

Head 80 — JUDICIARY

Controlling officer: the Judiciary Administrator will account for expenditure under this Head.

Estimate 2024–25 **\$2,636.1m**

Establishment ceiling 2024–25 (notional annual mid-point salary value) representing an estimated 1 852 non-directorate posts as at 31 March 2024 rising by four posts to 1 856 posts as at 31 March 2025 **\$936.4m**

In addition, there will be an estimated 226 directorate posts as at 31 March 2024 rising by two posts to 228 posts as at 31 March 2025, which comprise 13 directorate civil service posts and 215 posts for Judges and Judicial Officers.

Controlling Officer's Report

Programmes

Programme (1) Courts, Tribunals and Various Statutory Functions These programmes contribute to Policy Area 12: Administration of Justice (Judiciary Administrator).
Programme (2) Support Services for Courts' Operation

Detail

Programme (1): Courts, Tribunals and Various Statutory Functions

	2022–23 (Actual)	2023–24 (Original)	2023–24 (Revised)	2024–25 (Estimate)
Financial provision (\$m)	1,743.2	1,891.8	1,895.6 (+0.2%)	2,031.5 (+7.2%)
				(or +7.4% on 2023–24 Original)

Aim

2 The aim is to maintain an independent and effective judicial system which upholds the rule of law, safeguards the rights and freedoms of the individual, and commands confidence within and outside Hong Kong.

Brief Description

3 Under this programme, different levels of court and tribunals hear and adjudicate criminal cases and civil disputes. The objectives are to:

- ensure just and expeditious disposal of cases;
- enhance professional standards;
- ensure the Judiciary and the courts keep abreast with changing times; and
- maintain a bilingual court system in Hong Kong.

4 In 2023, the operation of courts and tribunals continued to be subject to challenges from the increase in caseload; the need to expedite the processing of considerable number of complicated cases requiring long trials, especially those relating to the 2019 anti-extradition amendment bill incidents (anti-EAB cases) and national security (NS cases) at various levels of court; as well as the continued influx of applications for leave to apply for Judicial Review on non-refoulement claims and related appeals at the High Court and the Court of Final Appeal.

5 The Judiciary has been making pro-active and dedicated efforts in tackling the above challenges through a variety of measures. These mainly include increasing judicial manpower, making the best possible use of all existing court premises, providing additional court facilities, enlarging the capacity of courtrooms, enhancing broadcasting facilities, arranging longer sitting hours and Saturday sittings, making greater use of technology, using alternative means of disposal where appropriate, and strengthening case management.

6 To address the persistent shortage of judicial manpower, the Judiciary extended the statutory retirement ages of the Judges and Judicial Officers (JJOs) since 6 December 2019, following the enhancement of their terms and conditions of service in 2017. The Judiciary has been launching open recruitment exercises for filling judicial vacancies at more regular intervals, having regard to the judicial manpower situation and operational needs at different levels of court. The latest round of recruitment exercises for District Judges and Judges of the Court of First Instance of the High Court was launched in July and October 2023 respectively, while that for Permanent Magistrates will be launched in 2024.

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7 Under this programme, resources are also deployed to perform various statutory functions including those under the Electoral Affairs Commission Ordinance (Cap. 541), the Interception of Communications and Surveillance Ordinance (Cap. 589) and the Legal Practitioners Ordinance (Cap. 159) in relation to the Higher Rights Assessment Board and related matters.

8 The key performance measures in respect of the courts and tribunals are:

Targets

The waiting time targets have been set in accordance with the recommendations of the Court Users' Committees or are laid down in the respective ordinances or court rules.

	2023 Target	2022 (Actual)	2023 (Actual)	2024 Target
<i>Average Waiting Time</i>	(days)			
Court of Final Appeal				
application for leave to appeal				
criminal—from notice of hearing to hearing	45	37	36	45
civil—from notice of hearing to hearing	35	30	31	35
substantive appeal				
criminal—from notice of hearing to hearing	100	99	89	100
civil—from notice of hearing to hearing	120	95	89	120
Court of Appeal of the High Court				
criminal—from setting down of a case to hearing	50	48	47	50
civil—from application to fix date to hearing	90	81	64	90
Court of First Instance of the High Court				
Criminal Fixture List—from filing of indictment to hearing@	—	323	352	—
Civil Fixture List—from application to fix date to hearing	180	178	158	180
Civil Running List—from not-to-be-warned date to hearing....	30	15	26	30
appeals from Magistrates' Courts—from lodging of Notice of Appeal to hearing	90	160	208§	90
District Court				
criminal—from first appearance of defendants in District Court to hearing	100	350	442§	100
Civil Fixture List—from date of listing to hearing	120	116	115	120
Civil Running List—from not-to-be-warned date to hearing....	30	18	14	30
Family Court				
dissolution of marriage—from setting down of a case to hearing				
Special Procedure List	35	35	35	35
Defended List (all hearings).....	110	58	53	110
financial applications—from setting down of a case to hearing	110-140	49	71	110-140
Lands Tribunal—from setting down of a case to hearing				
appeal cases	90	— [^]	8	90
compensation cases	90	45	15	90
building management cases	90	20	32	90
tenancy cases	50	16	15	50

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	2023 Target	2022 (Actual)	2023 (Actual)	2024 Target
Magistrates' Courts—from plea to date of trial ^Ω				
summons	50	101	74§	50
charge cases except for Juvenile Court—				
for defendants in custody	30-45	62	48§	30-45
for defendants on bail.....	45-60	82	66§	45-60
charge cases for Juvenile Court—				
for defendants in custody	30-45	94	40	30-45
for defendants on bail.....	45-60	89	76§	45-60
Coroner's Court—from date of listing to hearing	42	42	34	42
Labour Tribunal—				
from appointment to filing of a case ...	30	28	38β	30
from filing of a case to first hearing....	30	24	23	30
Small Claims Tribunal—from filing of a case to first hearing.....	60	37	35	60
Obscene Articles Tribunal—				
from receipt of application to classification	5	2	2	5
from referral by a magistrate to determination	21	—#	—#	21

As only seven cases have been set down for trial/substantive hearing in the Competition Tribunal since its establishment, the waiting time is inapplicable. The target average waiting time will be considered when more cases are set down for trial/substantive hearing at the Tribunal.

- @ The average waiting time for criminal hearings remained long as it continued to be distorted by the backlog of re-scheduled cases due to the reduction in court capacity during the COVID-19 epidemic in 2022, the priority accorded to handling of complicated anti-EAB and NS cases, as well as the persistent shortage of judicial manpower. The target average waiting time for the Criminal Fixture List will be reviewed later at an appropriate juncture.
- § The average waiting time for different types of criminal cases at various levels of court in 2023 failed to meet the targets mainly due to the need to deal with cases re-scheduled from 2022 arising from the reduction in court capacity during the COVID-19 epidemic, the priority accorded to a considerable number of complicated anti-EAB and NS cases requiring longer trials, as well as the persistent shortage of judicial manpower. The court waiting time is also contingent upon some factors which are not fully under the control of the court such as the time required by parties for investigation, seeking legal advice and preparation for trial.
- ^ As there was no appeal case filed, the waiting time was inapplicable.
- Ω Owing to the design of the case management system in the Magistrates' Courts, the average waiting time shown is calculated on the basis of the duration from plea to the first date of trial and not the first free date which the court can offer to the parties.
- β The waiting time for filing cases in the Labour Tribunal failed to meet the target mainly because there was an influx of appointments for claims arising from the substantial surge of closedown cases.
- # As there was no application for determination filed, the waiting time was inapplicable.

Indicators

	2022 (Actual)	2023 (Actual)	2024 (Estimate)
<i>Number of Cases</i>			
Court of Final Appeal			
application for leave to appeal	728	395	400
appeals.....	18	23	20
miscellaneous proceedings.....	0	0	0
Court of Appeal of the High Court			
criminal appeals	249	251	250
civil appeals.....	501	439	440
miscellaneous proceedings.....	556	381	380

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	2022 (Actual)	2023 (Actual)	2024 (Estimate)
Court of First Instance of the High Court			
criminal jurisdiction			
criminal cases.....	223	446	450
confidential miscellaneous proceedings.....	883	749	750
miscellaneous proceedings (criminal).....	637	882	880
appeals from Magistrates' Courts	460	496	500
civil jurisdiction	14 412	17 094	17 090
probate cases	23 006	26 298	26 300
Competition Tribunal.....	3	3	3
District Court			
criminal cases.....	1 193	1 331	1 330
civil cases.....	21 377	24 826	24 830
family cases.....	16 802	20 914	20 910
Lands Tribunal	3 998	4 739	4 740
Magistrates' Courts	383 512	386 776	386 780
Coroner's Court.....	131	195	200
Labour Tribunal	3 378	4 348	4 350
Small Claims Tribunal	41 514	52 304	52 300
Obscene Articles Tribunal.....	34	14	10

α The total caseload of 2023 was higher than the average in the past five years from 2018 to 2022 (including the two years prior to the COVID-19 epidemic).

9 The workload of a court depends not only on the number of cases but also on their nature and complexity. In recent years, there has been an increasing number of complex cases, such as the anti-EAB and NS cases, that generally take a longer time to conclude. While ensuring that the administration of justice will not be unduly compromised, the Judiciary will continue to adopt pro-active and multi-farious measures to enhance the efficiency of court operations and increase judicial resources with a view to expediting the handling of court proceedings.

Matters Requiring Special Attention in 2024–25

10 In 2024–25, the Judiciary will:

- continue to monitor the court waiting times and workload at various levels of court, with a view to putting in place timely and effective measures to expedite the processing of cases without compromising the need to ensure due administration of justice; and
- support the Family Procedure Rules Committee in making a new set of consolidated and streamlined court procedural rules for the family justice system under the newly-enacted Family Procedure Ordinance (Cap. 646).

Programme (2): Support Services for Courts' Operation

	2022–23 (Actual)	2023–24 (Original)	2023–24 (Revised)	2024–25 (Estimate)
Financial provision (\$m)	554.4	589.2	599.4 (+1.7%)	604.6 (+0.9%)
				(or +2.6% on 2023–24 Original)

Aim

11 The aim is to provide efficient and effective services to support the operation of courts.

Brief Description

12 Under this programme, various support services are provided to facilitate the hearing of cases in courts and tribunals at different levels, and to enforce court orders on the application of the plaintiffs. The work involves:

- providing effective recording services for court proceedings and producing transcripts for these proceedings;
- ensuring that both Chinese and English languages can be used in the court system, and providing effective court interpretation services;
- providing efficient bailiff services for the enforcement of court orders and service of court documents;
- keeping comprehensive legal reference books and research materials for the use of judges, judicial officers and the legal profession; and
- adopting technology and other modern management tools to enhance the efficiency of court support services.

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13 In 2023, despite the increase in caseload at various levels of court, the overall performance of the programme was generally maintained.

14 The key performance measures in respect of support services for the courts and tribunals are:

Indicators

	2022 (Actual)	2023 (Actual)	2024 (Estimate)
<i>Reporting and Transcription</i>			
cases covered			
criminal	222 323	244 494	244 490
civil.....	69 066	79 950	79 950
cases with transcripts produced			
criminal	5 105	5 661	5 660
civil.....	1 177	1 396	1 400
<i>Interpretation and Translation</i>			
pages of certification/translation processed	227 136	188 714	188 710
<i>Bailiff Service</i>			
executions attempted.....	22 041	26 369	26 370
summons services attempted.....	82 458	88 035	88 040
<i>Library</i>			
library materials acquired and processed	30 050	29 761	29 500
attendance at the Library	18 438	42 152	42 000

Matters Requiring Special Attention in 2024–25

15 In 2024–25, the Judiciary will continue to:

- implement the Information Technology Strategy Plan to provide electronic filing and related services by phases at different levels of court, and make greater use of technology to enhance efficiency of court operations;
- facilitate the greater use of remote hearings for legal proceedings at all levels of court where appropriate, and to develop all necessary technologies for such purposes;
- introduce the necessary legislative amendments to enable the use of remote hearings;
- provide support to unrepresented litigants at various levels of court through various facilities, including the Resource Centre for Unrepresented Litigants, Small Claims Tribunal Information Centre and enhanced counter services at the Family Court; and
- sustain quality management of services to support court operations.

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ANALYSIS OF FINANCIAL PROVISION

	2022–23 (Actual) (\$m)	2023–24 (Original) (\$m)	2023–24 (Revised) (\$m)	2024–25 (Estimate) (\$m)
Programme				
(1) Courts, Tribunals and Various Statutory Functions	1,743.2	1,891.8	1,895.6	2,031.5
(2) Support Services for Courts' Operation.....	554.4	589.2	599.4	604.6
	2,297.6	2,481.0	2,495.0 (+0.6%)	2,636.1 (+5.7%)
				(or +6.3% on 2023–24 Original)

Analysis of Financial and Staffing Provision

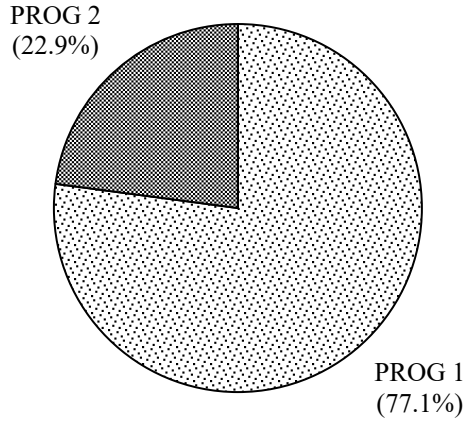
Programme (1)

Provision for 2024–25 is \$135.9 million (7.2%) higher than the revised estimate for 2023–24. This is mainly due to the increased provision for filling vacancies and a net increase of two judicial and five non-judicial posts in 2024–25.

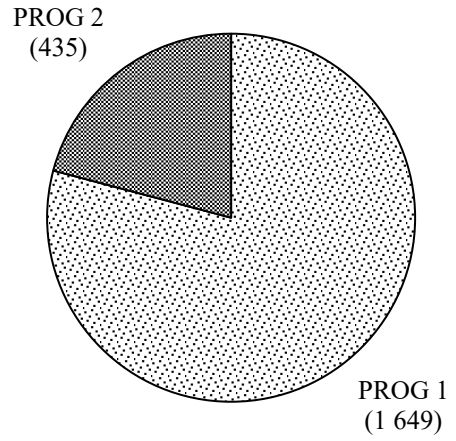
Programme (2)

Provision for 2024–25 is \$5.2 million (0.9%) higher than the revised estimate for 2023–24. This is mainly due to the increased provision for filling vacancies and operating expenses to enhance support services for courts' operation. There will be a net decrease of one non-judicial post in 2024–25.

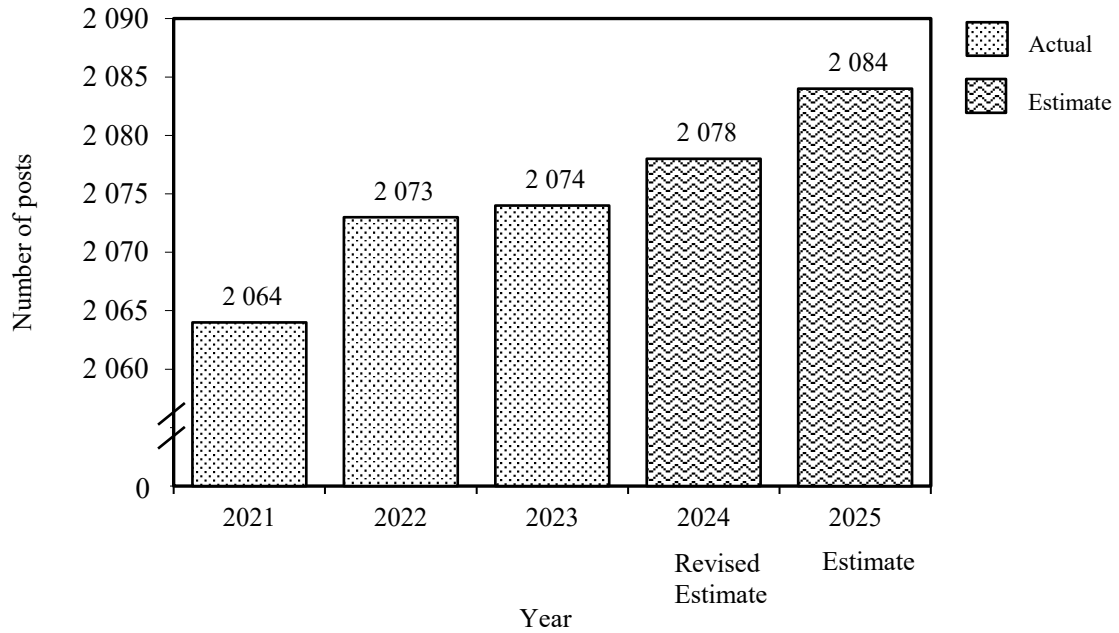
Allocation of provision to programmes (2024-25)



Staff by programme (as at 31 March 2025)



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



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Sub-head (Code)	Actual expenditure 2022-23	Approved estimate 2023-24	Revised estimate 2023-24	Estimate 2024-25	
	\$'000	\$'000	\$'000	\$'000	
Operating Account					
Recurrent					
000	Operational expenses	2,270,862	2,443,669	2,458,803	2,588,381
206	Expenses of witnesses and jurors.....	8,401	12,640	13,050	13,700
	Total, Recurrent.....	<u>2,279,263</u>	<u>2,456,309</u>	<u>2,471,853</u>	<u>2,602,081</u>
	Total, Operating Account	<u>2,279,263</u>	<u>2,456,309</u>	<u>2,471,853</u>	<u>2,602,081</u>
Capital Account					
Plant, Equipment and Works					
661	Minor plant, vehicles and equipment (block vote).....	18,297	24,689	23,167	34,002
	Total, Plant, Equipment and Works.....	<u>18,297</u>	<u>24,689</u>	<u>23,167</u>	<u>34,002</u>
	Total, Capital Account.....	<u>18,297</u>	<u>24,689</u>	<u>23,167</u>	<u>34,002</u>
	Total Expenditure	<u><u>2,297,560</u></u>	<u><u>2,480,998</u></u>	<u><u>2,495,020</u></u>	<u><u>2,636,083</u></u>

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Details of Expenditure by Subhead

The estimate of the amount required in 2024–25 for the salaries and expenses of the Judiciary is \$2,636,083,000. This represents an increase of \$141,063,000 over the revised estimate for 2023–24 and \$338,523,000 over the actual expenditure in 2022–23.

Operating Account

Recurrent

2 Provision of \$2,588,381,000 under *Subhead 000 Operational expenses* is for salaries, allowances and other operating expenses of the Judiciary. This includes provision of \$425,700 for a non-accountable entertainment allowance for the Chief Justice of the Court of Final Appeal.

3 The establishment as at 31 March 2024 will be 2 078 posts (comprising 1 864 civil service posts and 214 posts for JJOs) including two supernumerary posts. It is expected that there will be a net increase of six posts in 2024–25. The establishment as at 31 March 2025 will be 2 084 posts including two supernumerary posts. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2024–25, but the notional annual mid-point salary value of all such posts must not exceed \$936,416,000.

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

	2022–23 (Actual) (\$'000)	2023–24 (Original) (\$'000)	2023–24 (Revised) (\$'000)	2024–25 (Estimate) (\$'000)
Personal Emoluments				
- Salaries.....	1,300,343	1,491,233	1,402,012	1,512,341
- Allowances.....	33,436	31,467	39,325	38,676
- Job-related allowances.....	1,741	2,175	1,534	1,345
Personnel Related Expenses				
- Cash allowances.....	23,795	33,213	24,465	26,644
- Mandatory Provident Fund contribution.....	3,968	5,144	4,161	4,727
- Civil Service Provident Fund contribution.....	59,504	66,951	66,921	75,459
Departmental Expenses				
- Hire of services and professional fees	400,553	424,477	514,021	518,788
- General departmental expenses	447,522	389,001	406,356	410,393
Other Charges				
- Magistrates poor box	—	8	8	8
	2,270,862	2,443,669	2,458,803	2,588,381

5 Provision of \$13,700,000 under *Subhead 206 Expenses of witnesses and jurors* is for the expenses of witnesses in hearings in criminal cases and in coroners' inquiries, and jurors in both criminal and civil cases and in coroners' inquiries.

Capital Account

Plant, Equipment and Works

6 Provision of \$34,002,000 under *Subhead 661 Minor plant, vehicles and equipment (block vote)* represents an increase of \$10,835,000 (46.8%) over the revised estimate for 2023–24. This is mainly due to increased requirement for replacement of minor plant and equipment in court buildings.