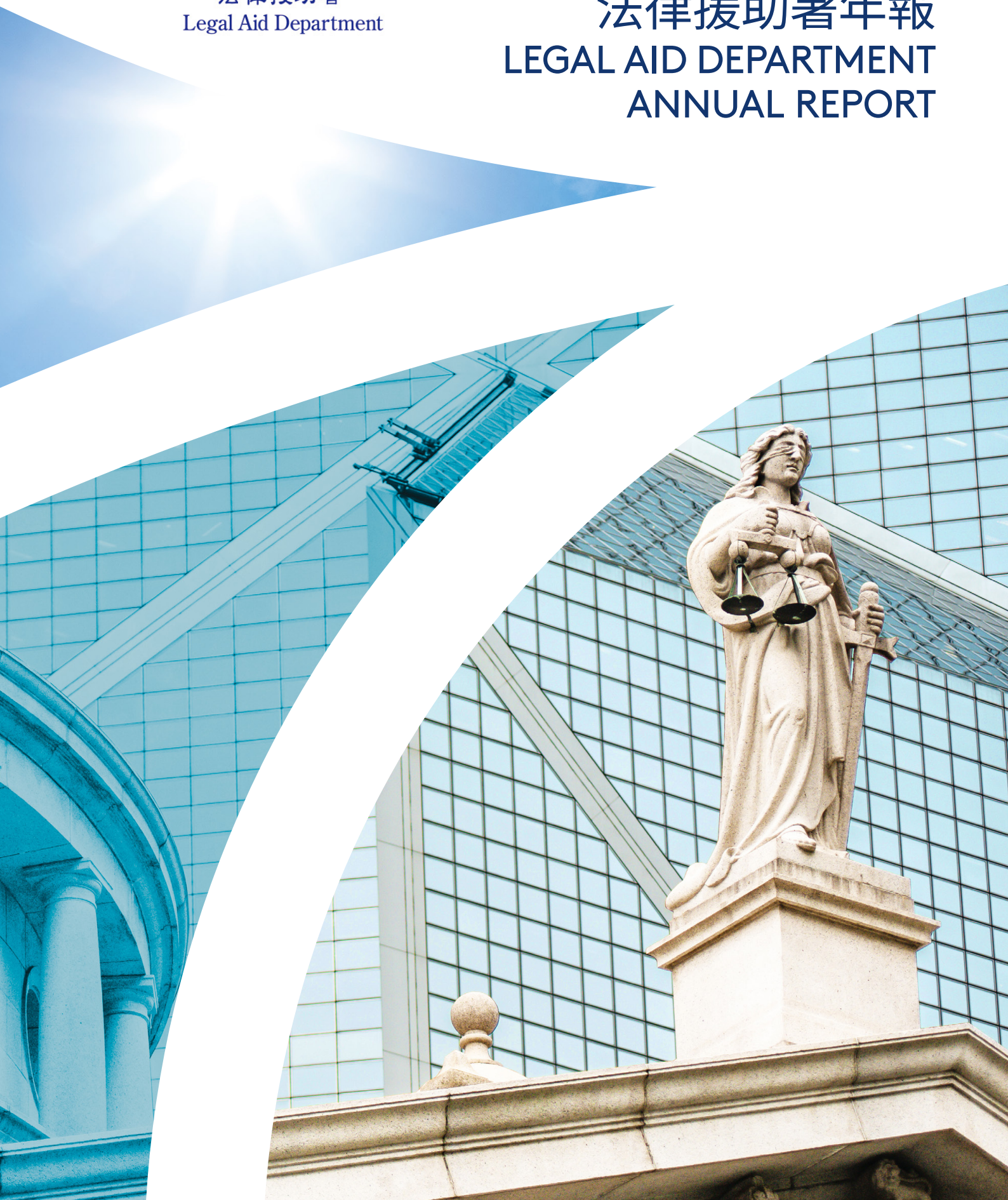




法律援助署
Legal Aid Department

2021

法律援助署年報 LEGAL AID DEPARTMENT ANNUAL REPORT





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

It is my pleasure to present to you this year's Annual Report which provides an overview of the major tasks accomplished and events organized by the Legal Aid Department in 2021. This will be my final Annual Report and I hope you will enjoy reading it.

Hong Kong continued to face the severe impact of the unprecedented pandemic of COVID-19 which began in early 2020. By December 2020, Hong Kong was hit by the fourth wave of the pandemic which persisted until mid-February 2021. The livelihood of various sectors has been adversely affected and the legal sector is no exception. Notwithstanding the uncertainties and challenges during these difficult times, we have flexibly adjusted our services to align with the Government's social distancing measures but at the same time maintained adequate services to the public.



Thomas Edward Kwong
Director of Legal Aid

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Serving the Community

As soon as the pandemic started to ease, we began to reach out to various sectors of the community through different publicity channels and programmes. Our professional officers hosted a number of talks / seminars for social workers and frontline staff of the Social Welfare Department, Hospital Authority and other non-governmental organisations as well as members of various trade unions, covering different legal topics including the work and services of the Department, family issues relating to divorce, maintenance and custody, guardianship of minors, family mediation, as well as issues relating to employees' compensation and personal injuries claims. In view of the severity of COVID-19 and the need to comply with social distancing measures, some of these talks / seminars had to be conducted online so as to facilitate the participation of more target audience.

To maintain rapport with our stakeholders and with a view to promoting a better understanding of our services, one of our directorate officers took part in delivering a talk on the recent development on law and practice relating to mentally incapacitated persons organised by the Mental Health Law Committee of the Law Society of Hong Kong in July. A webinar organised by the Hong Kong Academy of Law in September on the topic of "Update on Legal Aid Schemes" was also hosted by another directorate officer for legal practitioners. Likewise, in maintaining a strong tie with the education sector, we nominated another directorate officer to deliver a talk on legal aid to a group of law students at The Chinese University of Hong Kong in November. And I am very pleased to note that these talks and webinars were found to be well received by the participants and were very conducive in promoting the various legal aid services provided by the Department.

This year marked the 30th Anniversary of Law Week organised by The Law

Society of Hong Kong. Over the years, the Legal Aid Department has always been very supportive of this meaningful event and I was delighted to take part in person officiating the Opening Ceremony of the Law Week 30th Anniversary in November. The Department's participation in the various activities during Law Week has demonstrated our full support for the Law Society in the promotion of legal knowledge to the community. Incidentally, during the event, apart from the provision of advice to members of the public on legal aid services, one of our professional officers also took part in the production of a short legal tips video introducing the concept of the Director of Legal Aid's First Charge.

In late October 2021, I accepted an invitation from the Radio Television Hong Kong to attend a current affairs programme which provided an opportune time for me to explain to the public the rationale and basis behind the upcoming legal aid review. This radio programme had also served as a platform enabling me to share with the public the latest developments of the Department and the services we provided.

Quality Service to the Public

We highlighted in last year's Annual Report that the financial eligibility limits ("FELs") for legal aid applicants under the Ordinary Legal Aid Scheme and Supplementary Legal Aid Scheme had been increased to \$420,400 and \$2,102,000 respectively since 26 June 2020. As highlighted in the "Chief Executive's 2021 Policy Address Supplement", the FELs for legal aid applicants for these two schemes had increased by 45% since 2017. The relaxation in FELs has enhanced access to justice by enabling more people with greater economic means falling within the financial eligibility for legal aid.

In order to enhance the operation and implementation of the legal aid scheme,

the Chief Secretary for Administration's Office and the Legal Aid Department had completed a review of the legal aid system and proposed an array of enhancement measures to prevent potential abuse of our services and strengthen management of legal aid cases. All the enhancement measures were fully implemented in December 2021. With these measures in place, transparency of our services would be further enhanced which in turn would raise public confidence in the legal aid system in Hong Kong.

Enhancement of Information Systems

Technology makes our life easier. I firmly believe technological advancement plays a key role in driving productivity for our business and enhancing our operational efficiency. As highlighted in last year's Annual Report, the Department had proposed to revamp our core IT systems, namely the Case Management and Case Accounting System ("CM&CAS") and the Knowledge Support System ("KSS"), in order to cope with future challenges. I am pleased to report that we successfully sought the support from the Panel on Administration of Justice and Legal Services in March and subsequently obtained funding approval from the Finance Committee a month later for the sum of \$79 million. I believe that the revamped information systems would bring benefits not only to our internal users, but also legal aid applicants / aided persons and various stakeholders alike. The revamped systems would facilitate application processing and greatly reduce our processing time and would also enable us to manage case assignments more efficiently through a brand-new e-assignment process. It would also enhance our operational efficiency and performance in monitoring assigned-out cases, as well as achieving greater efficacy for costs assessments. Moreover, advanced security features would be introduced in the revamped systems to enhance system and data security.

Awards on our Professional Service

Despite the various challenges during the pandemic, our colleagues had shown perseverance throughout in continuing to provide quality and professional services to members of the public. They maintained the highest standards of professional excellence to meet the ever-changing needs of the society. And their efforts were fully recognized in a number of excellence award schemes. This year, two meritorious colleagues were presented with The Ombudsman's Awards 2021 for Officers of Public Organisations for their exemplary performance, professionalism and patience in handling legal aid applications and the provision of excellent customer service. Another experienced and exceptionally meritorious officer was awarded the Secretary for the Civil Service's Commendation Award 2021 for his consistently impressive performance and dedication to the delivery of quality legal aid services to the public over the years. They are clearly excellent examples of our Department's strive for positive work attitude and strong commitment to our work.



Thomas Edward Kwong
Director of Legal Aid

50th Anniversary

The launching ceremony of the "Legal Aid Department 50th Anniversary Roving Exhibition" was successfully held in June 2021 in the City Hall. We were very honoured to have the Chief Executive of the HKSAR, the Chief Justice of the Court of Final Appeal, the Chief Secretary for Administration and the Chairman of the Legal Aid Services Council as our officiating guests for this significant and milestone event in witness of our achievements over the past 50 years. The launching ceremony was followed by a number of roving exhibitions held in different districts of the territory in June and August 2021 respectively. Members of the public who read our exhibition panels and participated in the games booths at the various venues would certainly find the information fruitful and rewarding. The events had no doubt enhanced public understanding and knowledge of the history and services of the Department.

As part of the celebration programmes, we also produced a commemorative publication and aired a documentary TV series co-produced by RTHK to showcase our contributions to the community through the provision of legal aid services in Hong Kong since 1970.

Looking Ahead

2021 has been a challenging and yet a productive year. On behalf of the Department, I would like to take this opportunity to offer my heartfelt gratitude to the Legal Aid Services Council, the Chief Secretary for Administration's Office, the two legal professional bodies, and our stakeholders for their invaluable advice and unfailing support for the work of the Department. Last but not least, I wish to express my utmost appreciation to all my colleagues who have worked tirelessly

with dedication and professionalism throughout the year in delivering quality legal aid services to the public.

Hong Kong has one of the best and most efficient legal aid system in the world. We must treasure what we have and appreciate the importance of our role in facilitating access to justice. As we move forward, we will continue to strive for the provision of quality legal aid services to the public in the years to come and to maintain our role as a Cornerstone of the Rule of Law in Hong Kong.

Thomas Edward Kwong
Director of Legal Aid

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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 2021

Information System

The feasibility study completed in October 2020 has identified various design, operational and technical limitations of the existing Case Management and Case Accounting System (CM&CAS) and the related query system, Knowledge Support System (KSS), for example, the cessation of support for the programming language of the existing systems, slow processing time and security vulnerabilities due to outdated hardware and software, etc. A major revamp, building on new system framework and custom-built design is necessary. The Department has accepted the consultant's recommendations to revamp the two systems. The revamped CM&CAS and KSS will bring about improvement in processing of legal aid applications, assignment of cases, monitoring of assigned-out cases, costs assessment, payments by the Department and automatic alerts / validation, data search, retrieval and analysis, and system security. In 2021, with the endorsement of the Panel on Administration of Justice and Legal Services, we successfully obtained funding support from the Finance Committee. The project will be kicked off at the third quarter of 2022 and the revamped systems are expected to be fully implemented by the end of 2025.

The Department was actively involved in the Judiciary's Information Strategy Plan (ITSP). This year, we were one of the key participants in the pilot run of the Judiciary's integrated case management system (iCMS), which will be launched by stages starting from the second quarter of 2022.

Customer Services

The Department has procured 13 units of iPads with Zoom Meeting software installed to facilitate different sections to hold on-line meetings with applicants or aided persons. To cope with operation efficacy during pandemic, we have also procured 22 additional VPN notebooks for directorate officers and Senior Law Clerks I for them to have remote access to the Department servers.



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



(From left) Mr Steve Wong Yiu-fai,
Ms Christina Hadiwibawa Cheung Ying-man,
Mr Chris Chong Yan-tung



(From left) Ms Jenny Leung Ping-ching,
Ms Juliana Chan Oi-yung,
Ms Amy Lee Ngar-ling



(From left) Miss Doreen Chan Dao-kit,
Mr Ben Li Chi-keung, Ms Mo Yuk-wah,
Ms Nancy Keung Mei-chuen



(From left) Mr Chris Chong Yan-tung,
Mr Thomas Edward Kwong,
Mr Jason Chan Mau-kwan



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



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

Publicity

2021 marked the 50th Anniversary of Legal Aid Department. Apart from publishing our 50th Anniversary commemorative publication, we successfully held the launching ceremony for "Legal Aid Department 50th Anniversary Roving Exhibition". The launching ceremony was officiated by the Chief Executive, Mrs Carrie Lam; the Chief Justice of the Court of Final Appeal, Mr Andrew Cheung Kui-nung; the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung; the Chairman of the Legal Aid Services Council, Professor William Leung; and the Director of Legal Aid, Mr Thomas Kwong, at the Hong Kong City Hall. Further, to commemorate this milestone event, three roving exhibitions were organized in different districts of the territory to promote public understanding of our services and achievements over the past half century. Co-produced by the Department and the Radio Television Hong Kong (RTHK), a 6-episode documentary series "Legal Aid – a Gateway to Justice" was broadcast on TV from June to August 2021. The TV series covered a wide range of topics from matrimonial dispute, personal injuries claim, to murder trial, etc. The event of each episode was based on real-life legal aid case and in some episodes, the aided persons did appear on live to tell their own story.

Due to the onset of COVID-19, while the Department had suspended receiving delegates from outside bodies in 2021, we did not stop reaching out during this difficult time and hosted a number of talks to other Government departments and organizations. For example, our professional officers delivered several talks to social workers and frontline staff of Po Leung Kuk Tsui Lam Centre, Hong Kong Single Parents Association, Hospital Authority and Social Welfare Department on family matters such as divorce, maintenance, custody and guardianship. In March and December respectively, we delivered two talks to the Hong Kong Federation

of Trade Unions with particular focus on employees' compensation and personal injuries claims. In September, on the invitation of the Hong Kong Academy of Law, one of our directorate officers conducted a webinar to legal practitioners on "Update on Legal Aid Schemes". This was followed by a classroom lecture by another directorate officer in November for the law students studying at the Chinese University of Hong Kong. All these talks were well received and feedback from the audience was very positive.

To disseminate information to the public and make timely response to concerns relating to the Department, we set up a Facebook account in September for uploading useful information and relevant statistics to dispel public misconception of our services. Members of the public may visit the following link for more details:

<https://www.facebook.com/profile.php?id=100076152664548>

Chapter 2

Legal Aid Services

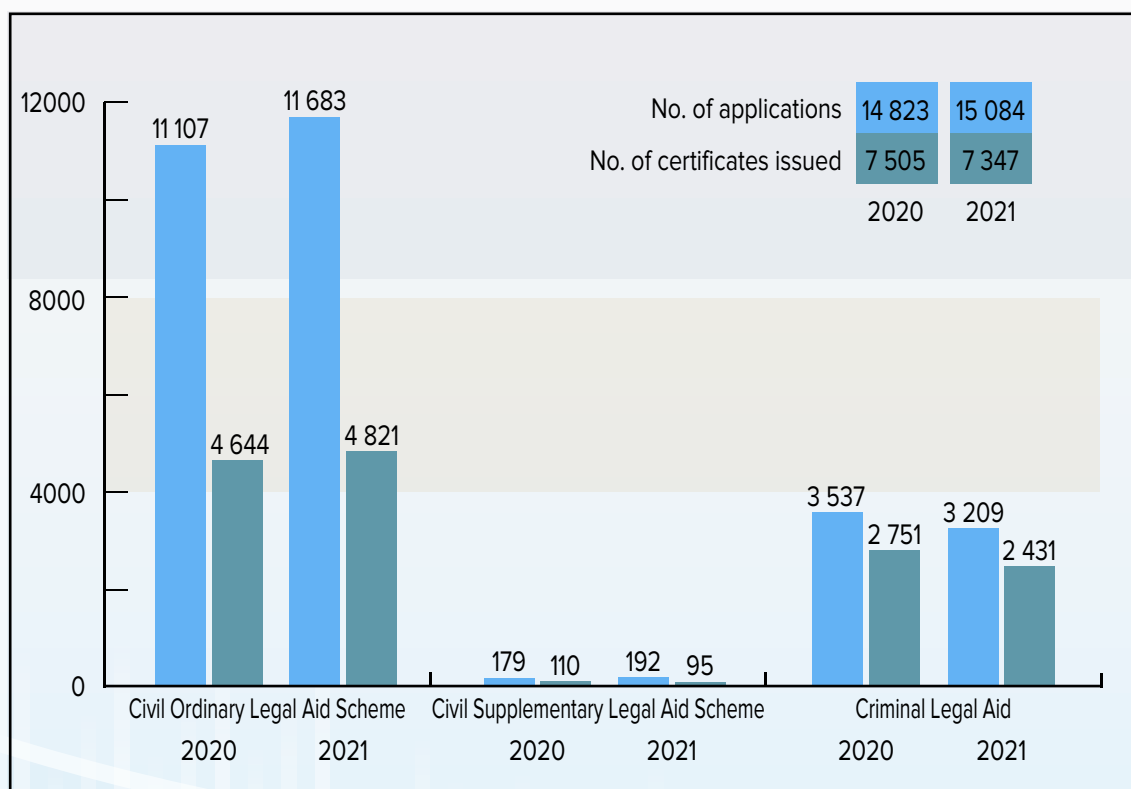


Legal aid business is conducted in the following service areas:

- 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 2021, a total of 15 084 applications for legal aid were received and 7 347 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 injuries 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 2021, there were 11 683 OLAS applications and 4 821 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;
- 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 2021, there were 192 SLAS applications and 95 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 2021, a surplus of \$3.3 million was recorded as compared with a surplus of \$8.0 million in the year ended 30 September 2020 in the Supplementary Legal Aid Fund. As at 30 September 2021, the Fund had a balance of \$216.3 million. For details, please refer to [Appendix 1](#).

Distribution of Civil Legal Aid Applications Received in 2020-2021

Case Types	No. of Applications for Civil Legal Aid		
	2020	2021	% Change
Personal Injuries Claims	4 602	4 929	7%
Matrimonial Cases	4 284	4 570	7%
Land and Tenancy Disputes	394	465	18%
Employment Disputes	235	57	-76%
Immigration Matters	89	112	26%
Wage Claims	42	45	7%
Others	1 640	1 697	3%
Total	11 286	11 875	5%

Distribution of Civil Legal Aid Certificates Issued in 2020-2021

Case Types	No. of Certificates for Civil Legal Aid		
	2020	2021	% Change
Personal Injuries Claims	2 359	2 430	3%
Matrimonial Cases	1 832	2 079	13%
Land and Tenancy Disputes	74	85	15%
Employment Disputes	209	5	-98%
Immigration Matters	0	0	-
Wage Claims	30	30	0%
Others	250	287	15%
Total	4 754	4 916	3%



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 2021, the Unit received a total of 30 551 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 2020-2021

Certificates
4 754

Take-up Rate
(as a % of offers)
92%



Certificates
4 916

Take-up Rate
(as a % of offers)
94%



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
2020	80	13	231	62	42	7	6	0
2021	71	11	334	70	37	3	8	0

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.

Note: *The figures do not include appeals withdrawn.

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Ms Jenny Leung Ping-ching
Assistant Principal Legal Aid
Counsel / Application and
Processing (I)



Refusal Rate of Civil Legal Aid Applications in 2020-2021

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



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

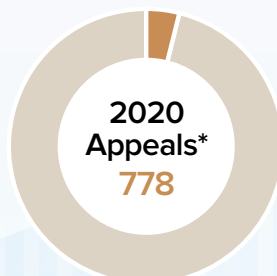
Refusals
(a) on merits
4 790
Refusal Rate
(as a % of applications)
40%



(b) on means
819
Refusal Rate
(as a % of applications)
7%

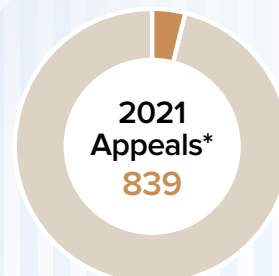
Outcome of Civil Legal Aid Appeals in 2020-2021

Appeals Allowed
35



Success Rate
(as a % of appeals)
4%

Appeals Allowed
25



Success Rate
(as a % of appeals)
3%

Note: *The figures do not include appeals withdrawn.

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
2019	12 922	5 211	915	1 193	45
2020	11 286	4 289	780	778	35
2021	11 875	4 790	819	839	25

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



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
2019	797	802	8	369	5
2020	359	252	8	91	5
2021	450	313	6	64	1

* 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.



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

Outcome of Civil Cases Closed in 2021

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)	3% (0%)	50% (82%)	0% (0%)	15% (3%)	6% (0%)	0% (9%)	26% (6%)	100%

* Protection of Wages on Insolvency Fund Board
(2020 figures in bracket)

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

(2020 figures in bracket)

Case Type	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%)	1% (2%)	1% (1%)	1% (1%)	3% (2%)	100%
<i>Employees' Compensation Claims</i>	95% (96%)	1% (1%)	1% (1%)	1% (1%)	2% (1%)	100%
<i>Personal Injuries</i>	92% (93%)	1% (2%)	1% (1%)	2% (1%)	4% (3%)	100%
<i>Running Down</i>	96% (92%)	0% (2%)	1% (2%)	1% (2%)	2% (2%)	100%
Medical / Dental / Professional Negligence	61% (86%)	9% (12%)	2% (0%)	14% (0%)	14% (2%)	100%
Miscellaneous	60% (70%)	18% (10%)	7% (9%)	2% (2%)	13% (9%)	100%
Overall	89% (90%)	3% (3%)	2% (3%)	2% (1%)	4% (3%)	100%

(2020 figures in bracket)

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 2020-2021

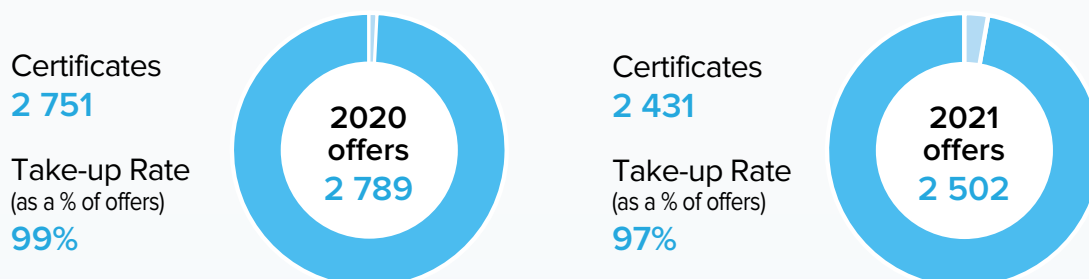
Case Types	No. of Applications for Criminal Legal Aid		
	2020	2021	% Change
Committal Proceedings in the Magistrates' Courts	437	418	-4%
District Court Trials	1 946	1 520	-22%
Court of First Instance Trials	418	317	-24%
Magistrates' Court Appeals to the Court of First Instance	271	413	52%
District Court Appeals to the Court of Appeal	183	260	42%
Court of First Instance Appeals to the Court of Appeal	150	131	-13%
Appeals in the Court of Final Appeal	82	83	1%
Others	50	67	34%
Total	3 537	3 209	-9%

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 2020-2021

Case Types	No. of Certificates for Criminal Legal Aid		
	2020	2021	% Change
Committal Proceedings in the Magistrates' Courts	405	412	2%
District Court Trials	1 745	1 529	-12%
Court of First Instance Trials	410	324	-21%
Magistrates' Court Appeals to the Court of First Instance	35	37	6%
District Court Appeals to the Court of Appeal	42	45	7%
Court of First Instance Appeals to the Court of Appeal	60	41	-32%
Appeals in the Court of Final Appeal	17	12	-29%
Others	37	31	-16%
Total	2 751	2 431	-12%

Take-up Rate for Criminal Legal Aid in 2020-2021





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 2021, there were 15 refusals on means, 12 of which were also refusals on merits. 75 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 81 cases even though the means of the applicants exceeded the financial eligibility limit.

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 2021, no appeal was made to the Review Committee.



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



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

Refusal Rate of Criminal Legal Aid Applications in 2020-2021

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%



Refusal on Merits

689

(Appeal cases)

(657)

(Other cases)

(32)

Refusal Rate

(as a % of applications)

21%

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)

90 (75)

Refusal Rate (as a % of applications)

3%



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 2021, the means test calculator and its mobile version received 7 374 and 8 329 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 2021

	No. of Counsel			
No. of Assignments	*Below 3 Years	*3-5 Years	*6-10 Years	*Over 10 Years
1-4	8	21	45	152
5-15	0	5	25	155
16-30	0	1	3	70
31-50	0	0	0	1
Over 50	0	0	0	0
Total	8	27	73	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	0	28	58	539
5-15	0	15	29	216
16-30	0	4	20	106
31-50	0	0	1	18
Over 50	0	0	0	0
Total	0	47	108	879

* 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 2021, on the advice of the Committee, 2 solicitors were removed from the Legal Aid Panel, 5 counsel and 14 solicitors were put on the Record of Unsatisfactory Performance / Conduct and advisory letters were issued to one counsel and 3 solicitors.

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 2021, funding for mediation was approved in 890 assigned out cases, out of which 171 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 2021, Civil Litigation (1) of CLS took up 198 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 ten cases. The total amount of damages recovered was about \$51 million.

Legal costs recovered for the professional litigation work done by Civil Litigation (1) of CLS were about \$8.4 million.

Family Litigation

In 2021, the Family Unit of the Civil Litigation (2) of CLS took up a total of 564 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 2021, the Insolvency Unit took out 34 winding-up petitions. A total of 306 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 2021, 89.3% of all criminal cases in the District Court in Hong Kong were legally aided, as were 99.6% of criminal cases in the Court of First Instance.

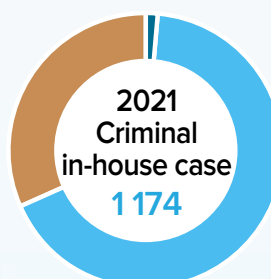
In 2021, the Crime Section handled 1 174 cases in-house:

Court of First Instance of High Court Trials & Appeals
19 (1.6%)

District Court-Plea Days
786 (67.0%)

Committal Proceedings & Others
369 (31.4%)

Total
1 174 (100.0%) (as a % of total cases handled in-house)





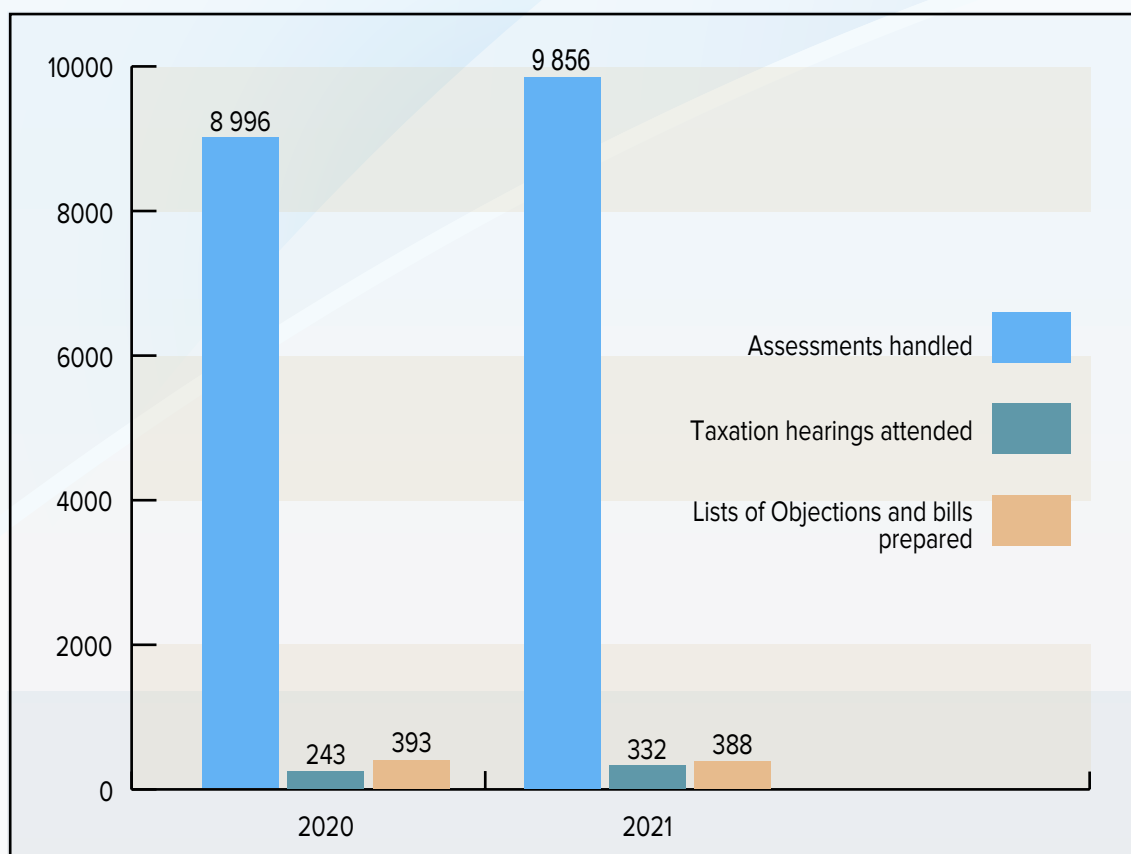
**Ms Christina Hadiwibawa
Cheung Ying-man**
Assistant Principal Legal Aid Counsel
(Legal and Management Support)

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 2020-2021



Enforcement

The Department's Enforcement Unit (EU) handles enforcement proceedings for the recovery of judgment debts and costs in legally aided cases. Although EU's work in 2021 continued to be affected by the COVID-19 pandemic, a total of 202 cases were assigned to the EU, an increase of 76% from the previous year. In 109 cases, enforcement proceedings were instituted. About 36% 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 time taken for enforcement proceedings to be commenced from the date of assignment:

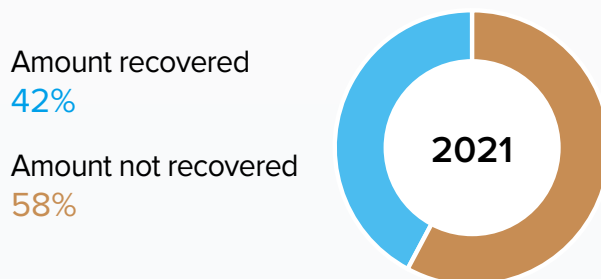
Time taken for the commencement of enforcement proceedings in 2021:

Within 1 month	Within 2 months	Within 3 months	More than 3 months	Total no. of cases
39 (30)	40 (28)	17 (5)	13 (2)	109 (65)
36% (46%)	37% (43%)	15% (8%)	12% (3%)	100% (100%)

(2020 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 2021 is as shown in the chart below:



Top 20 Solicitors in terms of Civil Case Assignments in 2021 by Case Types and Percentage Shares in the Total Number of Civil Case Assignments to Solicitors

(From 1.1.2021 to 31.12.2021)

Rank by order Share	No. of Assignments by Case Types#						% Share
	PI-related	JR	MIM	MAT	Others	Total	
1	32	0	0	3	0	35	0.8%
2	31	0	0	2	0	33	0.8%
3	29	0	0	1	2	32	0.7%
4	25	0	0	2	4	31	0.7%
5	23	5	0	3	0	31	0.7%
6	4	24	0	1	1	30	0.7%
7	29	0	0	1	0	30	0.7%
8	21	0	0	8	1	30	0.7%
9	30	0	0	0	0	30	0.7%
10	28	0	0	2	0	30	0.7%
11	29	0	0	0	0	29	0.7%
12	28	0	0	1	0	29	0.7%
13	27	0	0	2	0	29	0.7%
14	28	0	0	0	0	28	0.6%
15	28	0	0	0	0	28	0.6%
16	28	0	0	0	0	28	0.6%
17	27	0	0	0	1	28	0.6%
18	26	0	0	0	2	28	0.6%
19	19	0	0	9	0	28	0.6%
20	27	0	0	0	0	27	0.6%
Subtotal for Top 20	519	29	0	35	11	594	13.5%
Total no. of assignments to solicitors in civil cases	2 470	90	0	1 564	268	4 392	100%

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, Dental Negligence, Medical Negligence, Personal Injuries, 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



Kwok Cheuk Kin (1st Applicant) & Another v. Director of Lands & Others (FACV 2, 3 & 4/2021)

With the assistance of legal aid, the 1st Applicant challenged the constitutionality of the New Territories Small House Policy (“the Policy”) and brought the matter to the Court of Final Appeal.

The Policy, operated by the Lands Department and formalized in 1972, provides that a male New Territories Indigenous Inhabitant (“NTII”) may apply for permission, once in his lifetime, to erect a small house on a suitable site within his own village. Under the Policy, three kinds of grant are available for application: free building licenses, private treaty grants and exchanges. The rights or interests enjoyed by male NTIIs under the Policy is commonly known as the Ding Rights (丁權).

Proceedings below

The 1st Applicant, initially legally-aided, sought judicial review of the Policy on the ground that it is unconstitutional for being discriminatory on the basis of birth, sex and social origin (HCAL 260/2015). The 2nd Applicant was subsequently granted legal aid to join in the judicial review proceedings after the legal aid certificate issued to the 1st Applicant was revoked (see *Kwok Cheuk Kin v. The Registrar of the High Court & Anor* [2018] HKCFI 2442).

In the judicial review proceedings in the Court of First Instance, it was not disputed by the Government and Heung Yee Kuk that the Policy is, on its face, discriminatory and inconsistent with the anti-discrimination provisions of the Basic Law and Hong Kong Bills of Rights which provide that all Hong Kong residents shall be equal

before the law and that the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground including sex, social origin, birth or other status.

Article 40 of the Basic Law

The central issue before the Court of First Instance was thus whether the Policy is protected by Article 40 of the Basic Law (“BL40”), which provides that: “The lawful traditional rights and interests of the indigenous inhabitants of the ‘New Territories’ shall be protected by the Hong Kong Special Administrative Region”.

The Court of First Instance held that the Ding rights were “lawful” ones within the meaning of BL40 and “lawful” in the present context is merely descriptive of those traditional rights and interest which were enjoyed by the NTIs, and it would not be consistent with the purpose of BL40 to allow such rights or interest to be challenged on the ground of discrimination, or other grounds of unlawfulness. However, only free building licenses are “traditional” rights for the purposes of BL40 because they are so traceable to the rights and interests enjoyed by NTIs prior to the New Territories lease in 1898. The Policy was held to be unconstitutional to the extent of private treaty grants and exchanges. The Court of First Instance also ruled in favour of the Applicants on the issues of their standing to challenge the Policy, and also whether there was delay in making the application for judicial review.

All the parties including the legally aided 2nd Applicant appealed to the Court of Appeal (CACV 234, 317 & 319/2019). The Court of Appeal overturned the Judgment of the Court of First Instance and held that the Policy is constitutional in its entirety. A right or interest is “traditional” under BL40 if it was recognized as such by the Basic Law drafters at the time of its promulgation in April 1990. As at that date, all

Ding rights were so recognized. Alternatively, the rights are “traceable” to 1898 as they originated from, and retained the essence of, the NTIs’ pre-1898 custom of building a house for their own occupation on village land. The Court of Appeal agreed with the Court of First Instance on the meaning of “lawful”. Ding rights are accordingly protected under BL40. Lastly, the Court of Appeal disagreed with the Court of First Instance on the issues of standing and delay and refused to grant relief on these grounds.

The Applicants including the legally aided 2nd Applicant applied for and were granted leave by the Court of Appeal to appeal to the Court of Final Appeal on questions of great and general or public importance including whether the Ding rights under the Policy is a lawful traditional right or interest within the meaning of BL40, an applicant’s standing to challenge an ongoing discriminatory government policy by way of judicial review and whether the Court should refuse the relief on the ground of delay. Only the 1st Applicant, who was then granted legal aid again, proceeded with the appeal in the Court of Final Appeal.

Right or Interest

The Court of Final Appeal held that the “right” or “interest” which an applicant under the Policy may be said to have is a right to have one’s application dealt with in accordance with the criteria laid down in the government’s statements of current policy, subject to the lawfully exercised discretion of the Lands Department. It thus falls within “rights and interests” in BL40.

Lawful

As to whether the Policy is “lawful”, the Court of Final Appeal rejected the 1st Applicant’s arguments that “lawful” means the scope of BL40 is qualified by,

and ought to be interpreted in line with, the anti-discrimination provisions in the Basic Law and Hong Kong Bills of Rights. The Court ruled that the word “lawful” in the context of BL40 went to the lawfulness in the way the discretion of the Lands Department with respect to an application under the Policy was exercised as a matter of public law. It follows that there is no question of the express exclusion of the Policy from the ambit of the Sex Discrimination Ordinance being unconstitutional.

Tradition

The Court also rejected the 1st Applicant’s argument that “traditional” means the Ding rights have to be traceable to 1898 and upheld the Court of Appeal’s finding that the word “traditional” in BL40 is to be determined by reference to the state of affairs in April 1990, and does not require that a protected right or interest be traceable to the period before 1898. There is nothing in BL40 which requires a protected right or interest to be traceable to the period before 1898. The principle of traceability cannot be implied as it is not implicit in the concept of tradition as a matter of language. It is also consistent with the purpose of BL40 when, firstly, the Policy did not replicate the essence of the old pre-1898 system. The Policy has acquired a life of its own and the rights arising under it were new rights originally conferred by the colonial administration in the first decade after the inception of the New Territories lease of 1898, and maintained in various iterations and with some modifications thereafter. By 1990, they had become a tradition of the colonial administration. They were traditional in 1990 not because they are traceable to 1898. Further, there was no rational reason why the Basic Law, which is to address to the problem of continuity between the colonial regime and the system which would follow it, should wish to make the preservation of indigenous rights which they would inherit from the colonial regime dependant on their similarity to rights which had existed before 1898.

Delay and standing

The Court differed from the Court of Appeal on the issues of delay and standing. On delay, the Court considered that the present proceedings concern a controversial constitutional issue of considerable public importance. Only declaratory reliefs are sought and there is no claim to quash past decisions made under the Policy. It would be surprising for a Court to refuse to grant reliefs, if the Court was satisfied that they were justified in principle, for it would have meant that the Court was disabled from intervening the unlawful discrimination by the executive on the basis of sex and social originally from day to day.

For the issue of standing, the Court held that the critical question in a public interest case is whether the purpose of judicial review, and in particular the rule of law, will be best served by allowing the applicant to proceed. The Court agreed with the Court of First Instance to accept that the 1st Applicant had standing. The decisive consideration was that only people who can be said to have a manifestly greater interest in the constitutionality of the Policy are beneficiaries of the Policy with no interest in challenging it. Other people may have a direct personal interest in other aspects of the Policy but not in its constitutionality. Given the significance and controversial character of the issue, that state of affairs would mean that the Policy would in practice be beyond challenge even if unconstitutional. This would do no service to the rule of law.

Disposition

The 1st Applicant's appeal was dismissed unanimously.

HKSAR v. Tong Ying Kit (HCCC 280/2020)

On 23 June 2021, the first criminal trial in HK involving the National Security Law (“NSL”) and a trial without a jury took place before a panel of three judges at the Court of First Instance (“HCCC 280/2020”). The defendant, Tong Ying Kit (“Tong”) was charged with (i) one count of incitement to secession, contrary to Article 20 & 21 of NSL and (ii) one count of terrorist activities, contrary to Article 24 of NSL.

Tong was granted legal aid in December 2020 to defend HCCC 280/2020. Since this was the first case in HK involving NSL, therefore there was no precedent and the Court had to deal with a number of issues prior to the criminal trial. One of those issues was the decision by the Secretary for Justice to issue a certificate under Article 46(1) of the NSL for the trial to be conducted by a panel of three judges without a jury (“the decision”). As explained by the Secretary for Justice, the certificate was issued on the grounds of (1) protection of personal safety of jurors and their family members; and / or (2) if the trial is to be conducted with a jury, there is a real risk that due administration of justice might be impaired.

In April 2021, Tong was granted legal aid to apply for leave to judicial review of the decision on the ground that it engaged the principle of legality and procedural safeguards which the Secretary for Justice had failed to observe. Leave was refused. Tong subsequently appealed to the Court of Appeal without legal aid (CACV 293/2021) and the appeal was dismissed. The Court of Appeal held that Article 46(1) does not admit of a conventional judicial review as contended by Tong. The decision of the Secretary of Justice to issue a certificate under Article 46(1) is a prosecutorial decision protected by Article 63 of the Basic Law and is

only amenable to judicial review on the limited grounds of dishonesty, bad faith and exceptional circumstances as explained in the case law.

Further, the parties in the criminal trial also could not agree as to the elements involved in each of the offences and thus this issue also needed to be resolved before the trial actually commenced.

In the course of the trial, experts from both sides gave evidence as to the meaning of the slogan printed on the flag which was hoisted at the back of the motorcycle Tong was driving at the time of the offence. After a trial which lasted for 15 days, Tong was convicted of both counts on 27 July 2021. With delivery of verdict, mitigation and sentencing on another three separate days, the whole case was concluded in 18 days. Tong was sentenced to an overall term of 9 years' imprisonment and a disqualification order of 10 years.

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 2021, 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 2021
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%	94%
- Appeal against conviction	Within 3 months from the date of application	90%	94%
Trials in the Court of First Instance of the High Court / District Court	Within 10 working days from the date of application	90%	85%
Committal proceedings	Within 8 working days from the date of application	90%	81%

Payment to Aided Persons and Service Providers

In 2021-2022, the Department paid out \$1,035.3 million to lawyers / experts / other parties and \$1,237.2 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 2021
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%	98%
	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	2020-2021 (\$M)	2021-2022 (\$M)
Solicitors Costs	547.3	585.3
Counsel Fees	279.5	336.7
Doctors Fees	8.5	9.0
Opposite Party Costs	50.8	36.8
Others (Note)	67.0	67.5
Total	953.1	1,035.3

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 2021. 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 directorate, would meet with a team of Assistant Customer Service Managers and Officers regularly to review feedback on our services and recommend follow up actions where necessary.

Complaints

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

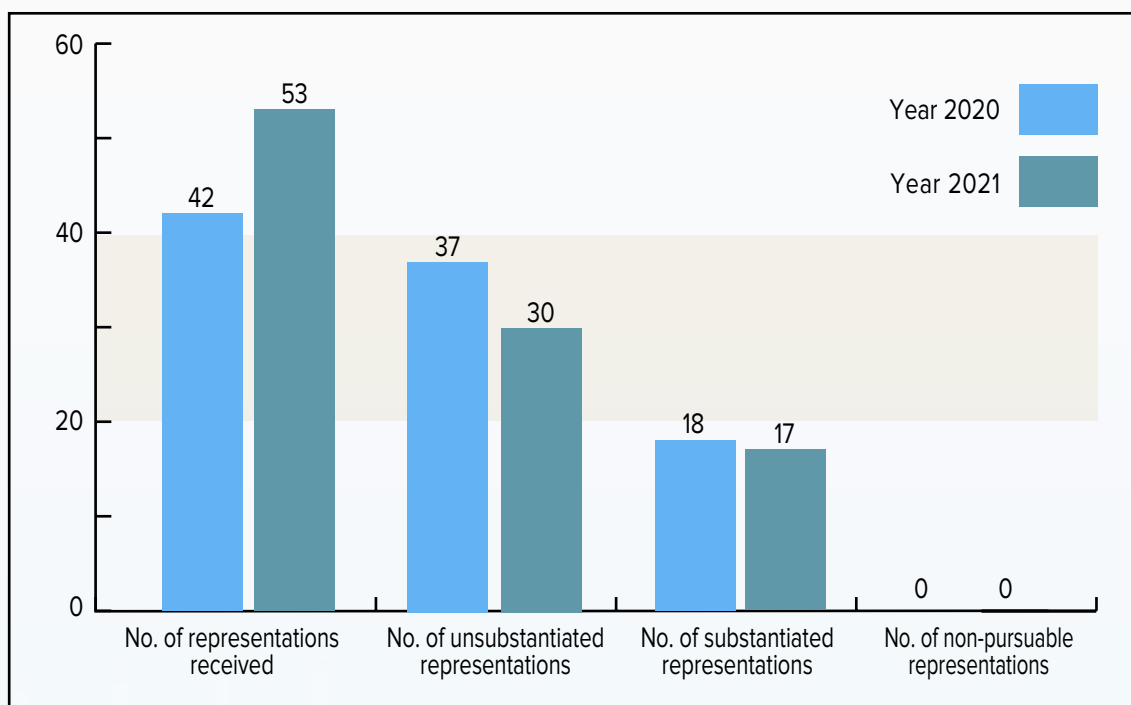
Representations

To qualify for legal aid, applicants must pass both the means and merits tests. If anyone believes that a person should not have been given legal aid on means and / or merits, he can write to us and let us know the reasons. The Application and Processing Division is responsible for conducting review of representations against grants of legal aid on merits. Representations against grants of legal aid on means are handled by the Special Duties and Research Unit. The Department

has published a leaflet to explain the investigation system and to address frequently asked questions. Please visit http://www.lad.gov.hk/eng/documents/ppr/publication/Not_Happy_en.pdf to view the leaflet.

In 2021, the Special Duties and Research Unit received 53 representations against grants of legal aid on means and completed investigation in 47 cases. 14 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 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 2020 and 2021:



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.

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



To celebrate the department's golden jubilee, the launching ceremony for the "Legal Aid Department 50th Anniversary Roving Exhibition" was officiated by the Chief Executive, Mrs Carrie Lam; the Chief Justice of the Court of Final Appeal, Mr Andrew Cheung Kui-nung; the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung; the Chairman of the Legal Aid Services Council, Professor William Leung; and the Director of Legal Aid, Mr Thomas Kwong, at the Hong Kong City Hall on 2 June 2021. A total of three roving exhibitions were held at different regions of Hong Kong in 2021 to promote public understanding of the department's contributions and work on legal aid services over the past half

century. Six episodes of TV documentary “Legal Aid - a Gateway to Justice” were produced in collaboration with RTHK and broadcast from June to August 2021 to chronicle the changes and development on legal aid services. Furthermore, a commemorative publication, showcasing various highlights of the Department including legally aided cases which had far-reaching impact on the legal system and society of Hong Kong, was produced and uploaded onto the Department’s website for viewing by the members of the public.

Law week 2021



In November 2021, the Director of Legal Aid, Mr Thomas Kwong officiated at the Opening Ceremony of the Law Week 30th Anniversary at the office of the Law Society of Hong Kong. Also officiating at the opening ceremony were the Chief Executive, Mrs Carrie Lam; the Chief Justice of the Court of Final Appeal, Mr Andrew Cheung Kui-nung; the Secretary for Justice, Ms Teresa Cheng, SC; and the President of The Law Society of Hong Kong, Mr C. M. Chan.

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 September 2021, Assistant Principal Legal Aid Counsel / Legal and Management Support, Ms Christina Hadiwibawa, conducted a Continuing Professional Development course “Update on Legal Aid Schemes” organised by the Hong Kong Academy of Law via webinar.

Separately, Senior Legal Aid Counsel (Acting) / Application and Processing, Ms Michelle Lee, participated in the Law Society’s production of a short legal tips video which briefly introduced about the Director of Legal Aid’s First Charge.

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, some visits were suspended in 2021.

On 24 November 2021, Assistant Principal Legal Aid Counsel / Application & Processing Division, Ms Amy Lee delivered a talk on legal aid services in Hong Kong to a group of law students of the Chinese University of Hong Kong.



Please visit http://www.lad.gov.hk/eng/wnew/event_2021.html for the details and photos of the events.

Reaching out to the Community

On 16 December 2021, Senior Legal Aid Counsel (Acting) / Application and Processing, Ms Michelle Lee, and Senior Law Clerk I / Application & Processing, Mr Philip Leung, hosted a talk for members of the Hong Kong Federation of Trade

Unions and introduced legal aid services relating to employees' compensation and personal injuries at work.

On 19 October 2021, Legal Aid Counsel / Application & Processing, Ms Krista Sze and Legal Aid Counsel / Civil Litigation, Miss Kanas Wong hosted a talk for social workers and frontline staff from the Social Welfare Department, Hospital Authority and non-governmental organisations and introduced the department's work and legal aid services relating to family issues including divorce, maintenance, child custody and family mediation.

On 23 July 2021, Senior Legal Aid Counsel / Kowloon Branch Office, Ms Janet Fung and Senior Law Clerk I / Kowloon Branch Office, Mr Gary Cheng 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.

On 23 June 2021, Legal Aid Counsel / Application & Processing, Ms Krista Sze, and Senior Law Clerk I / Application & Processing, Mr Ivan Lee, hosted a talk via online platform for the Hong Kong Single Parents Association, introducing the work and services of the Department relating to family issues such as divorce, maintenance, child custody and guardianship of minor.

On 25 March 2021, Senior Legal Aid Counsel / Application & Processing, Mr Ivan Yim, and Senior Law Clerk I / Application & Processing, Mr Philip Leung, hosted a talk for members of the Hong Kong Federation of Trade Unions and introduced legal aid services relating to employees' compensation and personal injuries at work.

On 11 March 2021, Senior Legal Aid Counsel / Kowloon Branch Office, Ms Janet Fung, hosted a talk via online platform for 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 from 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 2021, the Department recruited 11 summer interns and 7 winter interns under the Post-secondary Students Summer and Winter Internship Programmes, 1 intern with disability and 1 non-ethnic Chinese intern.

Updating of Departmental Leaflets

The Department published and regularly updated a series of leaflets including “How to Apply Legal Aid in Criminal Cases” and “Important Notice for Legally-Aided Persons – Crime Section” leaflets to reflect the enhancement measures made upon the completion of the review on the operation of legal aid.

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 2021.

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 continued to arrange the broadcast of the 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 2021 to 31 July 2023, 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 2021, the Department continued enhancing the homepage to meet with the latest requirements of the Office of the Government Chief Information Officer.

Chapter 6

Organisation, Administration and Staffing



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 2021, the Department had 549 staff members comprising 85 professional officers, 177 law clerks and 287 supporting staff. Two Legal Aid Counsel and 19 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)

Professional Training

To keep our professional officers abreast of the changes and development in the relevant legislation and law, the Department sponsored 54 professional officers to attend external webinars including Workshop on Data Protection and Data Access Request, Practical Workshop on Data Protection Law, Update on Personal Injuries Claims, Update on Family Law and Practice, Informal Interests in Property: Presuming Interests and Illegality, Intestate Succession, Testate Succession, Property Law Cases 2021, Recent Developments in Hong Kong Civil Procedure, The Law and Practice on Children Issues and New Practice and Procedure in Family Courts, Mainland Judgements in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Bill 2021, Mental and Testamentary Capacity: The Law and Practice – An Update, Water Leakage, Building Management Disputes: Landlord and Tenant Law Update.

To promote exchanges with the Mainland counterparts, 4 professional officers attended National Studies Programme for Government Lawyers (Module 1: Lectures in Hong Kong) coordinated by the Department of Justice.

Management and Communication Training Courses

To strengthen staff's management and communication capability, 14 professional officers were nominated to attend management and communication training organised by the Civil Service College, Civil Service Bureau (CSC, CSB) including Workshops on People Management in the Public Sector, Executive Workshops on Behavioural Insights and Public Policy, Practical Workshop on Crisis Management and Communication, Executive Series on Social Media for Engagement: Audience-centric Social Media Campaigns, and Social Media Communication – Global Trends and Best Practices, The Art of Public speaking, Leading by Influencing for Middle Managers – Negotiation for Result, Social Media Strategies for Policy Advocacy: An Insider's Perspective, and Presentation Skills in the Workplace.

For executive development, 5 professional officers were nominated to attend executive development programmes organized by CSC, CSB, namely Advanced Leadership Enhancement Programme, Leadership in Action Programme and Innovative Leadership 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 workshop on How to Communicate with Customers with Emotional / Mental Problems. A total of 49 colleagues attended the workshop.

We also nominated staff of different ranks to attend relevant courses held by CSC, CSB. In 2021, 14 staff members, including general grade staff, attended courses including Workshop on Handling Confrontational Situations, Effective Putonghua for Quality Service, Effective Putonghua Telephone Skills, Seminar on Accessibility Issues and Make Service Visible Seminar Series: Communication and Problem Solving.

Staff Well-being and General Training

The Department is committed to promoting staff well-being. In 2021, 4 in-house workshops on Dancing with Stress, Effective Time Management, The Pursuit of Happiness at Work and in Life & Appreciation of Praise, and Enhancing Emotional Intelligence were held, with an attendance of 78 staff members.

Apart from the above, 204 staff members were nominated to attend courses and seminars organized by CSC, 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, National Security, Foreign Affairs, The Common Law Offence of Misconduct in the Public Office, Design Thinking, Big Data, Smart City and Technology Applications, Problem Solving and Decision Making, First Aid, Automated External Defibrillators, Occupational Safety and Health, GRS Records

Management, Government Financial Management, Induction Courses, Chinese and English Official Writing, and Putonghua 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 and 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. The funding bid for the revamp of the CM&CAS was approved by LegCo in April 2021. An open tender was issued with a plan 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 was enhanced to adopt the government

e-initiative iAM Smart for user authentication for legal aid applicants and aided persons in checking the application or case status and update of personal information in July 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 was established in November 2021 for remote hearings of criminal proceedings.

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 completed in April 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 view 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 equipping the Information Service Station with internet access and means test calculator as well as adding foldable tables and chairs at public areas, etc.

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 COVID-19 pandemic, the Staff Club was unable to organise any activity in 2021. The Staff Club will resume to organise staff welfare activities when the pandemic situation eases.

The Volunteer Service Group, which was formed in 2002 with an aim to encourage staff to get involved in volunteer services, participated in various fund raising activities such as Skip Lunch Day, Love Teeth Day, Green Low Carbon Day and Dress Casual Day organised by The Community Chest, MSF Day organised by Medecins Sans Frontieres, Orbis World Sight Day organised by ORBIS Hong Kong and the Warmth Giving Project organised by St James' Settlement. In particular, 11 pieces of winter clothing and 10 boxes of surgical masks were donated to St James' Settlement. It was noteworthy that the Department attained the overall 3rd Top Fund-raiser and the 3rd Highest Per Capita Contribution Award in the Civil Service Category of Dress Casual Day organized by The Community Chest in 2021.

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 2021 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 data maintenance of the Legal Aid Panel and the cases settled by Civil Litigation Section 1 which mainly undertakes cases related to personal injuries litigation. 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 2021 concerned the payment to Aided Persons and Panel Lawyers in civil cases. The objective was to review whether the payment were properly supported and authorised in accordance with the relevant guidelines and manual. The scope of the review covered the compliance check on the release of payment to respective parties across different teams handling the civil cases. The audit review will stride across 2022.

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, assignment limits of lawyers and details on the proposed enhancement measures to the Legal Aid System.

Appendices



Appendix 1

Revenue and Expenditure

Revenue

		2020-2021 (\$M)	2021-2022 (\$M)
1	Criminal cases	3.0	7.0
2	Civil cases		
	In-house	12.6	12.1
	Assigned-out	387.2	495.6
3	Official Solicitor	3.0	2.2
4	Supplementary Legal Aid Scheme		
	Legal costs	1.2	0.9
	Administration fee	4.7	4.0
	Total	411.7	521.8

Expenditure by Items

		2020-2021 (\$M)	2021-2022 (\$M)
1	Personal Emoluments	313.5	313.8
2	Personnel Related Expenses	19.3	21.9
3	Departmental Expenses	27.1	26.1
4	Legal Aid Costs (for both in-house and assigned-out cases)		
	Civil	703.3	700.0
	Criminal	249.8	335.3
5	Plant, Equipment and Works	0.6	0.0
	Total	1,313.6	1,397.1

Expenditure by Programmes

		2020-2021 (\$M)	2021-2022 (\$M)
1	Processing of Legal Aid Applications	124.7	127.5
2	Litigation Services	1,124.3	1,203.2
3	Support Services	49.0	50.3
4	Official Solicitor's Office	15.6	16.1
	Total	1,313.6	1,397.1

Analysis of Expenditure for Civil Cases by Types of Cases

Types of Cases	2020-2021	2021-2022
Matrimonial Cases	18.2%	20%
Misc. Personal Injuries	35.5%	37.8%
Employees' Compensation	10.0%	11.2%
Running Down	8.4%	8.3%
Immigration Matters	0.6%	1.1%
Land & Tenancy Disputes	6.7%	6.3%
Wage Claims	0.1%	0.1%
Miscellaneous	20.5%	15.2%
Total	100%	100%

Analysis of Expenditure for Criminal Cases by Types of Cases

Types of Cases	2020-2021	2021-2022
Hearings in District Court	57.0%	60.6%
Hearings in Court of First Instance	35.0%	33.4%
Appeals from Magistrates' Courts	1.1%	0.6%
Appeals from District Court	1.9%	1.4%
Appeals from Court of First Instance	3.8%	2.5%
Appeals in Court of Final Appeal	1.2%	1.5%
Total	100%	100%

Legal Aid Budget

Financial Year*			2020-2021	2019-2020	2018-2019
Total Approved Estimate (\$'000)		A	1,721,172	1,590,214	1,132,769
Index A (2014-15=100)			202.6	187.2	133.4
Actual Operating Expenses (\$'000) (Note 1)		B	359,858	347,421	325,777
Index B (2014-15=100)			127.6	123.2	115.5
Actual Legal Aid Costs (\$'000)	Civil	C	703,338	806,462	566,985
	Criminal	D	249,755	327,288	239,488
Index C+D (2014-15=100)			168.1	200.0	142.2
(Capital Expenditure (\$'000))		E	638	86	330
(Over-spending) / Underspensing (\$'000) (Note 2)		F=A-B-C-D-E	407,583	108,957	189
% of (Over-spending) / Underspensing		F/A	24%	7%	0%

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

Note 2: Underspensing 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 Note 2

	For the year ended 30 September 2020 (\$)	For the year ended 30 September 2021 (\$)
Income		
Application fees	107,000	122,000
Percentage contributions	6,759,335	7,291,820
Interest income	6,676,445	4,474,917
	13,542,780	11,888,737
Less: Expenditure		
Administration fee	4,682,342	3,957,098
Bank charges	405	390
Cash transportation services charges	19,240	0
Electronic payment services charges	135	138
Expenses for interpretation services	664	0
Legal costs and expenses for finalised cases		
Successful litigation		
- costs to opposite parties	0	0
- other disbursements	0	0
	0	0
Unsuccessful applications	366,335	221,981
Unsuccessful litigation		
- costs to opposite parties	184,449	2,031,814
- other disbursements	329,898	2,380,633
	514,347	4,412,447
	5,583,468	8,592,054
Surplus for the year	7,959,312	3,296,683

Notes : 1. The financial year of the Supplementary Legal Aid Fund runs from 1 October of one year to 30 September of the following year. As at 30 September 2021, the net assets of the Supplementary Legal Aid Fund were increased by \$3,296,683 to \$216,264,264.

2. Auditors' Report for the statement of account for the year ended 30 September 2021 has not yet been issued.

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Appendix 2

Findings of the Survey on Customer Feedback

Overall Satisfaction Rate

	2020	2021
Application Services		
Application and Processing / Headquarters	98%	99%
Kowloon Branch Office	98%	98%
Insolvency Unit	100%	100%
Crime Section	100%	100%
Litigation – Mid-Litigation Stage		
In-house Litigation of Family / Matrimonial Cases	99%	99%
In-house Litigation of Personal Injuries Cases	100%	100%
Cases handled by Assigned Solicitors	97%	97%
Litigation – Conclusion Stage		
In-house Litigation of Family / Matrimonial Cases	97%	95%
In-house Litigation of Personal Injuries Cases	96%	100%
Cases handled by Assigned Solicitors	85%	91%

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

	Application and Processing / Headquarters		Kowloon Branch Office		Insolvency Unit		Crime Section	
	2020	2021	2020	2021	2020	2021	2020	2021
Response Rate	100%	100%	95%	98%	100%	100%	100%	100%
Overall Satisfaction	4.50	4.50	4.45	4.49	4.68	4.54	4.36	4.41
Convenience (e.g. LAD hotline or pamphlet is easily accessible, user-friendly, etc.)	4.37	4.34	4.10	4.14	4.57	4.52	4.02	3.96
Service Manner (Staff manner)	4.63	4.60	4.56	4.63	4.75	4.69	4.50	4.56
Service Efficiency (e.g. in means / merits testing, etc.)	4.46	4.41	4.34	4.42	4.68	4.69	4.55	4.50
Clear Information (Whether information given is clear)	4.44	4.41	4.24	4.30	4.61	4.65	4.17	4.13
Procedure (Date of interview fixed)	4.47	4.44	4.28	4.33	4.61	4.67	4.50	4.56

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	
	2020	2021	2020	2021	2020	2021
Response Rate	100%	100%	100%	100%	35%	31%
Overall Satisfaction	4.68	4.66	4.83	4.64	4.65	4.63
Convenience (Easy to contact lawyer / staff)	4.67	4.75	4.91	4.57	4.65	4.67
Service Manner (Staff manner)	4.74	4.78	4.96	4.82	4.74	4.70
Clear Information (Whether information given is clear)	4.67	4.69	4.83	4.54	4.58	4.53
Procedure (Client informed of progress / procedure of the case)	4.67	4.76	4.83	4.64	4.61	4.56

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	
	2020	2021	2020	2021	2020	2021
Response Rate	100%	100%	78%	82%	24%	27%
Overall Satisfaction	4.63	4.45	4.68	4.56	4.22	4.32
Convenience (Easy to contact lawyer / staff)	4.60	4.55	4.68	4.59	4.31	4.39
Service Manner (Staff manner)	4.66	4.55	4.79	4.75	4.38	4.45
Clear Information (Whether information given is clear)	4.57	4.55	4.63	4.43	4.21	4.27
Result (Outcome)	4.60	4.41	4.57	4.47	4.20	4.22
Procedure (Client informed of progress / procedure of the case)	4.68	4.55	4.68	4.50	4.21	4.26

Satisfaction level ranges from the min. 1 to max. 5

(Very satisfied = 5; Satisfied = 4; Average = 3; Dissatisfied = 2; Very Dissatisfied = 1)

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Appendix 3

Director of Legal Aid and Section Heads (as at 31 December 2021)

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)	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)	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	Miss Joanna Leung Hoi-ki

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Appendix 4

Address and Communication

Headquarters	
9/F, 24/F to 27/F Queensway Government Offices 66 Queensway Hong Kong Tel : 2537 7677 Fax: 2537 5948	<ul style="list-style-type: none">- Application and processing of civil and criminal cases- Criminal litigation- Civil litigation<ul style="list-style-type: none">- Personal injury litigation- Enforcement of court orders- Family and insolvency litigation- Legal and management support- Policy and administrative support
Kowloon Branch Office	
G/F, 3/F & 4/F Mongkok Government Offices 30 Luen Wan Street Mongkok, Kowloon Tel : 2399 2544 Fax: 2397 7475	Application and processing of civil cases
24-hour Telephone Enquiry Service: 2537 7677 Email: ladinfo@lad.gov.hk Website: http://www.lad.gov.hk	

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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

其他刊物 Other Publications

1	法律援助署年報 (只提供網上版本) LAD Departmental Report (web version only)	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

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