

前言

Foreword

這是我任內發表的第四份年報。回顧二〇〇七年，本署經歷了一些轉變，亦面對不少挑戰。現把其中一些重點簡述如下：

政府總部決策局重組

二〇〇七年七月一日，制訂法律援助政策及監察各項法律援助計劃運作的職務改由民政事務局負責。把上述原屬行政署的職責撥歸民政事務局，純粹是因為當局重新分配政府總部轄下各決策局的職責。本署繼續根據《法律援助條例》賦予署長的法定權力和職能運作。最重要的是，這次重組並沒有影響本署在提供法律援助方面一貫享有的獨立性。

廉政公署就本署強制執行判決的程序進行的最新研究

廉政公署在一九八七年曾應法律援助署署長所請，就本署執行小組(負責執行有關支付判定債項及訟費的判決)的工作進行研究。二〇〇六年，本署與廉政公署議定，該署會按最新情況研究及檢討強制執行判決的程序。廉政公署於二〇〇七年六月完成最新報告。

This is my fourth Annual Report for the Legal Aid Department. 2007 was a year which saw changes and challenges for the Department. I would like to highlight some of them here.

Re-organisation of Policy Bureaux of the Government Secretariat

On 1 July 2007, the Home Affairs Bureau took over the responsibilities for formulating legal aid policy and overseeing the implementation of the various legal aid schemes from the Administration Wing. The transfer was simply a re-distribution of responsibilities within the Government Secretariat. The Department continued to operate in accordance with the statutory powers and function vested in the Director under the Legal Aid Ordinance. What is most important is that the re-organisation has not affected the established independence of the Department in the delivery of legal aid services.

Updated Study by ICAC on Enforcement Procedures in the Department

In 1987, the Independent Commission Against Corruption ("ICAC") conducted a study at the request of the Director of Legal Aid on the work of the Enforcement Unit which is responsible for enforcing the payment of judgment debts and legal costs. In 2006 it was agreed between the Department and the ICAC that the study on enforcement procedures should be updated and reviewed. The ICAC's updated report was finalised in June 2007.

報告指出一些可予改善之處並提出多項建議。這些建議已獲本署接納，包括：

- 把關乎追討判定債項及訟費的內務通告更新和合併；
- 改善監察法律援助事務員工作的制度；以及
- 改良管理報告，以便管理層能有效地檢討未清償的債項及強制執行判決的行動。

蒙廉政公署不吝賜教，指出可予改善之處，本署特此表示謝意。本署已向員工講解有關建議，並正落實執行。

法援婚姻訴訟個案家事調解試驗計劃

“法援婚姻訴訟個案家事調解試驗計劃”的評估已完成。本署是根據截至二〇〇七年三月收集所得的數據進行評估的。由行政署長擔任主席的督導委員會(成員包括司法機構、民政事務局及本署代表)經研究有關數據後，認為有理由資助法援婚姻訴訟個案的調解服務，使這服務成為法律援助計劃內的一部分。

有關通過撥款安排的建議已提交當局考慮。

The report identified a number of areas for improvement and made a number of recommendations which have been accepted. These included :

- updating and consolidation of departmental circulars touching upon and concerning the recovery of judgment debts and legal costs;
- improvements to the system for monitoring the work of process servers; and
- refinement of management reports to facilitate effective management review of outstanding debts and enforcement actions.

We are grateful to the ICAC for pointing out areas for improvement. In response, staff have been briefed and implementation of the recommendations was under way.

The Pilot Scheme on Legal Aid for Mediation in Matrimonial Cases

Evaluation of the Pilot Scheme on Legal Aid for Mediation of Legally Aided Matrimonial Cases using data collected up until March 2007 was completed. Having examined the data collected, the steering committee chaired by the Director of Administration and comprising of representatives from the Judiciary, Home Affairs Bureau and this Department considered there was a case for making funding for mediation of legally aided matrimonial cases a permanent feature of the legal aid scheme.

Recommendation has been made to the Administration for approval of the funding arrangement.



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檢討支付刑事法律援助費用的制度

支付刑事法律援助費用的全面檢討仍在進行。香港大律師公會和香港律師會的代表與本署及民政事務局的代表正就此問題進行磋商。

資訊系統策略

鑑於之前進行的可行性研究取得成功，本署在二〇〇六年年底就設立“法律援助電子服務入門網站”（“入門網站”）展開籌備工作，並持續至二〇〇七年。設立入門網站的目的，是讓申請人可選擇以電子方式提交資料，方便本署辦理審批申請的工作。另外，法律援助律師名冊上的律師可透過網站匯報法律援助案件的進度。入門網站的技術設計工作已在二〇〇七年九月完成，隨後便開始系統的發展工作。本署計劃在二〇〇八年推出入口門網站。

Review on Criminal Legal Aid Fees System

The comprehensive review of the criminal legal aid fees system is continuing with talks between representatives from the two professional bodies, this Department and representatives from the Home Affairs Bureau.

Information Systems Strategy

Following a successful feasibility study in 2006, the Department began the implementation of the Legal Aid Electronic Services Portal (“LAESP”) in late 2006 that continued throughout 2007. LAESP aims at providing an e-option for applicants to submit information to facilitate the application process. In addition, LAESP will enable panel lawyers to report progress of legal aid cases online. The technical design stage was completed in September 2007 and the system development work has been in progress since. It is anticipated that LAESP will be launched in 2008.

為節省儲存檔案文件的空間，以及改善資料的存檔、檢索及保安，本署於二〇〇七年就刑事法律援助案件推行電子文件管理系統。鑑於此系統有助處理刑事法律援助案件，本署計劃在二〇〇八年進行可行性研究，把此系統推廣至申請及審查科。

為使本署資訊科技系統及表現管理現代化，年內，本署繼續研究有關支援該系統的各项要求。除更新一般的資訊科技設備外，本署已提出正式撥款申請，以期在二〇〇七年展開“電腦設備前瞻性規劃計劃”，更換所有在二〇〇一年安裝並用於日常部門運作的桌上電腦及手提電腦。本署希望可於二〇〇八年獲得撥款，以進行更換電腦的計劃。

As a means of saving physical file document storage space and in order to improve archiving, retrieval and security of data, we implemented the electronic Document Management System in 2007 for the handling of criminal legal aid cases. Given the usefulness of this system in the handling of criminal legal aid cases, a feasibility study into the use of this system in the Applications and Processing Division is planned for 2008.

During 2007 there has been continued identification of the requirements to support modernisation of our information technology (“IT”) system and performance management. Besides the normal regular upgrading of IT equipment, 2007 also saw the Department embarking on a Computer Equipment Forward Planning Programme that resulted in a formal bid for funding to replace all the desktop and notebook computers installed in 2001 that supported the day-to-day operations of the Department. It is hoped that funding will be made available for the replacement programme to commence in 2008.

宣傳推廣

本署繼續參與多項宣傳及社區活動，加深市民對法援服務的認識。這包括為香港單親協會等團體舉辦講座，以及參與由教育局舉辦的研討會，藉以提高市民對家庭暴力的警覺性。一如往年，本署積極參與香港律師會於二〇〇七年十月舉辦的“法律週”。

培訓

優質的法援服務有賴訓練有素和盡忠職守的員工。因此，本署需按員工的需要，為他們提供適當的培訓。年內，本署舉辦了多類課程，包括環保講座、內部顧客服務錄像帶工作坊、普通話複修課程（供負責接待內地代表團的員工修讀），以及主題為“掌控情緒，消除戾氣，職場進退自如之道”的講座。

Publicity

The Department continued to participate in various publicity and community programmes to promote public awareness and understanding of legal aid services. This included talks given by Departmental representatives to groups such as the Hong Kong Single Parents Association and participation in a seminar organised by the Education Bureau to heighten awareness of domestic violence. As in previous years, we actively supported the “Law Week” organised by the Law Society in October 2007.

Training

The success of this Department in delivering quality legal aid services depends upon a team of well trained and committed staff. It is therefore vital that the training needs of staff across the Department are properly addressed. In 2007 a variety of courses were organised which included environmental seminars, video seminars on internal customer service, a refresher Putonghua course for staff nominated to meet with Mainland delegations visiting the Department and a talk on how to defuse hostile customers.



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前瞻

本署會努力不懈，繼續改善香港的法援服務。

本人謹向法律援助服務局的主席和成員致意；一如以往，他們在過去一年為本署提供指導和寶貴意見，本人對此深表謝意。

本人亦藉此機會感謝於二〇〇七年年底退休的副署長（訴訟）麥輝文先生，他在過去34年盡心竭力為本署服務，貢獻良多。最後，本人謹在此向本署全體員工致以衷心謝意，感謝他們一直辛勤工作，克盡厥職；另外，亦要多謝外委律師，憑著他們的專業精神，為法援服務作出重大貢獻。

法律援助署署長張景文

Looking Ahead

The Department will not relent in its efforts to improve legal aid services in Hong Kong.

In this connection, I would like to thank the Chairman and members of the Legal Aid Services Council who have, as always, provided us with guidance and advice in the past year.

I would also like to take this opportunity to thank the Deputy Director of Litigation Mr Harry Mak, who retired at the end of 2007, for his dedication and contribution to the Department over the past 34 years. Finally my gratitude and appreciation goes to our staff for their hard work and continued dedication and to our assigned lawyers for their professionalism and significant contribution to the delivery of legal aid services.

Benjamin Cheung King-man
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