

Existing and planned measures on the promotion of equality for ethnic minorities

Legal Aid Services

In Hong Kong, everyone is entitled to legal aid irrespective of race or residency provided he/she satisfies the means and merits tests.

The Legal Aid Department (LAD) has taken / planned the following measures to assist applicants/aided persons who are of ethnic minority origins when delivering legal aid services to them:

A. Pamphlets on Legal Aid Services

Existing Measures

- LAD has published a series of leaflets on legal aid in 10 ethnic minority languages including Bengali, Hindi, Indonesian, Nepali, Tagalog, Punjabi, Tamil, Thai, Urdu and Vietnamese.
- These leaflets together with the other leaflets are available at the offices of LAD or they can be downloaded from LAD's website.
- They are also available at relevant consulate offices, the Judiciary's Resource Centre for Unrepresented Litigants, Office of the Legal Advice Scheme for Unrepresented Litigants on Civil Procedures (Procedural Advice Scheme), police stations, public enquiries service centres of the Home Affairs Department, premises of the Labour Department, the Correctional Services Department, Social Welfare Department, and public hospitals.
- As a customer service initiative to enhance quality of legal aid services for potential applicants who are of ethnic minority origins, a poster in the aforementioned 10 languages has been designed and put on display to make potential applicants who do not speak English or Chinese aware of the availability of free interpretation service to help them with the application process.
- Ethnic minorities may refer to the poster or download the leaflets about the services on LAD's website for

information.

Assessment
of Future
Work

- Feedback on effectiveness of publicity programmes to promote legal aid services will be continuously reviewed for improvement.
- Other feedback and suggestions from ethnic minorities on LAD's services will be considered.

B. Interpretation Service for Application of Legal Aid

Existing
Measures

- Legal aid is available to every person who passes the means and merits tests irrespective of his / her race or residency.
- LAD will arrange free interpretation service for applicants who do not speak English or Chinese to help them with the application process.
- Applicants who fail to pass the means and /or merits tests have a right of appeal to the Registrar of the High Court. LAD will assist the applicants /appellants to file the notice of appeal, fix a date for appeal and notify the Judiciary for the free service of an interpreter at the appeal hearing for applicants/appellants who do not speak English or Chinese.
- A poster in aforementioned 10 languages has been designed and put on display to alert applicants who do not speak English or Chinese of the availability of free interpretation service to help them with the application process.

Assessment of
Future Work

- Feedback from legal aid applicants will be collected and considered for continuous improvement of the services.

C. Interpretation Service for Legally-Aided Proceedings

Existing
Measures

- When legal aid is granted to persons of ethnic minority origins to institute or defend court proceedings, LAD will pay for interpretation and translation expenses reasonably incurred by the assigned lawyers for the proper conduct of the case in advance as litigation expenses.

- Assessment of Future Work
- Feedback from aided persons of ethnic minority origins will be collected and considered for continuous improvement of the services.

D. Training for Staff of LAD

- Existing Measures
- To enhance LAD staff's understanding and awareness of the Race Discrimination Ordinance (RDO), talks on the principles of RDO and cases sharing were arranged and delivered by the Equal Opportunities Commission. The talks were attended by staff of LAD including professional officers, law clerks and frontline clerical staff.
 - Training materials were uploaded to LAD Portal for staff's reference.
 - LAD will arrange training courses on RDO for new recruits.

- Assessment of Future Work
- LAD will collect and analyze feedbacks and suggestions received from applicants / aided persons for arranging suitable training courses for staff.
 - LAD will also collect feedback and invite suggestions from staff on training programmes to be offered for enhancing their understanding of Racial Discrimination Ordinance.

E. Public Enquiries / Complaints

LAD has in place a well established system for handling enquiries and complaints about its services. Any person including legal aid applicants, aided persons or assigned lawyers who wish to make an enquiry / a complaint may contact the Department's customer service officers whose names and telephone numbers are displayed in the Department's office premises and on the Department's website. In addition, enquirers / complainants may contact the Department or the Departmental Complaints Officer by phone / post / fax / email.

The Department has also published a "Customer Service Standards" leaflet in which users of legal aid services are informed of the various means and procedures for making enquiry / lodging a complaint in respect of the services rendered. The leaflet is available for distribution to the public and has been uploaded onto the Department's webpage.

Legal Aid Department
October 2016