

**Replies to written questions raised by Finance Committee Members in examining
the Estimates of Expenditure 2002-03**

[Bureau Secretary/Controlling Officer : Director of Administration]

[Session No. : 14] [File name : CSO-e1.doc]

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
CSO001	0013	HO Sau-lan, Cyd	142 94 177	Efficiency Unit Government Records Service CSO-Administration Wing Support Services
CSO002	0268	CHAN Kwok-keung	142	Efficiency Unit
CSO003	0270	CHAN Kwok-keung	142	Efficiency Unit
CSO004	0548	CHAN Yuen-han	142	Efficiency Unit
CSO005	0792	TANG Siu-tong	142	Efficiency Unit
CSO006	0793	TANG Siu-tong	142	Efficiency Unit
CSO007	0837	NG Margaret	142	CSO-Administration Wing
CSO008	0838	NG Margaret	142	CSO-Administration Wing
CSO009	1074	HO Sau-lan, Cyd	142	CSO-Administration Wing
CSO010	1137	HO Sau-lan, Cyd	142	Efficiency Unit CSO-Administration Wing
CSO011	1379	HO Sau-lan, Cyd	142	Protocol Division
CSO012	0034	TO Kun-sun, James	94	Processing of Legal Aid Applications
CSO013	0579	EU Yuet-mee, Audrey	94	Processing of Legal Aid Applications
CSO014	0580	EU Yuet-mee, Audrey	94	Processing of Legal Aid Applications
CSO015	0581	EU Yuet-mee, Audrey	94	Litigation Services
CSO016	0591	EU Yuet-mee, Audrey	94	Processing of Legal Aid Applications
CSO017	0601	EU Yuet-mee, Audrey	94	Processing of Legal Aid Applications
CSO018	0832	NG Margaret	94	Litigation Services
CSO019	0833	NG Margaret	94	Litigation Services
CSO020	0834	NG Margaret	94	Litigation Services
CSO021	0835	NG Margaret	94	Litigation Services
CSO022	0836	NG Margaret	94	Litigation Services
CSO023	1126	LAU Hon-chuen, Ambrose	94	Litigation Services
CSO024	1127	LAU Hon-chuen, Ambrose	94	Litigation Services
CSO025	1364	IP Kwok-him	94	Official Solicitor's Office
CSO026	1366	IP Kwok-him	94	Processing of Legal Aid Applications

Examination of Estimates of Expenditure 2002-03
CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION

Reply Serial No.

CSO001

Question Serial No.

0013

Head: 142 – Government Subhead(No. & title):

Secretariat: Offices of
the Chief Secretary for
Administration and the
Financial Secretary

94 – Legal Aid
Department

177 – Subventions: Subhead 526 Legal Aid Services Council
Non-Departmental
Public Bodies

Programme: (1) Efficiency Unit)
(2) Government Records Service) (for Head 142)
(3) CSO-Administration Wing)
(3) Support Services (for Head 94)

Controlling Officer: Director of Administration (for Head 142 and Head 177 Subhead 526)
Director of Legal Aid (for Head 94)

Bureau Secretary: Director of Administration

Question :

Regarding consultancy studies for policy making and assessment commissioned by your bureau and departments/offices under your bureau,

(1) please provide the following details of the consultancy studies for which financial provision have been allocated in 2001-02:

Names of consultants (if available)	Contents of studies	Consultancy fees	Progress and follow-up action (in plan/in progress/finished)	Government's follow-up action (if available)

(2) will there be any financial provision allocated for commissioning consultancy studies in 2002-03? If yes, please provide the following details:

Names of consultants (if available)	Contents of studies	Consultancy fees	Status of consultancy studies (in plan/in progress/finished)

Asked by: Hon. HO Sau-lan, Cyd

Reply:

The details of financial provision allocated for consultancy studies for policy making and assessment are as follows:

(1) for 2001-02

Names of consultants (if available)	Contents of studies	Estimated consultancy fees in 2001-02 (\$m)	Progress and follow-up action (in plan/in progress/finished)	Government's follow-up action (if available)
Head 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary				
Mr John McDonald	Consultancy services on electronic records management	0.115	In progress	A guideline on the management of e-mail records was issued.
Hong Kong Policy Research Institute Limited	Study on socio-economic-political development trends in the Mainland	0.640	Finished	-
One Country Two Systems Research Institute Limited	Study on socio-economic-political development trends in the Mainland	1.655	In progress	-
Centre of Asian Studies, University of Hong Kong	Study on socio-economic-political development trends in South East Asia	2.550	In progress	-
PolyU Technology and Consultancy Company Limited	Study on socio-economic-political development trends in Japan and South Korea	1.100	In progress	-
Goblin / Harris Forrest	Role of companies in the development of a vibrant Third Sector in Hong Kong	0.140	Finished	-
One Country Two Systems Research Institute Limited	Study on the socio-economic impact of 24-hour operation of boundary control points	0.259	In progress	-
MDR Technology Limited	Consultancy services for conducting a household survey on 24-hour passenger clearance at land boundary control points	0.900	In progress	-
PricewaterhouseCoopers Consultants Hong Kong Limited	Study on a public private partnership approach for the design, construction and operation of a new headquarters and studio complex for the Radio Television Hong Kong	2.704	Finished	Government to decide whether to proceed with a public private partnership approach, or to follow the traditional method.

PricewaterhouseCoopers Consultants Hong Kong Limited	Study to identify opportunities for a one-stop shop approach to trade facilitation and assistance to small and medium sized enterprises	0.329	Finished	Government is developing proposals to implement a one-stop shop approach for business licensing.
PricewaterhouseCoopers Corporate Finance Limited	Study to examine the possibility of a public private partnership for the reprovisioning of the Sha Tin Water Treatment Works	0.315	Finished	Government is re-considering the priority and timing for the reprovisioning of the Sha Tin Water Treatment Works. The outcome of the study will be relevant once the decision on the timing for the reprovisioning project is made.
Head 94 – Legal Aid Department				
Talents Management Consulting Services Company Limited	Review of mechanism of obtaining feedback from customers and implementation of new initiatives to inculcate the departmental culture in “Customer Service” and “Internal Communication”	0.195	In progress	-

Furthermore, we commissioned a number of other minor studies on cross-bureaux policy issues to outside experts. These studies will be completed within 2001-02.

(2) for 2002-03

Names of consultants (if available)	Contents of studies	Estimated consultancy fees in 2002-03 (\$m)	Status of consultancy studies (in plan/in progress/finished)
Head 142 – Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary			
Hay Group Limited	Consultancy study on the remuneration packages of senior management staff of statutory and other bodies	2.083	In progress
Mr John McDonald	Consultancy services on electronic records management (continuation of consultancy study in (1))	0.338	In progress
One Country Two Systems Research Institute Limited	Study on socio-economic-political development trends in the Mainland (continuation of consultancy study in (1))	1.467	In progress
Centre of Asian Studies, University of Hong Kong	Study on socio-economic-political development trends in South East Asia (continuation of consultancy study in (1))	1.530	In progress

PolyU Technology and Consultancy Company Limited	Study on socio-economic-political development trends in Japan and South Korea (continuation of consultancy study in (1))	0.975	In progress
One Country Two Systems Research Institute Limited	Study on the socio-economic impact of 24-hour operation of boundary control points (continuation of consultancy study in (1))	1.036	In progress
MDR Technology Limited	Consultancy services for conducting a household survey on 24-hour passenger clearance at land boundary control points (continuation of consultancy study in (1))	0.395	In progress
Not yet available	Studies to update baseline data for sustainability assessment purposes	2.878	In plan
Not yet available	Consultancy studies on sustainable development	2.300	In plan
Head 94 – Legal Aid Department			
Talents Management Consulting Services Company Limited	Review of mechanism of obtaining feedback from customers and implementation of new initiatives to inculcate the departmental culture in “Customer Service” and “Internal Communication” (continuation of consultancy study in (1))	0.065	In progress
Head 177 Subhead 526 – Legal Aid Services Council			
Not yet available	General survey and research on legal aid	0.241	In plan

In addition, provision of \$12.149 million has been included in the 2002-03 draft Estimates under Head 142 to commission a number of studies on cross-bureaux policy issues and transfer of public services. Details of these studies are still being planned.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO002

Question Serial No.

0268

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

In view of the need for the various Government departments and subvented organisations to respond to the Financial Secretary's call to strictly control government expenditure in terms of achieving a saving of \$2 billion in the upcoming financial year "without jeopardizing service quality", will the Administration inform this Council whether this will entail a massive increase in contracting out government work and hiring services? If yes, will the Administration provide information regarding which departments will be contracting out more work and what outside services will be hired, and itemise the savings that can be achieved in so doing?

Asked by: Hon. CHAN Kwok-keung

Reply:

The Administration continues to promote greater efficiency and productivity within the civil service whilst ensuring the effectiveness of public service delivery. To this end, the Efficiency Unit (EU) has been promoting greater involvement of the private sector. Private sector involvement includes outsourcing and hire of services. Over the past year, the EU has produced a general guide to outsourcing for departments' use and training courses for senior and middle managers have been conducted. Further, the Management Services Agency has established an outsourcing Help Desk to assist departments.

Individual Controlling Officers are responsible for the expenditure of funds within their control and, ultimately, decide whether to deliver services in-house or through outsourcing. We do not have the information as to the extent of outsourcing planned in the coming year, or how much savings are expected.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO003

Question Serial No.

0270

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

How much saving do the various Government departments aim to achieve in their streamlining and downsizing exercises? What are the criteria used in simplifying work procedures? What do they plan to do in terms of streamlining their organisation?

Asked by: Hon. CHAN Kwok-keung

Reply:

The Administration has set Enhanced Productivity Programme (EPP) saving targets amounting to 5% for the three-year period from 2000-01 to 2002-03. Under the EPP, individual Controlling Officers are asked to identify the required savings from within their provisions. We expect the 5% savings to be achieved fully as scheduled. In addition, we aim to reduce the civil service establishment to 181,000 by March 2002-03.

Streamlining and re-engineering of administrative processes are key focuses for enhancing efficiency, through reducing duplication and overlap, cutting red tape and minimising bureaucracy. Government departments regularly review their establishments in the light of demand for their services, the scope for outsourcing and the exploitation of technology. Redeployment of manpower is undertaken as and when necessary. When some longer term, more fundamental changes are necessary, organisational re-structuring may be examined through, for example, setting up trading funds.

The Efficiency Unit, with its executive arm viz. the Management Services Agency, assists departments by conducting on-going reviews of government services to ensure that value for money is being achieved. These include business and management reviews, reviews of specific departmental operations, process re-engineering, support for the Government's push towards E-government and encouraging private sector participation in the delivery of public services; all aimed to achieve productivity gains and improve efficiency.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03

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

Reply Serial No.

CSO004

Question Serial No.

0548

Head: 142 – Government Subhead(No. & title):

Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

What are the corporatisation and privatisation initiatives to be put forward by government departments for 2002-03 and what is the progress? What is the amount of expenditure expected to be reduced for the government?

Asked by: Hon. CHAN Yuen-han

Reply:

The Financial Secretary said in his budget speech that the second offering of shares in MTR Corporation Limited would take place in 2002-03.

The Administration regularly explores opportunities for the corporatisation of government departments. The discussion relating to the Survey and Mapping Office of the Lands Department is one example. However, no decision to proceed has been taken at this stage.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03

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

Reply Serial No.

CSO005

Question Serial No.

0792

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

Whereas the originally approved provision for the Efficiency Unit for 2001-02 originally stands at \$56.2 million, the revised estimate amounts to \$35.5 million (-36.8%) in the end. Why is there such a major revision?

Asked by: Hon. TANG Siu-tong

Reply:

The revised estimate for 2001-02 for the Efficiency Unit is \$20.7 million (36.8%) lower than the approved estimate for 2001-02. This is mainly due to lower than estimated staff cost (\$14.1 million accounting for 68% of the decrease) incurred by the Integrated Call Centre for Environmental Hazards and Cleanliness. Of the remaining decrease, \$3.0 million (15%) is due to reduced spending in salaries for short-term posts for ad hoc projects and post fallen vacant, and \$3.6 million (17%) owing to cashflow adjustment of capital projects.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03

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

Reply Serial No.

CSO006

Question Serial No.

0793

Head: 142 – Government Subhead(No. & title):

Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

- (a) How many consultancy studies have the Efficiency Unit commissioned during the period between 1999-2000 and 2001-02? How many of the recommendations of those studies have been implemented and how much expenditure is involved? How many of the recommendations are laid aside and how much expenditure is involved?
- (b) What consultancy studies is the Unit going to embark on in 2002-03?

Asked by: Hon. TANG Siu-tong

Reply:

- (a) Under Head 142, the Efficiency Unit (EU) commissioned during the period between 1999-2000 and 2001-02 the following studies, and the actions being taken by the Administration on the recommendations of these studies are set out as indicated :

Years	Consultancy studies	Consultancy fees (\$m)	Government's follow-up action
2000-01	Consultancy services on efficiency improvement programmes and reform options for the Water Supplies Department	4.340	<p>The Water Supplies Department has drawn up and embarked on a major efficiency and productivity improvement programme of over 100 initiatives. The target is to achieve savings of 10% by the end of 2003, amounting to \$300 million per annum.</p> <p>On organisational reform for the Department, it was decided, after taking into account the financial, economic, management and other considerations, not to introduce any major changes for the time being. Instead, the Department should proceed with its major efficiency and productivity improvement programme under the existing organisational structure. The overall situation will be reviewed in 2004.</p>

2001-02	Study on a public private partnership approach for the design, construction and operation of a new headquarters and studio complex for the Radio Television Hong Kong	2.704	Study just completed. Government to decide whether to proceed with a public private partnership approach, or to follow the traditional method.
	Study to identify opportunities for a one-stop shop approach to trade facilitation and assistance to small and medium sized enterprises	0.329	Study completed. Government is developing proposals to implement a one-stop shop approach for business licensing.
	Study to examine the possibility of a public private partnership for the reprovisioning of the Sha Tin Water Treatment Works	0.315	Study just completed. Government is re-considering the priority and timing for the reprovisioning of the Sha Tin Water Treatment Works. The outcome of the study will be relevant once the decision on the timing for the reprovisioning project is made.

- (b) Under Head 142, we have included in the 2002-03 draft Estimates a provision of \$4 million for the EU to conduct consultancy studies related to transfer of public services. We are yet to decide on the work priorities and have therefore not yet assigned the resources to specific projects.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2002

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

Reply Serial No.

CSO007

Question Serial No.

0837

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

The expenditure of \$214 million for CSO-Administration Wing represents the greatest share of the expenditure estimate under the Head “Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary.” Will the Administration provide details of the actual establishment of CSO-Administration Wing and the actual number of directorate and non-directorate officers? What is the amount of expenditure involved?

Asked by: Hon. NG Margaret

Reply:

The expenditure for CSO-Administration Wing also covers the requirements of the Central Policy Unit (CPU) and the Sustainable Development Unit (SDU). It covers the establishment of a total of 18 directorate (including 11 in the CSO-Administration Wing, 5 in the CPU and 2 in the SDU) and 258 non-directorate officers (including 207 in the CSO-Administration Wing, 31 in the CPU and 20 in the SDU). The provisions for the directorate and non-directorate officers in 2002-03 are \$30.6 million and \$80.0 million respectively.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03

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

Reply Serial No.

CSO008

Question Serial No.

0838

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

The Administration Wing has indicated that attention will be given to the initiatives aimed at integrating sustainable development by both the government and the community, which include the implementation of the sustainability assessment system and the setting up of the Council for Sustainable Development. As increasing the public's knowledge on the rule of law and their own legal rights are important in promoting sustainable development in the community, please state how much provision will be allotted in this area of work, and amongst which, is increasing the public's knowledge on their legal rights included?

Asked by: Hon. NG Margaret

Reply:

Provision of \$23.9 million has been included in the 2002-03 draft Estimates for various initiatives related to promoting sustainable development, including the institution of a sustainability assessment system to ensure the long-term sustainability of new major proposals, establishment of the Council for Sustainable Development with full secretariat support by the Sustainable Development Unit, etc. Of the provision, \$2.4 million is earmarked for promoting the general concept of sustainable development in the community through a new website, roving exhibitions, information booklets, etc. Our objective is to enhance public awareness of the new concept in general terms. As to the promotion of sustainability of a specific policy objective or programme activity, we will encourage and assist the responsible bureau or department to ensure the effective integration of sustainability principles into the relevant programme area, and enhance public awareness of the policy objective and community participation at the same time.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2002

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

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

For matters requiring special attention in 2002-03 under Programme (3), what specific measures are adopted by the Administration to realise the principle of sustainable development? Please provide the relevant details, timetable and expenditure involved.

Asked by: Hon. HO Sau-lan, Cyd

Reply:

With effect from April 2002, each submission to the Chief Secretary's Committee (including the Policy Groups) and the Executive Council should also set out the sustainability implications of the proposal, pursuant to a comprehensive sustainability assessment (SA) by the responsible bureau or department. The institution of the SA system seeks to ensure the integration of essential sustainability considerations into all major proposals during their early planning and decision-making processes. Apart from the staff establishment of the Sustainable Development Unit (SDU) which is to see to the effective implementation of the SA system within the Administration, \$3.6 million is earmarked in 2002-03 for hiring contract staff and services for keeping the extensive baseline data built into the SA computer programme up-to-date.

Consensus building and public participation are one of the key elements for successful integration of sustainability concept in the community. To this end, we will establish an advisory Council for Sustainable Development to study and advise on sustainability issues and help build a better public understanding of the concept. The SDU will serve as the secretary and provide related service to the Council. Furthermore, the SDU is also working on a number of initiatives to introduce the concept of sustainable development and promote public participation in the community. These include, for example, the creation of a website as a focal point for exchange of information and views, the publication of an information booklet for schools and community groups, and arrangement for a series of roving exhibitions among the districts. Other than the staff establishment of the SDU, \$2.4 million is earmarked in 2002-03 for the community programmes.

Signature _____

Name in block letters _____ Andrew H Y Wong

Post Title _____ Director of Administration

Date _____ 21 March 2002

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

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for 108 Remuneration for special appointments
Administration and the 838 Minor consultancy studies (block vote)
Financial Secretary

Programme: (1) Efficiency Unit
(3) CSO-Administration Wing

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

- (a) Please give an account of the details of Subhead 108.
- (b) For each study under Subhead 838 Minor consultancy studies (block vote), please set out the details, expenses incurred and the department(s) responsible.

Asked by: Hon. HO Sau-lan, Cyd

Reply:

- (a) Provision of \$13.9 million under Subhead 108 Remuneration for special appointments for 2002-03 is for the remuneration of six non civil-service appointments in the Central Policy Unit (CPU). In 2002-03, the provision for Head, three full-time Members and two Researchers of the CPU are \$3.0 million, \$8.4 million (including \$1.6 million for end-of-contract gratuity) and \$2.5 million respectively.
- (b) We have included in the 2002-03 draft Estimates provision of \$10.6 million and \$4.0 million under Subhead 838 Minor consultancy studies (block vote) for the CPU and the Efficiency Unit (EU) to conduct a number of studies on cross-bureaux policy issues and transfer of public services respectively. The provision includes the payment of \$2.4 million for the following three studies of the CPU that have started in 2001-02 and will continue in 2002-03:
 - (i) Study on socio-economic-political development trends in Japan and South Korea;
 - (ii) Study on the socio-economic impact of 24-hour operation of boundary control points; and
 - (iii) Consultancy services for conducting a household survey on 24-hour passenger clearance at land boundary control points.

Details of the other studies of the CPU or the EU are still being planned.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2002

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

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (4) Protocol Division

Controlling Officer: Director of Administration

Bureau Secretary: Director of Administration

Question :

As regards the responsibility under Programme (4) to maintain close liaison with the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR, will the Administration inform this Committee of the number of meetings conducted with the Liaison Office of the Central People's Government in the HKSAR in 2000-01 and 2001-02 respectively and what were the topics of discussions in each of these meetings?

Asked by: Hon. HO Sau-lan, Cyd

Reply:

The Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China (PRC) in the HKSAR is established under the Basic Law to deal with foreign affairs relating to the HKSAR. Under Programme (4), the Administration Wing and its Protocol Division maintain close liaison with the Office of the Commissioner of the Ministry of Foreign Affairs of the PRC in the HKSAR in the day-to-day management of affairs of the Consular Corps in Hong Kong.

Apart from the above, the Administration Wing has no direct or regular business contacts with the Liaison Office of the Central People's Government in the HKSAR. Although the Protocol Division may liaise with the latter on an ad hoc basis concerning reception arrangements for certain visiting dignitaries from the Mainland, this has been dealt with by phone or fax, without the need for formal meetings.

Signature _____

Name in block letters _____ Andrew H Y Wong

Post Title _____ Director of Administration

Date _____ 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO012

Question Serial No.

0034

Head: 94 Legal Aid Department Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: According to the existing key performance measures for processing civil legal aid applications under paragraph 10, the target set for applications to be processed within 3 months is 85%. How did the department arrive at this key performance measure? If the processing time is to be shortened to within 2 months, how much provision is required? Please list the figures in detail for comparison purpose.

Asked by: Hon. TO Kun-sun, James

Reply: The target of processing 85% of the applications within 3 months was arrived at in the light of past experience in processing applications having regard to the procedures and complexity involved including obtaining third party information required for the assessment of the means of the applicants and the merits of their cases, e.g. information from banking institutions and professional/expert advice. Where third party information is required, the actual processing time would depend upon the time taken by the third parties to provide the information and would not necessarily be shortened through additional resources.

The implementation of the Legal Aid Department's Information System Strategy ("ISS") project is under way. Upon full implementation of the ISS in October 2002, processing time for legal aid application would be reduced by two weeks in general. LAD will review the target processing time upon implementation of ISS project and will continue to examine ways to shorten the processing time.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO013

Question Serial No.

0579

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (2) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question:

- (1) For the directorate post to be deleted in 2002-03, what is its scope of duties? What are the reasons for deleting the post?
- (2) Under Programme (1) Processing of Legal Aid applications, 4 posts are to be deleted in 2002-2003. Will the processing of legal aid applications subsequently be affected?

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

- (1) The Finance Committee approved at its meeting on 25.5.2001 an Assistant Principal Legal Aid Counsel (APLAC) post on a supernumerary basis for 15 months as the Project Director (PD) to oversee the implementation of the Information Systems Strategy (ISS) Project during the core period from 1.7.2001 to 30.9.2002. The overall responsibilities of the PD are to supervise and monitor the progress of the implementation of ISS, exercise control over expenditure, and to ensure that the new system will meet the departmental needs and be completed on time and within budget. As the implementation of this ISS Project will be completed by 1 October 2002, this supernumerary APLAC post will lapse by then.
- (2) Through streamlining of work procedures and office automation under the Enhanced Productivity Programme and the implementation of ISS, Legal Aid Department can delete 4 posts under Programme (1) "Processing of Legal Aid Applications" in 2002-03. The deletion of the 4 posts will not affect the processing of legal aid applications.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO014

Question Serial No.

0580

Head: 94 – Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: Could the department inform us:-

- (1) What is the estimated number of legal aid applications on insolvency cases to be processed in 2002? And how are the figures compared with last year?
- (2) Is there any plan to allocate more resources or implement new measures to cope with the applications and litigations of insolvency cases?

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

- (1) The estimated number of legal aid applications on insolvency cases to be processed in 2002 is around 1 320, representing 5.8% increase over the 1 248 applications processed in 2001.
- (2) The restructuring of the Department's Litigation Division (which contains the Insolvency Unit) beginning last year has provided greater flexibility in the redeployment of manpower resources. The Department will closely monitor the workload of the Insolvency Unit. Should the need arise, appropriate and effective measures can be promptly adopted to deal with applications and litigations in relation to insolvency cases.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO015

Question Serial No.

0581

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question : Could the Department inform us:-

- (1) Is there any plan to increase the percentage of assigned-out cases? If yes, what are the details? If not, please state the reasons?
- (2) Are there any concrete measures and resources to enhance the monitoring of assigned-out cases?

Asked by: Hon. EU Yuet-mee, Audrey

- Reply:
- (1) There is no plan to increase the present percentage of around 70%. In arriving at the present ratio, the Department takes into account the experience and capacity of the in-house Litigation Division and the need to facilitate staff professional development and to ensure that professional officers have the expertise to monitor assigned-out cases. The present ratio has been endorsed by the Legal Aid Services Council.
 - (2) The Department has taken the following measures to enhance the monitoring of assigned-out legal aid cases without additional resources:-
 - (a) Wider use of limited certificates – the Department stipulates the scope of work on the certificates and extension of certificate is subject to a review of the merits and costs of the case so as to ensure that it is justifiable to continue granting legal aid to the aided person;
 - (b) Costs condition – assigned solicitors are required to report to the Department once the legal costs of the case have reached the stated sum or level so as to ensure that the costs incurred or to be incurred are reasonable;
 - (c) The Department has distributed revised Guidance Notes to assigned solicitors and new guidance notes to Counsel so as to ensure that they will comply with the legal provisions as well as the guidelines or codes of practice issued by the relevant legal professional body when handling legal aid cases;
 - (d) The Department has issued internal guidelines to Professional Officers to enhance monitoring of assigned-out cases;

- (e) The Department is in the course of implementing the Information System Strategy project. The progress and costs of each case can be monitored more effectively through the Case Management System and the Case Accounting System when the project comes into full operation in October 2002.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO016

Question Serial No.

0591

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: Regarding the Supplementary Legal Aid Scheme, could the department inform us:-

- (1) What is the estimated number of applications in 2002 and the percentage of successful applications? And how are the figures compared with last year?
- (2) What is the estimated amount of surplus under the scheme in 2002?
- (3) Would the department consider extending the coverage of the scheme? If yes, please give the details. And if not, what are the reasons?

Asked by: Hon. EU Yuet-mee, Audrey

- Reply:
- (1) It is estimated that the number of applications made under the Supplementary Legal Aid Scheme ("SLAS") in 2002 will be about 220, which is more or less the same as last year. It is difficult to predict the success rate as the merits of each case will have to be assessed on an individual basis. Based on past experience, the percentage of successful applications is about 75%.
 - (2) The estimated amount of surplus under SLAS for 2001-02 (for the Scheme's accounting year from 10/01 to 9/02), based on the actual figures for the past 5 months, will be around \$8.6m. This estimate however has not reflected the full impact of the reduction of successful litigants' contribution rate from 15% to 12% since July 2000 to the SLAS fund. The new rate of 12% has only been applicable to 13 cases out of 345 cases concluded during the period from July 2000 to end February 2002 and there is hence insufficient data to assess at this stage its full impact on the SLAS fund.
 - (3) The SLAS is a self-financing scheme. In order to maintain the financial viability of the Scheme, and in view of the fact that the full impact of the reduction in contribution rate has yet to be assessed, we have no plans to expand its scope at this stage.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO017

Question Serial No.

0601

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: Regarding the processing of criminal legal aid applications, could the department inform us:-

- (a) In respect of applications for appeals against sentence, the target is to process 85% of applications within 2 months from the date of application. Since the actual performance achieved in 2000 and 2001 has far exceeded this target to reach 97%, why isn't the target raised to 97% in 2002?
- (b) In respect of applications for appeals against conviction, the target is to process 85% of applications within 3 months from the date of application. Since the actual performance achieved in 2000 and 2001 has far exceeded this target to reach 94% and 95% respectively, why isn't the target raised to 94% in 2002?
- (c) Regarding the processing of civil legal aid applications, the target is to process 85% of applications within 3 months from the date of application. Since the actual performance achieved in 2000 and 2001 has far exceeded this target to reach 93% and 92% respectively, why isn't the target raised to 92% in 2002?

Asked by: Hon. EU Yuet-mee, Audrey

Reply: (a) & (b) According to our experience in processing applications, whether the target of processing 85% of applications within the specified time can be achieved mainly depends on the number of applications received during the period concerned, the complexity of individual cases and the availability of the required information from third parties within the processing time, including waiting for the Court to provide transcript for appeal purpose, and obtaining information from banks and seeking professional advice from Counsel/experts. The target for processing criminal legal aid applications was recently raised from 80% to 85% in January 2002. As it is anticipated that the number of applications for criminal legal aid will continue to increase in 2002 and that after the department's ISS project has come into full operation in October 2002, the processing time would be shortened by 2 weeks in general, it is not considered prudent to further revise the target of 85% at this stage. However, the department will review the target processing time upon the implementation of the project and continue to examine ways to shorten the processing time.

- (c) The processing of legal aid applications for civil cases is broadly similar to that for criminal cases. The target was raised from 80% to 85% in January 2001. As it is anticipated that the number of applications for civil legal aid will continue to increase in 2002 and that after the department's ISS project has come into full operation in October 2002, the processing time would be shortened by 2 weeks in general, it is not considered prudent to further revise the target of 85% at this stage. However, the department will review the target processing time upon the implementation of the project and continue to examine ways to shorten the processing time.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO018

Question Serial No.

0832

Head: 94 Legal Aid Department

Subhead (No. & title): 001 Salaries

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: In the Estimates of Expenditure of the Legal Aid Department in 2002-03, the estimated expenditure on personal emoluments is \$225m, accounting for nearly 30% of the total expenditure. Could the department inform us about the details of its staff establishment and the actual workforce? How many of them are professionally qualified lawyers? What is the expenditure on the salaries of staff of different grades and ranks in the department?

Asked by: Hon. NG Margaret

Reply: The estimated establishment, strength and personal emoluments expenditure on the staff as at 31.3.2003 are as follows :-

Grade	Estimated Establishment	Estimated Strength	Estimated Expenditure on personal emoluments (including allowances) (\$ m)
Legal Aid Counsel ⁽¹⁾	76	76	81
Law Clerk	177	175	69
Others ⁽²⁾	322	320	75
Total :	575	571⁽³⁾	225

- Note : (1) All Legal Aid Counsel are professionally qualified lawyers.
(2) Mainly include administrative support, clerical and secretarial staff.
(3) It is estimated that a total of 4 vacancies would exist due to natural wastage.

Signature _____

Name in block letters S. Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN QUESTION**

Reply Serial No.

CSO019

Question Serial No.

0833

Head: 94 Legal Aid Department

Subhead (No. & title): 001 Salaries

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: At present, the department assigns in-house lawyers to handle civil litigations on personal injury, matrimonial and insolvency matters, as well as some of the criminal litigations. How many lawyers are responsible for handling these litigations and how much expenditure is involved?

Asked by: Hon. NG Margaret

Reply: The numbers of lawyers working in the relevant sections and the amount of expenditure involved are as follows:-

Section	Number of Lawyers	Estimated salary expenditure for 2002-03 (\$m)
Personal Injury Litigation	13	11
Family	7	5
Insolvency [*]	3	2
Crime ^{**}	9	8

* The duties of Legal Aid Counsel in the Insolvency Unit include processing of relevant legal aid applications and referral of cases to the Protection of Wages on Insolvency Fund Board.

** The duties of Legal Aid Counsel in the Crime Section include processing of criminal legal aid applications and monitoring of assigned-out cases.

Signature _____

Name in block letters S. Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO020

Question Serial No.

0834

Head: 94 Legal Aid Department

Subhead (No. & title): 001 Salaries

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: Under 'Matters requiring Special Attention in 2002-03', it is revealed that the department will implement measures to strengthen the monitoring of assigned-out cases. Could the department inform us if re-deployment of manpower resources is required to strengthen the monitoring work? What is the department's estimated expenditure in this respect?

Asked by: Hon. NG Margaret

Reply: The department is in the process of implementing its Information Systems Strategy project. The progress of cases and the expenditure on costs can be more effectively monitored through the Case Management System and Case Accounting System when the project comes into operation in October 2002. Hence, re-deployment of manpower resources is not required for implementing measures to strengthen the monitoring work. Provision for the department's expenditure in monitoring assigned-out cases is subsumed in the estimated provision of Programme (2) which covers provision for salaries, departmental expenses and legal aid costs for both in-house litigation and assigned-out of cases.

Signature _____

Name in block letters S.Y.CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN /~~SUPPLEMENTARY~~ QUESTION**

Reply Serial No.

CSO021

Question Serial No.

0835

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: The expenditure on litigation services in 2002-03 is estimated by the Director of Legal Aid to be \$673.1m which is just slightly higher than the revised provision for 2001-02 by 1.8%. However, the revised provision of \$660.9m was higher than the actual expenditure by 10.3% in 2001-02. On what basis does the Director of Legal Aid anticipate that the expenditure for litigation services in 2002-03 will only increase slightly by 1.8%?

Asked by: Hon. NG Margaret

Reply: The estimated provision for Programme (2) in 2002-03 includes the provision for salaries and departmental expenditure. The increase in expenditure under this programme in 2002-03 is partly offset by reduced operating expenditure and savings arising from the deletion of 2 posts under the Enhanced Productivity Programme, as well as the deletion of 6 permanent posts and 1 supernumerary post upon the implementation of the Information Systems Strategy project.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY/ QUESTION**

Reply Serial No.

CSO022

Question Serial No.

0836

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: How many legal aid applications in respect of the right of abode litigation were received by the Legal Aid Department in 2000-01 and 2001-02 respectively? Among these applications, how many cases were granted legal aid and how much provision was involved? Up till now, has the department received any new applications?

Asked by: Hon. NG Margaret

Reply: The total number of applications in respect of the right of abode litigation received by the Department in 2000-01 and 2001-02 is 879 and 2 respectively. A total of 14 legal aid certificates was granted. The expenditure for litigation in the right of abode cases during these two financial years is \$10 m and \$5 m respectively, approximately accounting for 1.4% and 0.8% of the approved provisions for legal aid costs for the respective financial year. Up till now, the Department has not received any new application for litigation in respect of claims for right of abode.

Signature _____

Name in block letters _____ S.Y.CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO023

Question Serial No.

1126

Head: 94 – Legal Aid Department

Subhead (No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Administration Wing, Chief Secretary for Administration's Office

Question: Under "Matters Requiring Special Attention in 2002-03", it is revealed that the department will implement measures to enhance efficiency of the Litigation Division. What are the details of these measures? How can they help enhance efficiency of the Litigation Division?

Asked by: Hon. LAU Hon-chuen, Ambrose

Reply: The Legal Aid Department will implement the following measures to improve the efficiency of the Litigation Division:

- (a) Setting up teams within the various sections of the Litigation Division and appointing Senior Legal Aid Counsel to act as team leaders so as to strengthen the supervision of the teams' work;
- (b) Re-deploying staff resources to enhance the efficiency of the teams;
- (c) Drawing up new core duties of the team leaders to include assisting the section heads in managing the teams more effectively;
- (d) Streamlining the work flow to enhance efficiency;
- (e) Strengthening case management through a new information system and office automation.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO024

Question Serial No.

1127

Head: 94 Legal Aid Department

Subhead (No. & title): 001 Salaries

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: Under 'Matters requiring Special Attention in 2002-03', it is revealed that the department will implement measures to strengthen the monitoring of assigned-out cases. In respect of assigned-out cases, what are the expenditure in respect of assigned out cases in the past two years and 2002-03? What measures will be implemented by the department to strengthen the monitoring work?

Asked by: Hon. LAU Hon-chuen, Ambrose

Reply: The expenditure in respect of assigned out cases are tabulated as follows :-

Year	2000-01 Actual	2001-02 Revised Estimates	2002-03 Estimates
Legal Aid expenditure in respect of assigned out cases	\$417m	\$450m	\$480m

- (2) The Department has taken the following measures to enhance the monitoring of assigned out legal aid cases without additional resources:-
- Wider use of limited Certificates – the Department stipulates the scope of work on the certificates and extension of certificate is subject to a review of the merits and costs of the case so as to ensure that it is justifiable to continue granting legal aid to the aided person;
 - Costs condition – assigned solicitors are required to report to the Department once the legal costs of the case have reached the stated sum or level so as to ensure that the costs incurred or to be incurred are reasonable;
 - The Department has distributed revised Guidance Notes to assigned solicitors and new guidance notes to Counsel so as to ensure that they will comply with the legal provisions as well as the guidance notes or codes of practice issued by the relevant legal professional body when handling legal aid cases;
 - The Department has issued internal guidelines to Professional Officers to enhance monitoring of assigned-out cases;

- (e) The Department is in the course of implementing the Information System Strategy project. The progress and costs of each case can be monitored more effectively through the Case Management System and the Case Accounting System when the project comes into full operation in October 2002.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO025

Question Serial No.

1364

Head: 94 – Legal Aid Department

Subhead (No. & title):

Programme: (4) Official Solicitor's Office

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: Please answer the following questions in relation to this programme:-

- (a) The revised provision for 2001-02 was higher than the actual expenditure for 2000-01 by 25.7% which is double the 12.9% increase of the approved provision for 2001-02 over the actual expenditure for 2000-01 by one fold. Could the Department state the reasons for such an increase?
- (b) Has the Department estimated the number of adoption cases that might be affected by the Court of Final Appeal's judgment on TAM Nga-yin's right of abode case, and hence anticipated its impact on the estimated provision for this programme in 2002-03?

Asked by: Hon. IP Kwok-him

- Reply:
- (a) The 2001-02 revised estimates of \$4.4 m was \$0.9 m higher than the approved estimates of \$3.5 m (representing an increase of 25.7%). This is mainly due to the increase in salary expenditure arising from the redeployment of 2 staff to the Official Solicitor's Office to attend to the increasingly complicated cases.
 - (b) Since the Court of Final Appeal has ruled against Tam Nga Yin (under the Adoption Category of the Right of Abode Cases), the Department does not anticipate that there will be new legal aid applications or litigations of this category in the coming year. The Department has no record of the number of the cases in this category that are affected by the judgment. This category of right of abode cases has no impact on the estimated provision for 2002-03.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

CSO026

Question Serial No.

1366

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Bureau Secretary: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question : Please answer the following questions in relation to Programme (1):-

(a) The actual performance in processing civil and criminal legal aid applications in 2000 and 2001 had exceeded the targets set, indicating that the department had the capability to raise the service standard. So why does the department purposely understate the planned performance for 2002 by adhering to the previous targets?

(b) Has the department estimated the impact of the Court of Final Appeal's judgment delivered on 9.1.2002 on the relevant right of abode applications and in turns its impact on the estimated provision for this programme in 2002-03?

Asked by: Hon. IP Kwok-him

Reply: (a) According to our experience in processing applications, whether the target of processing 85% of applications within the specified time can be achieved mainly depends on the number of applications received during the period concerned, the complexity of individual cases and the availability of the required information from third parties within the processing time, including waiting for the Court to provide transcript for appeal purpose, and obtaining information from banks and seeking professional advice from Counsel/experts. The target for processing criminal legal aid applications was recently raised from 80% to 85% in January 2002. As it is anticipated that the number of applications for criminal legal aid will continue to increase in 2002 and that after the department's ISS project has come into full operation in October 2002, the processing time would be shortened by 2 weeks in general, it is not considered prudent to further revise the target of 85% at this stage. However, the department will review the target processing time upon the implementation of the project and continue to examine ways to shorten the processing time.

The processing of legal aid applications for civil cases is broadly similar to that for criminal cases. The target was raised from 80% to 85% in January 2001. As it is anticipated that the number of applications for civil legal aid will continue to increase in 2002 and that after the department's ISS project has come into full operation in October 2002, the processing time would be shortened by 2 weeks in general, it is not considered prudent to further revise the target of 85% at this stage. However, the department will review the target processing time upon the implementation of the project and continue to examine ways to shorten the processing time.

- (b) As the legal representatives for the parties involved in the case of Ng Siu-tung are currently consulting together as directed by the Court of Final Appeal for the purpose of submitting draft orders to the Court for disposing of the appeals covered by the judgment delivered by the Court of Final Appeal on 10 January 2002, it is difficult for the department to estimate the impact of the judgment on the relevant right of abode applications at this stage. Based on the actual expenditure on the right of abode cases for the past few years, the amount on average only accounted for about 1% of the approved annual provision for legal aid costs. Hence, we anticipate that the applications on right of abode cases would not have much impact on the estimated provision for 2002-03.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2002