

Foreword

2020 was an unprecedented and incredibly challenging year for everyone. The persisting COVID-19 pandemic had made deep impact on all sectors, and Legal Aid Department was no exception. Despite many uncertainties brought by the pandemic, the Department continued to face the challenges and difficulties in positive manner. We successfully adjusted some of our services and provided the essential ones to the public during the periods of special work arrangements when the community was severely impacted by the pandemic. We introduced video conferencing solutions so that urgent interviews with applicants could be conducted online during the pandemic. We fully appreciated that the livelihood of many sectors, including that of the legal profession, which had been facing big challenges during these extraordinary times. Special arrangements were implemented to expedite settlement of interim and final payments of fees to counsel and solicitors without compromising financial prudence at the early stage of the pandemic to ease pressure on their cash flow.



Thomas Edward Kwong
Director of Legal Aid

Amidst the pandemic challenges, the Department strove to deliver quality legal aid services throughout 2020. My colleagues continued to maintain the highest standards of professional excellence and ethics to meet the ever-changing needs of the community. It is my pleasure to present to you the Annual Report 2020 of the Legal Aid Department which summarizes the efforts made by my dedicated colleagues in delivering another year of professional and quality public service. I hope you will enjoy reading this Report.

Serving the Community

We attached great importance to actively promote our legal aid services to different sectors of the community through various publicity channels. For instance, we launched a brand-new Television Announcement in the Public Interest (TV API) and its corresponding radio APIs entitled “All are equal before the law” in January 2020. Through the APIs, we conveyed the key message that any person with reasonable grounds to pursue or defend legal actions in the courts of Hong Kong would not be denied access to justice because of a lack of means. It was also emphasised that, any person, regardless of residence or nationality, who had passed the means test and the merits test would be eligible for legal aid. We broadcast the APIs at local TV and radio channels, as well as the official websites of the Legal Aid Department and the Information Services Department throughout 2020. We also produced a theme poster for the APIs for publicity purpose.

Our professional officers hosted talks on the work and services of the Department relating to family issues such as divorce, maintenance, child custody and guardianship of minor for social workers and frontline staff from Social Welfare Department and / or non-governmental organizations in January and October 2020. Our professional officers also hosted a talk for members of a trade union in July 2020 to introduce legal aid services relating to claims for employees’ compensation and personal injuries at work.

Apart from publicity through these traditional channels, our professional officers also participated as volunteers from 31 October to 1 November 2020 in the “Free Legal Advice Programme” of the Law Week 2020. The Programme was organized by the Law Society of Hong Kong and sponsored by the Department. Our colleagues manned the Department’s booth and answered public enquiries on issues relating to legal aid services during the event, which was well received by the public. One of our professional officers also participated in the production of a short video for Law Week 2020 introducing legal aid services and the work of the Department.

We will continue to connect with different sectors of the community through various publicity platforms in the future.

Quality Service to the Public

The Department has committed to providing quality customer-oriented legal aid services. We strive to ensure that all those who fulfils the means test and have reasonable grounds for pursuing or defending a legal action in the courts of Hong Kong will not be denied access to justice due to a lack of means. To further enhance the public's access to legal aid, the Legislative Council passed a resolution in June 2020 to increase the financial eligibility limits ("FELs") for legal aid applicants under the Ordinary Legal Aid Scheme and Supplementary Legal Aid Scheme to \$420,400 and \$2,102,000 respectively. In addition, the Legislative Council passed another resolution in June 2020 to amend the rate of maintenance payments exempted from the Director of Legal Aid's First Charge by adjusting the amount upwards from \$4,800 to \$9,100 per month; and the amount by which the moneys retained by the Director of Legal Aid might be reduced in cases of serious hardship by adjusting the amount specified in section 19B(1)(a) of Cap. 91 upwards from \$57,400 to \$108,850. These initiatives which took effect on 26 June 2020, were introduced for the benefit of legal aid applicants and recipients.

Enhancement of Information Systems

The Department always endeavours to explore different options to enhance operational efficiency. We have been processing legal aid applications, assigning lawyers, monitoring assigned-out cases, conducting litigation, billing information for accounting, etc. using the Case Management and Case Accounting System (CM&CAS) and generating management reports through the Knowledge Support System (KSS) for years. To ensure the systems could meet our operational requirements, we engaged a consultant in 2018 to conduct a feasibility study on revamping the two systems with a view to enhancing the overall operational efficiency of the Department and strengthening our communication with our stakeholders.

The consultant has completed the study in October 2020 and made detailed recommendations on revamping the systems. We have accepted the recommendations and would submit a comprehensive proposal to revamp the CM&CAS and KSS to the Legislative Council Panel on Administration of Justice and Legal Services ("AJLS Panel") in the first quarter of 2021. We target to seek funding approval for the proposed revamp from the Finance Committee after obtaining support from members of the AJLS Panel.

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Visit by the Chief Secretary for Administration

The Chief Secretary for Administration (“CS”) paid a visit to the Department in early March 2020 to learn more about the anti-epidemic precautionary measures adopted by the Department during the initial outbreak of the COVID-19 pandemic. When touring various sections of the Department, CS discussed with some of our staff members to ascertain the provision of protective equipment and the difficulties they encountered during the pandemic. He was pleased to know that the Department had procured sufficient stock of surgical masks and sanitizers for distribution to our staff to cope with their operational needs. He also encouraged our colleagues to continue to deliver quality legal aid services with dedication and perseverance despite the great challenges during the pandemic.

Awards on our Professional Service

Our colleagues are committed to serve the community with professional excellence at all times. They continued to excel in achieving exemplary performance in customer service and complaints handling in 2020 despite facing unprecedented challenges. Two staff members were presented The Ombudsman’s Awards 2020 for Officers of Public Organisations for their professionalism in handling complaints, as well as their proactive and responsive attitude towards the investigation of complaints by the Office of The Ombudsman. These distinguished awards were solid recognition to their excellence in handling complaints and great efforts made in delivering quality public service over a sustained period of time. I am proud of their exceptionally meritorious performance and persistence in demonstrating our core values of commitment, professionalism, teamwork, caring and responsiveness in their daily work.

Looking Ahead

2020 has marked the 50th anniversary of the establishment of the Legal Aid Department. It was a milestone in the development of the legal aid services in Hong Kong. An Organizing Committee comprising the senior management of the Department was formed to steer and oversee the launching of a series of celebratory events from 2020 to 2021, including the launching ceremony, roving exhibition, production of TV documentary, commemorative publication and thematic website, etc. Production and co-ordination work for the celebratory events have been in the pipeline. However, due to the severity of the COVID-19 pandemic in 2020, the launching ceremony to be attended by guests and the roving exhibition expected to attract substantial public engagement have been rescheduled to the first half of 2021. In the meantime, I sincerely hope that our stakeholders, colleagues and members of the public would continue to support our work in delivering professional legal aid services and upholding the rule of law. Stay tuned for more details on the celebration of the 50th anniversary.

2020 has been another productive year. I would like to express my deepest gratitude to the Legal Aid Services Council, the legal profession, our stakeholders and the Chief Secretary for Administration's Office for their valuable advice and seamless collaboration with the Department throughout the year, without which our success and achievement would not have been possible. I also want to take this opportunity to extend my heartfelt gratitude for the excellent support rendered to me by all my colleagues in the Department during the extraordinary and difficult times in 2020.

Looking ahead, the COVID-19 pandemic has not yet ended and we expect the near future will be full of challenges and volatility. Let's act in unity with the community. I am confident that Hong Kong will eventually get through the pandemic and gradually restore to normality.

Thomas Edward Kwong
Director of Legal Aid