

**Legislative Council
Panel on Administration of Justice and Legal Services**

Caseload and Manpower Situation of the District Court

PURPOSE

The purpose of this paper is to provide information on the caseload and manpower situation of the District Court.

CASELOAD AND WAITING TIMES

2. The caseload for the District Court from 2006 to 2008 is as follows:

	<u>2006</u>	<u>2007</u>	<u>2008</u>
Criminal Cases	1 199	1 240	1 250
Civil Cases	30 948	28 820	28 527

3. The average waiting times for cases in the District Court are as follows:

	<u>Target</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Criminal cases – from first appearance of defendants in District Court to hearing	100	117	98	111
Civil cases – from date of listing to hearing	120	125	58	85

4. There are a total of 10,029 interlocutory hearings in 2008. As regards the waiting time for interlocutory applications (excluding call-over), they are as follows:

- (a) for shorter interlocutory hearings (under 2 hours), the average waiting time is 40 days in 2008; and
- (b) for slightly longer interlocutory hearings (over 2 hours), the average waiting time is 66 days in 2008.

JUDICIAL MANPOWER POSITION

5. At present, there are altogether 24 judges/deputy judges sitting in the District Court, including 14 District Judges (including the Chief District Judge) and 10 Deputy District Judges. For the District Court Masters Office, there are currently four judicial officers taking up the functions of the Registrar and Deputy Registrars of the District Court.

OBSERVATIONS

6. While the caseloads have been quite stable during the past few years, it should be noted that the number of cases alone is not the only indicator reflecting the District Court's workload. The Judiciary has been monitoring the waiting times, and has taken measures to redeploy resources to reduce the waiting times whenever required.

7. The average waiting times of civil cases were kept within targets in 2007 and 2008. Upon the implementation of the Civil Justice Reform in April 2009, one additional Temporary Deputy Registrar will be deployed initially in the District Court to enhance the judicial manpower at the Registry. The situation will be reviewed regularly to decide whether additional manpower would be required on a longer-term basis.

8. The average waiting time in respect of criminal cases is slightly longer in 2008 when compared with 2007. The complexity of cases is the main contributing cause for increase of waiting time. These complex cases often involved difficult legal arguments and examination of exhibits during the trial and would take longer time to complete. As a result, the number of cases where the listed day for trial exceeded 10 days had significantly increased from 51 cases in 2007 to 77 cases in 2008, representing a 51% increase. The average listed days per case also rose 24% from 4.38 days in 2007 to 5.44 days in 2008. Consequently, the waiting time would be longer.

9. To help shorten the waiting time for criminal cases, the following measures have been introduced:

- (a) an additional criminal list has been maintained since September 2008; and

- (b) where circumstances warrant, experienced judges, who handle mainly civil cases, would be called upon to deal with plea and sentence.

With the above measures, the waiting times of criminal cases for December 2008 and January 2009 were kept within target, which are 99 days and 91 days respectively.

10. The Judiciary will continue to monitor the situation closely and will make every effort to improve the waiting times.

Judiciary Administration
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