

Appendix**(a) Number of appeals to the High Court in the past 10 years**

Broadly speaking, there are the following two types of appeals which may involve imprisonment sentence:

- (i) Criminal appeals from the District Court and the Court of First Instance to the Court of Appeal¹ (hereafter called “Criminal Appeals”); and
- (ii) Criminal appeals from the Magistrates’ Courts to the Court of First Instance (hereafter called “Appeals from Magistrates’ Courts”).

2. The relevant figures are as follows:

Year	Criminal Appeals	Appeals from Magistrates’ Courts
2004	550	1,285
2005	541	1,254
2006	533	1,238
2007	488	1,234
2008	439	1,125
2009	486	1,043
2010	498	980
2011	556	897
2012	526	862
2013	453	809

(b) Out of (a), the number of case(s) in which the appeal could not be heard in a timely manner or not until the convicted person(s) had served their imprisonment sentence

3. Although the Judiciary does not keep the statistics on whether Criminal Appeals and Appeals from Magistrates’ Courts could be heard before the convicted person(s) had served their imprisonment sentence, it might be useful to refer to the average court waiting time figures recorded for the past 10 years. For Criminal Appeals, the average court waiting times for eight years were within the target of 50 days, whereas for Appeals from Magistrates’ Courts, the average waiting times for five years were within the target of 90 days.

¹ Including Reviews of Sentences from the Magistrates’ Courts, the District Court and the Court of First Instance which are filed by the Department of Justice

Year	Criminal Appeals (Target : 50 days)	Appeals from Magistrates' Courts (Target : 90 days)
2004	37	72
2005	37	71
2006	46	87
2007	50	91
2008	42	90
2009	50	95
2010	50	95
2011	53	86
2012	52	92
2013	50	105

4. It should also be noted that the question of when the appeals could be heard is contingent upon a wide range of factors including caseload, complexity of cases, judicial resources, filing date, availability of parties and/or counsel, legal aid consideration, etc. and not all of them are within the control of the Judiciary.

5. Nonetheless, the Judiciary attaches great importance to the need to dispose the appeal cases in a timely manner. Whilst it should be rare that these cases were heard after the convicted person(s) had served their imprisonment, additional judicial resources will continue to be suitably deployed as appropriate. In this connection, Members may wish to note that the Judiciary will seek to create three Justice of Appeal posts and an additional Court of First Instance Judge post in 2014-15. For details, Members may refer to the Judiciary's earlier paper on Judicial Manpower Situation at Various Levels of Court and Court Waiting Times (LC paper No. CB(4)225/13-14(05)).