

立法會
Legislative Council

LC Paper No. CB(2)143/00-01

Ref : CB2/PL/AJLS

**Legislative Council
Panel on Administration of Justice and Legal Services**

**Minutes of meeting
held on Tuesday, 10 October 2000 at 10:20 am
in Conference Room B of the Legislative Council Building**

Members Present	:	Hon Margaret NG (Chairman) Hon Martin LEE Chu-ming, SC, JP Hon James TO Kun-sun Hon Mrs Miriam LAU Kin-yee, JP Hon Mr Ambrose LAU Hon-chuen, JP Hon Emily LAU Wai-hing, JP
Members Absent	:	Hon Jasper TSANG Yok-sing, JP (Deputy Chairman) Hon Albert HO Chun-yan
Clerk in Attendance	:	Mrs Percy MA Chief Assistant Secretary (2)3
Staff in Attendance	:	Mrs Justina LAM Assistant Secretary General 2 Mr Paul WOO Senior Assistant Secretary (2)3

I. Election of Chairman and Deputy Chairman

Mr Martin LEE, the Member present who had the highest precedence, presided over the election of the Chairman of the Panel. He called for nominations for the chairmanship of the Panel.

2. Mrs Miriam LAU nominated Miss Margaret NG as Chairman of the Panel. The nomination was seconded by Mr James TO. Miss NG accepted the nomination. There being no other nomination, Miss Margaret NG was declared elected as the Chairman of the Panel.

3. The Chairman called for nominations for the deputy Chairmanship of the Panel. Mr TSANG Yok-sing, who was not present at the meeting, was nominated by the Chairman. The Chairman stated that Mr TSANG, acceptance of the nomination had been obtained prior to the meeting. The nomination was seconded by Mr Martin LEE. There being no other nomination, Mr TSANG Yok-sing was declared elected as the Deputy Chairman of the Panel.

II. Schedule of meetings for the 2000-2001 session

4. Members decided that regular meetings of the Panel for the 2000-2001 session would be held at 4:30 pm on the third Tuesday of each month. In respect of the meeting in November, members agreed to decide on the exact date at the next meeting.

5. The Chairman reminded members that the briefing by the Secretary for Justice and the Director of Administration on the Chief Executive's Policy Address 2000 would be held on Monday, 16 October 2000 at 5:00 pm.

III. Discussion items for next meeting

6. After some discussion, members decided that the next Panel meeting would be held on Tuesday, 17 October 2000 at 5:15 pm. to consider -

- (a) Creation of two permanent posts of Deputy Principal Government Counsel (DL2) in the Commercial Unit of the Civil Division of the Department of Justice (this item was proposed by the Administration); and
- (b) Progress of outstanding items previously considered by the Panel and the way forward.

Action
Column

Clerk 7. With regard to (b) above, members went through the list of issues to be considered by the Panel which was tabled at the meeting. The Chairman asked the Clerk to follow up with the Administration on items on which the Administration would be able to report progress to the Panel at the next meeting.

Clerk 8. The Chairman also requested the Clerk to enquire from the Law Society of Hong Kong on whether it could provide the Panel with information relating to the following issues -

- (a) Progress of rules to be made by the Law Society in respect of incorporation of solicitors; and
- (b) Proposed increase of contribution to the Professional Indemnity Scheme by solicitors.

IV. Any other business

Review of legal education and training in Hong Kong

9. Members noted that a Consultation Paper prepared by the two overseas consultants commissioned by the Steering Committee on the Review of Legal Education and Training in Hong Kong was released on 7 September 2000. The closing date for submission on the Consultation Paper was 30 November 2000. The two consultants planned to return to Hong Kong in January 2001 to have further meetings with interested parties.

Clerk 10. The Clerk said that she would request for sufficient copies of the Consultation Paper for circulation to members.

Appointment of judges

11. Members noted that pursuant to the decision of the Panel, the Research and Library Services Division (RLSD) was conducting a research study on the process of appointment of judges in the United States and the United Kingdom. The research report was expected to be ready by late October/early November 2000.

Clerk 12. Ms Emily LAU said that it would be helpful if the research report could be made available to the Panel before Legislative Council's endorsement of the appointment of the Chief Judge of the High Court was sought by the Administration. She requested the Clerk to liaise with the Administration and the RLSD in this respect.

Action
Column

Research studies on issues of concern to the Panel

13. Referring to the list of issues to be considered by the Panel, the Chairman and Ms Emily LAU opined that a research study might need to be conducted on the following items respectively-

- (a) Consideration of public interest in decision to prosecute; and
- (b) Legal aid for proceedings in respect of defamation.

14. In response to members on whether the Secretariat had manpower resources to cope with the request, Assistant Secretary General 2 undertook to discuss with the Legal Adviser and Head, RLSD and revert to the Panel at the next meeting.

ASG2/Clerk

15. There being no other business, the meeting ended at 10:55 am.

Legislative Council Secretariat
30 October 2000