



## 統計數字 Statistics

### 服務表現的標準及目標

在 2021 年，刑事檢控科除處理出庭檢控的工作外，也向政府決策局及執法機關提供了共 15,410 份涉及刑事事宜的法律指引。在所有尋求法律指引的案件中，88.4% 符合本科的服務承諾，即在 14 個工作天內作出回覆，而 2020 年則是 82.3%。

#### 工作量

##### 審訊籌備及提供法律指引的工作

本科在 2021 年提供法律指引的次數較 2020 年增加 10.9%。本科檢控人員會確保提出和進行檢控方面的處理手法貫徹一致，以及在向執法機關提供法律指引時充分斟酌最新法律發展。

### Performance Standards and Targets

In 2021, in addition to court work, the Division gave a total of 15,410 legal advice on criminal matters to government bureaux and law enforcement agencies. Of all the requests for legal advice, 88.4% were replied to within 14 working days in accordance with our performance target, as compared to 82.3% in 2020.

#### Caseload

##### Trial preparation and advisory work

The number of legal advice given in 2021 increased by 10.9% as compared to 2020. Prosecutors will ensure that there is consistency in our approach in initiating and conducting prosecutions, and that recent developments in law are adequately addressed in their advice to law enforcement agencies.

2020 13,895

提供法律指引次數  
Number of legal advice given

2021 15,410

2020 366

籌備由原訟法庭審理的案件數目  
Number of cases prepared for the Court of First Instance

2021 256

2020 1,098

籌備由區域法院審理的案件數目  
Number of cases prepared for the District Court

2021 1,120

### 本科檢控人員及外判律師代替本科檢控人員在各級法院出庭檢控的工作

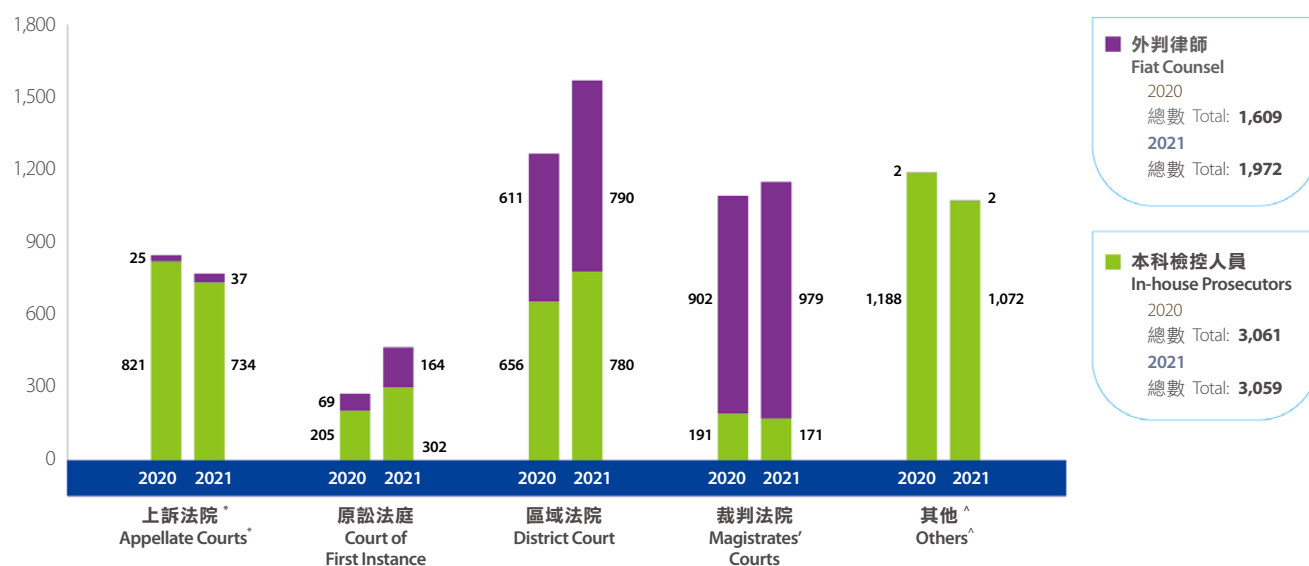
年內處理的案件總數錄得上升。與 2020 年相比，由本科檢控人員處理的案件數目幾乎相同，由外判律師處理的案件數目則上升 22.6%。

### Court work undertaken by In-house Prosecutors and Fiat Counsel in place of In-house Prosecutors in all levels of courts

There was an increase in the total number of cases conducted for the year. As compared to 2020, the number of cases conducted by in-house prosecutors was nearly the same while the number of cases conducted by fiat counsel increased by 22.6%.

### 本科檢控人員及外判律師處理的案件數目

#### Number of cases conducted by In-house Prosecutors and Fiat Counsel



\* 包括裁判法院上訴案件，以及在上訴法庭和終審法院聆訊的上訴案件。  
This includes magistracy appeals and appeals heard in the Court of Appeal and the Court of Final Appeal.

<sup>^</sup> 包括限制令申請、死因研訊、保釋申請、訟費評定及高等法院的雜項程序。  
This includes restraint applications, death inquests, bail applications, taxation of costs and High Court miscellaneous proceedings.

## 法庭檢控主任及外判律師代替法庭檢控主任在裁判法院出庭檢控的工作

## Court work undertaken by Court Prosecutors and Fiat Counsel in place of Court Prosecutors in the Magistrates' Courts

2020

110,391

法庭檢控主任及外判律師在裁判法院處理的案件數目  
Number of Cases conducted by Court Prosecutors  
and Fiat Counsel in place of Court Prosecutors in the  
Magistrates' Courts

2021

148,282

## 案件的結果

## Case Outcomes

### 定罪率

### Conviction rates

刑事檢控科用以計算定罪率的統計數字，是以被告人數為基礎\*。

The statistics used by the Prosecutions Division to calculate the conviction rates are defendant-based\*.

	認罪後被定罪的被告人數 No. of defendants convicted on own plea (A)	經審訊後被定罪的被告人數 No. of defendants convicted after trial (B)	經審訊後裁定無罪的被告人數 <sup>^</sup> No. of defendants acquitted after trial <sup>^</sup> (C)	經審訊後的定罪率 Conviction rate after trial (B)÷[(B)+(C)]	包括認罪案件的定罪率 Conviction rate including guilty plea [(A)+(B)]÷[(A)+(B)+(C)]
裁判法院 Magistrates' Courts					
2020	841	1,214	1,101	52.4%	65.1%
2021	1,448	2,077	1,587	56.7%	69.0%
區域法院 District Court					
2020	674	134	56	70.5%	93.5%
2021	884	198	95	67.6%	91.9%
原訟法庭 Court of First Instance					
2020	187	36	28	56.3%	88.8%
2021	220	64	62	50.8%	82.1%

\* 舉例而言，一名被告如被控以四項罪名，最終被裁定一項罪名成立而其他三項罪名不成立，由於定罪率是以被告人數為基礎，這會視為一宗被定罪的案件。

For example, if a defendant faces four charges and if he has been convicted of one charge but not the other three charges, because the conviction rates are defendant-based, this will be regarded as a conviction case.

<sup>^</sup> 此欄包括“不提證據起訴”及“簽保”案件的數目。

The numbers in this column include “offering no evidence” and “bound-over” cases.

## 終審法院及相關申請

## Court of Final Appeal and related applications

	由被告提出 By Defendants		由刑事檢控科提出 By Prosecutions	
	2020	2021	2020	2021
終審法院上訴證明書： Certificate to appeal to the Court of Final Appeal:				
得直 Allowed	1	1	0	0
駁回 Dismissed	27	17	0	0
撤銷 Withdrawn	2	0	0	0
待決 <sup>註</sup> Pending <sup>Note</sup>	6	5	0	0
<b>總數 Total</b>	<b>36</b>	<b>23</b>	<b>0</b>	<b>0</b>
向終審法院提出的上訴許可申請： Application for leave to appeal to the Court of Final Appeal:				
得直 Allowed	2	9	0	0
駁回 Dismissed	54	54	1	0
撤銷 Withdrawn	2	4	0	0
待決 <sup>註</sup> Pending <sup>Note</sup>	40	8	0	0
<b>總數 Total</b>	<b>98</b>	<b>75</b>	<b>1</b>	<b>0</b>
向終審法院提出的上訴： Appeal to the Court of Final Appeal:				
得直 Allowed	1	4	1	0
駁回 Dismissed	4	5	0	0
撤銷 Withdrawn	0	0	0	0
待決 <sup>註</sup> Pending <sup>Note</sup>	1	1	0	0
<b>總數 Total</b>	<b>6</b>	<b>10</b>	<b>1</b>	<b>0</b>

註 - 指於該年提出但尚未完成處理的申請數目。

Note - This refers to the number of applications initiated and had not yet been concluded in the respective year.

## 上訴法庭

### 被告提出的上訴 By Defendants

2020 2021  
總數 Total: 319 總數 Total: 304

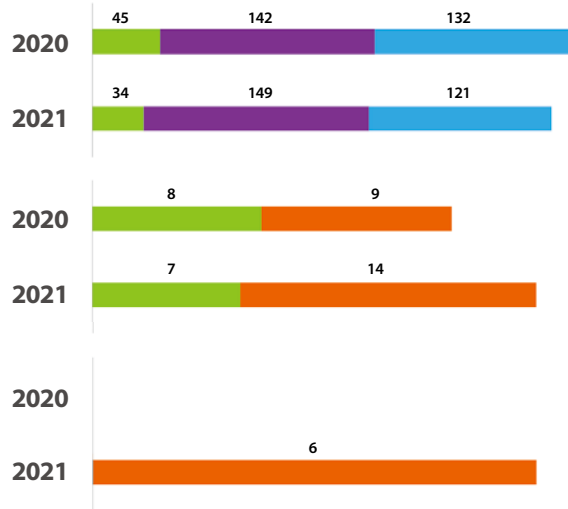
### 刑事檢控科提出的覆核刑罰申請 By Prosecutions Division to review sentences

2020 2021  
總數 Total: 17 總數 Total: 21

### 刑事檢控科以案件呈述方式提出的上訴 By Prosecutions Division by way of case stated

2020 2021  
總數 Total: 0 總數 Total: 6

## Court of Appeal



## 原訟法庭

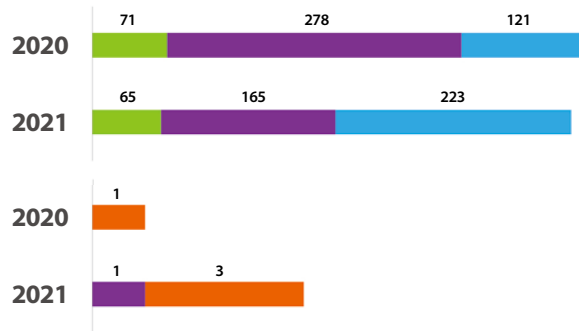
### 被告提出的上訴 By Defendants

2020 2021  
總數 Total: 470 總數 Total: 453

### 刑事檢控科以案件呈述方式提出的上訴 By Prosecutions Division by way of case stated

2020 2021  
總數 Total: 1 總數 Total: 4

## Court of First Instance



■ 得直 Allowed ■ 駁回 Dismissed ■ 撤銷 Withdrawn ■ 待決<sup>註</sup> Pending<sup>Note</sup>

註 - 指於該年提出但尚未完成處理的申請數目。

Note - This refers to the number of applications initiated and had not yet been concluded in the respective year.

## 在法庭雙語並用的狀況

(以中文審理的刑事案件百分率)

## Bilingualism in courts

(Percentage of criminal cases conducted in Chinese)

