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Legislative Council

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**Report of the Panel on Administration of Justice and Legal Services
for submission to the Legislative Council**

PURPOSE

This report gives an account of the work of the Panel on Administration of Justice and Legal Services during the 2007-2008 Legislative Council (LegCo) session. It will be tabled at the Council meeting on 9 July 2008 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

THE PANEL

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002 and 11 July 2007 for the purpose of monitoring and examining Government policies and issues of public concern relating to administration of justice and legal services. The terms of reference of the Panel are in **Appendix I**.

3. The Panel comprises nine members, with Hon Margaret NG and Hon Martin LEE elected as Chairman and Deputy Chairman respectively. The membership of the Panel is in **Appendix II**.

MAJOR WORK

Development of mediation services

4. The Panel was in support of developing mediation which provided an alternative means of settling disputes, and promoted social harmony by encouraging parties involved to engage in constructive dialogue. The Panel was briefed on the development of mediation on various fronts.

Mediation of building management cases in the Lands Tribunal

5. The Panel was informed that the Lands Tribunal had introduced a pilot scheme to encourage parties to building management disputes to resolve their cases by mediation before or after they issued proceedings in the Lands Tribunal. The aim of the scheme was to facilitate the more efficient, expeditious and fair disposal of building management cases. Under the scheme, if there were means to resolve a

dispute by mediation, unreasonable failure to make a bona fide attempt in mediation on the part of either party would be relevant conduct to be taken into account by the Lands Tribunal in deciding on costs. At the initial phase (1 January to 31 December 2008), the scheme would apply primarily to cases with legal representation on both sides. In appropriate cases, with modifications, the Lands Tribunal might apply some features of the Scheme to cases with unrepresented litigants by specific directions made in the course of the proceedings. A review to evaluate the effectiveness of the scheme would be conducted after the initial phase.

Mediation in legally-aided matrimonial cases

6. The Chief Justice's Working Party on Civil Justice Reform had considered the possibility of making mediation a condition of legal aid. It recommended giving the Legal Aid Department (LAD) the power, in suitable cases, to limit its initial funding for persons who qualified for legal aid to the funding of mediation. On 15 March 2005, the Administration launched a one-year pilot scheme to establish whether extending funding to cover mediation of legally-aided matrimonial cases was justified.

7. The Panel was briefed on the evaluation and findings of the pilot scheme. The Panel noted that out of the 6 297 matrimonial cases, legally-aided persons in 297 cases had indicated an interest to attempt mediation; 107 of such cases were referred to mediators, and 61 of the 88 mediated cases reached either full or partial agreement. In response to members' comments about the low take-up rate and success rate of the pilot scheme, the Administration explained that a large number of the cases was not suitable (e.g. domestic violence was involved), or not necessary (e.g. no real issue in dispute), or not possible (e.g. aided person/opposite party could not be located/refused to participate) for mediation.

8. The Panel supported the Administration's proposal to provide funding for mediation in legally-aided matrimonial cases on a permanent basis. In response to members on the main features of the permanent arrangement, the Administration advised that mediation would not be a mandatory pre-condition for the granting of legal aid for legal representation, as it was intended to be an adjunct to litigation and an alternative channel to dispute resolution between the parties. In line with the current legal aid policy which required that only persons who passed the means and merits tests would be eligible for legal aid, LAD would only finance the legally-aided persons' share of the mediator's fees, and mediators' fees and legal costs incidental to mediation should be subject to the Director of Legal Aid's first charge on any property recovered or preserved for the aided persons.

9. Regarding the way forward, the Panel was advised that the Administration was consulting the Legal Aid Services Council, the two legal professional bodies and relevant mediation bodies on the proposed arrangement. Subject to their views, the Administration would commence work on the legislative amendments with a view to introducing the amendments in the next LegCo term.

Working Group on Mediation

10. Following the CE's announcement to develop mediation services in Hong Kong in the 2007 Policy Address, the Working Group on Mediation, chaired by the Secretary for Justice, was established to review the current development of mediation and to make recommendations on how mediation could be more effectively and extensively used to resolve disputes. The Panel was informed that the Working Group had formed three Sub-groups in April 2008 to consider and make findings on specific issues, i.e. public education and publicity, accreditation and training, and regulatory framework. The Sub-groups would submit their reports to the Working Group in 18 months and the Working Group would release its report in about two years.

11. The Panel considered it important to help the ordinary people to resolve disputes by quicker and more effective ways instead of requiring them to resort to the judicial process. The Panel requested the Administration to explore ways to facilitate and encourage community mediation such as mediation of building management disputes, and to address the legal profession's concern about the availability of suitable venues for conducting community mediation, pending the outcome of the review of the Working Group in two years' time.

Review of financial eligibility of legal aid applicants

2007 annual review of financial eligibility limits of legal aid applicants

12. The Panel took note of the outcome of the annual review of the financial eligibility limits of legal aid applicants. Taking into account the change of +2.1% in CPI(C) during July 2006 and July 2007, the Administration proposed to adjust the limits upward by 2.1%, i.e. from \$162,300 to \$165,700 for the Ordinary Legal Aid Scheme (OLAS) and criminal legal aid, and from \$450,800 to \$460,300 for the Supplementary Legal Aid Scheme (SLAS). The Panel had no objection for the Administration to move a resolution in the Council to amend the limits as set out in the Legal Aid Ordinance (Cap. 91).

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

13. The Administration informed the Panel of the progress of the 2007 five-yearly review of criteria for assessing the financial eligibility of legal aid applicants and invited members' views on relevant proposals for further consideration.

14. Given the success of the SLAS in widening access to justice, the Panel reiterated its support for the expansion of SLAS on a gradual and incremental basis, which was also a recommendation in the Law Reform Commission's Consultation Report on "Conditional Fees" issued in July 2007. The Panel had previously received requests to expand the scope of SLAS, increase/remove the financial

eligibility limit, and increase contribution rates or adopt a sliding scale of contribution rates to compensate for the expansion of the scope and the increase/removal of the financial eligibility limit. The Administration advised that detailed consideration was being given to the scope of SLAS, including the feasibility of regarding SLAS as a safety net legal aid scheme. However, any proposals to extend the scope of SLAS must not jeopardize the financial viability of the scheme.

15. The Panel noted that the Administration would examine various suggestions in assessing the disposable capital of a person, such as taking into account the age, physical condition and earning power of a person, disregarding savings for the elderly, and waiving the means test for applicants with severe disability. The Administration would consult stakeholders and revert to the Panel around the end of 2008.

Prosecution policy and practice

Prosecution policy and procedure arising from the case of Mr CHUNG Yik-tin

16. Arising from the public concern about the prosecution of Mr Chung Yik-tin who was charged with publishing an obscene article contrary to section 21(1)(a) of the Control of Obscene and Indecent Articles Ordinance (COIAO) (Cap. 390), his remand in custody, and the ultimate withdrawal of the charge against him, the Panel had a discussion on the role of the Department of Justice (DoJ) in respect of the proceedings against Mr Chung and relevant issues.

17. As the prosecution withdrew the charge against Mr Chung after it became aware of an interim classification as "indecent" by the Obscene Articles Tribunal (OAT) in respect of the photograph that was the subject of the offence with which Mr Chung was charged, members suggested that the Police and the DoJ should invariably obtain an interim classification from the OAT before charge. The Administration explained that COIAO did not require a pre-charge classification. On the contrary, the COIAO made it clear that in civil or criminal proceedings, articles should only be sent to the OAT for classification when the question of whether the article was indecent or obscene would be a live issue in those proceedings. The Administration pointed out that there were occasions where a law enforcement agency was required to take immediate enforcement actions without obtaining an interim classification from the OAT, such as seizure of thousands of obscene VCDs/DVDs at retail outlets and laying charges against their owners.

18. In the light of Mr Chung's case, members questioned the propriety for the prosecution to oppose bail submitted in relation to an offence charged, on the ground that the Police had to conduct further investigation into other suspected offences committed by Mr Chung. The Administration advised that Mr Chung was represented by counsel. All the submissions were advanced by the prosecutor in open court and the defence counsel had not challenged them. The court, in forming an opinion on whether bail should be refused under section 9G(2)(h) of the Criminal Procedure Ordinance (Cap. 221), could have regard to any other thing that appeared

to be relevant. The fact that an accused person was being investigated for other serious offences would be relevant to the court in forming an opinion on whether the accused person would fail to surrender to custody as the court might appoint, or commit an offence while on bail.

19. In response to members on the reasons for the prosecution to withdraw the charge, the Administration explained that when the DoJ became aware of the interim classification by the OAT, the prosecution of Mr Chung was immediately reviewed. Having consulted the Television and Entertainment Licensing Authority and the Police, the DoJ came to the view that there was no reasonable prospect to overturn the interim classification of OAT. The DoJ concluded that the interests of justice required that the charge against Mr Chung be withdrawn.

Pre-trial interviewing of witnesses by prosecutors

20. It had come to the attention of the Panel that the Director of Public Prosecutions (DPP) had established a Working Group in 2007 to examine the feasibility of introducing a scheme of pre-trial witness interviews (PTWI) by prosecutors in Hong Kong, and accepted its recommendation that before any decisions were taken, a nine-month monitoring exercise would be conducted to collect relevant statistics and information with effect from 1 April 2008. The Panel discussed the existing policy and practice on the PTWI, the objectives of the monitoring scheme, and the experience of, and the schemes adopted in, other major common law jurisdictions.

21. The Administration assured the Panel that during the monitoring period, no change was made to the existing practice whereby law enforcers interviewed and obtained written statements from witnesses involved in criminal investigation. The only change was the revision to the prosecutors' Case Report Form which now required prosecutors, in a case where the defendant was acquitted, to assess whether it would have been beneficial for a prosecutor to have interviewed the witness prior to trial in order to make an assessment of the witness's evidence, thereby weeding out weak cases at an early stage.

22. Regarding the developments on PTWI in other common law jurisdictions, the Panel was informed that the conduct of PTWI was standard practice in Canada, New South Wales of Australia, and Scotland. Following a consultation exercise and a pilot, a national roll-out of the PTWI scheme was implemented in England and Wales in April 2008.

23. Some members considered that the adoption of the PTWI could advance the interests of justice as weeding out weak cases at an early stage would provide an additional safeguard to suspects who might otherwise have to stand trial. Some members expressed reservation about the introduction of the PTWI which represented a drastic departure from the existing practice of interviewing witnesses. A major concern was the potential risk of coaching or contaminating the evidence of the

witness in the course of the PTWI. The Administration explained that the experience of England and Wales showed that the fear was more apparent than real as there was no basis to suggest that prosecutors would be more likely than law enforcers to coach the witness. The concern was addressed with proper training and the adoption of a code of practice. The code stipulated the rules that were to be observed in relation to the PTWI, and matters concerning recording and disclosure.

24. The Panel expressed concern that there was no prior consultation by the Administration with the two legal professional bodies before the launch of the monitoring scheme. The Administration explained that the Working Group would make recommendations in 2009 and all interested bodies would be consulted if it was decided that the PWTI scheme should be taken forward. The Working Group would carefully consider the pros and cons of the PTWI as well as its relevance in Hong Kong. Members requested the Administration to report progress to the Panel in due course.

System for the determination of judicial remuneration

25. On 20 May 2008, the Chief Executive-in-Council decided to accept all the major recommendations of the Standing Committee on Judicial Salaries and Conditions of Service (the Judicial Committee) on the appropriate institutional structure, mechanism and methodology for the determination of judicial remuneration. The Judicial Committee had reviewed the recommendations of the Judiciary based on a consultancy report prepared by Sir Anthony Mason in April 2003 (the Mason Report).

26. The Panel welcomed the Administration's following recommendations -

- (a) the Administration should in due course introduce legislation to provide for a standing appropriation to meet the payment of judicial salaries; and
- (b) judicial remuneration should continue to be fixed by the Executive after considering recommendations by an independent advisory body whose role should be confined to judicial remuneration, and the existing Judicial Committee should be expanded to perform the same functions of the intended independent body.

27. The Panel further noted that -

- (a) while the Judicial Committee advised that the timing for establishing the independent body by statute should be left to the Administration, the Administration did not see the need to do so at that stage and believed that it should allow the expanded Judicial Committee to operate for some time before a further decision could be taken; and
- (b) the Administration agreed with the Judicial Committee's view that it was not essential to legislate to prohibit reduction in judicial salaries.

28. Some members considered that the recommendation of the Mason Report that legislation should be enacted prohibiting absolutely any reduction in judicial remuneration was an essential element of judicial independence and were disappointed that this recommendation was not accepted by the Administration. They pointed out that the prohibition was absolute in all common law jurisdictions except Canada. The Administration advised that unilateral reduction in civil service pay (and as a corollary, reduction in judicial pay) could only be implemented by way of legislation. Although prohibition against reduction of judicial pay was almost universally adopted in all common law jurisdictions, there were indeed a number of international judicial instruments which recognized that a reduction as an integral part of public economic measures applicable to all persons paid from the public purse constituted an exception to the general rule and was permissible.

Solicitors' rights of audience

29. The Panel was briefed on the Final Report of the Working Party on Solicitors Rights of Audience which was released on 29 November 2007. The Working Party was set up by the Chief Justice in June 2004 to consider whether solicitors' existing rights of audience should be extended and, if so, by what mechanism such extended rights of audience should be granted. The Panel noted that members of the Working Party had unanimously agreed to extend higher rights of audience to suitably qualified solicitors. The Chief Justice had accepted the Working Party's recommendations and requested the Administration to take forward the matter by appropriate legislation.

30. The Panel was informed that a Higher Rights Assessment Board chaired by a senior judge would be established to consider applications for higher rights of audience. The conduct and discipline of solicitor-advocates would be the responsibility of the Council of the Law Society of Hong Kong (Law Society), and a code of conduct would be drawn up by the Council in consultation with the Council of the Hong Kong Bar Association (Bar Association) and the Judiciary.

31. On the cost effectiveness of the proposed scheme, the Panel was advised that extending higher rights of audience to qualified solicitors would not necessarily bring down the costs of litigation, but it would provide more choices to the public by enlarging the pool of advocates.

32. Some members expressed concern about the position of junior members of the Bar as solicitor-advocates who were granted higher rights of audience by the Higher Rights Assessment Board would be regarded as having the seal of approval. Members were advised that the Bar Association was considering means to enhance the public's confidence in barristers who had completed pupillage, for example, in the form of examination or accreditation.

33. In response to members on the legislative timetable, the DoJ advised that having regard to the time required for drafting of the proposed legislation,

consultation among relevant parties and the need for the Law Society to prepare the code of conduct for solicitor-advocates, the proposed legislation would be introduced in the next LegCo session. The code of conduct would be available for discussion by the Panel before the introduction of the proposed legislation.

Review of the jurisdiction of the Office of the Ombudsman

34. In the light of the calls received from time to time to extend her jurisdiction to cover more organizations, The Ombudsman decided to conduct a review in 2005. The Review consisted of two parts: an "operational" review of The Ombudsman Ordinance (TOO) (Cap. 397), and a more generalized review of developments in ombudsmanship. The Ombudsman submitted Part I and Part II of the Report to the Administration in November 2006 and November 2007 respectively.

35. In December 2007, the Administration briefed the Panel on its initial response to the recommendations made by The Ombudsman in Part I of the Review Report. The Panel noted that The Ombudsman had recommended the inclusion of eight bodies in Part I of Schedule 1 to TOO after taking into account their executive powers, extensive interface with or impact on the public and the main source of funding. However, the Administration did not agree with the recommendation to include two of the bodies, i.e. the Electoral Affairs Commission (EAC) and the District Councils (DCs) under The Ombudsman's jurisdiction. The Panel requested the Administration to provide justifications for its decision.

36. The Panel was advised that as the administrative work of election-related activities and district facilities was handled by the relevant executive departments which were already subject to the jurisdiction of The Ombudsman, it was unnecessary to place EAC and DCs under The Ombudsman's jurisdiction. The Panel agreed that the Administration should proceed to consult the remaining six bodies (Auxiliary Medical Service, Civil Aid Service, Board of Management of Chinese Permanent Cemeteries, Chinese Temples Committee, Consumer Council, and Estate Agents Authority) on the recommendation to subject them to The Ombudsman's jurisdiction. The Administration agreed to revert to the Panel on its final response to the recommendations made in Part 1 of The Ombudsman's review.

Review of the criminal legal aid fees system

37. The Panel had monitored the progress of the review of the criminal legal aid fee system (i.e. the system of payment of fees to criminal legal aid lawyers engaged by the LAD) which aimed at achieving general compatibility with the prosecution fee regime adopted by the DoJ. In the last session, the Administration had reached a broad consensus with the two legal professional bodies on the proposed structure of the criminal legal aid fee system which would operate on a marked-brief basis, and had offered to the two legal professional bodies the proposed rates for the various items for various court levels in March 2007.

38. The Law Society informed the Panel that the findings of a survey it conducted on solicitors and law firms engaged in criminal litigation in October/November 2007 had revealed, inter alia, that over 90% of the respondents were dissatisfied with the hourly rates proposed by the Administration for the criminal pre-trial work at \$425 and \$300 for the High Court and District Court respectively. The Law Society's position was that the hourly rates for criminal legal aid should be on par with the civil taxation rates on a party-to-party basis. For example, the party and party taxation rates for High Court civil proceedings were \$2,400 to \$3,000 per hour for a solicitor with five to six years' experience and \$1,400 per hour for a trainee solicitor. The Law Society also considered that the conference fees for barristers and solicitors should be compatible. At present, the hourly rates for barristers and solicitors were \$1,200 and \$300/\$400 respectively.

39. As the Law Society and the Administration held divergent views on the proposed level of fees on the various payment items, members shared the legal professional bodies' concern that the review had reached an impasse. Given that the Law Society had indicated its expected level of fees, the Panel urged the Administration to negotiate with the Law Society to resolve differences, and report to the Panel in due course.

Recovery agents

40. The Panel shared the legal profession's concern about the activities of recovery agents (RAs) who were not professionally qualified or subject to any code of professional conduct and discussed the matter at a number of meetings in the past three years. The Administration had undertaken to adopt a three-pronged approach to tackle the issue of RAs, involving public education, possible prosecution, and consideration of the need for legislation.

41. The Panel followed up the issue in March 2008 and was advised that a radio Announcement of Public Interest (API) to inform the public about the risks of the activities of RAs would be launched soon, and a television version of the API would be launched after completion of its production. The timing for broadcast of the APIs would be worked out with the Police to maximize their impact. Regarding prosecution, nine cases relating to RAs were being investigated by the Police, seven of which were being actively pursued.

42. The Panel discussed the possibility of introducing legislation to protect public interest against the activities of RAs. The Panel was assured by the DoJ that as confirmed by the judgment of the Court of Final Appeal in February 2007, the common law rules making maintenance and champerty criminal offences were part of Hong Kong law prior to 1997 and remained applicable by virtue of Article 8 of the Basic Law. However, in the light of the judgment, it would be prudent for the Administration to consider whether statutory law was still required, and if so, whether the law should regulate the activities of RAs or the contracts of RAs. As enacting legislation against the activities of RAs would have wide implications, especially on business activities, the public would need to be consulted on the legislative proposal.

Applicability of Ordinances to offices set up by the Central People's Government in HKSAR

43. The Panel followed up the subject of applicability of Ordinances to Central People's Government (CPG) offices in the HKSAR in the current session, after it was last discussed by the Panel in June 2001.

44. The Panel expressed disappointment at the latest development as reported by the Administration in April 2008 -

- (a) of the 16 Ordinances [including the Personal Data (Privacy) Ordinance (PDPO) (Cap. 486)] that expressly bound the Government but were silent on their applicability to offices set up by the CPG in the HKSAR, the Administration planned to amend four of these Ordinances in the 2008-2009 legislative session, so that they would also apply to the offices set up by the CPG in the HKSAR. The four Ordinances were the Legislative Council Commission Ordinance (Cap.443), Plant Varieties Protection Ordinance (Cap.490), Patents Ordinance (Cap.514), and Registered Designs Ordinance (Cap.522); and
- (b) of the 35 Ordinances that expressly bound or applied to the "Crown", six required no further action; three had already been adapted; and three had been repealed or did not contain any reference to the "Crown". The Administration would continue to examine how the remaining 29 Ordinances should be adapted.

45. Some members were particularly concerned about the progress of the review of the PDPO as it touched upon the right to privacy of the public and regulated the collection, maintenance and use of personal data. The Administration explained that given the complexity of the Ordinance, more time was required to study whether and if so how it should apply to the CPG offices. The Administration could not give a timetable at this stage.

46. Some members pointed out that the adaptation of "the Crown" to "the State" in section 66(1) of the Interpretation and General Clauses Ordinance (Cap. 1) had caused confusion and complication. The presumption of exclusion of the "State", which included the CPG offices, to the HKSAR laws in section 66 of Cap. 1 was inconsistent with Article 22(3) of the Basic Law. They requested the Administration to review the formulation of section 66(1) and the definition of "State" in Cap. 1.

47. The Administration stressed that although Article 22(3) stipulated that the CPG offices and their personnel must abide by the laws of the HKSAR, it should not be taken to mean that a particular ordinance must be binding on the CPG offices in the HKSAR. One had to study the legislative intent of an ordinance and if the policy intention was that it should apply to the CPG offices, amendment should be made to the ordinance to include a provision to that effect. The Administration advised that

the principle behind section 66 of Cap. 1 was adopted by some other common law jurisdictions, and this principle was not inconsistent with the Basic Law.

48. As equality before the law and clarity of the law were fundamental requirements of the rule of law, the Panel agreed that the Chairman should follow up the matter by writing to the Secretary for Justice. Members would consider the next course of action after receiving the Secretary's reply.

Enforcement of civil judgments

49. The Panel had been concerned about the effectiveness of the existing mechanisms of enforcement of civil judgments and discussed the matter at a number of meetings. The Panel noted that judgment creditors often encountered difficulties in the enforcement of court orders, and the Law Society called for a comprehensive review of the existing mechanisms of enforcement of civil judgments which were based on the English practice and had been in use for over 30 years.

50. The Administration Wing of the Chief Secretary for Administration's Office (the Administration Wing) advised the Panel that it had no basis to assess the problems encountered in enforcement of civil judgments, let alone the extent of the problems, because the Judiciary only kept statistics according to the enforcement methods each of which cut across different areas and had no information on judgments which had not been successfully enforced in specific areas. It was for the relevant Bureaux to consider the need to introduce appropriate measures to address problems in enforcing judgments in specific areas, if identified. The Panel expressed disappointment at the position of the Administration Wing.

51. The Panel was concerned about the impact of non-enforceability of civil judgments on the rule of law, and the ramifications of judgment creditors resorting to self-help instead of statutory enforcement methods, e.g. by enlisting the assistance of debt collectors. The Panel considered that there were inadequacies in the existing mechanisms of enforcement of civil judgments. As the matter straddled different Bureaux, the Panel requested that the Administration Wing should assume responsibility in conducting an overall review of the mechanisms with a view to identifying the problems and recommending improvement measures to meet the needs of the society. Pursuant to the decision of the Panel at its meeting on 28 January 2008, the Panel's concerns and request was conveyed to the Chief Secretary for Administration for consideration.

Other issues

52. The Panel received updates from the Administration on the following major issues -

- (a) progress of the review of the Professional Indemnity Scheme of the Hong Kong Law Society;

- (b) proposed revision to the rates of allowances for jurors and witnesses;
- (c) review of 29 ordinances enacted in or before 2004 containing provisions which were yet to come into operation; and
- (d) Consultancy Study of the Demand for and Supply of Legal and Related Services.

53. The Panel was also consulted on the following legislative and financial proposals before their introduction into the LegCo or submission to the Finance Committee -

- (a) Statute Law (Miscellaneous Provisions) Bill 2008;
- (b) subsidiary legislation relating to privileges and immunities conferred on specified international organizations;
- (c) Consultation Paper on Reform of the Law of Arbitration in Hong Kong and the Draft Arbitration Bill; and
- (d) the Judiciary's staffing proposals to strengthen the establishment of judges and judicial officers and the directorate structure of the Judiciary Administration.

PANEL MEETINGS

54. From October 2007 to June 2008, the Panel held a total of 11 meetings.

Council Business Division 2
Legislative Council Secretariat
4 July 2008

Legislative Council

Panel on Administration of Justice and Legal Services

Terms of Reference

1. To monitor and examine, consistent with maintaining the independence of the Judiciary and the rule of law, policy matters relating to the administration of justice and legal services, including the effectiveness of their implementation by relevant officials and departments.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Panel on Administration of Justice and Legal Services

Membership list for 2007-2008 session

Chairman	Hon Margaret NG
Deputy Chairman	Hon Martin LEE Chu-ming, SC, JP (since 26 November 2007)
Members	Hon James TO Kun-sun Hon Jasper TSANG Yok-sing, GBS, JP Hon Miriam LAU Kin-ye, GBS, JP Hon Emily LAU Wai-hing, JP Hon CHOY So-yuk, JP Hon Audrey EU Yuet-mee, SC, JP Hon LI Kwok-ying, MH, JP (Total : 9 members)
Clerk	Mrs Percy MA
Legal Adviser	Mr Arthur CHEUNG
Date	26 November 2007