

**Advisory Committee on
Legal Advice for Unrepresented Litigants**

Minutes of the 7th Meeting held on 25 June 2019

Date: 25 June 2019 (Tuesday)

Time: 5:00 – 5:30 p.m.

Venue: Room 437, 4/F, Wanchai Tower, 12 Harbour Road

Attendance

Chairman

Mr PANG Kin-kee, SBS

Members

Professor Anne CHEUNG

Mr WAN Wai-ming

Miss Catherine YEN

Mr Andy HO

Ms Jennifer CHAN, JP

Mr Chris CHONG, JP

Representative of the Judiciary

Representative of the Chief Secretary
for Administration's Office (CSO)

Representative of the Legal Aid
Department (LAD)

Secretary

Mr Gabriel PAK

Assistant Secretary (Administration) 4,
CSO

In attendance

Mr Nicholas CHAN

Assistant Director of Administration 2,
CSO

Mrs May TAM

Centre-in-charge, Legal Advice Scheme
for Unrepresented Litigants on Civil
Procedures Office (the Scheme Office)

Ms Alice CHUNG

Centre-in-charge of the Scheme Office
(designate)

Mr Lawrence CHUNG

Executive Officer (Procedural Advice
Scheme Office)

Absent with apologies

Ms Maggie CHAN, MH, JP

Miss CHENG Hui-kiu

Mr Patrick HUI
Mr Gary MAK
Mr Giles SURMAN
Ms Amarantha YIP

Opening Remarks

The Chairman welcomed all to the seventh meeting of the Advisory Committee on Legal Advice for Unrepresented Litigants (Advisory Committee). He introduced Ms Alice CHUNG who would succeed Mrs May TAM as the Centre-in-charge of the Scheme as Mrs Tam would leave the post in early July 2019. Ms Chung was the Deputy Director of Legal Aid prior to her retirement from the civil service and, as the representative of LAD, also an official Member of this Advisory Committee. The Chairman also introduced Mr Lawrence CHUNG, Executive Officer (Procedural Advice Scheme Office), who had taken up the post since January 2019.

2. The Chairman asked the Secretary to record a vote of thanks to Mrs Tam for her most dedicated hard work and sterling contributions to the Scheme. Mrs TAM had served as the Centre-in-charge for more than six years, overseeing the smooth operation of the Scheme and the successful opening of the first and second Scheme Offices.

Agenda Item 1: Confirmation of Minutes of Previous Meeting

3. There being no comments from Members, the minutes of the sixth Advisory Committee meeting were confirmed without amendments.

Agenda Item 2: Matters Arising

4. The Chairman invited the Secretary to report on matters arising from the previous meeting. The Secretary reported that the Wanchai Office commenced a one-month trial run on 20 February 2019. Prior to the trial run, the Chairman gave a briefing on the Scheme at the District Court (DC) on 19 February 2019. It was well attended by over 80 DC Judges, Masters and Registry and Judiciary staff, and a visit to the Wanchai Office was arranged after the briefing. The one-month trial run ran smoothly and the full operation of the Wanchai Office commenced on 20 March 2019.

Agenda Item 3: Report on the Wanchai Office of the Scheme (AC 01/2019)

5. The Chairman invited the Secretary to brief Members on the operation of the Wanchai Office. Members noted that –

- (a) **Utilisation:** Between February and May 2019, the Admiralty Office received a larger total number of visitors, processed more applications and conducted more advice sessions than the Wanchai Office. In contrast, the Wanchai Office received more new eligible litigants-in-person (LIPs).

The Wanchai Office surpassed the Admiralty Office in terms of the number of applications handled and advice sessions conducted in April and May 2019.

The aggregate number of advice sessions conducted by the two offices per day increased from 11.13 in February 2019 to 17.16 in April 2019, indicating that the two offices were providing procedural legal advice to an expanded pool of LIPs.

- (b) **Cases regarding Commencement of Action:** The Wanchai Office handled most Family Court (FC) cases (76.0%), whereas the majority of intended commencement of Court of First Instance (CFI) cases (98.7%) were dealt with by the Admiralty Office. This reflected that, owing to the proximity of the Wanchai Office to the DC and the Admiralty Office to the HC, LIPs preferred to approach the Wanchai Office for FC cases and the Admiralty Office for High Court cases.

- (c) **Court Cases Already Commenced:** The Wanchai Office handled the majority of DC (86.0%) and FC cases (92.0%), while the Admiralty Office handled almost all cases already commenced at the CFI (98.7%), Court of Appeal (95.7%) and Court of Final Appeal (100%). There was a clear “division of work” between the two offices.

The Wanchai Office served to provide more accessible services for LIPs involved in DC and FC cases, while the Admiralty Office focused on providing advice to LIPs involved in cases at the CFI and above.

LIPs who sought advice at the Admiralty Office were informed of the Wanchai Office and were asked whether they would like

to transfer their cases there. A total of 101 DC and FC cases were transferred from the Admiralty Office to the Wanchai Office as at the end of May 2019.

- (d) **Profile of New Eligible LIPs:** The profiles of new eligible LIPs of the two offices were largely similar in terms of their income, educational level and age.

Agenda Item 4: Any other business

6. The Chairman noted that the next meeting would be held in late 2019.

7. The Chairman asked whether any car parking space was available for the use of the Wanchai Office. Ms Chung replied that the Scheme Office would liaise with the Judiciary for the car parking arrangement.

[Post-meeting note: The Judiciary agreed to liaise with the building management office to provide temporary car parking space to the Scheme Office when needed.]

8. Mr Andy HO enquired about the progress on the recruitment of the Resident Lawyer for the new Office. The Secretary replied that only one of the two Resident Lawyer posts had been filled in the last recruitment exercise targeted at retired civil servants under the Post-retirement Service Contract Scheme. In this connection, a new round of open recruitment exercise on non-civil service contract basis

would commence soon to expand the pool of potential candidates to fill the remaining Resident Lawyer vacancy. Given that the Wanchai Office handled a significant number of FC cases, lawyers with ample experience in family cases would be preferred.

Agenda Item 5: Tour of the Office

9. The Chairman and Members were given a guided tour around the Wanchai Office. Mrs Tam pointed out to Members the security measures in place, including the alternative exit installed at the back of the office and the panic buttons in the interview rooms.

10. There being no further business, the meeting ended at 5:30 p.m.

**Secretariat,
Advisory Committee
on Legal Advice for Unrepresented Litigants
August 2019**