

律政司
政務及發展科

香港下亞厘畢道18號
律政中心中座5樓



LC Paper No. ESC42/18-19(01)
DEPARTMENT OF JUSTICE
Administration and
Development Division

5/F, Main Wing
Justice Place
18 Lower Albert Road, Hong Kong

31 December 2018

Ms Connie SZETO
Clerk to the Establishment Sub-committee
Legislative Council

Dear Ms SZETO,

**Establishment Sub-committee
Follow-up items on the Meeting held on 19 December 2018**

I refer to the request dated 19 December 2018 regarding Establishment Subcommittee Paper EC(2018-19)17 to provide supplementary information in relation to the proposed creation of one permanent Principal Government Counsel post in the Civil Division of the Department of Justice.

The reply is attached at **Annex** for your perusal please.

Yours sincerely,

(Alan SIU)

Director of Administration and Development
Department of Justice

Annex

- (a) The respective numbers of new cases among the ongoing civil litigation cases handled by the Civil Division (“CD”) each year from 1998 to 2017 are as follows:

Year	Number of ongoing civil litigation cases	Number of new cases in the year^{Note}
1998	9 286	6 079
1999	10 426	6 479
2000	12 389	6 649
2001	15 923	8 437
2002	14 572	5 854
2003	13 587	6 944
2004	14 942	6 463
2005	16 188	5 805
2006	17 270	5 124
2007	18 561	5 300
2008	20 602	5 389
2009	22 842	6 664
2010	25 556	7 526
2011	28 128	6 908
2012	30 325	7 057
2013	32 901	6 606
2014	34 593	6 022
2015	35 677	6 202
2016	35 356	5 060
2017	36 778	5 753

Note: The information shown are figures generated as at 31.12.2018.

- (b) The respective numbers of new applications filed with the Court of First Instance of the High Court for leave to apply for judicial review (JR) handled by CD and those involving briefed out counsel from 2012 to 2017 are as follows:

Year	New leave applications filed with the Court of First Instance of High Court for JR handled by CD	
	Total number of applications	Number of applications involving briefed out counsel
2012	90	65
2013	70	31
2014	117	62
2015	136	89
2016	113	63
2017	82	41
2018 (as at 30.11.2018)	127	32

Generally speaking, for each of the above cases, whether briefed out or not, Government Counsel of CD would undertake the work of solicitor.

- (c) There are five teams with respective areas of litigation work under CD. They are the personal injuries and medical disciplinary cases team (Team 1); the public law and statutory tribunals team (Team 2); the revenue, charities and commercial litigation team (Team 3); the immigration team (Team 4) which handles immigration-related matters including issues arising from non-refoulement claims; and the miscellaneous claims and costs team (Team 5). The proposed new Principal Government Counsel (PGC) post will head and supervise Teams 1, 3 and 5 whereas the existing PGC will continue to head Teams 2 and 4.

Since the litigation work handled by the five teams differ in nature, we will deploy our resources based on the nature, volume and professional requirements of the tasks in order to cope with the work in the most efficient and cost-effective manner overall. Nevertheless, the two PGC

responsible for general supervision will from time to time review the workload of the teams and will, when necessary, redeploy the tasks and staff by cross-team assignment to ensure even and fair distribution of work among them.