

Courts (Remote Hearing) Ordinance comes into operation

The following is issued on behalf of the Judiciary:

The Courts (Remote Hearing) Ordinance (the Ordinance) takes effect upon gazettal today (March 28). The Ordinance provides a clear legal basis for judges and judicial officers to order remote hearings for court proceedings at various levels of courts and tribunals where appropriate, having regard to the requirements under the Ordinance.

Remote hearing is one of the Judiciary's key technology initiatives for enhancing the efficiency of court operations. Remote hearing saves time for parties and other participants (such as witnesses) to commute to law courts buildings for attending court proceedings, thereby facilitating the listing of court proceedings. It also facilitates the courts in better tackling unforeseen circumstances where physical presence by parties may not be possible.

A spokesman for the Judiciary said, "Since 2020, the Judiciary has conducted over 2 100 remote hearings at various levels of courts and tribunals, and the experience has been positive. The Judiciary will step up promotion for remote hearing. We are also prepared to conduct remote hearings more often in suitable proceedings, particularly for short proceedings (such as three-minute hearings) and non-trial criminal proceedings."

The Judiciary would like to remind all court users that the Ordinance has introduced new offences to criminalise unauthorised recording, publishing and broadcast of proceedings in physical and remote hearings. Anyone who commits the offences is liable to a maximum penalty of five years' imprisonment and a fine of \$100,000.

The Ordinance has also amended section 7 of the Summary Offences Ordinance (Cap. 228) to expand the coverage of the offence of taking photographs in courts to include making images or audio records of any court premises and any person on court premises; and to increase the maximum penalty to one year's imprisonment and a fine of \$50,000.

While remote hearing is generally applicable to both civil proceedings and non-trial criminal proceedings, the Judiciary plans to start conducting remote hearings for the latter in about six months' time so as to allow time for stakeholders to get prepared. The Judiciary will issue practice directions by phases to specify the operational details for conducting remote hearings, including the application procedures, guidelines and related issues.