

政府總部
香港下環厘畢道



GOVERNMENT SECRETARIAT
LOWER ALBERT ROAD
HONG KONG

本函檔號 Our Ref.: CSO/ADM CR 7/3221/89(03) Pt.11

來函檔號 Your Ref.:

Room 1211
Central Government Offices
(West Wing)

Tel No. 2810 2576
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3 July 2003

Miss Christine W S Chu *28 July 03RF*
Assistant Director of Practitioners Affairs
The Law Society of Hong Kong
3/F Wing On House
71 Des Voeux Road
Central
Hong Kong

Dear Miss Chu,

**Review of Criminal Legal Aid Fees,
Prosecution Fees and Duty Lawyer Fees**

Further to my letter of 23 June 2003, the Legislative Council has just passed the resolution to approve the Legal Aid in Criminal Cases (Amendment) Rules 2003 at its sitting today. We understand that the Legislative Council Secretariat will arrange the gazettal of the passed resolution tomorrow (4 July 2003). The revised fees payable to lawyers in private practice engaged by the Legal Aid Department and the Department of Justice in criminal cases, as well as the revised fees for duty lawyers (please refer to the table attached), will therefore take effect on the same date (i.e. 4 July 2003).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'James Chan'.

(CHAN Yum-min, James)
for Director of Administration

**New Criminal Legal Aid Fees,
Prosecution Fees and Duty Lawyer Fees**

<u>Nature of fee</u>	<u>Department/ Service</u>	<u>New Maximum Levels (\$)</u>
1. <u>Court of First Instance Cases</u>		
(a) Counsel		
(i) brief fee	LAD/DOJ*	20,410
(ii) refresher fee per day	LAD/DOJ*	10,210
(b) Solicitor		
(i) brief fee	LAD	6,790
(ii) refresher fee per day	LAD	830 to 4,420
(c) Conference per hour	LAD/DOJ	1,080
(d) Pre-trial review (per review)	DOJ	2,030
2. <u>District Court Cases</u>		
(a) Counsel		
(i) brief fee	LAD/DOJ*	13,600
(ii) refresher fee per day	LAD/DOJ*	6,800
(b) Solicitor (acting as instructing solicitor)		
(i) brief fee	LAD	4,840
(ii) refresher fee per day	LAD	1,160 to 2,900
(c) Solicitor (acting as advocate as well as instructing solicitor)		
(i) brief fee	LAD*	16,800
(ii) refresher fee per day	LAD*	9,310
(d) Conference per hour	LAD/DOJ	880
(e) Brief fee for mention/sentence	DOJ	2,710
3. <u>Magistrates' Court Cases</u>		
(a) Counsel		
(i) brief fee	DOJ	8,160
(ii) refresher fee per day	DOJ	4,080
(b) Counsel or solicitor (acting as advocate) in committal proceedings		
(i) brief fee	LAD	8,160
(ii) refresher fee per day	LAD	4,080

<u>Nature of fee</u>	<u>Department/ Service</u>	<u>New Maximum Levels (\$)</u>
(c) Solicitor for instructing counsel in committal proceedings		
(i) brief fee	LAD	2,210
(ii) refresher fee per day	LAD	1,810
(d) Preliminary inquiry fee		
(i) brief fee	LAD	8,160
(ii) refresher fee per day	LAD	4,080
(e) Brief in place of court prosecutor per day	DOJ	5,430
(f) Duty Lawyer Fee	DLS	5,430 2,710
(g) Pre-trial fee per hour	DLS	670
4. Appeals		
(a) Settling notice of appeal	LAD	2,710
(b) Instructing solicitors for appeals to the Court of Appeal		
(i) from the Court of First Instance	LAD	9,160 1,150 to 5,910
(ii) from the District Court	LAD	7,330 910 to 4,760
(c) Counsel for appeals to the Court of Appeal		
(i) from the Court of First Instance	LAD/DOJ	27,210 13,610
(ii) from the District Court	LAD/DOJ	21,760 10,880
(d) Conference per hour	LAD/DOJ	1,080

Note : LAD Legal Aid Department
DOJ Department of Justice
DLS Duty Lawyer Service

* Subject to an increase of 10% on the base figures for each of the second to sixth defendant or appellant.