

立法會

Legislative Council

LC Paper No. CB(4)469/20-21
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by the Administration)

Ref : CB4/PL/AJLS

Panel on Administration of Justice and Legal Services

Minutes of meeting
held on Monday, 2 November 2020, at 4:30 pm
in Conference Room 2 of the Legislative Council Complex

Members present : Hon CHEUNG Kwok-kwan, JP (Chairman)
Hon Martin LIAO Cheung-kong, GBS, JP (Deputy Chairman)
Hon James TO Kun-sun
Hon Abraham SHEK Lai-him, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Kin-por, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon WU Chi-wai, MH
Hon Charles Peter MOK, JP
Hon CHAN Han-pan, BBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon Dennis KWOK Wing-hang
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Elizabeth QUAT, BBS, JP
Hon CHUNG Kwok-pan

Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon Jimmy NG Wing-ka, BBS, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan, JP
Hon HUI Chi-fung
Hon LAU Kwok-fan, MH
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP

Members absent : Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon Paul TSE Wai-chun, JP

[According to the announcement made by the Hong Kong Special Administrative Region Government on 11 November 2020 pursuant to the Decision of the Standing Committee of the National People's Congress on Issues Relating to the Qualification of the Members of the Legislative Council of the Hong Kong Special Administrative Region, Kenneth LEUNG, KWOK Ka-ki, Dennis KWOK Wing-hang and Alvin YEUNG were disqualified from being a member of the Legislative Council on 30 July 2020.]

Public officers attending : **Agenda item IV**

Judiciary Administration

Ms Esther LEUNG, JP
Judiciary Administrator

Ms Wendy CHEUNG
Deputy Judiciary Administrator (Operations)

Miss Winnie WONG
Assistant Judiciary Administrator (Development)¹

Mr Jock TAM
Assistant Judiciary Administrator (Corporate Services)

Clerk in attendance : Mr Lemuel WOO
Chief Council Secretary (4)6

Staff in attendance : Mr Matthew LOO
Assistant Secretary General 4

Ms Clara TAM
Senior Assistant Legal Adviser 2

Miss Katherine CHAN
Senior Council Secretary (4)3

Mr Ambrose LEUNG
Senior Council Secretary (4)6

Miss Janice HO
Council Secretary (4)6

Miss Winnie CHENG
Senior Legislative Assistant (4)1

Ms Carmen HO
Senior Legislative Assistant (4)2

Miss Emma CHEUNG
Senior Legislative Assistant (4)3

Ms Emily LIU
Legislative Assistant (4)6

Mr Jason LAI
Clerical Assistant (4)6

I. Election of Deputy Chairman

The Chairman called for nominations for the deputy chairmanship of the Panel on Administration of Justice and Legal Services ("the Panel"). Ms Claudia MO nominated Mr Dennis KWOK and Mr Kenneth LEUNG seconded the nomination. Mr KWOK accepted the nomination. Ms Starry LEE nominated Mr Martin LIAO and Mr CHAN Kin-por seconded the nomination. Mr LIAO accepted the nomination.

2. The Chairman then announced a vote by secret ballot. Of the 37 members present for voting, 20 members voted for Mr Martin LIAO and 17 members voted for Mr Dennis KWOK. The Chairman declared Mr LIAO elected as Deputy Chairman of the Panel for the 2020-21 session.

II. Information paper(s) issued since the meeting on 22 June 2020

LC Paper Nos. CB(4)769/19-20(01) and (02) - Administration's response to the joint letter from five Civic Party members to the Administration

LC Paper Nos. CB(4)795/19-20(01) and (02) - Judiciary Administration's response to the correspondence from Hon Elizabeth QUAT and Hon CHU Hoi-dick to the Judiciary Administration

LC Paper No. CB(4)815/19-20(01) - Referral of a case from the Public Complaints Office of the Legislative Council Secretariat on the issue relating to the mechanism and procedure for removing The Ombudsman from office (Restricted to members only)

LC Paper Nos. CB(4)880/19-20(01) - Letter dated 20 August 2020 from Dr Hon Junius HO Kwan-yiu on matters concerning the recent decisions of various magistrates on riot-related cases and the Judiciary Administration's response

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| LC Paper No. CB(4)891/19-20(01) | - Administration's response to the letters from Hon Elizabeth QUAT on matters relating to outside work of prosecutors of the Department of Justice and Dr Hon CHIANG Lai-wan on explaining the starting points of sentencing |
| LC Paper No. CB(4)895/19-20(01) | - Joint letter dated 31 August 2020 from Hon Holden CHOW Ho-ding and Hon Elizabeth QUAT requesting that the Judiciary Administration be invited to discuss the criteria for handling complaints against judicial conduct at the Panel meeting |
| LC Paper No. CB(4)895/19-20(02) | - Joint letter dated 4 September 2020 from Hon Holden CHOW Ho-ding and Hon Elizabeth QUAT, in which they requested the Judiciary Administration to brief the Panel on matters relating to a talk hosted by the Judiciary on 3 July 2020 |
| LC Paper No. CB(4)895/19-20(03) | - Letter dated 9 September 2020 from Hon Dennis KWOK Wing-hang on judicial independence |
| LC Paper No. CB(4)54/20-21(01) | - Joint letter dated 23 October 2020 from Hon Elizabeth QUAT and Hon Holden CHOW Ho-ding proposing an item for discussion by the Panel |
| LC Paper No. CB(4)63/20-21(01) | - Letter dated 28 October 2020 Dr Hon Junius HO on matters relating to a proposed judicial appointment |

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LC Paper No. CB(4)71/20-21(01) - Letter dated 21 October 2020 from Hon Elizabeth QUAT proposing items for discussion by the Panel)

3. Members noted the above papers issued since the last regular meeting of the Panel held on 22 June 2020.

III. Items for discussion at the next meeting

(LC Paper No. CB(4)58/20-21(01) - List of outstanding items for discussion

LC Paper No. CB(4)58/20-21(02) - List of follow-up actions)

4. Members noted that the item on "Recent developments on the online dispute resolution and deal-making platform supported by the Government", proposed by the Department of Justice ("DoJ"), would be discussed at the next regular meeting to be held on 23 November 2020.

(Post-meeting note: Members were informed vide LC Paper No. CB(4)154/20-21 on 13 November 2020 that, with the concurrence of the Chairman, the meeting would include the item on "Consultation paper on Sentencing and Related Matters in the Review of Sexual Offences", on the request of the Department of Justice.)

Items for discussion at future meetings

5. Referring to the Administration's response (LC Paper No. CB(4)891/19-20(01)) to her letter dated 20 March 2020 (LC Paper No. CB(4)433/19-20(01)) relating to a prosecutor's outside work, Ms Elizabeth QUAT said that it had failed to answer her questions satisfactorily and asked that DoJ should discuss issues relating to the conduct of prosecutors and what system was in place to prevent conflict of interests arising from their outside work with the Panel. She considered it an opportune time for discussing issues relating to their performance as well since some prosecutors had recently been criticized by magistrates for making serious mistakes when conducting prosecutions in courts.

6. Mr LAM Cheuk-ting said that mistakes in conducting prosecutions might be caused by the prosecutors' performance or the quality of evidence

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gathered by the enforcement agencies. In this connection, when the Panel discuss the issue, the enforcement agencies including the Police should also be invited to answer members' questions. Dr KWOK Ka-ki concurred with Mr LAM and suggested that the issue should be discussed at a joint meeting to be held with the Panel on Security.

7. Mr Holden CHOW pointed out that some magistrates had been criticized for giving light sentences in the cases they handled, and considered that a systematic error in the Judiciary was involved. He reckoned that such a systematic error could not be resolved by lodging appeals on individual cases, but had to be addressed through ensuring the quality of magistrates and the setting up of a sentencing committee. Mr CHOW requested that the Panel should discuss on various issues relating to the Judiciary with representatives invited from the Judiciary Administration ("Jud Adm"). Ms Elizabeth QUAT concurred and said that similar request had been raised in her letter dated 21 October 2020 to the Panel Chairman.

8. Mr LAM Cheuk-ting considered that Mr Holden CHOW was unclear about what he meant by "systematic error in the Judiciary" and did not subscribe to his view that a sentencing committee should be set up as it was incompatible with the Hong Kong legal system. Mr LAM stressed that if one disagreed or disliked the judgment(s) handed down by judges and judicial officers ("JJOs"), he/she should appeal through the judicial procedures but not point fingers at JJOs. He was concerned that by discussing such issues relating to the Judiciary, the Panel might turn into a public trial of JJOs. Dr Fernando CHEUNG, and Mr IP Kin-yuen shared the same concerns.

9. Dr KWOK Ka-ki also cast doubt on the appropriateness for the Panel to discuss judicial decisions or matters relating to the internal operations of the Judiciary as it would interfere with judicial independence and impair the rule of law in Hong Kong.

10. Mr Dennis KWOK stressed that it was a long-standing practice that the Panel should not discuss items on individual cases. He reckoned that, even if there were errors in individual court cases, whether caused by the prosecutors, the enforcement agencies or even JJOs, the cases should be appealed through judicial process but should not be taken to the Panel for discussion.

11. Ms Elizabeth QUAT stressed that it was not her intention to discuss individual cases at Panel meeting. The issues she had raised for discussion regarding the Judiciary, including JJOs' impartiality in certain judgments, transparency of the mechanism for handling complaints against judicial conduct, the setting up of the sentencing committee, JJOs' posting and promotion policy

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and the assignment of cases to JJOs, were only the grave concerns of members of the public. If these concerns were not properly addressed by the Judiciary, they would tarnish public's confidence in the Judiciary.

12. Mr Abraham SHEK said that while it was right for members to pay attention to public sentiments and concerns over issues regarding the Judiciary, members must give due regard to the powers of the legislature under the Basic Law as well as the Panel's Terms of Reference ("TOR") when considering whether it was appropriate for the Panel to discuss such issues. Mr SHEK said that while there was no separation of powers in Hong Kong, the Basic Law did clearly provide for the respective functions of the executive, legislature and the judiciary and the proper checks and balances among them, and he could not find any provision in the Basic Law which supported the legislature having the power to oversee the functions and operations of the Judiciary.

13. As regards issues relating to JJOs, Mr Abraham SHEK pointed out that the only relevant power given to the legislature was to endorse the appointment and removal of the judges of the Court of Final Appeal ("CFA") and the Chief Judge of the High Court under Article 73(7) of the Basic Law. He also pointed out that under Article 89 of the Basic Law, a judge of a court of the Hong Kong Special Administrative Region ("HKSAR") may only be removed for inability to discharge his or her duties, or for misbehaviour, by CE on the recommendation of a tribunal appointed by CJ and consisting of not fewer than three local judges. Mr SHEK stressed that the political structure of Hong Kong was executive-led but not legislature-led and, therefore, the issues regarding JJOs raised by members should be handled by the Judiciary over which the legislature did not have jurisdiction. In view of the above, Mr SHEK disagreed that the Panel should discuss those issues relating to the Judiciary.

14. Mr Kenneth LEUNG concurred with Mr SHEK and agreed that the Panel did not have the jurisdiction to discuss matters relating to the internal operations of the Judiciary, and members should respect judicial independence as provided in the Basic Law. He further said that as it was normal for different members of the general public to hold different views towards court judgments and JJOs, it was not appropriate to propose items for discussion to reflect part of the public's views.

15. Mr Michael TIEN said that, according to a speech delivered in 1990 by Mr Ji Pengfei, Chairman of the Drafting Committee for the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, the executive authorities and the legislature should regulate each other as well as co-ordinate their activities, and that the draft Basic Law vested the courts of HKSAR with independent judicial power, including that of final adjudication.

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Mr TIEN said that judicial independence should be respected and the Panel should refrain from discussing matters relating to judicial decisions and operations of the Judiciary other than those within the Panel's TOR.

16. Dr Fernando CHEUNG proposed discussing the mechanism and procedure for removing The Ombudsman from office as suggested in the case referred by the Public Complaints Office (LC Paper No. CB(4)815/19-20(01)). He also suggested discussing matters relating to sign language interpretation services ("SLIS") provided to the hearing impaired in court.

17. Mr IP Kin-yuen opined that the Panel should accord priority to the discussion on work of the Coroner's Court (item 20 on the Panel's list of outstanding items for discussion), as requested by members of the pro-democracy camp in a joint letter dated 28 October 2019 (LC Paper No. CB(4)293/19-20(01)).

18. Dr Priscilla LEUNG suggested that the Panel should discuss legal education and training in Hong Kong. She also opined that a more transparent mechanism for handling complaints against JJOs, clear guidance to JJOs on case management and judgment writing could inspire public trust in the Judiciary. Dr LEUNG also raised that there was an urgent need for the Panel to discuss matters relating to the qualifications for Hong Kong legal practitioners to practise law in the Greater Bay Area, which was of great concern within the legal profession.

19. The Chairman concluded that it was not appropriate for the Panel to discuss individual cases. However, he would first seek the preliminary views of the Administration and Jud Adm on those items proposed by members at the meeting or in their letters, and consider whether to include them into the Panel's list of outstanding items for discussion at the next meeting.

Work plan meeting for the Panel

20. The Chairman informed members that he had met with the Administration to discuss the work plan of the Panel for the current legislative session on 28 October 2020.

Schedule of meetings for the 2020-2021 session

21. The Chairman informed members that as 28 December 2020, the regular meeting in December would be immediately after a long public holiday, he had decided to reschedule that meeting to 21 December 2020. Members agreed.

IV. Proposed making permanent a directorate post in the Judiciary Administration

(LC Paper No. CB(4)58/20-21(03) -- Judiciary Administration's paper on proposed making permanent of a supernumerary directorate post in the Judiciary Administration of the Judiciary)

22. At the invitation of the Chairman, Judiciary Administrator ("JA") briefed members on Jud Adm's proposal to make permanent one supernumerary Administrative Officer Staff Grade C ("AOSGC") post, to be titled as Assistant Judiciary Administrator (Planning and Quality) ("the AJA(PQ) post"), to enhance directorate support for the Planning and Quality ("PQ") Division ("the Proposal").

Discussion

Use of technology in the Judiciary

23. Mr Dennis KWOK pointed out that, during the General Adjourned Period ("GAP"), there had been renewed concerns in the legal profession over the application of information technology ("IT") in the Judiciary. He was particularly concerned about the slow progress of the Judiciary's implementation of Information Technology Strategy Plan ("ITSP") Phase I, which had been given funding approval by the Finance Committee in 2013. Mr KWOK pointed out that remote court hearings had been conducted through cloud-based platforms in a number of jurisdictions effectively and securely. The Judiciary was far lagged behind in that respect where court users were required to connect to its video-conferencing facilities ("VCF") for conducting remote hearings, which was outmoded and complicated to use.

24. In reply, JA explained that the Judiciary was not able to conduct remote court hearings when GAP began in January 2020 due to the need to sort out legislative and technical issues. She added that the Judiciary had started using VCF for remote hearings of suitable civil cases of the High Court since April 2020, and was gradually extending its use to other civil courts. However, it was not yet feasible to conduct remote hearings for criminal cases because of the existing legal obstacles. Jud Adm aimed at introducing the necessary legislative amendments into LegCo in the second quarter of 2021.

25. Regarding the cloud-based system for remote hearings mentioned by Mr Dennis KWOK, JA said that Jud Adm had been developing a similar system

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which could meet the stringent security requirements of the Judiciary. It was expected that the system could be rolled out by end of December 2020. Deputy Judiciary Administrator (Operations) ("DJA(O)") supplemented that though the system under development was not cloud-based, it was a secure browser-based system which was convenient and cost-effective to users as they needed not procure or install additional VCF hardware or software to their devices before they could use the system.

26. Mr Dennis KWOK further asked about the time frame for the application of e-filing system and the possibility of submitting legal documents to JJOs by email. JA said that prior to court's resumption of its normal operation, special email accounts had been created to enable parties to lodge certain documents to the court electronically to facilitate disposal by paper or otherwise. The Court Proceedings (Electronic Technology) Bill which was passed by LegCo in July 2020 provided the general framework for electronic filing and transaction with the Court. Jud Adm would soon arrange the tabling of the subsidiary legislation which set out detailed procedural rules, thereby enabling the actual implementation of the electronic filing and transaction in selected courts.

27. Referring to the statement of Chief Justice of the Court of Final Appeal on 25 March 2020 that the Judiciary would make greater use of technology to alleviate the situation of large number of pending cases owing to the outbreak of the coronavirus disease-2019 ("COVID-19") in Hong Kong, Mr SHIU Ka-chun enquired about the number of cases that had been heard employing technology in the past half year. In response, JA advised that as of late October 2020, 227 hearings had been conducted, 44 of which were video hearing and some 180 were telephone hearing.

28. Mr SHIU Ka-chun asked whether the greater use of technology could help improve the quality of SLIS provided by freelance sign language interpreters, which was considered unsatisfactory. Mr SHIU suggested that court proceedings involving the use of SLIS might be video-recorded so that any dispute arising could be followed up afterwards. He also suggested developing an electronic reservation system for the booking of SLIS.

29. Dr Fernando CHEUNG shared a similar concern and said that he had been trying to line up a meeting among the community of the hearing impaired, the SLIS providers and the Judiciary for almost six months but in vain. JA responded that Jud Adm would be willing to make arrangement for such a meeting. Dr CHEUNG also expressed concerns about how the interpretation services for court users of ethnic minorities could benefit from the greater use of technology.

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30. DJA(O) replied that Jud Adm had been actively reviewing matters relating to SLIS. As the use of remote hearings for civil cases had only been introduced for a short period of time, Jud Adm was focusing on first tackling the general issues arising from remote court hearings. She assured members that Jud Adm would keep an open mind to exploring the use of technology to meet the needs of various specific groups of court users, including the need for sign and foreign language interpretation services.

31. Dr Fernando CHEUNG referred to Chapter 6 of the Director of Audit's Report No. 73 issued in October 2019 on Jud Adm's work in implementing projects under ITSP ("the Audit Report"). He pointed out that according to the Audit Report, as of June 2019, there had been slippages in all the four activities under ITSP Phase 1 (from 6 to 57 months). Dr CHEUNG also requested Jud Adm to elaborate on how the problems encountered, areas for improvement and recommendations as listed out in the Audit Report had been followed up.

32. In reply, JA said that Jud Adm had been adopting different strategies and measures to tackle the problems mentioned in the Audit Report, such as enhancing the governance structure, increasing manpower resources and shortening the lead time in procurement. The timetable for implementing the integrated court case management system (iCMS) had also been refined, starting from the civil courts of the District Court to the Summons Courts of the Magistrates' Courts and then gradually to other courts. With these efforts, Jud Adm should be able to generally catch up on the implementation of Stage I of ITSP Phase I. JA also stressed that the relevant stakeholders would be consulted on their feedback and experience gained during the process.

Justifications of the Proposal

33. In response to Mr Tony TSE's enquiry, JA said that subject to the approval of the Finance Committee, the AJA(PQ) post would be created on 1 February 2022 when the supernumerary post lapsed. In view of the above, Mr WU Chi-wai questioned whether there was a real and imminent need of the Proposal at this juncture. In reply, JA explained that while the supernumerary post would lapse in early 2022, it would fall within the financial year 2021 to 2022. Jud Adm considered it appropriate to seek the Panel's support early, so that it could seek the Establishment Subcommittee ("ESC")'s endorsement and Finance Committee's funding approval for the AJA(PQ) post together with two other posts which had been supported by the Panel.

34. Ms Claudia MO considered the Proposal vague and the duties of the proposed post redundant to other posts. In view of the serious financial

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hardship facing the community, she found it difficult to support the Proposal. In response, JA said that further to the establishment of the PQ Division earlier in 2020, Jud Adm had recently taken a critical examination of the roles and functions of the Division. Taking into account the heavy and complex nature of the duties and responsibilities of Deputy Judiciary Administrator (Planning and Quality) ("DJA(PQ)") involved, Jud Adm considered that a permanent AOSGC post should be created for rendering dedicated support to DJA(PQ) on the overall long-term strategic planning and overseeing the incremental implementation of the full range of initiatives under ITSP, which would involve various policy and legislative issues in the years to come. As the supernumerary AOSGC post in the Development Division had been responsible for various legislative and policy matters, Jud Adm decided to redeploy that post to PQ Division and make it permanent to provide the necessary support for DJA(PQ).

35. Dr Priscilla LEUNG said that while she supported the Proposal in principle, Jud Adm should elaborate on how the AJA(PQ) post could provide an overall coordination in making greater use of technology in the Judiciary. In reply, JA advised that a major duty of the AJA(PQ) post was to assist in the long-term strategic planning of the Judiciary's use of technology, such as legislative exercise on remote hearing, having regard to the rapid developments in the area and unique operating environment of the Judiciary. In that regard, AJA(PQ) would be responsible for identifying and tackling policy matters on the implementation of ITSP, supporting the compilation of the detailed rules and practice directions in phases for all levels of courts, and examining various related issues. Such issues included whether electronic submission of particular types of court documents should be allowed, whether remote hearing could be used for court hearings which needed to be conducted in confidence, and how to protect the legal rights of unrepresented litigants.

36. Dr Priscilla LEUNG urged Jud Adm to conduct a comprehensive review on its strategies which was forward-looking, taking into account the needs arising from future development trends such as the development opportunities for Hong Kong legal profession in the Greater Bay Area. Dr LEUNG said that such a development might give rise to more exchange of legal documents with the Mainland electronically, which Jud Adm should prepare for.

37. Mr IP Kin-yuen requested Jud Adm to explain about the organization structure underpinning the AJA(PQ) post, which was not shown in the organization chart attached to Jud Adm's paper, and to elaborate on the post's duties relating to interface with LegCo. In reply, JA said that AJA(PQ) would be supported by professional IT staff and executive grade staff to work on various duties. Since legislative changes and preparation of detailed rules and

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practice procedures might be required in taking forward policy proposals relating to the use of technology in court, on-going communications with the Legislative Council and relevant stakeholders would be necessary.

38. Mr Tony TSE commented that, amidst Hong Kong's various initiatives to develop itself into a smart city, the Judiciary had lagged behind in developing the smart court. As expediting judicial process through IT application could facilitate the access to justice, he was in support of the Proposal. Mr TSE asked Jud Adm to elaborate on the duties of the AJA(PQ) post in the longer term.

39. Making reference to other jurisdictions' experience, JA replied that the policy planning and operational work to introduce and enhance the use of technology would be a continual and protracted exercise of not less than 10 years. In the long run, an active use of the iCMS could ensure more efficient case management by the Judiciary, including but not limited to the scheduling of hearings and utilization of court facilities, and also the development of various e-services for court users. JA further explained that the two mega projects of reprovisioning the High Court and reprovisioning the District Court and Family Court, to which the AJA(PQ) post would provide policy support and input, would also take more than 10 years. In the near term, for the construction of additional civil court rooms in the High Court Building and the recommissioning of the Tsuen Wan Law Courts Building, AJA(PQ) would be responsible for ensuring that the IT facilities in these short-term projects would integrate and synergize with the accommodation plan, taking into account the experience gained from GAP on the importance of hardware infrastructural support.

40. Mr WU Chi-wai took the view that strong justifications were required for making permanent a supernumerary post which was originally created to oversee a time-limited project, without which he would support renewing the supernumerary post rather than making it permanent. He said that Jud Adm should have reported on what had been accomplished in the project which the supernumerary post was tasked with and what concrete long-term plan(s) had been drawn up on that basis. Where long-term plans were justified, justifications for the creation of permanent post(s) with detailed job specifications, and the expected outcomes to be delivered by the proposed new post should be provided. As Jud Adm's paper was deficient in the above aspects, Mr WU said that he would object to the submission of the Proposal to ESC at this stage. Noting the issues raised in the Audit Report, Dr Fernando CHEUNG also requested that supplementary information should be provided by Jud Adm with details on how the AJA(PQ) post could help achieve the goals listed in the Audit Report.

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41. Dr Fernando CHEUNG, Mr WU Chi-wai and Mr IP Kin-yuen all requested that supplementary information should be provided by Jud Adm for the further consideration of the Panel. The Chairman concluded that the Panel would further consider the Proposal after supplementary paper had been provided by Jud Adm.

42. JA undertook to prepare a supplementary paper to provide more details on the long term action plan.

(Post-meeting note: Judiciary Administration's supplementary information on proposed making permanent of a supernumerary directorate post was issued to members on 18 November 2020 via LC Paper No. CB(4)207/20-21(01).)

V. Any other business

43. There being no other business, the meeting ended at 6:09 pm.

Council Business Division 4
Legislative Council Secretariat
2 February 2021