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Reply to supplementary oral question raised by Finance Committee Member in examining the Estimates of Expenditure 2018-19

Controlling Officer : Judiciary Administrator

Session No. : 2

File Name : JA-2S-e1.doc

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
<u>SV-JA01</u>	SV004	HUI Chi-fung	80	(1) Courts, Tribunals and Various Statutory Functions

CONTROLLING OFFICER'S REPLY

SV-JA01

(Question Serial No. SV004)

Head: (80) Judiciary

Subhead (No. & title): (-)

Programme: (1) Courts, Tribunals and Various Statutory Functions

Controlling Officer: Judiciary Administrator (Miss Emma LAU)

Director of Bureau: Not applicable

Question:

Follow-up questions on JA011 and JA012:

- (i) For deaths in respect of which further death investigation reports are ordered by the Coroners, how long on average does it take to complete the investigations?
- (ii) What is the average lapse of time between a death and the commencement of a death inquest?

Asked by: Hon HUI Chi-fung

Reply:

- (i) The responsibility of conducting death investigation rests with the Police. The Judiciary does not keep statistics in respect of the time required to complete further death investigation.

From operational experience, the length of time required for further investigation depends on which aspect of the case has to be further looked into, and it is not uncommon to take six months to one year or sometimes even longer to complete, depending on the circumstances of each individual case.

- (ii) The Judiciary does not have the statistics available in respect of the time lapse between a death reported to the Coroner to the commencement of a death inquest.

The time required by a Coroner to decide whether to hold a death inquest varies on a case by case basis depending on a whole range of factors. The decision by a Coroner on whether to hold a death inquest is a judicial decision made having due regard to all the relevant facts of the death concerned. For each death case which has been ordered by the Coroner to be investigated, the Police will submit a death investigation report. Having taken into consideration the expert opinions of the pathologists, forensic pathologists and medical practitioners, medical history of the deceased, the course of events leading to the death and the findings of police investigation, the Coroner will decide whether to order the Police to conduct further investigation. The Coroner will then decide whether to hold a death inquest after the investigation has been completed.

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