

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

**List of follow-up actions**  
**(Position as at 17 February 2009)**

<b>Subject</b>	<b>Date of meeting</b>	<b>Follow-up actions required</b>	<b>Administration's response</b>
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.	DoJ will respond in writing in due course.
3. Development of mediation services	20 October 2008	DoJ to provide information on the mediation service providers in Hong Kong.	DoJ will provide the information in due course.
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.	DoJ will provide the information in due course.

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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>DoJ will respond in writing in due course.</p>
<p>7. Operation of the Resource Centre for Unrepresented Litigants</p>	<p>13 January 2009</p>	<p>The Judiciary Administration (JA) to provide information on proposals regarding provision of assistance to litigants by law students in certain areas. JA also undertook to convey members' views on exploring possible collaboration with law students in providing assistance to unrepresented litigants to the Steering Committee on Resource Centre for Unrepresented Litigants for consideration and to revert to members in this regard.</p> <p>HAB to provide a written response to members' views on and support for the provision of publicly-funded free legal advice service to unrepresented litigants.</p>	<p>Response awaited.</p> <p>Response awaited.</p>
<p>8. Implementation of</p>	<p>13 January 2009</p>	<p>JA to provide further information on the work of the</p>	<p>Response awaited.</p>

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Civil Justice Reform (CJR)		Committee established by the Chief Justice to monitor the implementation of CJR, including its terms of reference and scope of work.	
9. Statutory and non-statutory appointments of judges for extra-judiciary functions	13 January 2009	<p>The Administration Wing of the Chief Secretary for Administration's Office was requested to -</p> <ul style="list-style-type: none"><li>(a) provide information on the amount of extra resources provided by the Administration to the Judiciary where a serving judge had been asked to undertake work outside the Judiciary;</li><li>(b) review each of the non-statutory appointments currently held by serving judges and revert to the Panel on whether as a matter of policy such appointments must be taken up by serving judges; and</li><li>(c) conduct a comprehensive review on the policy and criteria for the appointment of judges to extra-judiciary functions and revert to the Panel on its plan for conducting the review.</li></ul>	Response awaited.