

**For discussion on  
31 March 2025**

**Legislative Council Panel  
on Administration of Justice and Legal Services**

**Latest Developments of the Family Justice System**

**Purpose**

This paper provides an update on the latest developments relating to the family justice system, including progress of preparation of the Family Procedure Rules (“FPR”), implementation of the Family Masters System and enhancement of family mediation.

**Family Justice System**

2. The family justice system embraces a wide range of subjects covering family and matrimonial matters, with the High Court and the Family Court (“FC”) (a division of the District Court) exercising concurrent jurisdiction. The Judiciary has been adopting a multi-pronged approach in enhancing the efficiency, effectiveness and user-friendliness of the family justice system. The major reform measures include reforming the procedure rules, introducing a Family Masters System and promoting family mediation services. The latest developments of these initiatives are set out in the ensuing paragraphs.

**Family Procedures Rules**

*Background*

3. In 2012, the then Chief Justice (“CJ”) appointed the Working Party on Family Procedure Rules to advise him on, amongst other issues, the desirability, impact and practicalities of formulating a single set of procedural rules for the family jurisdiction applicable both to the FC and the High Court. Taking into account the results of a public consultation, the Working Party made a total of 133 recommendations in its Review of Family Procedure Rules Final Report (the “Final Report”), which were all

accepted by the then CJ. The main proposals put forward by the recommendations include -

- (a) adoption of a single unified set of FPR which would cover and harmonise different existing processes and procedures for family and matrimonial matters;
- (b) establishment of a new Family Procedure Rules Committee (“FPRC”) as the single rule-making authority to ensure that the FPR are coherent, cohesive and consistent; and
- (c) setting up a new Family Masters System under which the Registrar and Masters of the FC would be empowered to take up certain case management functions of Family Judges in order to alleviate the latter’s heavy workload, thereby facilitating a more expeditious disposal of the relevant proceedings.

4. As a major initiative put forward in the Final Report, the Family Procedure Ordinance (Cap. 646) (“FPO”) was passed by the Legislative Council (“LegCo”) in June 2023. It provides the legal basis for consolidating the various procedural rules of the family justice system currently scattered over different Ordinances (and their subsidiary legislation), and also for establishing the FPRC for making the new rules as necessary and appropriate. The FPO covers many important areas, including prescribing the principles and common definitions with general applicability in the reformed procedural regime; setting out clearly the respective jurisdiction and powers of the FC and High Court in family proceedings; providing for the general practice and procedures relating to family proceedings; providing for the establishment of the FPRC; and setting up a new Family Masters System, etc.

#### *Drafting Progress of the FPR*

5. The FPRC was formed in August 2023 and has since been working hard on the detailed drafting of a single unified set of accessible and comprehensive FPR applicable to all family and matrimonial proceedings across the FC and the High Court. While the FPRC is actively engaged in the drafting process, as the FPR is complicated and extensive, with about 60 parts in total, dedicated and meticulous attention and efforts are required to formulate the specific provisions to ensure coherency and consistency across the whole set of rules. Subject to drafting progress, we anticipate that the drafting of the rules can largely be completed by

2026-27 for the purpose of conducting a general public consultation. Having considered the comments received, the FPR will be suitably revised and submitted to LegCo for consideration. FPRC's composition and membership are set out at **Annex A**. The framework and scope of contents in the 60 parts of FPR are summarised at **Annex B**.

### *Early Engagement with the Welfare Sector*

6. In response to the request by LegCo Members during the scrutiny of the Family Procedure Bill, the Judiciary undertook to engage the welfare sector early on the FPR. In this regard, the Judiciary Administration jointly organised with “Hong Kong Welfare Sector Heart-to-Heart Joint Action” an engagement session on 26 November 2024. Around 100 participants from 40 welfare organisations attended the event.

7. In general, participants indicated support to the FPR legislative exercise and appreciated its intended purposes. Many of them expressed that a consolidated, unified and streamlined set of FPR would better enable parties (in particular unrepresented litigants), as well as stakeholders of the welfare sector providing assistance on family matters, to better understand the relevant court procedures. The FPR may also reduce the legal costs and time involved in disputes over court procedures. The views from this engagement session provided the Judiciary with useful reference from the perspective of court users and welfare organisations. The Judiciary will suitably take account of the views expressed on the FPR when formulating our publicity and implementation plan.

### *Enhancing Court Users' Understanding of the New FPR*

8. To tie in with the implementation of the FPR, the Judiciary would roll out a series of initiatives to help court users better understand the new procedural arrangements. These would include, amongst other, organising publicity programmes, consolidating and providing user-friendly guides and information on the website, as well as uploading relevant forms and materials online, etc.

### **Judicial Manpower in the Family Court**

9. In 2023, family and matrimonial cases brought before the FC were handled by seven Family Judges and four Deputy Judges who also undertook duties of Case Management Judges. From October 2023, following the implementation of the Family Masters System, the judicial

manpower in the FC has increased from 11 to 15 comprising eight Family Judges and seven Family Masters. As at mid-March 2025, there are a total of eight Family Judges and six Family Masters<sup>1</sup> in the FC.

10. At present, there are a total of 12 courtrooms and 15 chambers for the FC<sup>2</sup>. The FC facilities will be further enhanced in the new District Court Building being constructed at Caroline Hill Road in Causeway Bay, with a total of 18 courtrooms and 20 chambers. The Building is expected to be commissioned by late 2027 or early 2028.

### **Family Masters System**

11. As mentioned in paragraphs 3 and 4 above, the FPO provides a legal basis for the establishment of a Family Masters System in the FC, under which Family Masters are empowered to handle certain procedural matters in family-related proceedings, such that Family Judges can concentrate on handling more complicated issues and substantive case hearings. This aims at enhancing the overall efficiency of handling the cases in the FC.

12. Since its implementation in October 2023, the Family Masters System has been operating smoothly. Family Masters have taken up a number of procedural matters in family-related proceedings such as First Appointment hearings, Children Appointment hearings, call-over hearings (for Decree Nisi Return or summons), time extension applications, amendments applications, etc. In 2024, Family Masters handled a total of about 12 950 short hearings<sup>3</sup> (an average of about 250 short hearings per week). With the sharing of workload on procedural matters by Family Masters, Family Judges have increasingly been able to dedicate more time to focus on substantive, contentious or complicated matters such as Case Management Hearings, Financial / Children Dispute Resolution hearings, arguments, trials, appeals, etc. From the perspective of court procedures, cases handled entirely by Judges in the past can now be assisted by Masters

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1 One Family Master departed in mid-March 2025.

2 In addition to the ten courtrooms and 11 chambers currently in Wanchai Law Courts Building, two more courtrooms and four more chambers were constructed in Revenue Tower for use in April 2024 to meet the imminent operational needs of the FC, pending the commissioning of the new District Court Building.

3 Short hearings include First Appointment/ Children Appointment, enforcement, time summons/amendment, call-over (summons), call-over (Decree Nisi return days) and simple argument.

at an early stage, which has significantly contributed to a better case management and preparation for substantive trials.

13. As the Family Masters System has only been implemented for around one year, refinements in certain operational and procedural arrangements are being made in light of feedback and experience from Judges, Masters and court users. While statistical data on the Family Masters System are being captured over a longer horizon to facilitate assessment and evaluation, we note from operational experience a general improving trend in the waiting times for certain short hearings such as call-over hearings for Decree Nisi Return (from the peak of 182 days in June 2023 to 65 days in December 2024) and hearings for amendment applications (from the peak of 56 days in July and August 2023 to 37 days in December 2024).

14. With the continued concerted efforts from Judges and Masters towards making continual refinements in operational and procedural arrangements over time, the Family Masters System should help enhance court efficiency by expediting the disposal of family cases and enabling a more cost-effective deployment of judicial resources on substantive trials. The Judiciary will continue to closely monitor the implementation with a view to making improvements as far as practicable.

## **Family Mediation**

15. Promoting the wider use of family mediation services to facilitate resolution of disputes for court cases has been one of the important components of the family justice system. The Integrated Mediation Office (“IMO”) located in the same building as the FC serves to oversee and support referral services for mediation, in particular, facilitating mediation services for matrimonial or family cases. In 2024, over 800 parties/litigants visited the IMO, and nearly 400 information sessions related to family cases were arranged.

16. Since 2019, the Judiciary has been implementing the Mediator assisted Financial Dispute Resolution (“MFDR”) Pilot Scheme for helping divorcing parties of appropriate matrimonial cases to resolve their financial disputes through family mediators. The purpose is to help divorcing parties reach consensus in the most economical way with a view to shortening the otherwise lengthy litigation process. As at end December 2024, a total of 58 cases were arranged to go through mediation under the MFDR Pilot

Scheme and the financial disputes were fully or partially settled in 42 cases, representing a settlement rate of about 75%.

17. The Family Court-annexed Mediation Scheme (“FCAMS”) was introduced on a pilot basis in March 2024 to assist litigants-in-person with limited financial resources. Under the FCAMS, accredited freelance family mediators are engaged as service providers to deliver mediation services commissioned by the Judiciary on a need basis at court premises for suitable cases. Private dispute resolution rooms and associated breakout rooms are made available for mediators to interview the parties. In 2024, the FCAMS achieved a success rate of about 93% in 27 cases.

18. To support further promotion of mediation services, the Judiciary Administration will include additional mediation facilities in the new District Court Building Complex under construction. Specifically, they include four sets of purpose-built mediation facilities which comprise four dispute resolution rooms for parties to have joint mediation conferences and 12 breakout rooms for parties to have meetings individually. These facilities will be designed with a view to creating a pleasant and cozy environment with a harmonious atmosphere so as to facilitate settlement among parties, particularly for family cases.

## **Way Forward**

19. The Judiciary will continue to adopt a multi-faceted approach to continually improve the family justice system in light of operational experience and views from Judges, Masters, the legal profession and other court users.

**Judiciary Administration**  
**March 2025**

## **Annex A**

### **Membership of Family Procedure Rules Committee**

*(Relevant Statutory Provisions:  
Sections 24, 25 and 26 of Family Procedure Ordinance (Cap. 646))*

The Hon Mr Justice Jeremy Poon	Chief Judge of the High Court (Chairman)
The Hon Mr Justice Herbert Au-Yeung	Judge of the Court of First Instance of the High Court
Mr Registrar Simon Kwang	Registrar, High Court (Secretary)
His Honour Judge Ivan Wong	Principal Family Court Judge
Her Honour Judge Grace Chan	Family Court Judge
Mr Bryan Lung	Family Court Master
Ms Mairéad M. Rattigan, S.C.	Representative of the Hong Kong Bar Association
Mr Eugene W.T. Yim	Representative of the Hong Kong Bar Association
Ms Por Keng Guan, Catherine	Representative of the Law Society of Hong Kong
Ms Ku Ming Wai	Representative of the Law Society of Hong Kong
Mrs Annie Williams	Senior Government Counsel Department of Justice

### Framework of Family Procedure Rules

Part No.	Scope of Contents
1	Preliminary
2	Objectives
3	Effect of Non-Compliance with Rules
4	Time
5	Alternative Dispute Resolution: Court's Powers
6	Reference of Matters to Judge [This part maybe merged with other part]
7	General Case Management Powers
8	Start of Family Proceedings
9	Service
10	Acknowledgement of Service
11	Procedure for Applications in Matrimonial Causes
12	Applications for Financial Order
13	Applications for Financial Orders under Cap. 192 and Cap. 481
14	Applications under Cap. 189
15	Proceedings relating to Children apart from Adoption Proceedings
16	Adoption Proceedings
17	Procedure for Miscellaneous Applications
18	Pleadings
18A	Amendment of Pleadings and Other Documents
18B	Parties to Family Proceedings
19	Discontinuance and Withdrawal
20	Miscellaneous Provisions about Payments into Court
21	Interlocutory Applications
22	Disability
22A	Vulnerable Parties and Witnesses
23	Statement of Truth
24	Interlocutory Injunctions, Interim Preservation of Property and Interim Orders
25	Security for Costs
26	Discovery and Inspection of Documents
27	Interrogatories
28	Evidence
29	Affidavit
30	Experts and Assessors
31	Change of Solicitors



<b>Part No.</b>	<b>Scope of Contents</b>
32	Case Management Summons and Conference
33	Setting Down and Conduct of Trials
34	Transparency of Proceedings
35	Costs
36	Costs Offer and Payments into Court
37	Transfer of Proceedings
38	Judgments and Orders
39	Appeals to the Court of Appeal
40	Appeals from Masters
41	Enforcement of Judgments and Orders
42	Judgment Summons
42A	Examination of Debtor, etc.
42B	Execution and Enforcement of Judgment for Money by Imprisonment
43	Attachment of Income Orders
44	Committal
45	Charging Orders and Stop Orders
46	Garnishee Proceedings
47	Prohibition Orders
48	Writs of Execution: General
49	Writ of <i>Fieri Facias</i>
50	Receivers: Equitable Execution
51	Reciprocal Enforcement of Maintenance Orders
52	Vexatious Litigants
53	Record of Proceedings
54	Transitional and saving
55	Reciprocal Recognition and Enforcement of Matrimonial and Family Cases
56	Family Proceedings (Fees) Rules
Appendix A	Forms
Appendix B	Code of Conduct For Expert Witnesses

Note: The FPR is still at the drafting stage, FPRC may amend the part numbers, their order and the scope of contents under each part. In this regard, the above table serves as a general reference only.