



# 法律援助服務



Legal Aid Services



# 第二章 法律援助服務

## Chapter 2 Legal Aid Services

法律援助的服務範圍如下：

- 接受並審批法律援助申請；
- 法援案件的委派及監察；
- 訴訟服務；以及
- 相關的法律支援服務。

Legal aid business is conducted in the following service areas :

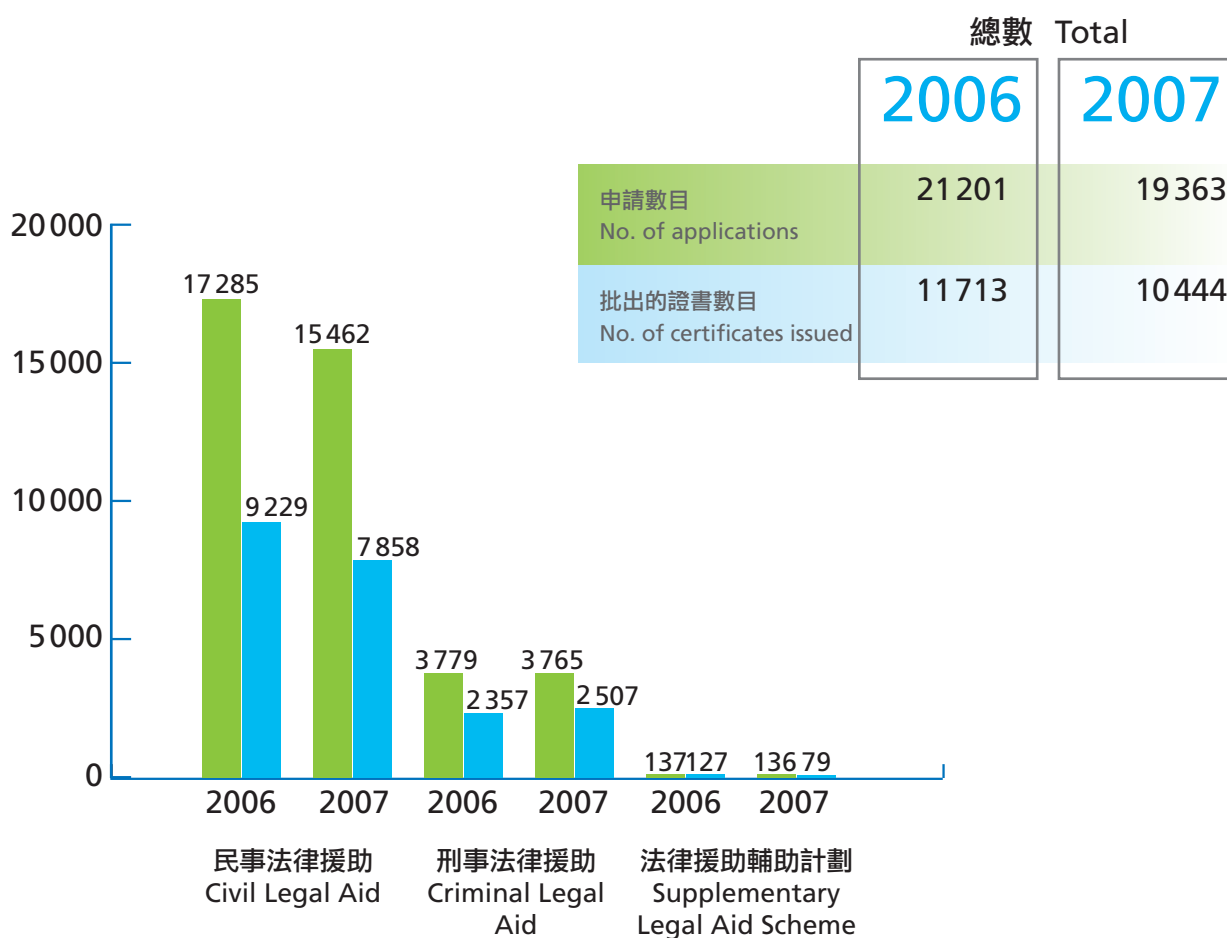
- Receiving and processing of legal aid applications;
- Assignments and monitoring of legal aid cases;
- Litigation services; and
- Related supporting legal services.

### 申請及審查服務

### Application and Processing Services

在二〇〇七年，本署共接獲19 363宗法援申請，並批出10 444張法律援助證書：

A total of 19 363 applications for legal aid were received and 10 444 legal aid certificates were issued in 2007 :



## 民事法律援助

除了追討工資的法援申請是由訴訟科的清盤破產小組處理外，所有民事訴訟的法援申請均由申請及審查科審批。

## Legal Aid in Civil Cases

Civil legal aid applications, apart from applications relating to wages claims which are processed by the Insolvency Unit of the Litigation Division, are processed by the Application and Processing Division.

### 二〇〇六至二〇〇七年收到的民事法律援助申請的分佈情況

### Distribution of Applications Received for Civil Legal Aid in 2006-2007

	民事法律援助申請數目 No. of Applications for Civil Legal Aid		
	二〇〇六年 2006	二〇〇七年 2007	增減的百分比 % Change
人身傷害申索 Personal Injuries Claims	4 013	3 768	-6%
婚姻訴訟個案 Matrimonial Cases	10 188	9 069	-11%
土地及租務糾紛 Land and Tenancy Disputes	430	366	-15%
勞資糾紛 Employment Disputes	148	85	-43%
入境事務 Immigration Matters	429	317	-26%
追討工資 Wages Claims	506	372	-26%
其他 Others	1 708	1 621	-5%
總數 Total	17 422	15 598	-10%

## 二〇〇六至二〇〇七年批出的民事法律援助證書的分佈情況

## Distribution of Certificates Issued for Civil Legal Aid in 2006-2007

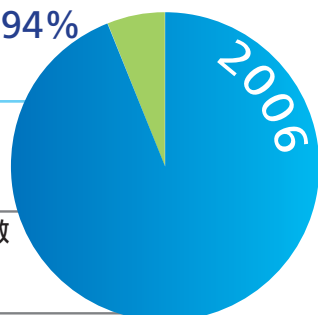
	批出的法律援助證書數目 No. of Certificates for Civil Legal Aid		
	二〇〇六年 2006	二〇〇七年 2007	增減的百分比 % Change
人身傷害申索 Personal Injuries Claims	2 458	2 100	-15%
婚姻訴訟個案 Matrimonial Cases	6 069	5 141	-15%
土地及租務糾紛 Land and Tenancy Disputes	68	55	-19%
勞資糾紛 Employment Disputes	46	22	-52%
入境事務 Immigration Matters	53	41	-23%
追討工資 Wages Claims	374	260	-30%
其他 Others	288	318	10%
總數 Total	9 356	7 937	-15%

## 二〇〇六至二〇〇七年實際接受民事法律援助的比率

## Take-up Rate for Civil Legal Aid in 2006-2007

發出證書數目  
Certificates  
實際接受民事法律援助的比率  
Take-up Rate  
(as a % of offers)

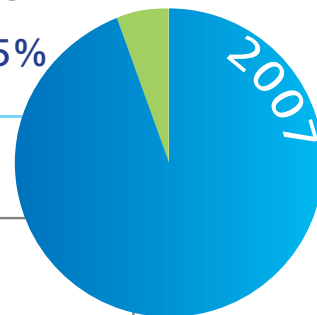
9356  
94%



批出法援宗數  
Offers  
9912

發出證書數目  
Certificates  
實際接受民事法律援助的比率  
Take-up Rate  
(as a % of offers)

7937  
95%



批出法援宗數  
Offers  
8341

申請及審查科透過轄下諮詢及預約組提供資訊及查詢服務。該組就各項事宜包括法律援助的範圍、財務資格限額，以及申請程序提供資料，並處理公眾的查詢。在二〇〇七年，該組共接獲38 859宗查詢。

The Application and Processing Division also provides an information and enquiry service through the Information and Application Service Unit. The Unit provides information and deals with enquiries from the public on matters such as the scope of legal aid, financial eligibility limits and application procedures. In 2007, the Unit received a total of 38 859 enquiries.

獲批法援的合資格申請人如接受援助，本署會提供律師(如有需要，大律師)，代表他們在死因裁判法庭、精神健康覆核審裁處、區域法院、原訟法庭和上訴法庭或終審法院辦理其訴訟。

Upon acceptance of an offer for legal aid, successful applicants are given the services of a solicitor and, if necessary, counsel to represent them in legal proceedings in the Coroner's Court, the Mental Health Review Tribunal, the District Court, the Court of First Instance and the Court of Appeal or the Court of Final Appeal.

## 二〇〇七年審結個案的結果

## Outcome of Cases Closed in 2007

案件類別 Case Type	取得濟助 Relief Obtained	未能取得濟助 Relief Not Obtained	撤回訴訟 Withdrawn	總數 Total
婚姻訴訟 Matrimonial	88%	6%	6%	100%

案件類別 Case Type	勝訴 In Favour	敗訴 Not In Favour	在訴訟前取消 /撤回證書 Discharged / Revoked prior to proceedings	在訴訟進行期 間應受助人的 要求取消證書 Discharged at AP's Request during proceedings	在訴訟進行期 間取消/撤回 證書 Discharged / Revoked during proceedings	總數 Total
人身傷害申索 Personal Injuries Claims	90%	2%	1%	2%	5%	100%
僱員補償申索 Employees' Compensation Claims	92%	1%	1%	2%	4%	100%
人身傷害 Personal Injuries	86%	3%	1%	2%	8%	100%
交通意外 Running Down	92%	2%	2%	1%	3%	100%
醫療 / 牙科 / 專業疏忽 Medical/Dental/ Professional Negligence	62%	4%	2%	4%	28%	100%
雜類 Miscellaneous	56%	17%	7%	4%	16%	100%
總數 Overall	85%	4%	2%	2%	7%	100%

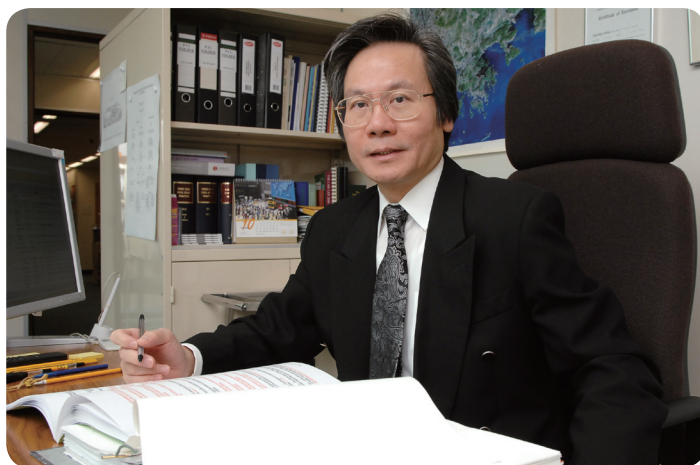
案件類別 Case Type	發出呈請 前已和解 Settlement before Issuing Petition	發出清盤令 /破產令 Order for Winding- up/ Bankruptcy	呈請遭駁 回(和解) Petition Dismissed (Settled)	擱置呈請 Petition Stayed	呈請遭駁 回 Petition Dismissed	轉介薪酬 保障組處 理 Referral to Wage Security Division	其他 Others	總數 Total
追討工資(清盤 / 破產) Wages Claims (Winding-up / Bankruptcy)	1%	94%	1%	1%	1%	1%	1%	100%

### 上訴法援申請被拒

在民事案件方面，申請人無論是因為未能通過經濟審查或案情審查而遭本署拒絕提供法律援助，可向高等法院司法常務官上訴；至於終審法院的案件，則可向由高等法院司法常務官及香港大律師公會主席和香港律師會會長分別委派一名大律師及律師組成的委員會上訴。

### Refusal of Legal Aid

In civil cases, an applicant who is refused legal aid either on means or on merits may appeal to the Registrar of the High Court or in respect of the Court of Final Appeal cases, to a Committee comprising the Registrar of the High Court, a barrister and a solicitor appointed respectively by the Chairman of the Hong Kong Bar Association and the President of the Law Society of Hong Kong.



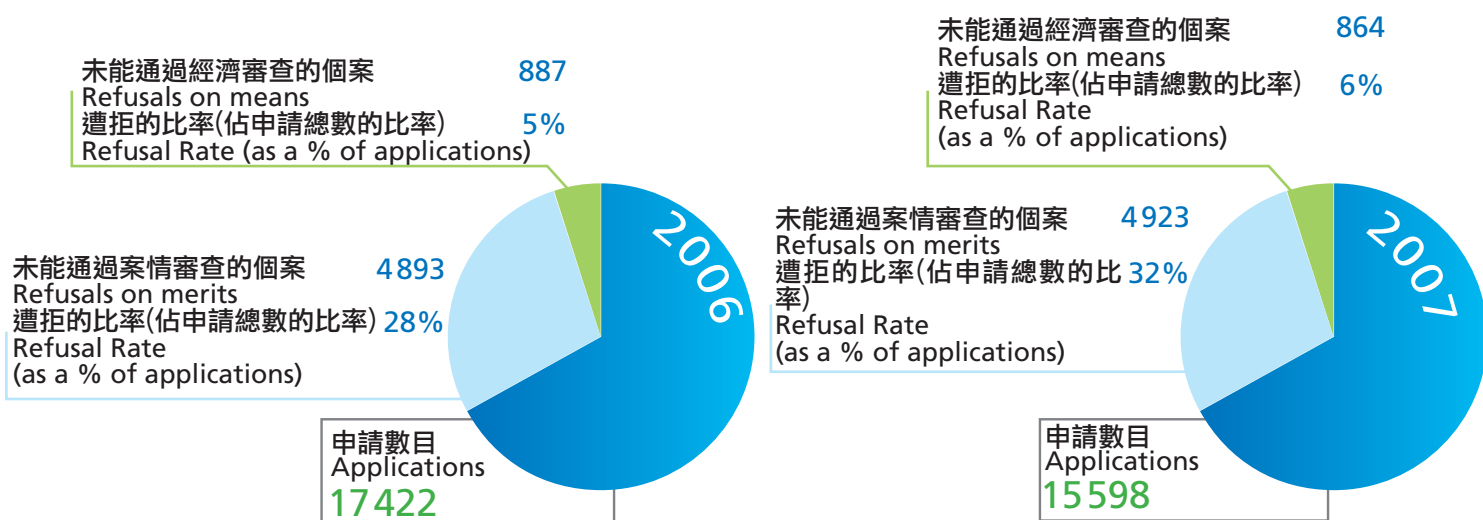
麥輝文先生  
法律援助署副署長(訴訟)  
Mr Harry Mak Fai-man  
Deputy Director of Legal Aid (Litigation)

許麗容女士  
法律援助署副署長(申請及審查)  
Ms Jennie Hui Lai-yung  
Deputy Director of Legal Aid  
(Application and Processing)



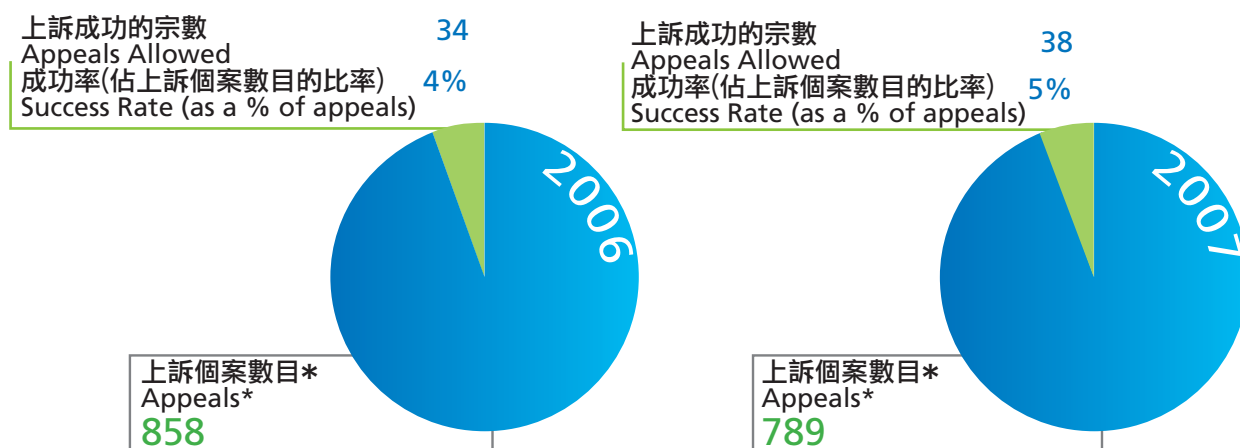
## 二〇〇六至二〇〇七年民事法援 申請遭拒的比率

## Refusal Rate of Civil Legal Aid Applications in 2006-2007



## 二〇〇六至二〇〇七年就法援申 請遭拒絕上訴成功的比率

## Success Rate of Legal Aid Appeals in 2006-2007



\*註：不包括撤回的上訴個案

\*Note: The figures do not include appeals withdrawn.

## 刑事法律援助

刑事訴訟的法律援助申請由刑事組審批。

### 二〇〇六至二〇〇七年收到的刑事法律援助申請的分佈情況

## Legal Aid in Criminal Cases

Criminal legal aid applications are processed by the Crime Section.

### Distribution of Applications Received for Criminal Legal Aid in 2006-2007

	刑事法律援助申請數目 No. of Applications for Criminal Legal Aid		
	二〇〇六年 2006	二〇〇七年 2007	增減的百分比 % Change
交付審判程序 Committal Proceedings	266	384	44%
區域法院審訊 District Court Trials	1 511	1 463	-3%
原訟法庭審訊 Court of First Instance Trials	280	370	32%
裁判法院上訴 Magistrate's Court Appeals	780	718	-8%
區域法院上訴 District Court Appeals	530	465	-12%
原訟法庭上訴 Court of First Instance Appeals	192	165	-14%
終審法院上訴 Appeals in Court of Final Appeal	175	163	-7%
其他 Others	45	37	-18%
總數 Total	3 779	3 765	-0.4%



鍾綺玲女士  
法律援助署助理署長(申請及審查)  
Ms Alice Chung Yee-ling  
Assistant Director of Legal Aid (Application and Processing)

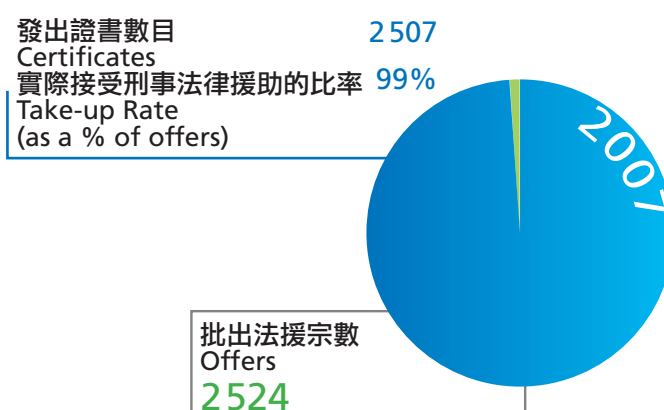
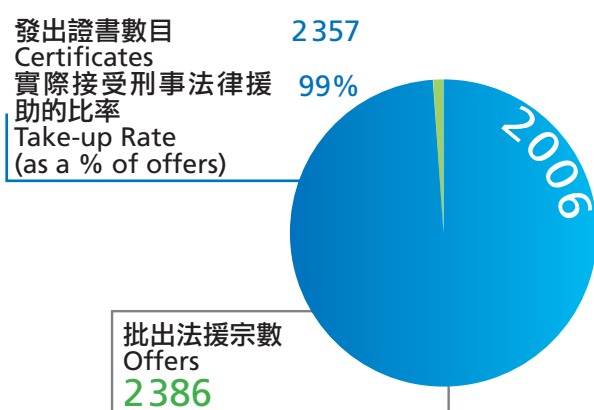
## 二〇〇六至二〇〇七年批出的刑事法律援助證書的分佈情況

## Distribution of Certificates Issued for Criminal Legal Aid in 2006-2007

	批出的法律援助證書數目 No. of Certificates for Criminal Legal Aid		
	二〇〇六年 2006	二〇〇七年 2007	增減的百分比 % Change
交付審判程序 Committal Proceedings	260	371	43%
區域法院審訊 District Court Trials	1 460	1 427	-2%
原訟法庭審訊 Court of First Instance Trials	282	355	26%
裁判法院上訴 Magistrate's Court Appeals	133	133	0%
區域法院上訴 District Court Appeals	126	135	7%
原訟法庭上訴 Court of First Instance Appeals	67	61	-9%
終審法院上訴 Appeals in Court of Final Appeal	16	17	6%
其他 Others	13	8	-38%
總數 Total	2 357	2 507	6%

## 二〇〇六至二〇〇七年實際接受刑事法律援助的比率

## Take-up Rate for Criminal Legal Aid in 2006-2007



## 法援申請被拒

如法律援助署署長認為給予刑事訴訟的申請人法律援助有助維護司法公正，即使申請人的財務資源超過法定限額而遭本署拒絕提供法援，法律援助署署長仍可運用酌情權，提供法律援助予申請人，使申請人獲得協助。

如申請人因未能通過案情審查而遭本署拒絕提供法援，只要申請人能夠通過經濟審查，申請人可向法官提出申請，而法官可自行給予申請人法律援助。謀殺、叛逆或使用暴力的海盜行為罪等案件的申請人，可向法官申請，要求給予法律援助，以及申請免除接受經濟審查及支付分擔費。在二〇〇七年，未能通過經濟審查的個案共有36宗；未能通過案情審查的個案則有1 152宗(1 128宗是上訴個案，另24宗是其他個案)。法官在4宗曾遭法律援助署署長拒絕的上訴案件，批准給予申請人法律援助。

向終審法院提出上訴的申請人如遭拒絕法律援助，可向由高等法院司法常務官出任主席，以及由香港大律師公會主席和香港律師會會長分別委派的一名大律師和一名律師組成的覆核委員會提出上訴。在二〇〇七年，並沒有申請人向覆核委員會提出上訴。

## Refusal of Legal Aid

An applicant who is refused legal aid for having financial resources in excess of the statutory limit may still receive assistance as the Director of Legal Aid has discretion to grant legal aid in criminal cases if he is satisfied that it is desirable in the interests of justice to do so.

If an applicant is refused legal aid because his case lacks merits, he can apply to the judge who may grant legal aid on his own initiative provided the applicant is eligible on means. Applicants in cases involving a charge of murder, treason or piracy with violence may apply to a judge for the grant of legal aid, and for exemption of the means test and payment of contribution. In 2007, there were 36 refusals on means; and 1 152 refusals on merits (1 128 for appeal cases and 24 for other cases). Legal aid was granted in four appeal cases by judges notwithstanding the Director of Legal Aid's refusal.

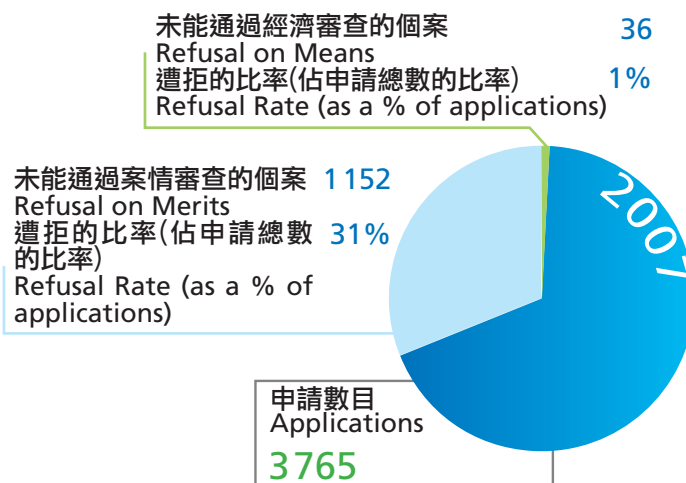
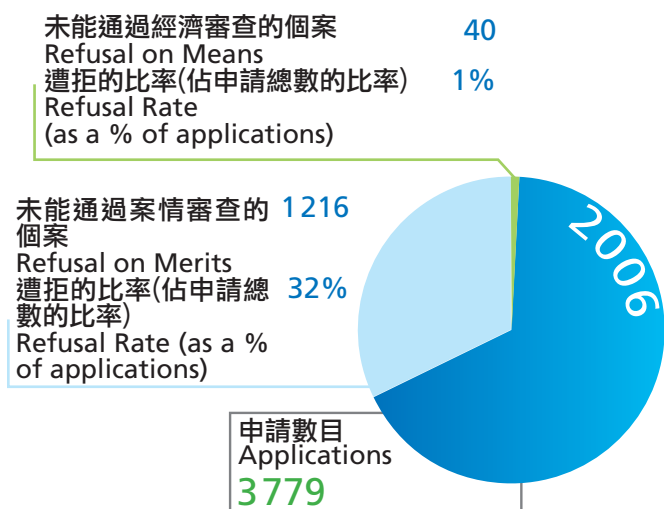
For refusal in respect of an appeal to the Court of Final Appeal, the appellant may appeal to a Committee of Review chaired by the Registrar of the High Court and comprising a barrister and a solicitor appointed by the Chairman of the Hong Kong Bar Association and by the President of the Law Society of Hong Kong respectively. In 2007, there was no appeal to the Committee of Review.



陳榮操先生  
助理首席法律援助律師/申請及審查(1)  
Mr Allan Chan Wing-cho  
Assistant Principal Legal Aid Counsel/  
Application and Processing (1)

## 二〇〇六年至二〇〇七年刑事法律援助申請遭拒的比率

## Refusal Rate of Criminal Legal Aid Applications in 2006-2007



張英敏女士  
助理首席法律援助律師/申請及審查(2)  
Mrs Christina Hadiwibawa Cheung Ying-man  
Assistant Principal Legal Aid Counsel/  
Application and Processing (2)



## 法律援助輔助計劃

這項計劃在財政上自給自足，營運經費來自申請人在接受法律援助後，在訴訟中討回的賠償或補償。如法援受助人獲判勝訴，本署會從受助人討回的賠償中扣除一個百分比的款項撥入該計劃，比率為10%。如案件在委聘大律師上庭前和解，扣除的比率則會減至6%。

如申請人的財務資源超逾普通法律援助計劃的財務資格上限但低於法律援助輔助計劃\*的限額，而索償額可能超逾60,000元，便可根據法律援助輔助計劃申請法律援助，就人身傷亡，以及就涉及醫療、牙科及法律等專業的疏忽提出申索。在這計劃下，根據《僱員補償條例》提出的申索，不論索償額多少，亦可獲得援助。

在二〇〇七年，根據這計劃提出的申請共有136宗，批出的法律援助證書則有79張。法律援助輔助計劃營運基金的盈餘為110萬元，而二〇〇六年的盈餘為750萬元。截至二〇〇七年九月三十日為止，基金的資產淨值為1.018億元（詳情見附錄1）。

## Supplementary Legal Aid Scheme

This Scheme is self-financing and is funded by contributions paid by the applicants upon acceptance of legal aid from damages or compensation recovered in the aided proceedings. A successful applicant is required to pay a contribution out of the damages recovered to the Scheme. The rate of contribution is 10%. It is reduced to 6% if the case is settled before counsel is briefed to attend trial.

An applicant with financial resources exceeding the upper financial eligibility limit for Ordinary Legal Aid Scheme but below a higher limit set for the Scheme\* may apply to pursue a claim involving personal injuries or death, medical, dental or legal professional negligence under the Supplementary Legal Aid Scheme where the amount of the claim is likely to exceed \$60,000. Under this Scheme, legal aid is also available for Employees' Compensation claims irrespective of the amount of the claim.

In 2007, a total of 136 applications were received and 79 legal aid certificates were issued. An operational surplus of \$1.1 million was recorded as compared with \$7.5 million in 2006. As at 30 September 2007, the net assets of the Supplementary Legal Aid Fund stood at \$101.8 million. For details, please refer to Appendix 1.

- \* 普通法律援助計劃及法律援助輔助計劃的財務資格上限在二〇〇七年曾作兩次調整。普通法律援助計劃的限額在二〇〇七年七月十五日由158,300元調高至162,300元，在二〇〇七年十二月十四日再調高至165,700元。同樣地，法律援助輔助計劃的財務資格限額亦由439,800元調高至450,800元，然後再調整至460,300元。
- \* The upper financial eligibility limits under the Ordinary Legal Aid Scheme (OLAS) and the Supplementary Legal Aid Scheme (SLAS) were adjusted twice in 2007. On 15 July 2007 the limit for OLAS was adjusted from \$158,300 to \$162,300 and then to \$165,700 on 14 December 2007. Similarly, the limit for SLAS was increased first from \$439,800 to \$450,800 and eventually to \$460,300.

## 法援案件的委派及監察

### 外判個案

本署在委派案件時，會以法援受助人的利益為依歸，而不會無論如何把案件平均委派予在法律援助律師名冊上的大律師或律師。本署在委派合適的律師或大律師接辦案件時，是會視乎執業律師的經驗和專長、案件的類別及案情的複雜程度，並按既定的指引及準則，從法律援助律師名冊中挑選。考慮的準則包括執業律師至少要有經驗、其過去處理案件表現的記錄，以及接辦法援案件的數目沒有超出限額等。

## Legal Aid Assignments and Monitoring

### Assignments

Legal aid work is not distributed to counsel or solicitors on the Legal Aid Panel equally regardless of merit, the legally aided persons' interests being the paramount consideration. Counsel or solicitors are selected having regard to the level of experience and expertise of the practitioner to be selected and the type and complexity of the particular case and with reference to established guidelines and criteria, which include, amongst others, minimum experience requirements, past performance records and the limit on assignments of legal aid work.



二月十五日

副署長(政務)陳香屏先生及署理助理署長(政策及發展)衛關家璇女士接待到訪的英國律師會前主席 Mr Kevin Martin。

15 February

Deputy Director (Policy and Administration), Mr William Chan and Acting Assistant Director (Policy and Development), Mrs Annie Williams, had a meeting with the Immediate Past President, Law Society of England and Wales, UK, Mr Kevin Martin during his visit to the Department.



毛旭華女士

助理首席法律援助律師(九龍分署) (署理)

Ms Mo Yuk-wah

Assistant Principal Legal Aid Counsel  
(Kowloon Branch Office) (Acting)

二〇〇七年委派外委律師/大律師辦理個案的分佈情況

Distribution of Assignments to Solicitors/Counsel in 2007

	大律師數目 No. of Counsel			
委派民事及刑事個案宗數 No. of Civil and Criminal Assignments	獲取大律師資格的年數 Years of Call			
	3年以下 Below 3 years	3-5年 3-5 years	6-10年 6-10 years	10年以上 Over 10 years
1-4	4	13	44	133
5-15	0	1	23	162
16-30	0	0	1	31
31-50	0	0	0	3
50宗以上 Over 50	0	0	0	0
總數 Total	4	14	68	329

鄭寶昌先生  
 法律援助署助理署長(訴訟)  
 Mr Thomas Edward Kwong  
 Assistant Director of Legal Aid (Litigation)



委派民事及刑事個案宗數 No. of Civil and Criminal Assignments	律師數目 No. of Solicitors			
	獲取律師資格的年數 Years of Admission			
	3年以下 Below 3 years	3-5年 3-5 years	6-10年 6-10 years	10年以上 Over 10 years
1-4	2	60	219	513
5-15	0	18	120	345
16-30	0	1	20	50
31-50	0	1	1	12
50宗以上 Over 50	0	0	0	7
總數 Total	2	80	360	927

本署的監察外判個案委員會，由署長擔任主席，成員包括首長級人員及一名廉政公署代表。該委員會負責確保外判的法援個案，均按既定的外判準則及指引交予外委律師辦理。此外，該委員會也負責審視有關外委律師工作表現/行為操守欠佳的報告。年內，在該委員會的建議下，法律援助律師名冊上共有6名律師的姓名被刪除，另有6名律師被列入工作表現/行為操守欠佳記錄冊內，1名律師則遭發警告信。

The Departmental Committee on Monitoring Assignments to Counsel and Solicitors, which is chaired by the Director and comprises of directorate officers and a representative from the Independent Commission Against Corruption, ensures that cases are assigned in accordance with the established assignment criteria and guidelines. It also considers reports on the unsatisfactory performance/conduct of assigned lawyers. In 2007, on the advice of the Committee, the names of six solicitors were removed from the Legal Aid Panel, six solicitors were included on the Record of Unsatisfactory Performance/Conduct and a warning letter was issued to one solicitor.



陳琮華女士  
助理首席法律援助律師(刑事)  
Miss Betty Chan King-wah  
Assistant Principal Legal Aid Counsel (Crime)

## 訴訟服務

### 署內律師辦理的民事訴訟

委派予署內律師辦理的民事個案，由訴訟科民事訴訟組負責。

#### 人身傷害訴訟

年內，民事訴訟組共接辦196宗人身傷害訴訟案件。該組為受助人討回的賠償金額約有8,600萬元，成功取回的律師訴訟收費接近1,600萬元。有2宗人身傷害賠償個案的賠償額超逾500萬元。

#### 家事訴訟

年內，民事訴訟組共接辦1 260宗家事訴訟個案。

#### 追討欠薪

民事訴訟組轄下清盤破產小組辦理由勞工處勞資關係組轉介的案件，協助僱員追討欠薪及其他僱傭權益。

該組審查由僱員遞交的法援申請，並辦理隨後的訴訟。

## Litigation Services

### In-house Civil Litigation

The Civil Litigation Section (CLS) of the Litigation Division undertakes civil litigation for aided persons whose cases have been assigned in-house.

#### Personal Injury Litigation

In 2007, CLS took up 196 assignments. The total amount of damages recovered by the Section for aided persons was about \$86 million, while profit costs recovered was in the region of \$16 million. There were two cases where damages exceeding \$5 million were recovered.

#### Family Litigation

CLS took up a total of 1 260 assignments during the year.

#### Wages Claims

The Insolvency Unit of CLS assists employees referred by the Labour Relations Office of the Labour Department to recover arrears of wages and other employment entitlements.

The Unit processes applications for legal aid from employees and handles the ensuing litigation.

如某一個案雖有足夠證據支持提出清盤或破產呈請，但就該案的個別情況而言，進行有關訴訟並不符合經濟效益或不合理，民事訴訟組便會把個案轉介破產欠薪保障基金委員會，由該委員會考慮發放特惠金予有關僱員。

年內，該小組分別提出168宗及45宗清盤及破產呈請。另外，有427宗個案則轉介破產欠薪保障基金委員會處理。

### 署內律師辦理的刑事訴訟

訴訟科刑事組律師代表受助人在裁判法院的交付審判程序中出庭；向區域法院申請保釋及出席應訊日；以及向原訟法庭申請保釋及排期聆訊。此外，該組律師亦會就在原訟法庭、上訴法庭及終審法院聆訊的案件，擔任事務律師的工作。

除了為面對刑事審訊及提出上訴的被告人提供法律援助外，該組還會向擬認罪、要求減輕刑罰及被判刑的被告人提供援助。

年內，在香港區域法院聆訊的所有刑事案件中，約有83.3%獲提供法律援助。至於在原訟法庭聆訊的案件，則約有89.7%獲提供法律援助。

Where there is sufficient evidence to support the presentation of a petition for winding-up or bankruptcy but it is uneconomical or unreasonable in the particular circumstances to institute court proceedings, CLS will refer the case to the Protection of Wages on Insolvency Fund Board for consideration of ex-gratia payments to the employees.

In 2007, 168 winding-up and 45 bankruptcy petitions were presented and 427 cases were referred to the Protection of Wages on Insolvency Fund Board.

### In-house Criminal Litigation

The Crime Section of the Litigation Division represents aided persons at committal proceedings in the Magistrate's Court, at bail applications and plea days in the District Court, and at bail applications and listing applications in the Court of First Instance. It also acts as instructing solicitors in the Court of First Instance, the Court of Appeal and the Court of Final Appeal.

Other than granting legal aid for criminal trials and appeals, the Section also grants aid to defendants for plea, mitigation and sentence.

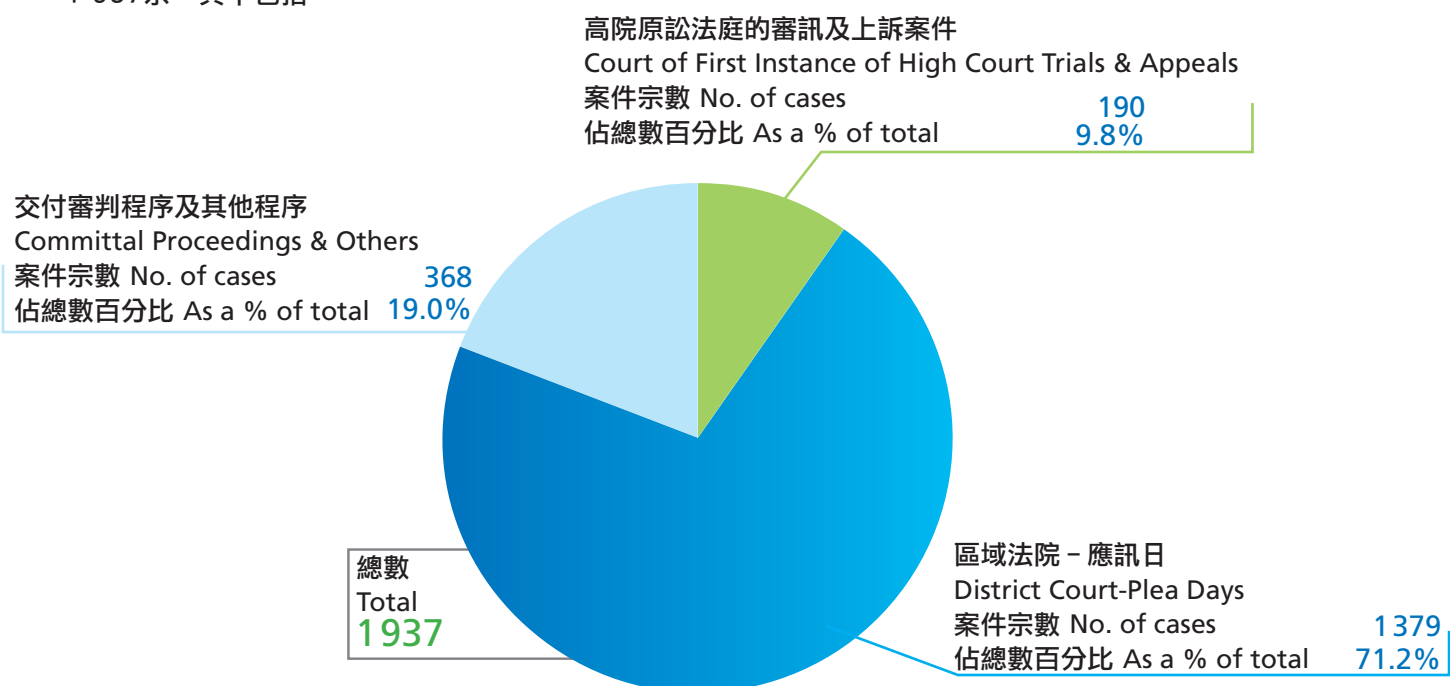
In 2007, some 83.3% of all criminal cases in the District Court in Hong Kong were legally aided, as were some 89.7% of criminal cases in the Court of First Instance.

黃倩瑩女士  
助理首席法律援助律師(民事訴訟1)  
Miss Jenie Wong Sin-ying  
Assistant Principal Legal Aid Counsel (Civil Litigation 1)



年內，該組律師辦理的刑事案件共有  
1 937宗，其中包括：

In 2007, the Section handled 1 937 cases in-house :



莊因東先生  
助理首席法律援助律師(民事訴訟2)  
Mr Chris Chong Yan-tung  
Assistant Principal Legal Aid Counsel  
(Civil Litigation 2)

## 相關的法律支援服務

### 訟費核算

本署的訟費核算小組負責評定外委律師提交的訟費清單，以及出席訟費評定聆訊。

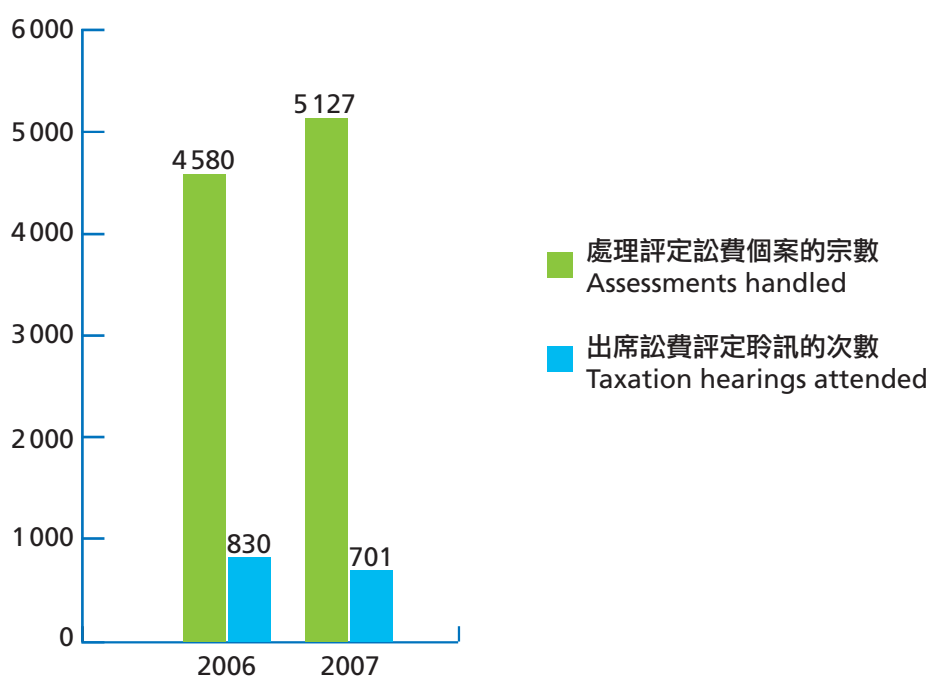
二〇〇六至二〇〇七年訟費核算小組處理的個案

## Related Legal Support Services

### Costing

The Department's Costing Unit assesses all bills of costs submitted by assigned solicitors and attends taxation hearings.

Cases handled by the Costing Unit in 2006-2007





十二月二十日

中國法律援助基金會考察團團長張秀夫(右)致送紀念品予法律援助署署長張景文。

20 December

Head of the China Legal Aid Foundation delegation, Mr Zhang Xiufu (right) presented a souvenir to Director of Legal Aid, Mr Benjamin Cheung.

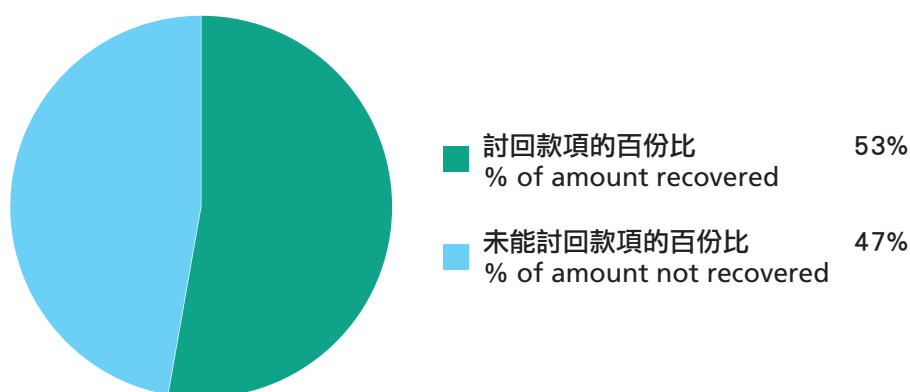
## 強制執行工作

本署的執行小組負責處理強制執行判決訴訟程序，就法律援助案件追討判定債項及訟費。年內，該組共接辦653宗個案。有些個案因判定債務人承諾分期支付欠款而得到和解；另有570宗個案必須進行強制執行判決訴訟程序。

在執行小組已採取強制執行判決訴訟程序的個案中，大部分個案的訴訟程序是於該組律師接辦個案當日一個月內展開。下表顯示由接辦個案當日至展開執行判決訴訟程序所需的時間：

1個月內 Within 1 month	2個月內 Within 2 months	3個月內 Within 3 months	超過3個月 More than 3 months	總數 Total cases
252	193	69	56	570
44.2%	33.9%	12.1%	9.8%	100%

下圖顯示就已採取強制執行行動而在二〇〇七年了結的個案，本署從中討回訟費及損害賠償的比率：



## Enforcement

The Department's Enforcement Unit (EU) handles enforcement proceedings for the recovery of judgment debts and costs in legally aided cases. In 2007, the EU was assigned 653 cases. Some cases were settled upon the undertaking of the judgment debtor to pay by instalments whereas enforcement proceedings had to be instituted in 570 cases.

Of the cases where enforcement proceedings were taken by the EU, a majority of them were instituted within one month from the date the cases were assigned to the professional officers for handling. The table below shows the length of time taken for enforcement proceedings to be commenced from the date of assignment :

The costs and damages recovery ratio for cases with enforcement action handled by the Department and finalised in 2007 is as shown in the chart below :

## 尹建成先生 總部申請及審查科高級 一等律政書記

### Mr K.S. Wan, Senior Law Clerk I, Applications and Processing Division, Headquarters

尹先生一九七八年加入本署，在此之前，他在當時的律政司署(後稱律政署)任職。在本署服務三十年期間，尹先生見證了種種轉變。尹先生認為最重大的轉變是部門電腦化。他憶述當初執行小組首先推行辦公室自動化計劃時，只靠一部電腦運作，而設計及安裝有關系統的過程可說頗“艱苦”，但不久他便領略到新系統的好處，例如可以很快找到所需資料及節省時間等。

他在這項工作所得的經驗，使他在部門其後推行電腦化計劃，利用資訊科技提升本署的服務效率及加強對內對外的溝通時，得以發揮所長。他認為電腦化計劃有助簡化工作流程，大大提升本署為市民提供的法律援助服務質素。

尹先生曾在不同崗位任職。他認為在申請及審查科任職高級一等律政書記期間的滿足感最大。他在該組負責行政工作，其中一項任務是找出個案管理及個案會計系統中有哪些地方需要作出改善，從而提升整個系統。當他看到系統在改進後工作流程和工序都得到改善，令同事受惠，感到很滿足和開心。

尹先生將於二〇〇八年退休。

當某人在工作生涯完結時回望過去，可以無憾地對自己說“我不單完成了我的工作，而且做得很好”，可說是功成身退，心靈上的富足，非金錢可以衡量。這正是尹先生的寫照。

Mr K.S. Wan worked in the then Attorney General's Chambers (Legal Department), before joining the Department in 1978. In his 30 years with the Department, Mr Wan has witnessed a great deal of changes. In his view, the most significant change of all was computerisation. He recalled how office automation first began in the Enforcement Unit with one stand alone personal computer. The design and set-up of the system was quite "painful" but he soon recognised the benefits of speedy data retrieval and timesaving.

The experience he gained meant that he was able to contribute to subsequent computerisation projects aimed at using information technology to enhance service efficiency and communications with both internal and external customers. He maintains the view that computerisation has greatly improved the delivery of legal aid services to the public by streamlining and simplifying procedures.

Mr Wan said that what gave him the most satisfaction is the opportunity he has of identifying areas for enhancing the Case Management and Case Accounting System through his work as Senior Law Clerk I in charge of administration in the Applications and Processing Division. He felt a sense of achievement and gratification from seeing how staff benefited from the improved workflow and work processes that stemmed from the enhancement.

Mr Wan will leave the service and retire in 2008.

*At the end of his career, if a man can look back and say "I did my job and I did it well", he can then retire in satisfaction and a sense of bliss and fulfillment far beyond what money can buy. This will be the case with Mr Wan.*

