

**Replies to written questions raised by Finance Committee Members in examining the
Estimates of Expenditure 2004-05**

**Controlling Officer : Judiciary Administrator
Session No. : 8 File name : JA-e1.rtf**

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JA003	0269	EU Yuet-mee, Audrey	80	Courts and Tribunals
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Examination of Estimates of Expenditure 2004-05

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA001

Question Serial No.

0093

Head: 80 Judiciary

Subhead(No. & title):

Programme: (1) Courts and Tribunals (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: Regarding consultancy studies for policy making and assessment (if any) commissioned by your bureau, please provide details in the following format:

- (1) Please provide the following details on the consultancy studies for which financial provision has been allocated respectively in 2003-04:

Name of consultants (if available)	Description	Consultancy Fees (\$)	Progress on consultancy Studies (planning/ in progress/ completed)	The Administration's follow-up action on the study reports and the progress made (if available)	Whether study reports completed are publicized; if yes, their channels and if not, the reasons.

- (2) Has financial provision been allocated for commissioning consultancy studies in 2004-05? If yes, please provide the following details :

Name of consultants (if available)	Description	Consultancy Fees (\$)	Progress on consultancy studies (planning/ in progress/ completed)	Whether study reports scheduled for completion in 2004-05 will be publicized; if yes, their channels and if not, the reasons.

Asked by: Hon. HO Sau-lan, Cyd

Reply:

No expenditure on consultancy studies has been incurred in 2003-04. No financial provision has been set aside for such studies in 2004-05.

Signature	_____
Name in block letters	Wilfred Tsui
Post Title	Judiciary Administrator
Date	25.3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA002

Question Serial No.

0212

Head: 80 Judiciary

Subhead(No. & title):

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: Regarding applications for transcripts of court proceedings, please provide information on the average time and fees for production?

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

The time required to produce a transcript depends on the length of the court proceedings concerned. For an average court case of 3 to 5 days duration, the time required to produce the transcripts would take 6 to 10 working days.

As regards the fees for production, broadly speaking, transcripts are charged at \$85 per page. However, they are supplied free of charge to legally aided cases. The same applies to unrepresented appellants in criminal cases.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA003

Question Serial No.

0269

Head: 80 Judiciary

Subhead(No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: The Judiciary stated in the programme concerned that the number of claims filed with the Small Claims Tribunal is anticipated to continue to increase. What measures will the Judiciary undertake in the year 2004-05 to enhance the relevant work processes to cope with the increase? What would be the expenditure involved?

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

We would implement the following measures in 2004-05:

- (a) to construct additional meeting rooms for the Tribunal Officers to interview the parties and to process their paper submissions before hearings. This would provide a more comfortable and private environment for court users, allow the Tribunal Officers to focus on pre-hearing tasks and enable the court rooms to be better utilized for hearings. The construction cost would be about \$0.6 million;
- (b) to enhance the computer system to streamline work processes. This would cost about \$5.8 million; and
- (c) to strengthen the training of the Tribunal Officers and frontline staff, particularly in handling stress and emotion. The related expenditure would be absorbed in existing provisions for staff training.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA004

Question Serial No.

0320

Head: 80 Judiciary

Subhead(No. & title):

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: Please give the number of times and the circumstances in which the Technology Court has been used since it came into operation in April 2003. What will be the expenditure involved in 2004-05 and what are the future developments?

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

There were 26 bookings for the use of the Technology Court since its operation in April 2003.

A total of 153 days had been used for court proceedings, tribunal inquiries as well as training seminars for Judges and the legal profession.

Facilities deployed include video conferencing, proceeding broadcasting, visualiser and powerpoint presentations.

The annual maintenance cost for the Technology Court in 2004-05 will be \$477,000, covering equipment and network maintenance as well as on-site technical support.

The current facilities are adequate to meet demand and there is no plan for expansion.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25.3.2004

Examination of Estimates of Expenditure 2004-05

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA005

Question Serial No.

0321

Head: 80 Judiciary

Subhead(No. & title):

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: Please give the number of users and the circumstances in which each of the services and facilities of the Resource Centre For Unrepresented Litigants are used. How much resource will the Judiciary allocate in the year 2004-2005 for the development of these services?

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

The Resource Centre for Unrepresented Litigants commenced operation on 22 December 2003. It had received 927 visitors and 539 telephone enquiries on general information.

The demand for services from the visitors are as follows:

<u>Services/facilities</u>	<u>No. of users</u>
Enquiry Counter Service	927
Collection of brochures on civil proceedings	216
Collection of court forms	165
Oaths & Declaration Service	149
Computer facilities	31
Viewing videos on court procedure	13

In 2004-2005, \$3.4 million will be allocated for the operation of the Resource Centre :

Staff salaries	\$2,000,000
Recurrent expenditure	\$ 500,000
Production of videos and brochures	\$ 900,000
Total	<u>\$3,400,000</u>

Signature _____

Name in block letters Wilfred Tsui

Post Title Judiciary Administrator

Date 25.3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA006

Question Serial No.

0322

Head: 80 Judiciary

Subhead(No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: Please give an account of the development of bilingual court system in Hong Kong. How much resource is to be allocated in 2004-05 to the work and the study in this area? Please give details.

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

Article 9 of the Basic Law stipulates that in addition to the Chinese language, English may be used as an official language in court proceedings.

In accordance with section 5(1) of the Official Languages Ordinance (Cap. 5), a judge may use either Chinese or English or both in conducting court proceedings. In deciding which one of the official languages is to be used, the paramount consideration is the just and expeditious disposal of the cause or matter before the judge, having regard to all the circumstances of the case.

Regardless of which language the judge chooses to use, a party to the court proceedings may use either or both of the official languages. Court documents may be submitted in either Chinese or English, and are translated, if necessary, into the language the judge decides to use in the court proceedings.

The table attached illustrates the distribution of English and Chinese trials in 1999 and 2003.

The Judiciary maintains a bilingual court system through enhancing the bilingual capacity of the judges and judicial officers (JJOs) and the provision of interpretation and translation services for the courts. Without compromising judicial and professional quality, the policy of the Judiciary is to strive to increase the number of bilingual JJOs. About 65% of our JJOs are bilingual.

In 2004-05, \$1,040,000 and \$400,000 will be provided for enhancing the bilingual skills of the JJOs and court interpreters respectively.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25.3.2004

**The Distribution of English and Chinese trials
at the different court levels in 1999 and 2003**

	1999	2003
Court of Final Appeal		
English	100%	100%
Chinese	0	0
<i>Court of Appeal</i>		
Criminal cases		
English	87.4%	72.1%
Chinese	12.6%	27.9%
Civil cases		
English	87%	77.9%
Chinese	13%	22.1%
<i>Court of First Instance</i>		
Criminal Cases		
English	88.4%	80.7%
Chinese	11.6%	19.3%
Civil Cases		
English	94.7%	73.1%
Chinese	5.3%	26.9%
Appeals from lower courts		
English	60.5%	35.6%
Chinese	39.5%	64.4%
<i>District Court</i>		
Criminal Cases		
English	85.9%	69.9%
Chinese	14.1%	30.1%
Civil Cases		
English	94.1%	66.7%
Chinese	5.9%	33.3%
Magistrates' Courts		
Charge cases		
English	59%	36.3%
Chinese	41%	63.7%
Summonses		
English	Not available	6.1%
Chinese	Not available	93.9%

Examination of Estimates of Expenditure 2004-05

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA007

Question Serial No.

0956

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: In respect of Programme (1) Court and Tribunals, the Judiciary states that 97 posts will be deleted in 2004-05 but the provision for 2004-05 will be \$2.3 million (0.3%) higher than the revised estimate for 2003-04 due to an anticipated increase in operating expenses. How come there will still be an anticipated increase in operating expenses despite the deletion of posts?

Asked by: Hon. LAU Hon-chuen, Ambrose

Reply:

The increase is due to the following factors

\$ million

General departmental expenses	14.6
Hire of services and professional fees	4.4
General non-recurrent	2.5
Miscellaneous	1.0
	<hr/>
	22.5
<u>Less</u> Reduction in salaries	20.2
	<hr/>
	2.3
	<hr/>

It is worth noting that the total provision for Judiciary for 2004-05 is \$3 million (0.3%) and \$50.2 million (4.9%) lower than the revised estimate and original estimate for 2003-04 respectively.

Signature _____

Name in block letters Wilfred Tsui

Post Title Judiciary Administrator

Date 25.3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA008

Question Serial No.

0957

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: Regarding the performance measures of the operations of the courts and tribunals, the planned waiting times for all types of cases in 2004 are generally longer than the actual waiting times in 2003. Taking the planned waiting times of the Labour Tribunal as an example, it will take 30 days from appointment to filing of a case, and then another 30 days from filing of a case to first hearing, adding up to 60 days in total and being 22 days longer than the actual waiting time of 38 days in 2003. Is it attributable to the deletion of 97 posts in 2004-05 or is there any other reason?

Asked by: Hon. LAU Hon-chuen, Ambrose

Reply:

The setting of the target waiting times is not attributable to the deletion of posts in 2004-05.

Although the economy has shown signs of recovery since the latter part of 2003, the caseload of the Labour Tribunal is expected to stay at a high level in 2004. Thus, it is prudent to set the planned waiting time for 2004 from appointment booking to filing of claim and from filing of claim to first hearing both at 30 days. The Labour Tribunal will strive to achieve an actual waiting time as short as possible in practice.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25.3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

JA009

Question Serial No.

1034

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: Referring to Note 8, it is estimated that the civil caseload of the District Court in 2004 will increase, does the Judiciary plan to recruit more District Judges to cope with the workloads?

Asked by: Hon. NG Margaret

Reply:

The impact of the increase in the civil jurisdiction of the District Court has been mild over the past few months. The existing number of District Judges can cope with the caseload, but we will monitor the situation closely.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25.3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA010

Question Serial No.

1035

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: The estimated number of Lands Tribunal cases is 7 470 in 2004, representing a decrease 534 as compared with 2003. What are the reasons attributed to such a sharp decrease?

Asked by: Hon. NG Margaret

Reply:

In the first nine months of 2003, there were about 5 600 cases filed in the Lands Tribunal. However, there was a drastic increase in rating appeal cases in the last quarter of 2003, bringing the year-end total to 8 004.

From experience, the sudden increase in rating appeal cases is not a regular feature. We have therefore discounted it in projecting the caseload for 2004, hence the decrease.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25.3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA011

Question Serial No.

1036

Head: 80 Judiciary

Subhead (No. & title):

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: What is the expenditure estimated for the Resource Centre for Unrepresented Litigants in 2004? How many unrepresented litigants have been served since the centre opened in December 2003? In 2004, how many unrepresented litigants are expected to be served in the coming year?

Asked by: Hon. NG Margaret

Reply:

The Resource Centre for Unrepresented Litigants commenced operation on 22 December 2003. It had received 927 visitors and 539 telephone enquiries on general information.

The demand for services from visitors are as follows:

<u>Services/facilities</u>	<u>No. of users</u>
Enquiry Counter Service	927
Collection of brochures on civil proceedings	216
Collection of court forms	165
Oaths & Declaration Service	149
Computer facilities	31
Viewing videos on court procedure	13

In 2004-2005, \$3.4 million will be allocated for the operation of the Resource Centre :

Staff salaries	\$2,000,000
Recurrent expenditure	\$ 500,000
Production of videos and brochures	\$ 900,000
Total	<u>\$3,400,000</u>

We estimate that there would be about 5 500 visitors to the Resource Centre in 2004.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

Examination of Estimates of Expenditure 2004-05

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA012

Question Serial No.

1521

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: For civil cases heard in the Court of First Instance and the Court of Appeal in the past three years, how long did it take from conclusion of hearing to delivery of judgment on average? With regard to such period of time, what is the number of cases that took less than 6 months, more than 6 months but less than 1 year and more than 1 year respectively? Is the time taken from conclusion of hearing to delivery of judgment related to the allocation of court resources? What will be the position for 2004-05?

Asked by: Hon. HO Chun-yan, Albert

Reply:

1. For civil cases heard in the Court of Appeal (CA) and the Court of First Instance (CFI) in the past three years, the average time taken from conclusion of hearing to delivery of decision/judgment are as follows :-

Case Type	Average time taken from conclusion of hearing to delivery of decision and/or judgment (days)		
	2001	2002	2003
CA – Civil Appeals	6	3.4	13.1
CFI – Minor Appeals*	7.3	4.1	19.8
CFI – Civil	27.9	34.3	37.7

(* Minor Appeals include Small Claims Tribunal Appeal, Labour Tribunal Appeal, Inland Revenue Appeal and Appeal from Minor Employment Claim Appeal Board)

2. The distribution of time between decision /judgment reserved and date of delivery is :

Time between decision/judgment reserved and date of delivery	No. of cases								
	CA – Civil Appeals			CFI – Minor Appeals			CFI – Civil		
	2001	2002	2003	2001	2002	2003	2001	2002	2003
6 months or less	77	1539	118	19	51	23	229	235	203
More than 6 months and up to 1 year	0	0	0	1	0	1	12	6	6
Over 1 year	0	1	0	0	0	0	1	3	0

3. The time taken from the conclusion of a hearing to delivery of judgment can be due to a number of inter-relating factors, for example, listing of cases and deployment of judicial resources, as well as the complexity of the cases concerned.

4. The position for 2004 is expected to reflect past patterns.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA013

Question Serial No.

1522

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: For civil proceedings conducted in the High Court and the District Court in the past three years, how many cases involved unrepresented litigants? As far as these cases are concerned, what is the average waiting time for trial and what is the average time of trial? What will be the position for 2004-05?

Asked by: Hon. HO Chun-yan, Albert

Reply:

The status of a litigant in civil cases may change from unrepresented to represented and vice versa in the course of a case. A case is regarded as involving unrepresented litigants if at least one of the parties is unrepresented at the commencement of the appeal/trial hearing. Such information for the High Court and District Court are as follows:

Cases with at least one of the parties unrepresented at <u>commencement of appeal/trial hearings</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
High Court	355	482	524
District Court	143	167	162

We expect that the position for 2004 will be more or less the same as in previous years.

Information relating to the average waiting time for trial and the average duration of trial in respect of the above cases are not available.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA014

Question Serial No.

1691

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: Regarding the target waiting times "from setting down of a case to hearing" in the Lands Tribunal under this programme, the actual waiting times for 2002 and 2003 have all along been well within the targets (in terms of days). Notwithstanding such fact, the waiting times under 2004 (Plan) column have been significantly raised to a level very close to the targets. What is the reason?

Asked by: Hon. TSANG Yok-sing, Jasper

Reply:

We have reduced the planned waiting time for Lands Tribunal cases in 2004 as follows :

	<u>Case Type</u>
	<u>Target Waiting Time</u>
	<u>Planned Waiting Time</u>
Appeal cases	100 days 70 days
Compensation cases	100 days 80 days
Building Management cases	100 days 60 days
Tenancy cases	60 days 50 days

They are our target performance pledge and we would strive to achieve as short an actual waiting time as possible in practice.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA015

Question Serial No.

1692

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: The actual number of cases processed by the Obscene Articles Tribunal dropped drastically in 2003. Please give the reason.

Asked by: Hon. TSANG Yok-sing, Jasper

Reply:

The number of articles handled by the Obscene Articles Tribunal is the direct result of enforcement actions taken by the Police, the Customs and Excise Department and the Television and Entertainment Licensing Authority. In 2003, the Tribunal handled 122 697 articles, a drop of 47% from 231 096 articles handled in 2002.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA016

Question Serial No.

1701

Head: 80 Judiciary

Subhead (No. & title):

Programme: (2) Support Services for Courts' Operation

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question:

With regard to “exploring opportunities for using information technology to replace manual work and to enhance access to information”, please provide the following information

- a. What plans have the Judiciary implemented in 2003-04 to use information technology to replace manual work? What is the actual amount of expenditure involved?
- b. What plans are to be implemented in 2004-05? What is the estimated amount of expenditure involved? And what are the estimated amount of savings that can be achieved from the implementation of these plans?

Asked by: Hon. SIN Chung-kai

Reply:

a. The Judiciary has implemented the following information technology programs in 2003-04, with an expenditure of \$2.129M, to replace manual work:

1. setting up an information kiosk in the High Court lobby to ease the workload of the information counter;
2. transmission of information on potential jurors from the Immigration Department electronically;
3. consolidation of management information, reports and statistical data and providing them on-line;
4. electronic ordering for trial transcripts with the service provider;
5. standardizing and computerizing the payment collection arrangement of the Accounts Office; and
6. processing of leave application from administrative staff electronically.

b. The Judiciary has the following plans to use information technology to replace manual work and to enhance access to information in 2004-05:

1. electronic submission of requests for office supplies;
2. automation of workflow between Accounts Office and Bailiff Office;
3. computerizing the collection process in the District Court and Family Court for transmission to the Suitors' Funds Account;

4. developing a bilingual legal reference database of selected bilingual judgments and related legal glossaries for referencing by judges and court interpreters; and
5. enhancing the Legal Reference System and expanding the judgment database to cover all available judgments back to 1946. The system is accessible by the public through the internet.

The estimated expenditure in 2004-05 for the above initiatives is \$5.392M and the estimated NAMS savings for items 1 to 3 above is \$0.641M per annum.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25.3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA017

Question Serial No.

1717

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: The establishment of the Judiciary in 2004-05 will be reduced by 141 posts, i.e. a total of 9%. What is the total amount of personal emoluments being decreased as a result of such reduction of posts?

Asked by: Hon. TAM Yiu-chung

Reply:

The reduction of 141 posts in the establishment of the Judiciary in 2004-05 would result in a decrease of \$46,064,616 in notional annual mid-point salary value.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

Examination of Estimates of Expenditure 2004-05

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA018

Question Serial No.

1718

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: The operating expenses for the Courts and the Tribunals for 2004-05 is anticipated to increase. Please inform the Council in which areas does the increase mainly fall on?

Asked by: Hon. TAM Yiu-chung

Reply:

The increase is due to the following factors

\$ million

General departmental expenses	14.6
Hire of services and professional fees	4.4
General non-recurrent	2.5
Miscellaneous	1.0
	<hr/>
	22.5
<u>Less</u> Reduction in salaries	20.2
	<hr/>
	2.3
	<hr/>

It is worth noting that the total provision for Judiciary for 2004-05 is \$3 million (0.3%) and \$50.2 million (4.9%) lower than the revised estimate and original estimate for 2003-04 respectively.

Signature _____

Name in block letters Wilfred Tsui

Post Title Judiciary Administrator

Date 25.3.2004

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA019

Question Serial No.

1719

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: It is estimated that the caseload of the Lands Tribunal for 2004-05 will be decreased by 6.7% but the time taken from the setting down of a case to hearing for various categories of cases will all lengthen considerably. Please give the reason.

Asked by: Hon. TAM Yiu-chung

Reply:

We have reduced the planned waiting time for Lands Tribunal cases in 2004 as follows :

	<u>Case Type</u>
	<u>Target Waiting Time</u>
	<u>Planned Waiting Time</u>
Appeal cases	100 days 70 days
Compensation cases	100 days 80 days
Building Management cases	100 days 60 days
Tenancy cases	60 days 50 days

They are our target performance pledge and we would strive to achieve as short an actual waiting time as possible in practice.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

Examination of Estimates of Expenditure 2004-05

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA020

Question Serial No.

1720

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question: The various waiting times of the Labour Tribunal substantially lengthen in 2004-05 while there is only a slight increase of 2.3% in the estimated number of caseload. What is the reason?

Asked by: Hon. TAM Yiu-chung

Reply:

Although the economy has shown signs of recovery since the latter part of 2003, the caseload of the Labour Tribunal is expected to stay at a high level in 2004. Thus, it is prudent to set the planned waiting time for 2004 from appointment booking to filing of claim and from filing of claim to first hearing both at 30 days. The Labour Tribunal will strive to achieve an actual waiting time as short as possible in practice.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25 .3.2004

Examination of Estimates of Expenditure 2004-05

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

JA021

Question Serial No.

1742

Head: 80 Judiciary

Subhead (No. & title):

Programme: (1) Courts and Tribunals

Controlling Officer: Judiciary Administrator

Director of Bureau: Judiciary Administrator

Question:

1. What is the average number of days required to be taken from the filing of a claim to conclusion of hearing in respect of the cases handled by the Labour Tribunal for each of the past two years?
2. What efficiency enhancement plans does the Judiciary have in 2004-05 to shorten the waiting time of the Labour Tribunal?

Asked by: Hon. LAU Chin-shek

Reply:

1. The average number of days taken from filing of claim to conclusion of hearing is 61 for 2002 and 53 for 2003.
2. The Chief Justice appointed a Working Group on the Review of the Labour Tribunal in June 2003 chaired by the Hon Madam Justice Chu to review the operation of the Labour Tribunal and to recommend improvements thereto. The Working Group is expected to submit a report to the Chief Justice in the first half of this year and the report may contain relevant recommendations on this matter.

Signature _____

Name in block letters _____ Wilfred Tsui

Post Title _____ Judiciary Administrator

Date _____ 25.3.2004