

Legal Aid Services Council
Minutes of the Ad Hoc Meeting held on Monday, 18 October 2021
at 5:00 p.m. in the Council Office

PRESENT

Prof. William LEUNG, SBS, JP	Chairman
Mr Nicholas CHAN, MH, JP	Member
Ms Karen LAM	“
Mrs Ayesha LAU, BBS, JP	“
Ms Serena LAU, JP	“
Ms Rosita LEE	“
Mr Timothy PARKER	“
Mr Randy SHEK	“
Miss Iris WAN	“
Mr Thomas KWONG, JP	Director of Legal Aid
Mr Patrick WONG	Secretary

IN ATTENDANCE

Mr Daniel CHENG, JP	Director of Administration
Ms Eva YAM	Deputy Director of Administration 2
Mr Chris CHONG, JP	Deputy Director of Legal Aid (Policy & Administration)
Mr Henry CHAN	EO/LASC



Item

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(I) INTRODUCTION

1. The Chairman welcomed Members, Mr Daniel CHENG and Ms Eva YAM of the Chief Secretary for Administration's Office (CSO) as well as Mr Chris CHONG of the Legal Aid Department (LAD) to the meeting.

(II) DECLARATION OF INTERESTS

2. The Chairman asked if any Members would like to declare interests before the discussion. Mr Timothy PARKER and Mr Randy SHEK declared interests of their having taken up legal aid cases.

(III) PAPER FOR DISCUSSION

(A) Chief Secretary for Administration's Office's Paper on "Proposed Enhancement Measures to the Legal Aid System in Hong Kong" - Paper No. LASC D/P 09/21

3.1 The Director of Administration (D of Admin) said that the Paper was a joint paper prepared by CSO and LAD. Under the leadership of the Chief Secretary for Administration, the review had considered the concerns and suggestions made by members of the community including those expressed by Legislative Council members. In the review, three areas for improvement were identified, namely the nomination and assignment of lawyers, transparency of the work of LAD and monitoring of legal aid cases.

3.2 The Director of Legal Aid (DLA) then went through the proposed measures in the Paper. In respect of the nomination of lawyers, the legally aided person (AP) could choose his / her own lawyers under the existing system for civil cases set out in the Legal Aid Ordinance (LAO). Both judicial review (JR) cases and non-JR-related civil legal aid cases were covered by the proposed measures. Assignment limits of five for a solicitor and three for a counsel over the past 12 months were proposed for JR-related legal aid cases. For all civil legal aid cases, the overall assignment limits over the past 12 months were proposed to be reduced from 35 to 30 for solicitors and from 20 to 15 for counsel. On the other hand, the overall assignment limits for both solicitor and counsel in criminal legal aid cases would remain the same. There were 177 solicitors and 225 counsel on the legal aid panel who were qualified for taking up JR-related cases.

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However, it was noticed that there was a concentration of cases in a small number of lawyers. DLA hoped that with the proposed adjustment of assignment limits, the pool of lawyers handling JR-related cases could be further expanded so that it would be beneficial to APs and the legal aid system in the long run.

(IV) DATE OF NEXT MEETING

4. There being no other business, the meeting was adjourned at 6:20 p.m. The next regular Council Meeting would be held on Tuesday, 7 December 2021.

LASC Secretariat
November 2021