

**The Judiciary Administrator's Speaking Notes
at the Special Finance Committee Meeting
on 8 April 2019**

The Judiciary has the constitutional responsibility to administer justice fairly and impartially. In the financial year 2019-20, a total provision of \$2,109.5 million is sought to enable the Judiciary to discharge its responsibilities.

2019-20 Draft Estimates

2. In accordance with the budgetary arrangements agreed between the Judiciary and the Government in 2005, the Judiciary submitted its resource requirements for 2019-20 to the Government in August 2018, prior to the Government's drawing up of the 2019-20 budget for the Judiciary. The Judiciary considers that the above budgetary arrangements have been working satisfactorily, and that the Government has been helpful in the process.

3. The draft Estimates of 2019-20 for the Judiciary, amounting to \$2,109.5 million, represents an increase of \$278.8 million, or 15.2%, over our revised estimates for 2018-19. The Judiciary will be provided with the financial resources required for the creation of three additional judicial posts and 65 net additional non-judicial civil service posts, filling of existing judicial and non-judicial vacancies, provision of additional operating expenses to strengthen court operation, facilitate the implementation of the Information Technology Strategy Plan ("ITSP") and enhance administrative support on the various fronts of the Judiciary.

Judicial Manpower

4. The establishment of judicial posts now stands at 218, following the creation of four Deputy Registrar, High Court posts as approved by the Finance Committee of the Legislative Council on 1 February 2019. For the current financial year, with the support of the Government by providing the necessary financial resources, the Judiciary proposes to create three additional judicial posts of District Judge to strengthen the establishment of the Family Court to cope with its increased workload.

5. Over the past years, the Judiciary has been launching open recruitment exercises for filling judicial vacancies at appropriate timing, having regard to the overall judicial manpower situation and operational needs of the different levels of courts:

- (a) at the Judge of the Court of First Instance of the High Court (“CFI”) level, the Judiciary has conducted five open recruitment exercises on a more regular basis since 2012, including the new round of recruitment exercise launched in mid-2018. A total of 24 CFI Judges have been appointed, including four CFI Judges so far appointed from the latest recruitment exercise launched in mid-2018;
- (b) for the District Judge level, two rounds of open recruitment launched in 2011 and 2016 were completed. A total of 31 judicial appointments were made as a result. A new round of recruitment exercise was launched in end 2018 which is in progress; and
- (c) three rounds of open recruitment exercises for Permanent Magistrates conducted since 2011 were completed. A total of 41 Permanent Magistrates were appointed as a result. A new round of recruitment was launched in March 2019.

6. To address the persistent recruitment difficulties at the CFI level as well as the long-term needs of the whole of the Judiciary, and with the support of the Government, enhancements to the conditions of service for Judges and Judicial Officers (“JJOs”) have been implemented with effect from 1 April 2017. The Judiciary hopes that this would have a positive impact on recruiting suitable practitioners to join the Bench.

7. With the support of the Government, the Judiciary is also taking forward proposals to extend the retirement ages for the JJOs. The Judiciary envisages that extending the retirement ages of JJOs would have a positive impact on attracting quality candidates who are in private practice to join the Bench at the later stage of their career life, in particular at the CFI level, and also on retaining experienced judicial manpower where appropriate. The Government has introduced a Bill on the necessary legislative amendments for the implementation of the new retirement ages and related arrangements to the Legislative Council in March 2019. It is hoped that the legislative exercise could be completed within the 2018-19 legislative session.

8. For the year 2019-20 and as far as judicial manpower is concerned, the Judiciary will aim to seek the Legislative Council’s approval for the creation of three additional judicial posts, follow up on the making of judicial appointments upon completion of the new rounds of open recruitment of JJOs at different levels of courts, as well as take forward the legislative amendments for and the implementation of the extension of the statutory retirement ages of JJOs. The Judiciary would also continue to keep in view the judicial manpower situation and engage deputy JJOs in the interim in helping to meet pressing operational needs as far as practicable.

Non-Judicial Manpower

9. In 2019-20, on top of meeting the on-going operational needs in discharging its responsibilities on all fronts, the Judiciary will continue to enhance administrative support in respect of a number of major initiatives. To this end, a net addition of 65 civil service posts will be required.

10. First, the Judiciary proposes to create a permanent Administrative Officer Staff Grade (“AOSG”) B1 post to head a new Planning and Quality Division to be set up in the Judiciary Administration (“Jud Adm”). This new Deputy Judiciary Administrator will provide dedicated strategic support to the Judiciary Administrator on formulating, evaluating and monitoring overall strategies and forward-thinking policies in the overall administration of the Jud Adm to improve efficiency and effectiveness. The new Division will also enhance overall steer for the mega projects, both on the accommodation and IT fronts, currently undertaken by the Judiciary.

11. To strengthen directorate support to the Chief Justice (“CJ”)’s Private Office, we also propose to create a permanent AOSGC post to be designated as Deputy Administrative Assistant to provide enhanced administrative support to the Chief Justice (“Deputy AA/CJ”).

12. Furthermore, additional/continuous staffing support will be required for many new and on-going initiatives. These include the provision of:

- (a) necessary support to the additional judicial posts to be created to cope with the workload of the Family Court;
- (b) administrative support to two new mega accommodation projects and the continuous review and implementation of enhanced court security measures in law courts buildings;
- (c) continuous/enhanced administrative support to facilitate the implementation of the ITSP; and
- (d) enhanced court/administrative support for coping with increased workload, for example, enhanced support to JJOs in the High Court and the District Court; and enhancement of services in various areas such as the Probate Registry, the District Court Registry, etc.

The Way Forward

13. The Judiciary consulted the Panel on Administration of Justice and Legal Services on 25 February 2019 on the proposed creation of three permanent judicial posts and two permanent civil service directorate posts. The Panel indicated its support. We will proceed to submit the proposals to the Establishment Subcommittee for endorsement and the Finance Committee of the Legislative Council for approval. The Judiciary looks forward to receiving Members' support.

Conclusion

14. The Judiciary will continue to explore areas for improvement to enhance access to justice and to provide quality services to court users and members of the public.

15. Thank you.