

Examination of draft Estimates of Expenditure 2000-01
CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY WRITTEN QUESTION

Head : 80 Judiciary

Programme : (1) Courts and Tribunals

Controlling Officer : Judiciary Administrator

Question :

What are the actual expenditures involved and the estimated manpower and other resources required for the following areas of work:

- (a) Advanced technological input in the coming year in an effort to reduce the time spent by the court in handling cases
- (b) Additional courts for Labour Tribunal
- (c) Training courses to be provided for judges and judicial officers

Asked by : The Honourable Jasper Tsang Yok-sing, J.P.

Reply :

- (a) For 2000, we will be implementing Judiciary Information Systems Strategy (JISS) Phase III. Within this Phase, apart from introducing the case management systems for the Court of Final Appeal, Lands Tribunal, Labour Tribunal and the Coroner's Court, we will also conduct a pilot scheme with the Inland Revenue Department to file tax cases with the District Court electronically. The expenditure involved in Phase III is \$67.8 million. When completed, we will require four additional support staff (two Chief Judicial Clerks and two Senior Judicial Clerk I) to undertake system administration work. Provisions for them will be met by internal redeployment.

Two of the courts in each Magistracy will be equipped with an audio-visual system to display audio-visual evidence adduced in court. The estimated expenditure on this particular project is about \$1.4 million. The system has been installed in 4 courts in the High Court and 12 courts in the District Court. The use of the system will in appropriate cases shorten the trial considerably as time could be saved over arguments on the issue as to the admissibility of statements made by the defendants.

- (b) To cope with the increased workload of the Labour Tribunal, three night courts and two additional day courts started to operate since April 1999 and January 2000 respectively. To provide necessary support to the operation of the five additional courts, we have employed 5 Temporary Presiding Officers and 20 temporary support staff. We intend to continue with the operation of these additional courts in 2000-01. The total annual salary cost involved is \$8.4 million.

- (c) The total estimated budget set aside for judicial training and development in 2000-01 is \$3.062M. This includes provisions for arranging about 50 judges and judicial officers to attend courses, conferences and seminars outside Hong Kong, organising 40 local seminars, as well as arranging 12 Chinese language courses.

Administrative and logistical support to judicial training is provided by the Judicial Studies Board (JSB) Secretariat. The present establishment of the secretariat comprises one Chief Executive Officer, one Executive Officer I and three Clerical Officer grade officers. We expect to maintain the existing establishment in 2000-01.

Signature _____

Name in block letters Wilfred Tsui

Post Title Judiciary Administrator

Date 21 March 2000

Bureau Serial No.

JA002

Question Serial No.

682

Examination of draft Estimates of Expenditure 2000-01
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head : 80 Judiciary

Programme : (1) Courts and Tribunals

Controlling Officer : Judiciary Administrator

Question : In the past three years, from filing of a claim to the delivery of judgment by the Labour Tribunal, how was the time spreaded over the various stages and on average, how much time was needed? Was there sufficient manpower to handle the cases?

Asked by : The Honourable Lee Cheuk-yan

Reply :

The average waiting times from appointment to trial at the Labour Tribunal for the past 3 years were:-

| <u>Average Waiting Time (in days)</u> | <u>1997</u> | <u>1998</u> | <u>1999</u> |
|--|-------------|-------------|-------------|
| From appointment to filing of claims | 15 | 33 | 27 |
| From filing of claims to first hearing | 24 | 23 | 25 |
| From first hearing to trial | <u>75</u> | <u>57</u> | <u>81</u> |
| | 114 | 113 | 133 |

It should be noted that 63%, 57% and 64% of the claims were settled or withdrawn at or before the first hearing in 1997, 1998 and 1999 respectively.

To help reduce the waiting times, a total of 17 additional staff (including 3 Temporary Presiding Officers) were deployed to the Labour Tribunal in April 1999, and a further 8 staff (including 2 Temporary Presiding Officers) were added in January 2000. The current manpower is sufficient at the present moment. The situation will be closely monitored.

Signature _____

Name in block letters Wilfred Tsui

Post Title Judiciary Administrator

Date 21 March 2000

Bureau Serial No.

JA003

Question Serial No.

1116

Examination of draft Estimates of Expenditure 2000-01
CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY WRITTEN QUESTION

Head : 80 Judiciary

Programme : (2) Support Services for Courts' Operation

Controlling Officer : Judiciary Administrator

Question : How much money will be spent on the operation of the Judiciary hotlines in this year's Estimates? How much money was actually spent on the operation over the past three financial years? And how has the operation been going?

Asked by : The Honourable Emily Lau Wai-hing, J.P.

Reply :

At present, hotline systems, in the form of interactive voice recording systems (IVRS), have been installed in the Family Court, Probate Registry, District Court, Small Claims Tribunal, Labour Tribunal and Bailiff's Office. The total number of enquiries handled in 1999 was 84,140. They involved enquiries on courts' jurisdiction, court and filing procedures, details of cases listed and other general information. All the hotline systems are operating smoothly and have helped reduce the workload of the registry staff.

The costs of operating the hotline system in the past three years were:

- (a) 97/98 - \$183,000
- (b) 98/99 - \$710,000
- (c) 99/2000 - \$476,000 (up to 1.3.2000)

The Judiciary plans to spend \$1.5m in 2000-01 in extending the system to the Lands Tribunal and High Court and another \$0.1m on maintenance and rental charges for existing systems.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 21 March 2000

Bureau Serial No.

JA004

Question Serial No.

1132

Examination of draft Estimates of Expenditure 2000-01
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head : 80 Judiciary

Programme : (1) Courts and Tribunals

Controlling Officer : Judiciary Administrator

Question :

The actual number of cases heard by the Labour Tribunal in 1999 was 11,594, which exceeded the original estimation of 9,020 cases by 2,500. What were the reasons? Why the estimated number of cases to be heard by the Tribunal in year 2000 will, instead of rising, fall to 10,560?

Since it is estimated the number of cases to be heard by the Labour Tribunal in the coming year will be less than the past year, why the waiting time of a case from filing to the first hearing requires 30 days, is even longer than the waiting time of 25 days in the past year?

Asked by : The Honourable Andrew Cheng Kar-foo

Reply :

The figure of 11,594 is the actual number of claims filed with the Labour Tribunal in 1999. It exceeds the original estimate of 9,020 cases projected last year because the number of labour dispute cases remained high relative to the years before 1998. The figures we used in the Estimates had been calculated on the basis of the historical trend of the number of claims filed in the past 10 years, hence an acute upsurge in one or two years may not be fully reflected in the projections. The number of claims estimated to be filed in 2000 (ie. 10,560 cases) was made with the same methodology. We will in practice monitor the trend of incoming cases on a regular basis and redeploy resources within the Judiciary to cope with any changes from the projected caseload. For example, in the light of the actual number of cases filed vis-à-vis the estimate in 1999, we established 3 night courts in the Tribunal since April 1999, and 2 additional day courts since January 2000 to ensure that cases could be heard within a reasonable period, despite an increase in caseload by about 20% this year.

The waiting time of 25 days from filing to the first hearing was the actual average waiting time of the Tribunal in 1999. The target in our performance pledge for the year was 30 days. The same target of 30 days has been set for 2000.

Signature _____

Name in block letters Wilfred Tsui

Post Title Judiciary Administrator

Date 21 March 2000

Bureau Serial No.

JA005

Question Serial No.

1133

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WRITTEN/SUPPLEMENTARY WRITTEN QUESTION

Head : 80 Judiciary

Programme : (1) Courts and Tribunals

Controlling Officer : Judiciary Administrator

Question : What are the details about the opening of additional courts for the Labour Tribunal through redeployment of resources in the coming year? How many additional courts are to be set up under the plan? What is the estimated expenditure involved?

Asked by : The Honourable Andrew Cheng Kar-foo

Reply :

Due to the pressure from the backlog of cases awaiting to be heard by the Labour Tribunal, we have in fact opened two additional day courts in January 2000, in addition to three night courts opened in April 1999. To provide necessary support to the operation of the five additional courts, the Judiciary has employed 5 Temporary Presiding officers and 20 temporary support staff. The total annual salary cost involved is \$8.4m. The additional courts so established will continue operation in 2000-01, and we will closely monitor the situation.

Signature _____

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Post Title _____ Judiciary Administrator

Date _____ 21 March 2000

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Head : 80 Judiciary

Programme : (1) Courts and Tribunals

Controlling Officer : Judiciary Administrator

Question :

- (a) Why did the average waiting time, from filing of indictment to hearing or from application to fix date to hearing, of most of the Court of First Instance cases of the High Court exceed the target waiting time for two consecutive years (1998 & 1999)? What are the improvement measures? Are there additional resources provided in the estimate for 2000 for improving the situation?
- (b) In 1999, the average waiting time for Coroner's Court cases from receipt by the Coroner of a death report to hearing, was 65 days, exceeding the target waiting time of 42 days by more than 50%. What was the reason? What are the improvement measures? Are there any additional resources provided in the estimate for 2000 for improving the situation?

Asked by : The Honourable Albert Ho Chun-yan

Reply :

- (a) The economic downturn in the latter part of 1997 had led to an increase of 50% in the caseload of civil cases filed with the Court of First Instance in 1998. It remained at the same high level in 1999. Meanwhile, there was also a significant increase in the number of complicated and lengthy criminal cases such as gang murder and commercial fraud being tried at the Court of First Instance in both 1998 and 1999, resulting in the waiting time for both civil and criminal cases exceeding the target. We have created three posts of Deputy Registrar and appointed up to eight Deputy Judges to the Court of First Instance in order to improve the situation.

In the short term, we shall continue to closely monitor the trend of incoming cases and the waiting time of the Court of First Instance so that the necessary deployment of manpower resources could be made to ensure that cases are handled within the pledged targets. In the medium term, subject to Members' approval and the implementation of the new financial limits of the District Court, a significant number of cases will be diverted from the Court of First Instance. The situation will be reviewed then.

- (b) The long waiting time of the Coroner Court was due to an upsurge in the caseload in 1999 over the previous year by about 30%, with most of the death reports submitted to the Coroner Court in the early part of the year. The waiting time had since then been gradually reduced towards the end of the year. The average waiting time of the Court for February 2000 (41 days) was again within the target. We shall monitor the situation closely and ensure the target is met in order to fulfill our performance pledge.

Signature _____

Name in block letters Wilfred Tsui

Post Title Judiciary Administrator

Date 21 March 2000

Bureau Serial No.

JA007

Question Serial No.

1337

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WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head : 80 Judiciary

Programme : (2) Support Services for Courts' Operation

Controlling Officer : Judiciary Administrator

Question :

- (a) When will the plan of computerization of the Judiciary's libraries be implemented? What services will be provided?
- (b) There is a significant increase in the demand for transcription, interpretation, translation and bailiff services in the estimates for 2000. Are the estimated provisions correspondingly increased to meet the demand? If yes, what additional manpower and resources will be provided?

Asked by : The Honourable Albert Ho Chun-yan

Reply :

- (a) Subject to funding approval, the computerisation of the Judiciary Library will take 18 months to complete. It will provide computerized cataloguing of books, on-line search, and sharing of information with other law libraries, both local and overseas.
- (b) The estimated increase in workload in transcription, interpretation/translation and bailiff services in 2000 is projected on the basis of the historical trend of the workload in the past 10 years. No additional provision has been sought. The volume of work will be closely monitored and any actual increase will be met by redeployment of existing resources.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 21 March 2000