

# LAW FOR CHANGE STUDENT COMPETITION 2017

TEAM <b>4</b>	TITLE <b>Outreach Legal Talks Initiative ("OUTLET")</b>
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SCHOOL	<b>The University of Hong Kong</b>

## 1 OVERVIEW

### Project Summary

1. The **Outreach Legal Talks Initiative** ("OUTLET") will provide free talks delivered by law students directly to elderly and subdivided flat tenants ("SFT"). These talks will cover common legal issues they may encounter, as well as providing practical solutions to these issues.
2. We have observed that there are some useful information packs and other resources already available to the public online and offline. However, the disadvantaged groups often do not know of their existence nor able to readily access these information. OUTLET aims to serve as a **bridge, connecting information to the underprivileged groups**. OUTLET will therefore focus more on the **dissemination of information**, instead of only creating new information packs.
3. OUTLET intends to provide general legal education on specific topics to the underprivileged groups as a **preventive measure to avoid legal problems from arising**. Existing pro bono legal advice services largely focus on individuals' legal problems. Also, as existing pro bono service provided are distant from the two targeted groups, OUTLET will provide "in-NGO centre" and outreach talks. Third, OUTLET provide dual service to the needy - pro bonos address legal needs only; whereas supplementary social services will be provided by OUTLET.
4. To ensure the quality of law students' work, prior to the outreach legal talks, students will attend training workshops hosted by law firm partners on the laws and practices concerning the two target groups. The workshops will be related to the preparation of a modified standard tenancy agreement also. All distributed materials will be reviewed by law firm partners before dissemination to ensure the accuracy of information.

### Social Justice and Equality

1. According to our research, there are approximately 200,000 people living in subdivided flats (Census and Statistics Department, 2016), and 337,000 elderly still living beneath the poverty line (HKSAR

Government, 2016) in Hong Kong. Demographically speaking, these groups are quite different. But they share one thing in common – low income.

2. These underprivileged groups often do not have access to available legal services, either because they are too expensive, or those which are pro-bono are not easily accessible. There are pro bono legal advice programmes by the Home Affairs Bureau, The University of Hong Kong, and various law firms. However, the supply cannot meet the demand, let alone the fact that appointments need to be made months in advance delaying prompt action on legal issues.
3. As a fundamental human right, justice should not be accessible by the rich only, but should be equally accessible to all. Through legal information dissemination, OUTLET intends to bring equality in access to law. For the elderly, information regarding procedures and conditions for wills and probate will be made more readily accessible through such legal talks. Additionally, referral channels would be suggested. We will equip our other main target group, the SFTs, with legal knowledge over frequently seen legal questions on existing standard tenancy agreement, in the hopes of reaching a fairer condition for both landlords and tenants when a tenancy is renewed.

### Social and Legal Need Assessment

#### Elderly

1. According to the Hong Kong Census and Statistic Department, in 2016, citizens aged 65 and over make up 17% of the Hong Kong population. Having grown up in a developing society in the 1950s-1970s, a large proportion of the elderly received little or no education. Limited legal knowledge in the issues of probate and wills and social welfare policies is a real problem for the elderly.
2. With reference to the website of Law and Technology Centers of The University of Hong Kong, "wills, probate/ intestacy" falls under one of the five legal categories that concern the elderly most. Although a legal information website Senior

CLIC was set up in 2013 and provides detailed information on such topics, the information is still not readily available to the elderly who cannot read or do not have access the Internet.

- Moreover, among the large group of the elderly population, approximately 18,000 are living alone. Not only do they need legal information to protect their own rights, but companionship is also crucial for them.

### Subdivided Flat Tenants

- According to a meeting with HKSKH Lady MacLehose Centre, we found out that SFTs which the Centre serves are mainly Chinese-Hong Kong families, consisting of a middle-aged Hong Kong husband and a mainland Chinese wife with several children. The second largest demographic type of SFTs which the Centre serves are families of ethnic minorities and refugees.
- SFTs generally have low household income, as mothers remain housewives due to lower education and the need to care for the family. The children are usually kindergarten/ primary school pupils, with some cases of secondary school students. Most of them are unable to proceed to universities, and the young-adults would either move out, or remain in the subdivided flats for financial reasons being indebted for Government loans on Associate Degree/ Higher Diploma degrees.
- As for legal needs, our collaborating NGO, Lady MacLehose Centre, revealed that SFTs are often asked to sign unfair tenancy agreements that are one-sided in favour of the landlord. In some cases, the centre has handled issues involving harassment or break-ins by landlords or their agents, when they wish to terminate the agreement unilaterally.

- It is acknowledged that subdivided flat is a societally and legally controversial issue. It is only due to this reason that legal education is needed. Clearer information prepared by law students under the screening of law firm partners will provide valuable guideline as to protecting rights of SFTs.
- In summary, legal needs of SFTs include lack of knowledge on the tenancy agreement, procedures such as registration of some long-term tenancy agreements and landlords breaking in. In addition, the SFTs also face other urgent social needs, from tutoring, to vocational training.

### Aims and Objectives

- OUTLET has the following aims and objectives:
  - To disseminate legal information relevant to the selected underprivileged groups in Hong Kong;
  - To fill the inadequacy in existing pro bono service for elderly and SFTs;
  - To raise and engage university students' awareness on problem facing the underprivileged groups and social innovation and engage with pro-bono work;
  - To provide the legal industry an additional pathway to contribute to social justice by partnering up with law firms;
  - To provide mentoring/ networking opportunities to lawyers and students.

## 2 DETAILED PROJECT PROPOSAL

### Stakeholders Engaged

- Chief Programme Organisers: ("CPO")** promote OUTLET, contact and coordinate with other stakeholders, administrative work.
- Law Schools** (Pilot scheme being **HKU Department of Law**) and the **HKUSU Law Association**: assist in promotion and recruitment.
- University law students**: (Pilot scheme is open to HKU LLB and JD students) participate in OUTLET, receive training, prepare for the legal talks (materials and content) and engage in the talks at NGOs or elderly care centres.
- HKUSU Social Service Group**: recruit volunteers for supplementary volunteer services.
- Law Firm Partners/ Participating Solicitors**: provide training to law students, scrutinise materials prepared by students, provide advice to OUTLET.
- NGOs/ Elderly Care Centres**: key contact points for approaching the target groups, the venue for talks, assist in identifying key issues.

### Project Timeline

TIME	ACTIVITY	STAGE
<b>PHASE 1 (January-April)</b>		
01 January - 01 February 2018	Contacting NGO/ Elderly Care centre partners	Stage 1: Stakeholder Recruitment
	Contacting law firms/ legal practitioners	
15 January - 01 February 2018	Recruiting law students	Stage 2: Preparation
	Recruiting volunteers for supplementary activities	
01 February - 15 February 2018 (subject the availability of legal practitioners)	Briefing session by CPO and NGO / care center representatives	Stage 2: Preparation
	Training workshops	
15 February - 01 March 2018	Preparation of talk materials (content and handouts)	Stage 2: Preparation
01 March - 11 March 2018	Review and practice sessions	
February - March 2018	Promotion at NGO/ Elderly Care Centre	Stage 3: Implementation
11 March - 21 April 2018	Legal Outreach Talks and Supplementary Social Service	
30 May - 01 July 2018	Phase 1 Monitoring and Evaluation	Stage 4: Monitoring and Evaluation
<b>PHASE 2 (July - November)</b>		
July - November 2018	Repeating Stages 1 to 4	

## Activities and Targets to be reached

### Stage 1: Stakeholder Recruitment

#### 1. Contacting NGO/Elderly Care Centre partners

- a. **Target:** Partner with at least two elderly care centres and two NGOs dealing with SFTs.
- b. We already have established connections with a NGO, HKSKH Lady MacLehose Centre in Kwai Chung, which works with SFTs. We will be approaching elderly care centres and related NGOs based in New Territories or Kowloon as most subdivided flats are found in poorer urban districts such as Kwai Tsing, Sham Shui Po and Yau Tsim Mong Districts.
- c. Partnering with elderly care centres and NGOs would provide the key channel for approaching the target audience, as these organisations maintain regular contact with such groups. These collaborators can help promote OUTLET to the affected group, and provide a venue for conducting the talks. Moreover, given their regular contact with the target groups, they could help identify key legal issues.

#### 2. Contacting law firms/legal practitioners

- a. **Target:** Partner with approximately three or four law firms who will provide the necessary legal supervision and training to students.
- b. We will approach law firms and professors who specialise in either of the two fields (primarily land/ contract law for SFTs and wills, probates and advanced directives for the elderly).
- c. In order to create interest among law firms, we would emphasize the mentorship opportunities they could gain as a result of the program. Connections with students given HKU Faculty of Law's large student base will be highlighted. In addition, as recognition of their assistance and partnership, we would offer to include the firm's name in the related distributed materials as a marketing opportunity.

#### 3. Recruiting law students

- a. **Target:** Recruit thirty students from the Faculty of Law at the University of Hong Kong.
- b. HKU law students will be recruited, with assistance from HKU Department of Law for promoting the programme. The details of the programme and recruitment will primarily be communicated through e-mail and brief presentations during lecture breaks.
- c. To attract sufficient student interest, it would be emphasised that OUTLET utilizes their academic knowledge to do good in the society. Moreover, through participation, they can engage in networking and expand their connections with practicing lawyers. Furthermore, an advanced training workshop would give them a competitive edge.

#### 4. Recruiting volunteers for supplementary activities

- a. **Target:** Partner with the HKUSU Social Service Group who will recommend supplementary activities and recruit volunteers for supplementary volunteering activities.
- b. The HKUSU Social Service Group has agreed to recruit volunteers for supplementary activities that will run alongside the talks. These would include child-care services for children of SFTs, companionship for the elderly, as well as provide snacks and refreshments for both target groups.

### Stage 2: Preparation

#### 1. Briefing session by Chief Program Organisers and NGO/Elderly Care Centres Representatives

- a. **Target:** A briefing session will be conducted for each partner organisations (NGO or elderly care centre).
- b. The chief programme organisers and representatives from collaborating NGOs will organize a briefing for student participants on important points to note for each target group. Matters such as, but not limited to, key issues

and potential audience demographics (age, educational backgrounds, language proficiency) will be considered.

#### 2. Training workshop by law firm partners/legal practitioners

- a. **Target:** Conduct two training workshop for students addressing each target group (four sessions overall).
- b. Thirty students will be divided into two teams of fifteen students each. Each team will be assigned one particular target group for the legal talk and will undergo relevant training.
- c. The workshops would train students and provide reference materials on the key issues. Content would include the understanding of common law, statute and practical knowledge including procedures and remedies.
- d. One training session per student team will be conducted in each academic semester (first in February and second in September) to reinforce the knowledge and ensure training for any new recruits during the second phase.

#### 3. Preparation of materials for legal talks

- a. **Target:** Students, for each legal talk, will prepare one set of presentation slides and brochures for approximately 30 attendees. (number may be subject to change).
- b. The main content of outreach legal talks would be the key issues taught. However, students will be encouraged to engage in further research for well-rounded preparation and increased exposure to the relevant fields.
- c. PowerPoint presentations and handouts will be used as the primary means of communication. Other mediums may be used depending on what student teams deem fit.

- d. Handouts for the elderly would include a checklist of requirements and procedures pertaining to a will. Handouts for SFTs would include a sample of a modified tenancy agreement. Students will identify key issues of concern in the standard agreement currently used by tenants (already obtained from Lady MacLehose Centre). Keeping in mind these key issues, they will prepare a rough draft of a modified agreement. Both, the checklist and the agreement, will be sent to the legal practitioners for review and final drafting prior to the review session (see f. below).
- e. Prepared materials would contain a disclaimer that students or OUTLET is not legally liable for any information dispersed during the legal talks. This would avoid any legal liability given that students disseminating the information are not qualified legal professionals. OUTLET will emphasize to students that their role is to deliver information and not to give legal advice.
- f. Students will be required to e-mail the prepared materials to the chief program organisers and legal practitioners before the review and practice sessions.

## List of Topics Covered during Outreach Legal Talks

TARGETED GROUP	TOPICS COVERED (TENTATIVE)
Elderly	1. <b>Advance directive:</b> to help the elderly indicate the form and extent of medical care they would prefer when they become incapable of making such decisions (in the case that they do wish to do so). Information regarding consequences of an advance directive; drafting, alteration and revocation procedures; practical implications.
	2. <b>Healthcare:</b> long-term care (residential and community care services), medical aid, including waiver of public health care expenses under the Comprehensive Social Security Assistance, Health Care Voucher
	3. <b>Financial management and support:</b> Comprehensive Social Security Assistance, Social Security Old Age Allowance and conditions for eligibility, Senior Citizen Card, Mandatory Provident Fund Scheme.
	4. <b>Abuse:</b> financial, physical and psychological abuse and key emergency contacts once abuse occurs.
	5. <b>Estate planning (wills and probate):</b> requirements and procedures for a will such as requirement as to witnesses, signature, etc. or an enduring power of attorney, legal implications of various scenarios, such as inconsistent signatures due to physical or mental disability.
Subdivided Flat Tenanted	1. Notification period for the tenancy agreement to take effect (if any) and its length; Notification period needed to end tenancy agreement, and related contractual questions including possibility of a breach of contract; subsequent damages; and validity of limitation of liability clause.
	2. "Fixed period" of the tenancy agreement and whether deposits would be forfeited (including special conditions such as landlord receiving a Demolition Order from the Government, severe water leakage problem, having mouse in the flat, emergency repair etc under which the tenancy agreement ends).
	3. Duty to repair and maintain the property
	4. The tort of harassment (to address the issue that landlords in subdivided flats would usually break into the subdivided flats without tenant's prior consent or knowledge)
	5. Duties of landlords and tenants under Government's Demolition Order

**Note:** These lists are not exhaustive and subject to change or modifications during the preparation stage before talks.

### 4. Review and Practice sessions

- a. **Target:** All prepared materials will be reviewed by the law firm partners/legal practitioners. At least one practice presentation session will be conducted by each student team.
- b. Practice sessions will be conducted in the presence of the chief program organisers and the respective practicing legal practitioners. This will ensure that contents are accurate and the mode of communication is suitable for the target audience.
- c. Legal practitioners will also provide the final version of the modified tenancy agreement, either during the review session or before handouts are printed for the legal talks.

### 5. Promotion

- a. **Target:** Ten posters will be put up at venues (NGOs and elderly care centres) as well as other locations frequently visited by members of the target audience.
- b. Flyers would emphasize the value of the legal talks, as well as the supplementary volunteer services provided.

### Stage 3: Legal Talks

#### 1. Legal Outreach Talks

- a. **Target:** Each student team will conduct a minimum of two legal outreach talks for each partner NGO / elderly care centre. Overall, there will be a total minimum of eight talks per academic semester (four for each target group).
- b. The first legal talk will include an introduction to key issues (the law, precautionary measures, and possible remedies). A number of subsequent sessions conducted will depend on attendance rate and demand for such information among the target group at the specific venue.
- c. Following the first session, audience members will submit questions and points for clarifications to the social workers at the venue, who will relay this information to OUTLET. Students will then prepare for the subsequent session(s) based on questions received. This mechanism is

employed to give the audience adequate time to process the information before they submit any questions. Moreover, it would prevent any legal liability on OUTLET, as questions will be relayed to OUTLET to provide a framework for subsequent talks, and not be asked or answered directly which may amount to students giving legal advice.

- d. The first half of the subsequent session(s) will be a recap of introductory contents covered in the first session. The second part of the session will include a discussion based on the submitted queries.
- e. The talks will provide knowledge of basic legal principles and potential solutions (cautionary measures legal or nonlegal remedies) pertaining to key legal issues, where applicable. For example, for SFTs, the audience's attention could be drawn to certain clauses in the standard tenancy agreement which they should be aware of, either for preventive purposes or for enforcing their rights. For details on the issues covered, please see Appendix 1. The talks would also provide key contacts of organisations or law firm partners offering relevant pro-bono services.
- f. Talks will be conducted mostly in Cantonese and distributed materials will be provided in both simplified and traditional Chinese, as well as in English. This may be subject to change depending on audience demographics.

- g. It must also be noted that not all 15 students will be present for each talk. However, all students will receive a chance to conduct at least one legal talk.

#### 2. Supplementary Volunteer Services

- a. **Target:** In addition to legal information dissemination, to provide volunteer service addressed to the social needs of the target audience.
- b. Supplementary services for the elderly would include companionship (such as small games). This will be conducted after the legal talk.

- c. Services for SFTs would cover caretaking or tutoring for their children while the adults attend the legal talks.
- d. Refreshments will also be provided to both groups after the talks.
- e. Activities may be modified or added based on the Social Service Group's and collaborating NGO/ care centre's recommendations. The supplementary activities for the children would occur during the talk, whilst those for the elderly would occur before or after the talk.

**Budget**

1. **Cost-efficiency:** OUTLET employs a cost-efficient model, as the central activity (legal talks) utilises the existing pro bono services available in Hong Kong along with volunteer students' drive to gain experience. Given this model, the only costs would be incurred in promotion, preparation of materials and providing additional services during the talks. All these activities serve to strengthen our impact by spreading awareness, and incentivising key stakeholders and target groups to participate in the program.

CATEGORY	ITEM	NO. OF UNITS	COST PER UNIT (HK\$)	EXPECTED EXPENDITURE (HK\$)
Stage 1	Print: Recruitment posters	60	2	120
	Roll-up banner stands for recruitment	3	95	285
Stage 2	Print: Briefing session handouts	70	10	700
	Print: Training workshop handouts	70	10	700
	Print: Promotion posters	80	2	160
	Print: Distributed materials	80	6	4,800
Stage 3	Supplementary Activity: Light meals for audience (Food + beverage)	480	50	24,000
	Supplementary Activity: Refreshments for children	120	10	1,200
	Supplementary Activity: Colouring books and stationery for children (reusable)	20	25	500
	Supplementary Activity: Small games for the elderly (reusable)	6	80	480
Stage 4	Print: Feedback surveys for audience	500	0.5	250
Contingency Expenditure	Venue for Workshops (four hour session at HKU)	1	3,200	3,200
	Venue for legal talks (four hour session at HKU)	1	3,200	3,200
	Contingency administrative/miscellaneous expenditure	N/A	N/A	500
<b>TOTAL:</b>				<b>40,095</b>

**3 | INNOVATIVENESS AND SUSTAINABILITY**

**Innovativeness**

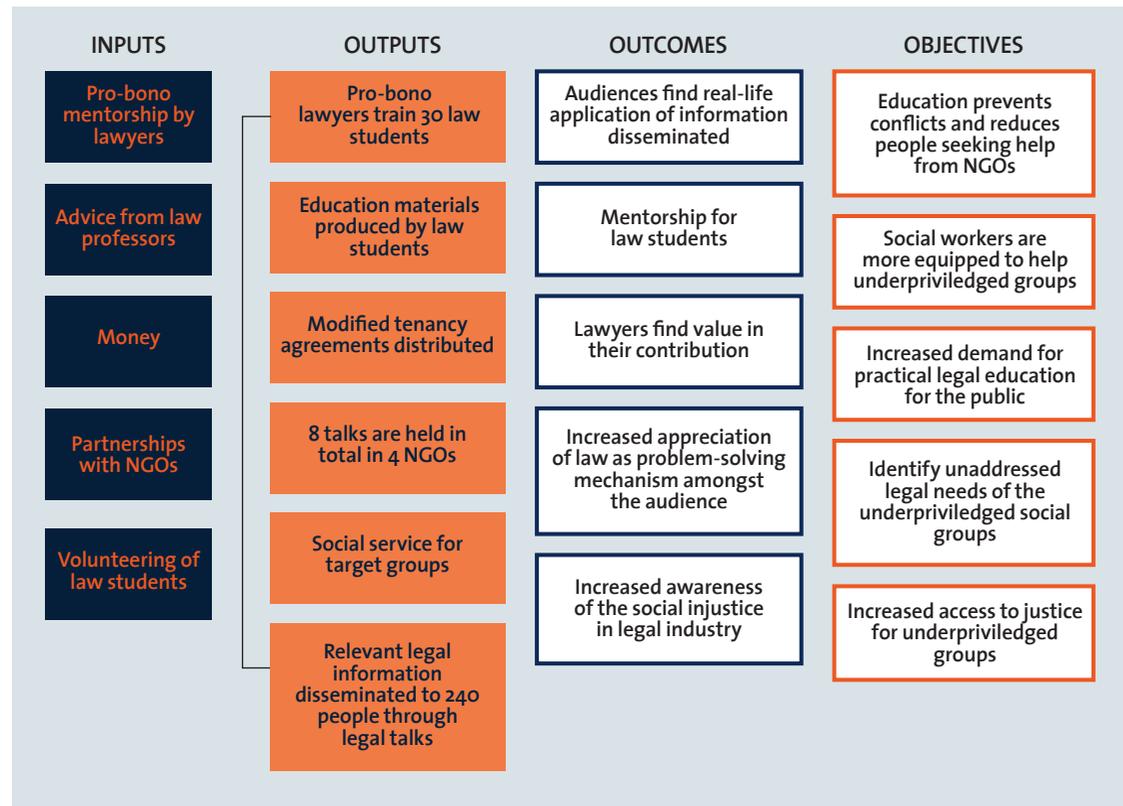
1. OUTLET differentiates itself in four ways from existing pro bono services that offer legal assistance.
2. **Preventative but not remedial**  
Firstly, OUTLET offers legal **education and dissemination of legal information**. OUTLET will bring about a **preventive effect** where the vulnerable groups would learn about the most prevalent legal problems they risk encountering as well as how to avoid such risks. The main goal is to avoid the issues arising from the outset, as opposed to other legal assistance programs, such as the Free Legal Advice Scheme on HKU campus, the governmental Duty Lawyer scheme and Free Legal Advice scheme which offer advice to aggrieved parties. Although there is information aimed at assisting the elderly, the Law and Technology Centre (HKU)'s website Senior CLIC is not very accessible by the elderly. Additionally, no other services are specifically aimed at these two groups - unlike legal information services offered by Justice Centre Hong Kong, which specifically targets refugees and HELP, which caters to domestic helpers (see notes for references).
3. **Information delivered directly to the end-user**  
Secondly, to access the targeted groups, OUTLET will directly hold legal talks **at collaborating non-profit sites**, in areas with a high prevalence of the target groups. Although there are websites that cater to the target groups, the legal information online is subject to limited accessibility, especially for the the elderly community in Hong Kong.
4. OUTLET would not only filter and teach **contents most crucial** to each target group but also explain the contents in **laymen terms**, bringing it directly to the affected groups. The service recipients will also have a chance to ask questions. Through engaging in questions and answer sessions, OUTLET can meet the actual needs of the target groups.

5. **Involvement of students and lawyers**  
Thirdly, this project is also partly a **mentorship** programme for students and provides a **platform for lawyers to contribute to the cause with their knowledge**, for example, by reviewing the materials prepared by the students and providing feedback. Hence, the law student will be provided with feedback and at the end of the day, will have the main responsibility to develop their **leadership skills**.
6. **Incorporation of social workers**  
Fourthly, **social workers** who work with the relevant target groups would also be **part of the audience**. This would enable information to be retained by the collaborating NGOs and elderly care centres, making it accessible to the new end-users in the future, even after OUTLET does not have the opportunity to give further talks at that specific institution.

**Sustainability / Multiplier**

1. **Cost-efficiency**  
OUTLET provides legal talks, tailored for a **larger audience**, but not individual consultation sessions (which is a prevailing mode in the legal field's pro bono lawyer and clinical legal information services). As the fundamental nature of OUTLET is in disseminating legal information and focusing on preventive measures, the number of service participants that can be reached at once is far greater than dealing with one individual on a case-by-case basis.
2. **The multiplier effect**  
As the collaborating non-profits have a steady member base, consisting of the target audience, the programme can easily be advertised. The talks **can readily be reproduced and given to the target audience, across various districts in Hong Kong**. Additionally, the model can be replicated to assist **other underprivileged groups** in Hong Kong, such as ethnic minorities or foreign domestic helpers.

OUTLET Logic: Model: Semester 1



Output monitoring and evaluation

OUTLET chief program organisers will review whether numerical targets of output, shown in logic model above, were met during each academic semester.

Outcomes monitoring and evaluation:

- Quality and correctness of talks:** students will hold mock seminars during the workshops for the pro-bono legal professionals to review.
- Audience feedback:** the audience can give subjective feedback in terms of quality of information, and the format of discussion after every talk.
- Student feedback:** students will be asked for feedback on the mentorship and training they received, and inclusiveness of OUTLET every academic year.
- Lawyer feedback:** pro-bono lawyers who trained the students will be asked for feedback on the quality of student-led talks, whether they found value in their service, and whether they are willing to participate next year.
- NGO feedback:** collaborating NGOs and social workers will be asked to give feedback on how helpful they found the information, whether it addressed the concerns of their audience, and whether there are fewer people visiting them for the concerns addressed during the talks.
- Annual evaluation of legislation and case law:** To ensure OUTLET talks provide relevant legal information that is up to date, an annual evaluation of legislation and case law will be conducted to reflect any changes in the talks. ■

Sources of Information

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