

LegCo Panel on Administration of Justice and Legal Services

List of follow-up actions
(Position as at 23 October 2003)

Subject	Date of meeting	Follow-up actions required	Administration's response
<p>1. Performance of Bailiff service</p>	<p>27 January 2003</p>	<p>The Judiciary Administration has been requested to -</p> <p>(a) provide the number of attempts made in executing court orders, the number of summonses and legal documents served, and the number of attempts made in serving these documents by Bailiffs;</p> <p>(b) provide a breakdown of court orders, by categories, which fall within and outside the respective waiting time for execution; and</p> <p>(c) provide the guidelines for Bailiffs and a paper on the various measures to enhance the Bailiff service in due course.</p>	<p>Response awaited. Reminder has been issued to the Judiciary Administration on 6 October 2003 requesting for its written response.</p>
<p>2. Implications of cost saving proposals of the Judiciary on the system of administration of justice</p>	<p>24 February 2003</p>	<p>The Judiciary Administration has been requested to -</p> <p>(a) provide a comparison of the existing staffing structure of the Judiciary's Accounts Office, the Court Language Section and Typing Services with the proposed rationalised structures;</p> <p>(b) explain the duties and responsibilities of the translator posts proposed to be deleted;</p> <p>(c) provide information on the number of judges vis-à-vis temporary judges;</p>	<p>Response awaited. Reminder has been issued to the Judiciary Administration on 6 October 2003 requesting for its written response.</p>

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		<p>(d) respond to the view that the ranking of the Judiciary Administrator should be reviewed having regard to the existing level of responsibilities of the post;</p> <p>(e) explain the measures to take forward any modernisation programme of the Judiciary and the resource implications of such programme; and</p> <p>(f) explain whether the introduction of any improvement measures would be hampered by the existing financial constraints.</p>	
3. Transcript fees	23 June 2003	The Judiciary Administration has been requested to respond in writing to the questions raised by members relating to the criteria for charging of transcript fees and the impact of the high transcript fees on court users, in particular the appellants.	Response awaited. The Judiciary Administration has been requested to provide a written response in October 2003.
4. Review of provision of legal aid services	23 June & 29 July 2003	<p>The Administration has been requested to-</p> <p>(a) clarify the policy intent and give an undertaking to the effect that the purpose of conducting the reviews is not to reduce the number of eligible legal aid applicants;</p> <p>(b) provide more detailed reasons to substantiate its concern that using the contributions paid to the Supplementary Legal Aid Scheme (SLAS) Fund to subsidize other types of cases would affect the financial viability of SLAS;</p>	The Administration's response dated 20 October 2003 has been issued to the Panel vide LC Paper No. CB(2)159/03-04(03) on 23 October 2003.

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		<p>(c) provide information on past criminal cases where the Director of Legal Aid (DLA) had granted legal aid to applicants whose financial resources exceeded the upper financial eligibility limit;</p> <p>(d) explain whether refusal of DLA to grant legal aid on grounds of means to a person charged with a serious criminal offence and who was unable to meet the costs of litigation would contravene the Hong Kong Bill of Rights; and</p> <p>(e) consider reducing the interest rate of 10% per annum which accrues on DLA's first charge on property recovered as prescribed under section 18A(3B)(b) of the Legal Aid Ordinance.</p>	
5. Criminal legal aid fees system	29 July 2003	The Administration has been requested to explain the difference between the Department of Justice and Legal Aid Department in relation to the procedure and authority for increasing the fees payable to counsel/solicitors engaged in litigation work in criminal cases.	The Administration's response dated 20 October 2003 has been issued to the Panel vide LC Paper No. CB(2)159/03-04(03) on 23 October 2003.