

For Information

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

Statistics on Unrepresented Litigants

Purpose

The Panel on Administration of Justice and Legal Services has requested the Judiciary Administrator to provide information relating to number of unrepresented litigants for the past three years as follows :

- (a) the respective number and percentage of civil and criminal cases involving unrepresented litigants; and
 - (b) the number of cases of appeal against Labour Tribunal awards involving unrepresented litigants.
2. This paper aims to provide the relevant available information as requested.

Background

3. The Judiciary has been keeping statistics on the number of hearings^(Note 1) involving unrepresented litigants^(Note 2) in both the High Court and the District Court.

^(Note 1) The number of hearings include appeals, trials and substantive hearings. Hearings for interlocutory applications are excluded.

^(Note 2) Hearings involving unrepresented litigants refer to those hearings in which at least one of the parties is unrepresented.

4. The Judiciary has not kept statistics for other courts including the Court of Final Appeal, the Family Court, the Lands Tribunal and the Magistrates Courts. No legal representation is permitted in the Small Claims Tribunal and the Labour Tribunal.

Statistics on Unrepresented Litigants

(a) Court of Appeal (“CA”)

5. The number and percentage of hearings conducted by the CA^(Note 3) involving unrepresented litigants for both civil and criminal appeals for the past three years are as follows :

	CA of High Court					
	Criminal Appeals			Civil Appeals		
	2007	2008	2009	2007	2008	2009
No. of hearings involving unrepresented litigants (a)	187	173	170	80	108	68
Total no. of hearings (b)	372	371	334	264	308	197
Percentage (a) ÷ (b)	50%	47%	51%	30%	35%	35%

(b) Court of First Instance (“CFI”)

(i) Appellate Jurisdiction

6. The CFI handles criminal appeals (appeals from Magistrates Courts). It also hears civil appeals (including appeals against Master’s

^(Note 3) These include both hearings for applications for leave to appeal and those for substantive appeals.

decisions, appeals from the Small Claims Tribunal and the Labour Tribunal^(Note 4)). The number and percentage of appeals hearings conducted by the CFI involving unrepresented litigants for the past three years are as follows :

	CFI of High Court					
	Criminal Appeals			Civil Appeals		
	2007	2008	2009	2007	2008	2009
No. of hearings involving unrepresented litigants (a)	500	483	489	177	189	140
Total no. of hearings (b)	883	829	798	340	292	254
Percentage (a) ÷ (b)	57%	58%	61%	52%	65%	55%

7. More specifically, the corresponding figures in the CFI for hearing appeals from the Labour Tribunal are as follows :

	CFI of High Court (Appeals from the Labour Tribunal)		
	2007	2008	2009
No. of hearings involving unrepresented litigants (a)	33	36	28
Total no. of hearings (b)	63	48	57
Percentage (a) ÷ (b)	52%	75%	49%

(Note 4) These include both hearings for application for leave to appeal and those for substantive appeals from the Small Claims Tribunal and the Labour Tribunal.

(ii) Trials

8. The corresponding figures for both criminal and civil trials in the CFI are as follows :

	CFI of High Court					
	Criminal Trials			Civil Trials		
	2007	2008	2009	2007	2008	2009
No. of hearings involving unrepresented litigants (a)	1	0	2	115	109	128
Total no. of hearings (b)	135	140	138	381	360	367
Percentage (a) ÷ (b)	1%	0%	1%	30%	30%	35%

(c) District Court (“DC”)

9. The corresponding figures for both criminal and civil trials in the DC are as follows :

	DC					
	Criminal Trials			Civil Trials		
	2007	2008	2009	2007	2008	2009
No. of hearings involving unrepresented litigants (a)	18	18	14	193	160	184
Total no. of hearings (b)	691	640	775	411	316	335
Percentage (a) ÷ (b)	3%	3%	2%	47%	51%	55%