, and the average time needed for handling legally-aided divorce applications;
- (2) The number of divorce cases with unreasonable behavior as the ground, in particular divorces sought on the ground of domestic violence;
- (3) The number of divorce/separation cases in which nominal maintenance of \$1 per year was received from former spouses;
- (4) The number of cases in which joint custody order was made, with breakdown by nationality;
- (5) The number of cases involving the granting of custody, with breakdown by male-and-female ratio and nationality;
- (6) The number of cases involving the granting of access, with breakdown by male-and-female ratio and nationality;
- (7) The number of cases in which parents were requested by the courts to take part in co-parenting courses, with breakdown by male-and-female ratio and nationality.

Asked by: Dr Hon Fernando Cheung Chiu-hung (Member Question No. 742)Reply:

The Judiciary does not maintain the requested statistics.

However, the Judiciary maintains the numbers of divorce cases filed in a year that may be relevant to the first part of item (1). Such figures for the past five years are as follows:

Year	2011	2012	2013	2014	2015
Number of divorce cases filed in the year	22 543	23 255	22 960	21 980	21 467

- End -

CONTROLLING OFFICER'S REPLY**JA014****(Question Serial No. 4489)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

Please inform this Council of:

- (1) the respective remuneration and establishment of Judges and Judicial Officers at various levels of court, including the Magistrates' Courts, the Tribunals, the District Court, the High Court and the Court of Final Appeal;
- (2) the respective contract term for "individual" Magistrates (not collectively as a whole) in the Magistrates' Courts;
- (3) the numbers of part-time Deputy Magistrates and Deputy Judges in the past 5 years; and
- (4) the details of exchanges or activities between the Judiciary and the relevant bodies of the Mainland in the past 3 years, and what is the estimated expenditure in this regard for this year ?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 204)Reply:

- (1) The establishment and remuneration of Judges and Judicial Officers ("JJOs") at all levels of court is as follows:

Position as at 31.3.2016				
Level of Court	Rank	Establishment	Judicial Service Pay Scale Point	Monthly Salary \$
Court of Final Appeal	Chief Justice	1	19	306,150
	Permanent Judge	3^	18	297,650
Court of Appeal	Chief Judge of the High Court	1	18	297,650
	Justice of Appeal	13	17	268,350

Position as at 31.3.2016				
Level of Court	Rank	Establishment	Judicial Service Pay Scale Point	Monthly Salary \$
Court of First Instance High Court Masters' Office	Judge of the Court of First Instance	34	16	255,750
	Registrar	1	15	211,400
	Senior Deputy Registrar	4	14	192,750 – 204,500
	Deputy Registrar	6	13	180,650 – 191,500
District Court (including Family Court and Lands Tribunal) District Court Masters' Office	Chief District Judge	1	15	211,400
	Principal Family Court Judge	1	14	192,750 – 204,500
	District Judge	35	13	180,650 – 191,500
	Member, Lands Tribunal	2	12	155,400 – 164,950
	Registrar	1	11	143,150 – 151,750
	Deputy Registrar	3	10	130,950 – 138,900
Magistrates' Courts/ Specialized Court/ Other Tribunals	Chief Magistrate	1	13	180,650 – 191,500
	Principal Magistrate/ Principal Presiding Officer, Labour Tribunal/ Principal Adjudicator, Small Claims Tribunal	11	11	143,150 – 151,750
	Coroner/ Presiding Officer, Labour Tribunal/ Adjudicator, Small Claims Tribunal/ Magistrate	71	10 7-10	130,950 – 138,900 115,905 – 138,900
	Special Magistrate	11	1 - 6	75,335 – 89,010

[^] Excluding one Permanent Judge post created for a Non-Permanent Judge of the Court of Final Appeal.

- (2) Magistrates are appointed on a 3-year contract, a linked contract of 3 x 3 years or permanent and pensionable terms.
- (3) The number of Deputy JJOs appointed from outside the Judiciary (excluding Deputy JJOs appointed from within the Judiciary) as at 1 March in the past five years of 2012 to 2016 is as follows:

Position	1.3.2012	1.3.2013	1.3.2014	1.3.2015	1.3.2016
Deputy Judge of the Court of First Instance of the High Court	4	7	5	2	9
Temporary Deputy Registrar, High Court	0	0	1	1	1
Deputy District Judge	1	1	0	0	2
Temporary Member of the Lands Tribunal	1	1	0	0	0
Deputy Magistrate	25	10	24	12	17
Deputy Special Magistrate	8	5	9	5	4
Total	39	24	39	20	33

- (4) The details of exchanges or activities between the Judiciary and the relevant bodies of the Mainland in 2013-14, 2014-15 and 2015-16 are set out in the Annex attached.

The Judiciary's estimated expenditure for visit programmes to other jurisdictions, including the Mainland, in 2016-17 is \$1.072 million.

**Exchanges/activities between the Judiciary
and the relevant departments of the Mainland
for the financial years 2013-14 to 2015-16**

Financial Year 2013-14

Date	Exchanges/activities between the Judiciary and the relevant departments of the Mainland
27.4.2013	Mr Justice Wally YEUNG, Vice-President of the Court of Appeal of the High Court, delivered a talk at the School of Law of Sun Yat-sen University in Guangzhou
20.5.2013	A 10-member delegation of the Judicial Reform Steering Group of the Supreme People's Court of the People's Republic of China visited the Judiciary
24-25.5.2013	Mr LIN Kam-hung, Ernest Michael, Principle Magistrate, attended the PRC Maritime Law Seminar in Shenzhen
28.5.2013	Ms LI Mingrong, Deputy Chief Procurator of People's Procuratorate of Fujian Province of the People's Republic of China, visited the Judiciary
16-19.7.2013	The Chief Justice, Mr Justice Patrick CHAN, then Permanent Judge of the Court of Final Appeal and Mr Justice Andrew CHEUNG, Chief Judge of the High Court, visited Beijing to meet with officials from the Supreme People's Court of the People's Republic of China, the Law Committee of the Standing Committee of the National People's Congress, the Hong Kong Special Administrative Region Basic Law Committee of the Standing Committee of the National People's Congress, the Supreme People's Procuratorate, the Ministry of Justice, and the Hong Kong and Macao Affairs Office of the State Council
8.8.2013	An 11-member delegation from the Guangdong Higher People's Court of the People's Republic of China visited the Judiciary
2.9.2013	A six-member delegation from the Justice Departments/Bureaux of the People's Republic of China visited the Judiciary
18.9.2013	A seven-member delegation led by Vice President JIANG Bixin, Supreme People's Court of the People's Republic of China, visited the Judiciary
23-25.9.2013	The Chief Justice; Mr Justice Andrew CHEUNG, Chief Judge of the High Court; Mr Justice Derek PANG, Judge of the Court of First Instance of the High Court; Judge S T POON, Chief District Judge; and Mr LEE Hing-nin, Clement, then Acting Chief Magistrate, attended the Second Seminar of Senior Judges of Cross-Strait and Hong Kong and Macao in Hsinchu (Taiwan)
16.10.2013	Mr Justice Wally YEUNG, Vice-President of the Court of Appeal of the High Court, delivered a talk at the National Judges College in Beijing

Date	Exchanges/activities between the Judiciary and the relevant departments of the Mainland
22.10.2013	A seven-member delegation led by Justice LUO Dongchuan, Chief Judge and the President of the Fourth Civil Division, the Supreme People's Court of the People's Republic of China, visited the Judiciary
22-24.10.2013	A 10-member delegation led by WANG Shaonan, Director General of the Department of Judicial Administration and Equipment Management of the Supreme People's Court of the People's Republic of China, visited the Judiciary
20.12.2013	An 11-member delegation from the Guangdong Higher People's Court of the People's Republic of China visited the Judiciary
21.1.2014	Mr WANG Sheng-ming, Vice-chairperson of the Internal and Judicial Affairs Committee of the National People's Congress, visited the Judiciary
18.2.2014	Mr CHEN Xu, Chief Procurator of the Shanghai People's Procuratorate of the People's Republic of China, visited the Judiciary

Financial Year 2014-15

Date	Exchanges/activities between the Judiciary and the relevant departments of the Mainland
24-25.4.2014	A six-member delegation led by President QI Qi, Zhejiang Higher People's Court of the People's Republic of China, visited the Judiciary
12-13.5.2014	Madam Justice Bebe CHU, then Deputy Judge of the Court of First Instance of the High Court, and Judge Sharon D MELLOY, District Judge, participated in an international conference entitled "Cross-Border Family Law Issues and the Well-Being of the Child: Asia-Pacific Perspectives" in Beijing
26-27.5.2014	A ten-member delegation led by Vice President LI Shaoping, Supreme People's Court of the People's Republic of China, visited the Judiciary
10-12.7.2014	Mr Justice Wally YEUNG, Vice-President of the Court of Appeal of the High Court, gave lectures at the Law School, Nankai University in Tianjin
21-22.8.2014	A four-member delegation led by Mr HU Yun-teng, Grand Justice of the Second Rank of the Supreme People's Court of the People's Republic of China, visited the Judiciary
14.10.2014	Mr ZHENG Shanhe, Bureau Chief, Shanghai Municipal Bureau of Justice of the People's Republic of China, visited the Judiciary
5.11.2014	A 14-member delegation led by Ms HAN Hong, Deputy Director of the Political Department and Judges Management Department of the Supreme People's Court, visited the Judiciary
24.11.2014	Mr GAN Zangchun, Deputy Director of the Legislative Affairs Office of the State Council, visited the Judiciary
14.1.2015	An eight-member delegation from the Justice Departments/Bureaux of the People's Republic of China visited the Judiciary
19.3.2015	A 10-member delegation from the Ministry of Foreign Affairs of the People's Republic of China visited the Judiciary

Financial Year 2015-16

Date	Exchanges/activities between the Judiciary and the relevant departments of the Mainland
12.5.2015	An 11-member delegation of judges from the Supreme People's Court and other provinces' Higher Peoples's Courts of the People's Republic of China visited the Judiciary
21-22.5.2015	An eight-member delegation led by Ms TANG Humei, Deputy Director General of the Department of Judicial Administration and Equipment Management of the Supreme People's Court of the People's Republic of China, visited the Judiciary
26-28.7.2015	The Chief Justice; Mr Justice Andrew CHEUNG, Chief Judge of the High Court; Mr Justice Wally YEUNG, Vice-President of the Court of Appeal of the High Court; Deputy High Court Judge S T POON, Deputy Judge of the Court of First Instance of the High Court; and Mr LEE Hing-nin, Clement, Chief Magistrate, attended the Third Seminar of Senior Judges of Cross-Strait and Hong Kong and Macao in Macao
2-4.9.2015	The Chief Justice and Mr Justice Andrew CHEUNG, Chief Judge of the High Court, visited Beijing to attend the Commemorative Activities for 70th Anniversary of the Victory of the Chinese People's War of Resistance Against Japanese Aggression
25.9.2015	A 12-member delegation led by Mr Zhou Qiang, President of the Supreme People's Court of the People's Republic of China, attended the Ceremonial Opening of the Court of Final Appeal Building
18-20.11.2015	Mr Justice Joseph FOK, Permanent Judge of the Court of Final Appeal, attended the Third Rule of Law Conference in Beijing, which was co-organized by the University of Hong Kong, University College London and Peking University.
23.11.2015	Mr Justice Wally YEUNG, Vice-President of the Court of Appeal of the High Court, gave lecture at the National Judges College in Beijing
25-26.11.2015	A four-member delegation led by Ms HE Rong, Vice-President of the Supreme People's Court of the People's Republic of China, visited the Judiciary
1.12.2015	The Chief Justice and Mr Justice Andrew CHEUNG, Chief Judge of the High Court, visited the First Circuit Court of the Supreme People's Court and the Qianhai Court in Shenzhen, and met with judges and officials from the Supreme People's Court of the People's Republic of China
9.12.2015	A three-member delegation led by Mr JIANG Jianchu, Deputy Procurator-General of the Supreme People's Procuratorate of the People's Republic of China, visited the Judiciary

Date	Exchanges/activities between the Judiciary and the relevant departments of the Mainland
19.1.2016	A seven-member delegation led by ZHAO Jinshan, Deputy Director General of the Department of Enforcement of the Supreme People's Court of the People's Republic of China, visited the Judiciary
25.1.2016	Mr WAN Chun, Director of the Law and Policy Research Office, Supreme People's Procuratorate of the People's Republic of China, visited the Judiciary
28.1.2016	Ambassador HUANG Huikang, Ambassador Extraordinary and Plenipotentiary of the People's Republic of China to Malaysia, visited the Judiciary
24.2.2016	Mr XU Hong, Director-General of the Department of Treaty and Law, Ministry of Foreign Affairs of the People's Republic of China, visited the Judiciary
14.3.2016	A 10-member delegation led by Mr FENG Tie, Director-General of the Department of Hong Kong, Macao and Taiwan Affairs, Ministry of Foreign Affairs of the People's Republic of China, visited the Judiciary
23.3.2016	A five-member delegation led by SHEN Deyong, Executive Vice-President of the Supreme People's Court of the People's Republic of China, visited the Judiciary

- End -

CONTROLLING OFFICER'S REPLY

JA015

(Question Serial No. 4490)

Head: (80) Judiciary

Subhead (No. & title): (000) Operational expenses

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

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Please inform this Council of:

The name of the security service company currently engaged for the Kowloon City Magistrates' Courts, the contract period, the number of supervisor, staff and licensed security guards employed and the expenditure involved.

Asked by: Hon LEUNG Kwok-hung (Member Question No. 205)

Reply:

The provision of building security services at all Judiciary premises is outsourced through open tendering in two separate service contracts. One service contract covers premises on the Hong Kong Island while the other one covers premises in Kowloon and the New Territories, including the Kowloon City Law Courts Building ("KCLCB"). The current contractor for both service contracts is the Wise Security Limited with a 2-year contract ending on 1 June 2016.

Under the service contract, all security staff are required to hold a valid Category B Security Personnel Permit issued under the Security and Guarding Services Ordinance (Cap. 460). Normally, a total of 10 security staff, including one security supervisor and nine security guards, would be deployed to the KCLCB but the actual number of security guards deployed may vary according to operational needs. The expenditure incurred by the KCLCB on security guard services in 2015-16 (up to 29 February 2016) is about \$1,122,000.

Separately, the Police has the statutory duty to take lawful measures for "attending the criminal courts and, if specially ordered, the civil courts and keeping order therein" pursuant to section 10(p) of the Police Force Ordinance, Cap. 232. In addition to the Police's constabulary establishment in the Magistrates' Courts, the Police has also engaged security guards to perform crowd control duties in the Magistrates' Courts starting from early 2009.

The security guards engaged by the Police would be responsible for crowd control and general guard duties under its supervision. The Police is responsible to provide command and control of the security guards it engages and is responsible for managing their performance.

- End -

CONTROLLING OFFICER'S REPLY**JA016****(Question Serial No. 4491)**Head: (80) JudiciarySubhead (No. & title): (000) Operational expensesProgramme: (1) Courts, Tribunals and Various Statutory FunctionsControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

With regard to 'Courts, Tribunals and Various Statutory Functions', the estimated expenditure for the year 2016-17 has substantially increased by 13.5% when compared to that for the year 2015-16. What is the reason?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 206)Reply:

Provision for 2016-17 for Programme (1), i.e. Courts, Tribunals and Various Statutory Functions, is 13.5% higher than the revised estimates for 2015-16. This is mainly due to the increased provision for filling of vacancies, and creation of additional judicial and non-judicial posts in 2016-17 for enhancing support on various fronts.

In 2016-17, there will be deletion of 24 non-judicial posts and creation of three judicial and 74 non-judicial posts resulting in a net increase of 53 posts in the Judiciary. The 53 posts, comprising three judicial and 50 non-judicial posts, are to be created for the following purposes:

Purpose	Number of posts	Rank of posts	Annual salary at mid-point (\$)
To provide necessary support to the additional courts and new initiatives upon co-location of the new West Kowloon Magistrates' Courts	25	2 Adjudicator 1 Magistrate 1 Accounting Officer I 1 Court Interpreter I 2 Senior Judicial Clerks II 2 Clerical Officers 1 Judicial Clerk	12.03 million

(to replace the existing Tsuen Wan Magistrates' Courts), Small Claims Tribunal ("SCT"), Coroner's Court and Obscene Articles Tribunal at the future West Kowloon Law Courts Building		11 Assistant Clerical Officers 3 Clerical Assistants 1 Workman II	
To provide support for new initiatives for, inter alia, full implementation of the new listing arrangement in the SCT; commencement of maintenance for the new infrastructure and application systems developed under the Information Technology Strategy Plan ("ITSP") after implementation; and formulation and implementation of the accommodation strategy for the Judiciary in the long term	22 (net)	1 Principal Executive Officer 1 Chief Executive Officer 1 Senior Architect <i>offset by deletion of – 1 Senior Architect</i> 1 Senior Executive Officer 1 Systems Manager 1 Assistant Computer Operation Manager 1 Analyst/Programmer I 3 Senior Judicial Clerks II 1 Senior Computer Operator 4 Analyst/Programmers II 1 Clerical Officer 7 Assistant Clerical Officers	12.57 million
To enhance existing services, such as strengthening of support for coping with increased workload, etc.	6	1 Executive Officer II 1 Judicial Clerk 3 Assistant Clerical Officers 1 Clerical Assistant	1.74 million
To regrade the posts for meeting operational needs	0 (net)	3 Clerical Assistants 2 Workmen II <i>offset by deletion of – 5 Office Assistants</i>	0.03 million

To provide continued support for the implementation of the ITSP and file disposal exercise of the Judiciary	0 (net)	1 Senior Systems Manager 1 Chief Judicial Clerk 1 Senior Executive Officer 2 Systems Managers 1 Senior Judicial Clerk I 2 Analyst/Programmers I 3 Senior Judicial Clerks II 1 Judicial Clerk 4 Assistant Clerical Officers 2 Workmen II <i>offset by deletion of –</i> <i>1 Senior Systems Manager</i> <i>1 Chief Judicial Clerk</i> <i>1 Senior Executive Officer</i> <i>2 Systems Managers</i> <i>1 Senior Judicial Clerk I</i> <i>2 Analyst/Programmers I</i> <i>3 Senior Judicial Clerks II</i> <i>1 Judicial Clerk</i> <i>4 Assistant Clerical Officers</i> <i>2 Workmen II</i>	0 million
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- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4492)

Head: (80) Judiciary

Subhead (No. & title): (-)

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

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Regarding the court registry administration of the Kowloon City Magistrates' Courts, please inform this Council of:

- (1) the establishment and remuneration of respective officers of the court registry administration in the past five years;
- (2) the respective contract term for "individual" officers (collectively as a whole) of the court registry administration of the Magistrates' Courts;
- (3) the numbers of contract and non-contract staff;
- (4) the details of exchanges or activities between the Magistrates' Courts and the relevant departments of the Mainland in the past 5 years;
- (5) the expenditures for the past 4 years and the estimate for this year.

Asked by: Hon LEUNG Kwok-hung (Member Question No. 207)

Reply:

- (1) The court registry administration of the Kowloon City Magistrates' Courts has an establishment of 42 support staff posts. The approximate salary expenditure (calculated at annual salary at mid-point*) for these 42 support staff posts for the past five years from 2011-12 to 2015-16 are as follows –

<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
\$9.1	\$9.6	\$10.0	\$10.4	\$10.9
million	million	million	million	million

* The estimates have included any acting allowances payable in individual cases where acting appointments are necessary.

- (2) All 42 support staff posts of the court registry administration of the Kowloon City Magistrates' Courts are civil service posts on the permanent establishment of the Judiciary. As at 1 March 2016, there is one vacancy remains unfilled. As a stop-gap measure, a non-civil service contract staff is engaged under a 12-month contract to provide the support pending the intake of a civil servant to fill the post.
- (3) Please see the reply at (2) above.
- (4) Exchange or activities with the relevant bodies in the Mainland were mainly with the Judiciary. Some of such programmes might involve visits to different levels of court in Hong Kong, including the Kowloon City Magistrates' Courts, as part of the visit programme.
- (5) The Judiciary does not have the breakdown of the operating expenses by levels of court.

- End -

CONTROLLING OFFICER'S REPLY

JA018

(Question Serial No. 4493)

Head: (80) Judiciary

Subhead (No. & title): (-)

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

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

What is the name of the company currently engaged for the maintenance of lifts in the Kowloon City Magistrates' Courts? What are the contract term and expenditure involved? Please also provide information on the number of occasions of maintenance work in the past 5 years with the dates and time concerned.

Asked by: Hon LEUNG Kwok-hung (Member Question No. 208)

Reply:

The maintenance service for electrical, mechanical, air-conditioning, building services and electronic facilities in all Judiciary premises, including the lifts in the Kowloon City Law Courts Building ("KCLCB"), is provided by the Electrical and Mechanical Services Department ("EMSD") of the Government under a 5-year service level agreement ending on 31 March 2017. There is no readily available information on the expenditure spent on lift maintenance in the KCLCB for the past five years. Supervision of the contractor engaged by the EMSD for the provision of maintenance service to the lifts in the KCLCB is performed by the EMSD. The venue manager of the KCLCB who is at Senior Judicial Clerk I level performs day to day liaison with the EMSD and the contractor.

In the past five years, the contractor engaged by the EMSD has provided regular checking and/or maintenance work to the nine lifts in the KCLCB for around 200 times. There is no readily available record on the breakdown of maintenance work by dates and time concerned.

- End -

CONTROLLING OFFICER'S REPLY

JA019

(Question Serial No. 4494)

Head: (80) Judiciary

Subhead (No. & title): (-)

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

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Regarding lift number 1 of the Kowloon City Magistrates' Courts, which leads to and from Argyle Street, what are the service hours, name of the maintenance service company, the term of contract and expenditure involved? What is the rank of the court staff in charge of its maintenance and management, and the number of occasions of maintenance work in the past 5 years? The lift is often claimed to be under repair, causing inconvenience to the disabled. Will the Judiciary need to increase provision to install one more lift at Argyle Street so as to solve this problem?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 209)

Reply:

The maintenance service for electrical, mechanical, air-conditioning, building services and electronic facilities in all Judiciary premises, including the lifts in the Kowloon City Law Courts Building ("KCLCB"), is provided by the Electrical and Mechanical Services Department ("EMSD") of the Government under a 5-year service level agreement ending on 31 March 2017. There is no readily available information on the expenditure spent on lift maintenance in the KCLCB for the past five years. Supervision of the contractor engaged by the EMSD for the provision of maintenance service to the lifts in the KCLCB is performed by the EMSD. The venue manager of the KCLCB who is at Senior Judicial Clerk I level is responsible for the day to day liaison with the EMSD and the contractor.

To facilitate users' access to the courts in KCLCB, the lift no. 1 is operated from 8:00 am to 6:30 pm from Mondays to Fridays and from 8:00 am to 1:30 pm on Saturdays. In the past five years, the contractor engaged by the EMSD has provided regular checking and/or maintenance work to the nine lifts in the KCLCB for about 200 times.

It is noted that according to the design of the lift system at the KCLCB, lift no. 1 is the only lift providing direct access from Argyle Street to the court lobby. The Judiciary is aware

that any closure of lift no.1 due to regular checking and/or maintenance would cause inconvenience to court users, and is consulting the EMSD to determine if there could be immediate or long-term measures to enhance the lift services in this respect. The Judiciary would also explore with relevant Government technical departments on the feasibility and desirability of possible options for providing more sustained improvements to the situation.

- End -

CONTROLLING OFFICER'S REPLY

JA020

(Question Serial No. 4495)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Please provide the following information concerning the carpark of the Kowloon City Magistrates' Courts in the past 5 years, including the number of parking spaces provided to staff employed by the Judiciary; the number of parking spaces provided to staff not employed by the Judiciary; the number of parking spaces provided to staff of commercial tenants or outsourced companies; parking fees paid by staff employed by the Judiciary, and the income for the years concerned; parking fees paid by staff not employed by the Judiciary, and the income for the years concerned; parking fees paid by staff of commercial tenants or outsourced companies, and the income for the years concerned; service hours of the carpark; rank of the court staff managing and monitoring the carpark; whether the management service of the carpark has been outsourced, if yes, the name of the outsourced company, term of contract and the expenditure involved; rank of the court staff responsible for the monitoring task; the total number of parking spaces; and the rate of usage of the carpark.

Asked by: Hon LEUNG Kwok-hung (Member Question No. 210)

Reply:

Carparking spaces in all Judiciary premises are allocated to members of the Judiciary, and court user government departments and organizations working at or visiting such premises for official purposes. There is no charge on their use.

In respect of the Kowloon City Law Courts Building ("KCLCB"), there are a total of 32 carparking spaces, which are allocated along similar principles. The carpark is managed by the venue manager of the KCLCB at Senior Judicial Clerk I level.

The Judiciary does not have readily available information on the usage rate of the carpark.

- End -

CONTROLLING OFFICER'S REPLY

JA021

(Question Serial No. 4496)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Regarding the companies providing cleaning and pest and rodent control services to the Kowloon City Magistrates' Courts, Tsuen Wan Magistrates' Courts, Tuen Mun Magistrates' Courts, High Court and District Court respectively in the past 5 years, please inform this Council of the names of the companies, contract periods, expenditures involved, ranks of the court support staff members responsible for supervision, and the number of pest and rodent control exercises which had been carried out.

Asked by: Hon LEUNG Kwok-hung (Member Question No. 211)

Reply:

The cleaning service for all law courts buildings (except for law courts located in joint-user buildings) are covered by two service contracts. One contract covers Judiciary premises on the Hong Kong Island and in Kowloon, and the other contract covers those in the New Territories. The contracts are awarded through open tender. Names of the companies providing cleaning service for the High Court Building, Kowloon City Law Courts Building, Tsuen Wan Law Courts Building and Tuen Mun Law Courts Building^{Note 1} from 2011-12 to 2015-16 and the service contract periods are set out as follows:

Note 1 The District Court is located in a joint-user building and the cleaning service for the building is arranged by the Government Property Agency of the Government. The Judiciary has no information on the cleaning service contractor or expenditure involved.

Name of Company	Venue	Contract Period
Johnson Cleaning Services Company Limited	<ul style="list-style-type: none"> • High Court Building • Kowloon City Law Courts Building 	Under the same 2-year contracts from: (a) 1.4.2011 to 31.3.2013; (b) 1.4.2013 to 31.3.2015; and (c) 1.4.2015 to 31.3.2017.
Baguio Cleaning Services Company Limited	<ul style="list-style-type: none"> • Tsuen Wan Law Courts Building • Tuen Mun Law Courts Building 	Under the same 2-year contracts from: (a) 1.4.2011 to 31.3.2013; (b) 1.4.2013 to 31.3.2015; and (c) 1.4.2015 to 31.3.2017.

For pest and rodent control service, one contractor is engaged for all Judiciary premises including the High Court Building, Kowloon City Law Courts Building, Tsuen Wan Law Courts Building, Tuen Mun Law Courts Building and District Court. Names of the companies providing pest and rodent control service from 2011-12 to 2015-16 and the service contract periods are set out as follows:

Name of Company	Contract Period
Swan Pest Control Services Limited	One 1-year contract from: (a) 13.6.2010 to 12.6.2011.
Waihong Pest Control Services Limited	Four 1-year contracts from: (a) 13.6.2011 to 12.6.2012; (b) 13.6.2012 to 12.6.2013; (c) 13.6.2013 to 12.6.2014; and (d) 13.6.2014 to 12.6.2015.
Li Hing Environmental Services Limited	One 1-year contract from: (a) 13.6.2015 to 12.6.2016.

Day-to-day supervision of the services performed by the cleaning service contractors and the pest and rodent control service contractor as required under the contractual terms are carried out by the respective venue managers at Senior Judicial Clerk I/Senior Executive Officer levels.

The expenditure for the cleaning services and for the pest and rodent control services engaged by the Judiciary and the total number of pest and/or rodent control exercises conducted for the High Court Building, Kowloon City Law Courts Building, Tsuen Wan Law Courts Building, Tuen Mun Law Courts Building and District Court ^{Note 2} from 2011-12 to 2015-16 are as follows:

Financial year	Expenditure for the Cleaning Service ^{Note 2} and Pest and Rodent Control Service for the 5 Law Courts (\$'000)	Total Number of Pest and Rodent Control Exercises for the 5 Law Courts
2011-12	2,775	21
2012-13	3,036	25
2013-14	3,547	26
2014-15	3,466	29
2015-16 (up to 29.2.2016)	3,702	25

Note 2 For District Court, only expenditure for the pest and rodent control services and the number of pest and rodent control exercises conducted have been taken into account.

- End -

CONTROLLING OFFICER'S REPLY

JA022

(Question Serial No. 4497)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Please list in a table the number of complaints about various magistrates' courts in the past 5 years dealt with by the Complaints Office of the Judiciary that lodged by members of the public (including names of the magistrates' courts and the number of complaints lodged by members of the public).

Asked by: Hon LEUNG Kwok-hung (Member Question No. 212)

Reply:

The Complaints Office of the Judiciary Administration handles complaints about administrative matters, such as attitude of staff, administrative procedures, quality of service and facilities relating to the Judiciary Administration of the Judiciary.

The total number of complaints handled by the Complaints Office of the Judiciary Administration about the court registry administration of the Magistrates' Courts that provide administrative support to the Magistrates' Courts, including referrals from Government Bureaux or Departments, Legislative Council Secretariat or Councillors, the Ombudsman or other public organizations from 2011 to 2015 is as follows:

Court registry administration of Magistrates' Courts	2011	2012	2013	2014	2015
Eastern Magistrates' Courts	7	4	4	5	4
Fanling Magistrates' Courts	0	2	2	1	3
Kowloon City Magistrates' Courts	3	4	4	2	2 [#]
Kwun Tong Magistrates' Courts	0	2	4	10	4
Shatin Magistrates' Courts	1	6	2	0	1
Tsuen Wan Magistrates' Courts	1	3	3	5	1
Tuen Mun Magistrates' Courts	4	4	3	1	4 [#]

Remark: # One complaint handled in 2015 was about the court registry administration of two Magistrates' Courts (Kowloon City Magistrates' Courts and Tuen Mun Magistrates' Courts).

- End -

CONTROLLING OFFICER'S REPLY**JA023****(Question Serial No. 4498)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (2) Support Services for Courts' OperationControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

Please list in a table the number of complaints on various magistrates' courts referred by Legislative Council members or the Legislative Council Secretariat for follow-up actions in the past 5 years (including names of the magistrates' courts and the number of complaints lodged by members of the public).

Asked by: Hon LEUNG Kwok-hung (Member Question No. 213)Reply:

The number of complaints about the court registry administration of the Magistrates' Courts that provide administrative support to the Magistrates' Courts, as referred by members of the Legislative Council or the Legislative Council Secretariat that processed by the Complaints Office of the Judiciary Administration from 2011 to 2015 is as follows:

Court registry administration of Magistrates' Courts	2011	2012	2013	2014	2015
Eastern Magistrates' Courts	0	0	0	0	0
Fanling Magistrates' Courts	0	0	0	0	0
Kowloon City Magistrates' Courts	0	0	0	0	2 [#]
Kwun Tong Magistrates' Courts	0	0	0	0	0
Shatin Magistrates' Courts	0	0	0	0	0
Tsuen Wan Magistrates' Courts	0	0	0	0	0
Tuen Mun Magistrates' Courts	0	0	0	0	1 [#]

Remark: # One complaint handled in 2015 was about the court registry administration of two Magistrates' Courts (Kowloon City Magistrates' Courts and Tuen Mun Magistrates' Courts).

- End -

CONTROLLING OFFICER'S REPLY**JA024****(Question Serial No. 4499)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (2) Support Services for Courts' OperationControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

Please list in a table the number of complaints on various magistrates' courts referred by the Office of The Ombudsman and the Equal Opportunities Commission for follow-up actions in the past 5 years (including names of the magistrates' courts and the number of complaints lodged by members of the public).

Asked by: Hon LEUNG Kwok-hung (Member Question No. 214)Reply:

The Complaint Office of the Judiciary Administration had not received any complaint about the court registry administration of the Magistrates' Courts that provide administrative support to the Magistrates' Courts, as referred by the Equal Opportunities Commission in the past five years.

The number of complaints about the court registry administration of the Magistrates' Courts as referred by the Ombudsman that processed by the Complaints Office of the Judiciary Administration from 2011 to 2015 is as follows:

Court registry administration of Magistrates' Courts	2011	2012	2013	2014	2015
Eastern Magistrates' Courts	0	1	0	2	0
Fanling Magistrates' Courts	0	0	0	0	0
Kowloon City Magistrates' Courts	1	0	0	1	0
Kwun Tong Magistrates' Courts	0	0	1	2	0
Shatin Magistrates' Courts	0	2	1	0	0
Tsuen Wan Magistrates' Courts	0	0	1	1	0
Tuen Mun Magistrates' Courts	1	0	0	0	0

- End -

CONTROLLING OFFICER'S REPLY

JA025

(Question Serial No. 4500)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

In the form of a table, please inform this Council of the names of companies providing cleaning services to the Kowloon City Magistrates' Courts, Tsuen Wan Magistrates' Courts, Tuen Mun Magistrates' Courts, High Court and District Court respectively, the contract periods, ranks of the court support staff members responsible for management, and the number of pest and rodent control exercises which had been carried out in the past 5 years.

Asked by: Hon LEUNG Kwok-hung (Member Question No. 215)

The cleaning service for all law courts buildings (except for law courts located in joint-user buildings) are covered by two service contracts. One contract covers Judiciary premises on the Hong Kong Island and in Kowloon, and the other contract covers those in the New Territories. The contracts are awarded through open tender. Names of the companies providing cleaning service for the High Court Building, Kowloon City Law Courts Building, Tsuen Wan Law Courts Building and Tuen Mun Law Courts Building^{Note} from 2011-12 to 2015-16 and the service contract periods are set out as follows:

Note The District Court is located in a joint-user building and the cleaning service for the building is arranged by the Government Property Agency of the Government. The Judiciary has no information on the cleaning service contractor or expenditure involved.

Name of Company	Venue	Contract Period
Johnson Cleaning Services Company Limited	<ul style="list-style-type: none"> • High Court Building • Kowloon City Law Courts Building 	Under the same 2-year contracts from: (a) 1.4.2011 to 31.3.2013; (b) 1.4.2013 to 31.3.2015; and (c) 1.4.2015 to 31.3.2017.
Baguio Cleaning Services Company Limited	<ul style="list-style-type: none"> • Tsuen Wan Law Courts Building • Tuen Mun Law Courts Building 	Under the same 2-year contracts from: (a) 1.4.2011 to 31.3.2013; (b) 1.4.2013 to 31.3.2015; and (c) 1.4.2015 to 31.3.2017.

Day-to-day supervision of the services performed by the cleaning service contractors and the pest and rodent control service contractor as required under the contractual terms are carried out by the respective venue managers at Senior Judicial Clerk I/Senior Executive Officer levels.

The total number of pest and/or rodent control exercises conducted for the High Court Building, Kowloon City Law Courts Building, Tsuen Wan Law Courts Building, Tuen Mun Law Courts Building and District Court from 2011-12 to 2015-16 is as follows:

Financial year	Total Number of Pest and Rodent Control Exercises in these 5 Buildings
2011-12	21
2012-13	25
2013-14	26
2014-15	29
2015-16 (up to 29.2.2016)	25

- End -

CONTROLLING OFFICER'S REPLY

JA026

(Question Serial No. 4501)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

In the form of a table, please state whether there are any barrier-free facilities and barrier-free access for the use by the public at the Tsuen Wan Magistrates' Courts and the Kowloon City Magistrates' Courts. What are their service hours?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 216)

Reply:

The Judiciary is committed to providing barrier-free facilities and barrier-free access to court users in all law courts buildings, including the Tsuen Wan Law Courts Building and the Kowloon City Law Courts Building, where conditions permit. Designated washrooms for the disabled/ wheelchair users are installed. Hearing aids will be provided to court users with hearing impairment during court hearings. In respect of access to the buildings, access ramp, tactile guide path, accessible lift or stair lift and wide corridor are installed depending on the physical conditions of individual buildings. These facilities are available to court users when the court registries are open during normal business hours: from 9:00 am to 5:00 pm from Monday to Friday and from 9:00 am to 12:00 noon on Saturday.

- End -

CONTROLLING OFFICER'S REPLY

JA027

(Question Serial No. 4502)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Does the Judiciary employ persons with disabilities? If yes, how many? Are there corresponding barrier-free facilities and barrier-free access for their use at various courts? If no, what are the reasons? Is there any policy for promoting the employment of persons with disabilities?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 217)

Reply:

As at 10 March 2016, the Judiciary is employing 33 persons with disabilities. Judiciary premises are provided with barrier-free access facilities, e.g. ramp for wheelchair users, accessible toilet and accessible parking space. In addition, assistive devices, e.g. Braille notetaker, are also provided if necessary to facilitate the performance of their duties.

The Judiciary Administration welcomes job applications from persons with disabilities. Applying the practices applicable to civil service recruitments, applicants with disabilities who meet the basic entry requirements will be invited to attend the selection interview/recruitment examination without being subject to any shortlisting criteria. Candidates found suitable for employment may be given an appropriate degree of preference for appointment. Such candidates may be recommended for appointment even though they may not be able, on account of their disabilities, to perform the full range of duties of every post in the same rank.

- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 4503)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Please set out in a table the energy-saving measures at various magistrates' courts and also their effectiveness.

Asked by: Hon LEUNG Kwok-hung (Member Question No. 218)

Reply:

All along, the Judiciary is committed to energy conservation. For existing law courts buildings (including magistrates' courts buildings), the Judiciary has been carrying out different retrofitting works by phases with a view to improving the existing infrastructure for energy conservation, which include:

- (a) replacing existing lightings, lift control systems and chillers by more energy saving types;
- (b) replacing conventional lightings for "Exit" signs with LED lights;
- (c) installing motion sensors in appropriate areas; and
- (d) installing light zoning system and timer switch for the light fittings.

Besides, housekeeping measures are put in place to save energy, which include:

- (a) switching off the air-conditioning and lighting in courtrooms and conference rooms immediately after use;
- (b) turning on ventilation (instead of chillers) when the temperature and humidity outdoor are low in cooler months, and setting the temperature for indoor areas other than courtrooms at 25.5°C in summer;
- (c) using timer switches to switch off shared equipment after office hours and intelligent power bars to reduce the standby power of office equipment;
- (d) conducting regular maintenance check to ensure that the lighting and air-conditioning systems are operating in an energy efficient condition;

- (e) purchasing office equipment and electrical appliances with Energy Label; and
- (f) educating staff on green management and encouraging them to reduce use of standby mode and unplug equipment chargers and adapters when not in use.

As regards new building projects, various energy conservation features are adopted in the new West Kowloon Law Courts Building. These include water-cooled chillers, photovoltaic system, service-on-demand control for escalators, automatic on/off switching of lighting and ventilation fan inside the lifts, computerized lighting control system with occupancy sensors and daylight sensors, LED down light and spot light, etc.

No statistics are kept by the Judiciary on the effect of the above initiatives in magistrates' courts.

- End -

CONTROLLING OFFICER'S REPLY

JA029

(Question Serial No. 4504)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Please list in a table the number of judicial reviews filed by members of the public against the administrative decisions of the respective Court Registry Administration of various magistrates' courts in the past 5 years.

Asked by: Hon LEUNG Kwok-hung (Member Question No. 219)

Reply:

The Judiciary only maintains the overall statistics on judicial review cases and does not maintain the requested breakdown statistics.

- End -

CONTROLLING OFFICER'S REPLY

JA030

(Question Serial No. 4505)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Are there any leaflets, booklets or posters at various magistrates' courts to inform the public of their rights to lodge complaints or file judicial reviews should they be not satisfied with the administrative decisions of any court registry administration, so as to safeguard the rights and interests of members of the public? If yes, what and where are they? Can they be downloaded from the Internet? If no, what are the reasons? Is it for the reason of harbouring the staff and depriving the public of their rights and interests?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 220)

Reply:

Members of the public may lodge their complaints about administrative issues to designated Complaints Officer at each court registry/office and/or the Complaints Office of the Judiciary Administration. The contacts of court registries/offices and the Complaints Office are available at the Judiciary's website.

In addition, suggestion forms are provided and collection boxes are installed in various venues of different levels of courts. Members of the public can drop in their opinions or suggestions or complaints for the attention of the Judiciary Administration.

As regards judicial review, relevant leaflet on how to apply for judicial review is available at the Resource Centre for Unrepresented Litigants ("Resource Centre") and softcopy of the leaflet is available on the website of the Resource Centre as well.

- End -

CONTROLLING OFFICER'S REPLY

JA031

(Question Serial No. 4506)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Is there any requirement in the Judiciary that staff members of the court registry administration of various magistrates' courts be subject to a transfer or re-posting after certain years? If yes, after how many years must there be a transfer? And in the form of a table, please state in detail whether there are any staff members of the court registry administration of the magistrates' courts who are not transferred or re-posted after such period has lapsed?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 221)

Reply:

The court registry administration of the Magistrates' Courts mainly comprises Judicial Clerk ("JC") grade and clerical grades staff.

There are posting arrangements for JC grade staff to allow them to gain exposure, and to build up the competencies and skills necessary for career development in the grade as well as to meet operational needs. The postings of JC will be arranged having regard to the operation of the courts and tribunals, the manpower situation of the grade and the career development of individual officers. There is no strict rule on the timing of posting of JC grade members.

As for members of the clerical grades which belong to the general grades in the civil service, the Judiciary follows the prevailing posting policy as administered by the General Grades Office of the Civil Service Bureau of the Government. Internal postings would be arranged for clerical grades staff normally in six to eight years.

- End -

CONTROLLING OFFICER'S REPLY

JA032

(Question Serial No. 4507)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Do the outsourced security guards of the Kowloon City Magistrates' Courts have a standard uniform?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 222)

Reply:

The provision of building security services at all Judiciary premises is outsourced through open tendering in two separate service contracts. One service contract covers premises on the Hong Kong Island while the other one covers premises in Kowloon and the New Territories, including the Kowloon City Law Courts Building ("KCLCB"). Under the building security service contract, all security guards, including those working in the KCLCB, are required to wear uniform.

Separately, the Police has the statutory duty to take lawful measures for "attending the criminal courts and, if specially ordered, the civil courts and keeping order therein" pursuant to section 10(p) of the Police Force Ordinance, Cap. 232. In addition to the Police's constabulary establishment in the Magistrates' Courts, the Police has also engaged security guards to perform crowd control duties in the Magistrates' Courts from early 2009 onwards. The security guards engaged by the Police would be responsible for crowd control and general guard duties under its supervision. The Police is responsible to provide command and control of the security guards it engages and is responsible for managing their performance.

- End -

CONTROLLING OFFICER'S REPLY

JA033

(Question Serial No. 4508)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

In the past 3 years, when protesters held demonstrations at the Kowloon City Magistrates' Courts, did the Magistrates' Courts ask the Police to maintain order at the court premises? If yes, how many times? Of what rank were the staff members from the Court Registry Administration of the Magistrates' Courts who were responsible for calling the Police? Is it the case that the current outsourced security company was not capable of maintaining order at the court premises?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 223)

Reply:

The Police has the statutory duty to take lawful measures for "attending the criminal courts and, if specially ordered, the civil courts and keeping order therein" pursuant to section 10(p) of the Police Force Ordinance, Cap. 232. In addition to the Police's constabulary establishment in the Magistrates' Courts, the Police has also engaged security guards to perform crowd control duties in the Magistrates' Courts from early 2009 onwards. The security guards engaged by the Police are responsible for crowd control and general guard duties under its supervision. The Police is responsible to provide command and control of the security guards it engages and is responsible for managing their performance.

Separately, the provision of building security services at all Judiciary premises is outsourced through open tendering in two separate service contracts. One service contract covers premises on the Hong Kong Island while the other one covers premises in Kowloon and the New Territories, including the Kowloon City Law Courts Building ("KCLCB"). Supervision of the provision of building security services at individual court buildings is performed by the venue manager of the respective venue, and in the case of the KCLCB the officer at Senior Judicial Clerk I level. There is no readily available record by the venue manager on calling the Police in the past three years.

- End -

CONTROLLING OFFICER'S REPLY

JA034

(Question Serial No. 4509)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Regarding the no-parking areas at the Lomond Road entrance to the Kowloon City Magistrates' Courts and at the ground level of the Tuen Mun Magistrates' Courts, in the past 3 years, how many occasions were there on which private cars or motorcycles were illegally parked there? What was the penalty for illegal parking there? Of what ranks were the staff members of the Court Registry Administrations of the Magistrates' Courts who were responsible for supervision? In the past 3 years, how many occasions were there on which penalties were imposed for illegal parking of private cars there?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 224)

Reply:

As the Lomond Road entrance to the Kowloon City Law Courts Building ("KCLCB") and the entrance at the ground level of the Tuen Mun Law Courts Building ("TMLCB") fall within the boundaries of the respective court buildings, unauthorised parking are handled by security guards engaged by the Judiciary. The venue managers of the respective venue at Senior Judicial Clerk I level would keep in view the situation and have instructed the security guards to step up patrol to prevent unauthorised parking at these locations. The Judiciary would monitor the situation, and would consider the feasibility of further measures if the situation does not show improvement.

The Judiciary does not keep any figure on unauthorised parking in the relevant areas.

- End -

CONTROLLING OFFICER'S REPLY

JA035

(Question Serial No. 2122)

Head: (80) Judiciary

Subhead (No. & title): (-)

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

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Please list the number of cases dealt with by the Labour Tribunal in the past 5 years under the following categories: arrears of wages, severance payment and long service payment, wages in lieu of notice and holiday pay, providing information on the numbers of claims settled, the numbers of claims allowed, as well as the amounts involved.

Asked by: Hon LEUNG Yiu-chung (Member Question No. 44)

Reply:

The Labour Tribunal does not have readily available statistics on the number of claims with breakdown according to the nature of the claims.

- End -

CONTROLLING OFFICER'S REPLY**JA036****(Question Serial No. 1755)**

Head: (80) Judiciary

Subhead (No. & title): (-)

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

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Judiciary Administrator

Question:

Owing to the insufficiency of judicial posts in the Court of First Instance and the Court of Appeal of the High Court, and the growing complexity of judicial cases, the court waiting time for cases in the High Court has exceeded the targets of the Judiciary. In particular, in the Court of First Instance of the High Court, the actual average waiting times from filing of indictment to hearing for cases on the Criminal Fixture List in 2014 and 2015 were, basically, more than double of the target. The judicial manpower in the High Court and their quality are the key to ensure the efficiency of the Judiciary and the rule of law in Hong Kong.

What is the progress of the current review of the insufficiency of judicial posts in the High Court? In the future recruitments of High Court judges, will there be any measures to make the applicants more interested to join? If yes, what are they specifically?

Asked by: Hon Martin LIAO Cheung-kong (Member Question No. 13)

Reply:

As a result of the latest establishment review of the judicial posts, the Judiciary obtained approval from the Finance Committee of the Legislative Council in March 2015 for the creation of additional judicial posts, including three Justice of Appeal (“JA”) posts for the Court of Appeal and one Judge of the Court of First Instance (“CFI Judge”) post. The new judicial establishment of the High Court has one post of the Chief Judge of the High Court and 13 JA posts and 34 CFI Judge posts. The adequacy of this establishment will be kept under review.

The Judiciary conducted open recruitment exercise for CFI Judges on a much regular basis since 2012. A total of 16 CFI Judge appointments were made since 2012 in three rounds of recruitment exercises. The latest round of recruitment launched in 2014 is nearing completion and it is anticipated that any further appointment will be announced as appropriate. The Judiciary plans to launch the next round of recruitment exercise for CFI Judges in mid 2016.

From the experiences of the past few open recruitment exercises for CFI Judges, there are recruitment difficulties at this level. To address the recruitment difficulties of CFI Judges as well as the long-term needs of the whole of the Judiciary, the Judiciary has taken the following actions:

(a) Review on Conditions of Service for JJOs

The purpose is to review on the current remuneration packages for Judges and Judicial Officers (“JJOs”) to see if they are adequate to attract sufficient number of suitable quality candidates to join the Bench. The review has been completed and the Judiciary has submitted its report to the Government with proposals to improve certain aspects of the conditions of services of JJOs.

(b) Review on Statutory Retirement Ages of JJOs

The Chief Justice has set up an internal Working Group on Retirement Ages of JJOs chaired by a Permanent Judge of the Court of Final Appeal, to conduct a comprehensive study on the JJOs’ retiring ages at all levels of court and make recommendations on whether changes to the statutory retirement ages of JJOs should be made. The Judiciary has engaged a consultant to carry out the consultancy study. The consultant will collect views from stakeholders both within and outside the Judiciary and will make reference to overseas jurisdictions.

The Judiciary will continue to keep under constant review its judicial establishment and manpower situation at all levels of court having regard to operational needs.

- End -

CONTROLLING OFFICER'S REPLY**JA037****(Question Serial No. 0808)**Head: (80) JudiciarySubhead (No. & title): (-)Programme: (1) Courts, Tribunals and Various Statutory Functions
(2) Support Services for Courts' OperationControlling Officer: Judiciary Administrator (Miss Emma LAU)Director of Bureau: Judiciary AdministratorQuestion:

What was the number of lawsuits dealt with at various levels of courts in 2015-16 which involved the unlawful occupation in the year before last, the series of charging acts by some unruly elements last year that disrupted social order and the riots in Mongkok this year, and what was the expenditure so incurred? And as estimated by the Judiciary, what is the number of lawsuits to be dealt with in 2016-17 which involve the unlawful occupation in the year before last, the series of charging acts by some unruly elements last year that disrupted social order and the riots in Mongkok this year, and what will be the expenditure so incurred?

Asked by: Hon TAM Yiu-chung (Member Question No. 4)Reply:

As at 8.3.2016, a total of 90 cases have been commenced in various levels of courts in relation to the Occupy Movement in 2015-16. The breakdown is as follows:

Level of Court	Criminal Cases	Civil Cases	Total
High Court	36	24	60
District Court	1	0	1
Magistrates' Courts	29	0	29
Small Claims Tribunal	0	0	0
Total	66	24	90

Separately, as at 8.3.2016, a total of 50 cases are being dealt with at the Magistrates' Courts in relation to the incident in Mongkok in February 2016.

The workload brought about by these cases has been handled within the existing resources of the Judiciary.

The Judiciary does not have the breakdown of the operating expenses by types of cases or levels of court.

- End -