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Panel on Administration of Justice and Legal Services
Meeting on 29 April 2019

Background brief on the Information Technology Strategy Plan
of the Judiciary

Purpose

This paper provides background information on the Information Technology Strategy Plan ("ITSP") of the Judiciary. It also summarizes the past discussions of the Legislative Council ("LegCo") and its committees, including the Panel on Administration of Justice and Legal Services ("the Panel"), on ITSP and related matters.

Background

2. In 2011 to 2012, the Judiciary engaged a consultancy firm for conducting an Information Systems Strategy Study ("ISSS") to formulate an up-to-date and comprehensive strategy plan on the use of information technology ("IT") in support of its operations for the following ten years and beyond.¹ The consultants reviewed the state of use of IT in the Judiciary and identified the improvement areas to keep pace with the development of IT and to meet the projected operational needs of the Judiciary, and prepared ITSP. The Judiciary Administration consulted the Panel at its meeting on 26 February 2013 on the implementation of projects under ITSP.

3. As a major deliverable under ISSS, ITSP set out the recommendations on the IT direction for the Judiciary in the long term and was aimed at enabling the Judiciary to achieve the following objectives:

¹ The Judiciary conducted its first ISSS in the 1990s. Based on the recommendation then formulated, the Judiciary set up its IT infrastructure and implemented a series of application systems to support its operations.

- (a) to replenish the existing IT systems by latest technologies to ensure sustainable operation in the long run;
- (b) to provide more effective and efficient services of a higher quality to all stakeholders in support of the administration of justice through process re-engineering enabled by the use of IT;
- (c) to facilitate active case management throughout the entire litigation/adjudication and ancillary process in improving access to justice for the benefit of all stakeholders; and
- (d) to respond responsibly to the general rising expectations from users and society.

4. The key initiatives recommended under ITSP were to implement an integrated court case management system; standardize processes across different court levels and across non-court sections; streamline operations through business process re-engineering and improved automation; establish an integrated data architecture; enable and encourage electronic services for various types of transactions; enable electronic court records; enhance knowledge management, court and non-court records management; enhance courtroom technologies; and improve reporting and collection of statistics.

Implementation of the Information Technology Strategy Plan

5. ITSP specifically included a Six-year Action Plan which mapped out the requisite activities for implementing the initiatives defined in ITSP. Based on the assessment of the logical grouping and prioritization of implementation of the courts and tribunals in terms of the anticipated benefits and current pressure points, ISSS recommended that the implementation of the integrated court case management system for the Court of Final Appeal ("CFA"), the High Court ("HC") (including the Probate Registry), the District Court ("DC"), the Magistrates' Courts ("MCs") and the Small Claims Tribunal ("SCT") should be included in the Six-year Action Plan as the first phase of implementation ("Phase I").

6. Phase I was further broken down into two stages, each lasting for about three years, for better management. The first stage (from July 2013 to June 2016) ("Stage 1") focused on building up the technical and infrastructure foundation components, conducting process re-engineering, streamlining and standardizing court operations, and implementing the integrated court case management system in DC and the Summons Courts of MCs. The second stage (from July 2016 to December 2019) ("Stage 2") would include rolling out the new system to CFA, HC, SCT and the non-summons Courts of MCs.

7. The integrated court case management system for the remaining courts and tribunals (including Family Court, Labour Tribunal, Lands Tribunal, Obscene Article Tribunal and the Coroner's Court) would be implemented in the seventh to ninth year as the second phase ("Phase II") implementation. It was the Judiciary Administration's plan that, with the foundations built and the experience gained in Phase I, the Judiciary would work out concrete plans and make funding application for the implementation of Phase II at a later time.

8. According to the Judiciary Administration, the current legislation concerning court operation did not cater for the full scale implementation of many of the initiatives. To ensure that the changes to be introduced would be in compliance with the statutory requirements, the Judiciary had embarked on a study regarding possible amendments to legislation. The Judiciary would consult the stakeholders, in particular the legal profession and the court users, on specific proposals at a later stage. The intention was to complete the study in time to tie in with the implementation of ITSP.

9. On 24 May 2013, the Finance Committee approved a funding of \$682.43 million for the implementation of Phase I of ITSP.

Major views and concerns of Members

10. The major views and concerns expressed by LegCo Members in recent years relating to ITSP are summarized in the ensuing paragraphs.

Setting up of an independent information technology system

11. In response to a Panel member's enquiry about the Judiciary's justifications for not using the centralized IT systems of the Government but setting up its own IT infrastructure under ITSP, the Judiciary Administration explained that there was a need to safeguard the confidentiality of the court case records. In this connection, the Judiciary's IT infrastructure and systems had to be separate from that of the centralized system of the Government.

Expenditures for the software and implementation services

12. The Panel noted that an amount of \$386.763 million was earmarked for the Judiciary's procurement of software and implementation services from 2013-2014 to 2018-2019, representing more than half of the estimated non-recurrent expenditure over this six-year period. Some members sought the Judiciary's clarification as to what particular items would be included in terms of the software and implementation services.

13. The Judiciary Administration replied that it was the Judiciary's plan to outsource some of the Phase I projects through tendering. According to the Six-year Action Plan, the Judiciary would have to procure the necessary software and the relevant users' licence for the use and maintenance of its IT systems whilst the contractors would, under the implementation services, be responsible for the development and delivery of the integrated court case management system and various application systems for the Judiciary.

Manpower support for the Information Technology Strategy Plan

14. At its meeting on 24 June 2014, the Panel was briefed on the Judiciary's proposals to create additional judicial posts and to strengthen the directorate structure of the Judiciary Administration. The proposals included the creation of a Chief System Manager ("CSM") (D1) post to head the re-organized IT Office to provide effective administrative support to the implementation of ITSP and ensure good synergy with the implementation of the on-going IT projects on a day to day basis.² Some members considered that the proposed creation of just one CSM post was insufficient in view of the scope of ITSP. In reply, the Judiciary Administration advised that apart from the said proposals, the Judiciary also proposed to create new non-directorate support staff posts to meet increasing operational needs.

15. When examining the Estimates of Expenditure over the past few years, members of the Finance Committee raised questions about the manpower involved in the implementation of ITSP. According to the Judiciary Administration in early April 2019, it was estimated that the average number of staff for the implementation of ITSP in 2019-2020 would be at about 100, including civil service staff and IT professionals engaged on contract.

Implementation plan

16. Some Panel members considered that, in view of the substantial number of labour disputes including wage claims processed by the Labour Tribunal each year and for the benefit of employees, implementation of the integrated court case management system for the Labour Tribunal should also be included in Phase I of the Six-year Action Plan rather than Phase II.

17. In response, the Judiciary Administration explained that the litigation procedures in DC were similar to those in HC. Hence, the implementation experience gained in DC in the first three years would be useful for the implementation in HC. Furthermore, as the cases processed at the Summons

² The Judiciary's proposals were approved by the Finance Committee on 20 March 2015.

Courts of MCs were large in number and one of the parties to the litigation comprised mainly institutional court users, there would be great benefit brought about by implementing the respective system for the Summons Courts in Phase I. On the other hand, as the litigation processes adopted in the Labour Tribunal were less complicated and IT systems had been put in place in support of its operation, it would be more appropriate to implement the integrated court case management system for the Labour Tribunal during Phase II.

18. Notwithstanding the above responses, some Panel members suggested that the Judiciary should commence with the relevant preparatory work for the Labour Tribunal during Phase I. In reply, the Judiciary Administration assured members that to expedite the implementation of the rest of the project initiatives in ITSP, it had planned to commence appropriate preparatory work for the remaining courts and tribunals in the implementation of Phase I as early as possible.

19. Some Panel members enquired about the timeframe for implementing e-filing system by the courts to enable perusal of documents by electronic means in court proceedings. In reply, the Judiciary Administration advised that the first step was to build up an integrated court case management system which was essential in supporting the introduction of e-services for court users on many fronts, and the Judiciary intended to use the system in DC as well as for summons cases in MCs first. In that regard, the overall IT architecture and systems of the Judiciary would be revamped and implemented in a holistic but incremental manner. The Judiciary would also plan to implement the e-filing system in the courts from 2016 onwards, but small-scale pilot scheme on the use of e-submissions in proceedings in DC had been initiated in mid-June 2014.

Progress of implementation

20. During the examination of the Estimates of Expenditure over the past few years, members of the Finance Committee asked about the progress of the implementation of ITSP. In early April 2019, the Judiciary Administration stated that all activities relating to the building and set-up of IT infrastructure foundation had been completed as at March 2019. Various components under Phase I Stage 1 were being progressively rolled out to DC and the Summons Courts of MCs. One component relating to payment collection was rolled out to these levels of courts in late 2016 and early 2018 respectively. Other components were scheduled to be rolled out by phases in 2019 and after.

21. The Judiciary Administration also advised that it was the original plan to start the development work of the integrated court case management system in Stage 2 of Phase I in 2018-2019 when the implementation of Phase I Stage 1 was still actively in progress. Upon review, it was considered prudent to capture more

experience in implementing Stage 1 before embarking on the development work of the integrated court case management system in the courts covered under Stage 2. The Judiciary thus rescheduled the startup work of the integrated court case management system in Stage 2.

22. The Judiciary Administration further indicated that the required legislative amendments to provide the proper legal status for the use of an electronic mode for court documents were under preparation. A new Bill would need to be introduced. Several sets of court procedural rules (which were subsidiary legislation) and Practice Directions for the courts and proceedings covered by Phase I Stage 1 would also be needed. The Judiciary was consulting external stakeholders on the draft legislation and Practice Directions and would take forward the legislative process when ready.

Latest position

23. The Administration and the Judiciary Administration will consult the Panel at its meeting on 29 April 2019 on the proposed legislative amendments for the implementation of Phase I Stage 1 of ITSP, as mentioned in paragraphs 8 and 22.

Relevant papers

24. A list of the relevant papers is in the **Appendix**.

Council Business Division 4
Legislative Council Secretariat
24 April 2019

List of relevant papers

Date of meeting	Meeting	Minutes/Paper	LC Paper No.
26.2.2013	Panel on Administration of Justice and Legal Services	Judiciary Administration's paper on the implementation of projects under the Information Technology Strategy Plan of the Judiciary	CB(4)430/12-13(03) https://www.legco.gov.hk/yr12-13/english/panels/ajls/papers/aj0226cb4-430-3-e.pdf
		Minutes of meeting	CB(4)640/12-13 https://www.legco.gov.hk/yr12-13/english/panels/ajls/minutes/aj20130226.pdf
24.5.2013	Finance Committee	Judiciary Administration's paper on the implementation of projects under the Information Technology Strategy Plan of the Judiciary	FCR(2013-14)6 https://www.legco.gov.hk/yr12-13/english/fc/fc/papers/f13-06e.pdf
		Minutes of meeting	FC9/13-14 https://www.legco.gov.hk/yr12-13/english/fc/fc/minutes/fc20130524a.pdf
31.3.2014	Finance Committee (Special meeting)	Replies to initial written questions raised by Finance Committee members in examining the Estimates of Expenditure 2014-2015 (Session No.: 2) (Reply Serial Nos. JA020, JA021 and JA025)	https://www.legco.gov.hk/yr13-14/english/fc/fc/w_q/ja-e.pdf

Date of meeting	Meeting	Minutes/Paper	LC Paper No.
24.6.2014	Panel on Administration of Justice and Legal Services	Judiciary Administration's paper on the proposed creation of judicial posts and a non-civil service position in the Judiciary and strengthening of the directorate structure of the Judiciary Administration	CB(4)822/13-14(03) https://www.legco.gov.hk/yr13-14/english/panels/ajls/papers/aj0624cb4-822-3-e.pdf
		Minutes of meeting	CB(4)94/14-15 https://www.legco.gov.hk/yr13-14/english/panels/ajls/minutes/aj20140624.pdf
20.3.2015	Finance Committee	Administration's paper	FCR(2014-15)56 https://www.legco.gov.hk/yr14-15/english/fc/fc/papers/f14-56e.pdf
		Minutes of meeting	FC244/14-15 https://www.legco.gov.hk/yr14-15/english/fc/fc/minutes/fc20150320.pdf
27.3.2015	Finance Committee (Special meeting)	Replies to initial written questions raised by Finance Committee members in examining the Estimates of Expenditure 2015-2016 (Session No.: 2) (Reply Serial Nos. JA014, JA016 and JA021)	https://www.legco.gov.hk/yr14-15/english/fc/fc/w_qja-e.pdf
18.5.2015	Panel on Administration of Justice and Legal Services	Judiciary Administration's paper on the proposed creation of a supernumerary directorate post in the Judiciary Administration of the Judiciary	CB(4)964/14-15(07) https://www.legco.gov.hk/yr14-15/english/panels/ajls/papers/ajls20150518cb4-964-7-e.pdf

Date of meeting	Meeting	Minutes/Paper	LC Paper No.
		Minutes of meeting	CB(4)1310/14-15 https://www.legco.gov.hk/yr14-15/english/panels/ajls/minutes/ajls20150518.pdf
27.11.2015	Finance Committee	Administration's paper	FCR(2015-16)31 https://www.legco.gov.hk/yr15-16/english/fc/fc/papers/f15-31e.pdf
		Minutes of meeting	FC215/15-16 https://www.legco.gov.hk/yr15-16/english/fc/fc/minutes/fc20151127.pdf
1.4.2016	Finance Committee (Special meeting)	Replies to initial written questions raised by Finance Committee members in examining the Estimates of Expenditure 2016-2017 (Session No.: 2) (Reply Serial Nos. JA001 and JA016)	https://www.legco.gov.hk/yr15-16/english/fc/fc/w_q/ja-e.pdf
3.4.2017	Finance Committee (Special meeting)	Replies to initial written questions raised by Finance Committee members in examining the Estimates of Expenditure 2017-2018 (Session No.: 5) (Reply Serial Nos. JA027 and JA069)	https://www.legco.gov.hk/yr16-17/english/fc/fc/w_q/ja-e.pdf
16.4.2018	Finance Committee (Special meeting)	Replies to initial written questions raised by Finance Committee members in examining the Estimates of Expenditure 2018-2019 (Session No.: 2) (Reply Serial Nos. JA032 and JA035)	https://www.legco.gov.hk/yr17-18/english/fc/fc/w_q/ja-e.pdf

Date of meeting	Meeting	Minutes/Paper	LC Paper No.
18.7.2018	Panel on Administration of Justice and Legal Services	Judiciary Administration's paper on the proposed creation of judicial posts and proposed creation and retention of directorate posts in the Judiciary	CB(4)1384/17-18(03) https://www.legco.gov.hk/yr17-18/english/panels/ajls/papers/ajls20180718cb4-1384-3-e.pdf
		Minutes of meeting	CB(4)446/18-19 https://www.legco.gov.hk/yr17-18/english/panels/ajls/minutes/ajls20180718.pdf
25.2.2019	Panel on Administration of Justice and Legal Services	Judiciary Administration's paper on proposed creation of judicial posts and directorate posts in the Judiciary	CB(4)546/18-19(04) https://www.legco.gov.hk/yr18-19/english/panels/ajls/papers/ajls20190225cb4-546-4-e.pdf
8.4.2019	Finance Committee (Special meeting)	Replies to initial written questions raised by Finance Committee members in examining the Estimates of Expenditure 2019-2020 (Session No.: 2) (Reply Serial Nos. JA016 and JA034)	https://www.legco.gov.hk/yr18-19/english/fc/fc/w_q/ja-e.pdf