

高等法院原訟法庭的案件量

CASELOAD OF THE COURT OF FIRST INSTANCE OF THE HIGH COURT

			2005				
			案件數目 No. of Cases				
			承接往年 <sup>☆</sup> Brought forward from previous years	送交 Filed	結案* Disposed of	訴訟中止 <sup>#</sup> Inactive	訴訟進行中 In progress
上訴案件 Appellate	刑事 Criminal	不服裁判法院判決而提起的上訴 Appeals from Magistrates' Courts	222	1 254	1 134	0	342
	民事 Civil	1. 不服勞資審裁處判決而提起的上訴 Appeals from Labour Tribunal	307	94	104	241	56
		2. 不服小額錢債審裁處判決而提起的上訴 Appeals from Small Claims Tribunal	111	109	65	75	80
		3. 不服小額薪酬索償仲裁處決定而提起的上訴 Appeals from Minor Employment Claims Adjudication Board	3	5	6	0	2
		4. 雜項上訴 Miscellaneous Appeals	10	17	9	6	12
小計 Sub-total		431	225	184	322	150	
<b>合計 TOTAL</b>			<b>653</b>	<b>1 479</b>	<b>1 318</b>	<b>322</b>	<b>492</b>
原訟案件 First Instance	刑事管轄 Criminal	1. 刑事案件 Criminal cases	190	326	365	0	151
		2. 機密雜項案件 Confidential Miscellaneous Proceedings	0	51	51	0	0
		3. 釋放申請 Application for Discharge	0	0	0	0	0
		小計 Sub-total	190	377	416	0	151
	民事管轄 Civil	1. 高等法院訴訟 High Court Actions	32 982	2 635	1 995	31 316	2 306
		2. 雜項程序 Miscellaneous Proceedings	15 659	2 826	1 934	15 020	1 531
		3. 破產及公司清盤訴訟 <sup>+</sup> Bankruptcy and Companies Winding-up	10 160	12 431	11 124	9 224	2 243
		4. 人身傷害訴訟 Personal Injuries Actions	2 637	1 172	951	2 498	360
		5. 其他案件 ** Other cases	4 862	626	308	4 907	273
	小計 Sub-total		66 300	19 690	16 312	62 965	6 713
<b>合計 TOTAL</b>			<b>66 490</b>	<b>20 067</b>	<b>16 728</b>	<b>62 965</b>	<b>6 864</b>
聆案官內庭 Masters Chambers	1. 非正審聆訊 Interlocutory hearings	N.A.	N.A.	25 082 <sup>(1)</sup>	N.A.	N.A.	
	2. 訟費賬單評定 Taxation bills	1 868	1 031	977 <sup>(2)</sup>	328	1 594	
遺產事務 Probate	接獲申請 Applications	6 586	13 547	12 684 <sup>(3)</sup>	20	7 429	

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			2006 案件數目 No. of Cases				
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上訴案件 Appellate	刑事 Criminal	不服裁判法院判決而提起的上訴 Appeals from Magistrates' Courts	342	1 238	1 180	0	400
	民事 Civil	1. 不服勞資審裁處判決而提起的上訴 Appeals from Labour Tribunal	297	57	53	252	49
		2. 不服小額錢債審裁處判決而提起的上訴 Appeals from Small Claims Tribunal	155	60	34	135	46
		3. 不服小額薪酬索償仲裁處決定而提起的上訴 Appeals from Minor Employment Claims Adjudication Board	2	11	13	0	0
		4. 雜項上訴 Miscellaneous Appeals	18	5	14	6	3
小計 Sub-total		472	133	114	393	98	
<b>合計 TOTAL</b>			<b>814</b>	<b>1 371</b>	<b>1 294</b>	<b>393</b>	<b>498</b>
原訟案件 First Instance	刑事管轄 Criminal	1. 刑事案件 Criminal cases	151	263	320	0	94
		2. 機密雜項案件 Confidential Miscellaneous Proceedings	0	59	59	0	0
		3. 釋放申請 Application for Discharge	0	1	1	0	0
		小計 Sub-total	151	323	380	0	94
	民事管轄 Civil	1. 高等法院訴訟 High Court Actions	33 622	2 877	1 868	32 341	2 290
		2. 雜項程序 Miscellaneous Proceedings	16 551	2 740	1 703	16 012	1 576
		3. 破產及公司清盤訴訟 <sup>+</sup> Bankruptcy and Companies Winding-up	11 467	13 245	11 285	10 454	2 973
		4. 人身傷害訴訟 Personal Injuries Actions	2 858	1 142	972	2 688	340
		5. 其他案件 ** Other cases	5 180	599	278	5 226	275
	小計 Sub-total		69 678	20 603	16 106	66 721	7 454
<b>合計 TOTAL</b>			<b>69 829</b>	<b>20 926</b>	<b>16 486</b>	<b>66 721</b>	<b>7 548</b>
聆案官內庭 Masters Chambers	1. 非正審聆訊 Interlocutory hearings	N.A.	N.A.	26 755 <sup>(1)</sup>	N.A.	N.A.	
	2. 訟費賬單評定 Taxation bills	1 922	1 039	984 <sup>(2)</sup>	334	1 643	
遺產事務 Probate	接獲申請 Applications	7 449	15 298	15 320 <sup>(3)</sup>	20	7 407	

## 高等法院原訟法庭的案件量

### CASELOAD OF THE COURT OF FIRST INSTANCE OF THE HIGH COURT

☆ 承接往年的案件包括訴訟中止及訴訟進行中的案件

Cases brought forward from previous years include cases in progress and inactive cases

\* 以上訴而言，結案的案件是指上訴得直、駁回、撤回、終止或上訴在有或沒有法院命令的情況下被放棄的案件；

以刑事案件而言，結案的案件是指被告人被定罪或被判無罪的案件；以民事案件而言，結案的案件是指經審訊或聆訊後成功申索或申索被撤銷的案件

Cases disposed of refer to appeals which have been allowed, dismissed, withdrawn, discontinued or abandoned with or without court order; criminal cases where defendants have been convicted or acquitted; and civil cases where claims have been successfully made or dismissed after trial or hearing

# 訴訟中止的案件是指自最後一次送交文件之日起計一年內，並無任何(包括送交文件或聆訊)行動的案件

Inactive cases refer to those having no action (including filing of document or hearing) for one year from the date of last filing of document

+ 此類案件包括破產程序、公司清盤程序、申請臨時命令(破產)及申請將法定要求償債書擱置的案件

Cases include bankruptcy proceedings, companies winding-up proceedings, applications for Interim Order (Bankruptcy) and applications to set aside Statutory Demands

\*\* 其他案件包括憲法及行政訴訟程序、海事訴訟、領養、賣據登記、賬面債項登記、商業訴訟、建築業及仲裁案件、婚姻訴訟、遺產訴訟及禁制通告等案件

Other cases include constitutional and administrative law proceedings, admiralty actions, adoptions, bill of sale registrations, book debt registrations, commercial actions, construction and arbitration cases, matrimonial causes, probate actions and stop notices

註(1) : 結案的案件是指非正審聆訊已經完結的案件

Note (1) : Cases disposed of refer to interlocutory hearings conducted

註(2) : 結案的案件是指訟費賬單已予處理的案件

Note (2) : Cases disposed of refer to taxation bills processed

註(3) : 結案的案件是指已發出授予書/已發出經確認授予書/遺產管理官以簡易程序完成遺產管理的案件

Note (3) : Cases disposed of refer to grants issued/grants resealed/estates administration completed by the Official Administrator in summary manner

## 高等法院原訟法庭案件輪候時間

### WAITING TIME FOR CASES IN THE COURT OF FIRST INSTANCE OF THE HIGH COURT

	輪候時間(日)			
	目標 Target	2005	2006	2007 (預計) (Plan)
固定審期的刑事案件 - 由公訴書送交存檔日到聆訊日 Criminal Fixture - from filing of indictment to hearing	120	193	119	120
流動審期表上的刑事案件 - 由聆訊期訂定日到聆訊日 Criminal Running List - from setting down to hearing	90	69	66	90
固定審期的民事案件 - 由申請排期日到聆訊日 Civil Fixture - from application to fix date to hearing	180	233	124	180
流動審期表上的民事案件 - 由聆訊期訂定日到聆訊日 Civil Running List - from setting down to hearing	90	54	64	90
不服裁判法院裁決而提起的上訴 - 由上訴通知書送交存檔日到聆訊日 Appeals from Magistrates' Courts - from lodging of Notice of Appeal to hearing	90	71	87	90