

Aid plan to help poor seek justice

By MICHAEL CHUGANI

Delicate and expensive plans to bring the highest channel of justice within the grasp of Hongkong's common people will be unveiled next week.

The plans, which are understood to have just been approved by the Governor-in-Council, will allow those convicted in Hongkong courts to get legal aid in bringing their cases before the Privy Council — at the taxpayers' expense.

There are at present no channels open for those who want to appeal to the Privy Council to turn to the Legal Aid Department for help.

And because of this, appeals which may have a chance of being heard before

the Privy Council are often dropped when those involved cannot afford the high legal fees.

But the move to bring the Privy Council within reach of those who now cannot afford the costs of such an action will mean important changes in the role of the Legal Aid Department.

And already the department is understood to have been working hard behind the scenes to make sure that when the plans are announced they are fully understood by the public.

Officials are worried that the functions of the Privy Council may not be fully understood by those who apply for legal aid.

The Legal Aid Department could then face a flood of applications from those who want to have their appeals heard outside Hongkong.

This the department does not want because it could be difficult to explain to those convicted and their families that their cases did not merit an appeal to the Privy Council.

"The Privy Council has special and limited functions only," one official said.

"And not every appeal is heard automatically."

Appeals are usually heard only if a serious risk of injustice is involved, or if the case involved a law of great public interest.

Now that the Executive Council has given its blessing, the only hurdle left is approval from Hongkong's legislators.

A Bill spelling out all the details is expected to be published next week and be tabled at the Legislative Council soon.

If passed, the Legal Aid Department's role will no longer be limited to handling cases in the Supreme and District courts only.