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13 November 2014

Miss Mary So  
Clerk to Panel on Administration of Justice and Legal Services  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Miss So,

**Response to the Suggestion of Providing “Protected Time”  
for the Judges to Write Judgments**

At the meeting of the Legislative Council (“LegCo”) Panel on Administration of Justice and Legal Services (“AJLS”) held on 24 June 2014, the subject on the “Proposed Creation of Judicial Posts and a Non-civil Service Position in the Judiciary and Strengthening of the Directorate Structure of the Judiciary Administration” was discussed. A Member, upon noting the Judiciary’s proposal to apply “protected time” for judicial education and training purposes, suggested that consideration should be given to extending the concept to Judges for writing judgments, and requested that such suggestion should be relayed to the Chief Judge of the High Court for further consideration.

2. The above suggestion has been relayed to the Chief Judge of the High Court. He has asked the Judiciary Administration to relay his views on this matter to the AJLS Panel as follows.

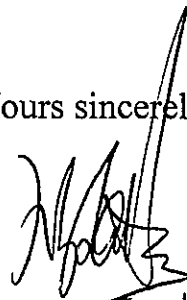
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3. The Chief Judge of the High Court takes the view that having regard to the wide variety of cases being handled at the High Court, it would neither be advisable nor practical to adopt a mechanical approach in dealing with the matter concerning the provision of time for Judges to write judgments. Instead, a flexible and pragmatic approach should be adopted. The current approach being adopted has the following features:

- (a) As a matter of general approach, the Chief Judge of the High Court has given instructions and guidelines to the listing officers to allow appropriate "buffer time" for Judges to deal with pre-hearing preparation and post-hearing judgment writing in listing cases before each individual Judge. This caters for the normal requirements in most cases;
- (b) On top of this, the Chief Judge of the High Court monitors closely the diaries of all Judges and would consider if additional time may be required to enable individual Judges to write judgment in some exceptional cases. If so, the Chief Judge of the High Court would take the initiative to set aside additional time for the Judge concerned for this purpose; and
- (c) The Judges themselves may also apply, on a case by case basis, to the Chief Judge of the High Court for the provision of additional time to write judgments if such needs arise in some specific circumstances.

4. The Chief Judge of the High Court observes that the current approach as stated above regarding the provision of appropriate time for individual Judges to write judgments has been operating flexibly and effectively and should continue.

Yours sincerely,



(NG Sek-hon)

for Judiciary Administrator