

### 司法人員培訓委員會

司法人員培訓委員會在1988年成立，目的是為各級法官和司法人員提供培訓的機會。委員會由全體委員會和執行委員會組成，並設有一個小規模的秘書處提供行政支援。

司法人員培訓委員會的成員來自各級法院，由終審法院首席法官任命。成員除了高等法院上訴法庭、原訟法庭、區域法院及裁判法院的法官和司法人員外，還包括司法機構政務長、律政司、香港大律師公會和香港律師會各一名代表，以及本地兩所大學法律學院各一名教授。當中司法機構的成員亦擔任執行委員會的委員。所有成員的任期均為兩年。

#### 司法人員培訓委員會的職權範圍如下：

- 為新加入的司法人員制訂入職課程。
- 就如何善用司法培訓制度，包括在法官的委任、按需求分配資源和創造機會轉換工作崗位等各方面，向終審法院首席法官提供意見。
- 舉辦培訓活動。

### JUDICIAL STUDIES BOARD

The Judicial Studies Board (JSB) was set up in 1988 to provide training programmes for Judges and Judicial Officers (JJOs) at all levels. The Board is made up of a Full Board and an Executive Committee, and is supported by a small secretariat on administrative matters.

The Chief Justice appoints judges from all levels of courts to serve on the Board. Apart from judges of the Court of Appeal, the Court of First Instance, the District Court and the Magistrates' Courts, members of the Board also include the Judiciary Administrator, one representative each from the Department of Justice, the Hong Kong Bar Association and The Law Society of Hong Kong as well as a professor from each of the law schools of the two local universities. Judiciary members of the Board serve on the Board's Executive Committee. All members are appointed for a term of two years.

#### The terms of reference of the Judicial Studies Board are:

- To devise programmes for the induction of new holders of judicial office.
- To advise the Chief Justice how he might best use a system of judicial studies in respect of the appointment of judges, the matching of judicial resources to demands, and the creation of opportunities for changes of work.
- To run training programmes.

## 發展與培訓

### 專業培訓

專業培訓對法官和司法人員的持續學習非常重要。司法人員培訓委員會深明此點，因此不斷致力為法官和司法人員籌辦與法律和法律發展有關的培訓計劃。

2005年9月，司法人員培訓委員會安排了首輪專為高等法院法官和區域法院法官而設的判決書撰寫課程。這項課程為期三天，以新西蘭的司法人員培訓會相類似的課程為藍本，包括講座、個別輔導和密集式小組環節，旨在提升法官擬寫英文判決書的質素。

## DEVELOPMENT AND TRAINING PROGRAMMES

### Professional Training

The Board recognises the importance of continuous professional training and development for JJOs. To this end, training programmes on law and legal developments are organised for JJOs.

In September 2005, the Board launched its first tailor-made Judgment Writing Course for judges of the High Court and the District Court. This three-day course was modelled on a similar programme of the New Zealand Institute of Judicial Studies, and consisted of lectures, one-to-one tutorials and intensive small group sessions. Its aim was to improve the quality of the writing of English judgments by judges.



判決書撰寫課程  
Judgment Writing Course

2005年5月，委員會為法官和司法人員舉辦區域法院民事案件講座，內容包括「海上及航空貨物運輸」、「已決事項原則」和「仲裁」等課題，共有52位法官和司法人員參加。

A District Court Seminar on Civil Matters was organised in May for our JJOs covering "Carriage of goods by sea and air", "Res Judicata" and "Arbitration". A total of 52 JJOs attended.



區域法院民事案件講座  
District Court Seminar on Civil Matters

此外，我們亦在2005年12月舉行裁判官會議，討論「勞資傳票的量刑方針」、「永久擱置法律程序與司法覆核」及「自殺和防止自殺概況」等課題，共有50位法官和司法人員參加。

自2002年9月以來，司法人員培訓委員會一直資助法官和司法人員修讀由本地大學和學術機構主辦或合辦的兼讀法學碩士學位和其他與法律有關的課程。截至2005年9月，共有七位法官和司法人員獲資助修讀這些課程，而其中四位更已修業期滿。

### 語文訓練

過去幾年，以中文進行的法庭程序日漸增加。委員會有見及此，相應加強了法官和司法人員在這方面的語文訓練以應所需。委員會為雙語法官和司法人員舉辦了各種形式的訓練課程，使他們更能掌握以中文進行聆訊及以中文撰寫和宣告判決的技巧。這些課程包括由本地大學舉辦的中文判決書撰寫技巧課程，以及由北京清華大學舉辦的校內語文課程。

A Magistrates' Conference was also held in December 2005. Topics of "Sentencing approach for labour summonses", "Permanent stay of proceedings and judicial review" and "An overview of suicide and its prevention" were covered at the Conference. Altogether, 50 JJOs attended this conference.

Since September 2002, the JSB has been sponsoring JJOs to attend part-time courses leading to the award of Master of Laws (LLM) and other law-related studies organised or co-organised by local universities and academic institutions. Up to September 2005, seven of our JJOs were granted sponsorship and four of them have completed their studies.

### Language Training

Court proceedings in Chinese have been on the increase in the past few years. To cope with such an increasing demand for the use of Chinese in courts, the Board has strengthened training for JJOs in this respect. Various forms of trainings are provided to our bilingual JJOs for them to master skills in conducting court hearings and preparing and delivering judgments in Chinese. These include courses on Writing Judgments in Chinese run by local universities and residential language courses at the Tsinghua University, Beijing.

自清華大學於1999年開辦中文判決書撰寫課程以來，委員會一直資助法官和司法人員修讀這些校內語文課程。在清華大學，法官和司法人員接受現代漢語語法及各類判決書撰寫技巧的密集訓練。是項為期四週的課程既可幫助學員提高對各類中文司法文書的理解能力和撰寫技巧，亦可讓學員有機會接受專人個別普通話指導（導師為以普通話為母語的清華大學學生）。另一方面，學員更可藉此機會加深對中國法制的了解。2005年8月期間，共有10位法官和司法人員參加了這個課程，而到目前為止，曾參加這個課程的法官和司法人員已達78位。

此外，委員會曾在2004年以試驗形式與香港大學和香港城市大學合辦兩項專為法官和司法人員而設的中文判決書撰寫課程。委員會希望藉着這兩項課程，進一步提升法官和司法人員的中文寫作技巧，從而使中文法庭程序的整體成效得以提高。這兩項課程已分別於2004年12月及2005年3月完結。修讀課程的法官和司法人員都認為課程內容充實，有啟發性，對工作亦有幫助。委員會現正檢討這些試驗課程，以便將來安排類似的課程。

The Tsinghua University Chinese Judgment Writing Courses commenced in 1999. The JSB has been sponsoring JJOs to attend these residential language courses. At Tsinghua, JJOs receive intensive training in Modern Chinese grammar and are taught skills and techniques in writing different kinds of judgments. The four-week course enables participants to improve their ability in understanding and writing legal documents in Chinese. Participants are given individual Putonghua coaching by native speakers drawn from Tsinghua's pool of students. The course also enables participants to gain a better understanding of the Mainland legal system. In August 2005, a group of 10 JJOs attended the course. Up to the present, a total of 78 bilingual JJOs have attended.

In 2004, the Board organised on a pilot basis two intensive courses for JJOs on writing judgments in Chinese in collaboration with the University of Hong Kong and the City University of Hong Kong. The aim of both courses is to further improve the Chinese writing skills of our JJOs so as to enhance the overall effectiveness of court proceedings conducted in Chinese. The courses ended in December 2004 and March 2005 respectively. JJOs on the courses found them instructive and useful. The Board is reviewing these pilot courses, with a view to introducing similar courses in future.



性犯罪者康復研討會  
Seminar on rehabilitation of sex offenders

## 其他研討會

為了幫助法官和司法人員掌握最新的資訊及緊貼社會的發展步伐，委員會亦致力提供所需的培訓予以配合。委員會在今年舉辦的研討會涵蓋了為家庭暴力的被虐者和施虐者提供的服務、香港的禁毒政策和濫用藥物問題、使用電子文件冊，以及性犯罪者的康復等專題。

## 本地參觀活動

委員會定期安排法官和司法人員參觀政府部門和其他機構，讓他們了解這些組織的運作情況及面對的挑戰。在2005年，法官和司法人員參觀了醫院管理局的青山醫院、懲教署的小欖精神病治療中心和赤柱監獄、政府資訊科技總監辦公室的資訊科技服務中心及警犬組。

## Other Seminars

To help enrich JJOs' knowledge for coping with developments in the community, it is essential that the JSB offers training that caters for such a need. During the year, the Board organised seminars on services for victims and batterers of domestic violence, anti-drug policies and drug abuse problems in Hong Kong, use of electronic bundles and rehabilitation of sex offenders.



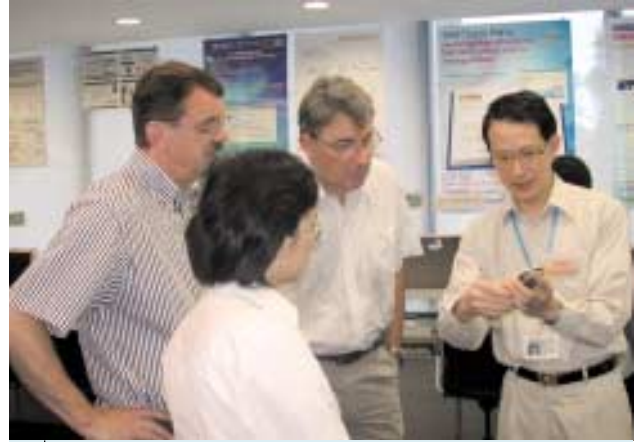
使用電子文件冊研討會  
Seminar on use of electronic bundles

## Local Visits

The JSB also arranges visits to government departments and other institutions for JJOs regularly. The aim of the visits is to introduce to our judges the operations of these organisations as well as the challenges they face. In 2005, our JJOs visited the Castle Peak Hospital of the Hospital Authority, Siu Lam Psychiatric Centre and Stanley Prison of the Correctional Services Department, Information Technology Services Centre of the Office of the Government Chief Information Officer, and the Police Dog Unit.



參觀懲教署的赤柱監獄  
Visit to Stanley Prison of Correctional Services Department



參觀政府資訊科技總監辦公室資訊科技服務中心  
Visit to Information Technology Services Centre of the Office of the Government Chief Information Officer

### 學術機構和專業團體在本港舉辦的研討會 / 講座

委員會經常收到香港大學、香港城市大學、香港大律師公會、香港律師會等本地大學和專業團體舉辦研討會、講座和工作坊的通知。為了鼓勵法官和司法人員參加這些學術活動，司法機構不單會安排他們在日常的司法工作中抽時間參加，在有需要時，還會撥款資助所需的費用。

### 與其他司法管轄區的接觸

司法機構深明我們可藉着與其他司法管轄區保持聯繫和互相交流經驗而獲益，因此不時安排法官和司法人員參加國際會議。

### Local Seminars/Lectures organised by Academic Institutions and Professional Bodies

The JSB is notified of seminars, lectures and workshops organised by local universities and professional bodies, such as the University of Hong Kong, the City University of Hong Kong, the Hong Kong Bar Association and The Law Society of Hong Kong. JJOs are encouraged to take part in these events, and the Judiciary facilitates their participation through releasing them from their court commitments and, if necessary, sponsoring the requisite fees.

### INTERFACE WITH OTHER JURISDICTIONS

The Judiciary appreciates the benefits that can be gained from cross-fertilisation with other jurisdictions and JJOs' exposure to them. From time to time, JJOs attend international conferences.

2005年3月，終審法院首席法官出席了在澳大利亞舉行的第十一屆亞太區首席法官會議。2005年9月，終審法院首席法官率領一個由四位法官組成的代表團出席了在北京及上海舉行的第二十二屆世界法律大會。該法律大會由世界法學家協會和最高人民法院聯合舉辦。同時，代表團亦出席了在大會召開前舉行的法律研討會，出席研討會的還有內地、香港、澳門及台灣的代表。同月，終審法院首席法官又出席了在倫敦舉行的第十四屆英聯邦法律會議，以及在美國耶魯大學舉行的全球立憲研究會議。

我們的法官和司法人員亦在本年度出席了多個分別在澳大利亞、內地、新西蘭、南非、英國、美國和本港舉行的國際會議。

2005年，司法機構合共接待了十個來自內地不同省市的人民法院及法官協會的訪問團，訪問團成員包括法官及其他代表共168位。同時，我們亦在年內接待了來自澳大利亞、越南、英國、以色列、芬蘭、泰國及美國等司法管轄區的代表團。

### 海外講者來港主講的研討會

為了讓法官和司法人員盡快掌握世界各地法制的最新發展，我們會邀請其他司法管轄區的著名講者來港，講述一些共同關注的課題。

In March 2005, the Chief Justice attended the 11th Conference of Chief Justices of Asia and the Pacific held in Australia. In September 2005, the Chief Justice led a delegation comprising four JJOs to attend the 22nd Congress on the Law of the World held in Beijing and Shanghai. The Congress was organised by the World Jurist Association and the Supreme People's Court. The delegation also attended a Seminar on various legal issues held before the Congress attended by delegates from the Mainland, Hong Kong, Macau and Taiwan. In the same month, the Chief Justice attended the 14th Commonwealth Law Conference held in London, and the Global Constitutionalism Seminar held at the Yale University in the United States.

During the year, our JJOs also attended international conferences held in Australia, Mainland China, New Zealand, South Africa, the United Kingdom, the United States of America and locally in Hong Kong.

In 2005, the Judiciary received 10 visiting delegations from the Mainland, involving 168 judges and representatives from the People's Courts and judges' associations in different provinces and cities. During the year, we also received delegations from other jurisdictions, including Australia, Vietnam, the United Kingdom, Israel, Finland, Thailand and the United States.

### Local Seminar involving Non-HK Speakers

To keep our JJOs abreast with international legal developments, eminent speakers from other jurisdictions are invited to give talks on topics of interest.

2005年4月，以色列最高法院院長巴哈龍·巴拉克以「司法酌情決定權的性質」為題向法官發表演說。參與這個講座的還有法律界人士、本港大學法律學院的教師和學生。

In April 2005, the Honourable Aharon Barak, President of the Supreme Court of Israel, gave a talk on "The Nature of Judicial Discretion" to our judges. Members of the legal profession, as well as the teaching staff and students of the law schools at the local universities also attended.



以色列最高法院院長巴哈龍·巴拉克主講「司法酌情決定權的性質」  
*The Honourable Aharon Barak, President of the Supreme Court of Israel, gives a talk on "The Nature of Judicial Discretion"*

## 司法人員培訓委員會通訊

司法人員培訓委員會通訊自2000年12月起出版，是專為法官和司法人員而設的通訊。為了配合司法機構的環保政策，該通訊現時以電郵發放，定期向各法官和司法人員提供有關司法培訓及發展的最新消息和有用的資料。同時，該通訊亦可發揮小型討論區的作用，讓法官和司法人員交流意見和就司法培訓提出建議。

## JSB NEWSLETTER

JSB Newsletter, started in December 2000 with a readership covering all JJOs, is published electronically in support of the Judiciary's efforts in environmental conservation. The Newsletter provides JJOs with regular updates and useful information on judicial training and development. It also serves, though in a small way, as a forum for JJOs to exchange views and offer suggestions on judicial training.



香港禁毒政策和濫用藥物問題研討會  
*Seminar on anti-drug policies and drug abuse  
problems in Hong Kong*

### 司法人員培訓委員會圖書館

司法人員培訓委員會圖書館備存各類書刊及從海外會議和本地研討會得到的資料，以供法官和司法人員參考。圖書館亦收藏了所有內部培訓課程的錄音帶和錄像帶。

### 法官及司法人員聊天室

法官及司法人員聊天室自 2004 年 11 月起，為法官和司法人員設置網上論壇，方便他們就工作上共同關注的事項交換意見。

### JSB LIBRARY

Publications and seminar materials obtained from overseas conferences and local seminars are kept in the JSB Library for reference by JJOs. The library also maintains a collection of audio and video tapes of all in-house training programmes.

### JJO CHATROOM

Since November 2004, a JJO ChatRoom has been providing a forum for JJOs to exchange views on issues concerning their work on the bench.

## 培訓統計數字

## TRAINING STATISTICS

## 培訓活動種類

## 2005 年的活動數目

## Types of Training Activities

## No. of Activities in 2005

1) 專業訓練 Professional training	7
2) 語文訓練 Language training	1
3) 國際 / 內地會議及訪問 International/Mainland conferences and visits	14
4) 有海外講者參與的本港研討會 Local seminars involving non-HK speaker	1
5) 在本港舉行的內部研討會 Local in-house seminars	4
6) 在本港進行的參觀及訪問活動 Local visits	4
7) 在本港舉行由外間團體主辦的研討會 Local seminars organised by outside organisations	47

合計 Total

78