

Panel on Administration of Justice and Legal Services

List of follow-up actions
(Position as at 24 March 2010)

Subject	Date of meeting	Follow-up actions required	Administration's response
<p>1. Recommendations on the setting up of a Conditional Legal Aid Fund in the Law Reform Commission's Report on Conditional Fees</p>	<p>20 October 2008</p>	<p>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.</p>	<p>HAB will address the issue concerning the Supplementary Legal Aid Scheme at the meeting on 29 March 2010 in the context of the review of criteria of assessing the financial eligibility of legal aid applicants.</p> <p>The Department of Justice (DoJ) will revert to the Panel on the remainder of the Law Reform Commission's Conditional Fees Report in June 2010.</p>
<p>2. Review of the provision of legal aid services</p>	<p>24 November 2008</p>	<p>HAB to provide the following supplementary information -</p> <p>(a) how Hong Kong compared to other jurisdictions in terms of accessibility of the middle class to legal aid;</p> <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</p>	<p>The Administration's response on (b) and (c) was issued to members vide LC Paper No. CB(2)2011/08-09 on 24 June 2009.</p> <p>The Administration will revert on (d) in the context of the discussion on the five-yearly review at the meeting on 29 March 2010.</p> <p>Response on (a) awaited.</p>

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		<p>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>	
3. Operation of the Resource Centre for Unrepresented Litigants	13 January 2009	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.	The issue will be discussed when the Administration reverts to the Panel on the subject of free legal advice service at the meeting on 29 March 2010.
4. Development of mediation services	22 October 2009	DoJ to provide information on the number and percentage of employment injury compensation cases in which mediation service had been used, if available.	Response awaited.
5. Arrangements of replacing Police Constable with security guards at Magistrates' Courts	--	At the meeting held on 10 November 2009 between the Panel Chairman and the Administration to discuss the Panel's work plan, JA was requested to provide in June 2010 a report on the operation of the arrangement of replacing part of the Police Constable establishment at Magistrates' Courts with security guards.	Response awaited.
6. Drafting of legislation	15 December 2009	The Law Drafting Division, DoJ, to set up regular working meetings with the Legal Service Division of the Legislative Council Secretariat on issues relating to law drafting and to revert to the Panel on its consideration of members' suggestion of developing guidelines on the drafting of the long titles of bills.	Response awaited.

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7. Research report on "Legal aid systems in selected places"	25 January 2010	HAB to explain in writing how it arrived at the figure of HK\$110 per capita in legal aid spending in Hong Kong.	Response awaited.
8. Legal Aid in Criminal Cases Rules	25 January 2010	HAB to consider the Law Society's proposal for extending legal aid to cases where references are made by the Chief Executive to the Court of Appeal under section 83P of the Criminal Procedure Ordinance (Cap. 221) and incorporating a general provision to empower the Director of Legal Aid to grant legal aid in such circumstances as he thinks fit, and to revert to the Law Society and the Panel on its consideration of the proposal.	Response awaited.
9. Non-civil service appointment of a Deputy Principal Government Counsel in DoJ for implementation of the recommendations of the Working Group on Mediation	22 February 2010	DoJ to provide a detailed timetable on the duties to be undertaken by the proposed Deputy Principal Government Counsel post during the three-year period.	Response awaited.