

**Opening Statement of the Director of Administration  
at the Meeting of the Administration of Justice and  
Legal Services Panel of the Legislative Council  
to be held on 16 October 2000**

I am pleased to present to this Council the 2000 Policy Objective booklet of the Administration Wing. This document “Administrative Redress and Legal Aid” describes a package of measures in pursuit of the Administration Wing’s Policy Objective of providing avenues for administrative redress and legal aid services as well as maintaining quality support services to the Government Secretariat and providing efficient protocol service.

2. In the past year, we have been working on 27 targets under a total of 16 initiatives that we had undertaken in 1999 and before. The areas covered include the provision of channels for administrative redress and legal aid services, maintaining effective communication between Government and the Legislature, provision of support to the Government Secretariat and to the management of government records, as well as the reception of VIPs and the administration of the consular corps’ affairs. I am pleased to report to Members that we have **completed 12 targets, 12 are proceeding on schedule and 3 are under review** (concerning the strengthening of the directorate of the Application and Processing Division of the Legal Aid Department (LAD) and two targets related to the relocation of the Central Government Offices to the Tamar Basin Reclamation site).

3. I shall briefly report on the progress that we have made in the past year and the direction that we will be heading in the coming 12 months regarding a few subject areas that will be of interest to this Panel.

**Provide efficient legal aid services**

4. Our legal aid policy is to ensure that no one with reasonable grounds for taking a legal action in the Hong Kong courts is prevented from seeking justice because of a lack of means. The Administration has always endeavoured to ensure a high degree of public satisfaction in

respect of legal aid services. Last year, we implemented a series of measures arising from the Legal Aid Policy Review to improve the existing services through legislative means. We are grateful for the useful comments provided by the Members of the first term of the HKSAR Legislative Council (LegCo) on our proposals and their passing of our amendment bill in May this year. We are also grateful that the current LegCo Members have raised no objection to the commencement notice of the legislation and this has confirmed that the new arrangements could be effective since July this year. The new arrangements have not only widened the scope of legal aid services, but also allowed 58% (i.e. more than 1 million households) of the total number of households in Hong Kong eligible for legal aid, up from 48% (i.e. about 800,000 households).

5. We will continue to keep the legal aid system under review after the implementation of the above new arrangements and initiate improvement measures as and when necessary to better meet the needs of the public.

6. One of the indicators we use to assess performance is the speed with which the LAD processes legal aid applications. I am glad to point out that LAD has been able to meet the existing target of processing 80% of civil legal aid applications within three months from the date of application. In order to fulfill our ongoing commitment to better legal aid services, we have decided to revise the target from 80% to 85% to keep pace with the times.

### **Maintain effective communication between Government and the Legislature**

7. Another important aspect of the work of the Administration Wing is the maintenance of effective communication between Government and the Legislature. The Administration fully appreciates the need to work closely with the Legislature to enable it to carry out its business efficiently and effectively for the benefit of the community.

During the first term of the office of the LegCo, we introduced a total of 171 government bills, 679 pieces of subsidiary legislation, and 158 financial proposals for scrutiny and approval by the LegCo. After the Administration has explained the relevant legislation/proposals to LegCo Members, a total of 157 bills, nearly all the subsidiary legislation (674) and most of the financial proposals (149) were approved by the LegCo.

8. In the current LegCo term, we will continue to work closely with the LegCo. The Administration will, as far as possible, explain to and discuss with the relevant Panels major policy, legislative and financial proposals before their formal introduction into the Council or Finance Committee with a view to ensuring that the relevant proposals meet the needs and the overall interests of the community. In addition, we will provide a legislative programme setting out the bills that the Administration plans to introduce into the LegCo in the 2000/01 legislative session. As in the past, we will, in accordance with the legislative programme as far as possible, introduce bills into the LegCo in an orderly manner, and work closely with Bills Committees to ensure that the LegCo is given sufficient time and information to scrutinise the bills.

9. As regards the “hardware”, we note, to enhance operational efficiency, LegCo’s need for all the legislative facilities to be under one roof in the long term. We are doing a preliminary planning assessment. To facilitate the identification of possible sites, we are liaising with the LegCo Secretariat with a view to obtaining more detailed information on the new facilities.

### **Maintain public confidence in independent redress**

10. As regards the maintenance of public confidence in independent redress, it is our aim to continue to provide fair, open and accessible avenues for members of the public to lodge appeals and complaints against administrative decisions and measures. The main channels of lodging appeals include the Administrative Appeals Board and the Municipal Services Appeals Board, the Ombudsman, as well as the Visiting Justices of the Peace (JPs) under the JP System.

11. In the past year, we have increased the number of sittings for the Administrative Appeals Board and the Municipal Services Appeals Boards from a total of 3 sittings to 4 sittings each month so as to further reduce the time required for an appeal to be heard after it has been filed. Moreover, we have expanded the scope of jurisdiction of the two Boards : we put 4 more pieces of legislation under the purview of the Administrative Appeals Board, and also expanded the scope of jurisdiction of the Municipal Services Appeals Boards to hear appeals against decisions on 3 more areas of municipal services. We shall continue to strive to maintain the efficiency of the two Boards.

12. As regards the Ombudsman, we have initiated discussion with her to expand her jurisdiction to cover more statutory bodies. In this regard, we shall actively consider the expansion of the jurisdiction of the Ombudsman to cover the Equal Opportunities Commission and the Office of the Privacy Commissioner for Personal Data. We hope to finalise this proposal as soon as possible so that the 2 organisations in question can be put under the jurisdiction of the Ombudsman. We shall also continue to keep under review the possibility of further extending the Ombudsman's jurisdiction to other major statutory bodies.

13. The Visiting JP System is an important channel for redress for inmates of various institutions (e.g. penal institutions). In the past year, we worked very hard to implement various proposals arising from the Review of the JP system conducted in 1999 to improve the JP visits system, which include, inter alia, allowing JPs to visit particular institutions of their choice on a more regular basis, to provide JPs with more up-to-date information on the institutions before their visit, to allow more time for JPs to submit their comments regarding their visits, and to start publishing annual reports on JP visits to various institutions. Moreover, we have decided to revise the pairing arrangements for JP visits so as to allow Non-official JPs to choose either a Non-official JP or an Official JP as their visiting partners; we plan to implement this new arrangement by the end of this year. We believe that with such extensive improvements, our Visiting JP System will become more efficient, effective and transparent.

### **Ensure an efficient service to support the Government Secretariat**

14. Provision of support service to the Government Secretariat is another area of work under my purview. Regarding the accommodation need of the Government Secretariat, in 1998, we saw the need to build a new Central Government Complex because the existing premises were no longer capable of providing sufficient office accommodation for the Government Secretariat nor of providing a satisfactory infrastructure to cope with the rapid technological changes. In the past years, we planned for the relocation of the Central Government Offices to the Tamar Basin Reclamation site and have studied various development options. In order to ensure optimal use of government land, the relocation project is currently under review.

### **Ensure efficient administration of the Consular Corps' affairs and reception of VIPs**

15. I do not intend to go into details regarding the work of the Protocol Division of my office in the reception of VIPs and the administration of consular corps' affairs. Let me just say that we have in Hong Kong a strong presence of foreign representation which gives us our international flavour. Including the newly established Hong Kong Sub Office of the International Monetary Fund Resident Representative Office in China, and the International Finance Corporation Regional Office for East Asia/the World Bank Private Sector Development Office for East Asia, we have at present 102 foreign missions in Hong Kong (97 consular posts and 5 international organisations), compared to a figure of 99 a year ago.

### **Conclusion**

16. As Members will appreciate, the Administration Wing is responsible for a vast variety of policy areas. To help us continue to strive for improvements, I welcome the views and comments from Members of this Council regarding the areas of work falling within the purview of the Administration Wing.