

## **Chapter XXI : Central Administration and Other Services**

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### **Legal aid services**

21.1 Miss Margaret NG expressed concern about the quality of legal aid services provided by the Duty Lawyer Service (DLS) as the average cost per defendant was decreasing in the past few years. The Director of Admin (D of Admin) replied that with continuous efforts made in recent years to ensure more careful case management, DLS was able to better utilize the service time of each duty lawyer so that a greater number of cases was handled. In 2002, the average number of defendants handled by a duty lawyer in a whole-day session was 4.92 as compared with 4.28 and 4.22 in 2001 and 2000 respectively. He assured members that DLS would strive to maintain the quality of service provided to its clients while achieving maximum cost-effectiveness.

21.2 Miss Margaret NG also referred to the Free Legal Advice Scheme (FLAS) operated by DLS and pointed out that the existing arrangement of setting up FLAS service centres in District Offices might not be the best way to serve those who were in need of such advice. To improve the situation while optimizing the use of public funds, she suggested that the Administration should review whether FLAS could be operated in other venues such as community centres so as to make the service more readily available.

21.3 D of Admin advised that currently, FLAS operated nine service centres at various District Offices all over the territory. Request for free legal advice could also be made through referral agencies including various voluntary organizations. Experience had shown that the existing FLAS centres could provide an adequate level of service to the public. While noting Miss Margaret NG's concern about the need to facilitate access by the public, D of Admin said that in view of resource implications, any proposal to change the scope of FLAS would need to be carefully considered and agreed with DLS. Nonetheless, the Administration would review whether better channels for the operation of FLAS were available.

21.4 Relaying complaints from legal aid applicants about the poor attitude of staff in the Legal Aid Department (LAD), Mr IP Kwok-him asked whether additional staffing resources were needed to cope with LAD's increasing workload. In reply, the Director of Legal Aid assured members that adequate staffing provision was made to cope with the workload required. Taking into account the increasing expectation of the public, continuous efforts had been made by LAD to ensure the provision of caring and responsive services to the clients. Intensive training was also given to all front-line staff to enhance their

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customer service skills. With the establishment of the Customer Service Unit in 2001, dedicated Customer Service Officers were available to handle enquiries and complaints from the applicants.

### **Administrative redress**

21.5 Ms Cyd HO noted that most of the appeal cases handled by the Administrative Appeals Board (AAB) in 2002-2003 were of the same nature, i.e. relating to the issuance of security personnel permits. She was concerned that the situation might reflect the lack of public awareness of their right to appeal against different types of administrative decisions and measures. To ensure the optimum use of public funds, the Administration should step up publicity efforts to arouse public awareness of this appeal mechanism.

21.6 Affirming the Administration's commitment of providing a fair, open and independent redress system, D of Admin said that AAB was established under the Administrative Appeals Board Ordinance (Cap. 442) (AABO) for the purpose of hearing appeals against administrative decisions made under some 58 Ordinances as specified in AABO. As the caseload and nature of such appeals would vary depending on circumstances, he did not agree that an overwhelming number of appeals of the same nature was indicative of the level of public knowledge on AAB as an avenue of administrative redress.

### **Value for money audits**

21.7 Ms Emily LAU stressed the importance for the Audit Commission to continue its efforts in ensuring the efficient and effective use of public expenditure through independent value for money audits. In this connection, she was concerned that the Commission's target of issuing 20 value for money audit reports in 2003-2004 fell short of its actual performance of 21 in 2002-2003, and enquired about the criteria adopted by the Commission for the selection of audit topics. Referring to the bloated organizational structure of some government departments, Ms LAU also asked whether this aspect would be investigated under the value for money audits.

21.8 In response, the Director of Audit (D of A) confirmed that the value for money audits would also review the organizational structure of the audited bodies to ascertain whether their functions were discharged economically, efficiently and effectively by an appropriate staffing complement. Affirming the Commission's commitment in auditing public expenditure to ensure the proper use

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of public funds, he stressed that it was the Commission's statutory duty to work independently without any interference or direction from any other person or authority.

21.9 On the planning of value for money audits, D of A explained that a selective approach was adopted to ensure the best deployment of available resources. An annual strategic planning exercise would be conducted to determine the priority and timing of value for money audits. In prioritizing the topics for detailed investigation, factors such as auditability, materiality, risk, timeliness and value added would be taken into account. D of A added that while the actual number of audits completed might vary from year to year, the Commission had always been able to meet the pledged target of 20. Notwithstanding the need to achieve savings in operating expenditure, the Commission would strive to maintain its standard of performance in respect of value for money audits.

### **Consultancy studies**

21.10 Ms Cyd HO noted the resource provision under the Offices of the Chief Secretary for Administration and the Financial Secretary for undertaking consultancy studies on the socio-economic-political trends in a number of overseas countries and the Mainland in 2003-2004, and enquired about the criteria for selecting the places for study. To ensure the optimum use of public funds, she suggested that the study reports should be publicized on the Internet to allow access by the public and in particular, the academia. Ms HO's view was shared by Ms Emily LAU.

21.11 The Deputy Head of the Central Policy Unit (DH, CPU) explained that for the purpose of rendering advice to its three clients, namely the Chief Executive, the Chief Secretary for Administration and the Financial Secretary in policy formulation, the Central Policy Unit (CPU) had commissioned various studies on the socio-economic-political trend in the Mainland as well as a number of neighbouring Southeast Asian countries such as Japan and South Korea. In choosing the places for study, various factors including their experience in economic and social development would be considered.

21.12 DH, CPU further said that upon completion of the studies, the findings would be made available to the Chief Executive, the Chief Secretary for Administration, the Financial Secretary and the responsible Bureau Secretaries for reference. Given the preliminary nature of such research work to policy

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formulation, it would not be appropriate to publicize the relevant findings.

### **Resource provision for the Chief Executive's Office**

21.13 Ms Emily LAU enquired about the level of directorate support in the Chief Executive's Office (CEO). She also referred to the establishment of 14 secretarial and 17 clerical posts in CEO, and queried whether such an excessive staffing support was justified.

21.14 The Private Secretary to Chief Executive (PS to CE) advised that out of the 86 civil service posts in CEO, two posts were at the directorate level (at D4 and D2 respectively). In addition, there was one non-civil service position of the Director of the Chief Executive's Office (equivalent to D8) which was created upon the implementation of the Accountability System. PS to CE said that the level of staffing support in CEO was commensurate with the workload required for undertaking various tasks such as the planning and implementation of all arrangements for the Chief Executive's public and social engagements, co-ordinating the Government's media and public relations strategy, and the provision of support and general services to ensure the efficient management of the Chief Executive's official residence and country residence at Fanling, and the Government House.

21.15 Ms Emily LAU further enquired about the performance pledges of, as well as the financial and staffing resources incurred in 2002-2003 for various tasks under the purview of CEO, particularly in respect of the handling of correspondence from members of the public. PS to CE said that as he did not have the information on hand, he would respond to the member's request in writing after the meeting.

21.16 Given the large number of social and public functions organized and attended by Mrs TUNG, the Chief Executive's wife, in her official capacity, Miss Margaret NG saw a need for making separate resource provision for various duties involved instead of redeploying resources under CEO. In this connection, she sought information on the staffing and financial resources incurred in organizing the social and public functions undertaken solely by Mrs TUNG in 2002-2003.

21.17 While agreeing to provide the requested information in writing after the meeting, the Chief Executive Office (Admin), CEO (CEO(Adm)), advised that there was no need to establish a separate office for the purpose as the existing

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arrangement for staff of CEO to render assistance to Mrs TUNG in performing her official role had proved to be cost-effective.

21.18 Miss Margaret NG suggested that the Government House should be opened to the public and tourists to maximize its use. In this connection, she requested for a breakdown of the utilization of the Government House by the Chief Executive and Mrs TUNG for holding official and private functions, as well as the expenditure incurred in 2002-2003. CEO(Adm) undertook to provide the requested information after the meeting.

