

Head 92 — DEPARTMENT OF JUSTICE

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

Estimate 2023–24 **\$2,429.2m**

Establishment ceiling 2023–24 (notional annual mid-point salary value) representing an estimated 1 409 non-directorate posts as at 31 March 2023 rising by three posts to 1 412 posts as at 31 March 2024..... **\$1,001.6m**

In addition, there will be an estimated 102 directorate posts as at 31 March 2023 rising by one post to 103 posts as at 31 March 2024.

Commitment balance..... **\$55.4m**

Controlling Officer’s Report

Programmes

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

Programme (1): Prosecutions

	2021–22 (Actual)	2022–23 (Original)	2022–23 (Revised)	2023–24 (Estimate)
Financial provision (\$m)	798.9	964.4	782.6 (–18.9%)	1,012.5 (+29.4%)
				(or +5.0% on 2022–23 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. 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, recovery of the proceeds of crime, customs and excise, computer crime, copyright and market misconduct.

5 In 2022, the aim of the programme was generally met and the overall performance under the programme was satisfactory.

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6 The key performance measures are:

Targets

	Target	2021 (Actual)	2022 (Actual)	2023 (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	88.4	89.5	100
preparing and filing indictments in the Court of First Instance within seven days of committal of the accused in the Magistrates' Courts (%).....	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' Courts to the District Court (%).....	100	100	100	100

Indicators

	2021 (Actual)	2022 (Actual)	2023 (Estimate)
cases conducted by Government Counsel.....	3 059	2 983	2 985
cases conducted by Counsel instructed to prosecute in all courts	1 972	1 509	1 510
court days undertaken by Government Counsel	3 774	3 547	3 550
court days undertaken by Court Prosecutors in Magistrates' Courts.....	7 234	8 982	8 985
court days undertaken by Counsel instructed to prosecute in the Magistrates' Courts in place of Court Prosecutors	3 582	2 172	2 175
cases prepared for the Court of First Instance.....	256	223	225
cases prepared for the District Court.....	1 120	1 170	1 170
items of legal advice provided	15 410	14 610	14 610
appeals conducted	631	724	725

7 The conviction rates for 2021 and 2022 are:

	2021 (Actual)	2022 (Actual)
Magistrates' Courts		
- defendants convicted after trial (%)	56.7	54.0
- defendants convicted after trial and defendants convicted on their own pleas (%).....	69.0	65.7
District Court		
- defendants convicted after trial (%)	67.6	78.8
- defendants convicted after trial and defendants convicted on their own pleas (%).....	91.9	93.1
Court of First Instance		
- defendants convicted after trial (%)	50.8	54.2
- defendants convicted after trial and defendants convicted on their own pleas (%).....	82.1	85.2

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.

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Matters Requiring Special Attention in 2023–24

- 8 During 2023–24, the Prosecutions Division will continue 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;
 - provide training programmes for counsel in order to 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

	2021–22 (Actual)	2022–23 (Original)	2022–23 (Revised)	2023–24 (Estimate)
Financial provision (\$m)	680.6	940.4	682.9 (–27.4%)	914.4 (+33.9%)
				(or –2.8% on 2022–23 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;
 - providing support to the Legal Enhancement and Development Office (LEAD Office) established under the Secretary for Justice’s Office in promoting wider use of mediation in the Guangdong-Hong Kong-Macao Greater Bay Area and promoting the strengths of and opportunities for Hong Kong’s legal and dispute resolution services on all fronts;
 - promoting and developing the dispute resolution services of Hong Kong in the context of the Guangdong-Hong Kong-Macao Greater Bay Area and the Belt and Road Initiative; and
 - formulating and promoting bills, strategies and measures relating to arbitration in accordance with the policy objectives of the Government.

11 In 2022, 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	2021 (Actual)	2022 (Actual)	2023 (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	84	97	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.

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Indicators

	2021 (Actual)	2022 (Actual)	2023 (Estimate)
civil litigation cases current on 31 December	42 165	42 123	42 125
new proceedings (including non-construction arbitration and mediation) brought by the Government.....	1 349	1 619	1 715
new proceedings (including non-construction arbitration and mediation) brought against the Government	2 642	1 981	1 980
person days of court appearances.....	1 681	1 667	1 655
items of legal advice provided	14 663	14 631	14 630
commercial tenders, consultancy briefs, contracts, licences and franchises drafted/vetted	846	726	725

Matters Requiring Special Attention in 2023–24

13 During 2023–24, 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;
- legislative proposals to implement the Judiciary’s Information and Technology Strategy Plan to facilitate court users by providing them with an electronic option for court processes and to introduce remote hearings;
- legislative amendments to tax legislation;
- legislative amendments or proposals with regard to marine and transport related legislation;
- legislative proposals to enhance the control and regulation for transshipment of alternative smoking products;
- legislative proposals with regard to family procedure matters;
- legislative proposals with regard to the abolition of the offsetting arrangement under the Mandatory Provident Fund system, employment and related matters;
- legislative proposals for reform on the prevention of cruelty to animals;
- legislative proposals to enhance the regulatory framework and improve governance of self-financing post-secondary education institutions;
- legislative proposals to streamline development-related approval processes, to unlock Tso/Tong lands, and to expedite redevelopment of aged buildings;
- 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;
- various major projects including the Huanggang Port Redevelopment co-location arrangement;
- appointment of private equity firms as general partners to make strategic investments for the Hong Kong Growth Portfolio under the Future Fund;
- implementation and enforcement of COVID-19 anti-pandemic legislation and measures, proposed strategy for improving fire safety in old buildings, access to information and protection of personal data privacy, civil service and discipline, statutory powers and duties and legal advisors to statutory boards and committees;
- “Systematic Review of the Statutory Laws of Hong Kong” (adaptation of laws);
- establishment and implementation of a mediation platform in the Guangdong-Hong Kong-Macao Greater Bay Area; and
- supporting the hosting of the International Council for Commercial Arbitration Hong Kong Congress.

Programme (3): Constitutional and Policy Affairs

	2021–22 (Actual)	2022–23 (Original)	2022–23 (Revised)	2023–24 (Estimate)
Financial provision (\$m)	133.0	127.2	130.8 (+2.8%)	138.6 (+6.0%)

(or +9.0% on
2022–23 Original)

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Aim

14 The aim is to provide support to the Secretary for Justice in relation to the discharge of his 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 comments 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 research and secretariat support to the Law Reform Commission.

Brief Description

15 The work of the Secretary for Justice's Office (including the LEAD Office and the Law Reform Commission Secretariat) and the Constitutional and Policy Affairs Division includes:

- providing support for the Secretary for Justice in relation to his 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;
- assisting in the formulation, co-ordination and implementation of policy initiatives to strengthen rule of law education, enhance Hong Kong's status 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, and integrate with the national development;
- 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, the provisions of international human rights treaties as applied 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 a legislative proposal is contrary to established principles underlying the legal system;
- advising on legal issues arising out of statutory and non-statutory appeals, objections, representations and petitions to the Chief Executive/Chief Executive in Council (including prisoners' petitions for remission of sentence/pardon, petitions to the Chief Executive under Articles 48(12) and 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 and those effecting relevant subjects of law reform or miscellaneous amendments to various ordinances;
- providing comments 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 activities to promote 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; and
- providing research and secretariat support to facilitate the work of the Law Reform Commission chaired by the Secretary for Justice.

16 In 2022, the aim of the programme was generally met and the overall performance under the programme was satisfactory.

17 The key performance measures are:

Indicators

	2021 (Actual)	2022 (Actual)	2023 (Estimate)
bills promoted by the Constitutional and Policy Affairs Division in each LegCo session.....	0	1	2
petitions (from prisoners) handled	57	62	62

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	2021 (Actual)	2022 (Actual)	2023 (Estimate)
items of legal advice (including policy affairs work) given on:			
overall legal policy affairs matters.....	3 030	2 670	2 670
Basic Law matters.....	1 196	1 539	1 196
human rights issues.....	835	594	594
constitutional development and election matters.....	905	537	620
Mainland law and related matters.....	969	625	625
ongoing Law Reform Commission projects.....	8	6	7
speeches prepared (both for LegCo and elsewhere).....	128	174	174
Basic Law seminars conducted.....	4	5	8
briefings given in the Mainland and to Mainland delegations in Hong Kong.....	13	0	5
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.....	26	21	19
number of participants.....	63 145	91 788	87 815

Matters Requiring Special Attention in 2023–24

18 During 2023–24, the Secretary for Justice’s Office (including the LEAD Office and the Law Reform Commission Secretariat) and the Constitutional and Policy Affairs Division will continue to:

- foster and reinforce a proper understanding of the rule of law and cultivate a culture with a strong sense of law-abiding and respect for the legal and judicial system;
- further enhance the competitiveness of Hong Kong’s legal regime and promote Hong Kong’s diversified legal and dispute resolution services domestically and internationally to meet the needs of all walks of life (including the general public), and to integrate with the national development;
- support the Secretary for Justice as Chairman of the Law Reform Commission to lead the project of “Systematic Review of the Statutory Laws of Hong Kong”;
- develop expertise in respect of legislative powers, procedures and practices in the context of the Basic Law;
- provide support to the Working Group on Class Actions and relevant policy bureau 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;
- 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;
- take forward the legislative exercises in respect of the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Rules to provide for the procedural rules for implementing the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Ordinance; to amend the Evidence Ordinance (Cap. 8) to establish a legislative framework for the admission of hearsay evidence in criminal proceedings with a view to addressing the recommendations in the Law Reform Commission’s Report on Hearsay in Criminal Proceedings; and to amend the Criminal Procedure Ordinance to provide for a statutory appeal procedure for the prosecution to appeal against rulings of no case to answer given by Court of First Instance judges in criminal trials;
- hold discussions with the Mainland authorities for further development of judicial co-operation in civil and commercial matters, particularly in 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.

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Programme (4): Law Drafting

	2021–22 (Actual)	2022–23 (Original)	2022–23 (Revised)	2023–24 (Estimate)
Financial provision (\$m)	152.0	181.3	171.4 (–5.5%)	192.7 (+12.4%)
				(or +6.3% on 2022–23 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 2022, the aim of the programme was generally met and the overall performance under the programme was satisfactory.

22 The key performance measures are:

Indicators

	2021 (Actual)	2022 (Actual)	2023 (Estimate)
bills gazetted.....	36	25	25
subsidiary legislation gazetted	238	239	230
pages of bills/subsidiary legislation gazetted (English)	5 081	4 020	4 300
pages of bills/subsidiary legislation gazetted (Chinese)	5 081	4 020	4 300
pages of legislation compiled for publication in the loose-leaf edition	1 806	1 275	1 100
pages of Committee Stage Amendments (CSAs) proposed by the Government (English)Δ	114	28	60
pages of CSAs proposed by the LegCo members (English)Δ.....	22	1	20
pages of CSAs proposed by the Government (Chinese)Δ	105	25	55
pages of CSAs proposed by the LegCo members (Chinese)Δ	21	1	18
drafts of bills/subsidiary legislation released	2 789	2 610	2 100
items of legal advice provided	4 472	4 230	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, 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 2023–24

23 During 2023–24, the Law Drafting Division will:

- monitor closely the demand of LegCo regarding scrutiny of legislation; and
- make available resources needed for the legislative schedule for 2023–24, which is expected to be heavy.

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Programme (5): International Law

	2021–22 (Actual)	2022–23 (Original)	2022–23 (Revised)	2023–24 (Estimate)
Financial provision (\$m)	108.9	135.0	147.8 (+9.5%)	171.0 (+15.7%)
				(or +26.7% on 2022–23 Original)

Aim

24 The aim is to provide advice on international law issues to the Government, to participate in or advise on negotiation of international agreements, to support promotion of legal co-operation with international organisations, 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;
- 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 2022, the aim of the programme was generally met and the overall performance under the programme was satisfactory.

27 The key performance measures are:

Indicators

	2021 (Actual)	2022 (Actual)	2023 (Estimate)
international agreements on legal co-operation in criminal matters initialled [⊖]	0	0	2
briefings, negotiation and discussion (no. of working sessions)	359	343	350
items of legal advice provided	27 316	34 552	34 550
new requests dealt with in various categories of mutual legal assistance	381	346	360
court appearances	14.5	28.5	30.0

⊖ Revised description of the previous indicator “international agreements initialled” as from 2022.

Matters Requiring Special Attention in 2023–24

28 During 2023–24, 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.

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ANALYSIS OF FINANCIAL PROVISION

	2021–22 (Actual) (\$m)	2022–23 (Original) (\$m)	2022–23 (Revised) (\$m)	2023–24 (Estimate) (\$m)
Programme				
(1) Prosecutions	798.9	964.4	782.6	1,012.5
(2) Civil	680.6	940.4	682.9	914.4
(3) Constitutional and Policy Affairs	133.0	127.2	130.8	138.6
(4) Law Drafting.....	152.0	181.3	171.4	192.7
(5) International Law.....	108.9	135.0	147.8	171.0
	1,873.4	2,348.3	1,915.5 (–18.4%)	2,429.2 (+26.8%)
				(or +3.4% on 2022–23 Original)

Analysis of Financial and Staffing Provision

Programme (1)

Provision for 2023–24 is \$229.9 million (29.4%) higher than the revised estimate for 2022–23. This is mainly due to the anticipated increase in court costs, other charges, general departmental expenses, filling of vacancies and a net increase of six posts to meet operational needs.

Programme (2)

Provision for 2023–24 is \$231.5 million (33.9%) higher than the revised estimate for 2022–23. This is mainly due to the anticipated increase in other charges, court costs, general departmental expenses and filling of vacancies. There will be a net decrease of one post in 2023–24.

Programme (3)

Provision for 2023–24 is \$7.8 million (6.0%) higher than the revised estimate for 2022–23. This is mainly due to the anticipated increase in other charges and filling of vacancies, partly offset by the decrease in general departmental expenses.

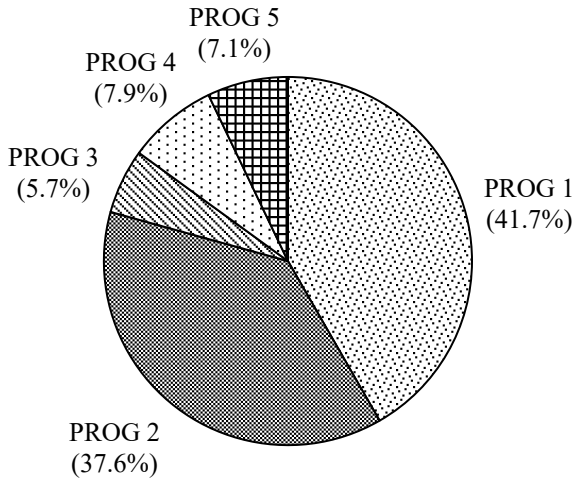
Programme (4)

Provision for 2023–24 is \$21.3 million (12.4%) higher than the revised estimate for 2022–23. This is mainly due to the anticipated increase in general departmental expenses, other charges and filling of vacancies. There will be a net decrease of one post in 2023–24.

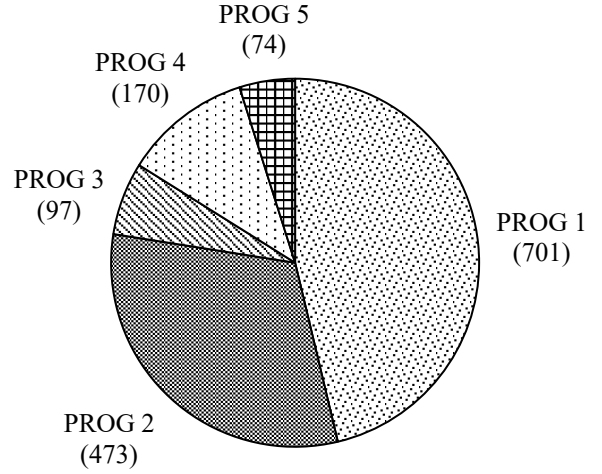
Programme (5)

Provision for 2023–24 is \$23.2 million (15.7%) higher than the revised estimate for 2022–23. This is mainly due to the anticipated increase in other charges, general departmental expenses and filling of vacancies.

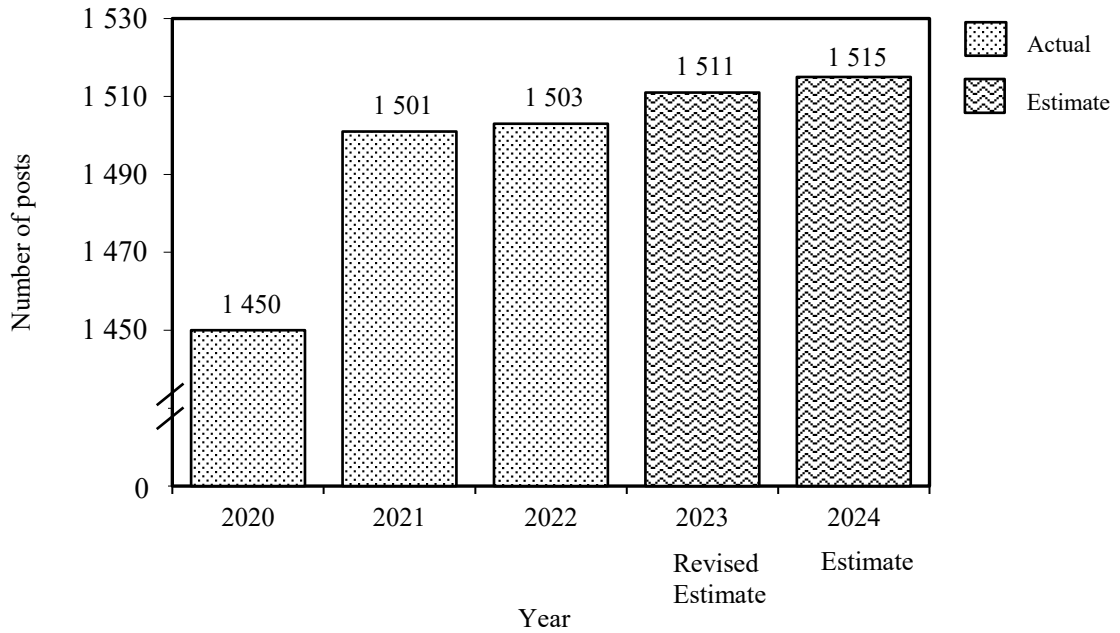
Allocation of provision to programmes (2023-24)



Staff by programme (as at 31 March 2024)



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



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Sub-head (Code)	Actual expenditure 2021-22	Approved estimate 2022-23	Revised estimate 2022-23	Estimate 2023-24	
	\$'000	\$'000	\$'000	\$'000	
Operating Account					
Recurrent					
000	Operational expenses	1,699,528	1,991,116	1,764,562	2,061,385
234	Court costs	138,396	343,700	137,120	353,610
	Total, Recurrent.....	<u>1,837,924</u>	<u>2,334,816</u>	<u>1,901,682</u>	<u>2,414,995</u>
Non-Recurrent					
700	General non-recurrent	35,000	13,518	13,518	13,684
	Total, Non-Recurrent.....	<u>35,000</u>	<u>13,518</u>	<u>13,518</u>	<u>13,684</u>
	Total, Operating Account	<u>1,872,924</u>	<u>2,348,334</u>	<u>1,915,200</u>	<u>2,428,679</u>
Capital Account					
Plant, Equipment and Works					
661	Minor plant, vehicles and equipment (block vote).....	465	—	340	560
	Total, Plant, Equipment and Works.....	<u>465</u>	<u>—</u>	<u>340</u>	<u>560</u>
	Total, Capital Account.....	<u>465</u>	<u>—</u>	<u>340</u>	<u>560</u>
	Total Expenditure	<u><u>1,873,389</u></u>	<u><u>2,348,334</u></u>	<u><u>1,915,540</u></u>	<u><u>2,429,239</u></u>

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Details of Expenditure by Subhead

The estimate of the amount required in 2023–24 for the salaries and expenses of the Department of Justice is \$2,429,239,000. This represents an increase of \$513,699,000 over the revised estimate for 2022–23 and \$555,850,000 over the actual expenditure in 2021–22.

Operating Account

Recurrent

2 Provision of \$2,061,385,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Department of Justice. This includes provision of \$250,200 for a non-accountable entertainment allowance for the Secretary for Justice. The increase of \$296,823,000 (16.8%) over the revised estimate for *Subhead 000 Operational expenses* for 2022–23 is mainly due to the anticipated increase in other charges and general departmental expenses, as well as filling of vacancies.

3 The establishment as at 31 March 2023 will be 1 511 posts including three supernumerary posts. It is expected that there will be a net increase of four posts in 2023–24. The establishment as at 31 March 2024 will be 1 515 posts including three supernumerary posts. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2023–24 but the notional annual mid-point salary value of all such posts must not exceed \$1,001,647,000.

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

	2021–22 (Actual) (\$'000)	2022–23 (Original) (\$'000)	2022–23 (Revised) (\$'000)	2023–24 (Estimate) (\$'000)
Personal Emoluments				
- Salaries.....	1,002,476	1,031,462	1,031,561	1,066,437
- Allowances.....	39,228	50,040	45,237	58,025
- Job-related allowances.....	92	10	3	4
Personnel Related Expenses				
- Mandatory Provident Fund contribution.....	3,444	4,055	3,538	4,121
- Civil Service Provident Fund contribution.....	74,417	87,299	85,110	101,777
- Disturbance allowance μ	129	73	148	101
Departmental Expenses				
- Remuneration for special appointments	4,443	4,590	8,980	11,640
- General departmental expenses	288,902	323,129	288,433	336,481
Other Charges				
- Hire of legal services and related professional fees	217,582	296,500	191,490	260,560
- Promotion and development of Hong Kong's legal and dispute resolution services	24,827	90,958	61,962	101,239
- Legal services for construction dispute resolution	43,988	103,000	48,100	121,000
	1,699,528	1,991,116	1,764,562	2,061,385

μ Disturbance grant is generally paid to an officer when he is first posted outside Hong Kong, transfers to another location outside Hong Kong and returns to Hong Kong on completion of one or more tours outside Hong Kong. Since the Department commenced to arrange secondment outside Hong Kong in 2020–21, payment of such grant is therefore required.

5 Provision of \$353,610,000 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 \$216,490,000 (157.9%) over the revised estimate for 2022–23. 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

Capital Account

Plant, Equipment and Works

6 Provision of \$560,000 under *Subhead 661 Minor plant, vehicles and equipment (block vote)* represents an increase of \$220,000 (64.7%) over the revised estimate for 2022-23. This reflects the increased requirement for carrying out projects that are related to minor plant, vehicles and equipment.

Head 92 — DEPARTMENT OF JUSTICE

Commitments

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2022	Revised estimated expenditure for 2022–23	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	150	1,654
	513	Conducting mock trials in the Mainland	2,400	1,998	—	402
	519	Development of Mainland-related legal services in Hong Kong.....	4,335	2,617	368	1,350
	801	One-off funding support for the development and enhancement of an online dispute resolution and deal making platform by a non-governmental organisation	100,000	35,000	13,000	52,000
		Total	111,835	42,911	13,518	55,406