

Speech by Secretary for Justice at Inauguration Ceremony cum Forum of International Probono Legal Services Association (English only)

Following is the speech by the Secretary for Justice, Ms Teresa Cheng, SC, at the Inauguration Ceremony cum Forum of the International Probono Legal Services Association today (December 7):

Dr Ho (Founder of the International Probono Legal Services Association, Dr Junius Ho), distinguished guests, ladies and gentlemen,

The Hong Kong Special Administrative Region Government assumes a key role in ensuring that people in Hong Kong have access to justice. Hong Kong has well established and funded legal aid schemes. The Legal Aid Department administers legal aid schemes to ensure that eligible individuals will not be denied access to justice due to a lack of means.

To complement the legal aid schemes, there is also the Duty Lawyer Service managed by the Law Society of Hong Kong and the Hong Kong Bar Association through a governing council. The schemes under the Duty Lawyer Service are fully subvented by the Government.

Moreover, the Procedural Advice Scheme under the Administration Wing of the Chief Secretary for Administration's Office provides free advice on court procedures for unrepresented parties to civil proceedings in courts at various levels.

Thanks to the pro bono services provided by the private sector, we in Hong Kong are able to improve the access to justice and uphold the rule of law.

Looking around the world, the demand for pro bono services is more dire and complicated when multiple jurisdictions are involved, for example in the context of the Belt and Road Initiative.

The Belt and Road countries altogether constitute a dynamic region of immense diversity and social change. Socio-economic development leads to increasing public awareness of their legal rights and increasing demand for legal service, whether paid or not.

As an international legal services centre with a strong commitment to upholding the rule of law, Hong Kong is in an excellent position to contribute to the promotion and development of international pro bono legal services in the Belt and Road countries, whether in the form of professional skills, knowledge and ethics, social capital or technological awareness.

Great challenges also come with these great opportunities.

In this regard, I would like to share with you some of my thoughts on the following aspects in the context of the Belt and Road Initiative. First, the type of pro bono work in priority.

Bearing in mind that one of the areas of connectivity highlighted by the Belt and Road Initiative is people-to-people connectivity, it is expected that there will be more frequent flow of people among countries along the route, fuelled by the flourishing trade and investment. It is not uncommon that some of these people, as migrant workers, travel from developing countries to developed ones where they are taken advantage of by unscrupulous employers and employment agents.

As one of the possible pro bono services in priority, obtaining legal advice and gaining more understanding on legal rights and legal procedures are necessary to strike a balance between the unequal powers between employers and workers.

Secondly, I would like to look at the way to deliver the pro bono service. The application of technology is particularly relevant in delivering easily accessible and cost-effective pro bono legal services regardless of geographical limitations. These technologies include online free legal advice and self-help tools to complete legal forms.

One may also expect that in the near future, pro bono clients and lawyers may match through automated intelligent means, to address the need in a more precise way.

Lastly, I want to talk about and briefly mention the sustainability of pro bono service in the area. Building capacity of local lawyers is very important in creating a sustainable infrastructure for the local community.

With a pool of skilled lawyers endeavouring to contribute to the international pro bono landscape, Hong Kong would be a very good source to be tapped. We are able to share our experiences with local lawyers on promotion of human rights and pro bono culture, as well as help familiarise themselves with relevant international laws and treaties, thereby allowing local talents to grow and address the needs of the local communities. Through this exchange, the Hong Kong participants will also be able to learn the legal culture in these other countries.

The establishment of the International Probono Legal Services Association and today's forum is the first step in building a knowledge exchange platform to work out the solutions on all these challenges.

I am confident that our legal profession will continue to explore and consider ways and incentives to encourage legal practitioners to provide cross-jurisdictional pro bono legal services.