

For information

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

Provision of Free Legal Advice Service

PURPOSE

In response to Members' request, this paper provides further information on the Administration's plan to enhance the provision of free legal advice service in Hong Kong.

BACKGROUND

2. As set out in the Administration's paper LC Paper No. CB(2)1148/09-10(02), the Home Affairs Bureau provides subvention to the Duty Lawyer Service (DLS) which operates, amongst other legal assistance schemes, the Free Legal Advice Scheme (FLAS) where free legal advice is provided to the public by volunteer lawyers on a pro bono basis. At the Panel meeting on 29 March 2010, we briefed Members on the Administration's preliminary views on measures to improve FLAS and how the provision of free legal advice service may be enhanced.

ENHANCEMENT TO FLAS

3. We would implement the following measures with a view to enhancing FLAS –

(a) Improvement in Support Services

- (i) Additional resources will be provided to the HAD for engaging dedicated staff in the District Offices (DOs) to be responsible for appointment making and recording of case details for the persons seeking service. The financial implications for the proposal will be around \$ 3 million to employ a dedicated team of 15 staff to support the Scheme. Currently, seven dedicated

staff have been deployed to provide support services in DOs. HAD would arrange further deployment of staff as necessary in the coming months.

- (ii) Arrangements are being made for DOs staff to attend targeted training workshop with a view to equipping them with the skills in handling the appointment making and case summary preparation tasks. We anticipate that by providing DOs with dedicated staff and with enhanced training, the support service for volunteer lawyers will be improved, which will in turn enhance efficiency and effectiveness of the service.
- (iii) We would revise the handbook/manual for the volunteer lawyers to include more updated information e.g. information published by relevant Government departments and agencies on civil and criminal related procedures and services.

(b) Survey on FLAS

To better gauge users' views on the operation of FLAS, we will commission a survey to gather the opinion of clients who have received services under FLAS and volunteer lawyers engaged by the DLS. On the basis of the findings of the survey, we will be able to explore other improvement measures to enhance the services under FLAS in a more comprehensive manner.

OTHER MEASURES TO FACILITATE THE PROVISION OF FREE LEGAL INFORMATION AND FREEE LEGAL ADVICE

4. To attract lawyers to join FLAS, DLS will continue to invite legal practitioners to participate in the scheme during the enrolment in the services of DLS. Subject to findings of the survey on FLAS, we will consider, amongst other issues, how best to enhance the provision of free legal advice, including ways to provide more recognition for lawyers' effort in contributing to such pro bono services.

5. We consider that legal information provided through the internet will enable the general public to better understand their legal problems and provide pointers on the possible channels for addressing such problems. As reported in the above paper, the Administration seeks to provide funding support to a suitable agency to enhance the

delivery of free legal information to the community. We will explore with the agency on expansion of the scope of legal issues covered in websites currently providing legal information to better address more common concerns of those who seek free legal advice and assistance, improvement of the infrastructure of the on-line platform to enhance user-friendliness, and stepping up of publicity measures to promote the on-line platform in the community.

WAY FORWARD

6. The Administration is aware of the demands from the community for the provision of more extensive free legal advice services to those who cannot afford legal services in the private market. We appreciate the pro bono efforts of individual lawyers in the provision of free legal advice to the public. We look forward to further collaboration with the legal professional bodies and welcome their views on how services in this area can be improved. We will also continue to maintain close liaison with the Judiciary in respect of the demands for free legal advice for unrepresented litigants.

7. As reported to Members at the Panel meeting held in March 2010, we need to take into account various factors in contemplating the way forward of the policy on enhancing free legal advice services in Hong Kong. We will report to the Panel on more concrete ideas about the way forward by the end of this financial year.

Home Affairs Bureau
May 2010