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**Legislative Council**

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**Panel on Administration of Justice and Legal Services**

**Background brief for the meeting on 26 May 2008**

**Five-yearly review of the criteria for assessing  
the financial eligibility of legal aid applicants**

**PURPOSE**

The Administration consulted the Panel on the proposed scope of the 2007 five-yearly review of criteria for assessing the financial eligibility of legal aid applicants at its meeting on 26 March 2007, and will revert to the Panel on specific proposals at the coming meeting on 26 May 2008. This paper summarises the discussions of the Panel on the subject and other related issues.

**THE LEGAL AID SCHEME**

**Government's policy objective**

2. The Government's policy objective on legal aid is to ensure that no one with reasonable grounds for taking legal action in the Hong Kong courts is prevented from doing so because of a lack of means.
3. The Legal Aid Ordinance (LAO), enacted in 1967, sets out the legal framework for the administration of legal aid. Legal aid is provided by the Legal Aid Department under the Ordinary Legal Aid Scheme (OLAS) and the Supplementary Legal Aid Scheme (SLAS). Legal aid will be granted to applicants who satisfy the means test and the merits test.

**OLAS**

4. To qualify for legal aid for civil proceedings, an applicant's financial resources must not exceed \$165,700. An aided person may be required to make a contribution towards the cost of legal representation if, on a determination of his financial resources, he should be able to do so. The Director of Legal Aid (DLA) may waive the limit in meritorious cases involving a possible breach of the Hong Kong Bills of Rights Ordinance (Cap. 383) or an inconsistency with the International Covenant on Civil and Political Rights.

5. To qualify for legal aid in criminal cases, an applicant's financial resources should not exceed \$165,700. An applicant charged with murder, treason or piracy with violence may apply to a judge for exemption of means test and of payment of contribution. The DLA has the discretion to grant legal aid in criminal cases to an applicant whose financial resources exceed \$165,700 if he is satisfied that it is desirable in the interests of justice to do so subject to payment of a contribution, if required.

## **SLAS**

6. The SLAS is a self-financing scheme introduced in 1984. The scheme was limited initially to cover claims for damages for personal and fatal injuries. It was subsequently extended to cover employees' compensation claims in 1992 and medical, dental as well as legal professional negligence in 1995. Its current scope covers cases of personal injury or death, medical, dental and legal professional negligence where the claim is likely to exceed \$60,000. It also covers claims under the Employees' Compensation Ordinance irrespective of the amount of claim. The scheme is available to those whose financial resources exceed \$165,700 but do not exceed \$460,300. The costs of the scheme are met from the Supplementary Legal Aid Fund, which is financed by the applicants' contributions and damages or compensation recovered.

## **Review mechanism**

7. The mechanism to review the financial eligibility limits for legal aid services comprises three levels -

- (a) an annual review to take account of inflation;
- (b) a biennial review to reflect other relevant factors, including the changes in litigation costs; and
- (c) a review every five years of the criteria used to assess the financial eligibility of legal aid applicants.

## **DISCUSSIONS OF THE PANEL**

### **Overall**

8. In October 2001, a Working Group was set up under the Panel to review the current legislative framework of legal aid services. Having considered the report of the Working Group, the Panel requested the Administration to conduct a comprehensive review on the objective, adequacy and effectiveness of the existing legal aid regime with a view to enhancing the accessibility of legal aid services for those in need and, in conducting the review, address specific issues such as the scope of the existing legal aid scheme, the financial eligibility limits for the OLAS and the SLAS, and the criteria for assessing the financial eligibility of legal aid applicants.

The Panel discussed the relevant issues with the Administration at a number of meetings since June 2003.

9. The Panel discussed between 2003 and 2006 the outcome of the annual and biennial reviews of the financial eligibility limits for legal aid applicants. In May 2003, the Panel discussed the scope of the five-yearly review of the criteria for assessing financial eligibility of legal aid applicants, the review findings and proposals to improve the assessment criteria. The legislative proposals to give effect to the improvement measures in the review came into operation in 2006.

10. At its meeting on 26 March 2007, the Panel discussed the Administration's proposed scope of the 2007 five-yearly review for assessing the financial eligibility of legal aid applicants. The Administration agreed to consult the Legal Aid Services Council (LASC) and the Panel after it had formulated more specific proposals.

### **2007 five yearly review of the criteria for assessing financial eligibility of legal aid applicants**

#### Five yearly review

11. The LAD conducts a review once every five years of the criteria used for assessing the financial eligibility of legal aid applicants. The LAD adopts a "financial capacity" approach in assessing the means of legal aid applicants. Under this approach, an applicant's financial capacity is determined by reference to the aggregate of his yearly disposable income and disposable capital. Generally speaking, an applicant's disposable income is his gross income minus his standard personal allowances (the level of which is currently pegged to the 35-percentile household expenditure), rent or mortgage payments and salaries tax payment. An applicant's disposable capital is defined as the sum of his credit balance, the market value of non-money resources (e.g. shares) and the value of business or share in a company. The values of any interest in the only or main dwelling in which the applicant resides is, however, disregarded in computing the amount of his disposable capital.

#### Expansion of the SLAS

12. The Law Reform Commission's Consultation Paper on "Conditional Fees" issued in September 2005 recommended that "...consideration should be given to expanding SLAS on a gradual incremental basis, by raising the financial eligibility limits and by increasing the types of cases which can be taken up by SLAS". The Administration's response to the Consultation Paper, insofar as it concerns the SLAS, is in **Appendix I**.

13. The Law Reform Commission's Report on "Conditional Fees" issued in July 2007 recommended that "given the success of the SLAS in widening access to justice through the payment of a portion of the damages recovered by the successful applicants, and also given the widespread support for the expansion ... SLAS should be expanded on a gradual and incremental basis by, firstly, raising the financial

eligibility limits and, secondly, increasing the types of cases covered by SLAS, having regard to maintaining the financial viability of SLAS."

Proposed scope of the 2007 five-yearly review

14. The Administration consulted the Panel on the proposed scope of the 2007 five-yearly review at its meeting on 26 March 2007. The Administration advised that it intended to examine the following issues -

- (a) whether there was any room for improvement to the current financial capacity approach in assessing the financial resources of legal aid applicants;
- (b) whether the deductible items for computing disposable income was adequate to ensure that they continued to be able to serve current needs;
- (c) whether there was room for improvement in the items to be disregarded in computing disposable capital;
- (d) the appropriateness of having a one-line financial eligibility limits;
- (e) whether there was any room for streamlining the review cycle of financial eligibility limits; and
- (f) whether there was scope of improving the SLAS without undermining or jeopardising the financial viability of the scheme.

Views of deputations and members

15. The Panel received the following views from deputations -

- (a) the Government should review the appropriateness of relying solely on the movements in CPI(C) in reviewing the **financial eligibility limits** for legal aid applicants;
- (b) the **financial eligibility limit for the SLAS** should be increased to \$1 million, so as to allow the middle class who could not afford the high litigation costs to be eligible for legal aid and to have access to justice;
- (c) the contribution rate payable by legally-aided persons and the **financial eligibility limit under the SLAS** could be applied flexibly, e.g. legal aid could be granted to an applicant whose financial resources exceeded the statutory financial limit, on the condition that he agreed to make a higher contribution rate, say 15%;
- (d) the savings of legal aid applicants who were about to retire should be disregarded in computing their **disposable capital**;
- (e) the personal allowance deductible in calculating **disposable income** of

applicants, which was currently equivalent to 35-percentile household expenditure, should be increased; and

- (f) **means test** should be waived for (i) meritorious cases involving the fundamental rights of residents as stipulated in Chapter III of the Basic Law, and (ii) certain applicants, e.g. applicants making employees' compensation claims, applicants who had become totally incapacitated as a result of personal injury by accident in the course of the employment, or applicants who had reached retirement age.

16. Members expressed the following views -

- (a) the existing **financial eligibility limits** under the OLAS and SLAS were unrealistically set and should be reviewed, as they failed to adequately safeguard the public's right to access to justice;
- (b) the appropriateness of having a one-line **financial eligibility limits** for all types of cases should be reviewed, having regard to the policy objective that no one with reasonable grounds for taking or defending legal action in the Hong Kong court was prevented from doing so because of a lack of means;
- (c) relevant factors such as age and health should be taken account of in assessing the financial eligibility of a legal aid applicant, e.g. in computing **disposable capital**, consideration should be given to disregarding the savings of an applicant who had passed the merits test and was approaching retirement age or had become incapacitated;
- (d) the present **scope of legal aid** should be extended from litigation to legal advice; and
- (e) the **scope of the SLAS**, which was a profit-making scheme, should be expanded.

17. The Administration agreed to revert to the Panel on more specific proposals for the 2007 five-yearly review of the criteria for assessing the financial eligibility of legal aid applicants. The Administration also agreed to take the opportunity of the review to examine whether there was scope for improving the SLAS without undermining or jeopardising the financial viability of the scheme.

## **Other related issues**

### Scope of legal aid

18. The Panel had requested the Administration to consider whether the scope of legal aid should be extended to cover a number of proceedings, such as defamation actions, uncontested cases relating to bankruptcies and liquidations, and cases with reasonable prospects of recovering damages and costs.

19. The Administration advised the Panel in June 2003 that the scope of the legal aid services was already very wide and went beyond international obligations. Compared with overseas experiences, Hong Kong was the exception, rather than the rule, in not having a cap on legal aid spending. As legal aid was funded by the public coffer which was not unlimited, and in the light of its tight fiscal position as a result of the general economic downturn, it was necessary to prioritise legal actions for grant of assistance. In the longer term, the Administration might have to revisit the question of imposing a financial cap on legal aid spending. The Administration explained that it had yet to find justifications to accord priority to the proposed types of cases for the grant of legal aid.

#### Legal aid system

20. In connection with the transfer of the legal aid portfolio from the Administration Wing of the Chief Secretary for Administration's Office to the Home Affairs Bureau with effect from 1 July 2007, the LASC advised the Panel that it would revisit the issue of the establishment of an independent legal aid authority, a recommendation which it had made in 1998 and which was not accepted by the Administration. It expected that the study would be completed around the end of 2008.

21. The Panel requested the Research and Library Services Division (RLSD) of the LegCo Secretariat to undertake a research study on legal aid systems in selected places. RLSD will submit an interim report to the Panel at its meeting on 26 May 2008 and the full report by October 2008.

#### Recovery agents

22. Some deputations, including the legal professional bodies, had expressed concern about the activities of recovery agents, i.e. organisations which assisted victims in the recovery of damages, usually arising from personal injury cases, in return for a fee as a percentage of the damages recovered. They considered that the prevalence of recovery agents indicated that they were meeting an unsatisfied demand for legal services and raised the question whether the existing financial eligibility limits under the legal aid schemes were unrealistic.

23. The issue of recovery agents is being followed up by the Panel as a separate agenda item since 2005. The Administration advised that it had adopted a three-pronged approach to tackle the issue, involving public education, possible prosecution, and consideration of the need for legislation.

24. Members expressed disappointment about the lack of progress in tackling the issue. As the clientele of recovery agents were usually those who were neither eligible for legal aid nor had the means to afford the legal costs, members considered that the scope of the SLAS should be expanded to cover cases which had a high success rate and a reasonably good chance of recovering damages, such as personal injury cases.

**RELEVANT PAPERS**

25. A list of the relevant papers which are available on the LegCo website is in **Appendix II**.

Council Business Division 2  
Legislative Council Secretariat  
23 May 2008

**Response to  
The Law Reform Commission of Hong Kong Conditional Fees Sub-committee  
Consultation Paper on Conditional Fees ('the consultation paper')**

**By  
The Administration Wing of the Chief Secretary's Office and  
The Legal Aid Department**

This note sets out the Administration's response to the consultation paper, insofar as it concerns the Supplementary Legal Aid Scheme (SLAS).

**General**

2. Paragraph 7.3 of the consultation paper makes it clear that the proposals on conditional fees are intended to "operate in parallel with, and to supplement legal aid, rather than to replace it or justify any reduction in legal aid funding". In this regard, we wish to re-affirm the Administration's commitment to the continued provision of legal aid services in Hong Kong, pursuant to our policy objective to ensure that no one with reasonable grounds for taking or defending a legal action in the Hong Kong court should be prevented from doing so because of a lack of means. We would remain so committed irrespective of whether any conditional fee arrangement is introduced in Hong Kong.

3. Recommendations 1 to 11 concern the proposed conditional fee arrangement. Recommendation 13 concerns a non-means tested privately run contingency legal aid fund to co-exist with SLAS operated by the Legal Aid Department. These are matters outside the purview of our legal aid policy. Accordingly, we will focus our comments to Recommendation 12, given its specific reference to SLAS operated by the Legal Aid Department.

**Recommendation 12**

4. Recommendation 12 advocates that, "given the success of the Supplementary Legal Aid Scheme in widening access to justice by using event-triggered fees on a self-financing basis, consideration should be given to expanding SLAS on a gradual incremental basis, by raising the financial eligibility limits and by increasing the types of cases which can be taken up by SLAS".

5. For the avoidance of doubt, we should first of all clarify that while the amount of contribution from an aided person under SLAS may vary depending on whether damages have been successfully recovered on his behalf, the payment of fees to assigned lawyers undertaking the cases is **not** conditional or determined by outcome. The assigned lawyers under SLAS are paid legal fees whether or not the claims of the aided person are successful. Expansion of SLAS is therefore not a replacement for the proposed conditional fee regime.

6. With the above clarification, the Administration will need to critically examine whether there is scope to implement changes to SLAS along the directions of the recommendation. In so doing, we will be guided by the following principles -

- (a) while SLAS at present does not require recurrent funding from the public coffer because of its self-financing nature, it is provided to further the legal aid policy objective, and is made available to those with limited financial resources. Albeit that SLAS has a higher financial eligibility limit than that under the Ordinary Legal Aid Scheme (OLAS), the target group remains to be persons with limited means; otherwise there is little policy or operational perspective for SLAS to be operated by the Legal Aid Department; and
- (b) As SLAS is self-financing in nature, any changes to the scheme must not undermine or jeopardize the case of maintaining financial viability of the scheme, albeit on a basis to supplement the OLAS.

### ***Financial eligibility limit***

7. Given the policy objective of legal aid, determining the means of an applicant is one of the two cardinal criteria of the legal aid schemes, the other being the merits of the case. At present, persons with financial resources not exceeding \$432,900 are financially eligible for SLAS. The limit is net of a wide range of deductibles essential to maintaining the livelihood of the applicants and his dependants at reasonable level, including a standard allowance for household expenditure, rent/mortgage payment of the main dwelling, salaries/profits tax payment, provision for the care of any dependant children living with him while he is at work, and value of any interest in the main dwelling, etc. It is estimated that under the current limit, over 70% of the households in Hong Kong are financially eligible for SLAS.

8. With this wide percentage coverage and given that the median legal costs for the categories of the cases covered by SLAS range from \$70,000 to \$179,000, it seems difficult to justify major extension of the limit. It should also be noted that Hong Kong is the only jurisdiction in the world that has a scheme on a self-financing basis like SLAS.

### ***Scope of SLAS***

9. At present, SLAS covers civil proceedings at District Court and above, which involve claims for damages arising from personal injury and death, and medical, dental and legal professional negligence where the claim for damages is likely to exceed \$60,000. It also covers claims under the Employees' Compensation Ordinance irrespective of the amount of claim.

10. As noted in paragraph 5 above, the SLAS Fund is supported by contribution from winning cases, which serve to cover in full the legal fees of unsuccessful claims. The healthy status of the financial position of SLAS Fund at

present is the result of a careful design built on the principle of cross-subsidization.

11. Indeed, overseas researches/studies suggest that legal assistance provided by a self-financing scheme like SLAS needs to focus itself on the types of litigation that carry a high chance of success with good damages to costs ratio. It is well accepted that the success rate of personal injury or death claims and employees' compensations claims is very high while that in respect of professional negligence case, by virtue of their complex nature is relatively lower. From the experience of the OLAS and SLAS, the success rate of personal injury/death employees' compensations claims is high (80%) while that in respect of professional negligence cases is relatively lower (60%) given their complex nature. Hong Kong is already more advanced by including professional negligence claims in SLAS.

12. Another important feature of SLAS is that it covers mainly cases where the defendants are insured or where there is assured payment of damages (i.e. claims for personal injuries or death and work-related accidents). The high chance of recovering damages helps ensure, to a large extent, the financial sustainability of the scheme.

13. To sustain its financial viability therefore, SLAS should only cover cases which involve monetary claims of reasonable size, with high success rate and a reasonably good chance of recovering damages. If the delicate balance in this successful formula is upset, by including for instance civil cases which do not involve monetary damages, or which have a relatively lower success rate, the SLAS Fund will risk running into a deficit or even bankruptcy. It would not be in the public interest if eventually due to the depletion of the SLAS Fund, the scheme is unable to cater for cases it was set up for originally, let alone other new cases. Against these considerations, we would need to be extremely cautious in considering whether there is room for expansion in the scope of SLAS, lest new cases, i.e. those high risk cases with lower chance of success or cases with small monetary claims, will serve to upset the cross-subsidization and deplete the SLAS Fund gradually.

14. In this regard, it may be helpful if we could further explain the current financial position of the SLAS Fund. The balance of about \$93 million in the SLAS Fund as at 30 September 2005 is the total accumulated since the inception of SLAS in 1984, and includes a Government injection of \$27 million in 1995. Since the rates of contribution by aided persons in successful cases were reduced in 2000, the effect of the new rates is reflected in the steadily reducing annual surplus in recent years (\$10.7M in 2000-01, HK\$9.4M in 2001-02, \$7.7M in 2003-03, \$4.7M in 2003-04, and about \$1.4M in 2004-05). Indeed, for 2004-05, if not because of the interest income, the SLAS Fund would have incurred a deficit for the year. We expect that the trend will continue since the contribution rate in respect of successful claims will soon be further reduced from 12% to 10%, in accordance with the amendment legislation that the Administration has recently introduced into the Legislative Council. There is little scope for SLAS to absorb more types of civil cases unless these can be proved to be able to meet the criteria of SLAS.

15. And, we have taken a critical look at the scope of cases that are proposed to be subject to conditional fee arrangement under Recommendation 2 of the consultation paper. We note that they are either already covered under SLAS (viz. personal injury, employees' compensation and professional negligence cases), or, in our view, questionable as to whether they meet the criteria of SLAS as outlined in paragraph 6 above (e.g family cases, insolvency cases).

### **Others**

16. We note that the Legal Aid Services Council has suggested that SLAS should be expanded, that an independent statutory body should be vested with the responsibility for the full operation of the new scheme, preferably with Legal Aid Department as the executive arm, and that the Government should provide the additional seed money required for the new scheme to take on the expanded scope. We have already set out above our reservations on the expansion of SLAS. Our view is, if an expanded SLAS were to do away with any means test on the financial resources of the applicants and the legal aid dimension, and were to be operated by an independent statutory body, there is little need for the Legal Aid Department to continue to be the executive arm of the scheme.

17. Recommendation 13 proposes the setting up of a non-means tested contingency legal aid fund which should be privately run by an independent body. As stated above, determining the means of an applicant and merits of the case are two cardinal criteria of the Government-run legal aid scheme. A non-means tested scheme envisaged under Recommendation 13, whether or not coupled with merits test, falls outside the purview of our legal aid policy. That notwithstanding, we wish to forward our observation that should such a scheme be set up, the legal professional bodies which are familiar with the operation of SLAS and their expansion proposal seem appropriate to consider taking on the modified scheme. In this regard, it is noted that at present, the Duty Lawyer Service is administered jointly by the two legal professional bodies through the council of the Duty Lawyer Service.

Administration Wing  
Chief Secretary for Administration's Office

Legal Aid Department

**Five-yearly review of the criteria for assessing  
the financial eligibility of legal aid applicants**

**Relevant documents**

| <u>Meeting</u>  | <u>Meeting Date</u> | <u>Paper/Motion/Question</u>   |
|---|---------------------|--|
| Legislative Council                                   | 7 November 2001     | Official Record of Proceedings of the Council on the motion moved by Hon Audrey EU on "Upholding the Rule of Law"  |
|   | 9 January 2002      | Official Record of Proceedings of the Council on a written question raised by Hon Audrey EU on "Unrepresented litigants in civil cases"  |
|   | 30 January 2002     | Official Record of Proceedings of the Council on a written question raised by Hon Abraham SHEK on "Statistics of legal aid cases"  |
| Panel on Administration of Justice and Legal Services | 25 April 2002       | <p>Submission from the Hong Kong Bar Association<br/>[LC Paper No. CB(2)1692/01-02(01)]<br/>(English version only)</p> <p>Submission from Hong Kong Family Welfare Society<br/>[LC Paper No. CB(2)1692/01-02(02)]<br/>(English version only)</p> <p>Submission from Hong Kong Press Council<br/>[LC Paper No. CB(2)1692/01-02(03)]<br/>(English version only)</p> <p>Submission from Hong Kong Council of Social Service<br/>[LC Paper No. CB(2)1692/01-02(04)]<br/>(Chinese version only)</p> <p>Submissions from 1st Step Association<br/>[LC Paper No. CB(2)1692/01-02(05)<br/>LC Paper No. CB(2)1741/01-02(01)]<br/>(Chinese version only)</p> |

| <u>Meeting</u>      | <u>Meeting Date</u> | <u>Paper/Motion/Question</u>   |
|---------------------|---------------------|--|
|                     |                     | <p>Submission from the Law Society of Hong Kong<br/>[LC Paper No. CB(2)1692/01-02(06)]<br/><i>(English version only)</i></p> <p>Submission from Hong Kong Journalists Association<br/>[LC Paper No. CB(2)1692/01-02(07)]<br/><i>(English version only)</i></p> <p>Submission from Mr YEUNG Wai-sing, Eastern District Council<br/>[LC Paper No. CB(2)1726/01-02(01)]<br/><i>(Chinese version only)</i></p> <p>Submission from Association of the Rights of Industrial Accident Victims<br/>[LC Paper No. CB(2)1741/01-02(02)]<br/><i>(Chinese version only)</i></p> <p>Submission from Hong Kong Confederation of Trade Unions<br/>[LC Paper No. CB(2)1741/01-02(03)]<br/><i>(Chinese version only)</i></p> <p>Minutes of meeting<br/>[LC Paper No. CB(2)2615/01-02]</p> |
| Legislative Council | 9 April 2003        | <p>Official Record of Proceedings of the Council on a written question raised by Hon Cyd HO on "Legal aid applications in respect of litigations concerning human rights"</p> <p>Official Record of Proceedings of the Council on a written question raised by Hon Cyd HO on "Legal aid applications in respect of litigations concerning anti-discrimination legislation"</p>   |

| <u>Meeting</u>   | <u>Meeting Date</u> | <u>Paper/Motion/Question</u>   |
|--|---------------------|--|
| <p>Panel on Administration of Justice and Legal Services</p> | <p>23 June 2003</p> | <p>List of Issues for Review prepared by the Panel in July 2002<br/>[LC Paper No. <a href="#">CB(2)2646/01-02(01)</a>]</p> <p>Bar Association's letter dated 11 September 2002 responding to the List of Issues for Review<br/>[LC Paper No. <a href="#">CB(2)2784/01-02(01)</a>]<br/><i>(English version only)</i></p> <p>Judgment in Shem Yiu Fun, HCAL183/2002<br/>[LC Paper No. <a href="#">CB(2)1542/02-03(01)</a>]</p> <p>Administration's paper on "Annual and Biennial Review of Financial Eligibility Limits of Legal Aid Applicants"<br/>[LC Paper No. <a href="#">CB(2)2581/02-03(01)</a>]</p> <p>Administration's paper on "Five-yearly Review of the Criteria for Assessing Financial Eligibility of Legal Aid Applicants"<br/>[LC Paper No. <a href="#">CB(2)2581/02-03(02)</a>]</p> <p>Administration's response on the List of Issues for Review<br/>[LC Paper No. <a href="#">CB(2)2581/02-03(03)</a>]</p> <p>Minutes of meeting<br/>[LC Paper No. <a href="#">CB(2)3051/02-03</a>]</p> |
|  | <p>29 July 2003</p> | <p>Submission from the Hong Kong Bar Association<br/>[LC Paper No. <a href="#">CB(2)2639/02-03(01)</a>]<br/><i>(English version only)</i></p> <p>Extract of letter dated 16 July 2003 from the Director of Administration to the Clerk to Panel concerning the submission from the Hong Kong Bar Association<br/>[LC Paper No. <a href="#">CB(2)2888/02-03(01)</a>]</p>  |

| <u>Meeting</u> | <u>Meeting Date</u> | <u>Paper/Motion/Question</u>  |
|----------------|---------------------|---|
|                |                     | <p>Submission from the Law Society of Hong Kong on "Review of the Legal Aid in Criminal Case Rules"<br/>[LC Paper No. CB(2)2908/02-03(01)]</p> <p>Minutes of meeting<br/>[LC Paper No. CB(2)37/03-04]</p>   |
|                | 27 October 2003     | <p>Director of Administration's letter dated 20 October 2003 responding to the issues raised by the Panel at the meetings on 23 June and 29 July 2003<br/>[LC Paper No. CB(2)159/03-04(03)]</p> <p>Minutes of meeting<br/>[LC Paper No. CB(2)387/03-04]</p>   |
|                | 29 January 2004     | <p>Administration's reply dated 14 November 2003 on "Court of Appeal Case CACC 365 of 2000"<br/>[LC Paper No. CB(2)370/03-04(01)]</p> <p>Submission from the Hong Kong Bar Association<br/>[LC Paper No. CB(2)644/03-04(01)]<br/><i>(English version only)</i></p> <p>Administration's letter dated 15 January 2004 responding to the Hong Kong Bar Association's submission of 28 November 2003<br/>[LC Paper No. CB(2)1094/03-04(01)]</p> <p>Submission from the Law Society of Hong Kong<br/>[LC Paper No. CB(2)1094/03-04(02)]<br/><i>(English version only)</i></p> <p>Submission dated 12 December 2003 from the Legal Aid Services Council (LASC) on "Five-yearly Review of the Criteria for Assessing Financial Eligibility of Legal Aid Applicants"<br/>[LC Paper No. CB(2)1094/03-04(03)]<br/><i>(English version only)</i></p> |

| <u>Meeting</u>  | <u>Meeting Date</u> | <u>Paper/Motion/Question</u>  |
|---|---------------------|---|
|   |                     | <p>Response from the LASC on the Court of Appeal's judgment in a criminal appeal cases<br/> <a href="#">[LC Paper No. CB(2)3166/03-04(01)]</a><br/> <i>(English version only)</i></p> <p>Minutes of meeting<br/> <a href="#">[LC Paper No. CB(2)1741/03-04]</a></p>   |
| Legislative Council                                   | 5 May 2004          | <p><a href="#">Official Record of Proceedings of the Council on a written question raised by Dr Hon LO Wing-lok on "Legal aid applications relating to claims of medical negligence"</a></p>  |
| Panel on Administration of Justice and Legal Services | 14 December 2004    | <p>Administration's paper on "Annual and biennial review of financial eligibility limits of legal aid applicants"<br/> <a href="#">[LC Paper No. CB(2)367/04-05(01)]</a></p> <p>Minutes of meeting<br/> <a href="#">[LC Paper No. CB(2)710/04-05]</a></p>   |
| Legislative Council                                   | 11 May 2005         | <p><a href="#">Official Record of Proceedings of the Council on an oral question raised by Hon Margaret NG on "Payment of fee to the defence counsel in criminal legal aid cases in respect of preparation work"</a></p>  |
| Panel on Administration of Justice and Legal Services | --                  | <p>Administration's responses to the submissions from LASC and the Law Society of Hong Kong<br/> <a href="#">[(LC Paper No. CB(2)58/04-05(01)</a><br/> <a href="#">LC Paper No. CB(2)58/04-05(02)]</a></p> <p>Administration's paper on "Pilot Scheme on Mediation of Legally Aided Matrimonial Cases"<br/> <a href="#">[LC Paper No. CB(2)507/04-05(01)]</a></p> <p>Administration's letter dated 4 April 2005 on "Pilot Scheme on Mediation of Legally Aided Matrimonial Cases"<br/> <a href="#">[LC Paper No. CB(2)1212/04-05(01)]</a></p> |

| <u>Meeting</u>      | <u>Meeting Date</u> | <u>Paper/Motion/Question</u>   |
|---------------------|---------------------|--|
|                     |                     | <p>Administration's letter dated 8 July 2005 to the Law Society of Hong Kong on "2004 Biennial Review of Criminal Legal Aid Fees, Prosecution Fees and Duty Lawyer Fees"<br/> <a href="#">[LC Paper No. CB(2)2268/04-05(02)]</a><br/> <i>(English version only)</i></p> <p>Administration's letter dated 11 July 2005 on "Criminal Legal Aid Fees and Five-yearly Review of the Criteria for Assessing Financial Eligibility of Legal Aid Applicants"<br/> <a href="#">[LC Paper No. CB(2)2319/04-05(01)]</a></p>  |
|                     | 23 January 2006     | <p>Background brief prepared by the LegCo Secretariat on "Provision of legal aid services"<br/> <a href="#">[LC Paper No. CB(2)904/05-06(01)]</a></p> <p>Administration's paper on "Annual review of financial eligibility limits of legal aid applicants"<br/> <a href="#">[LC Paper No. CB(2)904/05-06(02)]</a></p> <p>Submission from Mr Valentine S T YIM on "Annual review of financial eligibility limits of legal aid applicants"<br/> <a href="#">[LC Paper No. CB(2)963/05-06(01)]</a><br/> <i>(English version only)</i></p> <p>Minutes of meeting<br/> <a href="#">[LC Paper No. CB(2)1491/05-06]</a></p> |
|                     | --                  | <p>Administration's letter dated 17 March 2006 on "2005 annual review of financial limits of legal aid applicants"<br/> <a href="#">[LC Paper No. CB(2)1471/05-06(01)]</a></p>   |
| Legislative Council | 3 May 2006          | <p><a href="#">Official Record of Proceedings of the Council on the motion moved by the Chief Secretary for Administration on "Proposed resolution under the Legal Aid Ordinance"</a></p>  |

| <u>Meeting</u>   | <u>Meeting Date</u>     | <u>Paper/Motion/Question</u>  |
|--|-------------------------|---|
| <p>Panel on Administration of Justice and Legal Services</p> | <p>27 November 2006</p> | <p>Administration's paper on "Annual and Biennial Review of Financial Eligibility Limits of Legal Aid Applicants"<br/> <a href="#">[LC Paper No. CB(2)431/06-07(04)]</a></p> <p>Minutes of meeting<br/> <a href="#">[LC Paper No. CB(2)887/06-07]</a></p>   |
|  | <p>26 March 2007</p>    | <p>Background brief prepared by the LegCo Secretariat on "Provision of legal aid services"<br/> <a href="#">[LC Paper No. CB(2)1395/06-07(01)]</a></p> <p>Administration's paper on "Five-yearly review of the criteria for assessing the financial eligibility of legal aid applicants"<br/> <a href="#">[LC Paper No. CB(2)1395/06-07(02)]</a></p> <p>The Legal Aid Services Council's letter dated 26 March 2007<br/> <a href="#">[LC Paper No. CB(2)1472/06-07(01)]</a><br/> <i>(Chinese version only)</i></p> <p>Submission dated 26 March 2007 from the 1st Step Association<br/> <a href="#">[LC Paper No. CB(2)1472/06-07(02)]</a><br/> <i>(Chinese version only)</i></p> <p>Information note from the LegCo Office of Hon Margaret NG<br/> <a href="#">[LC Paper No. CB(2)1472/06-07(03)]</a><br/> <i>(Chinese version only)</i></p> <p>Minutes of meeting<br/> <a href="#">[LC Paper No. CB(2)1966/06-07]</a></p> |
|  | <p>--</p>               | <p>Administration's letter dated 15 November 2007 on "2007 Annual Review of Financial Eligibility Limits of Legal Aid Applicants"<br/> <a href="#">[LC Paper No. CB(2)367/07-08(01)]</a></p>  |