

STANDING COMMITTEE ON JUDICIAL SALARIES AND CONDITIONS OF SERVICE

Report on Judicial Remuneration Review 2024

August 2024

司法人員薪俸及服務條件常務委員會
Standing Committee on Judicial Salaries and Conditions of Service

21 August 2024

The Honourable John KC Lee, GBM, SBS, PDSM, PMSM
The Chief Executive
Hong Kong Special Administrative Region
People's Republic of China

Dear Sir,

----- On behalf of the Standing Committee on Judicial Salaries and Conditions of Service, I have the honour to submit a report containing our findings and recommendations for the Judicial Remuneration Review 2024, which has been conducted in accordance with the mechanism and methodology for the determination of judicial remuneration approved by the Chief Executive-in-Council in May 2008.

Yours faithfully,



(Clement Chen Cheng-jen)
Chairman
Standing Committee
on Judicial Salaries and Conditions of Service

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Chapter 1

Introduction

1.1 The Standing Committee on Judicial Salaries and Conditions of Service (the Judicial Committee) has completed the Judicial Remuneration Review (JRR) for 2024 in accordance with the established mechanism for determining judicial remuneration as approved by the Chief Executive-in-Council in 2008. This Report sets out the considerations that the Judicial Committee has taken into account in the Review and the recommended rate of adjustment for judicial salaries in 2024-25.

The Judicial Committee

1.2 The Judicial Committee is an independent advisory body appointed by the Chief Executive to advise and make recommendations on matters concerning the salary and conditions of service of Judges and Judicial Officers (JJOs)¹.

1.3 In 2004, the Judicial Committee was asked by the Chief Executive to undertake a study on the appropriate institutional structure, mechanism and methodology for the determination of judicial remuneration in Hong Kong. In May 2008, the Chief Executive-in-Council accepted all the major recommendations submitted

¹ “Judges” refer to officers in the grades of Chief Justice, Court of Final Appeal (CFA); Judge, CFA; Judge of the High Court; and Judge of the District Court (District Judge). “Judicial Officers” refer to officers in the grades of Registrar, High Court; Registrar, District Court; Member, Lands Tribunal; Magistrate; Presiding Officer, Labour Tribunal; Adjudicator, Small Claims Tribunal; Coroner; and Special Magistrate.

by the Judicial Committee in its Report² (the 2005 Report) including the expanded terms of reference of the Judicial Committee and its new membership structure, the de-linking of salaries of JJOs (judicial salaries in short) from those of the civil service and the adoption of a balanced approach for the adjustment mechanism of judicial salaries under which both annual reviews and regular benchmark studies will be conducted. The expanded terms of reference and the current membership of the Committee are at **Appendix A** and **Appendix B** respectively.

Judicial Independence

1.4 The Judicial Committee, in reviewing and deliberating its recommendation on the rate of adjustment for judicial salaries, acknowledges and premises on the need to uphold the principle of judicial independence as enshrined in the Basic Law, in accordance with which the Hong Kong Special Administrative Region (HKSAR) is vested with independent judicial power including that of final adjudication and the courts exercise judicial power independently, free from any interference³. In discharging its functions, the Judicial Committee is guided by the principle that judicial remuneration should be sufficient to attract and retain talents in the Judiciary, in order to maintain an independent and effective judicial system which upholds the rule of law and commands confidence within and outside Hong Kong. The need to maintain an independent Judiciary with the highest integrity is of utmost importance.

² The 2005 Report can be found on the website http://www.jsscs.gov.hk/en/publications/reports_jscs.htm.

³ Article 2 of the Basic Law states that the National People's Congress authorizes the HKSAR to exercise a high degree of autonomy and enjoy executive, legislative and independent judicial power, including that of final adjudication, in accordance with the provisions of the Basic Law. Article 19 states that the HKSAR shall be vested with independent judicial power, including that of final adjudication. The courts of the HKSAR shall have jurisdiction over all cases in the Region, except that the restrictions on their jurisdiction imposed by the legal system and principles previously in force in Hong Kong shall be maintained. Article 85 further states that the courts of HKSAR shall exercise judicial power independently, free from any interference. Members of the judiciary shall be immune from legal action in the performance of their judicial functions.

Judicial Remuneration Mechanism

1.5 The mechanism for JRR, as approved by the Chief Executive-in-Council in May 2008, comprises two components: annual salary reviews and benchmark studies.

Annual Reviews

1.6 An annual review on judicial remuneration is conducted in the middle of every calendar year. The Judicial Committee adopts a balanced approach under which a basket of factors (as set out in paragraph 1.7 below), as approved by the Chief Executive-in-Council in 2008, is examined and considered holistically. The Committee then decides whether and, if so, how judicial salaries should be adjusted. So far, 16 annual reviews have been conducted since 2009.

1.7 The basket of factors comprises the following –

- (a) the responsibility, working conditions and workload of judges vis-à-vis those of lawyers in private practice;
- (b) recruitment and retention in the Judiciary;
- (c) the retirement age and retirement benefits of JJOs;
- (d) the benefits and allowances enjoyed by JJOs;
- (e) prohibition against return to private practice in Hong Kong;
- (f) public sector pay as a reference;
- (g) private sector pay levels and trends;
- (h) cost of living adjustments;
- (i) the general economic situation in Hong Kong;
- (j) overseas remuneration arrangements;
- (k) unique features of judicial service; and
- (l) the budgetary situation of the Government.

Benchmark Studies

1.8 The mechanism also mandates the conduct of regular benchmark studies alongside the annual reviews. The benchmark study, which is to be conducted by the Judicial Committee at largely a five-yearly interval, ascertains the levels of earnings of legal practitioners in private practice such that market trends can be depicted. The study also seeks to track whether judicial salaries are kept broadly in line with the movements of legal sector earnings over time. On the basis of such findings, the Judicial Committee considers whether any adjustment to the levels of judicial salaries is warranted. Since the establishment of the new mechanism in 2008, the Judicial Committee has conducted three benchmark studies, in 2010, 2015 and 2020 respectively.

1.9 The next benchmark study will be conducted in 2025. The Judicial Committee will commence the preparatory work for the study after the current JRR.

Judicial Remuneration Review 2024

1.10 As in the previous annual reviews, the Judicial Committee commenced the preparatory work for the JRR 2024 earlier in the year, by first inviting the Judiciary and the Government to provide relevant data, information and views pertaining to the basket of factors as set out in paragraph 1.7. With the benefit of the information and data provided, the Judicial Committee then exercised its best judgement in analysing and balancing all relevant considerations in formulating its recommendation. Having considered all relevant factors, the Judicial Committee **recommends** that in 2024-25, judicial salaries be increased by 3%. The rate of adjustment is to be applied to JJOs at all levels of court who are remunerated on the Judicial Service Pay Scale (JSPS). The respective ranks of different levels of court in the Judiciary and the JSPS (as at 1 April 2023) are at **Appendix C** and **Appendix D**.

Chapter 2

Annual Review

Annual Review

2.1 The Judicial Committee takes forward the annual review of judicial remuneration by adopting the balanced approach, instead of a mechanical one, under which the basket of 12 factors and the views of the Judiciary are analysed and considered holistically, before coming to a recommendation and putting it forth to the Chief Executive.

Responsibility and Working Conditions

2.2 In the year under review, members of the Judiciary continued to discharge their functions in maintaining an independent and effective judicial system to uphold the rule of law, safeguard national security and protect the rights and freedoms of the individual. All JJOs continued to exercise their judicial power independently and professionally in strict accordance with the law, without fear or favour, self-interest or deceit, despite the occasional difficulties, undue pressure and unfounded discredits to which they were subjected. The Judicial Committee wishes to place here its record of appreciation.

Workload and Complexity of Judicial Work

2.3 The Judicial Committee notes that the workload of the Judiciary, as shown by the caseload statistics, has been on the rise since the COVID-19 epidemic subsided in early 2023. The Judiciary has

managed to cope with the heavy workload generally well. The caseloads at different levels of court between 2019 (i.e. before the onset of the epidemic) and 2023 are shown in **Appendix E**.

2.4 The Judiciary states that the heavy workload in 2023 was compounded by a significant number of court proceedings that had been carried forward from previous few years due to the reduced capacity of the courts during the epidemic, as well as an increasing number of complex criminal cases, some of which require extraordinarily long trials, in particular those concerning national security and the violence incidents and riots in 2019 in relation to the proposed extradition amendment bill. Pressures arising from judicial work continued to be felt by the Judiciary particularly at the levels of the High Court and the District Court. It comes to the notice of the Judicial Committee that at the level of the High Court, the number of criminal cases (including cases relating to national security) doubled from 223 cases in 2022 to 446 in 2023. National security cases, which are mainly handled at the High Court level and usually heard before a bench of three judges, are typically more complex and invariably entail longer trials. Separately, the number of leave applications for judicial review and related appeals relating to non-refoulement claims filed at the High Court level and above remained high in 2023. In respect of the District Court, the Judicial Committee notes that its major challenge in recent years continued to be handling cases relating to the incidents in 2019. With over 90% of such cases being concluded and the vast majority of the remaining cases being scheduled for trial in the remainder of 2024 and 2025, the Judiciary expects that the impact of such cases on its work will gradually subside.

2.5 The Judiciary has pointed out that caseload figures alone do not reflect fully the workload of JJOs and must not be looked at exclusively. The number, types and complexity of cases that they handle and dispose of, the duration of trials, and the processing time of cases, which directly affect the amount of time and efforts required of the JJOs to deal with them, are also relevant indicators of the increasing workload and heavier responsibilities of the JJOs. All the above are generally true for all levels of court but the pressure is particularly felt at

the levels of the High Court and the District Court as set out in paragraph 2.4.

2.6 The Judiciary further states that increasing complexity of cases not only means longer hearing times but also considerably more time required for the JJOs to handle pre-hearing preparation (including case management hearings), conduct trials and to write judgments. The high ratio of unrepresented litigants in civil cases (ranging from 50% to 65% of cases heard in the District Court and the High Court) continue to pose great challenges because JJOs are not properly assisted in such cases when dealing with complex legal issues. Hearings (and their preparation) have to take longer as a result.

2.7 The Judicial Committee has all along recognised that caseload figures alone do not fully reflect the workload of JJOs, and the complexity of cases is also an important element. The Judicial Committee maintains its view that the nature of judicial work is unique. The Judicial Committee notes that the Judiciary has been taking measures to address issues arising from the tight manpower situation and will keep in view its manpower position to ensure the provision of quality services to court users and other members of the public. The Judicial Committee notes that the Judiciary has been exploring how court cases can be better managed and how the caseload and case progress can be monitored more closely such that timely adjustments to resource deployment can be made.

Recruitment and Retention

2.8 As at 31 March 2024, against the total establishment of 211 judicial posts, 160 were substantively filled. This establishment and strength position represents a net decrease of six in the strength of JJOs as compared with the position as at 31 March 2023. This reduction in strength is mainly due to retirement, partially offset by judicial appointments to vacancies. The establishment and strength of JJOs as at 31 March 2024 are set out in **Table 1** below –

Table 1: Establishment and strength of JJOs

Level of court	As at 31.3.2024*		Net change in strength over 31.3.2023
	Establishment	Strength	
CFA ⁴	4 (4)	4 (4)	0
High Court ⁵	64 (64)	39 (41)	-2
District Court ⁶	53 (53)	41 (44)	-3
Magistrates' Courts and Specialised Tribunals/Court ⁶	90 (101)	76 (77)	-1
Total	211 (222)	160 (166)	-6

* Figures in brackets denote position as at 31.3.2023.

2.9 On recruitment of JJOs, the Judicial Committee notes that in recent years, the Judiciary has stepped up efforts by conducting more frequent and regular open recruitment exercises for filling judicial vacancies, having regard to the judicial manpower situation and its operational needs. In recent years, recruitment exercises for the three judicial ranks of Judges of the Court of First Instance of the High Court (CFI), District Judges and Permanent Magistrates have been held largely on an annual basis. The latest rounds of recruitment for District Judges, CFI Judges and Permanent Magistrates were launched successively in July 2023, October 2023 and April 2024 respectively. The recruitment of JJOs serving in specialised tribunals will be conducted as and when necessary. For instance, an exercise for recruiting Members of the Lands Tribunal was initiated in May 2024. The Judicial Committee notes that the Judiciary received encouraging responses to this round, particularly from the middle-ranking members of the legal profession to the latest recruitment drive for District Judges. In the current rounds of the exercise which are still underway, a total of six District Judges and two CFI Judges were already appointed between April and July 2024.

⁴ The figures exclude one Permanent Judge post created for Non-Permanent Judge (NPJ) of the CFA. In practice, an NPJ is invited to sit in the CFA as required in accordance with the Hong Kong Court of Final Appeal Ordinance (Cap. 484).

⁵ For Senior Deputy Registrar and Deputy Registrar vacancies in the Masters' Office of the High Court, the functions are now mostly carried out by District Judges (and Principal Magistrates/Magistrates) who are appointed as Temporary Senior Deputy Registrars or Temporary Deputy Registrars under the cross-posting policy.

⁶ For judicial offices in the Masters' Office of the District Court and at the Labour Tribunal, Small Claims Tribunal and Coroner's Court, the functions are now mostly carried out by Principal Magistrates or Magistrates under the cross-posting policy. The cross-posting policy provides greater flexibility in the posting of judicial officers between various courts to meet operational needs.

2.10 The Judicial Committee is aware of the persistent recruitment difficulties at the CFI level. In this connection, the Judicial Committee has previously recommended, on the basis of the qualitative findings of the 2020 benchmark study, that the Judiciary work closely with the legal profession to promote judicial career in order to provide legal practitioners with information on the different types of judicial work, the career pathways and remuneration packages. The Judicial Committee is pleased to note that the Judiciary has embraced the recommendation and received encouraging responses to the latest recruitment drive for District Judges.

2.11 Meanwhile, the Judiciary has continued to engage temporary judicial resources where appropriate to help relieve workload, including appointing internal or external deputies⁷ and appointing temporary or acting JJOs. On average, the Judiciary appoints around 40 external deputy JJOs to sit in different levels of court at any one time.

Retirement

2.12 Retirement is the main source of “wastage” among JJOs. The anticipated retirement in each of the coming three years ranges from five to 14, amounting to 3.1% to 8.8% of the current strength.

2.13 The Judicial Officers (Extension of Retirement Age) (Amendment) Ordinance came into effect on 6 December 2019, and over 80% of eligible JJOs opted for the new retirement age arrangements by the deadline of December 2021⁸. The new statutory normal retirement ages for JJOs now stand at 65 or 70, depending on the level of court.

⁷ Internal deputies refer to JJOs appointed to act in higher positions or cross-posted to sit in other judicial posts in the Judiciary. External deputies refer to members of the legal profession from outside the Judiciary and retired JJOs who are appointed to take up judicial posts.

⁸ On statutory retirement ages, the retirement ages of Judges at the High Court level and above as well as Judicial Officers at the magisterial level have generally been extended for five years to 70 and 65 respectively, while that of District Judges is maintained at 65. On discretionary extension of terms of office, the term of office for CFA Judges may be extended by no more than two periods of three years; and for Judges at the High Court and District Court levels and Judicial Officers at the magisterial level, a period of not exceeding five years in aggregate.

Beyond that, extension of service may be approved up to the age of 70, 75 or 76, depending on the level of court and subject to consideration on a case by case basis. The Judiciary believes that extending the retirement ages of JJOs would have a positive impact on attracting quality candidates who are in private practice to join the bench at the later stage of their career life, in particular at the CFI level, and also on retaining experienced judicial manpower where appropriate. In this regard, the Judicial Committee understands that the Judiciary is considering certain enhancements to the remuneration package, the aim of which is to help retain the most senior and experienced judges to serve beyond their retirement age. The Judicial Committee also understands that the Judiciary is considering certain refinements with a view to attracting more legal practitioners to become CFI Judges. The Judicial Committee looks forward to such proposals, and is prepared to consider such proposals in a positive light if they are reasonable measures to improve the remuneration package that are conducive to attracting new talents or grooming or retaining existing ones.

2.14 The Judicial Committee trusts that the Judiciary will keep in view the challenges to judicial manpower that may be posed by the retirement situation, and that it will continue to attract new entrants and to groom and retain existing talents.

Benefits and Allowances

2.15 JJOs are entitled to a range of benefits and allowances in addition to salary. The package of benefits and allowances is an integral part of judicial remuneration, important as it is, that has helped attract capable legal practitioners to join the bench.

2.16 The Judicial Committee notes that the rate of such benefits and allowances are price adjusted annually in accordance with the established mechanisms. The present rates of the benefits and allowances are set out in **Appendix F**.

2.17 For retirement benefits, JJOs are either entitled to pension governed by the Pension Benefits (Judicial Officers) Ordinance (Cap. 401), or provident fund governed by the Mandatory Provident Fund Schemes Ordinance (Cap. 485), according to their terms of appointment.

2.18 The Judicial Committee stands ready to review the package of benefits and allowances if invited to do so by the Government.

Prohibition Against Return to Private Practice in Hong Kong and Unique Features of the Judicial Service

2.19 The Judiciary is unique in many aspects. A prominent feature is the prohibition against return to private practice. Judges at the District Court and High Court levels must give an undertaking not to practise in future as barristers or solicitors in Hong Kong unless with the permission of the Chief Executive. The Chief Justice and Judges (including permanent and non-permanent judges) of the CFA are prohibited by statute⁹ from practising as barristers or solicitors in Hong Kong, either while holding office or at any time after ceasing for any reason to hold office. On the other hand, judges enjoy security of tenure¹⁰ and high esteem, which may be seen as attractions for legal practitioners joining the bench. The Judicial Committee notes that these are established arrangements which continued to apply in the year under the present annual review.

Overseas Remuneration Arrangements

2.20 The Judicial Committee is fully aware that the basket of factors, which are to be considered holistically and are generally factors

⁹ Section 13 of the Hong Kong Court of Final Appeal Ordinance (Cap. 484).

¹⁰ Any removal from office is subject to detailed statutory procedures, and the removal of the most senior judges (i.e. the Chief Justice, Judges of the CFA and the Chief Judge of the High Court) has to be endorsed by the Legislative Council and reported to the Standing Committee of the National People's Congress for the record.

applicable and relevant to the situations in Hong Kong, are to be examined each year in the review of judicial remuneration. That said, the Committee also accepted in 2008, i.e. the year in which the mechanism specifically tailored for judicial remuneration was put in place, a suggestion from the Government that it will make reference to overseas remuneration arrangements and as such, the Committee has made reference to the status of the judicial remuneration systems in the following common law jurisdictions namely, Australia, Canada, New Zealand, Singapore, the United Kingdom and the United States since then. The reference remains to be more or less academic as the Judiciary has not recruited JJOs from overseas for its permanent establishment for quite some time. In the year under review, the Committee notes that these jurisdictions continued to review judicial salaries using their established methodologies and they continue to make reference to, among others, the prevailing states of economy, the fiscal positions and private sector pay movements in determining the rates of adjustment.

General Economic Situation and Cost of Living Adjustments in Hong Kong

2.21 The Government has provided detailed information on Hong Kong's economic and fiscal indicators for the Judicial Committee's reference. According to advance estimates, the Gross Domestic Product (GDP) grew by 3.3% year-on-year in real terms in the second quarter of 2024, after rising by 2.8% in the preceding quarter. Looking ahead, the economy should continue to grow in the remainder of the year, but performance of different economic segments may vary amid uncertainties on various fronts. For 2024 as a whole, the economy is to grow by 2.5% to 3.5% according to the latest forecast in May. The year-on-year changes in GDP in real terms are shown in **Table 2** below –

Table 2: Changes in GDP in real terms

Year	Quarter (Q)	GDP year-on-year % change
2023	Q1	+2.8%
	Q2	+1.6%
	Q3	+4.2%
	Q4	+4.3%
2024	Q1	+2.8%
	Q2	+3.3%

(Source: Figures published by the Census and Statistics Department on 31 July 2024; 2024 Q2 based on advance estimates.)

2.22 The labour market remained tight in the first half of 2024. The seasonally adjusted unemployment rate stayed low at 3.0% in both the first and second quarters of 2024. The labour market should stay tight in the near term, alongside the ongoing economic growth.

2.23 On changes in the cost of living, headline consumer price inflation, as measured by the year-on-year rate of change of the Composite Consumer Price Index (CCPI), was 1.2% in the second quarter of 2024, compared with 1.9% in the preceding quarter¹¹. Overall inflation should stay mild in the near term. The headline and underlying consumer price inflation rates for 2024 would be at 2.4% and 1.7% respectively, according to the forecast in May 2024.

Budgetary Situation of the Government

2.24 According to the information provided by the Government, the consolidated deficit for 2023-24 is \$100.2 billion and the fiscal reserves stood at \$734.6 billion as at end-March 2024. For 2024-25, a deficit of \$33.1 billion and a deficit of \$110.8 billion are estimated for the Operating Account and Capital Account respectively. After proceeds from issuance of Government bonds of \$120 billion and repayment of Government bonds of \$24.2 billion, there is an estimated

¹¹ CCPI reflects the impact of consumer price changes on household in overall terms. The headline consumer price inflation includes the effect of the Government's all relevant one-off relief measures, while the underlying consumer price inflation excludes the effect of these measures. The underlying consumer price inflation was 1.0% in both the first and second quarters of 2024.

deficit of \$48.1 billion in the Consolidated Account, equivalent to 1.5% of the GDP.

2.25 The annual staff cost of the Judiciary in 2024-25 is estimated at about \$1.66 billion, which is roughly 0.27% of the Government's total operating expenditure of about \$613.8 billion in the 2024-25 Estimates.

Private Sector Pay Levels and Trends

2.26 The Judicial Committee makes reference to the gross pay trend indicators (PTIs) from the annual Pay Trend Survey (PTS)¹² commissioned by the Pay Trend Survey Committee as a general reference indicating private sector pay trend.

2.27 According to the findings of the 2024 PTS, the gross PTI for the "upper salary band" was 5.05% for the 12-month period from 2 April 2023 to 1 April 2024.

Public Sector Pay as a Reference

2.28 There used to be a certain form of pegging between judicial salaries and senior civil service salaries. In its 2005 Report, the then

¹² The annual PTS measures the year-on-year average pay movements of full-time employees in the private sector over a 12-month period from 2 April of the previous year to 1 April of the current year. The PTIs derived from the PTS are divided into three salary bands, reflecting the average pay movements of private sector employees in three salary ranges, i.e. –

- (a) lower salary band covering employees in the salary range below \$25,815 per month;
- (b) middle salary band covering employees in the salary range of \$25,815 to \$79,135 per month; and
- (c) upper salary band covering employees in the salary range of \$79,136 to \$159,130 per month.

Since 2009, the Judicial Committee has agreed that in the absence of a comprehensive or representative pay trend survey for the legal sector, reference should be made to the PTIs from the annual PTS reflecting overall private sector pay trend. The PTI for the upper salary band in the PTS is considered a suitable reference for comparison with judicial salaries, which start at JSPS 1, currently at \$99,335.

Judicial Committee considered that mechanical pegging was not appropriate due to the uniqueness of judicial service¹³, on the main grounds that de-linking (i.e. subjecting the two to separate reviews) would not only strengthen the perception of judicial independence but also provide the necessary safeguard and reassurance to JJOs. We stand by this view.

2.29 Notwithstanding this institutional separation, the Judicial Committee takes the view that public sector pay should remain as one of the factors under the balanced approach for determining judicial remuneration. For 2024-25, the Judicial Committee notes the decision of the Chief Executive-in-Council in respect of the annual civil service pay adjustment which was made in June 2024 that the pay for civil servants in all salary bands including the lower, middle and upper salary bands and the directorate should be increased at the same rate of 3% across the board with retrospective effect from 1 April 2024¹⁴. The pay adjustment was approved by the Finance Committee of the Legislative Council on 5 July 2024.

The Judiciary's Position

2.30 The Judiciary indicates that it has no objection to increasing the judicial salaries at the rate of 3% for 2024-25, in light of the Government's decision to increase the civil service pay at the same rate of 3% across the board for 2024-25. The Judiciary states that this has no adverse implication on judicial independence. The Judiciary also reiterates that as a matter of principle, there should be no reduction in judicial pay even if the pay is reduced for the civil service for any reasons.

¹³ For details, please see paragraph 3.14 of the 2005 Report.

¹⁴ At present, annual civil service pay adjustments are determined by the Chief Executive-in-Council after considering a basket of factors including the net PTIs which reflect the private sector pay trend. The Pay Trend Survey Committee, members of which are drawn from the independent advisory bodies, i.e. Standing Commission on Civil Service Salaries and Conditions of Service and the Standing Committee on Disciplined Services Salaries and Conditions of Service, the civil service staff side and the management side of the civil service, commissions the conduct of an annual survey, viz. the PTS, to ascertain the year-on-year pay movements in the private sector.

Chapter 3

Recommendation and Acknowledgements

Recommendation

3.1 During the year covered by this report, the Judicial Committee has completed the annual review and formulated its recommendation in respect of the 2024-25 annual adjustment. Taking into account the basket of factors and having balanced all considerations, the Judicial Committee **recommends** that judicial salaries be increased by 3% with retrospective effect from 1 April 2024.

Acknowledgements

3.2 We would like to express our sincere gratitude to both the Government and the Judiciary for providing the Judicial Committee with comprehensive and valuable information. Their contributions are most useful and have facilitated our deliberation on the basket of factors under the approved mechanism.

3.3 We would also like to record our appreciation to our former Member Mr Jat Sew-tong, SBS, SC, JP who served the Committee with dedication and tendered very valuable advice and assistance over his six-year term ending in December 2023.

Standing Committee on Judicial Salaries and Conditions of Service

Terms of Reference

I. The Committee will advise and make recommendations to the Chief Executive on –

- (a) the structure, i.e. number of levels and salary level; and conditions of service and benefits other than salary appropriate to each rank of judges and judicial officers and other matters relating thereto;
- (b) matters relating to the system, institutional structure, methodology and mechanism for the determination of judicial salary and other matters relating thereto which the Chief Executive may refer to the Committee; and
- (c) any other matter as the Chief Executive may refer to the Committee.

II. The Committee will also, when it so determines, conduct an overall review of the matters referred to in I(a) above. In the course of this, the Committee should accept the existing internal structure of the Judiciary and not consider the creation of new judicial offices. If, however, the Committee in an overall review discovers anomalies, it may comment upon and refer such matters to the Chief Justice, Court of Final Appeal.

**Standing Committee on Judicial Salaries
and Conditions of Service**

Membership in 2024

Chairman

Dr Clement Chen Cheng-jen, GBS, JP

Members

Ms Daisy Ho Chiu-fung, BBS

Mr Stephen Hung Wan-shun, MH

Ms Miranda Kwok Pui-fong, JP

Professor Paul Lam Kwan-sing, SBS, JP

Ms Cecilia Lee Sau-wai, JP

Mr Jason Pow Wing-nin, SC

Levels of Court and Judicial Ranks

Level of Court	Rank	Pay Scale (JSPS)
Court of Final Appeal	Chief Justice, Court of Final Appeal	19
	Permanent Judge, Court of Final Appeal	18
High Court, Court of Appeal	Chief Judge of the High Court	18
	Justice of Appeal of the Court of Appeal of the High Court	17
High Court, Court of First Instance	Judge of the Court of First Instance of the High Court	16
Competition Tribunal		
High Court, Masters' Office	Registrar, High Court	15
	Senior Deputy Registrar, High Court	14
	Deputy Registrar, High Court	13
	Assistant Registrar, High Court ♦	12
District Court	Chief Judge of the District Court	15
	Principal Family Court Judge, District Court	14
	Judge of the District Court	13
District Court, Masters' Office	Registrar, District Court	11
	Deputy Registrar, District Court	10
Lands Tribunal	Member, Lands Tribunal	12
Magistrates' Courts	Chief Magistrate	13
	Principal Magistrate	11
	Magistrate	7 – 10
	Special Magistrate*	1 – 6
Labour Tribunal	Principal Presiding Officer, Labour Tribunal	11
	Presiding Officer, Labour Tribunal	10
Small Claims Tribunal	Principal Adjudicator, Small Claims Tribunal	11
	Adjudicator, Small Claims Tribunal	10
Obscene Articles Tribunal	Magistrate	7 – 10
Coroner's Court	Coroner	10

♦ There is at present no post in the rank of Assistant Registrar, High Court.

* The rank of Special Magistrate is being phased out and will be deleted from the list of judicial ranks in due course.

Judicial Service Pay Scale
(with effect from 1 April 2023)

Judicial Service Pay Scale (JSPS)		Rank
Point	\$	
19	411,500	✧ Chief Justice, Court of Final Appeal
18	399,950	✧ Permanent Judge, Court of Final Appeal ✧ Chief Judge of the High Court
17	360,650	✧ Justice of Appeal of the Court of Appeal of the High Court
16	343,750	✧ Judge of the Court of First Instance of the High Court
15	278,750	✧ Registrar, High Court ✧ Chief Judge of the District Court
14	(269,650)	✧ Senior Deputy Registrar, High Court ✧ Principal Family Court Judge, District Court
	(261,850)	
	254,200	
13	(252,500)	✧ Deputy Registrar, High Court ✧ Judge of the District Court ✧ Chief Magistrate
	(245,250)	
	238,150	
12	(217,450)	✧ Assistant Registrar, High Court ✧ Member, Lands Tribunal
	(211,200)	
	204,900	
11	(200,100)	✧ Registrar, District Court ✧ Principal Adjudicator, Small Claims Tribunal ✧ Principal Magistrate ✧ Principal Presiding Officer, Labour Tribunal
	(194,550)	
	188,750	
10	(183,150)	✧ Adjudicator, Small Claims Tribunal ✧ Coroner ✧ Deputy Registrar, District Court ✧ Presiding Officer, Labour Tribunal
	(177,750)	
	172,650	
10	(183,150)	✧ Magistrate
	(177,750)	
	172,650	
9	160,305	
8	156,555	
7	152,820	

Judicial Service Pay Scale (JSPS)		Rank
Point	\$	
6	117,365	◇ Special Magistrate*
5	111,920	
4	106,725	
3	104,235	
2	101,765	
1	99,335	

Note: Figures in brackets (for JSPS 10 – 14) represent increments. An officer may proceed to the first increment after satisfactory completion of two years of service in the rank and to the second increment after satisfactory completion of another three years of service in the rank.

* The rank of Special Magistrate is being phased out and will be deleted from the list of judicial ranks in due course.

Caseloads in Different Levels of Court between 2019 and 2023

No. of Cases Level of Court	2019	2020	2021	2022	2023
Court of Final Appeal					
- application for leave to appeal	493	342	599	728	395
- appeals	16	13	16	18	23
- miscellaneous proceedings	0	1	0	0	0
Total	509	356	615	746	418
Court of Appeal of the High Court					
- criminal appeals	376	241	316	249	251
- civil appeals	597	653	599	501	439
- miscellaneous proceedings	321	263	602	556	381
Total	1 294	1 157	1 517	1 306	1 071
Court of First Instance of the High Court					
- criminal jurisdiction					
• criminal cases	424	366	256	223	446
• confidential miscellaneous proceedings	340	440	545	883	749
• miscellaneous proceedings (criminal)	684	772	724	637	882
• appeals from Magistrates' Courts	603	428	608	460	496
- civil jurisdiction	19 050	17 984	15 080	14 412	17 094
Sub-total	21 101	19 990	17 213	16 615	19 667
- probate cases	21 005	16 521	21 978	23 006	26 298
Total	42 106	36 511	39 191	39 621	45 965
Competition Tribunal	1	3	2	3	3
District Court					
- criminal cases	961	1 119	1 171	1 193	1 331
- civil cases	25 942	24 153	22 827	21 377	24 826
- family cases	22 386	17 585	18 132	16 802	20 914
Total	49 289	42 857	42 130	39 372	47 071
Magistrates' Courts	332 746	317 104	372 456	383 512	386 776
Lands Tribunal	5 721	4 432	4 358	3 998	4 739
Labour Tribunal	4 323	3 533	4 278	3 378	4 348
Small Claims Tribunal	55 879	39 821	45 649	41 514	52 304

No. of Cases Level of Court	2019	2020	2021	2022	2023
Obscene Articles Tribunal*	21 163	14 131	38	34	14
Coroner's Court	117	98	154	131	195
Grand total	513 148	460 003	510 388	513 615	542 904

* The indicator is the number of articles referred to the Obscene Articles Tribunal for determination and classification. In 2019, 21 081 articles involving three cases were referred to the Tribunal for determination; and in 2020, 14 024 articles involving two cases for determination. In 2021, 2022 and 2023, 38, 34 and 14 articles respectively were referred to the Tribunal for classification only. No application for determination was received in 2021, 2022 and 2023.

Benefits and Allowances Specifically for Judges and Judicial Officers

Housing Allowances	Rate (as at 1 April 2024)
Judiciary Quarters Allowance* <i>(for Judges remunerated at or above JSPS¹ Point 16 who are eligible for Judiciary Quarters (JQs)²)</i>	\$182,593
Non-accountable Cash Allowance [#] <i>(for JJOs³ remunerated at JSPS Points 13 to 15)</i>	\$44,710
Home Financing Allowance [#] <i>(for JJOs remunerated at JSPS Point 12 or below)</i>	\$39,740 to \$44,710

Medical Insurance Allowance*	Rate (as at 1 April 2024)
JJOs at different ages	\$25,995 to \$60,838
Dependent Children	\$21,870

Leave Passage Allowance[@]	Rate (as at 1 April 2024)
Return rate at Level 3 for every 12-month cycle <i>(for Judges remunerated at or above JSPS Point 16)</i>	\$79,050
Return rate at Level 2 for every 12-month cycle <i>(for JJOs remunerated at JSPS Point 15)</i>	\$41,640
Return rate at Level 2 for every 24-month cycle <i>(for JJOs remunerated at JSPS Points 10 to 14)</i>	\$41,640

¹ JSPS denotes Judicial Service Pay Scale.

² The Allowance will only be provided during the period where JQs are not available for allocation to them or during renovation of JQs.

³ JJOs denotes Judges and Judicial Officers.

Judicial Dress Allowance*	Rate (as at 1 April 2024)
JJOs at various levels	\$9,189 to \$50,088

Local Education Allowance^	Rate (as at 1 September 2023)
Primary Education	\$50,658
Secondary Forms I to III	\$84,073
Secondary Forms IV and above	\$78,068

Note:

* revise annually on 1 April with reference to the change in the Composite Consumer Price Index (CPI) over the past 12 months ending 31 December.

revise annually on 1 April with reference to the movements of property prices in the preceding calendar year, but capped by the increase in CPI(A) in the corresponding period ending 31 December.

@ revise annually on 1 April according to the year-on-year changes in the package tour prices in CPI(C) for the 12-month period ending February.

^ revise annually on 1 September with reference to the change in the Composite CPI over the past 12 months ending 31 May.

