

2020

法律援助署年報 LEGAL AID DEPARTMENT ANNUAL REPORT

50
ANNIVERSARY
LEGAL AID DEPARTMENT
法律援助署五十周年



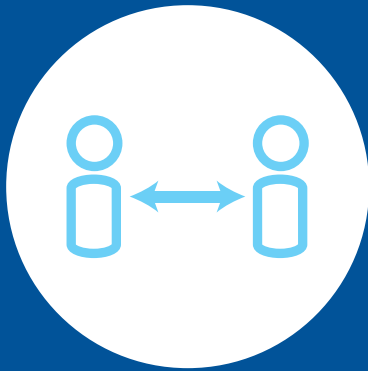
法律援助署
Legal Aid Department





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

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.

Thomas Edward Kwong
Director of Legal Aid



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

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Chapter 1

Departmental Strategic Plan



Chapter 1 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.

Implementation of the Strategic Plan in 2020

Information System

In 2019, the consultant of the Department Information Technology Plan (DITP) carried out an in-depth study of the Department's operating system with a view to exploring the application of information technology in supporting the business objective and needs of the Department. An important aspect of the consultant's works was to undertake a feasibility study with a view to mapping out the way forward in revamping the existing Case Management and Case Accounting System (CM&CAS). The CM&CAS, which was developed in August 2003, is a core operating system on which the Department relies heavily on its day to day operation. With the advance of IT technology in the past 17 years, there is an urgent and crucial need to revamp the CM&CAS so as to bring it in pace with new business requirements. After completion of the consultancy study in October 2020, the Department has proceeded to assess the technical and operational feasibility of solutions, quantify the requirements, costs, benefits and determine the implementation schedule of the recommendations. This is a major IT project of the Department and the new system is expected to be rolled out by mid-2025.

Under the Judiciary's Information Technology Strategy Plan (ITSP), an integrated court case management system (iCMS) will be implemented in phases to streamline and standardize the electronic court processes across different levels of courts. The Department, being an important stakeholder of the Judiciary's ITSP, has been invited to participate in a pilot run in 2021 before the implementation of the iCMS.

Customer Services

The Department planned to acquire necessary hardware and software to allow interview with applicants and aided persons to be conducted on-line. Tentatively, various sections would be allocated with iPads in the first quarter of 2021 with which they could use to conduct

on-line interview as required. Before the start of the interview, applicants or aided persons would be sent a link through which they could get connected with our staff in a secured environment. As on-line interview would save time and traveling expenses for applicants and aided persons, it would be welcomed by them, especially during worsened epidemic condition.



*(Rear row from left) Ms Juliana Chan Oi-yung, Mr Chris Chong Yan-tung
(Front row from left) Mr Thomas Edward Kwong, Ms Mo Yuk-wah*



*(Rear row) Ms Christina Hadiwibawa Cheung Ying-man
(Front row from left) Mr Chris Chong Yan-tung, Mr Steve Wong Yiu-fai*



*(From left) Ms Jenny Leung Ping-ching, Ms Amy Lee Ngar-ling,
Miss Ada Wong Yiu-ming*



*(From left) Miss Doreen Chan Dao-kit, Ms Nancy Keung Mei-chuen,
Ms Juliana Chan Miu-kuen*



*(Rear row) Mr Jason Chan Mau-kwan
(Front row from left) Mr Chris Chong Yan-tung, Mr Thomas Edward Kwong*



(From left) Ms Mo Yuk-wah, Mr Ben Li Chi-keung



(From left) Ms Juliana Chan Oi-yung, Ms Doris Lui Wai-lan

Publicity

This year, the Department launched a Television Announcement in the Public Interest (TV API) on legal aid services and its corresponding radio API. The APIs were broadcast on local TV and radio channels. In addition, the TV API was also uploaded to the Department's website and the Information Services Department. Members of the public can click the hyperlink of [“All are equal before the law”](#) and watch the video.

Due to the onset of COVID-19, the Department had suspended receiving delegates from outside bodies in 2020. However, we continued to deliver a number of talks to promote public understanding of legal aid services. In January, we hosted a talk for about 20 social workers and frontline staff of Po Leung Kuk Tsui Lam Centre to introduce them the work and services of the Department in respect of family matters such as divorce, maintenance, custody and guardianship. Another talk was delivered for the Hong Kong Federation of Trade Unions in July with particular focus on employees' compensation and personal injuries claims. In October, we hosted another talk for the Social Welfare Department introducing legal aid services on family matters. All these talks were well received and feedback from the audience was very positive.

The Department also actively engaged with our stakeholders to promote public understanding of legal aid services. A number of professional officers participated in the Free Legal Advice Programme organized by the Law Society of Hong Kong as one of the events for the Law Week 2020. Our professional officers manned the Department's booth at the venue and answered questions and enquiries on issues relating to legal aid. In addition, a professional officer had also taken part in the production of a short legal tips video which aimed to promote legal aid services and works of the Department. The video was broadcast on the Law Society's website and its YouTube channel.

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Chapter 2

Legal Aid Services



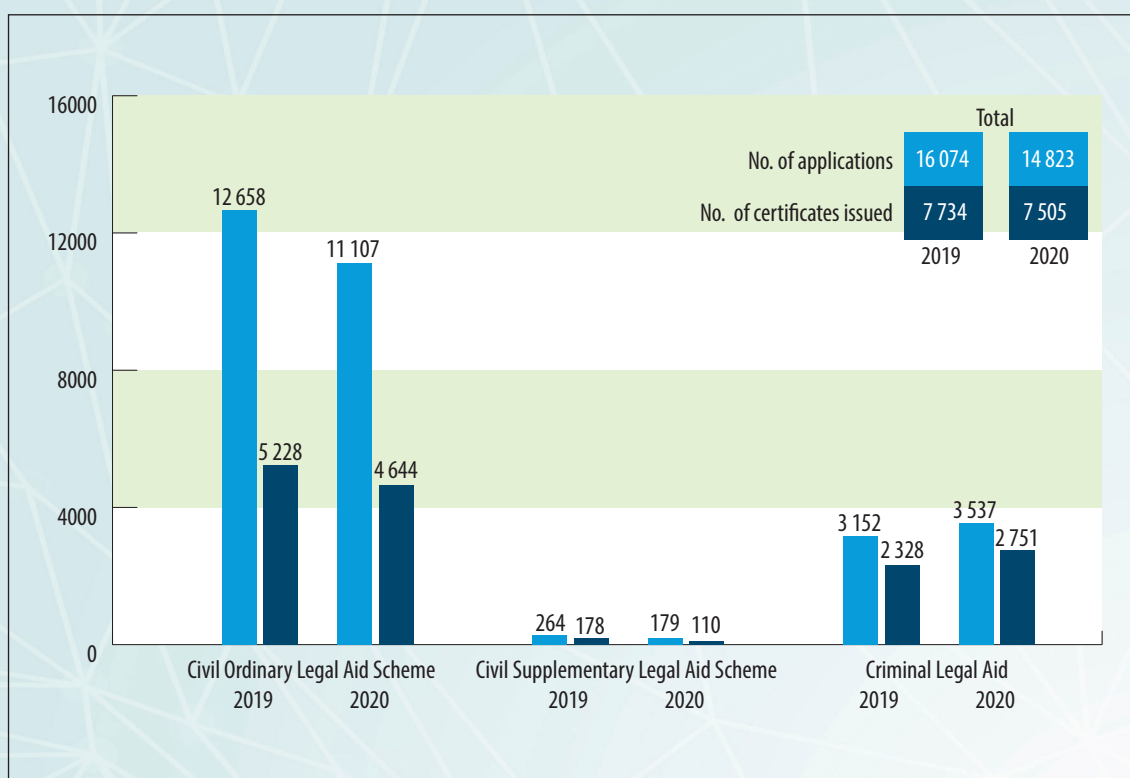
Chapter 2 Legal Aid Services

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 2020, a total of 14 823 applications for legal aid were received and 7 505 legal aid certificates were issued:





Ms Juliana Chan Oi-yung
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

Applicants whose financial resources are within the statutory limit of \$420,400 may apply for the legal aid under the Ordinary Legal Aid Scheme (OLAS). 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.

In 2020, there were 11 107 OLAS applications and 4 644 legal aid certificates were issued under OLAS.

Supplementary Legal Aid Scheme

Applicants whose financial resources exceed the statutory limit of OLAS of \$420,400 but are below \$2,102,000 may apply for legal aid 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 \$75,000:

- 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 personal insurance products; and
- monetary claims against vendors in the sale of completed or uncompleted first-hand residential properties.
- professional negligence claims against financial intermediaries licensed or registered for Type 1 (dealing in securities), Type 2 (dealing in futures contracts) or Type 8 (securities margin financing) regulated activities within the meaning of the Securities and Futures Ordinance (Cap.571); and
- monetary claims in respect of derivatives of securities, currency futures or other futures contracts on the basis that the person was induced to deal in those derivatives, futures or contracts by fraud, deception or misrepresentation.

In 2020, there were 179 SLAS applications and 110 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 2020, a surplus of \$8.0 million was recorded as compared with a surplus of \$7.7 million in the year ended 30 September 2019 in the Supplementary Legal Aid Fund. As at 30 September 2020, the Fund had a balance of \$213.0 million. For details, please refer to [Appendix 1](#).

Distribution of Civil Legal Aid Applications Received in 2019-2020

Case Types	No. of Applications for Civil Legal Aid		
	2019	2020	% Change
Personal Injuries Claims	4 957	4 602	-7%
Matrimonial Cases	5 373	4 284	-20%
Land and Tenancy Disputes	480	394	-18%
Employment Disputes	49	235	380%
Immigration Matters	63	89	41%
Wage Claims	26	42	62%
Others	1 974	1 640	-17%
Total	12 922	11 286	-13%

Distribution of Civil Legal Aid Certificates Issued in 2019-2020

Case Types	No. of Certificates for Civil Legal Aid		
	2019	2020	% Change
Personal Injuries Claims	2 646	2 359	-11%
Matrimonial Cases	2 385	1 832	-23%
Land and Tenancy Disputes	110	74	-33%
Employment Disputes	5	209	4080%
Immigration Matters	7	0	-100%
Wage Claims	19	30	58%
Others	234	250	7%
Total	5 406	4 754	-12%



*Ms Doris Lui Wai-lan
Assistant Director of Legal Aid
(Application and Processing)*

To facilitate the public to apply for legal aid, the Application and Processing Division 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 2020, the Unit received a total of 29 375 enquiries.

Eligibility for Legal Aid

Regardless of their nationality or residence, applicants 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 2019-2020

Certificates

5 406

Take-up Rate
(as a % of offers)

95%



Certificates

4 754

Take-up Rate
(as a % of offers)

92%



Legal aid applications for judicial review received and certificates granted by categories

Calendar Year	Government policies and related matters		Immigration matters including non-refoulement claims		Others			
					Government and related Organization decisions		Non-Government related Organization decisions	
	Applications received	Certificates granted	Applications received	Certificates granted	Applications received	Certificates granted	Applications received	Certificates granted
2019	127	13	613	65	52	3	5	0
2020	80	13	231	62	42	7	6	0

Ms Jenny Leung Ping-ching
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 by the Chairman of the Hong Kong Bar Association and the President of the Law Society of Hong Kong respectively. The decision of the Registrar or the Review Committee is final.

Refusal Rate of Civil Legal Aid Applications in 2019-2020

Refusals
(a) on merits
5 211
Refusal Rate
(as a % of applications)
40%



(b) on means
915
Refusal Rate
(as a % of applications)
7%

Refusals
(a) on merits
4 289
Refusal Rate
(as a % of applications)
38%



(b) on means
780
Refusal Rate
(as a % of applications)
7%

Outcome of Civil Legal Aid Appeals in 2019-2020

Appeals Allowed
45
Success Rate
(as a % of appeals)
4%



Appeals Allowed
35
Success Rate
(as a % of appeals)
4%



Notes : *The figures do not include appeals withdrawn.
@This figure covered connected or related cases.

Civil Legal Aid Applications by Refusals and Outcomes of Legal Aid Appeals

Calendar Year	Civil Legal Aid Applications	Refusal		Legal Aid Appeals	
		on Merits*	on Means*	Heard	Allowed
2018	15 091	6 813	920	1 632	61 [@]
2019	12 922	5 211	915	1 193	45
2020	11 286	4 289	780	778	35

* Refusal on both Merits and Means is included in Refusal "on Means" as well as Refusal "on Merits".

@ This figure covered connected or related cases.

Ms Amy Lee Ngar-ling
Assistant Principal Legal Aid Counsel /
Application and Processing (2)



Legal Aid Applications for Judicial Review by Refusals and Outcomes of Legal Aid Appeals

Calendar Year	Applications	Refusal		Legal Aid Appeals	
		on Merits*	on Means*	Heard	Allowed
2018	1 547	1 519	8	763	14
2019	797	802	8	369	5
2020	359	252	8	91	5

*Refusal on both Merits and Means is included in Refusal "on Means" as well as Refusal "on Merits".

Note : The statistics in the above tables are year based. A refusal or legal aid appeal may be related to a civil legal aid application made in the previous year. According to section 10(3) of the Legal Aid Ordinance, a person shall not be granted legal aid in connection with any proceedings unless he shows that he has reasonable grounds for taking, defending, opposing or continuing such proceedings or being a party thereto and may also refused legal aid where it appears to the Director of Legal Aid that it is unreasonable to grant legal aid. Regarding the legal merits test, the court does not have to be satisfied that it is more probable than not that the issue of fact will be decided in the legal aid applicant's favour. But it has to be satisfied that the applicant has shown that there is a reasonable, as opposed to a fanciful, chance of the court at the trial deciding that issue of fact in his favour.

Outcome of Civil Cases Closed in 2020

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)	0% (0%)	82% (76%)	0% (4%)	3% (2%)	0% (0%)	9% (11%)	6% (7%)	100%

* Protection of Wages on Insolvency Fund Board
(2019 figures in bracket)

Case Type	Relief Obtained	Relief Not Obtained	Withdrawn	Total
Matrimonial Cases	84% (81%)	5% (5%)	11% (14%)	100%

(2019 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% (94%)	2% (2%)	1% (1%)	1% (1%)	2% (2%)	100%
Employees' Compensation Claims	96% (96%)	1% (1%)	1% (1%)	1% (1%)	1% (1%)	100%
Personal Injuries	93% (93%)	2% (2%)	1% (1%)	1% (1%)	3% (3%)	100%
Running Down	92% (93%)	2% (2%)	2% (1%)	2% (2%)	2% (2%)	100%
Medical / Dental / Professional Negligence	86% (68%)	12% (8%)	0% (6%)	0% (6%)	2% (12%)	100%
Miscellaneous	70% (52%)	10% (22%)	9% (12%)	2% (2%)	9% (12%)	100%
Overall	90% (88%)	3% (4%)	3% (2%)	1% (2%)	3% (4%)	100%

(2019 figures in bracket)

Miss Ada Wong Yiu-ming
Assistant Principal Legal Aid Counsel
(Kowloon Branch Office)



Legal Aid in Criminal Cases

Criminal legal aid applications are processed by the Crime Section of the Litigation Division.

Distribution of Criminal Legal Aid Applications Received in 2019-2020

Case Types	No. of Applications for Criminal Legal Aid		
	2019	2020	% Change
Committal Proceedings in the Magistrates' Courts	513	437	-15%
District Court Trials	1 176	1 946	65%
Court of First Instance Trials	478	418	-13%
Magistrates' Court Appeals to the Court of First Instance	322	271	-16%
District Court Appeals to the Court of Appeal	269	183	-32%
Court of First Instance Appeals to the Court of Appeal	262	150	-43%
Appeals in the Court of Final Appeal	101	82	-19%
Others	31	50	61%
Total	3 152	3 537	12%

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 2019-2020

Case Types	No. of Certificates for Criminal Legal Aid		
	2019	2020	% Change
Committal Proceedings in the Magistrates' Courts	503	405	-19%
District Court Trials	1 113	1 745	57%
Court of First Instance Trials	476	410	-14%
Magistrates' Court Appeals to the Court of First Instance	39	35	-10%
District Court Appeals to the Court of Appeal	60	42	-30%
Court of First Instance Appeals to the Court of Appeal	101	60	-41%
Appeals in the Court of Final Appeal	22	17	-23%
Others	14	37	164%
Total	2 328	2 751	18%

Take-up Rate for Criminal Legal Aid in 2019-2020

Certificates

2 328

Take-up Rate

(as a % of offers)

98%



Certificates

2 751

Take-up Rate

(as a % of offers)

99%



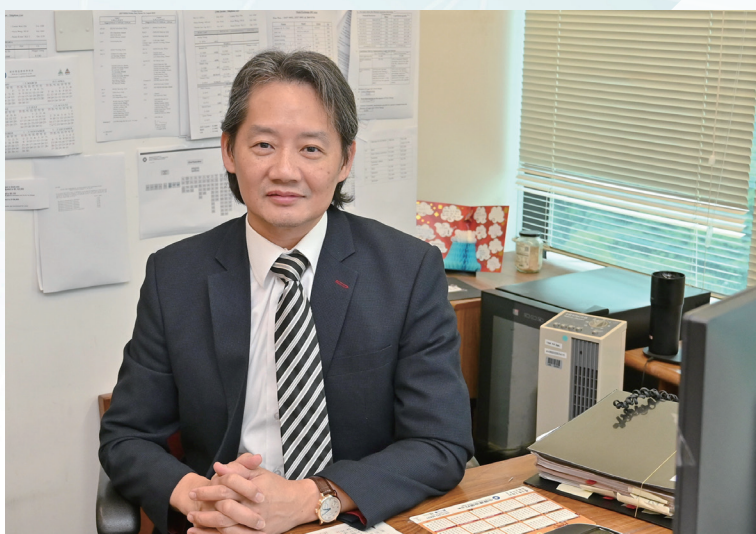
*Ms Mo Yuk-wah
Deputy Director of Legal Aid
(Litigation)*



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 2020, there were 15 refusals on means, all of which were also refusals on merits. 31 applications were refused because the applicants concerned failed to supply the Director with the necessary information to conduct the means test. The Director exercised discretion and granted legal aid in 80 cases even though the means of the applicants exceeded the financial eligibility limit.



*Mr Ben Li Chi-keung
Assistant Director of Legal Aid
(Litigation)*



Ms Nancy Keung Mei-chuen
Assistant Principal Legal Aid Counsel
(Crime)

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 2020, no appeal was made to the Review Committee.

Refusal Rate of Criminal Legal Aid Applications in 2019-2020

Refusal on Merits

709

(Appeal cases)

(694)

(Other cases)

(15)

Refusal Rate (as a % of applications)

22%

Legal aid granted by judges notwithstanding the Director of Legal Aid's refusal

11

Refusal on Means (including refusals where applicants failed to provide necessary information on means)

64 (41)

Refusal Rate (as a % of applications)

2%



Refusal on Merits

472

(Appeal cases)

(465)

(Other cases)

(7)

Refusal Rate (as a % of applications)

13%

Legal aid granted by judges notwithstanding the Director of Legal Aid's refusal

14

Refusal on Means (including refusals where applicants failed to provide necessary information on means)

46 (31)

Refusal Rate (as a % of applications)

1%



Legal Aid Electronic Services Portal

Civil legal aid applicants of the age of 18 and over and all criminal legal aid applicants can access the Legal Aid Electronic Services Portal (LAESP) to submit pre-application information forms online for non-urgent civil or criminal cases as a first step towards making an application for legal aid.

The 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 or the mobile phone version to access the means test calculator. In 2020, the means test calculator and its mobile version received 6 387 and 6 723 hits respectively.

Legal Aid Assignments and Monitoring

Assignments

When assigning legal aid cases, interest of the legally aided persons is the paramount consideration. Hence, legal aid work is not distributed to counsel or solicitors on the Legal Aid Panel equally. 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.

Distribution of Civil and Criminal Assignments to Solicitors / Counsel in 2020

No. of Assignments	No. of Counsel			
	*Below 3 Years	*3-5 Years	*6-10 Years	*Over 10 Years
1-4	9	20	42	164
5-15	0	8	18	144
16-30	0	1	2	63
31-50	0	0	0	7
Over 50	0	0	0	0
Total	9	29	62	378

*Years of post-call experience

	No. of Solicitors			
No. of Assignments	*Below 3 Years	*3-5 Years	*6-10 Years	*Over 10 Years
1-4	1	27	65	501
5-15	0	12	22	256
16-30	0	6	14	98
31-50	0	0	3	17
Over 50	0	0	1	3
Total	1	45	105	875

*Years of post-admission experience

The Department 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 2020, on the advice of the Committee, 3 solicitors were removed from the Legal Aid Panel, 2 counsel and 9 solicitors were put on the Record of Unsatisfactory Performance/Conduct and advisory letter was issued to one solicitor.

Since the assignment of legal aid cases is based on the experience of Panel lawyers in the past three years, the Department regularly updates Panel lawyers' experience to maintain the integrity of the legal aid assignment system. Panel lawyers are reminded to submit Data Update Form before the expiry of the three-year period so that their personal particulars, experience and expertise can be updated regularly.

Mediation in Legal Aid Cases

Legal aid covers mediators' fees and related expenses incurred by aided persons undergoing mediation in the course of the aided proceedings. In 2020, funding for mediation was approved in 826 assigned out cases, out of which 137 were matrimonial cases.

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.

*Ms Juliana Chan Miu-kuen
Assistant Principal Legal Aid Counsel
(Civil Litigation 1)*



Personal Injury Litigation

In 2020, Civil Litigation (1) of CLS took up 270 personal injuries cases and seamen wages claims. Personal injuries cases including employees' compensation claims, traffic accident claims and negligence claims. Damages over \$1 million were recovered for aided persons in six cases. The total amount of damages recovered was about \$36 million.

Legal costs recovered for the professional litigation work done by Civil Litigation (1) of CLS were about \$6.4 million.

Family Litigation

In 2020, the Family Unit of the Civil Litigation (2) of CLS took up a total of 347 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.



*Miss Doreen Chan Dao-kit
Assistant Principal Legal Aid Counsel
(Civil Litigation 2)*

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 2020, the Insolvency Unit took out 24 winding-up petitions. A total of 309 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 2020, 81.4% of all criminal cases in the District Court in Hong Kong were legally aided, as were 91.3% of criminal cases in the Court of First Instance.

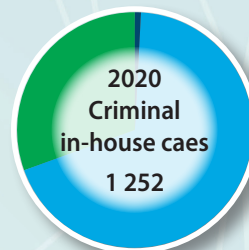
In 2020, the Crime Section handled 1 252 cases in-house:

Court of First Instance of High Court Trials & Appeals
12 (1.0%)

District Court-Plea Days
859 (68.6%)

Committal Proceedings & Others
381 (30.4%)

Total
1 252 (100.0%)
(as a % of total cases handled in-house)





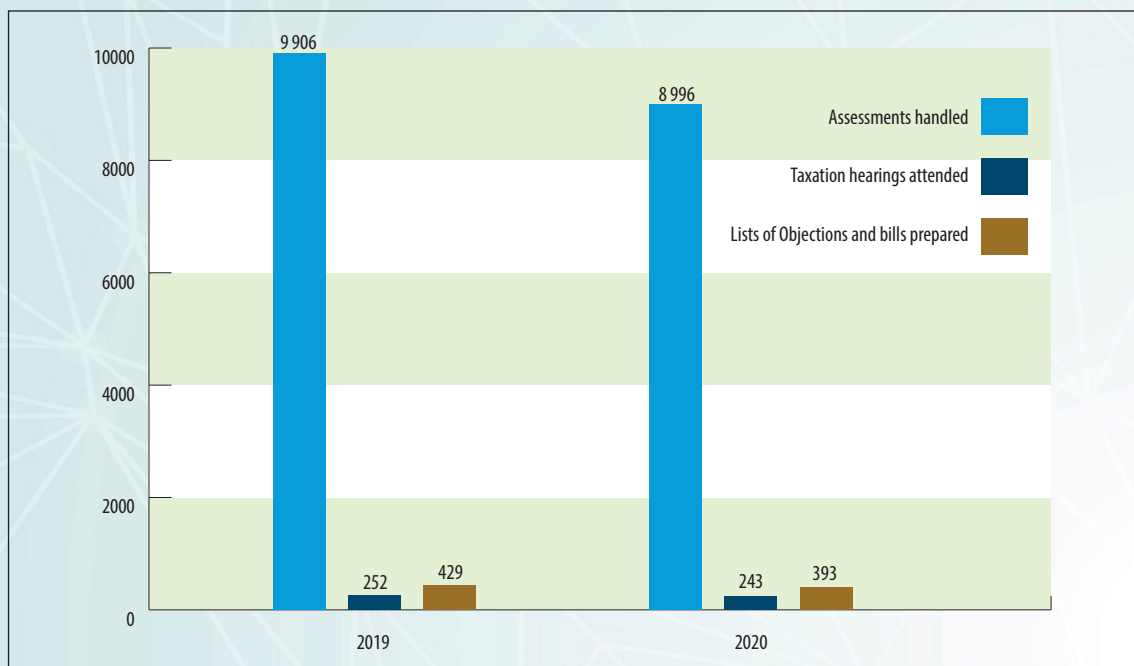
Ms Christina Hadiwibawa Cheung Ying-man
Assistant Principal Legal Aid Counsel
(Legal and Management Support)

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 2019-2020



Enforcement

The Department's Enforcement Unit (EU) handles enforcement proceedings for the recovery of judgment debts and costs in legally aided cases. EU's work in 2020 was affected by the COVID 2019 pandemic and the special work arrangement for the Court and the Department. In 2020, a total of 115 cases were assigned to the EU. In 65 cases, enforcement proceedings were instituted. About 46% 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 the commencement of enforcement proceedings in 2020:

Within 1 month	Within 2 months	Within 3 months	More than 3 months	Total no. of cases
30 (49)	28 (59)	5 (18)	2 (4)	65 (130)
46% (38%)	43% (45%)	8% (14%)	3% (3%)	100% (100%)

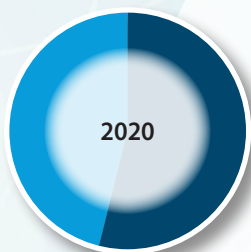
(2019 figures in bracket)

Some of these cases were settled prior to the commencement of or during the enforcement proceedings where 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 2020 is as shown in the chart below:

Amount recovered
54.1%

Amount not recovered
45.9%



Top 20 Solicitors in terms of Civil Case Assignments in 2020 by Case Types and Percentage Shares in the Total Number of Civil Case Assignments to Solicitors

(From 1.1.2020 to 31.12.2020)

Rank by order	No. of Assignments by Case Types#						% Share
	PI-related	JR	MIM	MAT	Others	Total	
1	33	0	0	2	0	35	0.8%
2	23	0	0	10	1	34	0.8%
3	31	0	0	2	1	34	0.8%
4	34	0	0	0	0	34	0.8%
5	31	0	0	2	0	33	0.7%
6	32	0	0	0	0	32	0.7%
7	30	0	0	1	0	31	0.7%
8	30	0	0	1	0	31	0.7%
9	31	0	0	0	0	31	0.7%
10	28	0	0	1	1	30	0.7%
11	30	0	0	0	0	30	0.7%
12	30	0	0	0	0	30	0.7%
13	0	0	0	30	0	30	0.7%
14	27	0	0	2	1	30	0.7%
15	22	0	0	7	0	29	0.7%
16	16	0	0	7	6	29	0.7%
17	25	0	0	2	2	29	0.7%
18	28	0	0	1	0	29	0.7%
19	29	0	0	0	0	29	0.7%
20	6	0	0	22	0	28	0.6%
Subtotal for Top 20	516	0	0	90	12	618	13.9%
Total no. of assignments to solicitors in civil cases	2 554	88	0	1 615	196	4 453	100.0%

Notes:

The civil assignment limit for panel solicitor is 35 cases within the past 12 months.

Figures may not add up to total due to rounding.

Case types:

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

JR – Judicial Review

MIM – Immigration

MAT – Matrimonial

Others – Miscellaneous and Land or Tenancy Disputes

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Chapter 3

Case of Public Interest or Concern



Chapter 3 Case of Public Interest or Concern

Leung Kwok Hung also known as “Long Hair” v Commissioner of Correctional Services FACV 8/2019

Mr. Leung Kwok Hung (the “Appellant”) in this case is a political activist widely known as “Long Hair”. He was convicted for certain offence and sentenced to imprisonment. At the Lai Chi Kok Reception centre, he was required to have his hair cut (“the Decision”) pursuant to a Standing Order issued by the Commissioner of Correctional Services under Rule 77(4) of the Prison Rules, Cap 234A of the Laws of Hong Kong.

According to Standing Order 41-05 (“SO 41-05”), for the purposes of health and cleanliness, the hair of all male prisoners would be kept cut sufficiently close, but not close clipped, unless the prisoner himself requested it. The Appellant complained that he was treated less favourably than female prisoners. According to the same Standing Order, the hair of female prisoners were not to be cut shorter than the style on admission, without her consent except as recommended by a medical officer. Male prisoners were not given the choice female prisoners had.

In the Court of First Instance, the judicial review challenge was based on four grounds, namely, discrimination under the Sex Discrimination Ordinance, breach of Article 25 of the Basic Law which provides that all Hong Kong residents shall be equal before the law, Wednesbury unreasonableness and breach of Article 6(1) of the Bill of Rights which provides that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. The Court of First Instance held in favour of the Appellant on the first two grounds and an order was made quashing the Decision (“the Order”).

The Order was reversed on appeal. Leave to appeal to the Court of Final Appeal was refused by the Court of Appeal, but the Appeal Committee granted leave to the Appellant to appeal to the Court of Final Appeal on the following question of law, namely, whether SO 41-05 constitutes direct discrimination under the Sex Discrimination Ordinance, and whether SO 41-05 is inconsistent with Article 25 of the Basic Law.

Sex Discrimination under the Sex Discrimination Ordinance

The Court of Final Appeal adopted the 4-step approach contained in *R (European Roma Rights) v Prague Immigration Officer* [2004] UKHL 55, [2005] 2AC1 to the facts of the present case in determining whether direct sex discrimination has been established:-

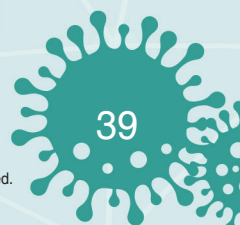
- (1) There must be a difference in treatment between one person, the complainant (in our case male prisoners; more specifically the appellant) and another person, real or hypothetical, from a different sex group, the compared person (in our case, female prisoners).
- (2) The relevant circumstances between the complainant and the compared person are the same or at least not materially different.
- (3) It must then be shown that the treatment given to the complainant is less favourable than that given to the compared person.
- (4) The difference in treatment is on the basis of sex.

There was no dispute between the parties regarding the requirements in (1), (2) and (4). The answers to the three questions were all in the affirmative. The main difference dividing the parties was on point (3), i.e. whether less favourable treatment had been given to male prisoners like the Appellant.

The Respondent argued that SO 41-05 served to ensure custodial discipline through the imposition of reasonable uniformity and conformity in appearance among prisoners, and argued that when determining discrimination, one had to take into account the whole context in a packaged approach. The Respondent further explained the difference in treatment for male and female prisoners by reference to the underlying conventional standards of appearance in society for men and women. The Court of Final Appeal, however, rejected this argument and held that the evidence in this case did not support this contention, namely in the Hong Kong society, the conventional hairstyle for men is short, whilst it may be long or short for women.

The Court of Final Appeal concluded that all the four requirements are satisfied and a case of sex discrimination is made out. In view of this finding, the Court of Final Appeal found it unnecessary to deal with the constitutional issue under Article 25 of the Basic Law. However, the Court of Final Appeal observed that on the facts of the present case, the outcome of the appeal would not be different if Article 25 of the Basic Law was considered.

The appeal was therefore allowed.



Sham Wing Kan v Commissioner of Police v Yeung Ching Yin, Chan Sin Ying, Hung Hiu Han & Chan Siu Ping (Interested Parties) CACV 270/2017

The Applicant and the four interested parties in this case took part in a protest that was organized by the Civil Human Rights Front on 1 July 2014 on Hong Kong Island (the Protest). A few days after the Protest, they were arrested for offences allegedly committed in connection with the Protest. Their mobile phones were seized by the police upon their arrest. The police asserted that the mobile phones were seized in order to preserve the potential evidence contained in them.

The Applicant and the Interested Parties all claimed that their phones contained materials that were subject to legal professional privilege. As a result of such claim, the police returned the mobile phones to their owners without inspection.

With the assistance of legal aid, the Applicant applied for leave for judicial review to seek (a) a declaration that section 50(6) of the Police Force Ordinance (Cap.232) (PFO) does not authorize police officers to search without warrant the contents of mobile phones seized on arrest, or (b) alternatively if such search power is so authorized, a declaration that section 50(6) is unconstitutional.

Notwithstanding the return of the mobile phones, the Honourable Au J (as he then was) proceeded to hear the judicial review application. He found that on a proper construction of the PFO, section 50(6) authorizes the police officers to search the digital contents of a mobile phone (or a similar device) seized on arrest without warrant only in "exigent circumstances", and in so authorizing the warrantless search, section 50(6) is constitutional.

The Respondent took the learned Judge's decision to the Court of Appeal. With the assistance of legal aid, the Applicant and the 2nd Interested Party defended their position in the appeal.

Issues before the Court of Appeal

While recognizing that the police's power to search upon arrest reflects important law enforcement objectives, the Court of Appeal agreed that the power is also necessarily an intrusion into an arrestee's privacy, which is protected by Article 14 of the Hong Kong Bill of Rights Ordinance (BOR 14) and Article 30 of the Basic Law (BL 30).

The Court of Appeal found the central issue of the case to be this: how is a search of the digital contents of a mobile phone (or similar devices) seized from an arrestee to be conducted in a manner that is compatible with BOR 14 and BL 30? More specifically, is a judicial warrant always required before such a search can be carried out? If a judicial warrant is not always required, how is the warrantless search to be conducted in order to make it compatible with BOR 14 and BL 30?

The power of search

In approaching these issues, the Court of Appeal took the view that a search of the digital contents of a mobile phone (as opposed to the mobile phone itself as an object) was governed by the common law, rather than section 50(6) of PFO. Further, the Court of Appeal found that it was not necessary to have the doctrine of "exigent circumstances" under the common law in Hong Kong and the concept of reasonable practicality should be a guide for a warrantless search of digital contents when such power is to be exercised.

The Court of Appeal referred to the case of *Keen Lloyd Holdings Ltd & Ors v Commissioner of Customs and Excise & Anor* [2016] 2 HKLRD 1372 which held that any warrantless search must be subject to scrutiny under the proportionality test: a warrantless search must serve legitimate interests, rationally connected with such interests and the permitted search should be no more than necessary to accomplish such interests. Further, as has been adopted in the Court of Final Appeal's decision in *Hysan Development Co. Ltd v Town Planning Board* (2016) 19 HKCFAR 372, the proportionality test must also take into account the severity of the deleterious effects of a measure on the individual concerned so that a fair balance is struck between the societal benefits of the encroachment and the inroads on the privacy interest of the individual.

Striking a balance

There is no doubt that mobile phones are now being used as multifunctional minicomputers and they are capable of providing a very detailed and accurate profile of their users. The privacy interest involved in a search of the digital contents of an arrestee's mobile phone would certainly and significantly go beyond the ordinary level of privacy that would be intruded upon in a traditional search of things found on his person on arrest. On the other hand, the security features equipped in mobile phones present a great deal of difficulties for the law enforcement agents to have timely access to the digital contents stored on or accessible by the device. In this regard, the Court of Appeal stressed that the law should recognize the new challenges presented by the use of mobile phones as instruments of crime and the legitimate need for law enforcement officers to search such phones in appropriate circumstances with appropriate safeguards.

On the one hand, the Court of Appeal was adamant that the right of privacy must not operate to shield incriminating evidence from legitimate criminal investigation process. On the other hand, one's privacy interest in the digital data stored on his phone outside the proper and legitimate scope of such search must remain intact and the law must protect him against any disproportionate intrusion into his privacy interest in such other data.

Formulation of the guidelines to conduct searches

In striking a balance between the protection of privacy and the need for law enforcement officers to legitimately conduct searches of the digital contents in a mobile device, having found that a Magistrate has the power to issue a warrant under section 50(7) of PFO to authorize a search of the digital contents of a mobile device, the Court of Appeal held that a police officer cannot search the contents of a mobile phone of an arrestee without warrant unless it is not reasonably practicable to obtain a warrant under section 50(7) of PFO before doing so.

As a matter of guidance, the Court of Appeal set out the power to conduct a mobile phone search upon arrest as follows:

- (1) The primary position is that a warrant shall always be obtained before a search is conducted, unless it is not reasonably practicable to obtain one.
- (2) When it is not reasonably practicable to obtain such warrant before a search is conducted, the police officer conducting the search must have a reasonable basis for having to conduct the search immediately as being necessary (i) for investigation of the offence(s) for which the arrestee was suspected to be involved, including procurement and preservation of information or evidence connected with such offences; or (ii) for the protection of safety of persons.

- (3) When such a warrantless search has to be conducted, other than a cursory examination for filtering purpose, the scope of the detail examination should be limited to items relevant to objectives identified in the paragraph above.
- (4) After the search, an adequate written record of the purpose and scope of the warrantless search should as soon as reasonably practicable be supplied to the arrestee unless to do so would jeopardize the ongoing process of criminal investigation.

Disposition

As such, the Court of Appeal allowed the Respondent's appeal, setting aside the declaration granted by Au J and granted instead a declaration that a police officer can conduct a search of the digital contents of a mobile phone found on an arrestee in accordance with the guidance set out above, and such power is held by the Court of Appeal to be compatible with BOR 14 and BL 30.

Chapter 4

Customer Services



Chapter 4 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 2020, 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 2020
Civil Legal Aid	Within 3 months from the date of application	85%	86%
Criminal Legal Aid Appeals			
- Appeal against sentence	Within 2 months from the date of application	90%	83%
- Appeal against conviction	Within 3 months from the date of application	90%	93%
Trials in the Court of First Instance of the High Court / District Court	Within 10 working days from the date of application	90%	74%
Committal proceedings	Within 8 working days from the date of application	90%	67%

Payment to Aided Persons and Service Providers

In 2020-2021, the Department paid out \$953.1 million to lawyers/experts/other parties and \$1,211.2 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 2020
Aided Persons	Interim Payment 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%
	Final Payment 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	Advance Payment Within 6 weeks from receipt of bill.	95%	99%
	Balance Payment 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	2019-2020 (\$M)	2020-2021 (\$M)
Solicitors Costs	648.0	547.3
Counsel Fees	337.3	279.5
Doctors Fees	9.1	8.5
Opposite Party Costs	65.4	50.8
Others (Note)	74.0	67.0
Total	1,133.8	953.1

Note: These include expenses for land and company searches, court fees and 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 2020. The charts at [Appendix 2](#) illustrate the major findings of the survey on customer feedback.

Customer Service Initiatives

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

directorates, 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

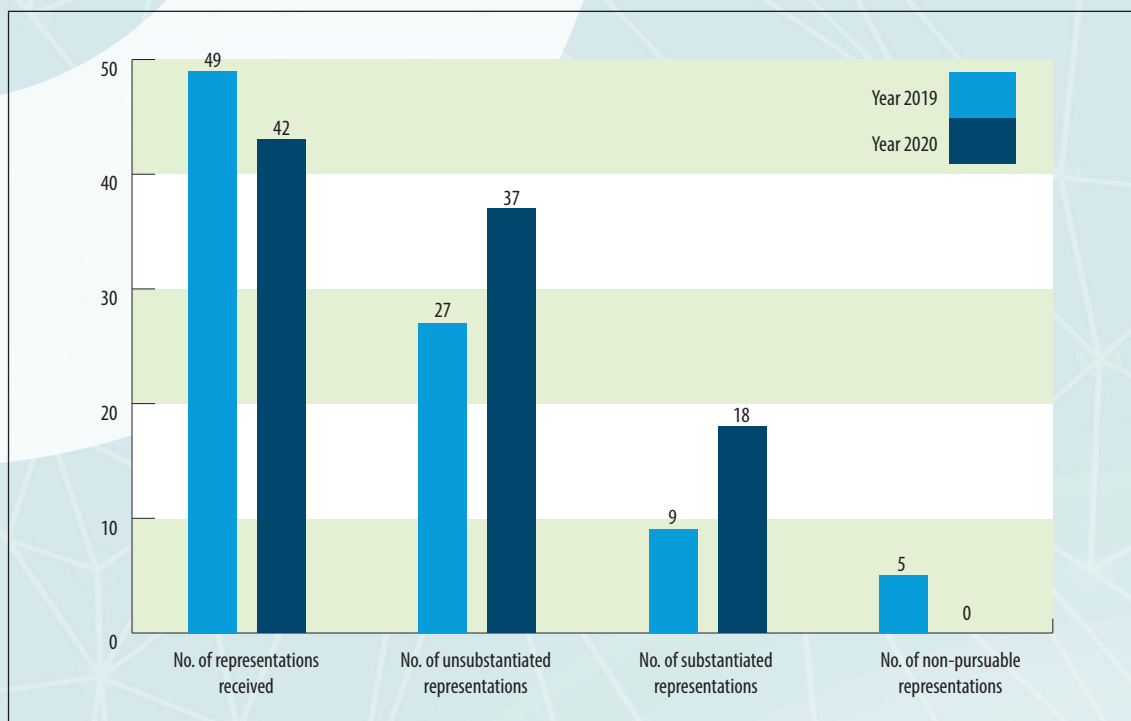
The Assistant Director of Legal Aid (Policy and Development) is the designated Complaint Liaison Officer to coordinate the handling of all the complaints received. Members of the public may lodge complaints in person with the Customer Service Officers of individual sections or by telephone or in writing 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 to view the leaflet.

In 2020, the Special Duties and Research Unit received 42 representations against grants of legal aid on means and completed investigation in 55 cases. 17 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 14 cases, whether an offence was also committed under Section 18A of the Theft Ordinance, Cap. 210 and/or Section 36 of Crimes Ordinance, Cap. 200.

Means representation received and outcomes of investigation concluded in 2019 and 2020:



LAD's Hotline Service - the Interactive Voice Response System

The Department's hotline service provides a fast and convenient means for the public to learn about the legal aid services. It has pre-recorded messages in Cantonese, Putonghua and English on different aspects of legal aid services. The popular ones are application procedures, eligibility criteria for civil and criminal legal aid, the aided person's liability to contribute towards the costs of aided proceedings etc. For further information, callers can speak to a staff member of the Department who will answer their enquiries concerning legal aid during office hours.

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Chapter 5

Publicity Programmes



Chapter 5 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

50th Anniversary Publicity

In 2020, the Department was fully engaged to prepare for the celebration of its golden jubilee. Plans had been made to organise a series of publicity activities to publicise legal aid services and share with members of the public our development over the past 50 years. Other than engaging RTHK to produce a series of TV documentary chronicling the changes and development on legal aid services, the Department also began to work on a commemorative publication to capture various highlights of the Department including legally aided cases which had far-reaching impact on the legal system and society of Hong Kong. To showcase the Department's history and works in the past and present, roving exhibitions will be held at different regions of Hong Kong in 2021.

Collaborating with the Information Services Department and an agency, the Legal Aid Department produced a Television Announcement in the Public Interest (TV API) on legal aid services and its corresponding radio APIs. The APIs 'All are equal before the law' were broadcast at local TV and radio channels throughout 2020. In addition, the TV API was also uploaded to the websites of the Department and the Information Services Department for viewing by the members of the public.

Law Week 2020

In December 2020, the Director of Legal Aid, Mr Thomas Kwong officiated at the Joint Opening Ceremony of Teen Talk 10th Anniversary and Law Week 2020 through an online platform. Also officiating at the opening ceremony were the Chief Justice of the Court of Final Appeal, Mr Geoffrey Ma Tao-li; the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung; the Secretary for Justice, Ms Teresa Cheng, SC; the President of The Law Society of Hong Kong, Ms Melissa Pang, and the Chairman of Legal Aid Services Council, Dr William Leung Wing-cheung.

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. In November 2020, Senior Legal Aid Counsel / Kowloon Branch Office, Miss Anna Tsang, participated in the production of a short legal tips video organised by the Law Society. In the video, she briefly introduced legal aid services and works of the Department.

Promotion of Legal Aid Services to External Bodies/Organizations

We regularly met with our 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.

Due to the outbreak of the COVID-19 pandemic, all such visits were suspended in 2020.

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 October and November 2020, a total of 12 Professional Officers of the Department participated in the “Free Legal Advice Programme” at the Covered Piazza of Times Square in Causeway Bay organised by the Law Society of Hong Kong. Professional Officers manned the Department’s booth and answered public’s enquiries on issues relating to legal aid services.

In October 2020, Legal Aid Counsel / Application and Processing, Mr Jet Luk and Legal Aid Counsel / Civil Litigation (2), Miss Kanas Wong, hosted a talk for social workers and frontline staff from the Social Welfare Department and non-governmental organisations and introduced the Department’s work and legal aid services relating to family issues including divorce, maintenance, child custody and guardianship of minor.

In early July 2020, Senior Legal Aid Counsel / Application & Processing, Miss Anna Tsang, and Acting Senior Law Clerk I / Kowloon Branch Office, Mr Gary Cheng, hosted a talk for the Hong Kong Federation of Trade Unions and introduced legal aid services relating to employees’ compensation and personal injuries at work.



In mid-January 2020, Assistant Principal Legal Aid Counsel / Civil Litigation 2, Miss Doreen Chan, hosted a talk for about 20 social workers and frontline staff of Po Leung Kuk Tsui Lam Centre and introduced the work and services of the Department relating to family issues such as divorce, maintenance, child custody and guardianship of minor.

Furthermore, the Department provides hands-on experience for students who joined the Post-secondary Students Summer and Winter Internship Programmes. The participants under the Post-secondary Students Summer and Winter Internship Programmes joined the Department for about two weeks to two months and learned about legal aid work. On the other hand, the Department participated in the programmes organised by the Civil Service Bureau to offer internship placements for students with disabilities and non-ethnic Chinese students for about two months. In 2020, the Department recruited 12 summer interns and 7 winter interns under the Post-secondary Students Summer and Winter Internship Programmes, 1 intern with disability and 2 non-ethnic Chinese interns.

Updating of Departmental Leaflets

The Department published and regularly updated a series of leaflets, which included updating “Guide to Legal Aid Services in Hong Kong” booklet and “How to Apply – Supplementary Legal Aid Scheme (SLAS)” leaflet to include the expansion of SLAS’s scope effective in 2020. To tie in with the production of TV and Radio APIs ‘All are equal before the law’, posters were also produced for distribution to the relevant departments and NGOs to promote legal aid services in 2020.

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 2020.

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

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 arranged the new version of TV API “Beware of the touting activities of recovery agents” produced by the Department of Justice to be broadcast in three waiting areas of the Department from 1 August 2019 to 31 July 2020, including Information & Application Services (IASU) of Application & Processing Division and Crime Section of Litigation Division on 25/F of Queensway Government Offices; and IASU of Kowloon Branch Office. The Department also displayed the poster on anti-touting activities in various offices and arranged the poster to be displayed at District Social Welfare Offices of Social Welfare Department, offices of Labour Department’s Employees’ Compensation Division, Home Affairs Enquiry Centres, community centres and community halls.

Website

The Department regularly updates the contents of its website to provide comprehensive and timely information to the public and legal aid practitioners. In 2020, the Department continued enhancing the homepage to meet with the latest requirements of the Office of the Government Chief Information Officer.

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Chapter 6

Organisation, Administration and Staffing



Chapter 6 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>.

Staffing

At the end of 2020, the Department had 547 staff members comprising 86 professional officers, 178 law clerks and 283 supporting staff. Three Legal Aid Counsel and 24 Law Clerks were newly recruited.

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.



*Mr Chris Chong Yan-tung
Deputy Director of Legal Aid
(Policy and Administration)*

In 2020, training was affected to a great extent due to the COVID-19 pandemic. To ensure provision of ongoing training to our staff, different delivery formats were adopted including webinars, production of video clips and small class training.

Professional Training

To keep our professional officers abreast of the changes and development in the relevant legislation and law, the Department sponsored 52 professional officers to attend external webinars including Workshop on Data Protection and Data Access Request, Practical Workshop on Data Protection Law, Civil Law Talk on Mental Health Law in Hong Kong, Webinars on various topics including Personal Injuries – Difficult Cases with Calculations, Personal Injuries Litigation – Serious Injuries and Fatal Accident Claims, Plastic Surgery Claims, Psychological Claims and Understanding Medical Reports, Protecting the Children: Fostering, Adoption and Child Protection Order, and Recent Developments in Company Law.

Management and Communication Training Courses

To strengthen staff's management and communication capability, 14 professional officers were nominated to attend management training organised by the Civil Service Training and Development Institute, Civil Service Bureau (CSTD, CSB) and in-house communication courses including Workshops on People Management in the Public Sector, Performance Management Appraisal Writing in English and training on enhancing interpersonal relationships in the workplace.

For executive development, 5 professional officers were nominated to attend executive development programmes organised by CSTD, CSB, namely Advanced Leadership Enhancement Programme, Leadership in Action Programme, Innovative Leadership Programme, and Leadership Essentials Programme.

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 organized an in-house Customer Service Workshop. The workshop focused on the significance and key elements of quality customer service, and appropriate customer service skills to resolve confrontational situations. A total of 17 colleagues attended the workshop.

We also nominated staff of different ranks to attend relevant courses held by CSTD, CSB in 2020, including Workshop on Customer Service Skills on the Telephone, Workshop on Handling Confrontational Situations in Customer Service, Serve with Excellence Seminar Series: Embracing Diversity and Inclusion, and Serve with Excellence Seminar Series: Engaging the Public for Result.

Staff Well-being and General Training

The Department is committed to promoting staff well-being. In 2020, an in-house workshop on positive thinking was held, with an attendance of 14 staff members.

Apart from the above, 93 staff members were nominated to attend courses and seminars organised by CSTD, CSB and other departments on a wide range of topics that aimed at enhancing staff's work capability and career development. Topics included Basic Law, The Constitution and the Basic Law, Public Service Innovation, Design Thinking, Big Data, Smart City and Technology, First Aid, Automated External Defibrillators, Occupational Safety and Health, Discrimination Ordinance, Racial Equality, Techconnect Forum, Pro-innovation and SPR Practices in Government Procurement and Supplies, GRS Records Management, Government Financial Management, Induction Courses, Chinese and English Official Writing, Putonghua and computer-related courses.

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 as well as reference materials on training courses are uploaded onto the departmental portal. Staff also have direct access to CLC Plus, the e-learning portal for civil servants, which contains a variety of self-learning resources, toolkits and job aids on management, language, Basic Law, communication, information technology, etc.

Mr Steve Wong Yiu-fai
Assistant Director of Legal Aid
(Policy & Development)



Information Systems

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. To cope with technology advancement and to improve the system to meet future operational needs, a feasibility study for revamping the system was conducted and completed in October 2020. A major funding bid was submitted for the revamp of the CM&CAS. The Department planned to seek funding approval from LegCo in the first quarter of 2021 and to commence the revamp project in the third quarter of 2022.

The Legal Aid Electronic Services Portal (LAESP) 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 system will be enhanced to adopt the government e-initiative iAM Smart for user authentication and digital signing. The enhancement is planned to put into production by mid 2021.

A set of video conferencing system was established in July 2020 in accordance with the technical specifications of the Judiciary for remote hearings of civil court cases. Another set of video conferencing system will be established for remote hearings of criminal proceedings in 2021.

The Department relies heavily on the CM&CAS for its day-to-day operation. To ensure that the operating system can cope with the ongoing business needs and applications of the Department, the Department works closely with the Audit Commission in the regulatory system review exercise. The most recent biannual system review was kicked started in September 2020 and will stride across 2021.

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.

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 was 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 enhancement of the CM&CAS and online interview with applicants, etc. The suggestions were carried out in the Department accordingly.

Staff Welfare and Charitable Activities

The Department values the general well-being of its staff. The objective of the Staff Club 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.

Affected by the outbreak of the COVID-19 pandemic since February 2020, the Staff Club was only able to organise a mini bazaar in January 2020 to celebrate Chinese New Year prior to the outbreak of COVID-19.

On a more encouraging note, the Volunteer Service Group, which was formed in 2002 and aims to encourage staff to get involved in volunteer services, participated in various fund raising activities such as Skip Lunch Day and Dress Casual Day organised by The Community Chest, MSF Day for COVID-19 and Its Impacts Campaign organised by Medecins Sans Frontieres, World Sight Day organised by ORBIS Hong Kong and the New Year Gift Packs Collection Program organised by St James' Settlement. 18 pieces of winter clothing were also donated to St James' Settlement. It was noteworthy 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 2020.

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.

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 2020 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 procedures in procurement and inventory of goods and the profit costs in litigation handled by the Litigation Division. 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.

One of the major audit review conducted by Internal Audit in 2020 concerned the Legal Aid Panel (LAP). The objective was to review whether the data of the LAP were properly handled and maintained in accordance with the relevant guidelines and manual. The scope of the review covered the handling and recording of the panel lawyers' information and the effectiveness of internal control on data integrity of the LAP. The audit review will stride across 2021.

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 lawyer by profession. 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 not connected with the practice of law. 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 information relating to the expansion of the Supplementary Legal Aid Scheme and assignment of lawyers.

Appendices



Appendix 1 Revenue and Expenditure

Revenue

		2019-2020 (\$M)	2020-2021 (\$M)
1	Criminal cases	5.5	3.0
2	Civil cases In-house Assigned-out	12.4 397.0	12.6 387.2
3	Official Solicitor	1.5	3.0
4	Supplementary Legal Aid Scheme Legal costs Administration fee	0.3 5.2	1.2 4.7
	Total	421.9	411.7

Expenditure by Items

		2019-2020 (\$M)	2020-2021 (\$M)
1	Personal Emoluments	305.5	313.5
2	Personnel Related Expenses	16.6	19.3
3	Departmental Expenses	25.3	27.1
4	Legal Aid Costs (for both in-house and assigned-out cases) Civil Criminal	806.5 327.3	703.3 249.8
5	Plant, Equipment and Works	0.1	0.6
	Total	1,481.3	1,313.6

Expenditure by Programmes

		2019-2020 (\$M)	2020-2021 (\$M)
1	Processing of Legal Aid Applications	121.4	124.7
2	Litigation Services	1,297.0	1,124.3
3	Support Services	47.0	49.0
4	Official Solicitor's Office	15.9	15.6
	Total	1,481.3	1,313.6

Analysis of Expenditure for Civil Cases by Types of Cases

Types of Cases	2019-2020	2020-2021
Matrimonial Cases	15.7%	18.2%
Misc. Personal Injuries	37.2%	35.5%
Employees' Compensation	10.5%	10.0%
Running Down	6.9%	8.4%
Immigration Matters	0.6%	0.6%
Land & Tenancy Disputes	8.0%	6.7%
Wage Claims	0.0%	0.1%
Miscellaneous	21.1%	20.5%
Total	100%	100%

Analysis of Expenditure for Criminal Cases by Types of Cases

Types of Cases	2019-2020	2020-2021
Hearings in District Court	50.7%	57.0%
Hearings in Court of First Instance	42.4%	35.0%
Appeals from Magistrates' Courts	0.7%	1.1%
Appeals from District Court	2.1%	1.9%
Appeals from Court of First Instance	2.9%	3.8%
Appeals in Court of Final Appeal	1.2%	1.2%
Total	100%	100%

Legal Aid Budget

Financial Year*			2019-2020	2018-2019	2017-2018
Total Approved Estimate(\$'000)		A	1,590,214	1,132,769	1,006,228
Index A (2014-15=100)			187.2	133.4	118.5
Actual Operating Expenses (\$'000) (Note 1)		B	347,421	325,777	313,483
Index B (2014-15=100)			123.2	115.5	111.1
Actual Legal Aid Costs (\$'000)	Civil	C	806,462	566,985	517,797
	Criminal	D	327,288	239,488	174,561
Index C+D (2014-15=100)			200.0	142.2	122.1
Capital Expenditure (\$'000)		E	86	330	0
(Over-spending) / Underspending (\$'000) (Note 2)		F=A-B-C-D-E	108,957	189	387
% of (Over-spending) / Underspending		F/A	7%	0%	0%

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

Note 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.

Supplementary Legal Aid Fund - Income and Expenditure Account ^{Note 1,2}

	For the year ended 30 September 2019 (\$)	For the year ended 30 September 2020 (\$)
Income		
Application fees	122,000	107,000
Percentage contributions	9,784,756	6,759,335
Interest income	6,489,765	6,676,445
	16,396,521	13,542,780
Less : Expenditure		
Administration fee	5,215,292	4,682,342
Bank charges	390	405
Cash transportation services charges	33,020	19,240
Electronic payment services charges	113	135
Expenses for interpretation services	642	664
Legal costs and expenses for finalised cases		
Successful litigation		
- costs to opposite parties	0	0
- other disbursements	0	0
	0	0
Unsuccessful applications	360,458	366,335
Unsuccessful litigation		
- costs to opposite parties	1,272,420	184,449
- other disbursements	1,833,175	329,898
	3,105,595	514,347
	8,715,510	5,583,468
(Deficit)/ Surplus for the year	7,681,011	7,959,312

Note 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 2020, the net assets of the Supplementary Legal Aid Fund were increased by \$7,959,312 to \$212,967,581.

Note 2: Auditors' Report for the statement of account for the year ended 30 September 2020 has not yet been issued.

Appendix 2 Findings of the Survey on Customer Feedback

Overall Satisfaction Rate

	2019	2020
Application Services		
Application and Processing / Headquarters	99%	98%
Kowloon Branch Office	99%	98%
Insolvency Unit	100%	100%
Crime Section	100%	100%
Litigation – Mid-Litigation Stage		
In-house Litigation of Family / Matrimonial Cases	100%	99%
In-house Litigation of Personal Injuries Cases	100%	100%
Cases handled by Assigned Solicitors	96%	97%
Litigation – Conclusion Stage		
In-house Litigation of Family / Matrimonial Cases	97%	97%
In-house Litigation of Personal Injuries Cases	98%	96%
Cases handled by Assigned Solicitors	87%	85%

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

	Application and Processing / Headquarters		Kowloon Branch Office		Insolvency Unit		Crime Section	
	2019	2020	2019	2020	2019	2020	2019	2020
Response Rate	99%	100%	88%	95%	100%	100%	100%	100%
Overall Satisfaction	4.45	4.50	4.46	4.45	4.58	4.68	4.52	4.36
Convenience (e.g. LAD hotline or pamphlet is easily accessible, user-friendly, etc.)	4.17	4.37	4.19	4.10	4.32	4.57	4.36	4.02
Service Manner (Staff manner)	4.53	4.63	4.58	4.56	4.65	4.75	4.56	4.50
Service Efficiency (e.g. in means / merits testing, etc.)	4.37	4.46	4.41	4.34	4.50	4.68	4.64	4.55
Clear Information (Whether information given is clear)	4.25	4.44	4.30	4.24	4.53	4.61	4.41	4.17
Procedure (Date of interview fixed)	4.30	4.47	4.32	4.28	4.54	4.61	4.61	4.50

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

(B) Litigation – Mid-Litigation Stage

	In-house Litigation of Family / Matrimonial Cases		In-house Litigation of Personal Injuries Cases		Cases handled by Assigned Solicitors	
	2019	2020	2019	2020	2019	2020
Response Rate	100%	100%	100%	100%	38%	35%
Overall Satisfaction	4.76	4.68	4.68	4.83	4.56	4.65
Convenience (Easy to contact lawyer / staff)	4.70	4.67	4.66	4.91	4.62	4.65
Service Manner (Staff manner)	4.78	4.74	4.72	4.96	4.66	4.74
Clear Information (Whether information given is clear)	4.66	4.67	4.52	4.83	4.50	4.58
Procedure (Client informed of progress / procedure of the case)	4.70	4.67	4.63	4.83	4.54	4.61

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	
	2019	2020	2019	2020	2019	2020
Response Rate	100%	100%	82%	78%	21%	24%
Overall Satisfaction	4.53	4.63	4.77	4.68	4.25	4.22
Convenience (Easy to contact lawyer / staff)	4.50	4.60	4.79	4.68	4.24	4.31
Service Manner (Staff manner)	4.57	4.66	4.81	4.79	4.39	4.38
Clear Information (Whether information given is clear)	4.44	4.57	4.76	4.63	4.10	4.21
Result (Outcome)	4.51	4.60	4.77	4.57	4.15	4.20
Procedure (Client informed of progress / procedure of the case)	4.48	4.68	4.72	4.68	4.06	4.21

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

Appendix 3 Director of Legal Aid and Section Heads

(as at 31 December 2020)

Director of Legal Aid	Mr Thomas Edward Kwong
Deputy Director of Legal Aid (Policy and Administration)	Mr Chris Chong Yan-tung
Deputy Director of Legal Aid (Application and Processing)	Ms Juliana Chan Oi-yung
Deputy Director of Legal Aid (Litigation)	Ms Mo Yuk-wah
Assistant Director of Legal Aid (Application and Processing)	Ms Doris Lui Wai-lan
Assistant Director of Legal Aid (Litigation) (Acting)	Mr Ben Li Chi-keung
Assistant Director of Legal Aid (Policy & Development)	Mr Steve Wong Yiu-fai
Assistant Principal Legal Aid Counsel / Application and Processing (1) (Acting)	Ms Jenny Leung Ping-ching
Assistant Principal Legal Aid Counsel / Application and Processing (2)	Ms Amy Lee Ngar-ling
Assistant Principal Legal Aid Counsel (Kowloon Branch Office)	Miss Ada Wong Yiu-ming
Assistant Principal Legal Aid Counsel (Civil Litigation 1)	Ms Juliana Chan Miu-kuen
Assistant Principal Legal Aid Counsel (Civil Litigation 2)	Miss Doreen Chan Dao-kit
Assistant Principal Legal Aid Counsel (Crime)	Ms Nancy Keung Mei-chuen
Assistant Principal Legal Aid Counsel (Legal and Management Support)	Ms Christina Hadiwibawa Cheung Ying-man
Departmental Secretary	Mr Wong Pak-ho
Departmental Accountant	Ms Eliza Tang Ling

Chapter 4 Address and Communication

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

Appendix 5 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.	法援婚姻訴訟個案家事調解計劃 Mediation in Legally Aided Matrimonial Cases	
17.	民事法援案件（非婚姻訴訟）調解計劃 Mediation in Legally Aided Non-Matrimonial Civil Cases	
18.	關於離婚法律程序的資料 Information on Divorce Proceedings	
19.	離婚法律程序流程表 Flowchart for Divorce Proceedings	

20.	緊急申請須知 Urgent Applications – What You Need to Know	
21.	有關管養權聆訊的資料 Information on Custody Hearing	
22.	離婚後應注意事項 Post Divorce Matters which Warrant Attention	
23.	僱員補償申索 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.	人身傷亡申索 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.	海員欠薪申索 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.	醫療疏忽申索 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)	繁/簡/English
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
3.	法律援助輔助計劃基金年報（只提供網上版本） Supplementary Legal Aid Fund Annual Report (web version only)	繁/English