



法律援助服務局
LEGAL AID SERVICES COUNCIL

Our Ref: () in LASC 5/5/41 Pt 4

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21 June 2007

Mrs Percy MA
Clerk to LegCo Panel on Administration
of Justice and Legal Services
Legislative Council
Legislative Council Building
8 Jackson Road, Central, Hong Kong

Dear Mrs MA,

**Proposed transfer of the legal aid portfolio
to the Home Affairs Bureau**

We refer to your letter of 6 June enquiring actions to be taken by the Legal Aid Services Council in stepping up its supervisory role and in pursuing the subject of establishment of an independent legal aid authority.

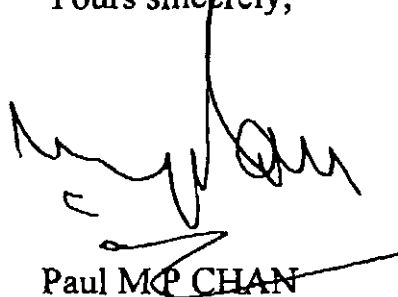
On supervisory role, the Council notes the expressions of concern on possible conflict of interest when the legal aid portfolio is transferred to the Home Affairs Bureau. In this respect, our actions are as follows:

- (i) we will investigate how conflict of interest can be avoided, and the process and procedures to deal with them;
- (ii) over the years, the Council has been meeting different sectors of the community which might have an interest in legal aid. They include panel lawyers, academics, representatives of non-governmental organizations, District Councilors, accountants, social workers etc. We recognize that obtaining operational feedback from stakeholders will assist in the delivery of high quality and effective legal aid services. These meetings served the dual purpose of encouraging public participation as well as providing a forum for exchanging views to enhance service delivery. In our future meetings with

- stakeholders, conflict of interest is an area that we will proactively look into; and
- (iii) the Council has also been asking the LAD to supply, from time to time, reports and statistics to enable us to monitor the key performance areas of the Department. Consideration will be given as to how incidents of conflict of interest dealt with by the LAD will be properly brought to the attention of the Council.

Since its inception, the Council has been working towards a better legal aid system. We have explored the desirability and feasibility of the establishment of an independent legal aid authority and, in 1998, recommended to the Chief Executive for its establishment. We will review this subject again in later meetings, and if appropriate, to start dialogue with various stakeholders.

Yours sincerely,



Paul M.P. CHAN

Chairman