

For information  
on 15 January 2003

**Panel on Administration of Justice and Legal Services  
of the Legislative Council**

**Provision of Efficient Legal Aid Services**

Purpose

This paper accounts for the progress, as reported in the Government's Progress Report on Policy Objectives, of the initiatives and targets concerning legal aid services set out in the 2001 Policy Objective Booklet of the Administration Wing. The paper also sets out for Members' information the major tasks of the Administration concerning legal aid services in the next 18 months.

Progress Report

2. Our legal aid policy is to ensure that no one with reasonable grounds for taking legal action in the Hong Kong courts is prevented from doing so because of a lack of means. The Administration aims at providing efficient legal aid services and to enhance the quality of the service.

3. In the 2001 Policy Objective Booklet 2001 of the Administration Wing, we have undertaken four new initiatives, and reported on the progress made on three on-going initiatives undertaken before 2001. Action on these seven initiatives have been completed in the past year. These initiatives are listed as follows: -

<b>Initiative</b>	<b>Target</b>
To review the mechanism of obtaining feedback from customers of the Legal Aid Department <i>(Legal Aid Department (LAD))</i>	To complete the review in the second quarter of 2002 <i>(2001)</i>

<b>Initiative</b>	<b>Target</b>
<p>To establish a website on the Duty Lawyer Service</p> <p><i>(Duty Lawyer Service)</i></p>	<p>To launch the website by end-2001</p> <p><i>(2001)</i></p>
<p>To establish a website on the services provided by the Official Solicitor's Office</p> <p><i>(Official Solicitor's Office, LAD)</i></p>	<p>To launch the website by early 2002</p> <p><i>(2001)</i></p>
<p>To set up a scheme whereby a legal aid applicant, who has passed the means test but is refused legal aid to appeal to the Court of Final Appeal, may be provided with funds to obtain a counsel's certificate to meet the requirement for lodging the appeal against legal aid refusal before a Review Committee</p> <p><i>(Administration Wing)</i></p>	<p>To discuss the scheme with the Legal Aid Services Council with a view to introducing it in 2002</p> <p><i>(2001)</i></p>
<p>To enhance the cost-effectiveness of the legal aid application processing system of the LAD</p> <p><i>(LAD)</i></p>	<p>To set up a working group by the fourth quarter of 2000 to review the legal aid application and means testing processes and the related resource deployment of the LAD</p> <p><i>(2000)</i></p>
<p>To enhance efficiency of in-house litigation by the LAD</p> <p><i>(LAD)</i></p>	<p>To review the structure of the Litigation Division and rationalise its support services in 2000-2001</p> <p><i>(2000)</i></p>
<p>To strengthen case management and improve cost control and resource allocation of the LAD</p> <p><i>(LAD)</i></p>	<p>To implement the Information Systems Strategy of the LAD</p> <p><i>(1999)</i></p>

## Major Tasks in the next 18 months

4. In the next 18 months, we shall continue to review our legal aid services and implement the outcome of our reviews. The Administration has put in place a comprehensive mechanism and timetable to review the financial eligibility limits for legal aid services. It comprises three levels of reviews: first, an annual review to take account of inflation; second, a biennial review to reflect also the changes in litigation costs; and third, a review every five years of the criteria used to assess financial eligibility of legal aid applicants. In accordance with our timetable, we have commenced these three reviews in 2002.

5. The Administration has just concluded the annual and biennial reviews on the financial eligibility limits for legal aid applicants. We would report our review findings to the Panel, following consultation with the Legal Aid Services Council. In parallel, our five-yearly review of the criteria used to assess financial eligibility of legal aid applicants is near completion. The scope of the review covers the overall approach of assessing the financial capacity, method of computing disposal income and method of computing disposable capital. After we have completed the review, we would also consult the Legal Aid Services Council, before reporting our findings to the Panel.

6. Following consultation on the recommendations arising from the reviews, the Administration will prepare the necessary amendment bill and regulations, so as to implement those final recommendations.

7. Apart from the above, in August last year, the Administration has received from the Panel a list of other issues concerning legal aid services. The Administration will review these issues in detail and respond to the Panel on our findings.

Administration Wing  
Chief Secretary for Administration's Office

January 2003