

Panel on Administration of Justice and Legal Services

List of follow-up actions
(Position as at 12 October 2009)

Subject	Date of meeting	Follow-up actions required	Administration's response
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.	The Administration will revert to the Panel on the issue in 2010 in the context of the review of criteria of assessing the financial eligibility of legal aid applicants.
2. Development of mediation services	20 October 2008	DoJ to provide information on the mediation service providers in Hong Kong.	The Administration's response was issued to members vide LC Paper No. CB(2)1916/08-09 on 17 June 2009.
3. Review of the provision of legal aid services	24 November 2008	<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</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>Issues on (a) and (d) will be addressed when the Administration responds to the research report on "Legal aid systems in selected places" which is tentatively scheduled for discussion in December 2009.</p>

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		<p>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>	
4. Criminal legal aid fees system	16 December 2008	<p>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%. HAB also undertook to further examine with the Hong Kong Bar Association the latter's request of delinking the implementation of the revised criminal legal aid fees system for barristers from that for solicitors should the Administration and the Law Society of Hong Kong fail to reach agreement on the fee rates for criminal legal aid work, and to revert to the Panel in this regard.</p>	<p>The Administration's response on these issues was incorporated in its paper entitled "Review of Criminal Legal Aid Fees System" (LC Paper No. CB(2)1904/08-09(03)) for the Panel meeting on 22 June 2009.</p>
5. Operation of the Resource Centre for Unrepresented Litigants	13 January 2009	<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>The issue will be discussed when the Administration reverts to the Panel on the subject of free legal advice service in the first quarter of 2010.</p>

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6. Implementation of Civil Justice Reform (CJR)	13 January 2009	JA to provide further information on the work of the Committee established by the Chief Justice to monitor the implementation of CJR, including its terms of reference and scope of work.	JA's response was issued to members vide LC Paper No. CB(2)2561/08-09 on 30 September 2009.
7. 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"> (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; (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 (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. 	The Administration's response on (a) was issued to members vide LC Paper No. CB(2)1010/08-09 on 4 March 2009, and its response on (b) and (c) was issued vide LC Paper No. CB(2) 2239/08-09 on 16 July 2009.