

For Information

**Legislative Council on
Administration of Justice and Legal Services**

**Funding Support for
Mediation in Legally Aided Matrimonial Cases**

PURPOSE

This paper informs Members of the latest development regarding funding support for mediation in legally aided matrimonial cases.

BACKGROUND

2. The Legislative Council Panel on Administration of Justice and Legal Services (“AJLS Panel”) has supported the proposal to make permanent the arrangement for mediation in legally aided matrimonial cases by way of legislative amendments to the Legal Aid Ordinance (“Cap. 91”).

RECENT DEVELOPMENTS

3. We have considered the impact of the Civil Justice Reform (“CJR”) on Cap.91. With the implementation of the CJR on 2 April 2009, the scope of legal aid covers mediation in all civil proceedings including matrimonial proceedings.

4. The policy objective of enabling legal aid to cover mediation in matrimonial proceedings can be met without legislative amendments to Cap. 91. The costs of mediation for such cases can be paid as expenses incurred in connection with the legally aided proceedings.

5. The AJLS Panel was briefed in March 2009 and supported the proposal to fund mediation in legally aided matrimonial cases. On 22 June 2009, the AJLS Panel was informed of the view taken by the Administration above regarding funding support for mediation in legally aided matrimonial proceedings.

6. The Legal Aid Department (“LAD”) has written to and informed the Hong Kong Bar Association and the Law Society of Hong Kong on 25 June 2009 of the above arrangements. An announcement was also made on LAD’s website on the same day.

**Home Affairs Bureau
Legal Aid Department
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