

Head 92 — DEPARTMENT OF JUSTICE

Controlling officer: the Director of Administration and Development will account for expenditure under this Head.

Estimate 2020–21 **\$2,447.7m**

Establishment ceiling 2020–21 (notional annual mid-point salary value) representing an estimated 1 363 non-directorate posts as at 31 March 2020 rising by 56 posts to 1 419 posts as at 31 March 2021 **\$986.9m**

In addition, there will be an estimated 96 directorate posts as at 31 March 2020 rising by one post to 97 posts as at 31 March 2021.

Commitment balance..... **\$5.9m**

Controlling Officer's Report

Programmes

<p>Programme (1) Prosecutions Programme (2) Civil Programme (3) Legal Policy Programme (4) Law Drafting Programme (5) International Law</p>	<p>These programmes contribute to Policy Area 11: Legal Administration (Secretary for Justice).</p>
--	---

Detail

Programme (1): Prosecutions

	2018–19 (Actual)	2019–20 (Original)	2019–20 (Revised)	2020–21 (Estimate)
Financial provision (\$m)	675.9	982.0	864.6 (–12.0%)	976.9 (+13.0%)
				(or –0.5% on 2019–20 Original)

Aim

2 The aim is to advise and decide whether or not criminal proceedings should be undertaken and to prosecute cases in the courts.

Brief Description

3 The Prosecutions Division advises upon and prosecutes criminal cases in all the courts of Hong Kong. Apart from Government Counsel in the Advocacy Sub-division, whose work is primarily advocacy, and who prosecute the more serious cases, Government Counsel across the Division prosecute in trials; appear in appeals, applications for bail and asset recovery cases; and assist the coroner in inquests. Most cases in the Magistrates' Courts are prosecuted by Court Prosecutors. Some cases are briefed out to members of the Bar and solicitors in private practice. The Division also advises law enforcement agencies and other government departments and agencies on criminal law and procedure and the effects of legislation.

4 The advisory function of the Prosecutions Division is performed by Government Counsel in various sections. One section is involved in the Division's training and management matters; other sections are involved in the preparation of cases for trial; whilst specialist sections advise on areas as diverse as corruption, fraud, labour and immigration, vice, obscenity, gambling, anti-terrorism, triads and organised crime, human rights and the Basic Law, complaints against the Police, narcotics, the recovery of the proceeds of crime, customs and excise, computer crime, copyright and market misconduct.

5 In 2019, the aim of the programme was generally met and the overall performance under the programme was satisfactory.

Head 92 — DEPARTMENT OF JUSTICE

6 The key performance measures are:

Targets

	Target	2018 (Actual)	2019 (Actual)	2020 (Plan)
providing advice for law enforcement agencies within 14 working days upon receipt of request, or for a complex case, interim reply within 14 working days (%).....	100	92.0	91.2	100
preparing and filing indictments in the Court of First Instance within seven days of committal of the accused in the Magistrates' Court (%)	100	100	100	100
preparing and delivering charge sheets to the Registrar of the District Court within 14 days after the date of the order of transfer of the case from the Magistrates' Court to the District Court (%).....	100	100	100	100

Indicators

	2018 (Actual)	2019 (Actual)	2020 (Estimate)
cases conducted by Government Counsel.....	3 730	3 651	3 650
cases conducted by Counsel instructed to prosecute in all courts	1 349	1 415	1 420
court days undertaken by Government Counsel	3 271	3 394	3 390
court days undertaken by Court Prosecutors in Magistrates' Court	7 839	8 313	8 310
court days undertaken by Counsel instructed to prosecute in the Magistrates' Court in place of Court Prosecutors.....	4 815	4 054	4 050
cases prepared for the Court of First Instance.....	413	424	420
cases prepared for the District Court.....	1 183	966	970
items of legal advice provided	13 105	12 225	12 230
appeals conducted	1 018	945	950

7 The conviction rates for 2018 and 2019 are:

	2018 (Actual)	2019 (Actual)
Magistrates' Court		
- defendants convicted after trial (%)	57.5	54.6
- defendants convicted after trial and defendants convicted on their own pleas (%).....	71.5	68.3
District Court		
- defendants convicted after trial (%)	59.2	67.4
- defendants convicted after trial and defendants convicted on their own pleas (%).....	89.8	92.9
Court of First Instance		
- defendants convicted after trial (%)	67.9	60.7
- defendants convicted after trial and defendants convicted on their own pleas (%).....	90.8	90.0

The conviction rates are defendant-based and relate to any substantive or alternative offence on which the defendant has been convicted. It does not take into account acquittals of other charges if any.

It should be noted that while it is the duty of Counsel and Court Prosecutors to prosecute vigorously in courts, they have to act in a fair and objective manner. It is wrong to strive to secure a conviction at all costs. The question of guilt or innocence is a matter for the court to decide. Therefore, conviction rates in criminal cases are not and should not be taken as performance indicators. They are published regularly for reference only.

Head 92 — DEPARTMENT OF JUSTICE

Matters Requiring Special Attention in 2020–21

- 8 During 2020–21, the Prosecutions Division will continue to implement measures to:
- promote co-operation amongst prosecutors at the global level in the combat against crime;
 - enhance the quality of criminal justice by promoting transparency in public prosecutions, liaising closely with justice partners and reviewing the disclosure arrangements of law enforcement agencies;
 - enhance the standards of advocacy and preparation in criminal cases; and
 - enhance the public’s understanding of the criminal justice system and their role in the system.

Programme (2): Civil

	2018–19 (Actual)	2019–20 (Original)	2019–20 (Revised)	2020–21 (Estimate)
Financial provision (\$m)	709.2	914.5	728.3 (–20.4%)	929.5 (+27.6%)
				(or +1.6% on 2019–20 Original)

Aim

9 The aim is to provide legal advice to the Government on civil matters, to undertake civil litigation and other forms of dispute resolution and to draft contracts on commercial and other matters.

Brief Description

- 10 The work of the Civil Division includes:
- representing the Government and various other bodies in courts and tribunals in all forms of civil litigation and dispute resolution (including non-construction arbitration and mediation);
 - providing legal advice on planning, land, building, environment and housing matters;
 - providing legal advice on commercial law matters and drafting commercial contracts, licences and franchises;
 - providing legal advice on legislation and civil law matters;
 - providing advice and support to the development of the wider use of mediation to resolve disputes in Hong Kong; and
 - providing support to the Inclusive Dispute Avoidance and Resolution (IDAR) Office in raising Hong Kong’s international profile and reinforcing Hong Kong’s role as an international legal and dispute resolution services centre.

11 In 2019, the aim of the programme was generally met and the overall performance under the programme was satisfactory.

12 The key performance measures are:

Targets

	Target	2018 (Actual)	2019 (Actual)	2020 (Plan)
taking appropriate follow-up action on civil litigation cases within seven working days upon referral by client department (%)	100	100	100	100
providing legal advice within 14 working days upon receipt of instructions/requests (%)#	92	89	83	92

If achieving the target is not possible due to the complexity of cases, the client department will be advised of the estimated time within which the advice will be provided.

Head 92 — DEPARTMENT OF JUSTICE

Indicators

	2018 (Actual)	2019 (Actual)	2020 (Estimate)
civil litigation cases current on 31 December	38 193	40 343	40 345
new proceedings (including non-construction arbitration and mediation) brought by the Government.....	1 614	1 841	1 885
new proceedings (including non-construction arbitration and mediation) brought against the Government	2 174	3 372	3 370
person days of court appearances.....	1 716	1 897	1 865
items of legal advice provided	15 587	14 072	14 070
commercial tenders, consultancy briefs, contracts, licences and franchises drafted/vetted	828	682	680

Matters Requiring Special Attention in 2020–21

13 During 2020–21, the Civil Division will advise on the legal aspects of:

- proceedings involving the Government, in particular those involving the Basic Law and Bill of Rights issues, administrative law issues, immigration matters, revenue matters, charities and trusts, contempt of court, election matters, contractual/commercial disputes, personal injuries and other damages claims, land matters, building matters, town planning matters and environmental issues;
- implementation of the Judiciary’s Information and Technology Strategy Plan to facilitate court users by providing them with an electronic option for court processes;
- legislative initiatives for the handling of non-refoulement claims made under the unified screening mechanism and other related matters;
- legislative initiatives with regard to corporate insolvency law;
- legislative amendments to tax legislation;
- legislative proposals for the establishment of a Policyholders’ Protection Scheme;
- legislative amendments to the Telecommunications Ordinance (Cap. 106) and the Broadcasting Ordinance (Cap. 562);
- legislative amendments to the marine and aviation related legislation;
- legislative proposals with regard to family procedure matters;
- the English and Chinese texts of contracts, undertakings, tender documents, public franchises, licences and other legal documents for the Government, in addition to drafting and vetting such texts;
- the regulation of companies, securities, banks, insurance, information technology, electronic transactions, e-commerce, transportation, broadcasting and telecommunications as well as proposals for reform;
- development of Trade Single Window;
- various studies, projects and initiatives, including those in relation to the enhancement of the soundness and resilience of Hong Kong’s financial system and strengthening of Hong Kong’s role as an international financial centre amidst the changing financial circumstances, the Shatin to Central Link, construction and operation of youth hostels and the Chinese Medicine Hospital, and the InnoHK initiative;
- exploring the role of mediation in the establishment of a body through collaboration for provision of diversified dispute resolution services for Belt and Road countries; and
- establishment and implementation of a mediation platform in the Guangdong-Hong Kong-Macao Greater Bay Area.

Programme (3): Legal Policy

	2018–19 (Actual)	2019–20 (Original)	2019–20 (Revised)	2020–21 (Estimate)
Financial provision (\$m)	139.0	173.1	161.9 (–6.5%)	224.7 (+38.8%)
				(or +29.8% on 2019–20 Original)

Head 92 — DEPARTMENT OF JUSTICE

Aim

14 The aim is to provide support to the Secretary for Justice in relation to the discharge of her duties; to provide advice on overall legal policy issues and, in particular, in respect of the Basic Law and human rights law in assisting the Government's formulation of policies (including those in relation to the legal system, the legal profession and dispute resolution); to provide advice on electoral law; to provide advice on the law and other initiatives in the Mainland and other parts of the Cross Strait cum Hong Kong and Macao; and to review chosen areas of the law and provide secretariat support to the Law Reform Commission.

Brief Description

15 The work of the Secretary for Justice's Office (including the IDAR Office) and the Legal Policy Division includes:

- providing support for the Secretary for Justice in relation to her duties as a Member of the Executive Council, a designated officer attending meetings of the Legislative Council (LegCo) and as the principal legal adviser to the Chief Executive;
- co-ordinating efforts within the Government in promoting Hong Kong as an ideal regional and international hub for deal-making and dispute resolution, as well as a leading centre for international legal services and capacity building in this region and beyond;
- providing legal advice on the Basic Law and assisting the promotion of knowledge in it;
- advising on compliance with the human rights provisions of the Basic Law, human rights treaties extended to the Hong Kong Special Administrative Region (HKSAR), the Hong Kong Bill of Rights Ordinance (Cap. 383), and anti-discrimination legislation;
- providing legal advice on constitutional development and election matters;
- advising whether a policy or proposed legislation is contrary to established principles underlying the legal system;
- advising on legal issues arising out of statutory and non-statutory appeals and petitions to the Chief Executive/Chief Executive in Council, including prisoners' petitions for remission/pardon, petitions to the Chief Executive under Article 48(13) of the Basic Law, references of cases to the intermediate appellate court under the Criminal Procedure Ordinance (Cap. 221) or the Magistrates Ordinance (Cap. 227) as the case may be, appeals and judicial reviews by claimants for non-refoulement protection and surrender of fugitives; considering claims for statutory and ex gratia compensation and handling responses to public enquiries and complaints;
- promoting bills related to the legal system, the legal profession, the law of arbitration and those effecting law reform or miscellaneous amendments to various ordinances;
- providing advice and information on the laws and other initiatives of the Mainland and other parts of the Cross Strait cum Hong Kong and Macao; attending to matters on the further liberalisation of the Mainland's legal services market and on co-operation arrangements with the Mainland and other parts of the Cross Strait cum Hong Kong and Macao; organising seminars and promotional activities on Hong Kong's international legal and dispute resolution services in the Mainland in the context of the Belt and Road Initiative and the Guangdong-Hong Kong-Macao Greater Bay Area;
- providing advice to the Government on LegCo procedures and practices;
- providing research, legal services, and secretariat support to facilitate the work of the Inter-departmental Working Group on Gender Recognition chaired by the Secretary for Justice; and
- giving advice and providing research and secretariat support to facilitate the work of the Law Reform Commission chaired by the Secretary for Justice.

16 In 2019, the aim of the programme was generally met and the overall performance under the programme was satisfactory.

17 The key performance measures are:

Indicators

	2018 (Actual)	2019 (Actual)	2020 (Estimate)
bills promoted by the Legal Policy Division in each LegCo session.....	1	0	1
petitions (from prisoners) handled	111	116	116

Head 92 — DEPARTMENT OF JUSTICE

	2018 (Actual)	2019 (Actual)	2020 (Estimate)
items of legal advice (including legal policy work) given on#:			
overall legal policy matters	4 241	3 700	3 700
Basic Law matters	1 762	1 119	1 119
human rights issues	1 153	1 182	1 182
constitutional development and election matters	797	774	774
Mainland law and related matters#	861	723	723
ongoing Law Reform Commission projects	7	8	8
speeches prepared (both for LegCo and elsewhere)	110	106	106
Basic Law seminars conducted	7	7	7
briefings given in the Mainland and to Mainland delegations in Hong Kong	41	46	46
international and regional events (including meetings of international organisations, promotional and capacity building events relating to the rule of law and dispute resolution) [^]			
number of events organised.....	—	—	10
number of participants.....	—	—	2 200

Revised description of the previous indicator “items of legal advice given on” as from 2019. The revision is to better articulate the relevant work because legal policy work may go beyond the pure provision of legal advice. The counting method for the statistics has, however, not been changed (except for “Mainland law and related matters” in which case legal policy work that ventures beyond mere provision of legal advice is included from 2018 onwards to align with that for the work of the rest of the Division).

[^] New indicator as from 2020.

Matters Requiring Special Attention in 2020–21

18 During 2020–21, the Secretary for Justice’s Office (including the IDAR Office) and the Legal Policy Division will continue to:

- promote Hong Kong as an ideal regional and international hub for deal-making and dispute resolution, as well as a leading centre for international legal services and capacity building in this region and beyond;
- support the development of online dispute resolution services in Hong Kong and promote its use in the region;
- promote the use of arbitration in Hong Kong and promote internationally Hong Kong’s arbitration regime;
- explore the feasibility of establishing in Hong Kong a regional arbitration centre of the Asian-African Legal Consultative Organization;
- provide support to the Advisory Committee on Promotion of Arbitration, chaired by the Secretary for Justice, to enhance the efforts to foster the promotion of arbitration services in Hong Kong in accordance with the policy objective of the Government;
- develop expertise in respect of legislative powers, procedures and practices in the context of the Basic Law;
- provide support to the Inter-departmental Working Group on Gender Recognition, chaired by the Secretary for Justice, which is studying possible legislation on gender recognition in respect of transsexual persons in the light of observations made by the Court of Final Appeal in the *W* case (FACV 4/2012);
- provide support to the Working Group on Class Actions, chaired by the Solicitor General, to study and consider the proposals of the Law Reform Commission Report on Class Actions and to make recommendations to the Government on how to take the matter forward;
- take forward the legislative exercise in respect of the Statute Law (Miscellaneous Provisions) Bill 2019;
- explore further opportunities for Hong Kong legal and dispute resolution professionals to provide services in the Mainland;
- develop working relationships with counterparts in the Mainland and other parts of the Cross Strait cum Hong Kong and Macao;
- hold discussions with the Mainland authorities for further development of legal co-operation in civil and commercial matters, particularly in cross-border insolvency and service of judicial documents; and
- organise visits and training programmes in Hong Kong for Mainland officials and seminars and other promotional activities in the Mainland in order to develop and enhance mutual understanding of the legal systems and professional practices in the HKSAR and the Mainland and to promote Hong Kong’s legal and dispute resolution services in the context of the Belt and Road Initiative and the Guangdong-Hong Kong-Macao Greater Bay Area.

Head 92 — DEPARTMENT OF JUSTICE

Programme (4): Law Drafting

	2018–19 (Actual)	2019–20 (Original)	2019–20 (Revised)	2020–21 (Estimate)
Financial provision (\$m)	143.9	168.4	158.7 (–5.8%)	177.2 (+11.7%)
				(or +5.2% on 2019–20 Original)

Aim

19 The aim is to draft legislation and to make the texts of legislation readily accessible.

Brief Description

20 The work of the Law Drafting Division includes:

- drafting of legislation in the English and Chinese languages and assisting policy bureaux in steering such legislation through the law-making process;
- compiling the loose-leaf edition of the Laws of Hong Kong; and
- maintaining a legislation database for free access through the internet.

21 In 2019, the aim of the programme was generally met and the overall performance under the programme was satisfactory.

22 The key performance measures are:

Indicators

	2018 (Actual)	2019 (Actual)	2020 (Estimate)
bills gazetted.....	28	24	27
subsidiary legislation gazetted	269	193	200
pages of bills/subsidiary legislation gazetted (English)	4 652	3 130	4 000
pages of bills/subsidiary legislation gazetted (Chinese)	4 652	3 130	4 000
pages of legislation compiled for publication in the loose-leaf edition	3 629	4 307	3 394
pages of Committee Stage Amendments (CSAs) proposed by the Government (English)Δ	95	17	156
pages of CSAs proposed by the LegCo members (English)Δ.....	94	190	468
pages of CSAs proposed by the Government (Chinese)Δ	87	16	148
pages of CSAs proposed by the LegCo members (Chinese)Δ	92	188	468
drafts of bills/subsidiary legislation released	2 717	2 590	2 600
items of legal advice provided	6 781	4 737	4 500

Δ The nature of the work is different. For CSAs proposed by the Government, Law Drafting Division has to take instructions from policy bureaux and draft the amendments and assist in their scrutiny by LegCo. For CSAs proposed by LegCo members, Law Drafting Division has to examine the amendments to make sure that they are in the correct format and liaise with the proposers to prepare the final agreed copies.

Matters Requiring Special Attention in 2020–21

23 During 2020–21, the Law Drafting Division will continue to:

- meet the requirements for the drafting of legislation and incidental professional service in an effective manner;
- provide on-the-job training and professional development programmes relating to legislative drafting for counsel to enhance their professional capability; and
- maintain a legislation database with legal status and verify data for current legislation for migration from the loose-leaf edition of the Laws of Hong Kong to the database.

Head 92 — DEPARTMENT OF JUSTICE

Programme (5): International Law

	2018–19 (Actual)	2019–20 (Original)	2019–20 (Revised)	2020–21 (Estimate)
Financial provision (\$m)	72.8	91.7	89.3 (–2.6%)	139.4 (+56.1%)
				(or +52.0% on 2019–20 Original)

Aim

24 The aim is to provide advice on international law issues to the Government and to handle requests for international legal co-operation efficiently.

Brief Description

25 The work of the International Law Division includes:

- providing advice on all aspects of public international law, including the application to the HKSAR of multilateral and bilateral international agreements, maritime and aviation law, consular privileges and immunities, and resolution of trade disputes;
- negotiating and advising on international agreements, including those on surrender of fugitive offenders, mutual legal assistance, transfer of sentenced persons, investment promotion and protection, air services, avoidance of double taxation and tax information exchange;
- participating in the activities of international organisations such as the Hague Conference on Private International Law, the United Nations Commission on International Trade Law and the Asia-Pacific Economic Cooperation; negotiating multilateral instruments and fostering international co-operation;
- supporting the IDAR Office in enhancing legal co-operation with international organisations;
- providing advice on the international legal aspects of the HKSAR's laws; and
- handling requests to and from the HKSAR for surrender of fugitive offenders, mutual legal assistance in criminal matters, transfer of sentenced persons and enforcement of confiscation orders as well as requests for assistance in international child abduction cases, and advising on matters involving international legal co-operation.

26 In 2019, the aim of the programme was generally met and the overall performance under the programme was satisfactory.

27 The key performance measures are:

Indicators

	2018 (Actual)	2019 (Actual)	2020 (Estimate)
international agreements initialled	1	0	3
briefings, negotiation and discussion (no. of working sessions)	337	283	285
items of legal advice provided	25 271	26 979	26 980
new requests dealt with in various categories of mutual legal assistance	542	553	560
court appearances	56	102	105

Matters Requiring Special Attention in 2020–21

28 During 2020–21, the International Law Division will continue to:

- provide timely and accurate advice on international law issues and on issues relating to mutual legal assistance;
- negotiate international agreements or contribute as legal advisers in these negotiations;
- participate in the activities of international organisations to foster international co-operation and organise activities with international organisations to raise Hong Kong's international profile; and
- handle requests for international legal co-operation effectively.

Head 92 — DEPARTMENT OF JUSTICE

ANALYSIS OF FINANCIAL PROVISION

	2018–19 (Actual) (\$m)	2019–20 (Original) (\$m)	2019–20 (Revised) (\$m)	2020–21 (Estimate) (\$m)
Programme				
(1) Prosecutions	675.9	982.0	864.6	976.9
(2) Civil	709.2	914.5	728.3	929.5
(3) Legal Policy	139.0	173.1	161.9	224.7
(4) Law Drafting.....	143.9	168.4	158.7	177.2
(5) International Law.....	72.8	91.7	89.3	139.4
	1,740.8	2,329.7	2,002.8 (–14.0%)	2,447.7 (+22.2%)
				(or +5.1% on 2019–20 Original)

Analysis of Financial and Staffing Provision

Programme (1)

Provision for 2020–21 is \$112.3 million (13.0%) higher than the revised estimate for 2019–20. This is mainly due to the anticipated increase in other charges and general departmental expenses, filling of vacancies and net creation of 39 posts to meet operational needs.

Programme (2)

Provision for 2020–21 is \$201.2 million (27.6%) higher than the revised estimate for 2019–20. This is mainly due to the anticipated increase in other charges and court costs, filling of vacancies and net creation of eight posts to meet operational needs.

Programme (3)

Provision for 2020–21 is \$62.8 million (38.8%) higher than the revised estimate for 2019–20. This is mainly due to the anticipated increase in other charges, filling of vacancies and net creation of two posts to meet operational needs, partly offset by the reduced general departmental expenses.

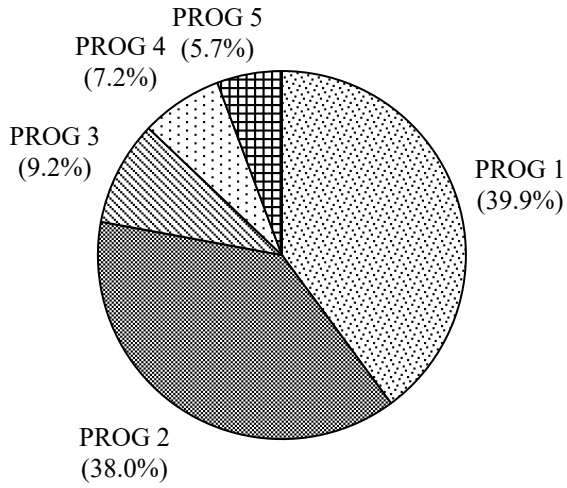
Programme (4)

Provision for 2020–21 is \$18.5 million (11.7%) higher than the revised estimate for 2019–20. This is mainly due to the anticipated increase in general departmental expenses and filling of vacancies.

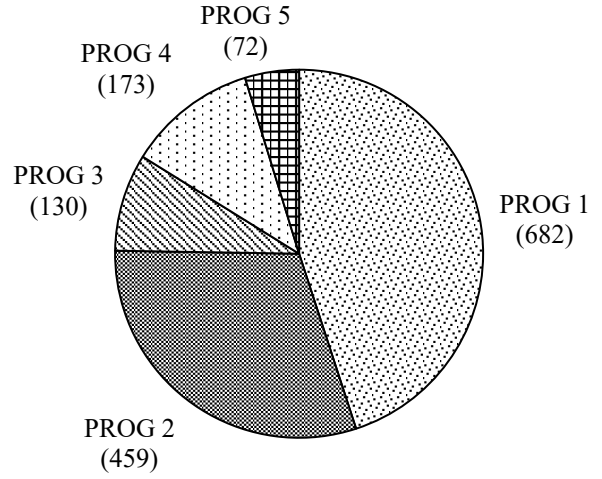
Programme (5)

Provision for 2020–21 is \$50.1 million (56.1%) higher than the revised estimate for 2019–20. This is mainly due to the anticipated increase in other charges and general departmental expenses, filling of vacancies and net creation of eight posts to meet operational needs.

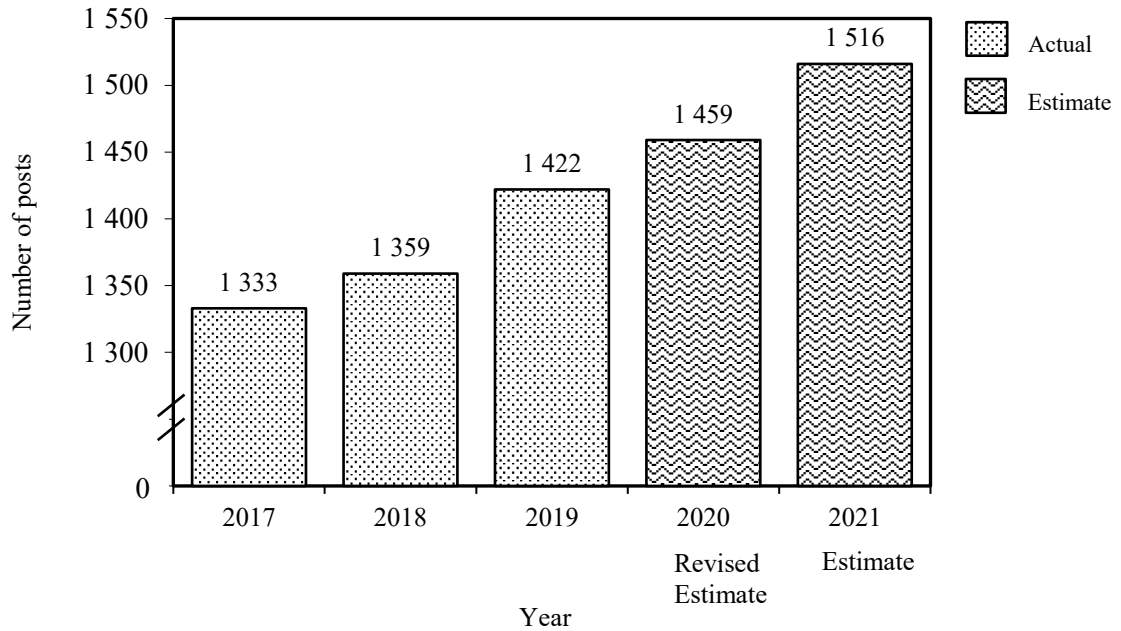
Allocation of provision to programmes (2020-21)



Staff by programme (as at 31 March 2021)



Changes in the size of the establishment (as at 31 March)



Head 92 — DEPARTMENT OF JUSTICE

Sub-head (Code)		Actual expenditure 2018–19	Approved estimate 2019–20	Revised estimate 2019–20	Estimate 2020–21
		\$'000	\$'000	\$'000	\$'000
Operating Account					
Recurrent					
000	Operational expenses	1,554,652	1,941,564	1,735,929	2,101,060
234	Court costs	186,030	387,600	266,830	345,880
	Total, Recurrent.....	<u>1,740,682</u>	<u>2,329,164</u>	<u>2,002,759</u>	<u>2,446,940</u>
Non-Recurrent					
700	General non-recurrent	73	560	24	728
	Total, Non-Recurrent.....	<u>73</u>	<u>560</u>	<u>24</u>	<u>728</u>
	Total, Operating Account	<u>1,740,755</u>	<u>2,329,724</u>	<u>2,002,783</u>	<u>2,447,668</u>
	Total Expenditure	<u><u>1,740,755</u></u>	<u><u>2,329,724</u></u>	<u><u>2,002,783</u></u>	<u><u>2,447,668</u></u>

Head 92 — DEPARTMENT OF JUSTICE

Details of Expenditure by Subhead

The estimate of the amount required in 2020–21 for the salaries and expenses of the Department of Justice is \$2,447,668,000. This represents an increase of \$444,885,000 over the revised estimate for 2019–20 and \$706,913,000 over the actual expenditure in 2018–19.

Operating Account

Recurrent

2 Provision of \$2,101,060,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Department of Justice. This includes provision of \$245,500 for a non-accountable entertainment allowance for the Secretary for Justice. The increase of \$365,131,000 (21%) over the revised estimate for *Subhead 000 Operational expenses* for 2019–20 is mainly due to the filling of vacancies, creation of new posts to meet operational needs, as well as anticipated increase in other charges and general departmental expenses.

3 The establishment as at 31 March 2020 will be 1 459 posts including one supernumerary post. It is expected that there will be a net increase of 57 posts in 2020–21. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2020–21 but the notional annual mid-point salary value of all such posts must not exceed \$986,912,000.

4 An analysis of the financial provision under *Subhead 000 Operational expenses* is as follows:

	2018–19 (Actual) (\$'000)	2019–20 (Original) (\$'000)	2019–20 (Revised) (\$'000)	2020–21 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	933,326	1,050,328	993,625	1,101,816
- Allowances	20,473	28,584	30,535	51,002
- Job-related allowances.....	—	10	10	10
Personnel Related Expenses				
- Mandatory Provident Fund contribution	3,129	3,169	3,391	4,067
- Civil Service Provident Fund contribution	50,393	62,105	63,080	76,260
Departmental Expenses				
- Remuneration for special appointments	4,454	4,500	4,540	4,590
- General departmental expenses	197,349	233,268	244,328	272,522
Other Charges				
- Hire of legal services and related professional fees.....	254,815	445,600	313,890	345,890
- Promotion and development of Hong Kong's legal and dispute resolution services.....	—	—	—	124,903
- Legal services for construction dispute resolution.....	90,713	114,000	82,530	120,000
	1,554,652	1,941,564	1,735,929	2,101,060

5 Provision of \$345,880,000 under *Subhead 234 Court costs* is for the payment of costs awarded against the Government in criminal and civil cases. This represents an increase of \$79,050,000 (29.6%) over the revised estimate for 2019–20. Since payment of court costs is contingent upon the progress of the relevant negotiations, the level of payment varies from year to year.

Head 92 — DEPARTMENT OF JUSTICE

Commitments

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2019	Revised estimated expenditure for 2019–20	Balance
			\$'000	\$'000	\$'000	\$'000
<i>Operating Account</i>						
700		<i>General non-recurrent</i>				
	512	Hire of service for translation and Chinese typing	5,100	3,296	—	1,804
	513	Conducting mock trials in the Mainland	2,400	1,998	—	402
	514	Promotion of rule of law and Hong Kong's legal system.....	8,600	6,659	—	1,941
	519	Development of Mainland-related legal services in Hong Kong.....	4,335	2,585	24	1,726
		Total	<u>20,435</u>	<u>14,538</u>	<u>24</u>	<u>5,873</u>