



法律援助服務局
LEGAL AID SERVICES COUNCIL

Our Ref: (18) in LASC 5/5/5/2 Pt 13

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16 September 2022

Mr C.M. CHAN
President
The Law Society of Hong Kong
3/F Wing On House
71 Des Voeux Road Central
Hong Kong

Dear Mr Chan,

**Invitation to express interest to provide a certificate by counsel
under section 26A, Legal Aid Ordinance**

The Legal Aid Services Council cordially invites members of the Law Society of Hong Kong to join the panel set up for an assistance scheme for the provision of certificate by counsel under section 26A of the Legal Aid Ordinance.

Under section 26A of the Legal Aid Ordinance, a person who has been refused legal aid in respect of his/her appeal to the Court of Final Appeal (CFA) may seek a review of the Director of Legal Aid's refusal within 28 days of the decision. The review shall be initiated by notice in writing to the Registrar of the High Court accompanied by a certificate by counsel stating that the person aggrieved has a reasonable prospect of success in the appeal and the grounds for that opinion.

The purpose of the assistance scheme is to ensure that no person will be denied from seeking the review because of a lack of means. A legal aid appellant may apply for the provision of a certificate by counsel free of charge under the scheme if he/she is financially eligible for legal aid.

To ensure quality of the certificates provided under the scheme, counsel and solicitors selected for assignment should possess both relevant experience and sound knowledge of the laws and practices relating to the appeal procedures and the requirements for appeal to the CFA. Therefore, to qualify for joining the panel and assignment, solicitors must have at least

7 years' practicing experience and have handled at least 3 Court of Appeal or CFA cases in the past three years.

I should be grateful if you would kindly assist in circulating this letter to members of The Law Society of Hong Kong for their attention. Solicitors interested to provide certificates under the scheme are invited to complete the form at *Annex I* and return it to the Council on or before 21 October 2022. For reference, a copy of the Guidance Notes to Lawyers Assigned by Legal Aid Services Council is provided at *Annex II*.

Should you have any enquiries of the above, please contact Mr Henry CHAN at 2838 5010.

Thank you for your assistance.

Yours sincerely,

(Patrick WONG)
Secretary