

**Replies to written questions raised by Finance Committee Members in  
examining the Draft Estimates of Expenditure 2001-02**

**[Bureau Secretary/Controlling Officer : Director of Administration]  
[Session No. : 18]**

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Bureau Serial No.

CSO001

Question Serial No.

0055

Examination of draft Estimates of Expenditure 2001-02

**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head : 800 - Disaster Relief Subhead (No. & title) :

Programme :

Controlling Officer :

Bureau Secretary : Director of Administration

Question : According to the revenue analysis in relation to the Disaster Relief Fund, the refund of grants amounted to \$1.518 million in the revised estimate in 2000-01. Why were such grants refunded?

Asked by : Hon Eric Li Ka-cheung

Reply : Should the actual expenditure on approved items of a relief project receiving grant from the Disaster Relief Fund be less than the amount of grant, or due to changed circumstances, a relief organisation has not been able to implement a relief project as originally proposed, the relief organisation is required to refund to the Government the excess or unspent amount. In 2000-01, 6 relief organisations returned a total of about \$1.518 million to the Government for 7 approved relief projects under these circumstances.

|                       |                            |
|-----------------------|----------------------------|
| Signature             | _____                      |
| Name in block letters | Andrew H Y Wong            |
| Post Title            | Director of Administration |
| Date                  | 17 March 2001              |

Examination of draft Estimates of Expenditure 2001-02

**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head : 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary

Subhead (No. & title) :

Programme : (1) Efficiency Unit

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question : The financial provision for the Efficiency Unit for 2001-02 is over \$50m, far exceeding the financial provisions of \$20m odd and \$10m odd for 2000-01 and 1999-2000 respectively, and representing an increase of over 100%. Would you please detail the ways in which the increased expenditure is to be incurred and indicate in percentage how each item contributes to the increase?

Asked by : Dr Hon Yeung Sum

Reply : The financial provision for the Efficiency Unit for 2001-02 is \$30.3 million higher than the provision for 2000-01, which in turn is \$10.4 million higher than the actual expenditure of 1999-2000.

The increase by \$30.3 million in the provision for 2001-02 over that for 2000-01 is attributable generally to the establishment of an Integrated Call Centre for Environmental Hazards and Cleanliness (ICC), a project approved by the Finance Committee on 28 April 2000. This project alone accounts for \$25.8 million (85%) of the increase. Of the remaining \$4.5 million, \$3 million (10%) is due to increased cashflow requirement of capital projects, and \$1.5 million (5%) is due to salary increments and full-year salary provision for posts created and filled in 2000-01.

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| Signature             | _____                      |
| Name in block letters | Andrew H Y Wong            |
| Post Title            | Director of Administration |
| Date                  | 17 March 2001              |

Bureau Serial No.

CSO003

Question Serial No.

0160

Examination of draft Estimates of Expenditure 2001-02

**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head : 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary

Subhead (No. & title) :

Programme : (1) Efficiency Unit

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question : What are the duties of the 80 posts to be created in 2001-02 as a result of the establishment of an Integrated Call Centre for Environmental Hazards and Cleanliness? For how long are the created posts expected to last?

Asked by : Dr Hon Yeung Sum

Reply : The 80 posts will be created in 2001-02 for manning the new Integrated Call Centre for Environmental Hazards and Cleanliness (ICC). Their main duties are to receive and handle telephone enquiries and complaints made to the ICC.

These 80 posts will be created on a permanent basis, although they will be offset by the phased deletion of posts currently provided for handling telephone enquiries/complaints relating to environmental hazards and cleanliness in the 16 departments participating in the ICC project. The ICC is expected to completely take over such call-handling functions by 2002-03.

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| Signature             | _____                      |
| Name in block letters | Andrew H Y Wong            |
| Post Title            | Director of Administration |
| Date                  | 17 March 2001              |

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head : 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary

Subhead (No. & title) :

Programme : (4) Protocol Division

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question : The provision for 2001-02 is \$1 million higher than the revised estimate for 2000-01.

- Are there any known planned visits of national leaders and State visitors to Hong Kong in this financial year?
- What is the provision for each visit?
- How many visits/functions are planned to be held in the Government House in 2001-02?

Asked by : Hon Howard Young

- Reply :
- To date four possible major visits in 2001-02 - one at national leader and three at Head of State/Government level - are known to the Administration.
  - For budget planning purpose, an average estimate of \$300,000 is allowed for an official visit. Having said that, the amount of financial provision varies from one visit to another, depending on the status and security requirements of the principal visitor, the length of stay and the size of the delegation, etc.
  - The number and other details of official visits in 2001-02 have not been finalised. Therefore, we would not be able to confirm the number of associated functions that would be held in the Government House. Based on past experience, however, bulk of the major visits coordinated by the Protocol Division would involve at least one function held in the Government House.

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| Signature             | _____                      |
| Name in block letters | Andrew H Y Wong            |
| Post Title            | Director of Administration |
| Date                  | 17 March 2001              |

Examination of draft Estimates of Expenditure 2001-02

**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Heads : 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary  
152 - Government Secretariat: Commerce and Industry Bureau  
144 - Government Secretariat: Constitutional Affairs Bureau  
143 - Government Secretariat: Civil Service Bureau  
145 - Government Secretariat: Economic Services Bureau  
146 - Government Secretariat: Education and Manpower Bureau  
154 - Government Secretariat: Environment and Food Bureau  
147 - Government Secretariat: Finance Bureau  
148 - Government Secretariat: Financial Services Bureau  
149 - Government Secretariat: Health and Welfare Bureau  
53 - Government Secretariat: Home Affairs Bureau  
150 - Government Secretariat: Housing Bureau  
55 - Government Secretariat: Information Technology and Broadcasting Bureau  
56 - Government Secretariat: Planning and Lands Bureau and Works Bureau  
151 - Government Secretariat: Security Bureau  
153 - Government Secretariat: Transport Bureau

Subhead (No. & title) :

Programme : (3) CSO –Administration Wing

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question : In his Policy Address in 1999, the Chief Executive announced the intention to establish a Sustainable Development Unit (SDU), and said within the Administration, all bureaux will be required to carry out “sustainability impact assessments” of major new policy proposals. The Administration proposes that the SDU should be established under the Administration Wing of the Chief Secretary for Administration’s Office by April 2001. The Estimates states, under Programme (3) of Head 142, a main responsibility of the Administration Wing in 2001-02 is to steer and monitor various initiatives related to sustainable development. In 2001-02, will there be any financial provision for carrying out sustainability impact assessment in the services under the portfolio of following bureaux; if yes, what are the details?

- (a) Commerce and Industry Bureau
- (b) Constitutional Affairs Bureau
- (c) Civil Service Bureau

- (d) Economic Services Bureau
- (e) Education and Manpower Bureau
- (f) Environment and Food Bureau
- (g) Finance Bureau
- (h) Financial Services Bureau
- (i) Health and Welfare Bureau
- (j) Home Affairs Bureau
- (k) Housing Bureau
- (l) Information Technology and Broadcasting Bureau
- (m) Planning and Lands Bureau
- (n) Works Bureau
- (o) Security Bureau
- (p) Transport Bureau

Asked by : Hon Cyd Ho Sau-lan

Reply : Provision is included in the 2001-02 draft Estimates under Head 142 for the setting up of the Sustainable Development Unit (SDU). The SDU will provide assistance to bureaux and departments in carrying out sustainability impact assessment under their respective portfolio. No separate provision for this purpose has been earmarked in 2001-02 in the above bureaux.

|                       |                            |
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| Signature             | _____                      |
| Name in block letters | Andrew H Y Wong            |
| Post Title            | Director of Administration |
| Date                  | 17 March 2001              |

Examination of draft Estimates of Expenditure 2001-02**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head : 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary

Subhead (No. & title) :

Programme :

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question : Regarding consultancy studies for policy making and assessment commissioned by the departments/services under your Bureau,

- (1) Was there any financial provision allocated for commissioning consultancy studies in 2000-01? If yes, please reply with the following details:

| Names of consultants<br>(if available) | Consultancy<br>fees | Status of consultancy studies<br>(in plan/in progress/finished) |
|--|---------------------|---|
|  |                     |   |

- (2) Will there be any financial provision allocated for commissioning consultancy studies in 2001-02? If yes, please reply with the following details:

| Names of consultants<br>(if available) | Consultancy<br>fees | Status of consultancy studies<br>(in plan/in progress/finished) |
|--|---------------------|---|
|  |                     |   |

Asked by : Hon Cyd Ho Sau-lan

Reply : Provision was allocated in 2000-01 for commissioning a number of consultancy studies. Details are as below:



| Names of consultants                                 | Revised Estimate<br>2000-01<br>(\$'000) | Status of consultancy studies<br>(in plan/in progress/finished) |
|--|---|---|
| Hong Kong Policy Research Institute Limited          | 1,440                                   | In progress   |
| One Country Two Systems Research Institute Limited   | 1,281                                   | In progress   |
| Centre of Asian Studies, University of Hong Kong     | 1,440                                   | In progress   |
| PolyU Technology and Consultancy Company Limited     | 918                                     | In progress   |
| PricewaterhouseCoopers Consultants Hong Kong Limited | 6,340                                   | Finished  |

Furthermore, we commissioned a number of other minor studies on cross-bureaux policy issues to outside experts. All these minor studies will be completed within 2000-01.

In 2001-02, there will be financial provision to continue the following consultancy studies in 2000-01:

| Names of consultants                               | Estimate<br>2001-02<br>(\$'000) | Status of consultancy studies<br>(in plan/in progress/finished) |
|--|---------------------------------|---|
| Hong Kong Policy Research Institute Limited        | 640                             | In progress   |
| One Country Two Systems Research Institute Limited | 1,560                           | In progress   |
| Centre of Asian Studies, University of Hong Kong   | 2,040                           | In progress   |
| PolyU Technology and Consultancy Company Limited   | 1,100                           | In progress   |

In addition, provision of \$18,409,000 is also included in the 2001-02 draft Estimates to commission a number of studies on cross-bureaux policy issues and transfer of public services. Details of these studies are still being planned.

|                       |                                   |
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| Signature             | _____                             |
| Name in block letters | <u>Andrew H Y Wong</u>            |
| Post Title            | <u>Director of Administration</u> |
| Date                  | <u>17 March 2001</u>              |

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head : 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary

Subhead (No. & title) :

Programme : (1) Efficiency Unit

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question : The work of promoting and implementing models for measuring community and customer satisfaction is included in “Matters Requiring Special Attention in 2001-02”. Will such efforts overlap with the monthly surveys conducted by the Home Affairs Bureau? If so, will the Government consider combining those surveys?

Asked by : Hon Leung Yiu-chung

Reply : The Efficiency Unit has developed tools to support individual bureaux and departments in measuring community/customer satisfaction to their performance with a view to improving the management and delivery of public services. Community and customer satisfaction data are collected continuously through telephone, fax, mail or face-to-face interview, providing on-going information about trends of public satisfaction to their performance and suggestions for improving performance and service quality.

On the other hand, the Home Affairs Bureau's telephone opinion poll is conducted through a series of telephone surveys only, designed to monitor public opinion trends in broad terms in respect of the community's perceived problems, the Government's overall performance and expectations about the general situation in Hong Kong.

The Efficiency Unit's and the Home Affairs Bureau's surveys have distinctive purposes and objectives, and there is little scope of combining the surveys.

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| Signature             | _____                      |
| Name in block letters | Andrew H Y Wong            |
| Post Title            | Director of Administration |
| Date                  | 17 March 2001              |

Bureau Serial No.

CSO008

Question Serial No.

0974

Examination of draft Estimates of Expenditure 2001-02

**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head : 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary

Subhead (No. & title) :

Programme : (1) Efficiency Unit

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question : Are the 80 posts to be created as a result of the establishment of an Integrated Call Centre for Environmental Hazards and Cleanliness temporary in nature? If so, why? Under what circumstances will the Government consider converting those posts into pensionable offices?

Asked by : Hon Leung Yiu-chung

Reply : The 80 posts are permanent civil service posts to be created for manning the Integrated Call Centre (ICC) upon its commissioning in mid-2001. These new posts will be offset by the phased deletion of posts currently provided for handling telephone enquiries/complaints relating to environmental hazards and cleanliness in the 16 departments participating in the ICC project. The ICC is expected to completely take over such call-handling functions by 2002-03.

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|-----------------------|----------------------------|
| Signature             | _____                      |
| Name in block letters | Andrew H Y Wong            |
| Post Title            | Director of Administration |
| Date                  | 17 March 2001              |

Examination of draft Estimates of Expenditure 2001-02

**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head : 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary

Subhead (No. & title) :

Programme : (1) Efficiency Unit

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question : In the 2000 Policy Address, the Efficiency Unit has stated in the Policy Objectives that it will develop outsourcing/contracting-out proposals to allow appropriate private sector involvement so as to help containing the size of the civil service. The proposed target is to develop a range of proposals and implement a number of outsourcing/contracting-out schemes during 2001. However, no mention of the relevant initiatives and expenditure is made in the Estimates. Why?

Asked by : Hon Cheung Man-kwong

Reply : We stated in the Controlling Officer's Report of the 2001-02 draft Estimates that the Efficiency Unit (EU) aims, among other major tasks, to formulate a strategy for the development of initiatives for a private sector involvement programme. Though not mentioned specifically in the report, outsourcing represents an important part of the EU's private sector involvement programme, and is a priority of its work programme in 2001-02.

The EU has recently established a central support service to help departments in undertaking outsourcing projects. Projects under development include promoting commercial involvement in the ticketing system for leisure and cultural activities, transferring non-means tested loan schemes for students to the private sector, and upgrading the transport licensing systems to allow on-line private sector participation. We will continue to explore and develop private sector involvement proposals in conjunction with departments.

As for financial resources, we meet the expenses for conducting outsourcing studies and implementing outsourcing projects from our Subhead 838 Minor consultancy studies (block vote) of which \$3.3 million is provided for this purpose.

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| Signature             | _____                      |
| Name in block letters | Andrew H Y Wong            |
| Post Title            | Director of Administration |
| Date                  | 17 March 2001              |

Examination of draft Estimates of Expenditure 2001-02

**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head : 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary

Subhead (No. & title) :

Programme : (1) Efficiency Unit

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question : What were the contents of and how effective was “private sector involvement” in 2000-01? What is expected to be done, in concrete terms, in respect of “private sector involvement” in 2001-02?

Asked by : Hon Lau Chin-shek

Reply : Private sector involvement initiatives in 2000-01 included promoting commercial involvement in the ticketing system for leisure and cultural activities; exploring the transfer of the non-means tested student loan schemes to the private sector; and developing proposals to upgrade the transport licensing systems to allow on-line private sector participation.

The future work programme on private sector involvement includes encouraging greater departmental participation through outsourcing; developing other mechanisms of private sector involvement such as public/private partnership; identifying new opportunities through selective reviews of public services; and standardising processes and documenting best practices. The selective reviews are expected to generate suggestions from interested parties both within and outside the government.

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| Signature             | _____                      |
| Name in block letters | Andrew H Y Wong            |
| Post Title            | Director of Administration |
| Date                  | 17 March 2001              |

Bureau Serial No.

CSO 011

Question Serial No.

0473

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head 94 Legal Aid Department Sub-head (No. & title) :

Programme : (2) Litigation Services

Controlling Officer : Director of Legal Aid

Bureau Secretary : Director of Administration

Question : The revised estimates for 2000-01 is \$730,200,000 and the estimated provision for 2001-02 will be further increased by 5.1% :

- (a) How much were spent on litigation costs of legal aid cases in 2000-01?
- (b) What is the estimated increase of legal aid costs in 2001-02?

Asked by : Hon Eric LI Ka-cheung

Reply : (a) For 2000-01, the estimated legal aid cost for Programme (2) is \$608,000,000.

(b) For 2001-02, the estimated legal aid cost for Programme (2) is \$641,600,000, representing an increase of \$33,600,000 (i.e. approximately 5.5%) over that of 2000-01.

Signature \_\_\_\_\_

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 19 March 2001



Bureau Serial No.

CSO 012

Question Serial No.

0646

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head 94 Legal Aid Department Sub-head (No. & title) :

Programme : (4) Official Solicitor's Office

Controlling Officer : Director of Legal Aid

Bureau Secretary : Director of Administration

Question : It is stated in "*Matters Requiring Special Attention*" in 2001-02 that the department will continue to contribute to policy discussion on provision of legal representation for children / juveniles in care and protection proceedings to meet obligations under *United Nation Convention on the Rights of Child (UNCRC)*. Could the department inform us that in 1999 and 2000 :-

- (1) How many suggestions had been made by the Official Solicitor Office in respect of the above? And provide the details, if any of suggestion that has been made;
- (2) Which were the suggestions that had been implemented? and
- (3) Which were the suggestions that had not been accepted by the authorities? What were the reasons?

Asked by : Hon Cyd HO Sau-lan

Reply : The role of Official Solicitor's Office (OSO) in the discussions is to provide information and contribute views on the requirements of the UNCRC and how such requirements can be complied with.

Information provided by OSO includes what measures have been taken in other jurisdictions, specifically the UK to fulfill its obligations under the UNCRC with specific reference to representation for children in care and protection proceedings.

Measures to fulfill HKSAR's obligation in respect of representation for children in care and protection proceedings are being considered by the relevant government departments and OSO will continue to participate and contribute to this policy discussion.

Signature \_\_\_\_\_

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 19 March 2001

Bureau Serial No.

CSO 013

Question Serial No.

0647

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head 94 Legal Aid Department Sub-head (No. & title) :

Programme : (2) Litigation Services

Controlling Officer : Director of Legal Aid

Bureau Secretary : Director of Administration

Question : It is stated in "*Matters Requiring Special Attention in 2001-02*" that the department will implement measures to strengthen the monitoring of assigned-out cases. In this aspect, could the department inform us :-

- (1) Details of the measures to be implemented and resources to be allocated;
- (2) The respective number of complaints against assigned private practitioners and Legal Aid Counsel in conducting cases that the department received in 1999 and 2000, and categorization of those complaints, if any; and
- (3) What did the department do to those complaints?

Asked by : Hon Cyd HO Sau-lan

Reply : (1) The Department has the following measures to strengthen the monitoring of assigned out cases :-

- (a) The Department regularly issues Guidance Notes to solicitors and counsel on the Legal Aid Panels to ensure that private practitioners undertaking legal aided cases will comply with the provisions of the Legal Aid legislation and regulations.

- (b) The Department has also issued guidelines and checklists to departmental lawyers to improve the effectiveness of monitoring and to ensure a consistent standard in monitoring.
- (c) The Department has in place a mechanism to ensure that the assigned solicitors report to the Department on the progress of each and every assigned out case and costs of the aided proceedings. Report letters are perused and followed up by our departmental lawyers to ensure that the assigned lawyers handle the aided proceedings swiftly and efficiently.
- (d) The Department has a performance evaluating system whereby reports are completed on assigned lawyers whose performance is considered to be unsatisfactory and submitted to Departmental Monitoring Committee which will determine, after giving the assigned lawyer concerned an opportunity to make representation, whether to put the names of the lawyers on the record of unsatisfactory performance. The committee comprises a representative from ICAC.

The resources required to implement the above measures have been included in the estimated provision in Programme (2).

- (2) Complaints received by the Legal Aid Department in 1999 and 2000 on conduct of legal aid cases :

| <b>Nature of Complaint</b>  | <u>1999</u> | <u>2000</u> |
|-----------------------------|-------------|-------------|
| <i>In-house cases :</i>     |             |             |
| Delay in Litigation         | 0           | 1           |
| Lack of Communication       | 1           | 0           |
| <i>Assigned-out cases :</i> |             |             |
| Delay in Litigation         | 6           | 5           |
| Lack of Communication       | 2           | 1           |

- (3) All complaints have been investigated and brought to the attention of the Senior Directorate Officers for any necessary follow up action including formulating improvement measures, completing a performance evaluation report on assigned lawyers whose performance is considered unsatisfactory and including their names on the record of unsatisfactory performance upon the advice of the Departmental Monitoring Committee.

Signature \_\_\_\_\_

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 19 March 2001

Bureau Serial No.

CSO 014

Question Serial No.

0648

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head 94 Legal Aid Department Sub-head (No. & title) :

Programme : (1) Processing of Legal Aid Applications

Controlling Officer : Director of Legal Aid

Bureau Secretary : Director of Administration

Question : In 1999 and 2000 respectively, how many criminal cases were there where Director of Legal Aid offered legal aid pursuant to Regulations 15(2), to applicants whose financial resources exceeded the stipulated limit?

Asked by : Hon Cyd HO Sau-lan

Reply : In 1999 and 2000, the number of cases where the Director of Legal Aid has offered legal aid to an applicant whose financial resources exceed the eligibility limit pursuant to Rule 15(2) of the Legal Aid in Criminal Cases Rules is as follows :-

| <b>Year</b> | <b>Legal aid offer made</b> | <b>Offers accepted</b> |
|-------------|-----------------------------|------------------------|
| 1999        | 30                          | 16                     |
| 2000        | 34                          | 17                     |

Signature \_\_\_\_\_

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 19 March 2001

Bureau Serial No.

CSO 015

Question Serial No.

0769

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head 94 Legal Aid Department Sub-head (No. & title) :

Programme : (2) Litigation Services

Controlling Officer : Director of Legal Aid

Bureau Secretary : Director of Administration

Question : In what way could the Director ensure that the assigned private practitioners would be able to handle effectively the legal aid assignments so as to make it possible for an accurate estimation of the number of cases required to be assigned out in 2001?

Asked by : Hon Jasper TSANG Yok-sing

Reply : The department regularly updates the information on the Legal Aid Panels to facilitate the assignment of legal aid cases to lawyers of adequate experience and expertise. The department has a tight monitoring system including issuing guidance notes to Solicitors and Counsel and seeking progress reports to ensure that private practitioners undertaking legally aided cases will comply with the provisions of the Legal Aid legislation and regulations in handling legal aid cases and to ensure that the aided persons' interests are safeguarded.

Signature \_\_\_\_\_

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 19 March 2001

Bureau Serial No.

CSO 016

Question Serial No.

0770

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head 94 Legal Aid Department Sub-head (No. & title) :

Programme : (2) Litigation Services

Controlling Officer : Director of Legal Aid

Bureau Secretary : Director of Administration

Question : As regards the matrimonial proceedings litigated in 2000, did the Department encourage the applicants to have their cases considered by the Family Mediation Scheme? If so, what is the percentage of the cases being successfully referred? And what has been saved in terms of expenditure on matrimonial proceedings?

Asked by : Hon Jasper TSANG Yok-sing

Reply : For divorce cases handled in-house by the Legal Aid Department, our staff would encourage aided persons to participate in the Family Mediation Scheme. Since the implementation on 2 May last year until end of February this year, approximately 2.5% of aided persons (29) agreed to have their cases referred to the Scheme. The success mediation rate is about 24% (7 cases). The amount of costs that could be saved was in the region of seventy thousand dollars.

Signature \_\_\_\_\_

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 19 March 2001



Bureau Serial No.

CSO 017

Question Serial No.

0845

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head 94 Legal Aid Department Sub-head (No. & title) :

Programme : (1) Processing of Legal Aid Applications

Controlling Officer : Director of Legal Aid

Bureau Secretary : Director of Administration

Question : It is stated in "*Matters Requiring Special Attention in 2001-02*" that the department pledges to make continuous improvement on quality of legal aid service in relation to processing of legal aid applications. Please give particulars and the amount of financial provisions reserved for this purpose.

Asked by : Hon Ambrose LAU Hon-chuen

Reply : The department would continue to improve the quality of its services in processing legal aid applications including enhancing its performance pledge on processing time as from this year (namely: raising the target to process civil legal aid applications within three months from the date of application to 85% from 80% of the applications received), simplifying the procedure in application processing, and strengthening the customer service.

The above measures could be implemented within existing resources.

Signature \_\_\_\_\_

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 19 March 2001

Bureau Serial No.

CSO 018

Question Serial No.

1123

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY WRITTEN QUESTION**

Head 94 Legal Aid Department Sub-head (No. & title) :

Programme : (2) Litigation Services

Controlling Officer : Director of Legal Aid

Bureau Secretary : Director of Administration

Question : (1) Regarding the right of abode litigation, how many legal aid applications did the Legal Aid Department receive in 1999-00 and 2000-01 respectively, how many legal aid certificates were granted and the amount of financial provision involved? How many of these cases were provided with the services of a Senior Counsel? How many of these were successful, not successful; and not yet concluded respectively?

(2) What amount of financial provision was made for the above category of litigation services in 2001-02?

Asked by : Hon Albert HO Chun-yan

Reply : (1) In 1999-2000, LAD received a total 8,877 right of abode related legal aid applications and from April 2000 to February 2001, a total of 879 such applications were received. During the period from April 1999 to February 2001, the department has issued a total of 83 Legal Aid Certificates covering a total of 24 sets of legal proceedings. Of the 24 sets of legal proceedings, Senior Counsel were instructed in 17 sets of proceedings, 5 have been successful and 10 have been unsuccessful. The results in the remaining 9 court actions are pending. For the same period, the expenditure involved is about \$11 million.

(2) The estimate in Programme (2) of 2001-02 includes the provision for this category of litigation services.

Signature \_\_\_\_\_

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 19 March 2001

Bureau Serial No.

CSO019

Question Serial No.

0243

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY QUESTION**

Head :176 Subventions: Miscellaneous  
Subhead (No. & title) :446 Duty Lawyer Service

Programme :

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question :

5,945 cases were handled under the Free Legal Advice Scheme in 2000 – 01.  
Please give a breakdown of these cases by categories.

Asked by :Hon Martin Lee Chu-ming

Reply :

The 5,945 free legal advice cases handled in the year 2000  
categorised by nature of the problem are as follows -

|   | <u>No. of Cases</u> |
|---|---------------------|
| (a) Matrimonial   | 1,257               |
| (b) Landlord & Tenant   | 347                 |
| (c) Employment  | 586                 |
| (d) Estate Administration   | 201                 |
| (e) Commercial & property disputes,<br>simple contract matters, loans | 1,757               |
| (f) Criminal  | 373                 |
| (g) Personal injuries<br>(workmen hospital negligence)                | 370                 |
| (h) Miscellaneous   | 1,054               |
| Total   | 5,945               |

Signature \_\_\_\_\_

Name in block letters ANDREW H Y WONG

Post Title Director of Administration

Date 19 March 2001

Bureau Serial No.

CSO020

Question Serial No.

0244

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/~~SUPPLEMENTARY~~ QUESTION**

Head :176 Subventions: Miscellaneous  
Subhead (No. & title) :446 Duty Lawyer Service

Programme :

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question :

How many lawyers joined the "Duty Lawyer Scheme" and the "Legal Advice Scheme" in 2000- 01?

Asked by :Hon Martin Lee Chu-ming

Reply :

As at 9 March, the Duty Lawyer Panel includes 591 barristers and 639 solicitors and the Free Legal Advice Panel includes 329 barristers, 410 solicitors, 17 government lawyers and 16 in-house lawyers.

Signature \_\_\_\_\_

Name in block letters ANDREW H Y WONG

Post Title Director of Administration

Date 19 March 2001

Bureau Serial No.

CSO021

Question Serial No.

0245

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/~~SUPPLEMENTARY~~ QUESTION**

Head :176 Subventions: Miscellaneous  
Subhead (No. & title) :446 Duty Lawyer Service

Programme :

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question :

What is the provision for 2001-02 for enhancing public knowledge of the Duty Lawyer Service?

Asked by :Hon Martin Lee Chu-ming

Reply :

In the financial year 2001-02, the Duty Lawyer Service will spend around \$150,000 on publicity which includes setting up and maintaining a web site, printing of Annual Reports, posters and pamphlets to be distributed to members of the public through the District Offices, over 100 referral agencies of the Legal Advice Scheme, and the Legal Aid Department during the Law Week held by the Law Society annually. And enhancement to the services provided by the Duty Lawyer Service, such as any addition of new topics to the Tel-Law Scheme, will be publicised by the issue of press release.

Signature \_\_\_\_\_

Name in block letters ANDREW H Y WONG

Post Title Director of Administration

Date 19 March 2001

Bureau Serial No.

CSO022

Question Serial No.

0353

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO  
WRITTEN/SUPPLEMENTARY QUESTION**

Head :176 Subventions: Miscellaneous  
Subhead (No. & title) :446 Duty Lawyer Service

Programme :

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question :

- (a) Under the Free Legal Advice Scheme, free legal advice can be obtained by members of the public from seven centres at Sha Tin, Tsuen Wan, Wan Chai, Central and Western, Yau Tsim Mong, Kwun Tong and Islands District Offices. Has the government set aside funds in 2001-02 for setting up Free Legal Advice Scheme centres at District Offices at Eastern and Southern districts on Hong Kong Island and in such new towns as Tsing Yi, Tuen Mun, Tsang Kwan O and Ma On Shan to provide free legal advice for local residents in those districts?
- (b) Have any additional resources been allocated in 2001-02 for providing other forms of free legal advice service (e.g. on-line legal advice scheme)?

Asked by :Hon Martin Lee Chu-ming

Reply: (a) Centres for providing free legal advice to the public are set up in locations considered convenient to both members of the public and volunteer lawyers under the Free Legal Advice Scheme. Experience has shown that the existing centres provide an adequate service to the public. The Duty Lawyer Service will keep in view the demand of the public and consider setting up centres in other districts when circumstances warrant.



- (b) The Duty Lawyer Service plans to launch its official website in 2001 – 02 which would include information on services presently on offer to the public and will assess the effect after its launching before considering further enhancing the service, such as providing legal advice through the internet.

Signature \_\_\_\_\_

Name in block letters ANDREW H Y WONG

Post Title Director of Administration

Date 19 March 2001

Bureau Serial No.

CSO023

Question Serial No.

0610

Examination of draft Estimates of Expenditure 2001-02  
**CONTROLLING OFFICER'S REPLY TO**  
**WRITTEN/SUPPLEMENTARY QUESTION**

Head :177 Subventions: Non-Departmental Public Bodies

Subhead (No. & title) :526 Legal Aid Services Council

Programme :

Controlling Officer : Director of Administration

Bureau Secretary : Director of Administration

Question :

Will the Government inform this Council of any concrete plans to be adopted by the Legal Aid Services Council as a follow-up in 2001-02 in respect of "advising on the feasibility and desirability of the establishment of an independent legal aid authority"?

Asked by :Hon Miss Cyd Ho Sau-lan

Reply :

Legal Aid Services Council noted that the Administration was unable to accept the Council's recommendation to establish an independent legal aid authority. The Council considered that it should continue to work to enhance the efficiency, transparency and independence of legal aid services, including reviewing the issue of independence at some further date. The Council would evaluate its role and duties and propose changes to enhance its competence in discharging its responsibilities as appropriate.

Signature \_\_\_\_\_

Name in block letters ANDREW H Y WONG

Post Title Director of Administration

Date 19 March 2001