



司法機構政務處

Judiciary Administration

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來函檔號 Your Ref.: JUD SS 5-30/2/8

27 May 2019

Ms Connie SZETO
Clerk to the Establishment Sub-committee
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms Szeto,

**Legislative Council Establishment Sub-committee
Follow-up to the Meeting held on 7 May 2019**

At the meeting of the Establishment Sub-committee on 7 May 2019, Members requested the Judiciary Administration to provide supplementary information on the proposed creation of three permanent judicial posts and two permanent directorate civil service posts in the Judiciary. The relevant information is enclosed for Members' reference.

Yours sincerely,

(Jock Tam)
for Judiciary Administrator

Encls.

c.c.: Financial Services and the Treasury Bureau

Legislative Council Establishment Subcommittee
Follow-up to meeting on 7 May 2019

EC(2018-19)37

Question

In relation to the proposed creation of five permanent posts of three judicial posts of Judge of the District Court in the Judiciary to strengthen the judicial establishment of the Family Court; and two civil service posts of one Administrative Officer Staff Grade B1 to head a new Planning and Quality Division and one Administrative Officer Staff Grade C to strengthen directorate support for the Chief Justice's Private Office in the Judiciary Administration, the Administration is requested to provide the following supplementary information:

- (a) The Family Court's performance pledge on dealing with cases, including the target waiting time and actual waiting time, etc. for cases in recent years; and with the creation of three judicial posts of Judge of the District Court, how can the relevant performance pledge be enhanced?

Reply: The Judiciary maintains statistics on average waiting time from setting down of a case to hearing. It normally measures the period from the date when the case is ready for listing to the first free date of the court. That said, from operational experience, Family Judges may give directions of not listing a hearing before a particular future date in appropriate cases to allow more time for parties to consider mediation and settlement. In addition, the first available date is not taken up by the parties sometimes due to unavailability of the legal representatives. These account for longer waiting time for some cases.

The statistics of the average waiting time involved for cases listed on the Special Procedure List, the Defended List and the Financial

Applications in the Family Court for the past three years from 2016 to 2018 are as follows:

	Average Waiting Time (days)			
	Target	2016	2017	2018
Special Procedure List	35	34	34	35
Defended List (all hearings)	110	65	85	111
Financial applications	110-140	86	95	90

Over the past three years, the average waiting times targets were broadly met. It is, however, noted that the average waiting times for the Defended List had been on the rise and had marginally exceeded the target in 2018.

The Judiciary has all along been striving to deploy the necessary judicial resources to meet the operational requirements of the Family Courts. While the Family Court has an establishment of five Family Court Judges (including one Principal Family Court Judge), the total number of substantive and deputy Judges and Judicial Officers deployed to sit in the Family Court has increased to ten since September 2015. The Judiciary considers it necessary to rationalise the manpower situation of the Family Court by first creating three permanent judicial posts of Judge of the District Court (“DJ”) posts in the Family Court.

With more substantive judicial manpower, there would be a positive impact on the development and retention of expertise in the Family Court. The Family Court would be better placed to discharge its functions effectively and keep waiting times within targets.