

Panel on Administration of Justice and Legal Services

List of follow-up actions
(position as at 6 October 2014)

| Subject | Date of meeting | Follow-up actions required | Response of the responsible party |
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| 1. Establishment of an electronic database of Hong Kong legislation with legal status | 25 March 2014 | The Department of Justice ("DoJ") was requested to provide information on: (a) the serviceable period of the Bilingual Laws Information System ("BLIS"); and (b) the amount of total expenditure incurred for the implementation and maintenance of the BLIS. | The Administration's written response was issued to members vide LC Paper No. CB(4)936/13-14(01) on 15 July 2014. |
| 2. Compensation for wrongful conviction | 25 March 2014 | DoJ was requested to provide information on: (a) the amount of money set aside for the payment of <i>ex gratia</i> compensation under the administrative scheme each year in the past five years; and (b) the number of serious wrongful conviction case(s) in the past five years. | The Administration's written response was issued to members vide LC Paper No. CB(4)870/13-14(01) on 26 June 2014. |

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| 3. Mechanism for handling complaints against judicial conduct | 23 July 2013 25 February 2014 | <p>The Judiciary was requested to provide information on and/or responses to the following issues prior to the regular meeting of the Panel scheduled for 22 April 2014:</p> <p><u>Raised at the meeting on 23 July 2013</u></p> <p>(a) a breakdown of complaint cases against judicial conduct in the past three years by:</p> <p style="padding-left: 40px;">(i) the nature of complaints;</p> <p style="padding-left: 40px;">(ii) the level of courts involved and the rank of judges being complained against; and</p> <p style="padding-left: 40px;">(iii) how the aforesaid complaints had been dealt with (including the follow-up action taken such as the giving of appropriate advice to the judge concerned, the tendering of an apology to the complainant etc.);</p> <p>(b) the current mechanism for handling complaints against judicial conduct in other jurisdictions;</p> <p>(c) whether the Administration would consider establishing an independent body to receive and investigate complaints against</p> | <p>The requested information provided by the Judiciary was issued to members vide LC Paper No. CB(4)840/13-14(01) on 18 June 2014.</p> <p>As the review on the mechanism for handling complaints against judicial conduct is still on-going, the Judiciary has advised that some information as provided in LC Paper No. CB(4)840/13-14(01) may be updated or refined upon the completion of the review by end-2014.</p> |

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| | | <p>judicial conduct, or to monitor and review the handling of complaint cases against judicial conduct by the Judiciary;</p> <p>(d) the number and the percentage of judges and magistrates who had not practised as lawyers prior to taking up the judicial appointments;</p> <p>(e) the number of complaint cases that had been referred to the Judicial Officers Recommendation Commission for attention in the past three years and the subsequent action taken on these cases;</p> <p>(f) what constituted "misbehaviour" of a judge as stated in Article 89 of the Basic Law ("BL89") for which the judge might be removed by the Chief Executive in accordance with the relevant procedures prescribed in the Basic Law;</p> <p>(g) the right, if any, of complainants to access the audio recording of the court proceeding in connection with their complaints against judges;</p> <p><u>Raised at the meeting on 25 February 2014</u></p> | |

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| | | <p>(h) what was the basis for concluding that the tribunal under BL89 should consist of judges and judges only;</p> <p>(i) whether the number of judges appointed to the tribunal under BL89 for investigation into a judge and Chief Justice ("CJ") could exceed three and five respectively; if not; why not;</p> <p>(j) whether consideration would be given to providing different levels of sanctions, short of removal from office, against judges who were found to have misbehaved after investigating into complaints against them; and</p> <p>(k) which public officers had been appointed by CJ to sit on the tribunal under the Judicial Officers (Tenure of Office) Ordinance (Cap. 433).</p> | |
| 4. Reform of the current system to determine whether an offence is to be tried by judge and jury or by judge alone | 22 April 2014 | DoJ was requested to provide information on the estimated overall resource implications (e.g. cost and procedural implications) if jury trials were introduced in the District Court. | The Administration will provide the information, to be worked out in consultation with the Judiciary, when the Panel next discusses the subject. |

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| 5. Draft Solicitor Corporation Rules and consequential amendments to Legal Practitioners Ordinance (Cap. 159) | 27 May 2014 | The Law Society of Hong Kong was requested to provide information on the progress of and the proposed legislative timetable for introducing the subsidiary legislation on limited liability partnerships for legal practice to the Legislative Council. | Law Society's response awaited. |
| 6. Proposed creation of judicial posts and a non-civil service position in the Judiciary and strengthening of the directorate structure of the Judiciary Administration | 24 June 2014 | The Judiciary was requested to provide responses to the suggestion of providing "protected time" for the judges to write judgments. | Judiciary's response awaited. |
| 7. Development of mediation services in Hong Kong | 22 July 2014 | DoJ was requested to provide information on: (a) the number of applications for mediation services in respect of disputes relating to consumers in 2013; (b) the amount of money and time spent by parties to mediation through which the disputes concerned were successfully resolved, and the projected savings if the cases were to go through court | The Administration's response awaited. |

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| | | <p>proceedings; and</p> <p>(c) the statistics of mediators accredited by the Hong Kong Mediation Accreditation Association Limited grouped by professional backgrounds.</p> | |
| <p>8. Provision of accommodation support for law-related organizations ("LROs") in the West Wing of the former Central Government Offices and the former French Mission Building ("FMB")</p> | <p>22 July 2014</p> | <p>At the meeting, members passed a motion urging the Administration to give full support and resources to the Hong Kong International Arbitration Centre ("HKIAC") and other international arbitration bodies so as to enable Hong Kong to become the leading international dispute resolution centre in the Asia Pacific region.</p> <p>The Administration was also requested to provide information on –</p> <p>(a) whether the Administration would provide similar financial assistance in terms of accommodation support to other professional bodies, such as those relating to innovative design;</p> <p>(b) the actual vis-à-vis nominal rental payable by the selected LROs which would be allocated space in the West Wing and FMB; and</p> <p>(c) any other types of financial assistance</p> | <p>The Administration's response to the motion was issued to members vide LC Paper No. CB(4) 1076/13-14(01) on 24 September 2014.</p> <p>The Administration's response to the request for supplementary information awaited.</p> |

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| | | provided to the LRO tenants such as HKIAC. | |

Council Business Division 4
Legislative Council Secretariat
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