

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

**List of follow-up actions**

(position as at 10 October 2011)

<b>Subject</b>	<b>Date of meeting</b>	<b>Follow-up actions required</b>	<b>Administration's response</b>
1. Drafting of legislation	15 December 2009	The Law Drafting Division, Department of Justice ("DoJ"), 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.
2. Legal Aid in Criminal Cases Rules	25 January 2010	Home Affairs Bureau ("HAB") to consider the Law Society of Hong Kong ("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.	In April 2011, HAB advised the Law Society and the Hong Kong Bar Association in writing that a paper enclosing the Legal Aid in Criminal Cases (Amendment) Rules 2011 had been issued to the Criminal Procedure Rules Committee.
3. Five-yearly review of the criteria for assessing the financial eligibility of legal aid applicants	24 May 2010	The Legal Aid Services Council ("LASC") to revert to the Panel on its recommendations on how assistance could be provided to employees in obtaining legal aid in employer insolvency cases and in recovery of wages.	In December 2010, LASC submitted a report on the "Review of the Supplementary Legal Aid Scheme ("SLAS")" to the Administration. Having

<b>Subject</b>	<b>Date of meeting</b>	<b>Follow-up actions required</b>	<b>Administration's response</b>
	21 July 2010	HAB to consult the relevant parties, including DoJ, the Judiciary, the Labour and Welfare Bureau and the Legal Aid Department ("LAD"), on the views and suggestions raised by the Chairman and Members regarding measures to assist employees in wage claims and revert to the Panel in due course.	<p>studied the recommendations of LASC and taken into account the views of the Panel and relevant stakeholders, the Administration had finalized its position and briefed the Panel on its proposals for expanding the scope of SLAS at the meeting held on 28 March 2011.</p> <p>With effect from May 2011, the financial eligibility limits of the Ordinary Legal Aid Scheme ("OLAS") and SLAS have been substantially increased (from \$175,800 to \$260,000 for OLAS and from \$488,400 to \$1.3M for SLAS).</p>
4. Trial in the District Court	28 June 2010	DoJ to discuss with the two legal professional bodies on the viability of giving defendants the right to elect a jury trial and report to the Panel on the progress of the discussion in due course.	DoJ will revert to the Panel in the fourth quarter of 2011.
5. Progress of review of	22 November	LAD to provide information on the number of cases	At the meeting on 28 March

Subject	Date of meeting	Follow-up actions required	Administration's response
SLAS	2010  28 March 2011	<p>where applicants for legal aid had turned down the grant of legal aid due to the amount contributions required to be paid and the amount of contributions involved in such cases.</p> <p>HAB to revert to the Panel on its consideration on the various issues relating to contribution by aided persons raised by members.</p> <p>HAB to provide a progress report in June 2011 on the work of the Administration in taking forward the legislative proposals for expansion of SLAS and the proposal of including derivative claims under SLAS.</p> <p>LAD to provide information on the actual caseload and the success rate of cases relating to sale of goods and provision of services covered under the Ordinary Legal Aid Scheme.</p>	<p>2011, the Administration briefed the Panel on its proposals for expanding the scope of SLAS. The Administration plans to brief the Panel on the legislative amendments and submit report on the review of outstanding issues related to SLAS expansion in December 2011.</p> <p>Response awaited</p>
6. Implementation of Civil Justice Reform	21 December 2010	The Judiciary Administration ("JA") to provide a written report on the progress of implementation of Civil Justice Reform.	JA aims to provide the report in December 2011.
7. Solicitor Corporations Rules	28 March 2011	The Law Society to clarify as a matter of policy whether a solicitor corporation would be allowed to join a partnership.	Response awaited.
8. Development of	19 April 2011	DoJ to provide information on the success rate of	DoJ will revert to the Panel

<b>Subject</b>	<b>Date of meeting</b>	<b>Follow-up actions required</b>	<b>Administration's response</b>
mediation services		disputes cases which were resolved through mediation, in particular those relating to building management, and on the waiting time required for the provision of mediation services.	in the fourth quarter of 2011.
9. Reciprocal recognition and enforcement of matrimonial judgments with the Mainland	23 May 2011	DoJ to provide a timetable for the implementation of the proposed arrangement with the Mainland on reciprocal recognition and enforcement of matrimonial judgments.	Response awaited.
10. The Court of Final Appeal ("CFA")	27 June 2011	JA to provide information on its plan to use the existing Legislative Council Building as CFA and for other purposes.	The plan for relocating CFA to the existing Legislative Council Building is being worked out. JA aims to keep the Panel posted in due course.

Council Business Division 2  
Legislative Council Secretariat  
10 October 2011