

Panel on Administration of Justice and Legal Services

List of follow-up actions
(Position as at 8 January 2009)

Subject	Date of meeting	Follow-up actions required	Administration's response
1. Recommendations on the setting up of a Conditional Legal Aid Fund in the Law Reform Commission's Report on Conditional Fees	20 October 2008	The Home Affairs Bureau (HAB) to advise on the Administration's current view on the recommendations in the Law Reform Commission's Report on Conditional Fees published in July 2007 pertaining to the setting up of a Conditional Legal Aid Fund to screen applications for the use of conditional fees, brief out cases to private lawyers, finance the litigation, and pay the opponent's legal costs should the litigation prove unsuccessful.	Response awaited.
2. Arbitration services	20 October 2008	The Department of Justice (DoJ) to provide information on the respective numbers of local and overseas legal practitioners handling arbitration cases in Hong Kong.	Response awaited.
3. Development of mediation services	20 October 2008	DoJ to provide information on the mediation service providers in Hong Kong.	Response awaited.
4. Review of the provision of legal aid services	24 November 2008	HAB to provide the following supplementary information - (a) how Hong Kong compared to other jurisdictions in terms of accessibility of the middle class to legal aid;	Response awaited

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		<p>(b) the number of successful and unsuccessful Supplementary Legal Aid Scheme (SLAS) cases in recent years, together with the net gain arising from recovery of damages/compensation in successful cases as well as the costs for unsuccessful ones;</p> <p>(c) statistics on the amount and percentage of contributions required to be paid by the aided persons under the Ordinary Legal Aid Scheme and SLAS and the number of persons aided under the two Schemes in recent years; and</p> <p>(d) a list of the stakeholders to be consulted on the five-yearly review of the criteria for assessing the financial eligibility of legal aid applicants.</p>	
5. Criminal legal aid fee system	16 December 2008	HAB to advise the status of the grade structure review on the Government Counsel (GC) grade and whether the starting salary of the GC rank would be increased by some 30%; and to provide explanation on why the Administration considered infeasible the Bar Association's proposal of delinking the implementation of the revised criminal legal aid fee system for barristers from that for solicitors should the Administration and the Law Society fail to reach agreement on the fee rates.	Response awaited
6. Limited Liability partnership (LLP) for legal practice	16 December 2008	DoJ to ascertain whether the relevant policy bureaux had consulted other professions on LLP and provide such information to members as appropriate.	Response awaited

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		<p>DoJ was also requested to provide more information on the LLP proposal, including whether solicitor partners should be held personally liable for ordinary debts of the business, partners' liabilities for acts and omissions of assistant solicitors and of consultants under LLP, insurance requirements on LLP, the position of international law firms which had already been operating under LLP in other countries, specific proposals in the Administration's draft bill and how far the proposals in the draft legislative amendments prepared by the Law Society in 2005 had been incorporated therein, and to revert to the Panel on the requested information in two months' time.</p>	<p>Response awaited</p>