



維 護 法 治

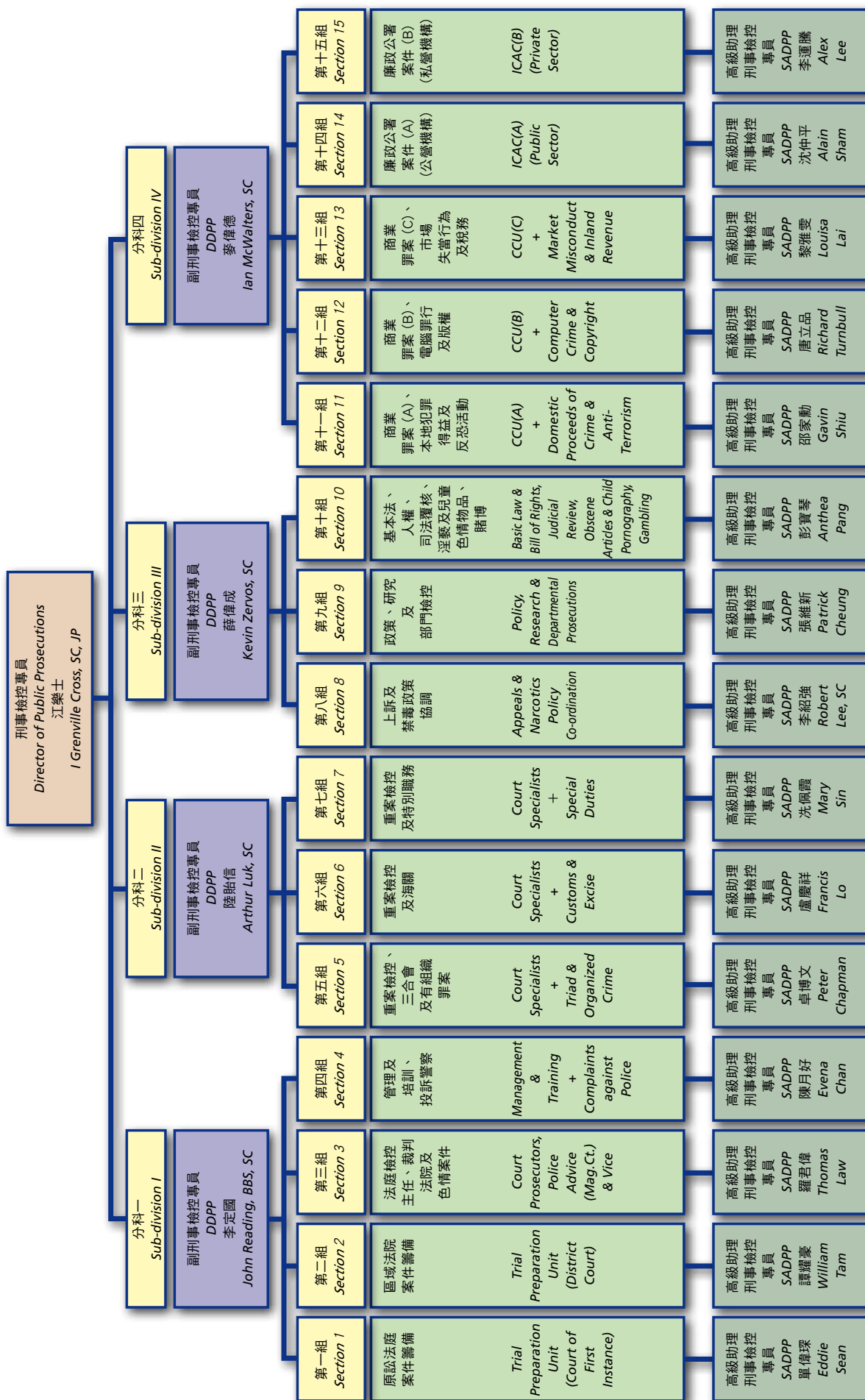
UPHOLDING THE RULE OF LAW

附錄

Appendices



刑事檢控科組織圖表  
Organization Chart of the Prosecutions Division, 2008



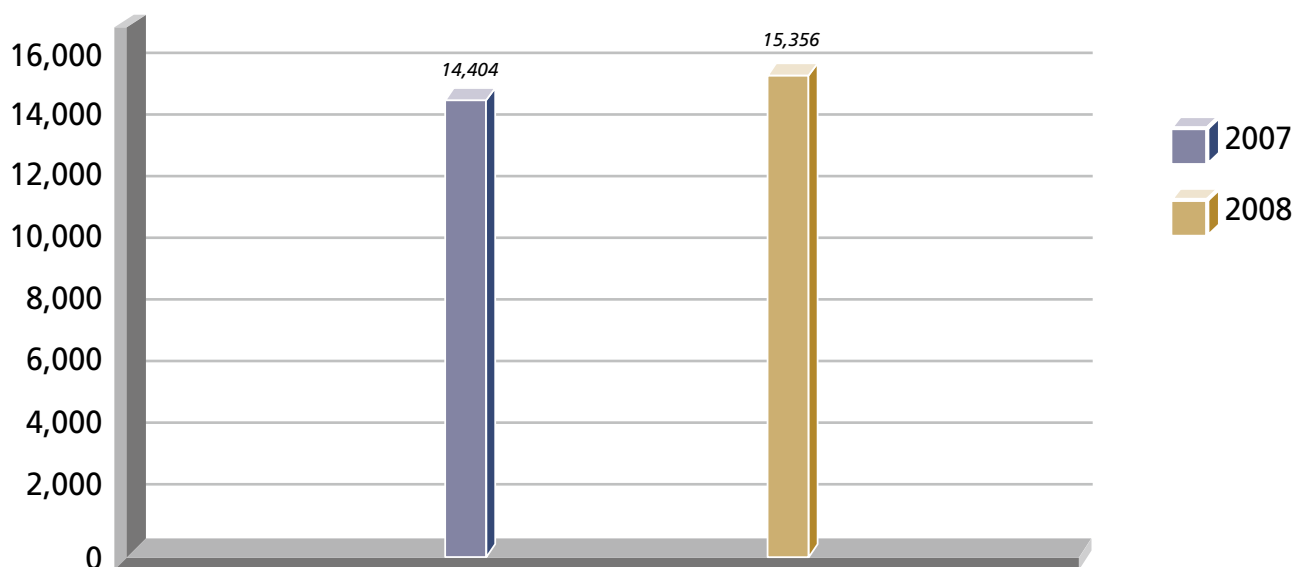
圖例 Legend :  
 DDPP = Deputy Director of Public Prosecutions  
 SADPP = Senior Assistant Director of Public Prosecutions  
 Mag. Ct. = Magistrates Courts  
 CCU = Commercial Crime Unit

## 附錄 II Appendix II

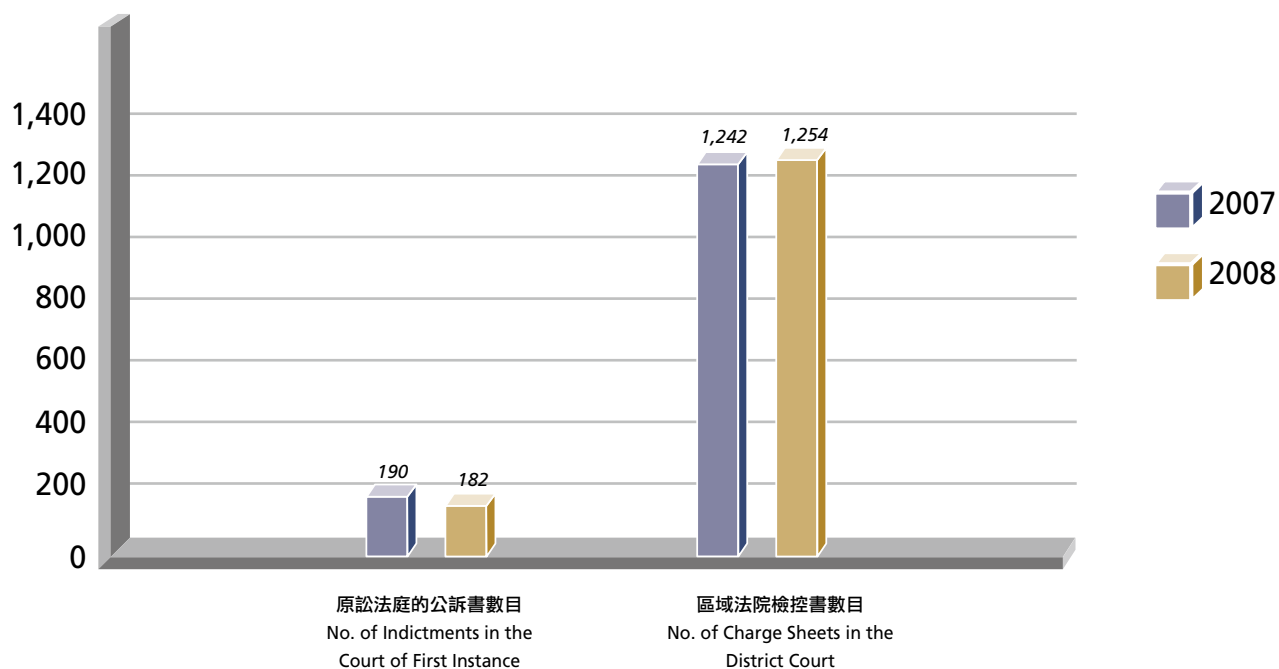
### 刑事檢控科的服務承諾 The performance pledges for the Prosecutions Division

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>在刑事訴訟程序方面執行律政司司長的檢控政策</li> </ul>   | <ul style="list-style-type: none"> <li>to apply the Secretary for Justice's Prosecution Policy in relation to criminal proceedings</li> </ul>  |
| <ul style="list-style-type: none"> <li>就提出和進行刑事訴訟的決定，周詳考慮所有有關事宜</li> </ul>  | <ul style="list-style-type: none"> <li>to give thorough consideration to all matters relevant to the making of decisions in relation to the institution and conduct of criminal proceedings</li> </ul>   |
| <ul style="list-style-type: none"> <li>在接獲執法機關諮詢該否提出起訴時，於<b>14個工作天</b>內作覆；如問題較為複雜，則於<b>14個工作天</b>內給予初步回覆，說明估計可於何時提供指引；如投訴警察課要求提供指引，於法律程序完成並取得所有資料後的<b>14天</b>內作覆</li> </ul> | <ul style="list-style-type: none"> <li>upon the receipt of a request from a law enforcement agency for advice on whether charges should be laid, to provide such advice within <b>14 working days</b>, and in more complex cases to provide an interim reply within <b>14 working days</b> with an estimated time within which the advice will be provided; for requests from CAPO, to provide information about court proceedings within <b>14 days</b> after all materials are available upon completion of those proceedings</li> </ul> |
| <ul style="list-style-type: none"> <li>在法院所定的期限內就案件有關事宜提供法律指引</li> </ul>  | <ul style="list-style-type: none"> <li>to provide legal advice in matters connected with court cases within the time limit set by the courts</li> </ul>  |
| <ul style="list-style-type: none"> <li>在裁判法院命令將被控人交付審判後<b>7天</b>內，擬備公訴書並送交原訟法庭</li> </ul>   | <ul style="list-style-type: none"> <li>to prepare and file indictments in the Court of First Instance within <b>7 days</b> of committal of the accused in the Magistracy</li> </ul>  |
| <ul style="list-style-type: none"> <li>在裁判法院命令將案件移交區域法院的日期後<b>14天</b>內，擬備控罪書並交付區域法院司法常務官</li> </ul>   | <ul style="list-style-type: none"> <li>to prepare and deliver charge sheets to the Registrar of the District Court within <b>14 days</b> after the date of the order of transfer of the case from the Magistracy to the District Court</li> </ul>  |
| <ul style="list-style-type: none"> <li>在刑事訴訟中，恪守充分而適當地向辯方披露資料的責任，尤其遵行與香港大律師公會和香港律師會就送達文件所達成的協議</li> </ul>   | <ul style="list-style-type: none"> <li>to rigorously comply with our obligation to make full and proper disclosure of material to the defence in criminal proceedings and in particular to abide by agreements reached with the Hong Kong Bar Association and the Law Society of Hong Kong in respect of the service of documents</li> </ul>   |
| <ul style="list-style-type: none"> <li>按照《罪行受害者約章》規定，將不提出檢控的決定通知罪行受害者並處理他們的查詢。</li> </ul>   | <ul style="list-style-type: none"> <li>to inform victims of crime of the decision not to prosecute, and to attend to their enquiries, in accordance with <i>The Victims of Crime Charter</i>.</li> </ul>   |

### 法律指引的數目 Number of Advices

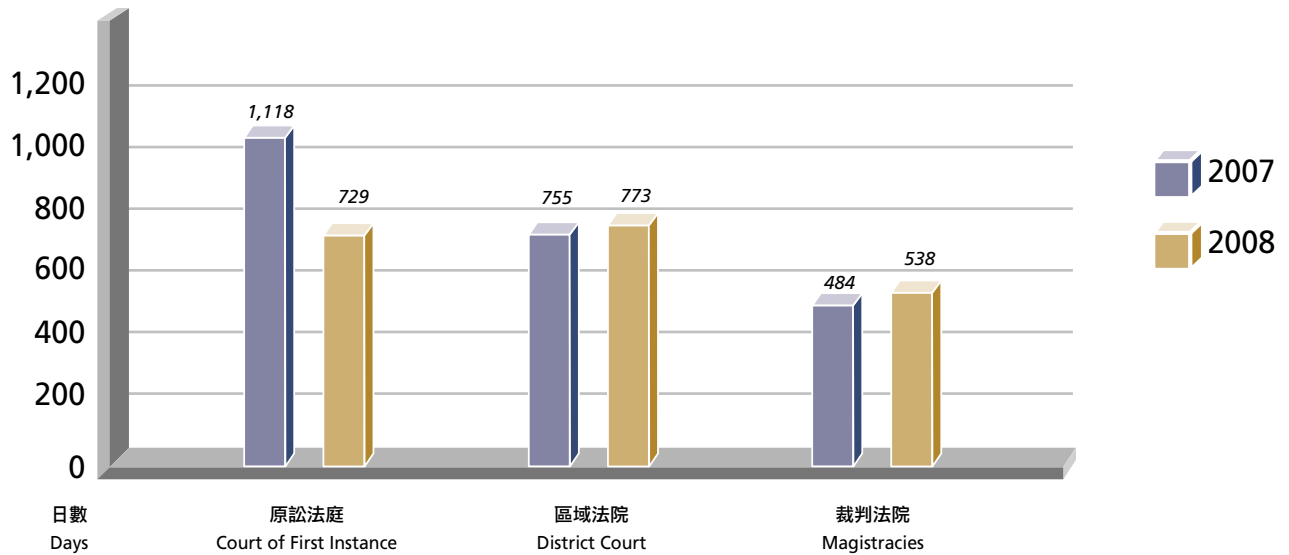


### 在原訟法庭和區域法院提出的檢控 Prosecutions brought in the Court of First Instance and the District Court



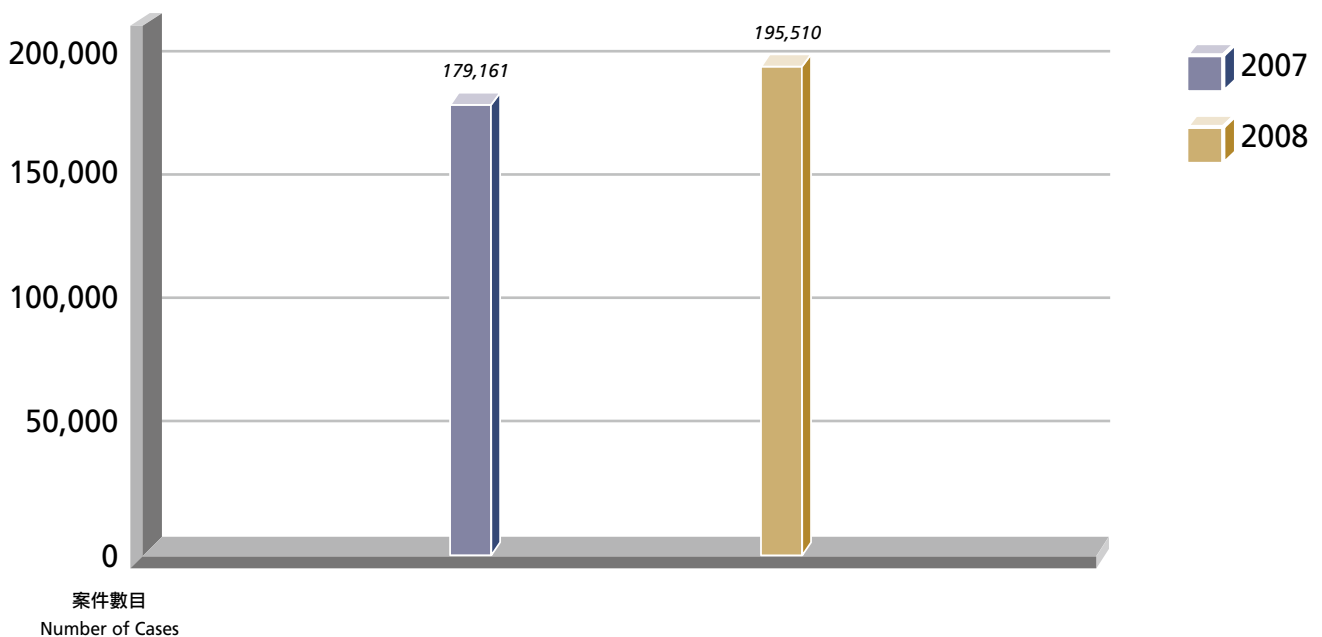
檢控官出席法庭聆訊日數

Number of court days attended by Public Prosecutors



案件總數 — 法庭檢控主任

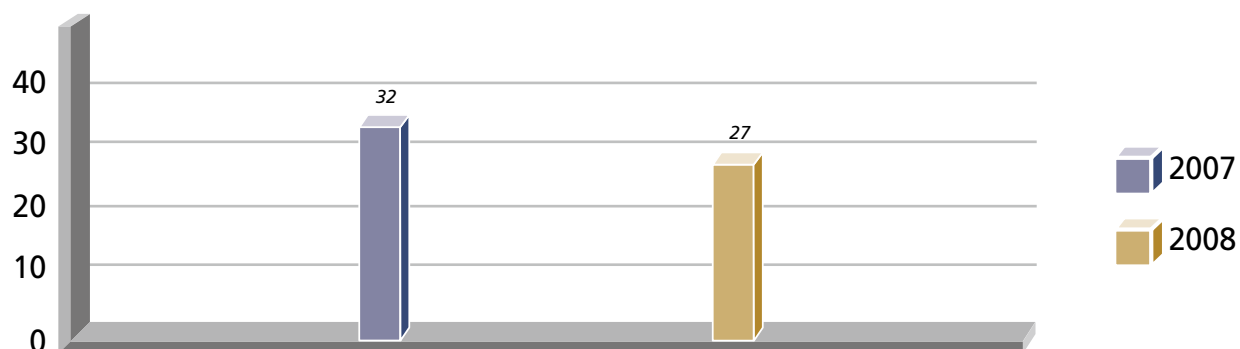
Caseload – Court Prosecutors



### 其他聆訊 Miscellaneous Hearings

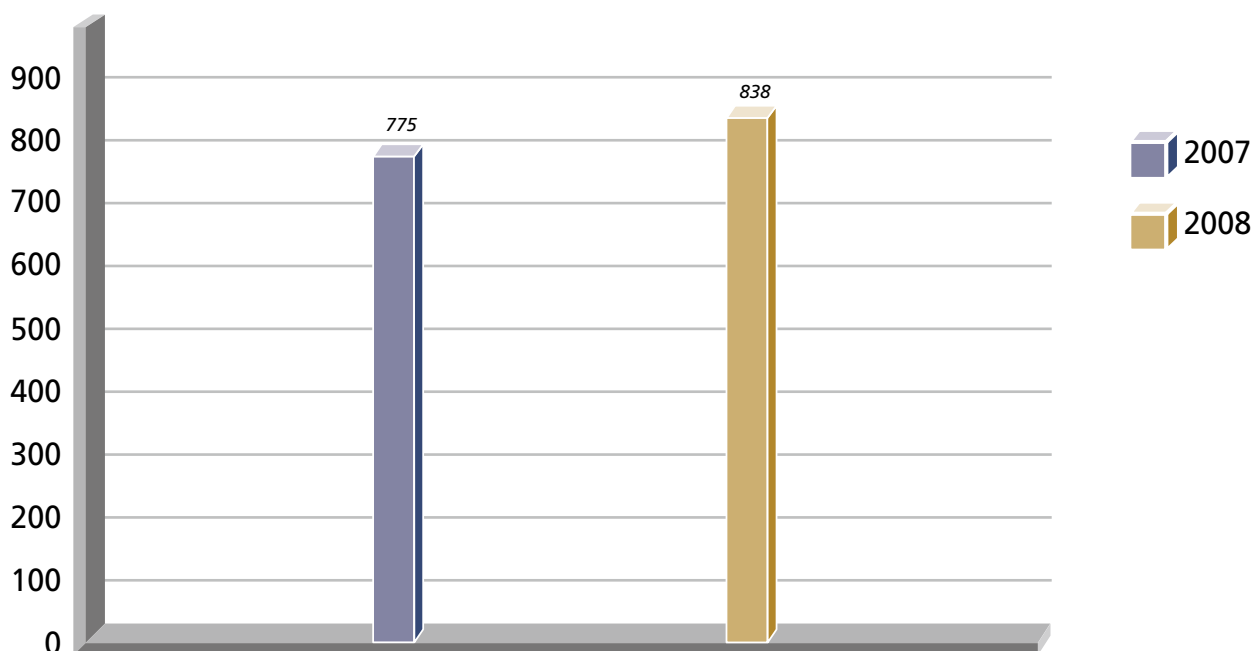
#### 檢控官出席的死因研訊數目

Number of death inquests attended by Public Prosecutors



#### 在高等法院提出的保釋申請數目

Number of bail applications in the High Court



附錄 III  
Appendix III

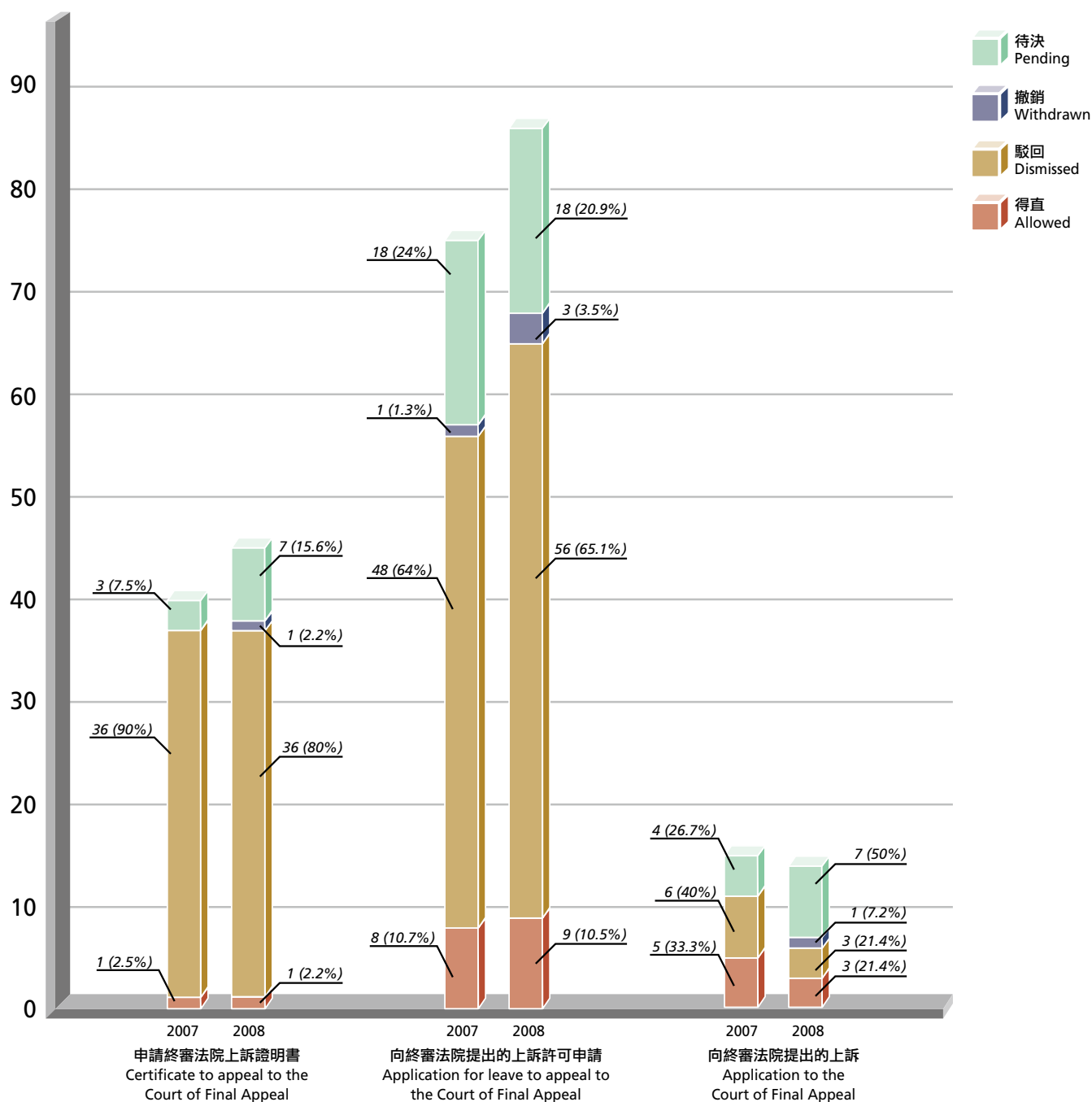
## 上訴 Appeals

### 被告人向終審法院提出的上訴

### Appeals by Defendants to the Court of Final Appeal

2008年，終審法院已經審結或正處於終審法院審理前法律程序階段的案件共有113宗，有待處理的案件共有32宗。2007年內則分別有105宗和25宗。

In 2008, a total 113 cases was concluded in the Court of Final Appeal or in proceedings preliminary to a hearing in that court. There were 32 such cases pending. The figures for 2007 were 105 and 25 respectively.

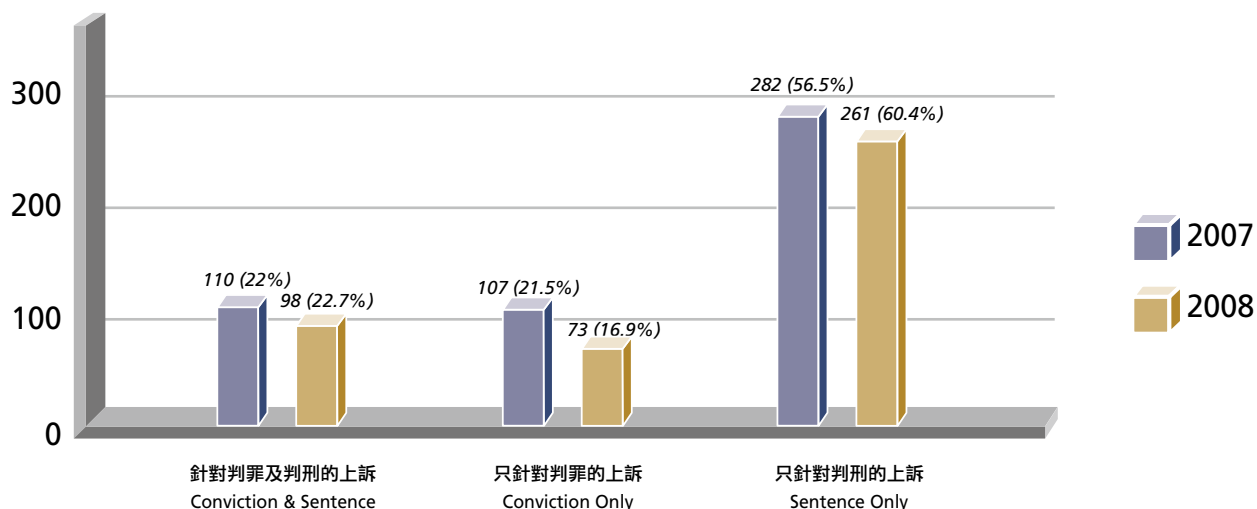


### 被告人向上訴法庭提出的上訴

#### Appeals by Defendants to the Court of Appeal

在2008年，提交上訴法庭的上訴共有432宗，而2007年內則有499宗。

In 2008, a total of 432 appeals was filed in the Court of Appeal. The figure in 2007 was 499.

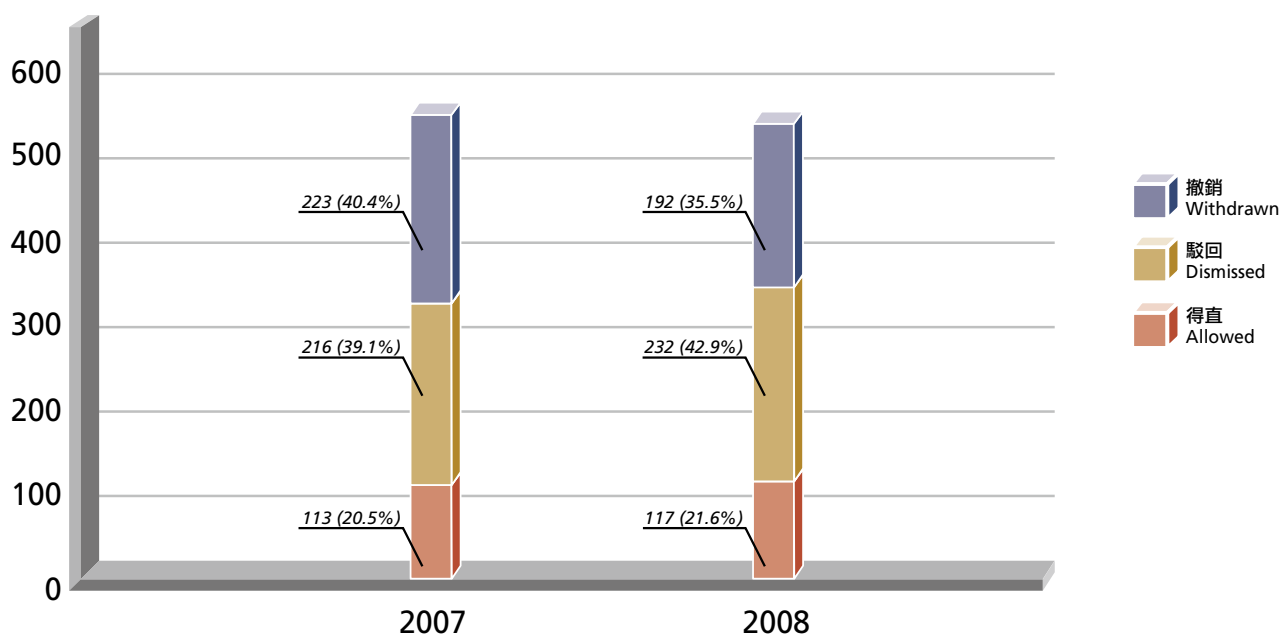


### 被告人向上訴法庭提出上訴的結果

#### Results of Appeals by Defendants to the Court of Appeal

在2007年和2008年，分別共有552宗和541宗上訴有裁決結果。

During 2007 and 2008, a total of 552 and 541 appeals, respectively, was determined.



# 附錄 III

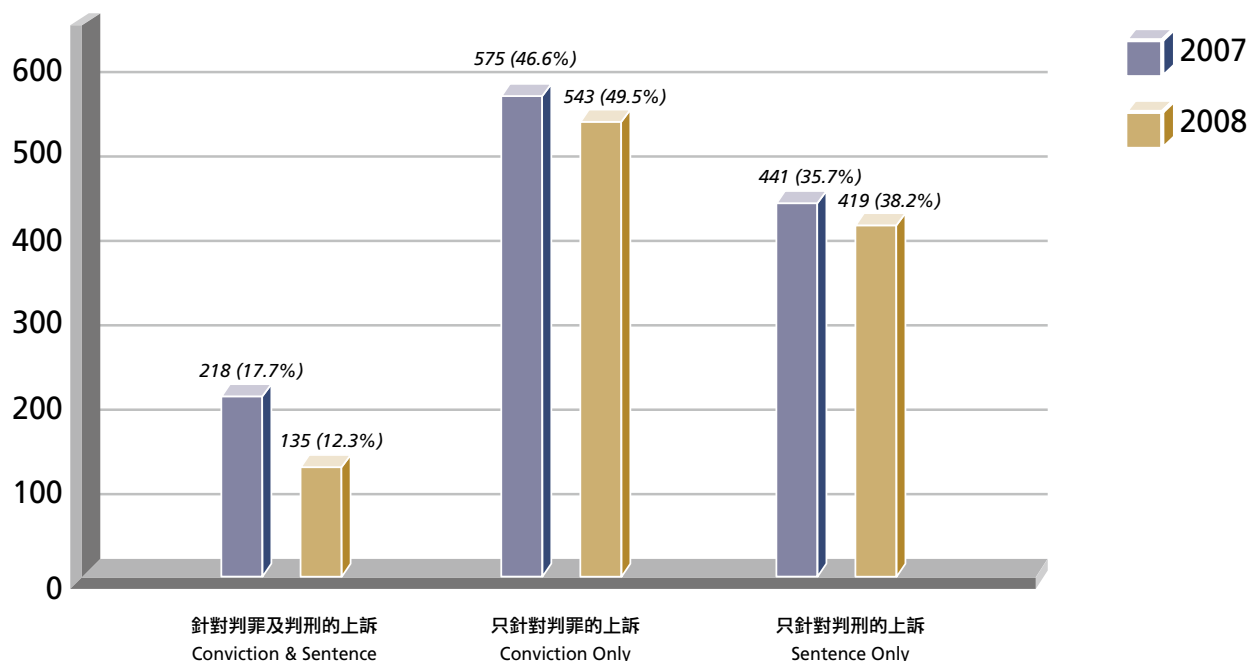
## Appendix III

### 被告人向原訟法庭提出的上訴

#### Appeals by Defendants to the Court of First Instance

在2008年，向原訟法庭提出上訴的裁判法院案件共有1,097宗，而2007年則有1,234宗。

In 2008, a total of 1,097 Magistracy Appeals was filed in the Court of First Instance. The figure in 2007 was 1,234.

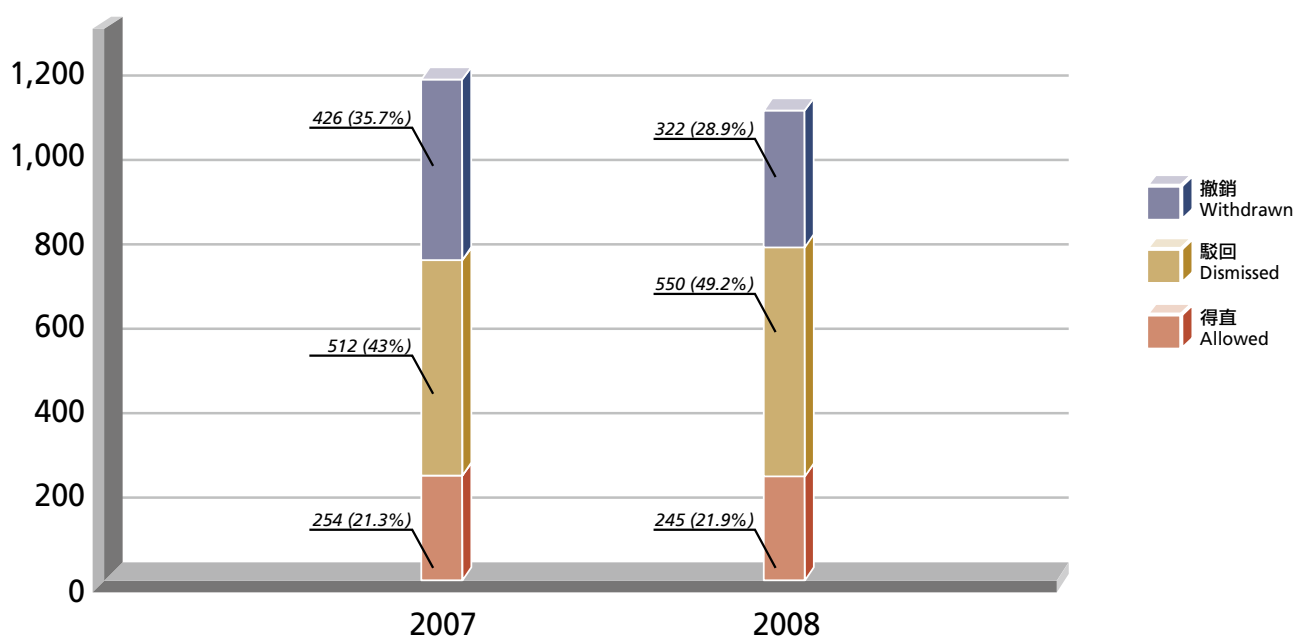


### 被告人向原訟法庭提出上訴的結果

#### Results of Appeals by Defendants to the Court of First Instance

在2007年和2008年，審結的裁判法院上訴案件分別共有1,192宗和1,117宗。

During 2007 and 2008, a total of 1,192 and 1,117 Magistracy Appeals, respectively, was concluded.

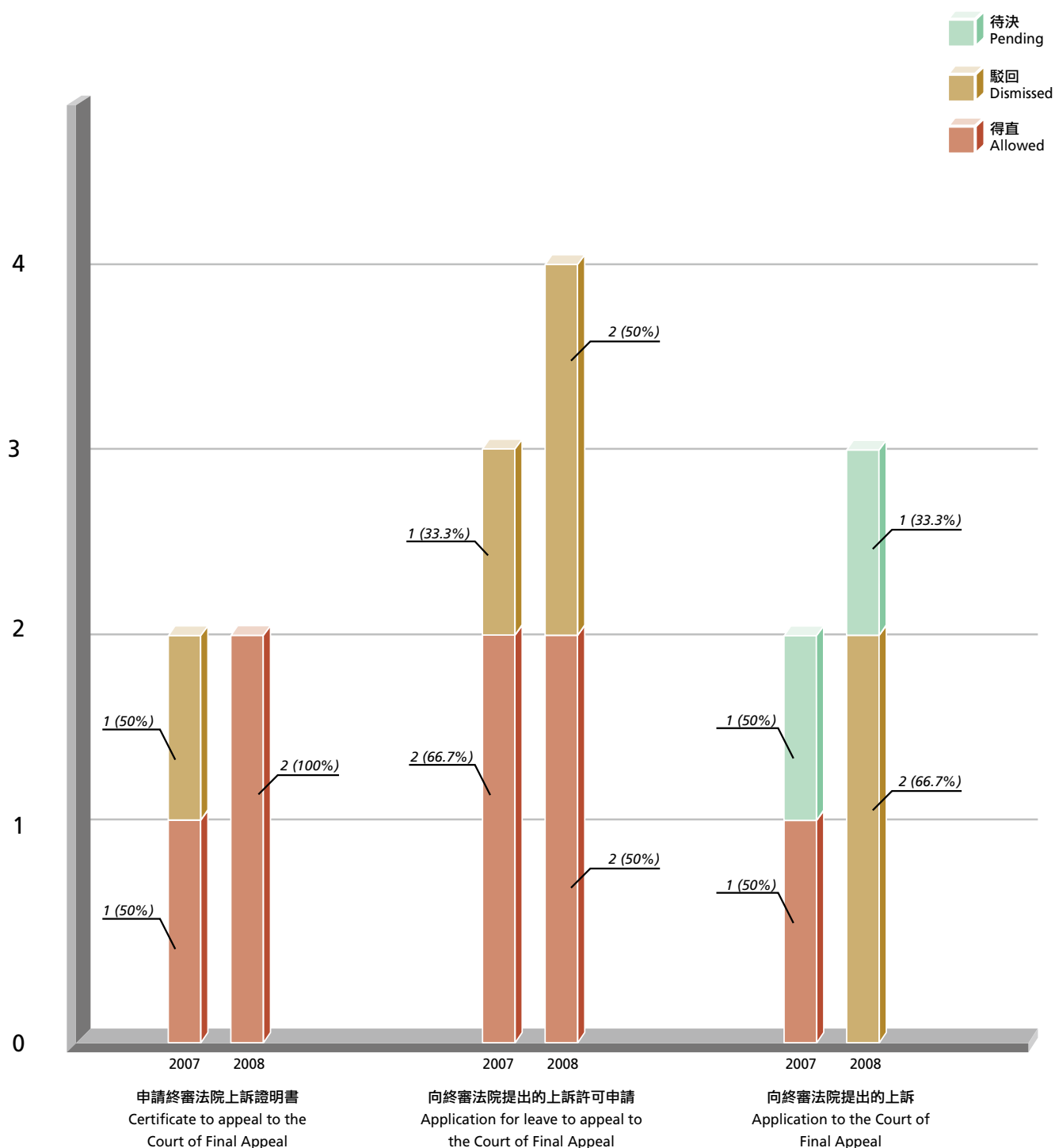


### 檢控部門向終審法院提出的上訴

#### Appeals by the Prosecution to the Court of Final Appeal

2008年，在終審法院進行聆訊或進行聆訊前初步法律程序的案件共有8宗，有待處理的案件共有1宗。而2007年內則分別有6宗和1宗。

In 2008, 8 cases were heard in the Court of Final Appeal or in proceedings preliminary to a hearing in that court. There was 1 such case pending. The figures for 2007 were 6 and 1 respectively.



## 附錄 III Appendix III

### 檢控部門向上訴法庭提出的覆核判刑申請

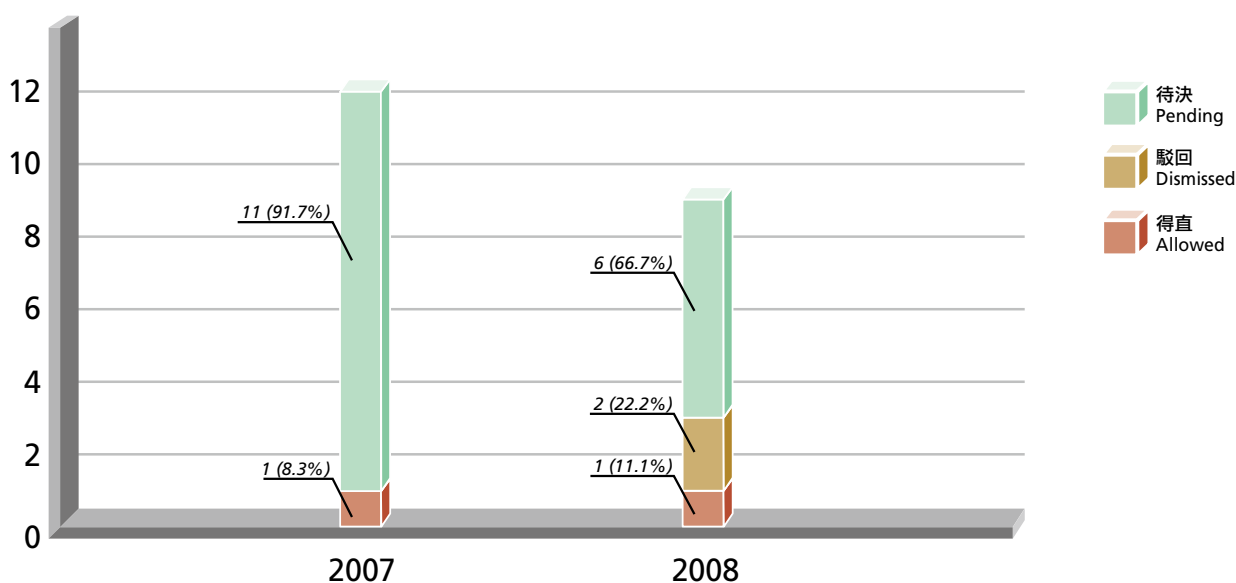
#### Applications by the Prosecution to review sentences to the Court of Appeal

在2007年和2008年，律政司司長分別考慮了18宗和13宗案件，以決定是否要提出覆核判刑申請。

Total numbers of applications considered by SJ for review of sentence in 2007 and 2008 were 18 and 13 respectively.

在這兩年內，提出覆核判刑申請的總數分別是12宗和9宗。

Total numbers of applications initiated in 2007 and 2008 were 12 and 9 respectively.



### 檢控部門以案件呈述方式提出的上訴

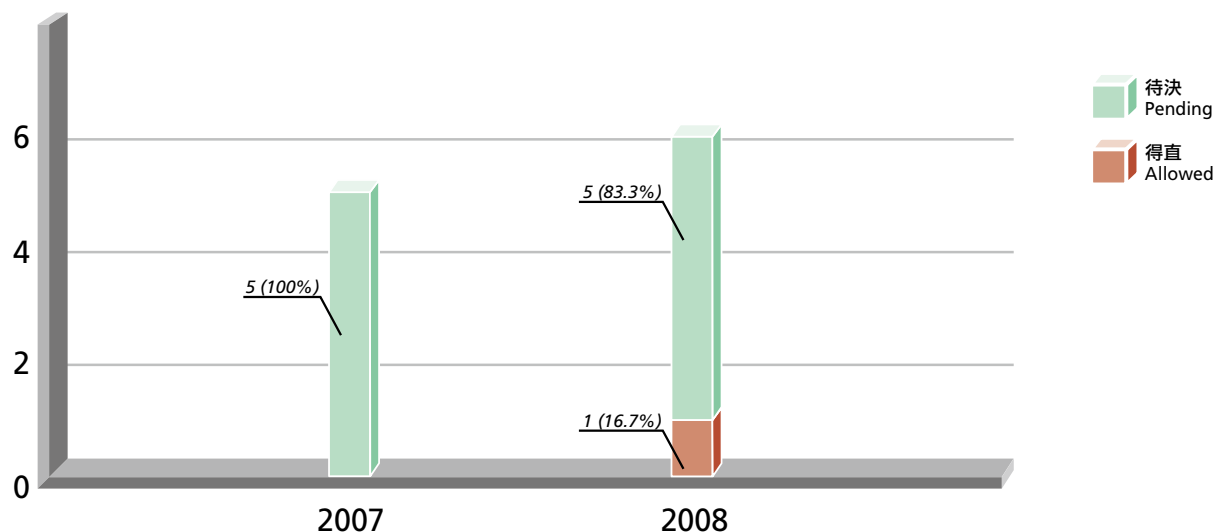
#### Appeals by the Prosecution by way of case stated

在2007年和2008年，考慮以案件呈述方式提出上訴申請的總數分別為7宗和9宗。

Total numbers of applications considered in 2007 and 2008 were 7 and 9 respectively.

在這兩年內，提出有關上訴申請的總數分別為5宗和6宗。

Total numbers of applications initiated in 2007 and 2008 were 5 and 6 respectively.



### 根據《裁判官條例》第104條提出的覆核 Reviews under Section 104, Magistrates Ordinance

在2007年和2008年，進行覆核聆訊的案件分別有70宗和45宗。

Total numbers of reviews heard in 2007 and 2008 were 70 and 45 respectively.

