

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

**List of follow-up actions**

(position as at 20 February 2014)

<b>Subject</b>	<b>Date of meeting</b>	<b>Follow-up actions required</b>	<b>Administration's response</b>
1. Solicitor Corporations Rules	28 March 2011	The Law Society of Hong Kong to clarify as a matter of policy whether a solicitor corporation would be allowed to join a partnership.	Response awaited.
2. Handling of sexual offences cases	28 May 2013	<p>The Department of Justice was requested to provide the following information:</p> <p>(a) the number of sexual offence cases in the last five years;</p> <p>(b) the number of applications made by the prosecution in the last five years on allowing the use of screen to shield victims of sexual offences from the accused while testifying in court; and</p> <p>(c) in respect of (b) above, the number of applications approved and rejected.</p>	Response awaited.

<b>Subject</b>	<b>Date of meeting</b>	<b>Follow-up actions required</b>	<b>Administration's response</b>
3. Mechanism for handling complaints against judicial conduct	23 July 2013	<p>The Judiciary Administration was asked to provide further information on and/or a response to the following matters:</p> <ul style="list-style-type: none"><li>(a) a breakdown of complaint cases against judicial conduct in the past three years by –<ul style="list-style-type: none"><li>(i) the nature of complaints;</li><li>(ii) the level of courts involved and the rank of judges being complained against; and</li><li>(iii) how the aforesaid complaints had been dealt with (including the follow-up action taken such as the giving of appropriate advice to the judge concerned, the tendering of an apology to the complainant etc.)</li></ul></li><li>(b) the current mechanism for handling complaints against judicial conduct in other jurisdictions;</li><li>(c) whether the Administration would consider establishing an independent body to receive and investigate complaints against judicial conduct, or to monitor and</li></ul>	Response awaited.

<b>Subject</b>	<b>Date of meeting</b>	<b>Follow-up actions required</b>	<b>Administration's response</b>
		<p>review the handling of complaint cases against judicial conduct by the Judiciary;</p> <p>(d) the number and the percentage of judges and magistrates who had not practised as lawyers prior to taking up the judicial appointments;</p> <p>(e) the number of complaint cases that had been referred to the Judicial Officers Recommendation Commission for attention in the past three years and the subsequent action taken on these cases;</p> <p>(f) what constituted "misbehaviour" of a judge as stated in Article 89 of the Basic Law for which the judge might be removed by the Chief Executive in accordance with the relevant procedures prescribed in the Basic Law; and</p> <p>(g) the right, if any, of complainants to access the audio recording of the court proceeding in connection with their complaints against judges.</p>	

<b>Subject</b>	<b>Date of meeting</b>	<b>Follow-up actions required</b>	<b>Administration's response</b>
4. The Law Society of Hong Kong's proposal to introduce a common entrance examination in Hong Kong	16 December 2013	<p>The Law Society of Hong Kong ("Law Society ") was requested to provide the following information regarding the Overseas Lawyers Qualification Examination ("OLQE") in the past five years:</p> <ul style="list-style-type: none"><li>(a) a breakdown by year on the number of candidates taking OLQE;</li><li>(b) a breakdown by year on the number of candidates who passed OLQE;</li><li>(c) a breakdown by year on the number of applications for exemption in respect of each of the five OLQE "Heads";</li><li>(d) out of (c) above, a breakdown by year on the number of exemptions granted in respect of each of the five OLQE "Heads"; and</li><li>(e) out of (c) above, a breakdown by year on the number of "automatic" exemptions granted, if any, in respect of each of the five OLQE "Heads".</li></ul>	The Law Society's response was issued to members vide LC Paper No. CB(4)399/13-14 on 14 February 2014.

<b>Subject</b>	<b>Date of meeting</b>	<b>Follow-up actions required</b>	<b>Administration's response</b>
5. Statute Law (Miscellaneous Provisions) Bill	16 December 2013	The Security Bureau was requested to relay Members' request to the Law Reform Commission of Hong Kong ("LRC") on the provision of a timetable of the LRC's overall review of sexual offences.	Response awaited.
6. Judicial manpower situation at various levels of court and long court waiting times	16 December 2013	The Judiciary Administration was requested to provide the following information:  (a) the number of appeals to the High Court in the past 10 years; and  (b) out of (a), the number of case(s) in which the appeal could not be heard in a timely manner or not until the convicted person(s) had served their imprisonment sentence.	Response awaited.