

# 統計數字 Statistics



## 服務表現的標準及目標

在 2018 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 13,105 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，92% 符合本科的服務承諾，即在 14 個工作天內作出回覆，而 2017 年則是 92.3%。

### 工作量

#### 審訊籌備及提供法律指引的工作

本科在 2018 年提供法律指引的次數較 2017 年減少 5%。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。

	2017	2018
提供法律指引次數 Number of legal advice given	13,790	13,105
籌備由原訟法庭審理的案件數目 Number of cases prepared for the Court of First Instance	457	413
籌備由區域法院審理的案件數目 Number of cases prepared for the District Court	1,157	1,183

#### 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

去年處理的案件總數輕微上升，但出庭日數卻有所下跌。與 2017 年相比，由本科檢控人員處理的案件數目增加 11.7%，由外判律師處理的案件數目則下跌 19.9%。本科檢控人員和外判律師的出庭日數分別下跌 3.9% 和 9.1%。

## Performance Standards and Targets

In 2018, in addition to court work, the Division gave a total of 13,105 pieces of legal advice on criminal matters to government bureaux and law enforcement agencies. Of all the requests for legal advice, 92% were replied to within 14 working days in accordance with our performance pledge, as compared to 92.3% in 2017.

### Caseload

#### Trial preparation and advisory work

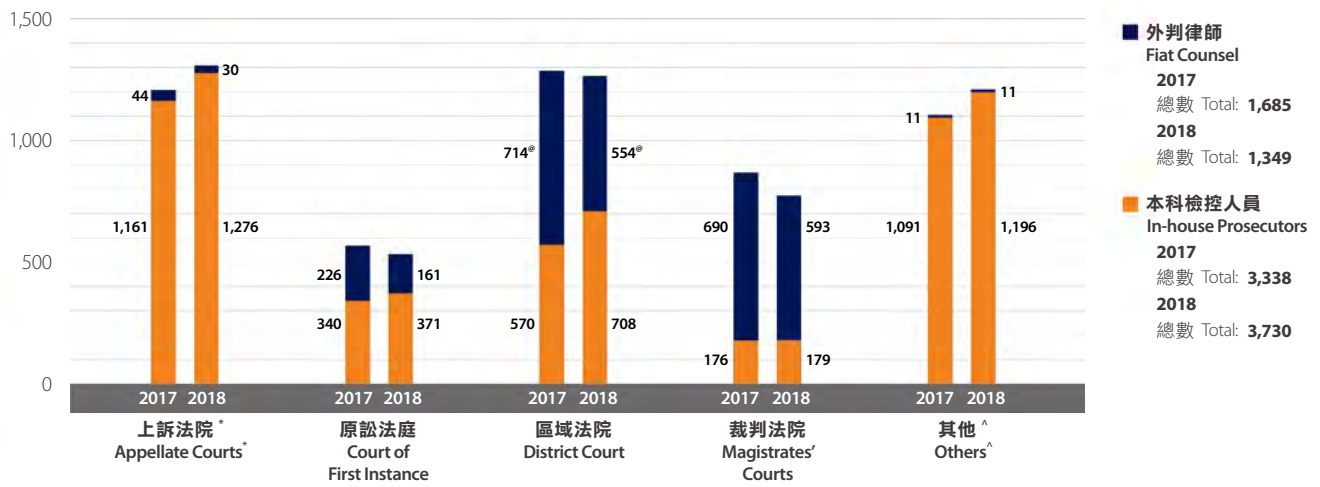
The number of legal advice given in 2018 decreased by 5% as compared to 2017. Prosecutors will ensure that there is consistency in our approach in initiating and conducting prosecutions, and that recent development in law is adequately addressed in their advice to law enforcement agencies.

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

There was a slight increase in the total number of cases conducted for the year but the number of court days had decreased. As compared to 2017, the number of cases conducted by in-house prosecutors increased by 11.7% while the number of cases conducted by fiat counsel decreased by 19.9%. The number of court days undertaken by in-house prosecutors and fiat counsel decreased by 3.9% and 9.1% respectively.

## 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



## 本科檢控人員及外判律師的出庭日數

## Number of court days undertaken 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.

^ 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.

@ 包括自 2017 年 2 月起由外判律師處理的“答辯和判刑”案件的數目。  
This includes the number of “plea and sentence” cases briefed out to Fiat Counsel since February 2017.

+ 包括自 2017 年 2 月起由外判律師處理的“答辯和判刑”案件的出庭日數。  
This includes the number of court days in respect of “plea and sentence” cases briefed out to Fiat Counsel since February 2017.

# 以四捨五入方式計算至最接近的整數。  
The number is rounded up to the nearest whole number.

## 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

	2017	2018
案件數目 Number of Cases	150,387	146,352
出庭日數 Number of Court Days		
法庭檢控主任的出庭日數 Number of court days undertaken by Court Prosecutors	8,134 <sup>#</sup>	7,839
外判律師代替法庭檢控主任出庭的日數 Number of court days undertaken by Fiat Counsel in place of Court Prosecutors	5,466 <sup>#</sup>	4,815

# 以四捨五入方式計算至最接近的整數。  
The number is rounded up to the nearest whole number.

## 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					
2017	1,766	1,909	1,543	55.3%	70.4%
2018	1,644	1,925	1,423	57.5%	71.5%
區域法院 District Court					
2017	888	227	62	78.5%	94.7%
2018	872	171	118	59.2%	89.8%
原訟法庭 Court of First Instance					
2017	412	75	31	70.8%	94.0%
2018	328	89	42	67.9%	90.8%

\* 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（“終院”）及相關申請

## Court of Final Appeal (“CFA”) and related applications

	由被告提出 By Defendants		由刑事檢控科提出 By Prosecutions	
	2017	2018	2017	2018
終院上訴證明書： Certificate to appeal to CFA:				
得直 Allowed	3	3	0	1
駁回 Dismissed	26	37	0	1
撤銷 Withdrawn	2	2	0	0
待決 <sup>註</sup> Pending <sup>Note</sup>	6	7	1	0
總數 Total	<b>37</b>	<b>49</b>	<b>1</b>	<b>2</b>
向終院提出的上訴許可申請： Application for leave to appeal to CFA:				
得直 Allowed	10	27	1	2
駁回 Dismissed	44	47	0	0
撤銷 Withdrawn	2	3	0	0
待決 <sup>註</sup> Pending <sup>Note</sup>	35	23	1	0
總數 Total	<b>91</b>	<b>100</b>	<b>2</b>	<b>2</b>
向終院提出的上訴： Appeal to CFA:				
得直 Allowed	7	22	0	1
駁回 Dismissed	5	2	1	0
撤銷 Withdrawn	0	0	0	0
待決 <sup>註</sup> Pending <sup>Note</sup>	8	11	0	1
總數 Total	<b>20</b>	<b>35</b>	<b>1</b>	<b>2</b>

註 - 於該年提出的申請。

Note - Applications initiated in the year concerned.

## 上訴法庭

### 被告提出的上訴 By Defendants

2017  
總數 Total: 396  
2018  
總數 Total: 407

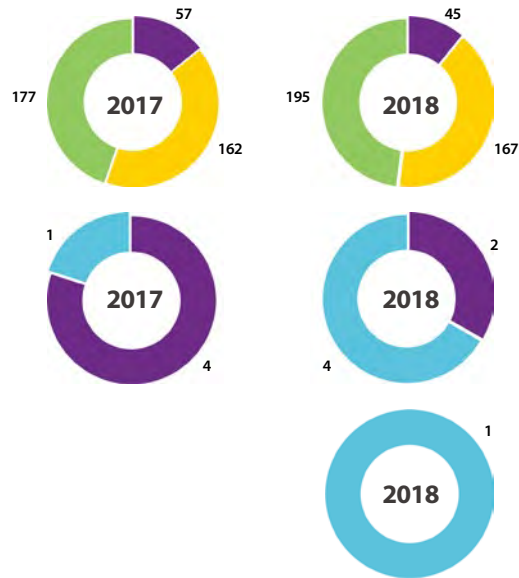
### 刑事檢控科提出的覆核刑罰申請<sup>註</sup> By Prosecutions Division to review sentences<sup>Note</sup>

2017  
總數 Total: 5  
2018  
總數 Total: 6

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

2017  
總數 Total: 0  
2018  
總數 Total: 1

## Court of Appeal



## 原訟法庭

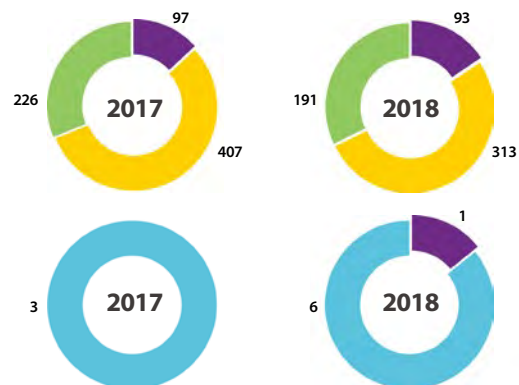
### 被告提出的上訴 By Defendants

2017  
總數 Total: 730  
2018  
總數 Total: 597

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

2017  
總數 Total: 3  
2018  
總數 Total: 7

## Court of First Instance



註 - 於該年提出的申請。  
Note - Applications initiated in the year concerned.

得直 Allowed    駁回 Dismissed    撤銷 Withdrawn    待決 Pending

## 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)

