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Panel on Administration of Justice and Legal Services

Background brief for the meeting on 30 March 2009

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

Purpose

This paper provides background information and summarizes the past discussions of the Panel on Administration of Justice and Legal Services on various issues relating to the current five-yearly review of criteria for assessing the financial eligibility of legal aid applicants.

Government's policy objective

2. According to Article 35 of the Basic Law, Hong Kong residents shall have the right to confidential legal advice, access to the courts, choice of lawyers for timely protection of their lawful rights and interests or for representation in the courts, and to judicial remedies. Article 14(1) of the International Covenant on Civil and Political Rights (ICCPR) guarantees all individuals the right to a fair hearing in both criminal and civil proceedings (which involves the determination of an individual's civil rights and obligations). Article 14(3) further provides that a person charged with criminal offence shall be entitled to "have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him if he does not have sufficient means to pay for it." The Hong Kong Bill of Rights Ordinance (Cap. 383) (HKBORO) incorporates into Hong Kong law the provisions of ICCPR as applied to Hong Kong.

3. 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.

The legal aid system

Legal aid framework

4. The Legal Aid Ordinance (Cap. 91) (LAO), enacted in 1967, sets out the legal framework for the administration of legal aid. Legal aid is provided by the Legal Aid Department (LAD) 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.

5. The Legal Aid Services Council (LASC) was set up on 1 September 1996 under the Legal Aid Services Council Ordinance (Cap. 489) to supervise the provision of legal aid services in Hong Kong provided by LAD and to advise the Government on legal aid policy.

OLAS

6. To qualify for legal aid for civil proceedings under OLAS, 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 HKBORO or an inconsistency with ICCPR.

7. 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. 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

8. 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 (Cap. 282) 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.

Panel discussions relevant to the current five-yearly review

Need for a fundamental review

9. After its review of the provision of legal services in 2001, the Panel requested the Administration to conduct a fundamental review on the objective, adequacy and effectiveness of the existing legal aid system with a view to enhancing the

accessibility of legal aid services for those in need. Members expressed concern that under the then existing financial eligibility limits, many applicants who had been refused legal aid on ground of means had a meritorious case to pursue and they were unable to do so due to the high costs of private litigation. They questioned whether the financial eligibility limits for legal aid had been realistically set. Members expressed the view that the Administration should review its existing broad-brush approach of setting a financial eligibility limit for applications across the board, and undertake a fundamental review on the criteria used for determining eligibility for legal aid, taking into account all relevant factors including the nature of the case and the seriousness of the offence.

10. The Administration's view at that time was that a comprehensive mechanism was already put in place to review the financial eligibility limits for legal aid services. It comprised three levels of reviews -

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

11. In the light of the implementation of the Civil Justice Reform, the Panel all along held the view that there was an urgent need for the Administration to conduct an overall review of the legal aid system, instead of making merely piece-meal adjustments to the system.

12. The last five-yearly review of the criteria for assessing financial eligibility of legal aid applicants was conducted in May 2003. During the review, the Administration had revisited the rationale for the existing approach for assessing financial capacity and compared its approach with practices of some overseas legal aid regimes. The Administration stressed that its policy intention was not to review the overall approach in such a way as to make legal aid commonly available to even the better-off litigants in Hong Kong. The Administration had introduced in 2006 a number of deductible items in computing the disposable income and disposable capital. Details of the improvement measures arising from the 2003 five-yearly review as provided by the Administration are in **Appendix I**.

Current five-yearly review

13. The Administration consulted the Panel on the proposed scope of the current five-yearly review for assessing the financial eligibility of legal aid applicants at its meeting on 26 March 2007. The Panel further received a progress report on the review at its meeting on 26 May 2008. Relevant discussions recently held by the Panel are summarized in the following paragraphs.

Financial capacity approach in assessing the financial eligibility of legal aid applicants

14. According to the Administration, two cardinal criteria, namely means (financial eligibility) and merits (the prospect of success, costs and benefit and the prospect of recovery) tests have been adopted to assess the legal aid applications. 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 pegged currently 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.

15. For the current five-yearly review of the criteria for assessing financial eligibility of legal aid applicants, the Administration advised the Panel that the financial capacity approach had been working satisfactorily and was not so complex as to be confusing for an applicant. Deputations put to the Panel that means test should be waived for (a) meritorious cases involving the fundamental rights of residents as stipulated in Chapter III of the Basic Law, and (b) 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. The Administration advised the Panel that while its plan was to maintain the current financial capacity approach, the Administration would examine whether there was any room for improvement to the current financial capacity approach in assessing the financial resources of legal aid applicants. However, any proposal of waiving the means test for applicants with severe disability should not jeopardize the cardinal principles of the legal aid system. The Administration would also consider carefully the impact of expanding the discretionary power of DLA to waive the means test for civil legal aid cases and cases involving a breach of the fundamental rights of residents as stipulated in Chapter III of the Basic Law.

Methods of computing disposable income and disposable capital

17. According to the Legal Aid (Assessment of Resources and Contributions) Regulations, a person's disposable income is the income that person may reasonably expect to receive during the period of computation. It is calculated by his income minus a number of statutory deductible items, such as payment of salaries tax and maintenance payments. One deductible item is an allowance equivalent to the 35-percentile household expenditure excluding rent. According to the Administration, the allowance reflects the general expenditure of a household in maintaining an acceptable standard of living.

18. In accordance with the statutory requirements, a person's disposable capital is the value of his/her resource of a capital nature, disregarding a number of items including the value of any interest in the only or main dwelling, and insurance money received in respect of the injuries to which the person's personal injury claim relates, to cover his/her future medical needs.

19. Members and deputations expressed the following views relating to the computation of disposable income and capital -

- (a) the 35-percentile household expenditure in calculating disposable income of applicants should be increased;
- (b) relevant factors such as age, health and earning power should be taken into account of in assessing the financial eligibility of a legal aid applicant. For example, the savings, the property and rental income arising therefrom of legal aid applicants who were very old, about to retire or those with severe disability should be disregarded in computing their disposable capital and disposable income respectively. Asset which was the only means of livelihood of a legal aid applicant should also be disregarded; and
- (c) the appropriateness of relying solely on the movements in the Consumer Price Index (C) (CPI(C)) in reviewing the yearly financial eligibility limits for legal aid applicants should be reviewed.

20. The Administration advised the Panel that it was examining critically the pros and cons of raising the 35-percentile household expenditure as well as the associated financial and other implications. The Administration also undertook to examine in the current review -

- (a) whether the deductible items for computing disposable income was adequate to ensure that they continued to be able to serve current needs of the applicants; and
- (b) whether there was room for improvement in the items to be disregarded in computing disposable capital.

21. As regards the assessment of the financial eligibility of elderly and disabled persons, the Administration further advised the Panel that it would make reference to the practices of other departments as well as overseas practices with regard to the treatment of the resources of elderly and disabled persons. The Administration would critically examine the proposal for an elderly and disabled persons' disregard, the scope of such disregard, eligibility for such disregard and the relevant implementation mechanism. The Administration would also look into matters such as the desirability of maintaining the total disregard for the applicant's main dwelling when considering the overall eligibility criteria.

22. On the use of the movement in CPI(C) for the conduct of an annual review of the financial eligibility limits, the Administration explained that CPI(C) reflected the pattern of high household expenditure which covered approximately the top 10% of total households. It should be an appropriate indicator for the changes in litigation costs which were generally regarded as high level expenditure item. CPI(C) also had its component the highest percentage of expenditure on "miscellaneous services". In this context, the change in the cost for legal services, as one of the miscellaneous services, would be appropriately represented by CPI(C), as compared with the other two consumer price indices.

23. Members considered that as information about litigation costs would be made available for the taxation of legal costs payable, the Administration should collect such information from the Judiciary as well as LAD for the purpose of reviewing whether the financial eligibility limits should be adjusted due to a change in private litigation costs.

Financial eligibility limits and the review cycle

24. At present, a single financial eligibility limit applies to all types of cases under OLAS as well as criminal legal aid cases. Another limit exists for SLAS. Different rates of contribution are specified in the Legal Aid (Assessment of Resources and Contributions) Regulations for different brackets of financial resources. The maximum rate of 67% only applies to financial resources exceeding \$1,200,000. In the context of criminal legal aid, DLA has the discretion to waive the limit in the interests of justice. According to the Administration, DLA in practice seldom refuses criminal legal aid applications solely on means ground except for applicants who fail to provide full and frank disclosure on means.

25. The Panel received the following views from deputations on the financial eligibility limits -

- (a) the financial eligibility limit for SLAS should be increased, say 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;
- (b) the contribution rate payable by legally-aided persons and the financial eligibility limit under 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%; and
- (c) timely reviews should be conducted to reflect changes in litigation costs and to ensure that 70% of households which currently were financially eligible for OLAS and SLAS would not be adversely affected as a result of any delay in adjusting the limits.

26. Members also expressed the following views -

- (a) the existing financial eligibility limits under OLAS and SLAS were unrealistically set and should be reviewed, as they failed to adequately safeguard the public's right to access to justice; and
- (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.

27. The Administration advised the Panel that an across-the-board financial eligibility limit was clear and simple to understand and administer. The Administration, however, would examine the appropriateness of having an one-line financial eligibility limits by making reference to practices of overseas legal aid jurisdictions. The Administration further pointed out that substantial resources and time had been deployed since 1997 for data collection in order to carry out several reviews on the overall approach for assessing the financial eligibility of legal aid applicants over a fixed period time. It was about time to review the scope for streamlining the number and frequency of reviews based on the experience gained.

28. Members may wish to note that at the Panel meeting on 24 November 2008, the Administration undertook to provide statistics on the amount and percentage of contributions required to be paid by the aided persons under OLAS and SLAS and the number of persons aided under the two Schemes in the past few years.

Scope of SLAS

29. The Panel all along held the view that given the success of SLAS in widening access to justice, there was a strong case for expanding the scope of SLAS. Members pointed out that SLAS started off as a small self-financing scheme with limited funding, and hence legal assistance could only be provided for restricted types of proceedings in order to maintain its financial viability. With the successful operation of SLAS over the years, it was time for the Administration to consider expanding the scope of SLAS. The Hong Kong Bar Association, the Law Society of Hong Kong and LASC were also supportive of the proposed expansion.

30. The Administration advised the Panel that any proposal to expand the scope of SLAS must not jeopardize the financial viability of the scheme and thus required thorough consideration. This was particularly the case as the Supplementary Legal Aid Fund was liable to pay the full legal costs of the opposite party as well as that of assigned lawyers if claims supported by the Fund were unsuccessful. The Administration, however, was considering the scope of SLAS, including the feasibility of regarding SLAS as a safety net legal aid scheme.

31. Members reiterated their concern that the current legal aid system was increasingly being restricted to those with little or no means at all, while a vast majority of middle-class people had no access to legal aid services. They considered that the expansion of SLAS would not have any adverse impact on the financial viability of the scheme, given that only applicants whose case or defence had been assessed to have a reasonable chance of success would be granted assistance under the scheme, and a percentage of damages or compensation would be recovered from successful SLAS cases and paid into the Supplementary Legal Aid Fund. Members may wish to note that to facilitate further consideration of the issue, the Panel has requested the Administration to provide the number of successful and unsuccessful 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.

32. When the Panel was briefed on an information note prepared by the Research and Library Services Division of the Legislative Council Secretariat on the scope and expenditure of legal aid services in England and Wales of the United Kingdom (UK), the Province of Ontario of Canada and the State of New South Wales of Australia (IN03/08-09), members were informed that an applicant's income and his capital were separately assessed in these three places when determining his financial eligibility for legal aid. For instance, in Ontario, the upper financial eligibility limit in respect of annual income for a two-person family was CAN\$12,900 (about HK\$80,000). In UK, a person with gross income of less than £2,530 (about HK\$30,000) per month was eligible for civil legal aid. In UK, eligibility for civil legal aid was assessed on the basis of monthly income, while that for criminal legal aid weekly income. Members considered that judging from the data, it would appear that in some overseas jurisdictions like UK, the middle class were better provided for in legal aid than was the case in Hong Kong. Members requested the Administration to provide information on how Hong Kong compared to other jurisdictions in terms of accessibility of the middle class to legal aid. It had also been suggested that to provide the middle class with greater access to justice, the Administration could consider setting up a fund to provide loans to litigants subject to the passing of a merits test.

33. Members may wish to note that in its Report on Conditional Fees published in July 2007, the Law Reform Commission (LRC) has recommended the expansion of SLAS on a gradual and incremental basis in two ways. The first is to raise the financial eligibility limits to bring a higher proportion of households within the Scheme's ambit. The second way is to increase the types of cases covered. LRC has further recommended in the Report the setting up of a Conditional Legal Aid Fund (the proposed 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. According to the recommendation, the proposed Fund should have a generously set upper financial eligibility limit but no minimum financial eligibility limit should be set. The proposed Fund would engage the private lawyers on a conditional fee basis while the clients would be charged on a contingency fee basis. A feasibility study should be carried out to establish the proposed Fund as a statutory body under the governance of an independent board.

The Administration is scheduled to revert to the Panel on its current view on the relevant recommendations made in the Report in the beginning of the 2009-2010 legislative session.

Scope of legal aid

34. When receiving the progress report of the current five-yearly review, members requested the Administration to consider in the review expanding the scope of legal aid from litigation to legal advice. During their past discussions on legal aid, members had also suggested that the Administration should consider restructuring the legal aid regime to provide "unbundled legal assistance", i.e. with private lawyers providing advice and assistance at key points in the proceedings. They considered that it would not only extend the scope of legal aid but would also assist LAD in assessing the merits of a case at difference stages of the proceedings and accordingly decide whether legal aid should continue to be granted.

Consultation on the current review

35. The Administration informed the Panel that stakeholders would be consulted on specific preliminary proposals formulated by the Administration having regard to the views expressed by the Panel and relevant organisations on the current review. The major stakeholders to be consulted would include Legislative Council Members, LASC and the two legal professional bodies. Members expressed the view that there had been criticism that the consultation conducted by the Administration in the past was confined mainly to the organizations represented in LASC and there was a lack of wider scope of public consultation. They considered that the scope of consultation on the five-year review should be widened. At the Panel's request, the Administration agreed to provide for members' reference a list of the stakeholders to be consulted on the five-yearly review.

RELEVANT PAPERS

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

Improvement Measures

**Five-Yearly Review of the Criteria for Assessing
Financial Eligibility of Legal Aid Applicants in 2003**

- (a) in calculating a legal aid applicant's income, the loss or reduction of future income, subject to satisfactory proof to DLA, would be taken into account;
- (b) in calculating a legal aid applicant's disposable income, the following items should be included as deductible –
 - (i) provision for care of all dependants (other than just dependant children) during the time that the legal aid applicant was at work if considered reasonable, provided that they were living with the applicant, and were unable to take care of themselves by reasons of mental or physical disabilities or infirmity;
 - (ii) extension of the above deductible to also self-employed applicants; and
 - (iii) maintenance payment for ex-spouse and children, either ordered by the court and actually paid, or in case of voluntary payment, the amount actually paid which was considered reasonable and which should not exceed the statutory allowances as if the ex-spouse and children were the applicant's dependants;
- (c) in assessing disposable capital of an applicant to pursue an accident-related personal injury claim, DLA should be able to disregard an amount of the insurance monies received by the applicant in respect of the injuries to which the claim relates, to cover such future expenses on treatment, equipment and care in the following three years, as considered by DLA to be reasonable;
- (d) the contribution rate for the SLAS should be reduced from the present 12% to 10%; and
- (e) the interest rate to be accrued and payable by the aided person if DLA agreed to defer enforcing the first charge on property recovered should be one that had regard to the movements in the market, instead of a fixed rate as at present. The rate would on one hand be lower than the commercial best lending rate and on the other hand, not incur a loss to the Government.

**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 [LC Paper No. CB(2)1692/01-02(01)] (English version only)</p> <p>Submission from Hong Kong Family Welfare Society [LC Paper No. CB(2)1692/01-02(02)] (English version only)</p> <p>Submission from Hong Kong Press Council [LC Paper No. CB(2)1692/01-02(03)] (English version only)</p> <p>Submission from Hong Kong Council of Social Service [LC Paper No. CB(2)1692/01-02(04)] (Chinese version only)</p> <p>Submissions from 1st Step Association [LC Paper No. CB(2)1692/01-02(05) LC Paper No. CB(2)1741/01-02(01)] (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 [LC Paper No. CB(2)1692/01-02(06)] <i>(English version only)</i></p> <p>Submission from Hong Kong Journalists Association [LC Paper No. CB(2)1692/01-02(07)] <i>(English version only)</i></p> <p>Submission from Mr YEUNG Wai-sing, Eastern District Council [LC Paper No. CB(2)1726/01-02(01)] <i>(Chinese version only)</i></p> <p>Submission from Association of the Rights of Industrial Accident Victims [LC Paper No. CB(2)1741/01-02(02)] <i>(Chinese version only)</i></p> <p>Submission from Hong Kong Confederation of Trade Unions [LC Paper No. CB(2)1741/01-02(03)] <i>(Chinese version only)</i></p> <p>Minutes of meeting [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 [LC Paper No. CB(2)2646/01-02(01)]</p> <p>Bar Association's letter dated 11 September 2002 responding to the List of Issues for Review [LC Paper No. CB(2)2784/01-02(01)] <i>(English version only)</i></p> <p>Judgment in Shem Yiu Fun, HCAL183/2002 [LC Paper No. CB(2)1542/02-03(01)]</p> <p>Administration's paper on "Annual and Biennial Review of Financial Eligibility Limits of Legal Aid Applicants" [LC Paper No. CB(2)2581/02-03(01)]</p> <p>Administration's paper on "Five-yearly Review of the Criteria for Assessing Financial Eligibility of Legal Aid Applicants" [LC Paper No. CB(2)2581/02-03(02)]</p> <p>Administration's response on the List of Issues for Review [LC Paper No. CB(2)2581/02-03(03)]</p> <p>Minutes of meeting [LC Paper No. CB(2)3051/02-03]</p>
	<p>29 July 2003</p>	<p>Submission from the Hong Kong Bar Association [LC Paper No. CB(2)2639/02-03(01)] <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 [LC Paper No. CB(2)2888/02-03(01)]</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" [LC Paper No. CB(2)2908/02-03(01)]</p> <p>Minutes of meeting [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 [LC Paper No. CB(2)159/03-04(03)]</p> <p>Minutes of meeting [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" [LC Paper No. CB(2)370/03-04(01)]</p> <p>Submission from the Hong Kong Bar Association [LC Paper No. CB(2)644/03-04(01)] <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 [LC Paper No. CB(2)1094/03-04(01)]</p> <p>Submission from the Law Society of Hong Kong [LC Paper No. CB(2)1094/03-04(02)] <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" [LC Paper No. CB(2)1094/03-04(03)] <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 [LC Paper No. CB(2)3166/03-04(01)] <i>(English version only)</i></p> <p>Minutes of meeting [LC Paper No. CB(2)1741/03-04]</p>
Legislative Council	5 May 2004	<p>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"</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" [LC Paper No. CB(2)367/04-05(01)]</p> <p>Minutes of meeting [LC Paper No. CB(2)710/04-05]</p>
Legislative Council	11 May 2005	<p>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"</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 [(LC Paper No. CB(2)58/04-05(01)) LC Paper No. CB(2)58/04-05(02)]</p> <p>Administration's paper on "Pilot Scheme on Mediation of Legally Aided Matrimonial Cases" [LC Paper No. CB(2)507/04-05(01)]</p> <p>Administration's letter dated 4 April 2005 on "Pilot Scheme on Mediation of Legally Aided Matrimonial Cases" [LC Paper No. CB(2)1212/04-05(01)]</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" [LC Paper No. CB(2)2268/04-05(02)] <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" [LC Paper No. CB(2)2319/04-05(01)]</p>
	23 January 2006	<p>Background brief prepared by the LegCo Secretariat on "Provision of legal aid services" [LC Paper No. CB(2)904/05-06(01)]</p> <p>Administration's paper on "Annual review of financial eligibility limits of legal aid applicants" [LC Paper No. CB(2)904/05-06(02)]</p> <p>Submission from Mr Valentine S T YIM on "Annual review of financial eligibility limits of legal aid applicants" [LC Paper No. CB(2)963/05-06(01)] <i>(English version only)</i></p> <p>Minutes of meeting [LC Paper No. CB(2)1491/05-06]</p>
	--	<p>Administration's letter dated 17 March 2006 on "2005 annual review of financial limits of legal aid applicants" [LC Paper No. CB(2)1471/05-06(01)]</p>
Legislative Council	3 May 2006	<p>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"</p>

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

<u>Meeting</u>	<u>Meeting Date</u>	<u>Paper/Motion/Question</u>
	26 May 2008	<p>Background Brief prepared by the Legislative Council Secretariat on "Five-yearly review of the criteria for assessing the financial eligibility of legal aid applicants" [LC Paper No. CB(2)2010/07-08(01)]</p> <p>Administration's paper on "Five-yearly review of the criteria for assessing the financial eligibility of legal aid applicants" [LC Paper No. CB(2)2011/07-08(04)]</p> <p>Submission dated 26 May 2008 from Law Society of Hong Kong [LC Paper No. CB(2)2090/07-08(01)] (English version only)</p> <p>Minutes of meeting [LC Paper No. CB(2)2818/07-08]</p>
Legislative Council	2 July 2008	<p>Official Record of Proceedings of the Council on a written question raised by Hon James TO on "Inclusion of cash values of insurance policies in the calculation of capital assets in assets tests"</p>
Panel on Administration of Justice and Legal Services	24 November 2008	<p>Information Note prepared by the Research and Library Services Division on "Scope and expenditure of legal aid services in selected places" [IN03/08-09]</p> <p>Background Brief prepared by the Legislative Council Secretariat on "Review of the provision of legal aid services" [LC Paper No. CB(2)309/08-09(07)]</p> <p>Administration's paper on "Provision of legal aid services" [LC Paper No. CB(2)309/08-09(08)]</p>

<u>Meeting</u>	<u>Meeting Date</u>	<u>Paper/Motion/Question</u>
		Submission from the Society for Community Organization on "Review of the provision of legal aid services" [LC Paper No. CB(2)335/08-09(01)] <i>(Chinese version only)</i> Minutes of meeting [LC Paper No. CB(2)584/08-09]
Legislative Council	17 December 2008	Official Record of Proceedings of the Council on an oral question raised by Dr Hon Margaret NG on "Free Legal Advice Scheme and Duty Lawyer Service"
	11 February 2009	Official Record of Proceedings of the Council on the motion moved by Dr Hon Priscilla LEUNG Mei-fun on "Relaxing the eligibility criteria for legal aid"

Council Business Division 2
Legislative Council Secretariat
24 March 2009