

Questions for the Administration at the Panel on Security

Item V. Comprehensive review of the strategy of handling non-refoulement claims

In relation to the pilot supplementary scheme to be provided by the Duty Lawyer Services, would the Administration provide written responses to the following questions:

1 What will be the standard legal fee and reimbursement for each case? How did the Administration arrive at the set figure?

2 In recognition of the fact that the current Duty Lawyer Services system is not working well, has the Administration considered adopting the Legal Aid civil fee payment system- with the usual checks that come with that? This would result in payment for necessary work properly carried out

3 A fixed fee may not reflect the amount of work that is needed to properly prepare, research and present some claims - but may conceivably be more than would be claimable to review and act for some other unmeritorious claims. Will the Administration implement any measure in relation to this?

4 The fixed fee proposal would encourage corner cutting in those cases which would require the most attention - which is not in the interests of justice - and ultimately would result in the expenditure of more money - on appeals. Has the Administration considered this?

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