

Panel on Administration of Justice and Legal Services

List of follow-up actions
(position as at 24 April 2015)

Subject	Date of meeting	Follow-up actions required	Response of the responsible party
1. Reform of the current system to determine whether an offence is to be tried by judge and jury or by judge alone	22 April 2014	The Department of Justice ("DoJ") was requested to provide information on the estimated overall resource implications (e.g. cost and procedural implications) if jury trials were introduced in the District Court.	DoJ will provide the information (to be worked out in consultation with the Judiciary) when the Panel next discusses the subject.
2. 2014-2015 Judicial Service Pay Adjustment	24 November 2014	The Judiciary Administration was requested to provide responses to the following suggestions made by members: (a) expanding the scope of the Scheme on Judicial Assistants to enhance support to judges and judicial officers at all levels of court and engaging more young solicitors and barristers as Judicial Assistants; and (b) apart from conducting open recruitment, consideration be given to approaching eligible legal practitioners direct and/or engaging an executive search firm to see whether these legal practitioners were willing to join the bench.	Response awaited.
3. Provision of legal	23 March 2015	LAD was requested to provide the following	Response awaited.

Subject	Date of meeting	Follow-up actions required	Response of the responsible party
<p>aid and assignments of lawyers to legally aided persons by the Legal Aid Department ("LAD")</p>		<p>information:</p> <p><u>Receiving and processing of applications</u></p> <p><i>Civil cases</i></p> <p>(a) numbers of civil legal aid applications received, granted and refused under the Ordinary Legal Aid Scheme ("OLAS") and the Supplementary Legal Aid Scheme ("SLAS") each year in the past three years;</p> <p>(b) target processing time and performance pledge for civil legal aid applications and the percentage of civil legal aid applications processed within the performance pledge in each year in the past three years;</p> <p><i>Criminal cases</i></p> <p>(c) numbers of criminal legal aid applications received, granted and refused under OLAS each year in the past three years;</p>	
		<p>(d) target processing time and performance pledge for criminal legal aid applications and the percentage of criminal legal aid</p>	

Subject	Date of meeting	Follow-up actions required	Response of the responsible party
		<p>applications processed within the performance pledge in each year in the past three years;</p> <p><i>Cases relating to "Occupy Central" movement</i></p> <p>(e) numbers of applications received and refused for cases arising from or relating to the "Occupy Central" movement;</p> <p>(f) average time taken to complete the processing of all legal aid applications arising from or relating to the "Occupy Central" movement;</p> <p>(g) number of legal aid cases concerning the "Occupy Central" movement in which the lawyers assigned to handle the case were nominated by the aided persons;</p> <p><i>Human rights cases</i></p> <p>(h) numbers of applications relating to human rights received and refused each year in the past three years;</p>	
		<p>(i) numbers of legal aid certificates issued for human rights cases each year in the past three years whereby the financial eligibility limit of the aided persons was waived by the Director of Legal Aid;</p>	

Subject	Date of meeting	Follow-up actions required	Response of the responsible party
		<p><i>Applications involving complicated legal issues</i></p> <p>(j) number of independent legal opinion sought from outside counsel under section 9 of the Legal Aid Ordinance ("LAO") (Cap. 91) for applications involving complicated legal issues and the number of counsel who provided such section 9 opinions for each year in the past three years;</p> <p><u>Legal aid costs</u></p> <p>(k) the amounts spent on civil legal aid cases by case types under OLAS and SLAS each year in the past three years;</p> <p>(l) the amounts spent on criminal legal aid cases by case types under OLAS each year in the past three years;</p>	
		<p><u>Assignment of lawyers to aided persons</u></p> <p>(m) the number of civil cases assigned to the 50 Panel counsel and solicitors with the most number of assigned cases, the types of cases assigned, and the total amounts of legal fees expended to these counsels</p>	

Subject	Date of meeting	Follow-up actions required	Response of the responsible party
		<p>and solicitors in the past year; and</p> <p>(n) the number of criminal cases assigned to the 50 Panel counsel with the most number of assigned cases, the types of cases assigned, and the total amounts of legal fees expended to these counsel in the past year.</p> <p>The Government was also requested to:</p> <p>(a) follow up with the Legal Aid Services Council ("LASC") Working Group on Expansion of SLAS on providing a progress report of its review;</p> <p>(b) follow up with LASC that it should suitably consider the views of or consult further with the Hong Kong Bar Association and The Law Society of Hong Kong regarding the review; and</p> <p>(c) review the existing limits on legal aid assignments, in view of the comments made by some members of the legal sector that legal aid work was often distributed to same counsels and solicitors on the Legal Aid Panel.</p>	<p>The Government has conveyed the request to LASC and will coordinate a response to the Panel in consultation with LASC. Response awaited.</p> <p>The Government has conveyed to LASC that it should duly consider the views of or further consult the two legal professional bodies on the review of SLAS. LAD will review the existing limits in consultation with LASC and the two legal professional bodies.</p>

Legislative Council Secretariat
24 April 2015