

**For Information
22 October 2010**

LegCo Panel on Administration of Justice and Legal Services

Policy Initiatives of Home Affairs Bureau

Introduction

This note highlights the new policy initiatives concerning legal aid under the Home Affairs Bureau (HAB).

Five-yearly review on the criteria for assessing the financial eligibility of legal aid applicants (five-yearly review)

2. Upon completion of the five-yearly review, HAB has briefed Members on the recommendations at the meeting on 30 September 2010 (Ref. LC Paper No. CB(2)2298/09-10(01)).

3. We will raise the financial eligibility limits (FEL) for the Ordinary Legal Aid Scheme from \$175,800 to \$260,000; and to raise the FEL for the Supplementary Legal Aid Scheme (SLAS) significantly from \$488,400 to \$1.3 million. Moreover, part of the savings of legal aid applicants who have reached the age of 60 should be disregarded when calculating their disposable capital.

4. We will formulate proposals to amend the legislation, with a view to putting the new measures into effect as soon as possible.

Injection of \$100 million to the SLAS fund

5. To complement the SLAS review soon to be completed by the Legal Aid Services Council (LASC), and to benefit more people from the middle class, the Government will earmark \$100 million for injection into the SLAS fund when necessary to expand the scheme to cover more types of cases, such as claims for damages for professional negligence in a wider range of professions, and claims to recover outstanding wages and other employee benefits.

6. HAB will carefully study LASC's report on SLAS review, and report to the Panel on Government's specific proposals on the expansion

of SLAS in the first half of next year.

Free Legal Advice Scheme (FLAS)

7. The FLAS, subvented by HAB, aims to provide free preliminary legal advice to members of the public.

8. To benefit more people, we will enhance support services for FLAS to attract more volunteer lawyers to join. HAB will work closely with relevant government departments and actively examine the scope for providing more extensive and comprehensive free legal advice services to the public. Measures under consideration include –

- (a) to enhance training for support staff of the FLAS under the Duty Lawyer Service;
- (b) to give commendation and recognition to volunteer lawyers for their services;
- (c) to strengthen free legal advice services at community level;
- (d) to step up promotion and public education; and
- (e) to explore means to provide enhanced assistance to the unrepresented litigants.

9. We will report to the Panel on specific proposals on the enhancement of FLAS early next year.

Home Affairs Bureau
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