

**Replies to initial written questions raised by Finance Committee Members in
examining the Estimates of Expenditure 2007-08**

**Controlling Officer : Director of Administration/Director of Legal Aid
Session No. : 7**

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Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO001

Question Serial No.

0300

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

Director of Bureau: Director of Administration

Question :

Provision for 2007-08 is \$23.5 million higher than the revised estimate for 2006-07, partly due to the requirement for promotion of public policy research. Please give details of the specific work plan and expenditure involved.

Asked by: Hon. CHEUNG Hok-ming

Reply:

Provision for 2007-08 is \$23.5 million higher than the revised estimate for 2006-07. This is mainly due to the anticipated requirement for promotion of public policy research, increase in departmental expenses for consultancy studies on business facilitation, lower-than-expected expenditure in general departmental expenses in 2006-07, as well as the full-year effect of posts created in 2006-07 and salary increments for staff, partly offset by the net deletion of 13 posts and reduced cash flow requirement for non-recurrent items.

As far as promotion of public policy research is concerned, a sum of \$20 million has been included in the draft estimate for 2007-08. The Central Policy Unit (CPU) manages and disburses the funds through the Research Grants Council (RGC) under the University Grants Committee (UGC). The RGC will by late March 2007 invite applications from higher education institutions and the deadline for return of submissions is June 2007. Details about the projects to be conducted under this new round will be available after the RGC has completed its evaluation process. The actual expenditure involved will be dependent on the number of grants approved.

Signature _____

Name in block letters _____ Miss Elizabeth Tse

Post Title _____ Director of Administration

Date _____ 14 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO002

Question Serial No.

0476

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

Director of Bureau: Director of Administration

Question :

Provision for 2007-08 is \$0.5 million (1.2%) higher than the revised estimate for 2006-07, mainly due to the anticipated increase in general departmental expenses. Please inform this Committee of the reasons for and details of the increase in general departmental expenses.

Asked by: Hon. CHAN Wai-yip, Albert

Reply:

The proposed provision for 2007-08 under Programme (4) Protocol Division, i.e. \$41.1 million, is the same as the approved estimate for 2006-07. Owing to the lower-than-expected spending on general departmental expenses (mainly on hire of services and maintenance-related items) in 2006-07, the proposed provision for 2007-08 represents a marginal increase of \$0.5 million (1.2%) when compared with the revised estimate for 2006-07.

Signature _____

Name in block letters _____ Miss Elizabeth Tse

Post Title _____ Director of Administration

Date _____ 13 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO003

Question Serial No.

0515

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

Director of Bureau: Director of Administration

Question :

Has provision been earmarked for the Central Policy Unit to commission consultancy studies in 2007-08? If so, please provide the details of each consultancy study in terms of:

- (a) scope of study;
- (b) name of the consultant;
- (c) consultancy fee;
- (d) progress of study;
- (e) whether the findings of the study will be made public; and
- (f) follow-up actions on the findings of the study.

Asked by: Hon. LEE Cheuk-yan

Reply:

For 2007-2008, a sum of \$6.7 million has been earmarked for the Central Policy Unit (CPU) to undertake consultancies. Projects which have been committed so far are as follows:

No.	(a) Title/ Subject	(b) Consultant	(c) Consultancy Fee (\$ million)	(d) Progress
1.	Social, Economic and Political Developments in Pan-Pearl River Delta Region, covering Fujian, Jiangxi, Hunan and Hainan	One Country Two Systems Research Institute Ltd	0.875	on-going
2.	Social, Economic and Political Developments in Pan-Pearl River Delta Region, covering Guangxi, Yunnan, Guizhou and Sichuan	PolyU Technology & Consultancy Co. Ltd.	0.986	on-going
3.	Options for Guangdong-Hong Kong Joint Efforts to Promote Waterborne Logistics Co-operation in the Pan-Pearl River Delta Region	Development Research Centre, Guangdong Provincial Government	0.250	on-going

No.	(a) Title/ Subject	(b) Consultant	(c) Consultancy Fee (\$ million)	(d) Progress
4.	The Social, Economic and Political Developments in the Mainland, with Particular Emphasis on Regional Developments and the Guangdong Province, that have Implications for Hong Kong	One Country Two Systems Research Institute Ltd	1.280	on-going
5.	Returnees to Hong Kong and Their Adaptation Strategies	Department of Sociology, Hong Kong Baptist University	0.160	on-going
6.	Users' Experience of Hong Kong's Welfare System	Department of Social Work, The Chinese University of Hong Kong	0.146	on-going

As regards (e) whether to release the findings to the public and (f) whether any follow up action is called for, CPU will consider the circumstances and nature of the studies before making a decision for individual projects.

Signature _____

Name in block letters Miss Elizabeth Tse

Post Title Director of Administration

Date 14 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO004

Question Serial No.

0569

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

Director of Bureau: Director of Administration

Question :

What is the latest progress made by the Business Facilitation Advisory Committee and its Economic Analysis and Business Facilitation Unit in “removing barriers”? Is there any assessment of the overall effectiveness that has been achieved so far? What is the general response of the commercial sector?

Asked by: Hon. CHOW LIANG Shuk-yee, Selina

Reply:

The Business Facilitation Advisory Committee (BFAC) and its task forces advise the Government on regulatory reviews and measures to facilitate business. The Economic Analysis and Business Facilitation Unit (EABFU) provides support to the BFAC and its task forces and coordinates the Government's business facilitation efforts. Since the setting up of the BFAC in January 2006, 28 business facilitation studies and projects have been initiated/completed with 32 improvement measures implemented. Some major regulatory reviews completed so far include review of liquor licensing, review of the processing of outside seating accommodation for restaurants, review of the processing of lease modification and land exchange applications, review of the main planning processes, review of the licensing requirements for theme parks and family amusement centres, review of the registration of pharmaceutical products, etc. These reviews have come up with recommendations to shorten the processing time, streamline the process and improve customer service. The Government has recently launched the “Be the Smart Regulator” Programme to further improve the licensing processes and business environment. As part of the Programme, the EABFU has set up eight Business Liaison Groups (BLGs) with various business sectors to facilitate their mutual understanding with the government departments regarding licensing and regulatory issues.

The business community supports the Government's business facilitation initiatives and many leading businessmen have participated actively in the BFAC and its task forces. Members of the BFAC and the task forces from the business sectors support the review recommendations and are keen to provide suggestions on measures to facilitate business. The BLG meetings are well received by the trade representatives.

Signature _____

Name in block letters Miss Elizabeth Tse

Post Title Director of Administration

Date 13 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO005

Question Serial No.

0848

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

Director of Bureau: Director of Administration

Question :

The Secretariat to the Commission on Poverty under the Financial Secretary's Office will continue to provide support to the Commission on its work in 2007-08. Please advise:

- (a) the details of the work, its expenditure and the manpower involved; and
- (b) whether consideration will be given to restructure the Commission on Poverty and to expand its power to make it a government department responsible for coordinating poverty policies?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) The Secretariat to the Commission on Poverty (CoP) provides secretariat support to the CoP and its task forces and ad hoc groups. This includes assisting the CoP in formulating policy recommendations and liaising with relevant bureaux, departments, the private sector, non-governmental organisations, the Legislative Council and various community groups on relevant initiatives and proposals.

In 2007-08, the operational expenses for the CoP Secretariat are estimated to be \$2.763 million (from April to August 2007). The Secretariat is headed by an Administrative Officer Staff Grade B1, and now consists of two administrative officers, one executive officer and five supporting staff members.

- (b) The CoP will submit a report to the Government in the middle of this year on ways to prevent and alleviate poverty and to promote self-reliance.

Signature _____

Name in block letters _____ Miss Elizabeth Tse

Post Title _____ Director of Administration

Date _____ 13 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO006

Question Serial No.

0849

Head: 142 – Government Subhead (No. & title): 700
Secretariat: Offices of the
Chief Secretary for General Non-recurrent
Administration and the
Financial Secretary

Programme:

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Regarding Item 494 “Mentorship Fun Project”, please advise this Committee:

- (a) of the details of the Project, expenditure and manpower involved;
- (b) whether the effectiveness of the Project in alleviating poverty has been assessed; and
- (c) which government department will take over this Project upon expiry of the tenure of office of the Commission on Poverty in June this year?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) “Mentorship Fun” is a mentoring project among tertiary, post-secondary, secondary and primary students which aims to imbue the younger generation with a sense of community responsibility and in the long run, to build social capital. Since the commencement of the project in July 2005, the expenditure of the project has been \$3.34 million of which \$2.4 million has been allocated as incentives (in the form of travel allowance) to encourage participation in the project. As voluntary service matching is done by the participants themselves, either through their own social network or an electronic platform set up to facilitate the process, the manpower involved in the daily operation of the project is relatively small.
- (b) The purpose of the project is to build up social capital. So far, more than 3 800 students have registered to join the project and they have performed nearly 60 000 hours of voluntary services.
- (c) The Secretariat to the Commission on Poverty will discuss with an appropriate Bureau/Department regarding the taking over of the project.

Signature _____

Name in block letters _____ Miss Elizabeth Tse

Post Title _____ Director of Administration

Date _____ 13 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO007

Question Serial No.

0850

Head: 142 – Government Subhead (No. & title): 700
Secretariat: Offices of the
Chief Secretary for General Non-recurrent
Administration and the
Financial Secretary

Programme:

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

The balance of the “initiatives to strengthen support to children and youth” under Item 822 is \$7.54 million and the revised estimated expenditure for 2006-07 only accounts for 12% of the approved commitment. Please advise us:

- (a) on the details of the initiatives, expenditure and manpower involved;
- (b) whether the Administration will consider increasing the provision to expedite such initiatives; and
- (c) whether the Administration has assessed the effectiveness of such initiatives in alleviating poverty.

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) We have committed \$1.5 million for the Social Welfare Department (SWD) to carry out My STEP, a trial project which focuses on motivating the unemployed youths with low readiness for employment through disciplinary training, job placement and other employment assistance services for 2006-07 and 2007-08. SWD has commissioned two non-governmental organizations to carry out the project.
- (b) & (c) The project is planned to finish in September 2007. An evaluation study is included as part of the project in order to assess its effectiveness. Actual expenditure for the item falls short of the original estimate because My STEP, instead of spending \$3.35 million as estimated, costs only \$1.5 million, over two financial years. Other initiatives to strengthen support to children and youth (e.g. to strengthen parenting education) did not materialise within 2006-07.

The resources for the item are drawn from the proceeds from the Personalized Vehicle Registration Marks Scheme set aside for poverty alleviation initiatives. The unspent balance of this item will be re-allocated for other poverty alleviation initiatives. For instance, as announced in the Budget 2007-08, about \$10 million will be allocated over the next three years for expanding the Capacity Building Mileage Programme and for strengthening parenting education.

Signature _____

Name in block letters _____ Miss Elizabeth Tse

Post Title _____ Director of Administration

Date _____ 13 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO008

Question Serial No.

0851

Head: 142 – Government Subhead (No. & title): 700
Secretariat: Offices of the
Chief Secretary for General Non-recurrent
Administration and the
Financial Secretary

Programme:

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Regarding the “initiatives to enhance incentive to work “under Item 823, please advise us:

- (a) on the details of the initiatives, expenditure and manpower involved; and
- (b) whether the Administration has assessed the effectiveness of such initiatives in alleviating poverty.

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) We have provided \$2.63 million to the Employees Retraining Board to implement the Trial Travel Support Scheme (TTSS). We have also committed \$3.32 million for the Social Welfare Department (SWD) to carry out the District-based Employment Assistance Trial (DEAT) Projects for 2006-07 and 2007-08. The SWD has commissioned three non-governmental organizations to carry out the projects in Tsuen Wan/Kwai Tsing, Tung Chung and Tin Shui Wai helping 300 long-term Comprehensive Social Security Assistance able-bodied unemployed recipients return to work. A comprehensive package of employment assistance services is provided, including soft skills training, job-search assistance, employment-related and non-employment-related counselling, job matching, job attachment, work-focused training and post-employment support services, as well as a \$1,500 one-off incentive grant (for those who keep their jobs for four months or more). A sum of \$100,000 has also been committed for the Home Affairs Bureau (HAB) to strengthen training support to ethnic minorities for 2006-07 and 2007-08.

- (b) A review has been conducted on the TTSS and it will be replaced by a pilot Transport Support Scheme which will be introduced in mid 2007. The DEAT Project is planned to be completed in September 2008 and an evaluation study is included as part of the project to assess its effectiveness. Providing interpreters to ethnic minorities attending training courses at the Vocational Training Council is an ongoing service and the HAB will assess its effectiveness from time to time.

Signature _____

Name in block letters Miss Elizabeth Tse

Post Title Director of Administration

Date 13 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO009

Question Serial No.

0852

Head: 142 – Government Subhead (No. & title): 700
Secretariat: Offices of the
Chief Secretary for General Non-recurrent
Administration and the
Financial Secretary

Programme:

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

The balance of the “ initiatives to support social enterprise development” under Item 824 is \$8.3 million and the revised estimated expenditure for 2006-07 only accounts for 16% of the approved commitment. Please advise us:

- (a) on the details of the initiatives, expenditure and manpower involved;
- (b) whether the Administration will consider increasing the provision to expedite such initiatives; and
- (c) whether the Administration has assessed the effectiveness of such initiatives in alleviating poverty?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) & (c) We have commissioned the Hong Kong Council of Social Service to organize a Certificate Course in Social Entrepreneurship and the Chinese University of Hong Kong to organize the Social Enterprise Challenge 2007, a social enterprise business plan competition for university students. The total cost for the two projects is \$1.79 million. Both of them will be completed in mid 2007 and evaluations will be carried out to assess their effectiveness.
- (b) Actual expenditure for the item falls short of the original estimate because (i) a proposed overseas visit by the Commission on Poverty to study social enterprise development and social entrepreneurship training did not materialise; and (ii) since the Enhancing Self-Reliance Through District Partnership Programme under the Home Affairs Department could provide seed money for new social entrepreneurs, it would not be necessary to do so. Nearly \$7 million estimated for the two initiatives was saved as a result.

The resources for the item are drawn from the proceeds from the Personalized Vehicle Registration Marks Scheme set-aside for poverty alleviation initiatives. The unspent balance of this item will be re-allocated to other poverty alleviation initiatives.

Signature _____

Name in block letters Miss Elizabeth Tse

Post Title Director of Administration

Date 13 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO010

Question Serial No.

0853

Head: 142 – Government Subhead (No. & title): 700
Secretariat: Offices of the
Chief Secretary for General Non-recurrent
Administration and the
Financial Secretary

Programme:

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Regarding Subhead 700 Item 499 “Publicity and communication related activities of the Commission on Poverty” and Item 826 “Researches on poverty-alleviation related issue”, please advise this Committee:

- (a) of the details of work, expenditure, manpower involved and effectiveness of the two items; and
- (b) which government department will follow up with the researches on poverty-alleviation related issues and will carry on the work of poverty alleviation upon expiry of the current tenure of office of the Commission on Poverty?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

(a) **Item 499**

The Commission on Poverty (CoP) has conducted a number of public seminars, conferences and publicity efforts in order to enhance the public understanding on poverty-related issues. We organised the Social Enterprise Conference (SEC) in April 2006 and the Child Development Forum (CDF) in November 2006. Well-known local and overseas speakers were invited to both conferences which were well received. The SEC indeed successfully aroused public’s awareness on the potential value and benefits of social enterprise and its development. The CDF also provided a good opportunity and platform for the public to review the existing policies and future direction in promoting child development, especially those relating to tackling intergenerational poverty.

We also commissioned the Asia Television Limited to produce and broadcast two series of television programmes to promote public awareness on social enterprise and child development. The series on social enterprise was a 13-episode series broadcasted between May and July 2006 and the series on child development was a 6-episode series broadcasted between October and December 2006. The proceedings of the conferences and the TV programmes (mainly in a digital format) were also widely distributed after the events.

In addition, we hired the service of an independent consultant to conduct focus group meetings at the district level on poverty alleviation work. The first study report, namely “From Welfare to Self-reliance” - District Study on Employment Assistance have been submitted to the CoP. The second study - “From Poverty Alleviation to Community Resilience” - Study on District-based Support for the Disadvantaged is being finalised and will be submitted to the CoP in April 2007.

The total expenditure for the above mentioned initiatives was \$4.85 million.

Item 826

In order to enhance the understanding of the poverty situation in Hong Kong, the CoP has earmarked \$1.65 million on a number of research projects/initiatives including the following:

- (i) a study on “Effects of Taxation and Social Benefits on Household Income Distribution” has been conducted to examine the adjustment on household income with respect to the effects of taxation and social benefits (such as education, housing and medical benefits). The study facilitates a more in-depth understanding of the redistributive impact of public policies on the income of different households;
 - (ii) we have commissioned the Chinese University of Hong Kong to carry out a consultancy study on “Promotion of parent education for economically disadvantaged and hard-to-reach families in Hong Kong”. The study findings were considered by the CoP Task Force on Children and Youth in February 2007; and
 - (iii) we have also commissioned the University of Hong Kong to carry out a study on “Community Engagement and Joint Action Against Poverty in Tin Shui Wai”. The study is expected to be completed in the second quarter of 2007.
- (b) The CoP will submit a report to the Government in the middle of this year on ways to prevent and alleviate poverty and to promote self-reliance, including ways to enhance understanding of the poverty situation in Hong Kong.

Signature _____

Name in block letters Miss Elizabeth Tse

Post Title Director of Administration

Date 13 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO011

Question Serial No.

0854

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

Programme:

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Regarding the setting up of a child development fund mentioned in the Financial Secretary's Speech on the Appropriation Bill, please advise this Committee:

- (a) of the implementation timetable, details of operation, estimated expenditure and manpower to be involved;
- (b) the objectives of setting up the fund and its specific indicators; and
- (c) the anticipated effectiveness in eliminating cross-generational poverty?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) In the 2007-08 Budget, the Government has set aside resources for establishing a Child Development Fund. The Government has not decided on a operational model for the Fund. The Commission on Poverty (CoP) will further consider the possible operational model at its next meeting.
- (b) As stated in the 2007-08 Budget, the main objective of the Fund is to provide children from a disadvantaged background with more development opportunities. In the past few months, the CoP has drawn reference from relevant experience locally and overseas, and has considered a number of possible models. While there is support to use the additional resources to encourage targeted savings by disadvantaged children and their families, the Government notes that there is also some community concern on the merits of this approach. The Government wishes to listen to more views before deciding on the most suitable operational model for the Fund.

- (c) The Fund will be used as an additional measure to promote child development. In order to make the most effective use of the resources to tackle intergenerational poverty, the Fund would be targeted at the needs of those children from a disadvantaged background with a view to better preparing them for future challenges.

Signature _____

Name in block letters Miss Elizabeth Tse

Post Title Director of Administration

Date 13 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO012

Question Serial No.

1080

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

Director of Bureau: Director of Administration

Question :

Regarding the inquiry conducted by the Commission of Inquiry set up by the Government to inquire into the allegations relating to The Hong Kong Institute of Education, will the Administration inform this Committee of:

- (a) the estimated additional expenditure incurred and staffing arrangement, and whether external legal counsel services have to be engaged; and
- (b) the ways to ensure that the officials of the Education and Manpower Bureau will honestly provide comprehensive, true and correct information to the Commission of Inquiry.

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) The Commission of Inquiry on Allegations relating to The Hong Kong Institute of Education has been set up under the Commissions of Inquiry Ordinance (Cap 86). The cost of the inquiry is estimated to be in the order of \$30 million, basically covering the legal fees and support services. The funding required will be absorbed from within the relevant provisions earmarked for 2007-08. External counsel and solicitors have been engaged. The Secretariat of the Commission is headed by an Administrative Officer Staff Grade B, and now consists of two executive officers and three supporting staff members.
- (b) The Commission will conduct an independent and thorough inquiry, which is a judicial one. Witnesses can be summoned and cross-examined on oath.

Signature _____

Name in block letters Miss Elizabeth Tse

Post Title Director of Administration

Date 13 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO013

Question Serial No.

2175

Head: 142 – Government Subhead (No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the 000 Operational expenses
Financial Secretary

Programme: (5) Subvention : Duty Lawyer Service, Legal Aid Services Council

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question : What is the estimate for the Legal Advice Scheme for 2007-08? Will the Administration allocate more resources to enhance the quality of service provided under the Scheme, such as provision of service at more District Offices, and extension of the meeting time for each member of the public with a volunteer lawyers? If not, what are the reasons?

Asked by: Hon. NG Margaret

Reply: The 2007-08 estimate for the Legal Advice Scheme (the Scheme), which is run by the Duty Lawyer Service (DLS), is \$500,000, same as the 2006-07 revised estimate and 12.6% higher than the actual expenditure of \$444,119 for 2005-06. The provision is to cover the honorarium for staff supporting the legal advice sessions conducted by volunteer lawyers.

At present, members of the public can meet with volunteer lawyers at nine District Offices. Appointments can be made through one of some 150 branches of referral agencies all over the territory including the District Offices. In addition, the Scheme also provides assistance to other voluntary organizations by making arrangements for volunteer lawyers to provide legal advice through similar schemes independently run by these organizations. The meeting time with volunteer lawyers under the Scheme is flexible but is on average around 30 minutes. Depending on the circumstances, it may be up to 45 minutes to one hour.

The subvention for the DLS for 2007-08 was set in consultation with the DLS. We are satisfied that the funding sought should be adequate to meet the operational requirements forecast for the year.

Signature _____

Name in block letters _____ Miss Elizabeth Tse

Post Title _____ Director of Administration

Date _____ 15 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO014

2598

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

Director of Bureau: Director of Administration

Question :

The Economic Analysis and Business Facilitation Unit under the Financial Secretary's Office will continue to take forward the business facilitation initiatives. What are the new initiatives to be introduced? What is the estimated expenditure in 2007-08?

Asked by: Hon. WONG Ting-kwong

Reply:

The Government is committed to facilitating business by cutting red tape, streamlining procedures and reducing compliance costs. The Business Facilitation Advisory Committee (BFAC) and its task forces advise the Government on regulatory reviews and measures to facilitate business. The Economic Analysis and Business Facilitation Unit (EABFU) provides support to the BFAC and its task forces on regulatory reviews and coordinates the Government's business facilitation efforts.

In 2007-08, the four task forces under the BFAC will continue their sector-specific reviews of regulatory regimes covering the food business, retail and property development sectors. The BFAC will also examine the feasibility of other business facilitation measures such as wider application of conditional licences, composite licences, certification by professionals, etc.

The Government has recently launched the "Be the Smart Regulator" Programme to further improve the licensing processes and business environment. As part of the "Be the Smart Regulator" Programme, the Government has set up eight Business Liaison Groups (BLGs) with the cinema, theme park, family amusement centre, hotel, club, and food businesses. The EABFU will consider setting up more BLGs to communicate with various business sectors; conduct surveys with business on their opinions of the government regulatory control; measure the compliance cost of doing business; and develop procedures to strengthen the assessment of the impact of new regulations on business.

A provision of \$7 million is included in the 2007-08 draft Estimates for funding business facilitation consultancy studies/projects.

Signature _____

Name in block letters Miss Elizabeth Tse

Post Title Director of Administration

Date 14 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO015

Question Serial No.

2599

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

Director of Bureau: Director of Administration

Question :

Under Analysis of Financial and Staffing Provision, it is mentioned that there is an increase in departmental expenses for consultancy studies on business facilitation. What are the areas of the relevant consultancy studies and the expenditure involved? What are the reasons for the deletion of the 13 posts and what are their job titles and the amount involved?

Asked by: Hon. WONG Ting-kwong

Reply:

In 2007-08, the Economic Analysis and Business Facilitation Unit plans to conduct the following consultancy studies/reviews with a view to simplifying government regulations and procedures impacting on selected business sectors and reducing their compliance costs:

- (a) review of the registration system and ancillary services for new and generic pharmaceutical products;
- (b) review of the regulatory activities on theme parks and family amusement centres;
- (c) Regulatory Impact Survey – Phase One, opinion surveys to collect views from the business sectors on general perceptions on regulatory control;
- (d) Regulatory Impact Survey - Phase Two, survey on regulatory compliance cost imposed on selected business sectors; and
- (e) other consultancy studies and/or Regulatory Impact Assessments.

The estimated total expenditure for these consultancy studies on business facilitation is \$7 million.

For Head 142 as a whole, the posts planned for deletion in 2007-08 include:

Rank	No. of Posts	Notional Annual Mid-point Salary (\$)	Reasons for deletion
Administrative Officer Staff Grade B1 Administrative Officer Staff Grade C Senior Administrative Officer Senior Executive Officer Senior Personal Secretary Personal Secretary I Personal Secretary II Clerical Officer	1 1 1 1 1 1 1 2	1,795,000 1,361,000 929,000 681,000 365,000 276,000 172,000 552,000	The posts were created to support the Commission on Poverty. They will lapse within 2007-08.
Administrative Officer Senior Executive Officer Executive Officer I Personal Secretary II	1 2 1 1	568,000 1,362,000 481,000 172,000	The posts were created to provide support for the Tamar development project. Depending on project progress and workload involved, the posts will lapse within 2007-08.
Administrative Officer Staff Grade C	1	1,361,000	The post was created for the period from 19 May 2006 up to 30 June 2007 as Assistant Secretary to the Commission on Strategic Development. It will lapse on 1 July 2007.

The 15 deletions will be offset by the creation of two Economist posts in Economic Analysis and Business Facilitation Unit, resulting in a net reduction of 13 posts.

Signature _____

Name in block letters _____ Miss Elizabeth Tse

Post Title _____ Director of Administration

Date _____ 14 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO016

Question Serial No.

2600

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

Director of Bureau: Director of Administration

Question :

Regarding the services of the Integrated Call Centre (ICC), will the Administration please:

- (a) provide a breakdown by category of the calls and e-mails handled by the ICC; and
- (b) given the increase in the number of calls from 2 450 000 in 2005 to 2 770 000 in 2006, advise whether the existing staffing level is adequate to handle the calls; if not, whether the staffing level will be increased?

Asked by: Hon. WONG Ting-kwong

Reply:

- (a) The top five subject matters for enquiries in 2006 made through calls and emails were:
 - (i) employment relationship (735 000 enquiries);
 - (ii) vehicle/driving licenses and other transportation issues (336 000 enquiries);
 - (iii) rates and government rent (310 000 enquiries);
 - (iv) postal service (266 000 enquiries); and
 - (v) Continuing Education Fund (154 000 enquiries).

- (b) As the demand of service for the Integrated Call Centre (ICC) is increasing, the Efficiency Unit has been closely monitoring the demand of manpower and made necessary arrangements to ensure quality service can be sustained. There were 168 and 192 full-time call agents in 2005 and 2006 respectively for performing the 3-shift duties. With the increase in manpower and targeted training for our call agents, the ICC is close to the target of answering 80% of calls within 12 seconds, and has exceeded the target for the first call resolution rate. Where necessary, the ICC would engage part-time staff to augment the staffing level.

Signature _____

Name in block letters Miss Elizabeth Tse

Post Title Director of Administration

Date 14 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO017

Question Serial No.

2601

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

Director of Bureau: Director of Administration

Question :

With respect to the customer management initiatives implemented on a pilot basis by the Efficiency Unit, what are their specific contents, progress, and effectiveness? What is the expenditure involved?

Asked by: Hon. WONG Ting-kwong

Reply:

The Efficiency Unit (EU) commissioned a consultant in 2006-07 to develop a Customer Management Assessment (CMA) framework for the public sector. The aim of the exercise was to develop a self-assessment tool to provide departments with an integrated and structured approach to review their customer management capabilities. The assessment results should serve as a basis for identifying improvement opportunities, enabling experience sharing and driving continuous improvement. The CMA framework has been adapted from a number of industry proven customer management models to fit the unique government environment in Hong Kong.

The EU has piloted the application of the CMA framework in three government departments, namely, the Census and Statistics Department, the Rating and Valuation Department and the Water Supplies Department. Feedback from the pilot departments has been positive. They found the self-assessment tool relevant to the government sector and very comprehensive. They also confirmed that the assessment results brought new insights on their understanding of customer management. The pilot departments have also given EU and its consultant feedback on how the CMA framework could be further fine-tuned for a wider application in government. The EU is following this up and will arrange for experience sharing among government departments.

The consultancy fee for the project is \$1.29 million.

Signature _____

Name in block letters _____ Miss Elizabeth Tse

Post Title _____ Director of Administration

Date _____ 14 March 2007

Examination of Estimates of Expenditure 2007-08
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO018

Question Serial No.

2602

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

Director of Bureau: Director of Administration

Question :

It is stated under the Analysis of Financial and Staffing Provision that the expanded operation of the Integrated Call Centre, launching of the Youth Portal and filling of vacancies have caused an increase in expenditure. What are the respective amounts of expenditure? What are the vacant posts?

Asked by: Hon. WONG Ting-kwong

Reply:

The breakdown of the increase is as follows:

- (a) \$8.8 million for the expanded service of Integrated Call Centre;
- (b) \$2.4 million for launching of Youth Portal; and
- (c) \$1.5 million for the full year provision for filling of three Management Services Officer I vacancies.

Signature _____

Name in block letters _____ Miss Elizabeth Tse

Post Title _____ Director of Administration

Date _____ 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO019

Question Serial No.

0045

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

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: With respect to civil legal aid applications, the number of applications refused on merits increases from 4 747 in 2005 to 4 893 in 2006, and the estimated number of such cases for 2007 is 4 950. What are the reasons for the yearly increase? Does it imply that the Department has tightened its criteria on merits in processing these applications?

Asked by: Hon. LI Kwok-ying

Reply: In determining an application for civil legal aid, the Director of Legal Aid must consider the merits of the application having regard to the statutory criteria set out in Section 10 of the Legal Aid Ordinance.

While the actual figures for 2005 and 2006, and the estimated figure for 2007 show a yearly increase in the number of legal aid applications refused on merits, the refusal rate remains stable as shown in the following table.

	2005 (Actual)	2006 (Actual)	2007 (Estimated)
No. of applications processed	16 618	17 157	17 350
No. of applications refused on merits	4 747	4 893	4 950
Refusal rate	28.57%	28.52%	28.53%

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO020

Question Serial No.

0046

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

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Please provide the number of legal aid applications in respect of cases involving claims for personal injury and miscellaneous proceedings in 2004, 2005 and 2006 respectively. Among these applications, how many were refused and what were the reasons?

Asked by: Hon. LI Kwok-ying

Reply: The number of legal aid applications for personal injury claims and miscellaneous proceedings in 2004, 2005 and 2006, the number of refusals and the reasons for refusal are as follows:

	<u>2004</u>	<u>2005</u>	<u>2006</u>
No. of applications	6 072	6 171	6 728
No. of refusals			
- on means	505	537	660
- on merits	2 512	2 451	2 402

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO021

Question Serial No.

0049

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

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Has the Department received any legal aid application made on the basis of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2004, 2005 and 2006? If yes, please provide the number of such applications.

Asked by: Hon. LI Kwok-ying

Reply: The Department did not capture any data specifically on the number of applications relating to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment prior to 2006, as all applications made by applicants relating to their stay in Hong Kong were classified as immigration related matters. In 2006, the Department received 24 such applications.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO022

Question Serial No.

0050

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

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Please provide the number of civil cases in which the Department failed to recover damages/costs and the amount involved in 2004, 2005 and 2006, and the length of time for such arrears.

Asked by: Hon. LI Kwok-ying

Reply: The number of civil cases in which the costs were not recovered in full or in part and the amount written off in the past three years are as follows:

	<u>2004</u>	<u>2005</u>	<u>2006</u>
No. of cases	2 405	1 744	1 116
Amount involved	\$52,270,158	\$39,013,077	\$23,548,216

The Department did not capture data specifically relating to non-recovery of damages in civil cases prior to 2006. Of those cases where enforcement action had been taken and the accounts were finalized in 2006, damages were not recovered in ten cases and the amount involved was \$6,239,118.

The Department does not capture data specifically relating to the length of time for these arrears.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO023

Question Serial No.

0051

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

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: With regard to the civil cases assigned to private legal practitioners in 2004, 2005 and 2006, please provide a breakdown of the following cases, namely the personal injury and miscellaneous cases, matrimonial cases and insolvency cases.

Asked by: Hon. LI Kwok-ying

Reply: The number of personal injury and miscellaneous cases as well as matrimonial cases assigned to private legal practitioners in 2004, 2005 and 2006 is as follows:

	<u>2004</u>	<u>2005</u>	<u>2006</u>
Personal injury & Miscellaneous cases	2 117	1 998	2 609
Matrimonial cases	3 778	4 216	4 686

The Department deals with all insolvency cases in-house.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO024

Question Serial No.

0052

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

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: With respect to the criminal cases assigned to private practitioners, the actual number of cases decreases from 2 106 in 2005 to 1 901 in 2006, and the estimated number of such cases for 2007 is 1 870. What are the reasons for the continued decline of such cases?

Asked by: Hon. LI Kwok-ying

Reply: There was a drop in the number of criminal cases assigned to private legal practitioners in 2006 because of a reduction in the number of applications received and in the number of certificates granted in 2006 as compared with those in 2005. The estimated figure for 2007 is based on the number of applications received and certificates granted in 2005 and 2006.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO025

Question Serial No.

0662

Head: 94 Legal Aid Department Subhead (No. & title): 000 Operational Expenses

Programme:

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Under this Subhead, the staff establishment for 2007-08 remains unchanged. However, the estimated expenditure for Programmes (1) to (4) for 2007-08 is higher than their revised expenditure for 2006-07. This is mainly due to the implementation of the Electronic Services Portal, which will result in an increase in departmental expenses. Please inform the Committee:

- (a) the expenses involved in the implementation of the Electronic Services Portal; and
- (b) whether the implementation of the Electronic Services Portal will result in the recruitment of additional staff and the expenses involved; the posts/duties of the staff to be recruited; and the posts to be deleted correspondingly.

Asked by: Hon. LI Kwok-ying

- Reply:
- (a) The recurrent cost for implementing the Electronic Services Portal in 2007-08 is about \$2 million, \$1.6 million of which is for system maintenance and \$0.4 million is for communication lines rental charges.
 - (b) The Department has engaged external IT contractor for the implementation. There will be no addition or deletion of any posts in the Department.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO026

Question Serial No.

0663

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

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Under this Programme, the estimated expenditure for 2007-08 is 12.2% higher than the revised expenditure for 2006-07. This is partly due to the payment of costs arising from lengthy trials and high costs cases. In this regard, please inform the Committee whether the cases involved are civil cases or criminal cases? If they are civil cases, the type of litigation mainly involved and the estimated expenditure involved.

Asked by: Hon. LI Kwok-ying

Reply: The increase in the estimated expenditure for Programme (2) in 2007-08 is mainly due to the estimated legal costs of \$63.1 million for lengthy trials and high costs civil cases as follows:

<u>Case type</u>	<u>Amount</u> (\$m)
Medical negligence	30.6
Personal injuries	19.1
Miscellaneous	13.4
Total:	63.1

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO027

Question Serial No.

0664

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

Programme: (3) Support Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Apart from the enhancement of communication between the Legal Aid Department and assigned lawyers and the monitoring of assigned-out legal aid cases, does the Legal Aid Electronic Services Portal apply to the monitoring of the performance pledge on payments related to legal aid cases? If not, please give reasons.

Asked by: Hon. LI Kwok-ying

Reply: The Legal Aid Electronic Services Portal will not monitor the performance pledge on payments relating to legal aid cases. Such monitoring is being carried out through the Department's existing Case Management and Case Accounting Systems.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO028

Question Serial No.

0665

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

Programme: (4) Official Solicitor's Office

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Regarding the cases received in 2004, 2005 and 2006, please provide the number of cases involving the custody of children in family dispute cases.

Asked by: Hon. LI Kwok-ying

Reply: The number of cases the Official Solicitor's Office has received involving the custody of children in family dispute cases in 2004, 2005 and 2006 is as follows:

	<u>2004</u>	<u>2005</u>	<u>2006</u>
No. of cases	15	17	36

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO029

Question Serial No.

0507

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

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: In 2006, how many legal aid applications were related to insolvency matters? How many of the applicants did not pass the means test?

Asked by: Hon. LEE Cheuk-yan

Reply: In 2006, there were 506 legal aid applications relating to insolvency matters. Eighteen applicants did not pass the means test. These applicants were the employees of 18 different insolvent employers. Following the refusal, we facilitated seven other employees of seven of the cases to apply and they were granted legal aid.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 14 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO030

Question Serial No.

2170

Head: 94 Legal Aid Department Subhead (No. & title): 000 Operational Expenses

Programme:

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Please provide the number of people employed under each Programme who are legally qualified and the expenditure involved.

Asked by: Hon. NG Margaret

Reply: The number of legally qualified officers employed under each programme of the Legal Aid Department and the expenditure involved are as follows:

	<u>Number of legally qualified officers</u>	<u>Salary Expenditure (\$ million)</u>
Programme 1	18	16.5
Programme 2	32	29.6
Programme 3	7	6.6
Programme 4	5	4.6
Total	62	57.3

In addition, seven directorate officers at Assistant Director level and above have responsibilities across the four programmes. The total amount of salaries is \$10.7 million.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 15 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO031

Question Serial No.

2171

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

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: The revised estimate for 2006-07 is 15.1% less than its original estimate. What are the reasons? Please provide in detail the estimated provision for the items under this Programme for 2007-08 and compare it with the actual expenditure for 2006-07.

Asked by: Hon. NG Margaret

Reply: The difference of \$97.1 million (15.1%) is mainly due to the lower-than-anticipated expenditure on legal aid cases (\$90.6 million) and reduced expenditure on personal emoluments arising from vacant posts (\$6.4 million).

The estimated provision for 2007-08, and the actual expenditure for 2006-07 (up to 28 Feb 2007) under this programme are as follows:

	<u>Estimates for</u> <u>2007-08</u> \$M	<u>Actual Expenditure</u> <u>for 2006-07</u> <u>(Up to 28 Feb 2007)</u> \$M
Personal Emoluments and Personnel Related Expenses	101.9	90.8
Departmental Expenses	9.6	6.4
Legal Aid Costs	499.5	380.0
Total:	611.0	477.2

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 15 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO032

Question Serial No.

2440

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

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Regarding the Indicator "Assigning out and monitoring of cases", the actual number of criminal cases in 2006 (the number of new cases assigned or concluded cases) is about 10% less than the original estimate for 2006. Similar situation was found in the civil and criminal cases under the Indicator "In-house litigation". The number of new matrimonial cases assigned even shows a difference of about 24% (391 cases). What are the reasons?

Asked by: Hon. NG Margaret

Reply: The estimated caseloads for 2006 were prepared in late 2005 having regard to past patterns and experience. As it turned out, the actual number of criminal cases handled, whether new or concluded, and whether assigned out or in-house, was lower than expected because the number of legal aid applications and the number of certificates granted were both less than expected.

The actual number of new or concluded cases handled in-house, whether civil or criminal, was also lower than the original estimate because of some unexpected staffing constraints, including resignation in 2006.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 15 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO033

Question Serial No.

2211

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

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: The United Nation has made the following concluding observations on the Hong Kong Government's Second Report under the Convention on the Elimination of All Forms of Discrimination Against Women:

1. the low prosecution rate for cases of domestic violence is a matter of special concern;
2. the Government is urged to step up its efforts in helping female victims of domestic violence to seek legal protection;
3. the Government should allocate sufficient resources to combat violence against women, including domestic violence, and to provide details about budget allocation in the next report.

The Government will allocate an additional \$31 million to give better care to victims of domestic violence, strengthen family welfare services and expand child-care services for families in need.

Will the Department speed up the procedures for processing urgent legal aid applications (e.g. the application for an injunction/interim custody order by victims of family violence). Regarding the increase of \$31 million in the Budget, how much will be allocated to the Department? If no, what are the reasons?

Asked by: Hon. CHEUNG Chiu-hung, Fernando

Reply: It is already the practice of the Department to process an urgent application for legal aid immediately when it is made, typically on the same day. The Department will not be allocated any of the increased funding of \$31 million which aims to give better care to victims of domestic violence, strengthen family welfare services and expand child-care services for families in need. Adequate provision has already been made in the Department's estimates for 2007-08 under *Subhead 208 Legal aid costs* to meet the demand for legal aid cases including applications for injunction/interim custody order by victims of family violence.

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 15 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO034

Question Serial No.

2212

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

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: How many urgent legal aid applications were processed in 2004, 2005 and 2006? Of these applications, how many of them involved application for an injunction/interim custody order by victims of domestic violence? Please provide the figures in table form.

Asked by: Hon. CHEUNG Chiu-hung, Fernando

Reply: The Department does not have ready record of urgent applications processed, except for those made by victims of domestic violence who wish to seek injunctive relief. The number of such applications is as follows:

	<u>2004</u>	<u>2005</u>	<u>2006</u>
No. of applications	72	50	48

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 15 March 2007

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

CSO035

Question Serial No.

2258

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

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration

Question: Please provide the figures for (a) and (b) for 2004, 2005 and 2006:

- (a) For cases involving a breach of the Hong Kong Bill of Rights Ordinance or an inconsistency with the International Covenant on Civil and Political Rights, the Director of Legal Aid may grant legal aid to an applicant even if his/her financial resources exceeded the prescribed financial eligibility limit. Please give the number of such cases and the amount of money involved.
- (b) With respect to criminal cases, the Director of Legal Aid may grant legal aid to an applicant even if his/her financial resources exceeded the prescribed financial eligibility limit. Please give the number of such cases and the amount of money involved.

Asked by: Hon. LEE Chu-ming, Martin

Reply: The information requested for in (a) and (b) is as follows:

(a)

	<u>2004</u>	<u>2005</u>	<u>2006</u>
(i) No. of certificates granted	1	1	Nil
(ii) Amount of legal aid costs involved	Not yet ascertained*	Nil**	Nil

* Litigation is still ongoing

** No costs were incurred in the case as the applicant did not accept the offer

(b)

	<u>2004</u>	<u>2005</u>	<u>2006</u>
(i) No. of certificates granted	18	25	14
(ii) No. of cases in (b)(i) concluded with accounts finalised	15	12	6
(iii) Amount of legal aid costs involved in (b)(ii)	\$2,011,804.81	\$834,243.50	\$775,671.40

Signature _____

Name in block letters Benjamin CHEUNG

Post Title Director of Legal Aid

Date 15 March 2007

Reply Serial No.

CSO036

Examination of Estimates of Expenditure 2007-08

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Question Serial No.

1048

Head : 703 Buildings

Subhead : 3063KA Tamar
Development Project

Programme :

Controlling Officer : Director of Architectural Services

Director of Bureau : Director of Administration

Question : Under subhead 3063KA, the approved estimate for the Tamar Development Project is about \$5.16 billion. According to the 2006-07 revised estimate, only \$2 million was spent, and it is estimated that only \$120 million will be spent in 2007-08. Why does the Administration fail to expedite the progress of the project? What is the time frame for spending the remaining sum of about \$5 billion in the estimated expenditure?

Asked by : Hon. LAU Sau-shing, Patrick

Reply : It is our target to award the "design-and-build" contract for the Tamar Development Project and commence construction works before the end of 2007. Against this schedule, we had a provision of \$2 million in 2006-07 to cater for the preparatory works. It is also of our best estimate that \$120 million will be spent in 2007-08 upon award of the contract. Since award of contract hinges on completion of a formal tendering process which is now under way, the cash flows for the Tamar project would be subject to adjustments depending on the tender outcome and the final programme submitted by the successful tenderer.

Signature _____

Name in block letters C. H. YUE

Post Title Director of Architectural Services

Date 14 March 2007