

WOMEN'S COMMISSION

Pilot Scheme on Legal Aid for Mediation in Matrimonial Cases

Purpose

This paper gives a brief introduction of the Pilot Scheme on Legal Aid for Mediation in Matrimonial Cases (Pilot Scheme).

Details

2. The Pilot Scheme was launched by the Legal Aid Department on 15 March 2005. The decision to conduct a pilot scheme was made in light of the final report of the Working Party on Civil Justice Reform released in March 2004 which proposed that LAD should have power to fund mediation in suitable cases. The Pilot Scheme will last for 12 months with a view to assessing the cost-effectiveness and the implication of extending legal aid to mediation in matrimonial cases.

3. Under the Pilot Scheme, legally aided persons in matrimonial cases who wish to attempt mediation to resolve any issue in dispute with the other party will be referred to the Mediation Co-ordinator's Office (MCO) run by the Judiciary. The MCO will provide information sessions for the legally aided person and the other party, and assess whether the case is suitable for mediation. If the case is found to be suitable for mediation, the MCO will assist them to choose a mediator. Participation in the Pilot Scheme is entirely voluntary and the LAD will pay for the mediators fees for both the legally aided person and the other party.

4. A leaflet introducing the Pilot Scheme is at Annex.

Advice Sought

5. Members are invited to note the content of this paper.

Legal Aid Department

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