

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

27 April 2020 (Monday)

(5:30 pm - 6:40 pm)

Agenda Item V

2019 Policy Initiatives of the Department of Justice

Opening Remarks of the Secretary for Justice Ms Teresa Cheng, SC

Chairman and Members,

1. The Hong Kong Special Administrative Region (HKSAR) Government continues to safeguard the rule of law in Hong Kong under “One Country, Two Systems” and the framework of the Basic Law. In accordance with our motto: “Rule of Law and Justice for All”, the Department of Justice (DoJ) will continue to promote the rule of law and justice by handling judicial matters in a robust, effective and fair manner and through the adoption of strategic legal policies, with a view to achieving inclusive and sustainable development.
2. The DoJ’s policy initiatives implemented in 2019 and our future work plans have been set out in detail in the paper submitted earlier to this

Panel. I also gave a brief account of the relevant work at the Special Finance Committee Meeting on 7 April, and therefore will not elaborate again here.

3. I will now focus on two key work areas of the DoJ, namely “Vision 2030 for Rule of Law” and anti-epidemic support measures for the legal profession.

Vision 2030 for Rule of Law

4. The DoJ has launched Vision 2030 for Rule of Law (Vision 2030), a 10-year initiative to promote proper information and concepts about the rule of law through five key areas of work, namely (1) collaborating with stakeholders such as youth, lawyers and academics; (2) facilitating academic and professional exchange and research; (3) providing capacity building training; (4) organising promotional activities; and (5) studying the assessment of the rule of law (including objective indicators and subjective perception), and to contribute to the sustainable development goals (SDGs) of the United Nations (UN), in particular Goal 16.
5. Vision 2030 comprises short, medium and long term targets. As the first step, the DoJ has set up a Task Force with renowned and reputable international and local individuals as members to lead the implementation of the initiative. The membership list of the Task Force and members’

resumes are in the information paper on Vision 2030 submitted to the Panel. The Task Force plans to hold meetings in June and November this year.

6. Regarding short-term targets, we plan to strengthen the community's understanding of the rule of law and its practice under Vision 2030 through public education, etc. at four levels, namely (1) the general public; (2) schools; (3) district and local community; and (4) professional and legal community.
7. The DoJ will also conduct research on the rule of law, collect data and information related to the practice of rule of law, for example, statistical data on cases handled by the Judiciary, data on legal aid applications, etc., so as to set up and maintain a dedicated database that will assist in assessing the rule of law. The dedicated database will allow us to formulate an objective methodology for assessing the practice of rule of law through in-depth and focused analysis, promote research on rule of law and capacity building in Hong Kong and beyond, and share relevant information and experience with other jurisdictions with a view to jointly promoting the development of the rule of law. This will also help protect the interests of Hong Kong investors in overseas projects, especially in projects in countries and regions involved in the Belt and Road Initiative.

8. Another key component of Vision 2030 is fostering collaboration with local and international stakeholders and co-organising relevant events to promote and advance the rule of law. During the second annual Hong Kong Legal Week scheduled for November this year, the DoJ will officially launch the Vision 2030 initiative at the Inaugural Rule of Law Congress. The opening ceremony for the Legal Hub premises, which provides space to law-related organisations, will also be held then.
9. The Legal Week will also comprise a series of events related to the rule of law, including the Fourth North-East Asia Multistakeholder Forum on SDGs to be co-organised for the first time by the HKSAR as an associate member of the Economic and Social Commission for Asia and the Pacific under the UN in the name of “Hong Kong, China”.
10. Under the auspices of the Central People’s Government, the DoJ will organise in the fourth quarter this year in Hong Kong the Asian-African Legal Consultative Organization Annual Session and the Intersessional Meeting of the UN Commission on International Trade Law (UNCITRAL) Working Group III on the reform of investor-state dispute settlement mechanism. With the support of the DoJ, starting from this December, the Hague Academy of International Law and the Asian Academy of International Law (AAIL) will also organise regular courses in Hong Kong to enhance capacity building.

11. In addition, in late October this year, the DoJ will co-organise an international conference with the UNCITRAL and AAIL to mark the 40th Anniversary of the UN Convention on Contracts for the International Sale of Goods.

Anti-epidemic support measures

12. On support measures, cross-sector support measures introduced under the second round of the Anti-epidemic Fund, such as the Employment Support Scheme to provide eligible employers with a wage subsidy to retain their employees and the enhanced small and medium enterprise (SME) Financing Guarantee Scheme, will also cover the legal and dispute resolution sectors. In addition, the DoJ will implement two support measures directly related to the legal and dispute resolution sectors.
13. The first measure is the establishment of a LAWTECH Fund in the sum of \$40 million. The Fund aims to provide a reimbursable amount of up to \$50,000 each for small and medium size law firms/barristers' chambers with not more than five practising lawyers or barristers to assist in procuring and upgrading their information technology systems, and arrange relevant training for their staff to enhance their LawTech capability.
14. The LAWTECH Fund will accept applications from tomorrow. The

DoJ would like to particularly thank the Law Society of Hong Kong and the Hong Kong Bar Association for jointly setting up a joint management committee for the Fund to process and assess applications, and arrange for the disbursement of the subsidy. It is expected that the Fund will benefit over 60% of the law firms and 50% of the barristers' chambers.

15. The second measure is to roll out the COVID-19 Online Dispute Resolution (ODR) Scheme. Taking into account the imminent needs of enterprises, especially micro, small and medium enterprises, as well as the public, for dispute resolution under the COVID-19 epidemic, the DoJ will roll out a speedy and cost-effective platform, the ODR Scheme, through eBRAM Centre Limited in June to facilitate negotiation, mediation and arbitration between parties through an online platform to resolve their disputes. The Scheme covers : (1) disputes arising out of or in relation to the COVID-19 outbreak directly or indirectly; (2) either one of the parties is a Hong Kong resident/company; and (3) the claim amount is below HK\$500,000. Under the Scheme, each party to the dispute is only required to pay HK\$200 for the registration fee; the mediators and arbitrators' fees will be paid by the HKSAR Government.
16. The ODR Scheme can prevent entrenched views on conflicts, relieve the Court's caseload in civil claims accumulated over the past few months during the General Adjourned Period and help foster harmony in society.

Moreover, the Scheme can also create job opportunities for mediators and arbitrators (including their pupils), and enable them to learn how to handle cases online and under social distancing measures. This ties in with the global development trend of ODR, such as the Asia-Pacific Economic Cooperation's Collaborative Framework on ODR and the work of UNCITRAL on LawTech, thus strengthening Hong Kong's LawTech capability.

Conclusion

17. I look to the Panel for support of the DoJ's key initiatives outlined above and the policy initiatives set out in the paper submitted earlier to this Panel. My colleagues and I will be happy to answer your questions.
18. Thank you.