

Criminal
CSO/ADM/CR 7/3221/89(01)

BY FAX (25015779) AND BY POST

13 June 2003

Mr. Chan Yum-min, James
Assistant Director of Administration
Government Secretariat
Room 1211,
Central Government Offices (West Wing)
Lower Albert Road, Hong Kong.

Dear Mr. Chan,

**REVIEW OF CRIMINAL LEGAL AID FEES, PROSECUTION FEES AND
DUTY LAWYER FEES**

Thank you for your letter dated 20 May 2003 to the President inviting the Society's views on the proposed reduction in criminal legal aid fees, prosecution fees and duty lawyer fees.

As per our recent telephone conversations, we have been given the impressions that before the proposed reduction in fees will become effective, this has to be first approved by the Finance Committee and then the Rules Committee established under the Criminal Procedure Committee, of which the Society is represented (*"the Rules Committee"*). It has thus come as a surprise to us when you suddenly informed us this morning that the Chief Justice has approved the proposal and this will become effective once the Administration shall obtain the approval of the Finance Committee at today's meeting.

First and foremost, we would like to place on record our objection to the proposed reduction in fees. You may like to know that both the Law Society and the Bar Association have found the present system of criminal legal remuneration very unsatisfactory. The 2 professional bodies have set up a joint working party to review the whole system and engaged in numerous discussions on the subject with a view to put forward their joint views. The review is nearing its completion and we are about to submit our joint views to the attention of the Rules Committee. It is only unfortunate that the matter has been put off by the tragic event of the main representative of the Bar being taken ill and have passed away last week.

We certainly would wish to be given the opportunity to submit our detailed views and make representations on the subject proposal both before the Finance Committee and the Rules Committee before the proposal will be finalized. In this regard, we would be obliged if consideration of the issue by today's Finance Committee can be adjourned. We anticipate that the Bar will appoint a replacement very soon and we can be in a position to make the joint submissions to the Finance Committee shortly.

Yours sincerely,

Christine W.S. Chu
Assistant Director of Practitioners Affairs

c.c.: Ms. Pauline Ng, clerk to LegCo's Finance Committee (Fax No.28696794)
Mr. Michael Lunn, SC, the Bar Association

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