

法律援助署

LEGAL AID DEPARTMENT

ANNUAL REPORT 2016

年報



法律援助署  
Legal Aid Department



# Our **Vision**

To be a cornerstone of the rule of law in Hong Kong  
by delivering quality legal aid services.



## Our Mission

- To ensure that no one who qualifies for legal aid is denied access to justice because of lack of means.
- To maintain the highest standards of professional excellence and ethics.
- To develop and maintain a highly-motivated, dynamic, welltrained and committed workforce.
- To work in partnership with the legal profession to reach our vision.
- To anticipate and meet the ever-changing needs of the society.



## Our Values

- Independence
- Commitment
- Efficiency and effectiveness
- Professionalism
- Teamwork
- Caring and responsive

[Back to top](#)

# Foreword

It is my pleasure to present to you the 2016 Legal Aid Department Annual Report. It has been another fruitful and dynamic year for the Legal Aid Department as we continued to place our efforts to enhance our service for the public, and at the same time, reach out to different sectors of the community to promote our work. Let us have a recollection of the major events in 2016.



**Mr Thomas Edward KWONG**

*Director of Legal Aid*

## **Promotion of our work through interactive dialogues**

We are fortunate to be given the opportunities in 2016 to have several useful exchanges of views with the Legal Aid Services Council (LASC), the two legal professions, Legislative Council members and our stakeholders. We participated in television and radio interviews to address the concerns of certain sectors of the community on various legal aid related issues. Meetings were held with a number of our stakeholders on legal aid policy and talks were delivered to NGOs covering our services. We also worked closely with the Task Force of the LASC exploring ways to enhance the operational transparency of the Department. With the support from the LASC, more statistical information were included in the Annual Report starting from this year to reflect our efforts and determination in combating touting activities and strengthening monitoring work. We trust that through all these concerted efforts, the community will have a better grasp of the work of our Department which has been a cornerstone of the rule of law in Hong Kong.

# Foreword

## **Increase in Criminal Legal Aid Fees**

Legislative amendments to Rule 21 and the Schedule of the Legal Aid in Criminal Cases Rules giving effect to the results of review recommended by the Working Group formed by the Home Affairs Bureau (HAB) (which comprised representatives from the two legal professions, the Department of Justice and this Department) were completed in 2016. The adjustments included a 50% increase in criminal legal aid fees for counsel, a 25% increase for instructing solicitors and a 40% increase for solicitor advocates in the District Court. A new category of fees for High Court cases were also introduced for solicitor advocates with higher rights of audience. The new rates were implemented on 14 November 2016. We are pleased with results which were achieved through collaborative efforts of the Government and the two legal professions.

## **Enhancement of E-Communication**

We continued to explore ways to enhance the use of e-communication with our panel lawyers. In this respect, hardware and software upgrade for the Legal Aid Electronic Services Portal was rolled out to production in March 2016.

We mentioned in the last Annual Report that the Department participated in the pilot use of the Correctional Services Department's Remote Official Visit System (ROVS). The System was successfully launched in May 2016. It enables our staff to interview applicants who are in custody at the Lai Chi Kok Reception Centre through a video conferencing system in a designated interview room at our Queensway office. Not only has this enhanced the efficiency of our work in dealing with criminal legal aid applications, it also helped in streamlining the relevant procedures involved in the process.

## **Quality Service to the Public**

In the domain of customer service, I would like to express our gratitude to The Ombudsman for bestowing upon us the Grand Award of The Ombudsman's Awards for 2016. It serves as a great encouragement to us to have earned The Ombudsman's recognition of our efforts in providing quality services to the public as well as promoting a positive and impartial culture in the handling of complaints. A comprehensive complaint handling system is well in place in our Department to ensure that all complaints are handled in an expeditious, fair and impartial manner. If any areas of improvement are identified after thorough investigation, reviews will

# Foreword



**Mr Thomas Edward KWONG**

*Director of Legal Aid*

be carried out and necessary arrangements will be made to implement such improvement measures in a timely fashion. We attach great importance to public opinions on our services and we will continue to strive to handling complaints in a proactive manner.

In August 2016, we replaced our 24-hour telephone hotline system which has been in use for over ten years by a new system. This has enhanced the efficiency and effectiveness of our communication with the public whilst allowing the public to have a direct and easy access to our information depository.

## **Meeting the Youth**

Throughout the year, we met with students from various different schools and introduced to them our work and the operation of legal aid system in Hong Kong. Through talks, visits and experience sharing, the students got to know more about our work, challenges and our mission which is to ensure that any person who has reasonable grounds for taking or defending a legal action is not deprived from doing so because of lack of means.

## **Looking Ahead**

I wish to express my gratitude to the LASC, HAB and our working partners for their trust and invaluable advices throughout the year. Their unfaltering support laid the foundation for us to rise to the challenges in 2016. We will continue to do our best in serving those in need of legal aid services in the years ahead. I would also like to register my due recognition for the contribution and hard work of my colleagues. Their unreserved support to the Department, dedication and commitment towards our work has been the key to the achievements we made in this year.

**Thomas Edward KWONG**  
**Director of Legal Aid**

[Back to top](#)



# Contents

Vision, Mission & Values ..... 2

FOREWORD..... 4

## CHAPTER 1

Departmental Strategic Plan..... 9

## CHAPTER 2

Legal Aid Services ..... 13

## CHAPTER 3

Case of Public Interest or Concern ..... 35

## CHAPTER 4

Customer Services ..... 41

## CHAPTER 5

Publicity Programmes ..... 47

## CHAPTER 6

Organisation, Administration and Staffing ..... 55



# Contents

## APPENDICES

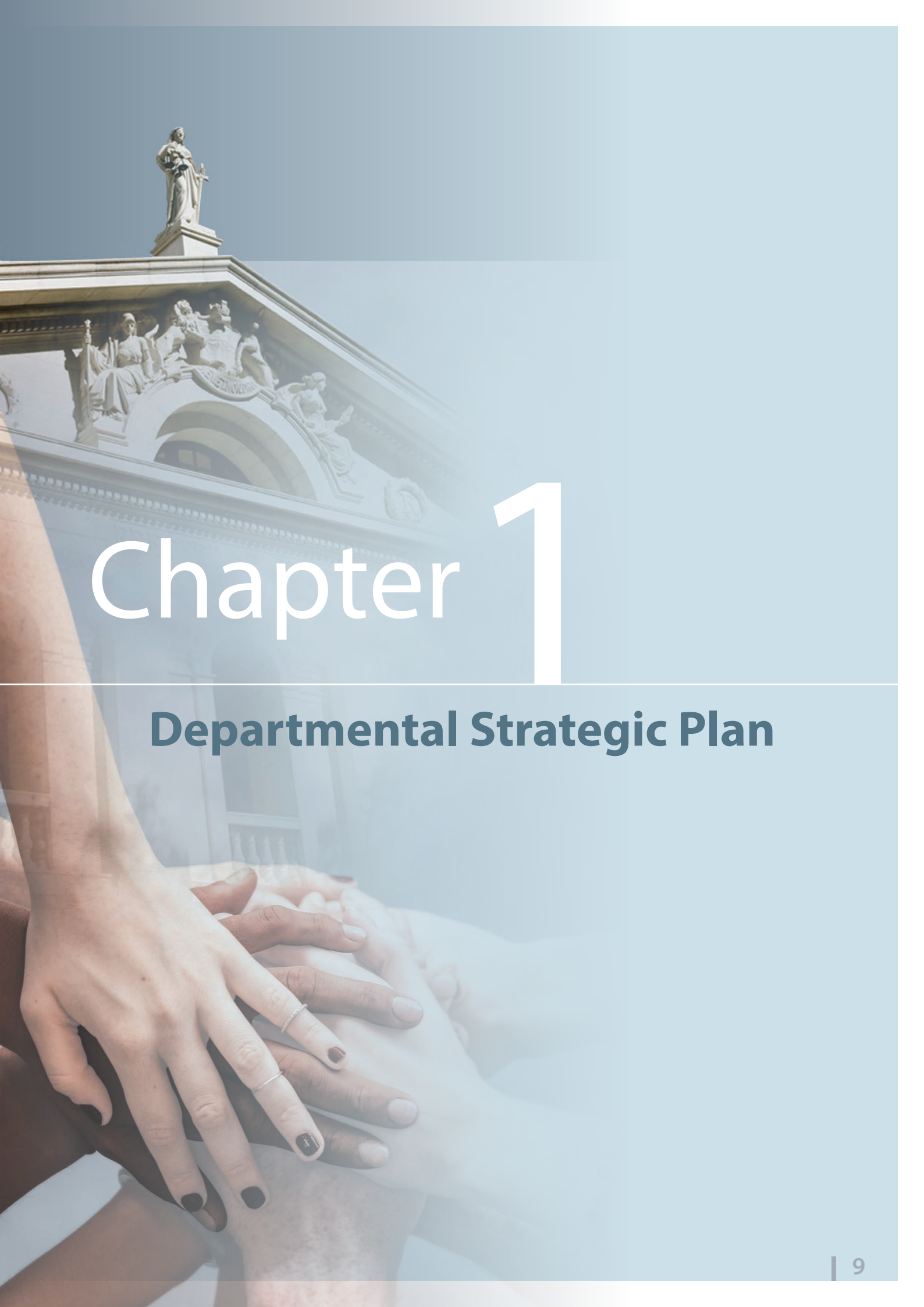
Appendix **1**  
Revenue and Expenditure ..... 66

Appendix **2**  
Findings of the Survey on Customer Feedback..... 70

Appendix **3**  
Director of Legal Aid and Section Heads ..... 72

Appendix **4**  
Address and Communication ..... 73

Appendix **5**  
List of Publications ..... 74



# Chapter 1

## Departmental Strategic Plan

## Departmental Strategic Plan

### Departmental Strategic Plan

The Department's strategic plan sets out our objectives and describes how the objectives can be achieved. The strategic plan provides a rational basis upon which priorities are determined and is regularly updated to ensure that resources are well targeted and used effectively having regard to the changing needs of society.

The Department's strategic plan can also be viewed at the Department's website.



*(Rear row from left)*

*Mr Li Chi-keung, Miss Ada Wong Yiu-ming, Ms Amy Lee Ngai-ling, Mrs Christina Hadiwibawa Cheung Ying-man, Ms Tse Sze-fong, Ms Juliana Chan Miu-ken, Ms Nancy Keung Mei-chuen, Mr Steve Wong Yiu-fai,*

*(Front row from left)*

*Ms Sherman Cheung Suk-ying, Mr Chris Chong Yan-tung, Ms Juliana Chan Oi-yung, Mr Thomas Edward Kwong, Ms Alice Chung Yee-ling, Ms Mo Yuk-wah, Ms Doris Lui Wai-lan*

# Departmental Strategic Plan

## Implementation of the Strategic Plan in 2016

### Review of Criminal Legal Aid Fees

On 14 November 2016, criminal legal aid fees were adjusted upward after the implementation of the amendments to Rule 21 and the Schedule of the Legal Aid in Criminal Cases Rules Cap. 221D, by which the criminal legal aid fees are increased by 50% for counsel, 25% for instructing solicitors and 40% for solicitors acting as both solicitor advocate and instructing solicitor in the District Court and a new category of criminal legal aid fees for the High Court cases were also introduced for solicitor advocates with higher rights of audience.

### Implementation of Five-day week operation in Application and Processing Division

The Government has implemented five-day week initiative in phases since 2006. In February 2016, amendments to the relevant legislation, which sought to give effect to the final phase of a five-day week in the Judiciary was gazetted. In light of the closure of service of court registries on Saturdays under the full implementation of the five-day week in the Judiciary with effect from 3 January 2017, the Department would make corresponding changes and our Application & Processing Division offices (Headquarters and Kowloon Branch Office) would also move to five-day week operation on the same day.

### Information System

The exercise of upgrading hardware and software including operating system, database and related software for the Legal Aid Electronic Services Portal was completed and rolled out to production in March 2016.

With a view to enhancing Network Infrastructure and Electronic Document Management System, funding was obtained for upgrading the systems and the implementation of the upgrading projects had started in May and June 2016 respectively.

To strengthen the confidentiality of transmission of classified emails, the current software component for handling confidential mails was replaced by a new Confidential Messaging Application in 2016. The migration and transition to the new Application for confidential mail users were completed smoothly in August 2016.

# Departmental Strategic Plan

## Customer Services

In 2016, the Department joined the Correctional Services Department's Remote Official Visit System and installed video conferencing equipment in a designated interview room of the Department. Through the System video interviews with legal aid applicants and aided clients who are in custody at Lai Chi Kok Reception Centre by our staff can now be arranged expeditiously.

On the other hand, a new Interactive Voice Response System was installed in August 2016 to replace the existing system to allow the public to have better access to the Department's hotline service.

## Publicity

The Department continued to organise various activities to promote public awareness and understanding of legal aid services. In 2016, the professional officers of the Department delivered talks on the services provided by the Department to a university, 10 secondary schools with nine of them having Non-Chinese Speaking students, an alliance of Self-help Groups for Occupational Injuries and Diseases and frontline social workers of Social Welfare Department and a women's organization providing family services related to divorce, maintenance and custody.

As a measure to further combat improper touting activities of claims recovery agents among injured workers and accident victims, the Department arranged a TV documentary entitled "Beware of the touting activities of recovery agents" produced by the Department of Justice for broadcasting in the Department's three reception areas as well as 32 venues of the Home Affairs Department. In November 2016, the Department participated in a radio programme entitled "Everyone's Guide to Occupational Injuries" organised by Radio Television Hong Kong and a non-government organization to offer advice to workers injured at work on how to apply for legal aid. The Director of Legal Aid, Mr Thomas Kwong, also conducted a two-episode interview on Metro Radio focusing on the work and services provided by the Department in the same month.

## Staff

To promote staff well-being, the Department maintains a comprehensive collection of books available to our staff. In 2016, new books were added to the collection which covers a wide range of topics such as Chinese dietary therapy, stress management, positive thinking and healthy lifestyles. Furthermore, two workshops on Mindful Drawing in Managing Stress were organized with positive feedback.

[Back to top](#)



# Chapter 2

## **Legal Aid Services**

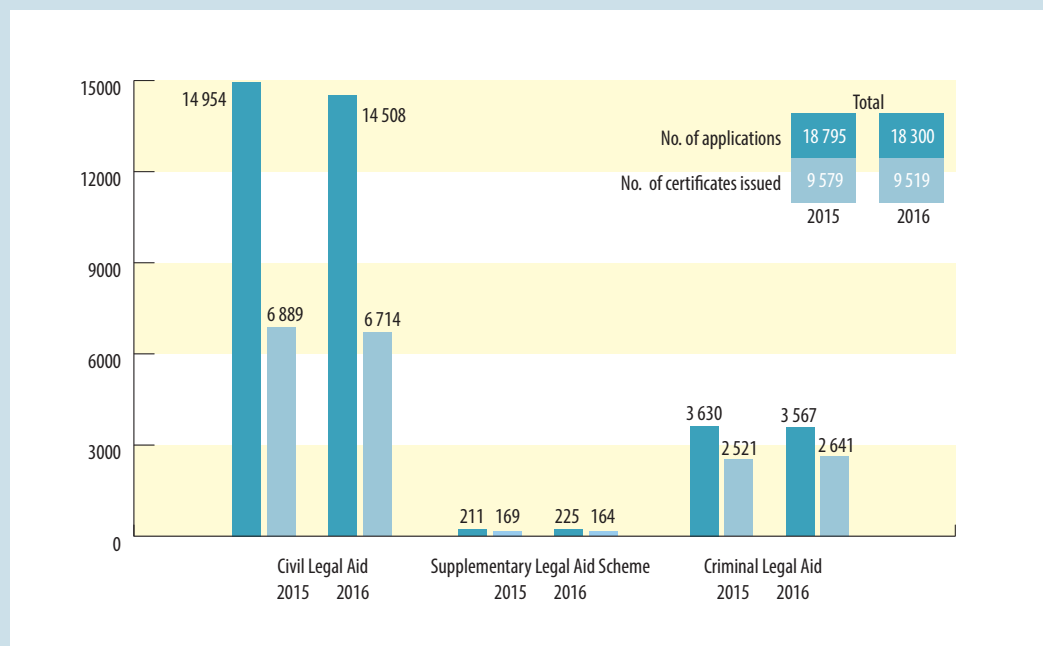
## Legal Aid Services

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.

### Application and Processing Services

In 2016, a total of 18 300 applications for legal aid were received and 9 519 legal aid certificates were issued:





**Mr Chris Chong Yan-tung**

*Deputy Director of Legal Aid  
(Application and Processing)*

### 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 handled by the Application and Processing Division.

### Ordinary Legal Aid Scheme

The Ordinary Legal Aid Scheme (OLAS) covers many different types of civil cases which are closely related to the public's daily lives. Types of cases covered include family disputes, employees' compensation claims, personal injury claims, immigration matters and other miscellaneous proceedings in the District Court, the Court of First Instance, the Court of Appeal and the Court of Final Appeal. It also covers applications to the Mental Health Review Tribunal and death inquests if the Director is of the opinion that the interests of public justice require legal aid be given.

## Supplementary Legal Aid Scheme

Applicants whose financial resources exceed the statutory limit of OLAS of \$290,380 but is below \$1,451,900 may apply under the Supplementary Legal Aid Scheme (SLAS). The scope of SLAS covers employees' compensation claims and representation for employees in appeals against awards made by the Labour Tribunal irrespective of the amount of the claim. It also covers the following types of cases where the claim is likely to exceed \$60,000:

- personal injuries or death, medical, dental or legal professional negligence;
- professional negligence claims against certified public accountants (practising), registered architects, registered professional engineers, registered professional surveyors, registered professional planners, authorised land surveyors, registered landscape architects and estate agents;
- negligence claims against insurers or their intermediaries in respect of the taking out of the personal insurance products; and
- monetary claims against vendors in the sale of completed or uncompleted first-hand residential properties.

In 2016, there were 225 SLAS applications and 164 legal aid certificates were issued under SLAS.

SLAS is a self-financing scheme and is funded by contributions paid by the applicants upon acceptance of legal aid and contributions from monies recovered in the aided proceedings. The rates of contribution for personal injuries and employees' compensation claims and the provision of legal representation to employees for appeals against awards made by the Labour Tribunal range from 6% to 10%. For the remaining types of proceedings, the contribution rates range from 15% to 20%.

For the year ended 30 September 2016, a surplus of \$3.8 million was recorded as compared with a surplus of \$2.3 million in the year ended 30 September 2015 in the Supplementary Legal Aid Fund. As at 30 September 2016, the Fund had a balance of \$192.9 million. For details, please refer to [Appendix 1](#).

## Legal Aid Services

## Distribution of Civil Legal Aid Applications Received in 2015-2016

Case Types	No. of Applications for Civil Legal Aid		
	2015	2016	% Change
Personal Injuries Claims	5 491	5 270	-4%
Matrimonial Cases	6 564	6 592	0%
Land and Tenancy Disputes	551	502	-9%
Employment Disputes	166	129	-22%
Immigration Matters	136	175	29%
Wage Claims	68	64	-6%
Others	2 189	2 001	-9%
<b>Total</b>	<b>15 165</b>	<b>14 733</b>	<b>-3%</b>

## Distribution of Civil Legal Aid Certificates Issued in 2015-2016

Case Types	No. of Certificates for Civil Legal Aid		
	2015	2016	% Change
Personal Injuries Claims	3 125	3 110	0%
Matrimonial Cases	2 969	3 100	4%
Land and Tenancy Disputes	145	131	-10%
Employment Disputes	94	82	-13%
Immigration Matters	52	35	-33%
Wage Claims	53	44	-17%
Others	620	376	-39%
<b>Total</b>	<b>7 058</b>	<b>6 878</b>	<b>-3%</b>

## Legal Aid Services



**Ms Mo Yuk-wah**

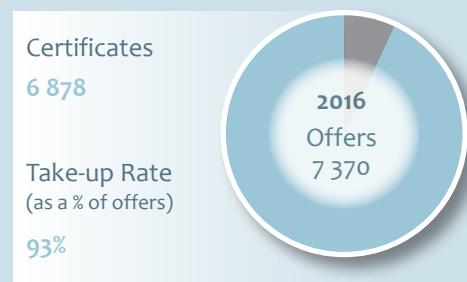
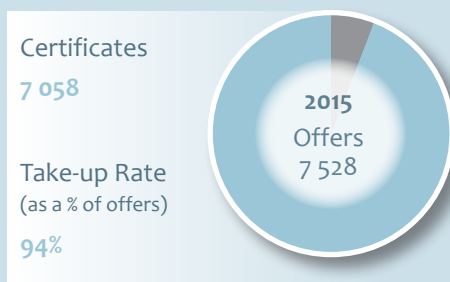
*Assistant Director of Legal Aid  
(Application and Processing)*

To facilitate the public to apply for legal aid, the Application and Processing Division also provides an information and enquiry service through the Information and Application Services Unit. The Unit deals with enquiries from the public on matters such as the scope of legal aid, financial eligibility limits and application procedures. In 2016, the Unit received a total of 36 699 enquiries.

### Eligibility

Applicants regardless of their nationality or residence who pass both the means and merits tests will be granted legal aid. They are given the services of solicitors and, if necessary, counsel to represent them in legal proceedings conducted in Hong Kong courts.

### Take-up Rate for Civil Legal Aid in 2015-2016



# Legal Aid Services



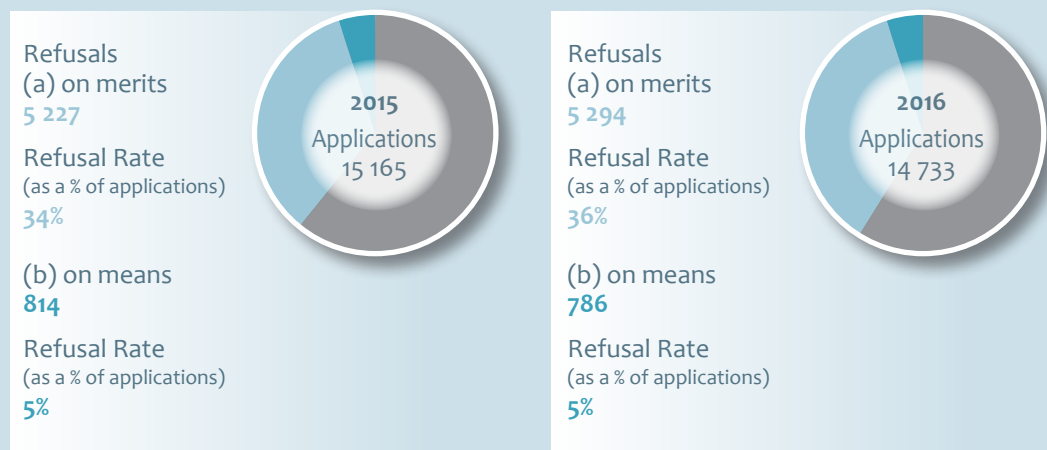
**Miss Ada Wong Yiu-ming**

*Assistant Principal Legal Aid Counsel /  
Application and Processing (1)*

## Refusal of Legal Aid

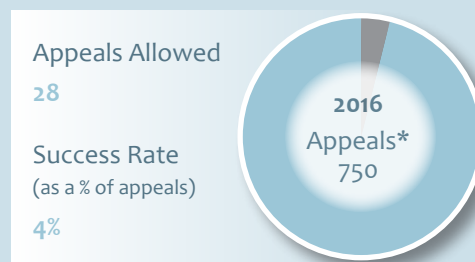
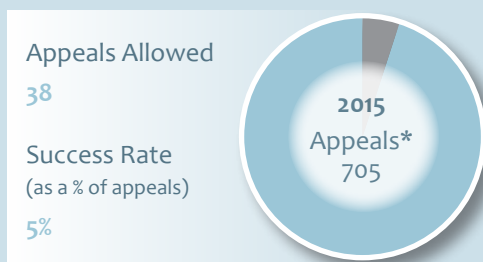
An applicant who is refused legal aid in civil matters on either means or merits may appeal to the Registrar of the High Court. In respect of the Court of Final Appeal cases, the applicant may appeal to a Review Committee comprising the Registrar of the High Court, a barrister and a solicitor appointed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

## Refusal Rate of Civil Legal Aid Applications in 2015-2016



## Legal Aid Services

### Success Rate of Civil Legal Aid Appeals in 2015-2016



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



**Ms Amy Lee Ngar-ling**

Assistant Principal Legal Aid Counsel /  
Application and Processing (2)

### Outcome of Civil Cases Closed in 2016

Case Type	Settlement before Issuing Petition	Order for Winding-up/ Bankruptcy	Petition Dismissed upon settlement	Petition Stayed	Petition Dismissed	Referral to PWIFB*	Others	Total
Wage Claims (Winding-up / Bankruptcy)	4%(1%)	84%(93%)	1%(1%)	1%(1%)	4%(0%)	1%(2%)	5%(2%)	100%

\* Protection of Wages on Insolvency Fund Board  
(2015 figures in bracket)

## Outcome of Civil Cases Closed in 2016

Case Type	Relief Obtained	Relief Not Obtained	Withdrawn	Total
Matrimonial Cases	86%(86%)	4%(4%)	10%(10%)	100%

(2015 figures in bracket)

Case Types	In Favour	Not In Favour	Discharged / Revoked prior to Proceedings	Discharged at aided person's Request during Proceedings	Discharged / Revoked during Proceedings	Total
Personal Injuries Claims	94%(95%)	1%(1%)	1%(1%)	2%(1%)	2%(2%)	100%
Employees' Compensation Claims	96%(97%)	1%(1%)	1%(0%)	1%(1%)	1%(1%)	100%
Personal Injuries	94%(94%)	1%(1%)	1%(1%)	2%(2%)	2%(2%)	100%
Running Down	93%(93%)	1%(1%)	1%(1%)	2%(2%)	3%(3%)	100%
Medical / Dental / Professional Negligence	59%(79%)	4%(2%)	16%(2%)	4%(2%)	17%(15%)	100%
Miscellaneous	56%(52%)	10%(16%)	18%(11%)	5%(2%)	11%(19%)	100%
<b>Overall</b>	<b>88%(90%)</b>	<b>2%(2%)</b>	<b>4%(2%)</b>	<b>2%(2%)</b>	<b>4%(4%)</b>	<b>100%</b>

(2015 figures in bracket)

**Ms Tse Sze-fong**

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

## Legal Aid in Criminal Cases

Criminal legal aid applications are processed by the Crime Section.

### Distribution of Criminal Legal Aid Applications Received in 2015-2016

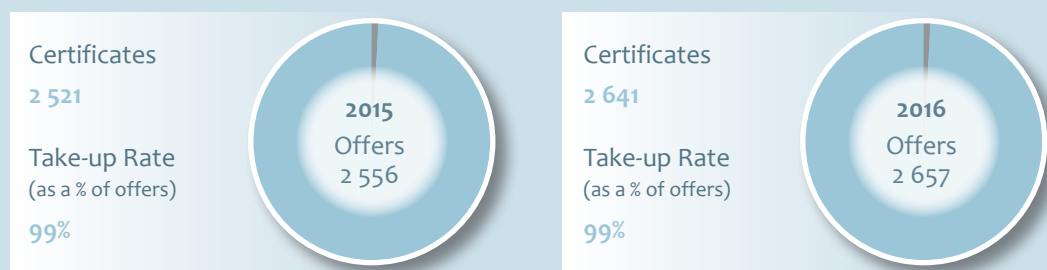
Case Types	No. of Applications for Criminal Legal Aid		
	2015	2016	% Change
Committal Proceedings in the Magistrates' Courts	597	530	-11%
District Court Trials	1 260	1 399	11%
Court of First Instance Trials	548	541	-1%
Magistrates' Court Appeals to the Court of First Instance	497	432	-13%
District Court Appeals to the Court of Appeal	317	294	-7%
Court of First Instance Appeals to the Court of Appeal	246	226	-8%
Appeals in the Court of Final Appeal	141	117	-17%
Others	24	28	17%
<b>Total</b>	<b>3 630</b>	<b>3 567</b>	<b>-2%</b>

Applicants whose means exceed the statutory limit may be granted legal aid if the Director of Legal Aid is satisfied that it is desirable in the interests of justice to grant legal aid.

### Distribution of Criminal Legal Aid Certificates Issued in 2015-2016

Case Types	No. of Certificates for Criminal Legal Aid		
	2015	2016	% Change
Committal Proceedings in the Magistrates' Courts	574	510	-11%
District Court Trials	1 210	1 345	11%
Court of First Instance Trials	532	548	3%
Magistrates' Court Appeals to the Court of First Instance	79	71	-10%
District Court Appeals to the Court of Appeal	48	62	29%
Court of First Instance Appeals to the Court of Appeal	59	74	25%
Appeals in the Court of Final Appeal	16	23	44%
Others	3	8	167%
<b>Total</b>	<b>2 521</b>	<b>2 641</b>	<b>5%</b>

### Take-up Rate for Criminal Legal Aid in 2015-2016





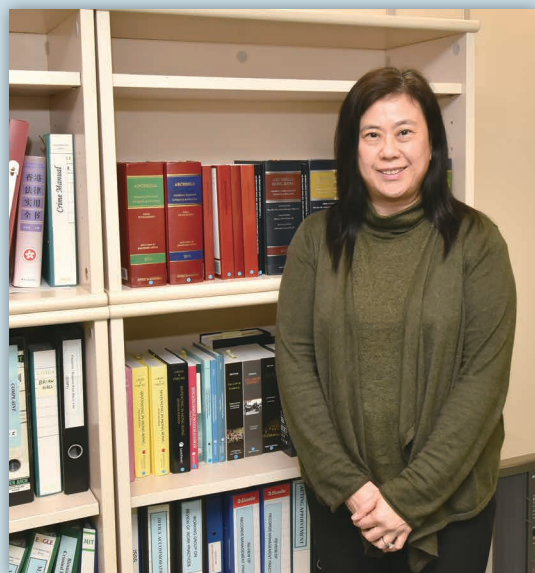
**Ms Juliana Chan Oi-yung**

*Deputy Director of Legal Aid  
(Litigation)*

### Refusal of Criminal Legal Aid

If an applicant is refused criminal legal aid on merits, he can apply to the judge who may grant legal aid on his own initiative provided the applicant is eligible on means.

In 2016, there were 13 refusals on means, 12 of which were also refused on merits. The Director exercised discretion and granted legal aid in 21 other cases even though the means of the applicants exceeded the financial eligibility limit. 12 applications were refused because the applicants concerned failed to supply the Director with the necessary information to conduct a means test.



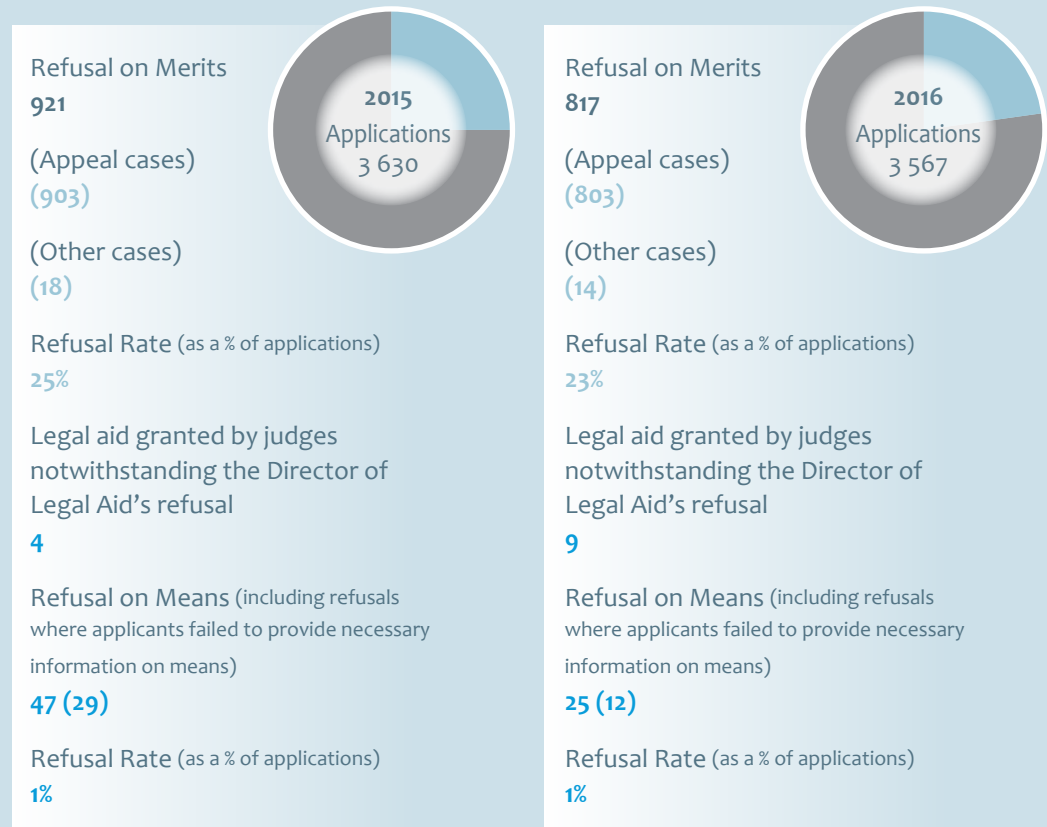
**Ms Sherman Cheung Suk-ying**

*Assistant Director of Legal Aid  
(Litigation)*

## Legal Aid Services

For refusal in respect of an appeal to the Court of Final Appeal, the applicant may appeal to a Review Committee 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. The decision of the Committee is final. In 2016, no appeal was made to the Review Committee.

### Refusal Rate of Criminal Legal Aid Applications in 2015-2016





**Ms Nancy Keung Mei Chuen**

*Assistant Principal Legal Aid Counsel  
(Crime)*

## Legal Aid Electronic Services Portal

Civil legal aid applicants of the age of 18 and over and all criminal legal aid applicants can submit pre-application information online for non-urgent civil or criminal cases as a first step towards making an application for legal aid. To make use of this online submission procedure and to ensure confidentiality of information transmitted online, applicants must be holders of digital certificates issued by the Hong Kong Post or Digi-Sign.

The Legal Aid Electronic Services Portal (LAESP) also has a means test calculator, which allows members of the public to conduct a preliminary assessment of their eligibility on means if they apply for legal aid. Members of the public can visit the departmental website at [www.lad.gov.hk](http://www.lad.gov.hk) or the mobile phone version to access the means test calculator. In 2016, the means test calculator and the mobile version means calculator received 5 552 and 6 630 hits respectively.

## Legal Aid Assignments and Monitoring

### Assignments

Legal aid work is not distributed to counsel or solicitors on the Legal Aid Panel equally. Interest of the legally aided persons is the paramount consideration. Counsel or solicitors are selected having regard to their level of experience and expertise, the nature and complexity of the particular case, 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.

## Legal Aid Services

## Distribution of Civil and Criminal Assignments to Solicitors / Counsel in 2016

No. of Assignments	No. of Counsel			
	*Below 3 Years	*3-5 Years	*6-10 Years	*Over 10 Years
1-4	4	21	47	148
5-15	0	4	26	184
16-30	0	1	6	38
31-50	0	0	0	3
Over 50	0	0	0	0
<b>Total</b>	<b>4</b>	<b>26</b>	<b>79</b>	<b>373</b>

\*Years of post-call experience

No. of Assignments	No. of Solicitors			
	*Below 3 Years	*3-5 Years	*6-10 Years	*Over 10 Years
1-4	0	18	69	586
5-15	0	10	31	303
16-30	0	2	8	88
31-50	0	1	10	36
Over 50	0	0	0	2
<b>Total</b>	<b>0</b>	<b>31</b>	<b>118</b>	<b>1 015</b>

\*Years of post-admission experience

# Legal Aid Services

The Department has set up the Departmental Committee on Monitoring Assignments to Counsel and Solicitors to ensure that cases are assigned in accordance with the established assignment criteria and guidelines. The Committee is chaired by the Director of Legal Aid and comprises directorate officers of the Department. It considers reports on the unsatisfactory performance/conduct of assigned lawyers.

In 2016, on the advice of the Committee, three solicitors were removed from the Legal Aid Panel, 14 solicitors were put on the Record of Unsatisfactory Performance/Conduct and advisory letters were issued to two solicitors.

Since the assignment of legal aid cases is based on the experience of Panel lawyers in the past three years, the Department has regularly updated Panel lawyers' experience to maintain the integrity of the legal aid assignment system. With the enhancement of the Case Management and Case Accounting System, Panel lawyers are now being reminded to submit Data Update Form before the expiry of the three-year period so that their personal particulars, experience and expertise would be updated regularly.

## Mediation in Legal Aid Cases

Legal aid covers mediators' fees and related expenses incurred by legally aided persons undergoing mediation in the course of aided proceedings. In 2016, funding for mediation was approved in 948 assigned out cases, out of which 145 were matrimonial cases.



**Mr Steve Wong Yiu-fai**

*Assistant Principal Legal Aid Counsel  
(Civil Litigation 1)*

### 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 2016, Civil Litigation (1) of CLS took up 206 personal injuries cases including employees' compensation claims, traffic accident claims and negligence claims. Damages over \$1 million were recovered for aided persons in eight cases. The total amount of damages recovered was about \$40 million.

Legal costs recovered for the professional litigation work done by our in-house officers were about \$5.9 million.



**Mr Li Chi-keung**

*Assistant Principal Legal Aid Counsel  
(Civil Litigation 2)*

### Family Litigation

In 2016, the Family Unit of the Civil Litigation (2) of CLS took up a total of 967 family cases including divorce, maintenance, custody and property disputes. It also handled enforcement proceedings for the recovery of outstanding maintenance and costs in family cases litigated in-house.

### Wage Claims

The Insolvency Unit of the Civil Litigation (2) of CLS assists employees referred by the Labour Relations Office of the Labour Department to recover arrears of wages and other employment-related benefits. It also handles the ensuing winding-up or bankruptcy proceedings.

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, the Unit will refer the case to the Protection of Wages on Insolvency Fund Board for consideration of ex-gratia payments to the employees.

In 2016, the Insolvency Unit took out 23 winding-up and three bankruptcy petitions. A total of 296 cases were referred to the Protection of Wages on Insolvency Fund Board for ex-gratia payments.

## In-house Criminal Litigation

In addition to processing legal aid applications for criminal cases, in-house lawyers in the Crime Section of the Litigation Division also represent legally aided persons at committal proceedings in the Magistrates' Court, plea day hearing in the District Court, listing hearings in the Court of First Instance as well as bail applications at all levels of court. They also act as instructing solicitors in cases in the Court of First Instance, the Court of Appeal and the Court of Final Appeal.

In 2016, 85% of all criminal cases in the District Court in Hong Kong were legally aided, as were 97.6% of criminal cases in the Court of First Instance.

In 2016, the Crime Section handled 1 871 cases in-house:

Court of First Instance of High Court Trials & Appeals

**131 (7.0%)**

District Court-Plea Days

**1 239 (66.2%)**

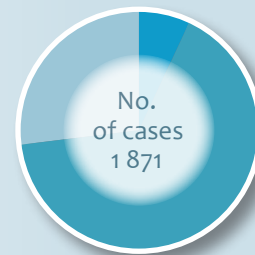
Committal Proceedings & Others

**501 (26.8%)**

Total

**1 871 (100.0%)**

(as a % of total cases handled in-house)



# Legal Aid Services



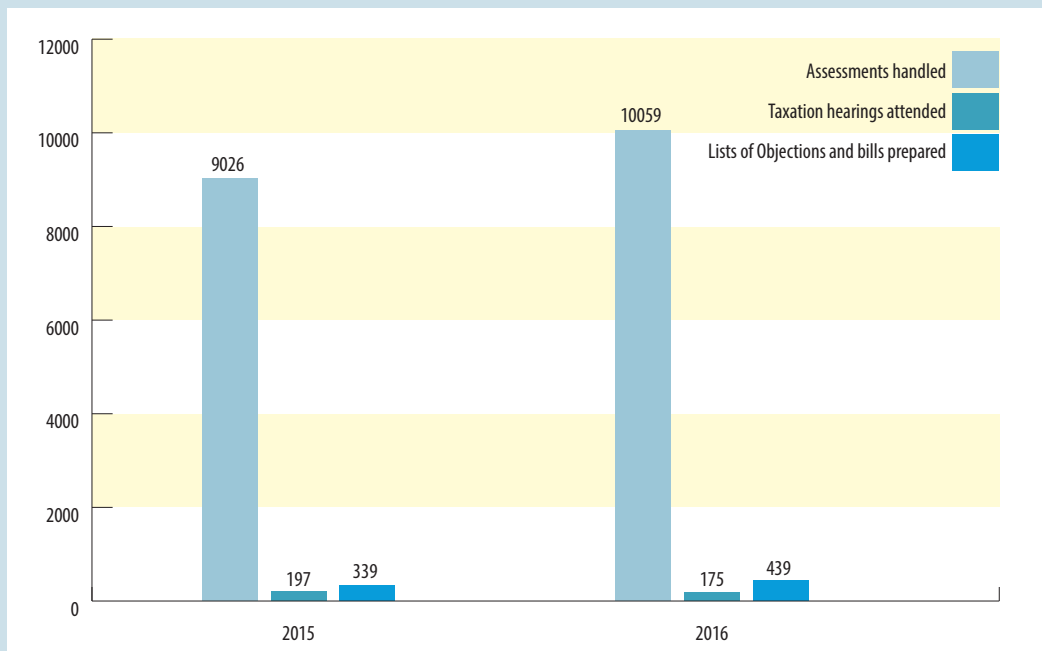
**Mrs Christina Hadiwibawa Cheung Ying-man**  
*Assistant Principal Legal Aid Counsel  
 (Legal and Management Support)*

## Related Legal Support Services

### Costing

The Department’s Costing Unit assesses all bills of costs submitted by assigned solicitors and opposite parties, prepares lists of objections and bills and attends taxation hearings.

#### Cases handled by the Costing Unit in 2015-2016



## Enforcement

The Department's Enforcement Unit (EU) handles enforcement proceedings for the recovery of judgment debts and costs in legally aided cases. In 2016, a total of 271 cases were assigned to the EU. In 172 cases, enforcement proceedings were instituted. About 42.44% of the proceedings were instituted within 1 month from the date the cases were assigned to the handling professional officers. The table below shows the length of time taken for enforcement proceedings to be commenced from the date of assignment:

Time taken for commencement of enforcement proceedings in 2016 :

Within 1 month	Within 2 months	Within 3 months	More than 3 months	Total no. of cases
73 (79)	66 (48)	25 (24)	8 (11)	172 (162)
42% (49%)	38% (29%)	15% (15%)	5% (7%)	100% (100%)

(2015 figures in bracket)

Some of these cases were settled prior to the commencement of or during the enforcement proceedings when the judgment debtors undertook, through negotiation and production of supporting documents, to pay the outstanding amount by installments.

The costs and damages recovery ratio for cases with enforcement actions handled by the Department and finalised in 2016 is as shown in the chart below:



## Legal Aid Services

Top 20 Solicitors in terms of Civil Case Assignments in 2016 by Case Types and Percentage Shares in the Total Number of Civil Case Assignments to Solicitors (From 1.1.2016 to 31.12.2016)

Rank by order	No. of Assignments by Case Types#						% Share
	PI-related	JR	MIM	MAT	Others	Total	
1	43	0	0	0	0	43	0.7%
2	41	0	0	1	0	42	0.7%
3	41	0	0	0	0	41	0.7%
4	40	0	0	0	0	40	0.7%
5	33	0	0	1	6	40	0.7%
6	40	0	0	0	0	40	0.7%
7	39	0	0	1	0	40	0.7%
8	36	0	0	4	0	40	0.7%
9	25	0	0	15	0	40	0.7%
10	27	1	0	8	3	39	0.6%
11	37	0	0	2	0	39	0.6%
12	35	0	0	4	0	39	0.6%
13	22	0	1	6	10	39	0.6%
14	35	0	0	3	1	39	0.6%
15	30	0	0	8	0	38	0.6%
16	32	0	0	6	0	38	0.6%
17	32	0	0	0	6	38	0.6%
18	24	0	0	12	2	38	0.6%
19	37	0	0	0	0	37	0.6%
20	1	4	32*	0	0	37	0.6%
<b>Subtotal for Top 20</b>	<b>650</b>	<b>5</b>	<b>33</b>	<b>71</b>	<b>28</b>	<b>787</b>	<b>13.0%</b>
<b>Total no. of assignments to solicitors in civil cases</b>	<b>3 326</b>	<b>39</b>	<b>36</b>	<b>2 155</b>	<b>510</b>	<b>6 066</b>	<b>100.0%</b>

## Notes:

The civil assignment limit for panel solicitor is 45 cases within the past 12 months.

## # Case types:

PI related - Employees' Compensation, Damages for Assault, Dental Negligence, Medical Negligence, Personal Injuries, Traffic Accident, SLAS Employees' Compensation, SLAS Medical Negligence, SLAS Personal Injuries, SLAS Running Down and SLAS Dental Negligence

JR - Judicial Review

MIM - Immigration

MAT - Matrimonial

Others - Miscellaneous, Land or Tenancy Disputes and Sea & Air Collision

\* Involving group cases or related cases, which are of similar nature or involve similar facts or same aided person and it will be more cost effective and to the benefit of the aided persons if these cases are handled by the same solicitor.

[Back to top](#)



# Chapter 3

## Case of Public Interest or Concern

# Case of Public Interest or Concern

## HKSAR v Chan Kam Shing (FACC No. 5 of 2016)

The doctrine of joint enterprise in criminal law as applied in Hong Kong has been based for many years on the Privy Council's decision in *Chan Wing Siu v R*,<sup>1</sup> endorsed by the Court of Final Appeal in *Sze Kwan Lung v HKSAR*<sup>2</sup>.

This doctrine came under the scrutiny of the Court of Final Appeal of Hong Kong (CFA) in ***HKSAR v Chan Kam Shing*** in FACC 5/2016. The question in the appeal was whether the doctrine of criminal joint enterprise should continue to be applied in the light of the decision of the United Kingdom Supreme Court in *R v Jogee and R v Ruddock*<sup>3</sup> disapproving *Chan Wing Siu*.

The UK Supreme Court in *R v Jogee and R v Ruddock* held that *Chan Wing Siu* was wrongly decided and that the doctrine of joint enterprise should be abolished. It has confined *mens rea* for secondary liability to intentional assistance or encouragement to a principal offender, that criminal liability for participation in the other person's offence be established by applying a different set of principles involving aiding, abetting, counseling or procuring the other person's crime.

In ***Chan Kam Shing***, the appellant, a triad member, along with his fellow gang members received an order from their triad boss to locate and "chop" members of a rival faction. They armed themselves with weapons and set off in two cars to search for their rivals. Having heard that gang members in the other car had located the intended victims, those in the appellant's car immediately drove to the scene to assist. When the appellant arrived at the scene, the deceased was already lying on the ground after having been attacked by four or five persons with knives as well as run over by a car. There was no evidence that the appellant had been present during the attack on the deceased or that he had himself done any act which caused injury or death of the deceased.

The appellant was convicted of murder, based on his active participation in a joint criminal enterprise, meaning an agreement with others to attack the followers of the rival faction with intent to cause them grievous bodily harm. The appellant's conviction was upheld by the Court of Appeal which also held that his conduct constituted encouragement to the others in the gang, including the actual killers.

<sup>1</sup> [1985] 1 AC 168

<sup>2</sup> (2004) 7 HKCFAR 475

<sup>3</sup> [2016] 2 WLR 681

# Case of Public Interest or Concern

The appellant took his case to the CFA with the assistance of legal aid and obtained leave to appeal to the CFA on the following question of law: -

“What is the law of Hong Kong regarding the doctrine of joint enterprise, namely should *Chan Wing Siu v R* [1985] 1 AC 168 and *Sze Kwan Lung v HKSAR* (2004) 7 HKCFAR 475 continue to be applied in the light of *R v Jogee and R v Ruddock* [2016] 2 WLR 681.”

Applicability of the decision of *Jogee* is an issue of great and general importance to the development of criminal justice in Hong Kong. The Queen’s Counsel instructed by *Jogee* was briefed to represent the appellant in the CFA.

Having heard arguments, the CFA respectfully disagreed with *Jogee* for three reasons. First, it did not accept that the joint criminal enterprise doctrine over-extended the accomplice’s liability. It considered that persons who participated in a criminal joint venture foreseeing that in the course of carrying it out, one of the joint venturers might commit a more serious offence (such as murder) and proceeded with the joint venture with such foresight should be treated as gravely culpable and held liable as an accomplice. Secondly, the CFA considered that the abolition of the joint criminal enterprise doctrine would leave a serious gap in the law of criminal complicity depriving it of valuable principles for dealing with evidentially unclear and fluid situations arising in relation to crimes committed by more than one person. Thirdly, the CFA considered that the concept of “conditional intent” introduced in the *Jogee* decision caused conceptual and practical difficulties. The CFA therefore concluded that *Jogee* should not be adopted and that the joint criminal enterprise doctrine as expounded in *Chan Wing Siu* continues to apply in Hong Kong. As the appellant’s guilt was properly established both on principles of accessorial and joint criminal enterprise liability, the CFA dismissed the appeal accordingly.

# Case of Public Interest or Concern

## Yung Chi Keung v Protection of Wages on Insolvency Fund Board and Commissioner for Labour (FACV 14/2015)

In 1985, the Protection of Wages on Insolvency Fund (“the Fund”) was established under Section 6 of Protection of Wages on Insolvency Ordinance, Cap. 380 (“PWIO”). The Fund is administrated by the Protection of Wages on Insolvency Fund Board (“the Board”) under Section 3 of PWIO. If an employer has become insolvent (i.e. in bankruptcy, winding up or receivership), an employee may apply for an ex-gratia payment from the Fund in respect of his wages, wages in lieu of notice, severance payment, accrued holiday remuneration or other sums due from the insolvent employer.

The Appellant was employed by his former employer as a driver from 1999 to 2011. On 7.10.2011, his former employer went into voluntary liquidation. The Appellant together with 48 fellow employees filed claims with the Labour Department for arrears of wages, wages in lieu of notice and severance payment. The Appellant was granted and received ex-gratia payment in relation to the claims under arrears of wages and wages in lieu of notice. For severance payment, no ex-gratia payment was granted by the Commissioner for Labour and the decision was upheld by the Board on review.

With the assistance of legal aid, the Appellant applied to the High Court to judicial review the decision of the Board. His application was dismissed. The Appellant’s appeal was also dismissed by the Court of Appeal. The Appellant obtained leave to appeal to the Court of Final Appeal (“the CFA”) on the ground that the true interpretation of Section 16(1) and other related provisions in PWIO regarding how the amount of an ex-gratia payment should be fixed is of great general or public importance. On 17.5.2016, the CFA quashed the decision of the Board in refusing to pay ex-gratia payment on account of the severance payment to the Appellant and declared that the Appellant is entitled to severance payment of \$25,377.50.

By virtue of Section 15(1)(c), 16(1)(b) and 16(2)(f)(i) of PWIO, an employee who is owed severance payment by his employer may apply to the Board for an ex-gratia payment from the Fund. Section 15(1)(c) stipulates the situation in which an application can be made for the ex-gratia payment. Section 16(1)(b) authorizes the Commissioner for Labour to effect the ex-gratia payment. Section 16(2)(f)(i) provides the calculation of the maximum amount of the ex-gratia payment that the Commissioner can pay out of the Fund to the applicant. The upper limit provided under Section 16(2) is: first \$50,000 plus 50% of the employee’s entitlement to severance payment in excess of \$50,000.

# Case of Public Interest or Concern

It is not disputed that the Appellant was entitled to severance payment calculated under Section 31G of the Employment Ordinance, Cap 57 ("EO") at \$131,696.54 and he had received mandatory provident fund (employer's contribution) ("MPF") amounted to \$106,319.04 under Section 31I of the EO ("the Section 31I benefits").

According to the calculation of the Commissioner for Labour, the maximum amount of ex-gratia payment payable to the Appellant under Section 16(2)(f)(i) was :-

$$\$50,000 + (\$131,696.54 - \$50,000) \div 2 = \$90,848.27$$

The Commissioner for Labour submitted that according to Section 31I of the EO, the employer's accumulated MPF benefit for the employee could be used to offset the severance payment. Since the Appellant had already received \$106,319.04 of MPF benefit to offset the amount of severance payment due to him by his employer, the Appellant's entitlement to severance payment exceeds the maximum ex-gratia payment of \$90,848.27. Hence the Appellant was not awarded any ex-gratia payment in respect of his severance payment.

$$\$90,848.27 - \$106,319.04 = (-\$15,470.77)$$

The Appellant did not dispute in the Commissioner's calculation of the upper limit of the ex-gratia payment. However, the Appellant argued that construing Section 15(1)(c) and 16(1) of PWIO as a whole, the severance payment mentioned in Section 16(1) of the PWIO must be the part of the severance payment that is outstanding after the deduction of the Section 31I benefits because if the Section 31I benefits should wholly offset the severance payment, there would be no unpaid severance payment payable. It was therefore wrong in law for the Commissioner for Labour to deduct the Section 31I benefits from the ex-gratia payment.

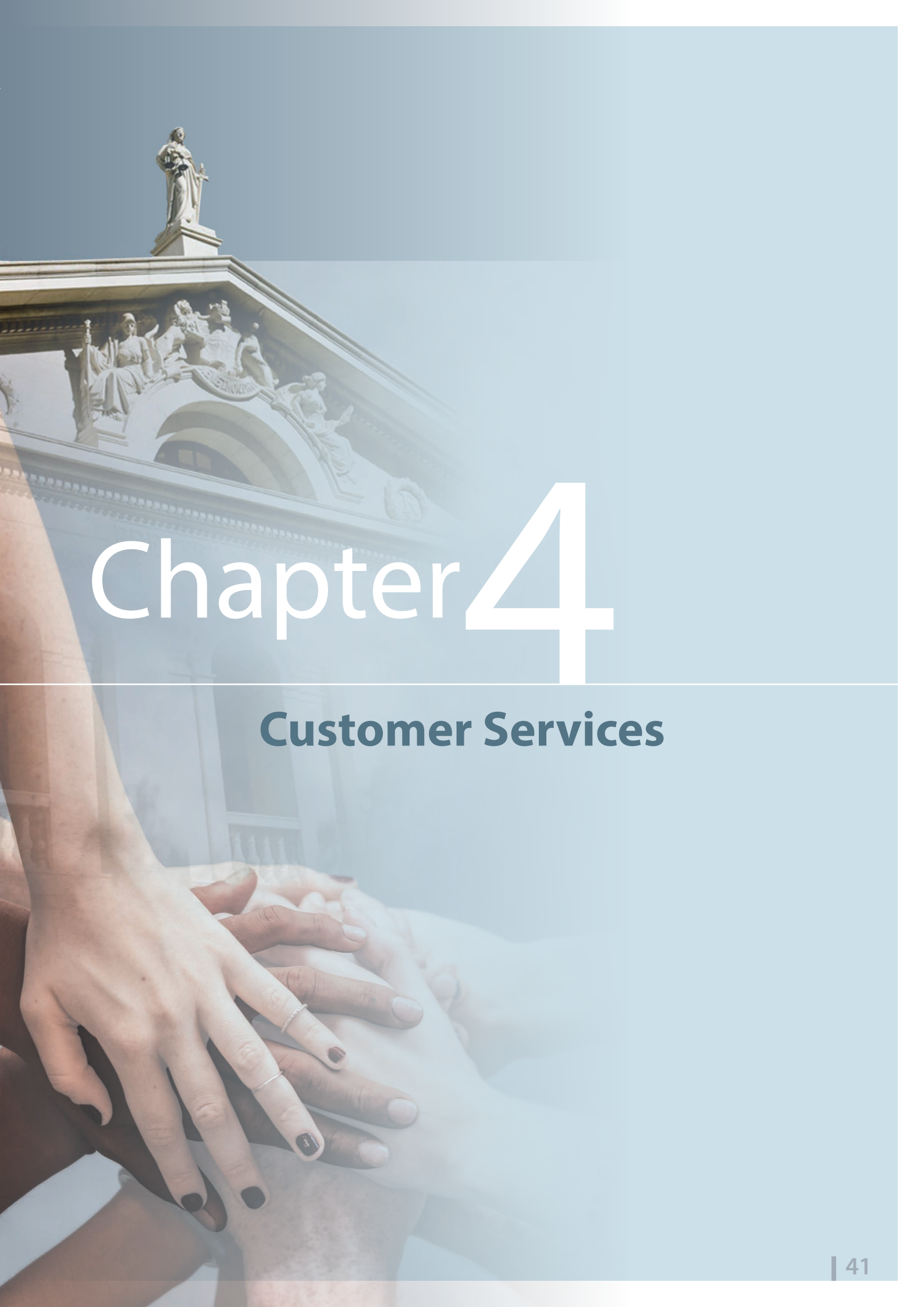
The Appellant further submitted that if the amount of the unpaid severance payment exceeds the upper limit of the amount calculated under the PWIO, the Commissioner for Labour shall make an ex-gratia payment equivalent to the upper limit. If the amount does not exceed the upper limit, the Commissioner for Labour must then pay the full amount of the unpaid severance payment as an ex-gratia payment.

Since the Appellant's unpaid severance payment \$25,377.50 (i.e. \$131,696.54 - \$106,319.04) is less than the maximum ex-gratia payment of \$90,848.27 payable to him, he argued that he was entitled to this amount as ex-gratia payment.

# Case of Public Interest or Concern

The question before the CFA was one of statutory interpretation and how to calculate (for the purposes of applying the said formula) the appropriate amount of severance payment to which the Appellant was entitled in order to arrive at the amount of ex-gratia payment (if any) that can be made under the PWIO. The specific question was how and at what stage to take account of the Section 31I benefits.

It was held by the CFA that given the statutory definition of severance payment in Section 2 of PWIO and the wordings of Section 16(1), Section 16(1B) and Section 16(2)(f)(i) of PWIO, it is clear that the financial limit set out in Section 16(2)(f)(i) of PWIO is to be applied to **the actual amount of severance payment owing to an employee**. In the Appellant's case, the actual or net amount of severance payment due to him is the original entitlement to severance payment calculated under Section 31G of the EO less the Section 31I benefits. This net amount will accordingly be the figure in respect of which the financial limits in Section 16(2)(f)(i) of PWIO are to be applied. As the net amount of severance payment to which the Appellant was entitled was less than the financial limits, the CFA allowed the Appellant's appeal, quashed the decision of the Broad and declared that he was entitled to be paid an ex-gratia payment under PWIO in the sum of \$25,377.50 on account of the severance payments.



# Chapter 4

## Customer Services

# Customer Services

The Department is committed to developing and maintaining a highly-motivated, caring and responsive workforce and keeps finding ways to better its performance through a customer-focused approach when delivering its services.

## Performance Pledges

### Processing of Applications

In 2016, the Department's actual performance in meeting the various targets set for processing time is set out below:

Types of Applications	Standard Processing Time	Performance Targets	Actual Performance in 2016
Civil Legal Aid	Within 3 months from the date of application	85%	88%
Criminal Legal Aid Appeals			
- Appeal against sentence	Within 2 months from the date of application	90%	96%
- Appeal against conviction	Within 3 months from the date of application	90%	96%
Court of First Instance of the High Court / District Court	Within 10 working days from the date of application	90%	92%
Committal proceedings	Within 8 working days from the date of application	90%	92%

## Customer Services

## Payment to Aided Persons and Service Providers

In 2016-17, the Department paid out \$721.8 million to lawyers/experts/other parties and \$1,254 million to legally aided persons. During the year, the Department exceeded all performance targets on payment:

Payment Targets	Service Delivery Standard	Performance Targets	Actual Performance in 2016
Aided Persons	<b>Interim Payment</b> Within 1 month from receipt of monies due to the aided person and/or receipt of estimation of costs from the assigned solicitor, whichever is appropriate.	95%	99%
	<b>Final Payment</b> Within 6 weeks from date of agreement of all costs and disbursements related to the case, and receipt of all monies due to the aided person and the Director of Legal Aid.	95%	99%
Lawyers / Experts / Other Parties	<b>Advance Payment</b> Within 6 weeks from receipt of bill.	95%	99%
	<b>Balance Payment</b> Within 6 weeks from date of agreement of all costs and disbursements related to the case, or receipts of all monies due to the aided person and the Director of Legal Aid, whichever is later.	95%	99%

### Analysis of Legal Aid Costs by Nature of Expenditure

Nature of Expenditure	2015-16 (\$M)	2016-17 (\$M)
Solicitors Costs	315.2	418.9
Counsel Fees	166.0	194.4
Doctors Fees	9.0	7.9
Opposite Party Costs	23.3	36.2
Others (Note)	54.7	64.4
<b>Total</b>	<b>568.2</b>	<b>721.8</b>

Note: These include expenses for land and company searches, court fees & taxing fees, law costs draftsman fees, expert fees, copying charges, bank charges and miscellaneous expenses.

### Customer Feedback

With a view to enhancing our provision of services to the public, the Department regularly conducts comprehensive surveys on customer feedback on different aspects of the legal aid services. The surveys cover application and processing procedures for legal aid and the Department's in-house litigation services. Different methodologies such as on the spot collection and mail surveys have been used depending on the points of contact and on the stages and types of services rendered to customers. The overall customer satisfaction level remained high in 2016. The charts at [Appendix 2](#) illustrate the major findings of the survey on customer feedback.

### Customer Service Initiatives

#### Office Accommodation

The newly renovated interview rooms, reception counter, public waiting area and Shroff Office at Kowloon Branch Office ("KBO") came into service in January 2016. The upgraded public facilities and its barrier-free design allowed the public to receive our service in a more comfortable and private setting. Renovation works of the office area on 3/F, KBO, were also completed in August 2016. The project not only improved the work environment for our staff, but also enhanced the level of occupational safety of the office.

# Customer Services

## Enquiries, Complaints and Representations

The Department places great importance on enquiries, complaints and representations received from our customers. Customers' concerns and suggestions are viewed by the Department as a means of improving its service and ensuring the fulfillment of its statutory functions. The Departmental Customer Service Manager, who is a senior directorate, would meet with a team of Assistant Customer Service Managers and Officers regularly to review feedback on our services and recommend follow up actions where necessary.

## Complaints

The Assistant Director of Legal Aid (Policy and Development) is the designated Complaint Liaison Officer to coordinate the handling of all the complaints received. Members of the public may lodge complaints in person with the Customer Service Officers of individual sections or by telephone or in writing to the Department by post, email or by fax. All complaints received will be handled according to the Department's complaint handling mechanism which is in compliance with the Government's general complaint handling guidelines. The Department will investigate and handle all complaints impartially and expeditiously. In general, an interim reply will be given within 10 days after the receipt of a complaint, and a substantive reply will be given within 30 days.

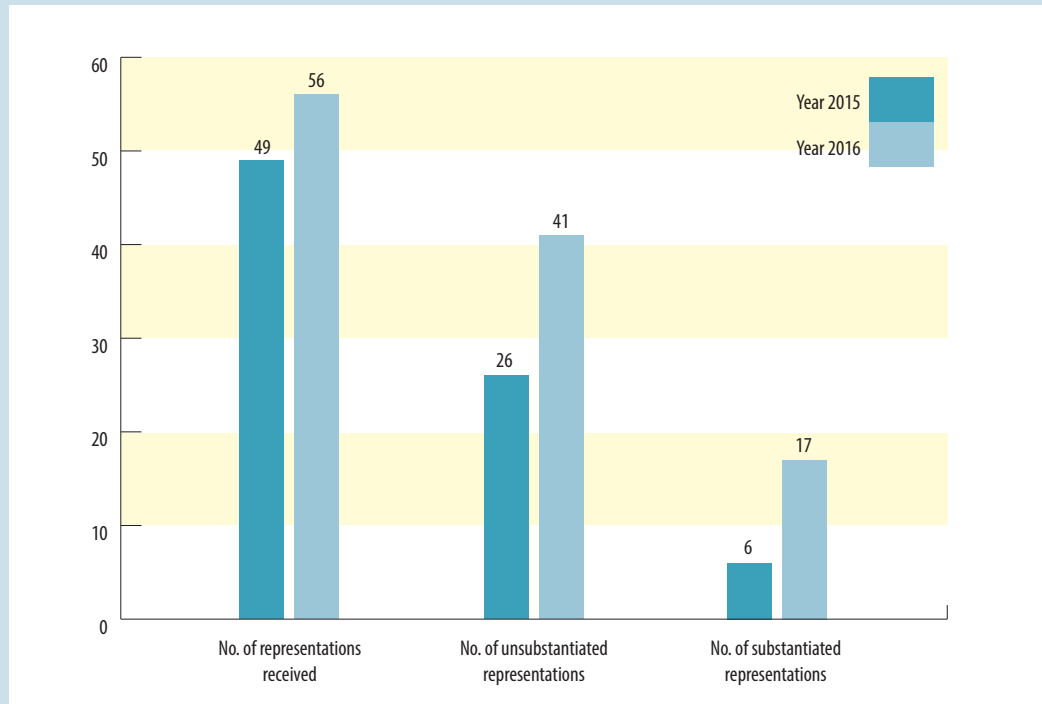
## Representations

To qualify for legal aid, applicants must pass both the means and merits tests. If anyone believes that a person should not have been given legal aid on means and/or merits, he can write to us and let us know the reasons. The Application and Processing Division is responsible for conducting review of representations against grants of legal aid on merits. Representations against grants of legal aid on means are handled by the Special Duties and Research Unit. The Department has published a leaflet to explain the investigation system and to address frequently asked questions. Please visit [http://www.lad.gov.hk/eng/documents/ppr/publication/Not\\_Happy\\_en.pdf](http://www.lad.gov.hk/eng/documents/ppr/publication/Not_Happy_en.pdf) to view the leaflet.

In 2016, the Special Duties and Research Unit received 56 representations against grants of legal aid on means and completed investigation in 58 cases. 7 cases were referred to the police for investigation as to whether any offence was committed under Section 23 of the Legal Aid Ordinance, Cap. 91, and in two cases, whether any offence was also committed under Section 18A of the Theft Ordinance, Cap. 210 and Section 36 of the Crimes Ordinance, Cap.

# Customer Services

No. of Means representations received and No. of investigation conducted in 2015 and 2016:



## LAD's Hotline Service - the Interactive Voice Response System

The previous Interactive Voice Response System (IVRS) had been in use since February 2004. To prevent the hotline service from being affected by wear and tear of the old IVRS, we started the IVRS replacement project in 2016. With the professional advice and support from EMSD, the new IVRS was launched successfully in August 2016. We would continue to do our best in providing high quality hotline service to the public.

[Back to top](#)



# Chapter 5

## Publicity Programmes

# Publicity Programmes

The Department is committed to ensure that no one who qualifies for legal aid is denied access to justice because of lack of means. Every year the Department organises or participates in various activities to enhance the public's awareness and knowledge of the legal aid services provided by the Department.

## Promotional Activities

### 2016 Law Week

As in the past, the Department sponsored and participated in the organization of the annual territory-wide event Law Week 2016, which was launched by The Law Society of Hong Kong on 17 December 2016. The Opening Ceremony held at West Kowloon Cultural District was attended by the Chief Executive Mr C Y Leung; the Honourable Chief Justice Mr Justice Geoffrey Ma; the Secretary for Justice, Mr Rimsky Yuen SC; Legislative Council Member the Honourable Mr Dennis Kwok; the Chairman of Hong Kong Bar Association, Ms Winnie Tam; the President of The Law Society of Hong Kong, Mr Thomas So; the Chairman of Law Week 2016 Organizing Committee, Ms Ann Yeung and the Director of Legal Aid, Mr Thomas Kwong.



Director of Legal Aid, Mr Thomas Kwong (second from right) officiated at the opening ceremony of Law Week 2016 at West Kowloon Cultural District on 17 December 2016. Also officiating at the opening ceremony were the Chief Executive, Mr C Y Leung (fourth from right); the Honourable Chief Justice Mr Justice Geoffrey Ma (third from left); the Secretary for Justice, Mr Rimsky Yuen SC (third from right); Legislative Council Member the Honourable Mr Dennis Kwok (second from left); the Chairman of Hong Kong Bar Association, Ms Winnie Tam (first right); the President of The Law Society of Hong Kong, Mr Thomas So (fourth from left); and the Chairman of Law Week 2016 Organizing Committee, Ms Ann Yeung (first left).

Further, the Assistant Principal Legal Aid Counsel (Civil Litigation 1), Mr Steve Wong, took part in a 40-second roller feature carrying legal aid message in the show “Talker – Kids Talk” on ViuTV. The Assistant Principal Legal Aid Counsel (Crime), Ms Nancy Keung, also participated in a 3-minute talk warning the public of the improper touting activities of claims recovery agents in the programme “On a Clear Day” which was broadcast on Commercial Radio 1. In addition, Ms Keung took part in a 40-second mini segment promoting the services of legal aid which was broadcast on Commercial Radio 1 and 2.

### Promotion of Legal Aid Services through the media

In November 2016, the Assistant Principal Legal Aid Counsel (Civil Litigation 1), Mr Steve Wong, participated in a radio programme – “Everyone’s Guide to Occupational Injuries” to offer advice to workers injured at work on how to apply for legal aid when necessary. The programme was jointly produced by Radio Television Hong Kong and the Association for the Rights of Industrial Accident Victims.



The Director of Legal Aid, Mr Thomas Kwong, also conducted a two-episode interview on Metro Radio focusing on the work and services provided by the Department in the same month.

### Promotion of Legal Aid Services to Legal Practitioners



The Department places great importance on working in partnership with the legal profession to deliver quality legal aid services to the public. To enhance the legal profession's understanding and knowledge of our services, the Director of Legal Aid, Mr Thomas Kwong, delivered a talk on the latest development in legal aid at a seminar organized by The LegCo Office of the Legislative Council Member Mr Dennis Kwok in December 2016.

### Promotion of Legal Aid Services to External Bodies/Organizations

In 2016, we met with a number of counterpart organisations from overseas and the Mainland to exchange views on issues of common interest in legal aid work and spoke on the latest development of legal aid in Hong Kong.

In January 2016, the Deputy Director of Legal Aid (Application & Processing), Mr Chris Chong and the Deputy Director of Legal Aid (Litigation), Ms Juliana OY Chan, met with Mr Wan Chun, Director of the Law and Policy Research Office, Supreme People's Procuratorate, Mainland China to discuss the provision of legal aid services in Hong Kong.



In January 2016, the Director of Legal Aid, Mr Thomas Kwong and the Deputy Director of Legal Aid (Application & Processing), Mr Chris Chong, received Ambassador Huang Huikang, Ambassador Extraordinary and Plenipotentiary of PRC to Malaysia to discuss and exchange views on judicial and legal system in Hong Kong.



# Publicity Programmes

In February 2016, the Director of Legal Aid, Mr Thomas Kwong, the Deputy Director of Legal Aid (Application & Processing), Mr Chris Chong, the Deputy Director of Legal Aid (Policy and Administration), Ms Alice Chung and the Deputy Director of Legal Aid (Litigation), Ms Juliana OY Chan, received a delegation led by Dr Wang Zhenmin, Director General of the Legal Department of the Liaison Office of the Central People's Government in Hong Kong Special Administrative Region to discuss the latest development of legal aid in Hong Kong.



In February 2016, the Deputy Director of Legal Aid (Application & Processing), Mr Chris Chong and the Deputy Director of Legal Aid (Litigation), Ms Juliana OY Chan met with Mr Xu Hong, Director-General of the Department of Treaty and Law, Ministry of Foreign Affairs of PRC to exchange the views on the legal aid services in Hong Kong.

In March 2016, the Director of Legal Aid, Mr Thomas Kwong, the Deputy Director of Legal Aid (Policy and Administration), Ms Alice Chung and the Deputy Director of Legal Aid (Litigation), Ms Juliana OY Chan received the Right Honourable Ms Beverley McLachlin, P.C., Chief Justice, Supreme Court of Canada, Canada to discuss and exchange views on the latest developments of legal aid services in Hong Kong.

In March 2016, the Director of Legal Aid, Mr Thomas Kwong and the Deputy Director of Legal Aid (Application & Processing), Mr Chris Chong met with Mr Shen Deyong, Executive Vice-President of the Supreme People's Court, China to discuss the provision of legal aid services in Hong Kong.

In December 2016, the Director of Legal Aid, Mr Thomas Kwong, the Deputy Director of Legal Aid (Application & Processing), Mr Chris Chong and the Deputy Director of Legal Aid (Litigation), Ms Juliana OY Chan received Mr Liu Zhenyu, Vice Minister of Ministry of Justice, China and his delegation to discuss and exchange views on the provision of legal aid services in Hong Kong.

## Publicity Programmes

The Department received the following delegations/groups in 2016:

<b>Mainland - Officials</b>	A group of Mainland Officials under Training Scheme in Common Law 2015/16
	Delegation of Mainland Officials from Qinghai Province
	A group of Mainland Officials from Anhui Province
	Delegation of Mainland Officials from Xinjiang Uyghur Aptonom Rayoni
	A group of Mainland lawyers and Officials from Shanghai
	Mainland Officials from Fujian Province
	Delegation of senior Chinese judges
	A group of Mainland Officials from different Justice Bureaux
<b>Mainland - Academics</b>	Delegations of over 100 Mainland Officials from Guizhou Province under various visits
	Law students from Shantou University
	Law students from South China University of Technology
<b>Local – Academics</b>	Law students from Peking University
	A group of secondary students from a local school
	Four groups of Non-Chinese Speaking students from various local secondary schools



Please visit <http://www.lad.gov.hk/eng/wnew/event.html> for the details and photos of the events.

### Reaching out to the Community

In March 2016, Legal Aid Counsel (Legal and Management Support), Miss Melody Chui, delivered a legal aid talk to members of Alliance of Self-help Groups for the Occupational Injuries and Diseases and staff from other organizations who are interested in Hong Kong's legal aid system.

Senior Legal Aid Counsel, Ms Ada Chau and Senior Legal Aid Counsel, Ms Janet Fung of Civil Litigation 2 introduced to frontline social workers of the Social Welfare Department and the Hong Kong Young Women's Christian Association on the work and services of our Department relating to family issues including divorce, maintenance and custody in April and June 2016 respectively.

In 2016, the Department joined the Post-secondary Students Summer Internship Programme, Sunnyway Programme, "Life Buddies" Mentoring Scheme, the CLAP for Youth @ JC Programme, the Pilot on Providing Career-related Experience for Non-Chinese Speaking Students in Secondary Schools organized by the Caritas Youth & Community Service's Mentorship Alliance and the Caritas Youth & Community Service's Mentorship Alliance of "Multicultural Dream Pursuit Project" (2016/17) with a view to strengthening career and life planning education for youths.

### Updating of Departmental Leaflets

To inform members of the public the new opening hours arising from five-day week operation, leaflets of "How to apply Legal Aid in Civil Cases", "How to apply Supplementary Legal Aid Scheme", "Customer Service Standards" and "Information Leaflets on Legal Aid Services in Hong Kong in other languages" as well as the guide book on legal aid services in Hong Kong were updated.

Leaflets on "Important Notice for Legally Aided Persons" series were also reprinted with the deletion of the paragraph on provision of "Drop-in Boxes" on Saturday mornings following the five-day week operation.

Other publications such as the Financial Information Sheet, which contained comprehensive information on financial eligibility, deductible personal allowances, contributions payable by an aided person towards the costs of litigation and the Director's First Charge were also revised to reflect changes implemented in 2016.

A list of publications of the Department is at [Appendix 5](#).

### Updating of Departmental Video

The TV documentary on Legal Aid Services produced in 2012 was updated to inform the public of new payment methods for making payments for contributions through bank automated teller machines or internet banking. It was shown at the Department's offices during office hours and was also uploaded onto the Department's website. The updated TV documentary in DVD format was also distributed to relevant departments and NGOs, public hospitals and public libraries for public viewing.

### Further Measures to Combat Improper Touting Activities

As a measure to further combat improper touting activities of claims recovery agents among injured workers and accident victims, the Department continued to arrange the TV documentary on anti-touting activities produced by the Department of Justice to be broadcast in three waiting areas of the Department from 1 August 2016 to 31 July 2017, including Information & Application Services Unit (IASU) of Application & Processing Division and Crime Section of Litigation Division on 25/F of Queensway Government Offices; and IASU of Kowloon Branch Office on G/F, Mongkok Government Offices. The same TV API was also broadcast at 32 venues of the Home Affairs Department including the Home Affairs Enquiry Centre in Wan Chai District Office and 31 Community Halls/Community Centres in seven Districts for the same period.

### Website

The Department regularly updates the contents of its website to provide comprehensive and timely information to the public and legal aid practitioners. In 2016, the Department continued enhancing the homepage to meet with the latest requirements of the Office of the Government Chief Information Officer.



# Chapter 6

## **Organisation, Administration and Staffing**

## Organisation, Administration and Staffing

The Department has three Divisions, namely the Application and Processing Division, the Litigation Division and the Policy and Administration Division, each headed by a Deputy Director. The organisation chart can be found at the departmental website at <http://www.lad.gov.hk/eng/ginfo/oo.html>.

### The Ombudsman Award 2016

#### Awards for Public Organisations (Grand Award)

Having previously been awarded the Grand Award of The Ombudsman's Awards in 2009 and The Ombudsman's Awards for Public Organisations in 2015, we were once again very honoured to receive the Grand Award this year. It came as a great encouragement to us to have earned The Ombudsman's recognition of our efforts in providing quality services as well as promoting a positive and impartial culture in handling complaints. Also, the Award clearly demonstrated The Ombudsman's support of our work. We would strive to provide the public with quality legal aid services with the highest standards of professional excellence and ethics.



### CS' Visit to Legal Aid Department

The then Chief Secretary for Administration, Mrs Carrie Lam, visited the Legal Aid Department on 7 September 2016 and was briefed about the work of the Department and met with our staff. The Director of Legal Aid and other senior officers shared with her the work of various divisions and the challenges they were facing. Mrs Lam also took the opportunity to tour the Policy &



Administration Division, Application & Processing Division and Litigation Division to understand better our provision of legal aid services. She was pleased to hear that the Department has been maintaining close liaison and co-operation with the legal profession to provide quality legal aid services. She encouraged our colleagues to keep up good spirit, professionalism and dedication to serve the community.

## Staffing

At the end of 2016, the Department had 528 staff members comprising 77 professional officers, 162 law clerks and 289 supporting staff which included two newly recruited Legal Aid Counsel and 12 Law Clerks.



**Ms Alice Chung Yee-ling**

*Deputy Director of Legal Aid  
(Policy and Administration)*

## Training and Development

The Department is committed to developing and maintaining a highly-motivated and professional work team to provide quality services to our customers. Every year the Department arranges various general and professional training courses for our staff of all levels to equip them with the latest knowledge and skills needed to face the challenges ahead. The Training Unit, which is headed by a Senior Training Officer, is responsible for formulating, implementing and reviewing the Department's training and development policies and plans to meet the operational and development needs of the staff.

### Professional Training

The Department organises in-house job-related training to keep our professional officers abreast of the changes and development in the relevant legislation and law. In 2016, three courses, namely, Briefing on How to Conduct Means Test, Briefing on First Charge, and Introduction to Anti-discrimination Laws in Hong Kong were organized with an attendance of 50 professional officers and 254 other staff members. In addition, the Department also sponsored 7 professional officers to attend the General Mediation Training Course and 36 professional officers to attend external seminars including Medical Mediation Scheme, Mediation Conference 2016, Statutory Interpretation in the Context of Judicial Review, Why Isn't Anyone Using the DCRVO? What Lawyers and the Judiciary Need to Know, Playground Antics? Alienation and Relocation, Family Law and Children's Rights Conference on the Modern Family, Proposed Arrangement with the Mainland on Reciprocal Recognition and Enforcement of Judgments on Matrimonial and Related Matters, Parental Responsibility: Best Interests of Children on Divorce, Children's rights and the UN Convention of the Rights of the Child and their Impact in Criminal and Administrative Law, and Competition Law.

To promote exchanges with the Mainland counterparts, two professional officers attended the Mainland Legal Studies Course at Peking University coordinated by the Department of Justice.

### Management Training Courses

To strengthen staff's management capability, the Department organized a Briefing on Performance Appraisal Report Writing for newly promoted officers. Besides, 20 professional officers attended management courses organised by the Civil Service Training and Development Institute, Civil Service Bureau (CSTD, CSB). Courses included A New Era of Crisis Communication, Dialogue in the Dark, Effective Conversation for Staff Engagement, Leading High-performance Organizations, Positive Leadership, Speak with Confidence, The 7 Habits of

# Organisation, Administration and Staffing

Highly Effective People, Practical Negotiation Skills, Presentation Skills for Occasional Speakers, Speak with Confidence: An Award-winning MC Tells you How, Building Alertness for Public Relation Issues, Enhancing Government Capacity Through Behavioural Insights.

For executive development, four professional officers were nominated to attend programmes organised by CSTDI, CSB, namely Advanced Leadership Enhancement, Leadership in Action and Innovative Leadership Programmes.

## Customer Service Training

The Department places great importance in nurturing a customer focused culture. To enhance staff's skills in delivering quality service to the public, the Department sponsored staff of different ranks to attend relevant courses held by CSTDI, CSB. In 2016, 36 staff members, including general grade staff, attended the following courses, namely, Enhancing Communication in English for Customer Service, Better Spoken English for Frontline Staff, Quality Customer Service, Complaint Management, Replying to Customer Complaints, Prevention and Resolving Customer Complaints, Effective Putonghua Telephone Skills, Effective Putonghua for Quality Service, EQ and AQ for Customer Service, Telephone Skills for Customer Service, Prevention, Being Confident in Handling Aggression, Handling Difficult Customers and Confrontational Situations, and Understanding and Responding to Verbal Violence.

## Staff Well-being and General Training

The Department is committed to promoting staff well-being. In 2016, two in-house classes on Mindful Drawing in Managing Stress were held, with an attendance of 46 staff members. Besides, the Department also nominated staff to attend courses organised by CSTDI, CSB. The courses included Enhancing Wellness Through the Chinese Medicine System, Mastering Mind at Work, Managing Emotions for Happiness, Building Resilience and Facing Change and Work Stress Management.

To raise the awareness of staff in upholding civil service core values, the Department organised two workshops on Conflict of Interests and Supervisory Accountability respectively. A total of 150 staff members, including 39 professional officers, attended the workshop.

Meanwhile, 104 staff members were nominated to attend courses and seminars organised by the CSTDI, CSB and other government departments on a wide range of topics such as Records Management, Stores Regulations, Occupational Safety, First Aid, Civil Service Values and Integrity, Basic Law, Putonghua, Knowledge Management, Official Writing, Performance Management System, Gender Awareness, Employment Ordinance, Information Technology and Chinese Classics & Culture.

# Organisation, Administration and Staffing

Regarding National Studies training, seven professional officers attended programmes held at the Tsinghua University, Nanking University, Zhejiang University and Jinan University respectively.

## Promoting Self-Learning and Development: In-house Learning Resource Centre

To cultivate the culture of continuous self-learning, the Department maintains a comprehensive collection of books available to our staff. The collection covers a wide range of topics including general management, communication, use of language, national studies, personal development, positive thinking, stress management and healthy lifestyles. Every year, new books are added to the Learning Resource Centre to further enrich the collection.

To facilitate easy access to self-learning materials by staff, resources on IT tips, use of Chinese as well as reference materials of training courses were uploaded onto the departmental portal. Staff also have direct access to CLC Plus, the e-learning portal for all civil servants, which contains a variety of self-learning resources, toolkits and job aids on management, language, Basic Law, communication, information technology, etc. As at the end of 2016, 247 staff members have registered as CLC Plus users.

## Information Systems

The Department places great importance on its IT infrastructure and office automation facilities. To provide prompt and efficient legal aid services to the public, network infrastructure for 2 sub-offices of LAD and office automation facilities in all LAD offices were revamped by the end of 2016.

The Department's Case Management and Case Accounting System (CM&CAS) supports over 500 staff users in handling day-to-day legal aid business processes such as processing applications, monitoring assigned out cases and handling legal aid payments.

The Legal Aid Electronic Services Portal (LAESP), which was launched in 2008, provides an online gateway through which members of the public and Panel lawyers can gain access to information and transact certain legal aid business with the Department online.

Members of the public can access the LAESP to download and submit legal aid Pre-application Information forms to the Department as a first step towards making an application for legal aid. The means test calculator and its mobile version, which provide potential applicants a preliminary assessment of their financial eligibility for legal aid, had 5552 and 6630 hits in 2016 respectively.

# Organisation, Administration and Staffing

In addition to Case Report Form and Fees Report Form, solicitors assigned with criminal legal aid cases can submit Bill of Costs by electronic means via LAESP commencing from September 2016. Taking into account the technological development, the Department has upgraded the operating system, hardware and software of the LAESP in early 2016.

To provide an alternative and more convenient means for government officers and legal practitioners including the Department's staff to pay officials visits to Persons in Custody detained in Lai Chi Kok Reception Centre (LCKRC), a Remote Official Visit System (ROVS) in LCKRC was launched in May 2016. With the ROVS, video interview of legal aid applicants detained in LCKRC by the Department's staff can be conducted timely and conveniently within the Department's designated location.

To enhance efficiency and to create an environmentally friendly workplace, the Electronic Application for Time-off for Medical Treatment / Examination / Consultation was launched in November 2016.



**Ms Doris Lui Wai-lan**

*Assistant Director of Legal Aid  
(Policy & Development)*

## Staff Relations and Communication

The Department maintains effective communication with staff through regular meetings with various staff representative bodies such as the Departmental Consultative Committees, the Law Clerks Association and the Legal Aid Counsel Association. Resulting from the discussions at these meetings, improvements have been made concerning office accommodation, streamlining of working procedures, indoor air quality and human resources planning, etc.

# Organisation, Administration and Staffing

The Director of Legal Aid visited each section throughout the year with a view to exchanging ideas with staff of all levels including professional officers and receiving their views on work arrangements and procedures for further review and improvement. Divisions/Sections continued to implement their respective internal communication strategies in consultation with staff. Informal meetings were also held between the Deputy Director of Legal Aid (Policy and Administration) and Senior Law Clerks I and II and general grades staff regularly to collect their views on work and to explore areas for improvement.

## Staff Suggestions Scheme

Staff Suggestions Scheme has been launched to encourage colleagues to make suggestions to the Department. It aims to facilitate the improvement and streamlining of the Department's operation and management, promote Department's image, arouse staff morale and occupational safety, thereby enhancing work efficiency. Our colleagues provided many useful and practical suggestions such as mini thank-you cards, e-fax, conference room e-booking system, regular health tips to colleagues, etc. The suggestions were carried out in the Department accordingly.

## Staff Welfare

The Department values the general well-being of its staff. The objective of the Staff Club, which was formed in 1988, is to promote staff welfare by organising a wide range of activities and to provide opportunities where staff can meet and interact whilst engaging in relaxing and enriching activities.



# Organisation, Administration and Staffing

To provide staff with opportunities to keep a healthy balance between work and relaxation, Yoga classes were held regularly. Recreational activities including the Annual Dinner, badminton competition and mini bazaars to celebrate Chinese New Year, Dragon Boat Festival and Mid-Autumn Festival were also held. Interest classes such as dessert making and bakery classes proved to be very popular among staff.

During the year, the Volunteer Service Group, which was formed in 2002, and aimed to encourage staff to get involved in volunteer services, participated in various fund raising activities such as the Rice Selling Campaign organised by Oxfam Hong Kong, Day Fund Raising Campaign organised by Medecins Sans Frontieres, World Sight Day organised by ORBIS Hong Kong and the Chinese New Year Gift Transfer Program organised by St James' Settlement (People's Food Bank). 20 pieces of winter clothing were also donated to St James' Settlement. It was worth mentioning that the Department attained the Top Fund-raiser and the Highest Per Capita Contribution Award in the Civil Service Category of Dress Casual Day organized by The Community Chest in 2016.



## Environmental Initiatives

The Department is committed to ensuring its operations and activities are conducted in an environmentally responsible manner. The Department makes efforts to minimise waste, conserve energy, promote "reuse" and "recycle" of resources and enhance staff awareness and participation in protecting the environment.

# Organisation, Administration and Staffing

The Department undertakes regular reviews to ensure that the use of its resources is in an efficient and green manner. Details of the Department's environmental initiatives in 2016 can be found in the Department's Environmental Report at the departmental website <http://www.lad.gov.hk/eng/ppr/publication/enr.html>

## Internal Audit

The Internal Audit Section (IAS) is an independent team established to assist management to ensure that adequate control procedures and systems are in place to safeguard the Department's assets. It also carries out reviews of the various activities of the Department in order to ensure an economical, efficient and effective use of the Department's financial, human and other resources.

During the year, IAS reviewed the use of purchasing cards. It also carried out audits on the use of the Integrated Registration Information System provided by the Land Registry for conducting land searches in legal aid cases and performed periodical checks on means investigation reports, petty cash, imprest, etc.

## Support Service to the Legal Aid Services Council

Legal Aid Services Council ("the Council") is a statutory body set up under the Legal Aid Services Council Ordinance, Cap. 489 to oversee the provision of legal aid services. The Council is responsible for advising the Chief Executive on matters of policy relating to legal aid. The Council is chaired by a non-official who is not a professional lawyer. There are a total of 10 members comprising the Director of Legal Aid, representatives of the two legal professional bodies and lay members chosen from other fields. Representatives of the Department attend meetings of the Council and its working party and participate in its activities in promoting public awareness and understanding of the role of the Council and its relationship with the Department.

During the year, the Department provided the Council with regular progress reports and information on different aspects of legal aid services, such as the Review of criminal legal aid fees, information relating to the expansion of the Supplementary Legal Aid Scheme and assignment of lawyers. With the support from the Council, starting from this year more statistics on assignment of legal aid cases and legal aid budget were included in the Annual Report to enhance the operational transparency of the Department.



# Appendices

# Revenue and Expenditure

## Revenue

		2015-16 (\$M)	2016-17 (\$M)
1	Criminal cases	2.9	2.9
2	Civil cases In-house Assigned-out	15.2 262.6	12.7 323.0
3	Official Solicitor	23.5	1.9
4	Supplementary Legal Aid Scheme Legal costs Administration fee	0.4 3.4	0.6 4.0
<b>Total</b>		<b>308.0</b>	<b>345.1</b>

## Expenditure by Items

		2015-16 (\$M)	2016-17 (\$M)
1	Personal Emoluments	268.1	274.0
2	Personnel Related Expenses	8.3	10.0
3	Departmental Expenses	15.5	17.6
4	Legal Aid Costs (for both in-house and assigned-out cases) Civil Criminal	452.8 115.4	583.0 138.8
5	Plant, Equipment and Works	0.4	0.2
<b>Total</b>		<b>860.5</b>	<b>1,023.6</b>

## Expenditure by Programmes

		2015-16 (\$M)	2016-17 (\$M)
1	Processing of Legal Aid Applications	102.5	107.4
2	Litigation Services	703.0	859.8
3	Support Services	40.4	41.8
4	Official Solicitor's Office	14.6	14.6
<b>Total</b>		<b>860.5</b>	<b>1,023.6</b>

# Revenue and Expenditure

## Analysis of Expenditure for Civil Cases by Types of Cases

Types of Cases	2015-16	2016-17
Matrimonial Cases	16.1%	16.9%
Misc. Personal Injuries	30.6%	34.2%
Employees' Compensations	12.1%	10.5%
Running Down	8.1%	8.1%
Immigration Matters	2.6%	1.6%
Land & Tenancy Disputes	6.9%	6.0%
Wage Claims	0.2%	0.1%
Miscellaneous	23.4%	22.6%
<b>Total</b>	<b>100%</b>	<b>100%</b>

## Analysis of Expenditure for Criminal Cases by Types of Cases

Types of Cases	2015-16	2016-17
Hearings in District Court	49.0%	51.0%
Hearings in Court of First Instance	42.7%	39.8%
Appeals from Magistrates' Courts	1.7%	1.9%
Appeals from District Court	1.6%	1.8%
Appeals from Court of First Instance	3.1%	2.8%
Appeals in Court of Final Appeal	1.9%	2.7%
<b>Total</b>	<b>100%</b>	<b>100%</b>

# Revenue and Expenditure

## Legal Aid Budget

Financial Year*			2015-16	2014-15	2013-14
Total Approved Estimate(\$'000)		A	861,101	849,341	843,715
Index A (2013-14=100)			102.1	100.7	100.0
Actual Operating Expenses (\$'000) (Note 1)		B	291,902	282,075	270,776
Index B (2013-14=100)			107.8	104.2	100.0
Actual Legal Aid Costs (\$'000)	Civil	C	452,800	445,935	463,468
	Criminal	D	115,373	121,072	107,264
Index C+D (2013-14=100)			99.6	99.3	100.0
Capital Expenditure (\$'000)		E	461	0	0
(Over-spending) / Underspending (\$'000) (Note 2)		F=A-B-C-D-E	565	259	2,207
% of (Over-spending) / Underspending		F/A	0.10%	0.00%	0.30%

Note : 1. Operating Expenses cover expenditure for personal emoluments, personnel related expenses and departmental expenses.

2. Underspending will not be accumulated to carry forward to the next financial year.

\*In Hong Kong, the government's financial year runs from 1 April to 31 March.

# Revenue and Expenditure

## Supplementary Legal Aid Fund - Income and Expenditure Account

Note 1 Note 2

	For the year ended 30 September 2015 (\$)	For the year ended 30 September 2016 (\$)
<b>Income</b>		
Application fees	79,594	60,040
Percentage contributions	5,130,409	5,227,866
Interest income	2,673,859	2,701,046
	7,883,862	7,988,952
<b>Less : Expenditure</b>		
Administration fee	3,382,656	3,992,492
Bank charges	345	325
Cash transportation services charges	-	15,080
Electronic payment services charges	74	138
Expenses for interpretation services	574	574
Legal costs and expenses for finalised cases		
Successful litigation		
- costs to opposite parties	-	-
- other disbursements	46,769	-
	46,769	-
Unsuccessful applications	244,284	139,964
Unsuccessful litigation		
- costs to opposite parties	537,158	-
- other disbursements	1,352,610	-
	1,889,768	-
	5,564,470	4,148,573
Surplus for the year	2,319,392	3,840,379

Notes : 1. The financial year of the Supplementary Legal Aid Fund runs from 1 October of one year to 30 September of the following year.

As at 30 September 2016, the net assets of the Supplementary Legal Aid Fund were increased by \$3,840,379 to \$192,962,984.

2. Auditors' Report for the statement of account for the year ended 30 September 2016 has not yet been issued.

[Back to top](#)

## Findings of the Survey on Customer Feedback

### Overall Satisfaction Rate

	2015	2016
<b>Application Services</b>		
Application and Processing / Headquarters	100%	99%
Kowloon Branch Office	99%	98%
Insolvency Unit	98%	96%
Crime Section	100%	100%
<b>Litigation – Mid-Litigation Stage</b>		
In-house Litigation of Family / Matrimonial Cases	99%	98%
In-house Litigation of Personal Injuries Cases	100%	92%
Cases handled by Assigned Solicitors	96%	96%
<b>Litigation – Conclusion Stage</b>		
In-house Litigation of Family / Matrimonial Cases	100%	97%
In-house Litigation of Personal Injuries Cases	100%	98%
Cases handled by Assigned Solicitors	87%	86%

### (A) Application Service (Means Test and Merits Test)

	Application and Processing / Headquarters		Kowloon Branch Office		Insolvency Unit		Crime Section	
	2015	2016	2015	2016	2015	2016	2015	2016
Response Rate	99%	99%	93%	97%	100%	100%	100%	100%
Overall Satisfaction	4.48	4.52	4.64	4.51	4.75	4.52	4.60	4.49
Convenience (e.g. LAD hotline or pamphlet is easily accessible, user-friendly, etc.)	5.00	4.39	4.11	4.15	4.62	4.30	4.46	4.42
Service Manner (Staff manner)	4.60	4.63	4.71	4.61	4.78	4.61	4.68	4.58
Service Efficiency (e.g. in means / merits testing, etc.)	4.44	4.46	4.23	4.44	4.77	4.50	4.66	4.63
Clear Information (Whether information given is clear)	4.83	4.44	4.26	4.27	4.76	4.47	4.33	4.37
Procedure (Date of interview fixed)	4.76	4.47	4.47	4.30	4.75	4.55	4.61	4.57

Satisfaction level ranges from the min. 1 to max. 5 (Very satisfied = 5; Satisfied = 4; Average = 3; Dissatisfied = 2; Very Dissatisfied = 1)

# Findings of the Survey on Customer Feedback

## (B) Litigation – Mid-Litigation Stage

	In-house Litigation of Family / Matrimonial Cases		In-house Litigation of Personal Injuries Cases		Cases handled by Assigned Solicitors	
	2015	2016	2015	2016	2015	2016
Response Rate	100%	99%	100%	100%	26%	23%
Overall Satisfaction	4.64	4.65	4.60	4.50	4.57	4.59
Convenience (Easy to contact lawyer / staff)	4.65	4.60	4.67	4.75	4.62	4.66
Service Manner (Staff manner)	4.76	4.74	4.67	4.71	4.66	4.69
Clear Information (Whether information given is clear)	4.60	4.54	4.50	4.46	4.49	4.51
Procedure (Client informed of progress / procedure of the case)	4.63	4.62	4.53	4.58	4.50	4.54

Satisfaction level ranges from the min. 1 to max. 5 (Very satisfied = 5; Satisfied = 4; Average = 3; Dissatisfied = 2; Very Dissatisfied = 1)

## (C) Litigation – Conclusion Stage

	In-house Litigation of Family / Matrimonial Cases		In-house Litigation of Personal Injuries Cases		Cases handled by Assigned Solicitors	
	2015	2016	2015	2016	2015	2016
Response Rate	100%	100%	83%	86%	19%	22%
Overall Satisfaction	4.64	4.51	4.69	4.71	4.23	4.26
Convenience (Easy to contact lawyer / staff)	4.54	4.50	4.65	4.73	4.34	4.34
Service Manner (Staff manner)	4.69	4.60	4.76	4.82	4.38	4.39
Clear Information (Whether information given is clear)	4.54	4.39	4.63	4.66	4.16	4.20
Result (Outcome)	4.55	4.53	4.55	4.67	4.19	4.22
Procedure (Client informed of progress / procedure of the case)	4.59	4.43	4.75	4.71	4.15	4.23

Satisfaction level ranges from the min. 1 to max. 5 (Very satisfied = 5; Satisfied = 4; Average = 3; Dissatisfied = 2; Very Dissatisfied = 1)

[Back to top](#)

# Director of Legal Aid and Section Heads (as at 31 December 2016)

Director of Legal Aid	Mr Thomas Edward Kwong
Deputy Director of Legal Aid (Policy and Administration)	Ms Alice Chung Yee-ling
Deputy Director of Legal Aid (Application and Processing)	Mr Chris Chong Yan-tung
Deputy Director of Legal Aid (Litigation)(Acting)	Ms Juliana Chan Oi-yung
Assistant Director of Legal Aid (Application and Processing)	Ms Mo Yuk-wah
Assistant Director of Legal Aid (Litigation)	Ms Sherman Cheung Suk-ying
Assistant Director of Legal Aid (Policy & Development)(Acting)	Ms Doris Lui Wai-lan
Assistant Principal Legal Aid Counsel/ Application and Processing (1)	Miss Ada Wong Yiu-ming
Assistant Principal Legal Aid Counsel/ Application and Processing (2)	Ms Amy Lee Ngar-ling
Assistant Principal Legal Aid Counsel (Kowloon Branch Office)	Ms Tse Sze-fong
Assistant Principal Legal Aid Counsel (Civil Litigation 1)	Mr Steve Wong Yiu-fai
Assistant Principal Legal Aid Counsel (Civil Litigation 2)	Mr Li Chi-keung
Assistant Principal Legal Aid Counsel (Crime) (Acting)	Ms Nancy Keung Mei-chuen
Assistant Principal Legal Aid Counsel (Legal and Management Support)	Mrs Christina Hadiwibawa Cheung Ying-man
Departmental Secretary	Ms Eileen Fan Wai-ling
Departmental Accountant	Ms Iris Lam Nga-yue

# Address and Communication

Headquarters	
<p>24/F to 27/F Queensway Government Offices 66 Queensway Hong Kong</p> <p>Tel : 2537 7652 (Civil Litigation) 2867 3067 (Criminal Litigation) Fax : 2537 5948</p>	<ul style="list-style-type: none"> <li>• Application and processing of civil and criminal cases</li> <li>• Criminal litigation</li> <li>• Civil litigation               <ul style="list-style-type: none"> <li>- Personal injury litigation</li> <li>- Enforcement of court orders</li> </ul> </li> <li>• Legal and management support</li> <li>• Policy and administrative support</li> </ul>
Hong Kong Sub-office	
<p>30/F Revenue Tower 5 Gloucester Road Wanchai, Hong Kong</p> <p>Tel : 2537 7677 Fax : 2537 5960</p>	<ul style="list-style-type: none"> <li>• Family and insolvency litigation</li> </ul>
Kowloon Branch Office	
<p>G/F, 3/F &amp; 4/F Mongkok Government Offices 30 Luen Wan Street Mongkok, Kowloon</p> <p>Tel : 2399 2544 Fax : 2397 7475</p>	<ul style="list-style-type: none"> <li>• Application and processing of civil cases</li> </ul>
<p>24-hour Telephone Enquiry Service : 2537 7677 Email : <a href="mailto:ladinfo@lad.gov.hk">ladinfo@lad.gov.hk</a> Website : <a href="http://www.lad.gov.hk">http://www.lad.gov.hk</a></p>	

## List of Publications

1.	香港法律援助服務指南 Guide to Legal Aid Services in Hong Kong	繁/簡/English
2.	顧客服務標準 Customer Service Standards	繁/簡/English
3.	怎樣申請－尋求法律服務 How to Apply Legal Services	繁/簡/English
4.	怎樣申請民事訴訟的法律援助 How to Apply Legal Aid in Civil Cases	繁/簡/English
5.	怎樣申請刑事訴訟的法律援助 How to Apply Legal Aid in Criminal Cases	繁/簡/English
6.	怎樣申請法律援助輔助計劃 How to Apply Supplementary Legal Aid Scheme	繁/簡/English
7.	怎樣計算你的財務資源及分擔費 How Your Financial Resources and Contribution are Calculated	繁/簡/English
8.	財務資料一覽表 Financial Information Sheet	繁/簡/English
9.	法律援助訴訟的分擔訟費及法律援助署署長的第一押記 Contribution towards Costs of Legal Aid Case and Director of Legal Aid's First Charge	繁/簡/English
10.	法援通訊 LAD News	繁/English
11.	受助人須知（申請及審查科） Important Notice for Legally-Aided Persons (Application & Processing Division)	繁/簡/English
12.	受助人須知（人身傷害訴訟） Important Notice for Legally-Aided Persons (Personal Injuries Litigation)	繁/簡/English
13.	受助人須知（家事訴訟） Important Notice for Legally-Aided Persons (Family Litigation)	繁/English
14.	受助人須知（清盤破產訴訟） Important Notice for Legally-Aided Persons (Insolvency Litigation)	繁/English
15.	受助人須知（刑事組） Important Notice for Legally-Aided Persons (Crime Section)	繁/簡/English
16.	便覽－法援婚姻訴訟個案家事調解計劃 Fact Sheet – Mediation in Legally Aided Matrimonial Cases	
17.	便覽－民事法援案件（非婚姻訴訟）調解計劃 Fact Sheet – Mediation in Legally Aided Non-Matrimonial Civil Cases	
18.	便覽－關於離婚法律程序的資料 Fact Sheet – Information on Divorce Proceedings	
19.	離婚法律程序流程表 Flowchart for Divorce Proceedings	

## List of Publications

20.	概要－緊急申請須知 Fact Sheet – Urgent Applications – What You Need to Know	
21.	概要－有關管養權聆訊的資料 Fact Sheet – Information on Custody Hearing	
22.	概要－離婚後應注意事項 Fact Sheet – Post Divorce Matters which Warrant Attention	
23.	便覽－僱員補償申索 Fact Sheet – Employees’ Compensation Claim	
24.	僱員補償個案的主要程序流程表 Flowchart of Major Steps in a Typical Employees’ Compensation Claim	
25.	便覽－人身傷亡申索 Fact Sheet – Personal Injury Claim	
26.	人身傷亡個案的主要程序流程表 Flowchart of Major Steps in a Typical Personal Injury Claim	
27.	便覽－海員欠薪申索 Fact Sheet – Seamen’s Wages Claim	
28.	海員欠薪個案的主要程序流程表 Flowchart of Major Steps in a Typical Seamen’s Wages Claim	
29.	便覽－醫療疏忽申索 Fact Sheet – Medical Negligence Claim	
30.	醫療疏忽個案的主要程序流程表 Flowchart of Major Steps in a Typical Medical Negligence Claim	
31.	香港法律援助服務小冊子 (孟加拉語、印尼語、尼泊爾語、印度語、旁遮普語、菲律賓語、泰米爾語、泰語、巴基斯坦語、越南語) Information Leaflet on Legal Aid Services in Hong Kong (Bengali, Indonesian, Nepali, Hindi, Punjabi, Tagalog, Tamil, Thai, Urdu, Vietnamese versions)	
32.	不滿某人獲批法援可怎麼辦? Not Happy that Someone is Given Legal Aid Can Anything be Done?	繁/簡/English

## Other Publications

1.	法律援助署年報 LAD Departmental Report	繁/簡/English
2.	環保報告(只提供網上版本) Environmental Report (web version only)	繁/English