Examination of Estimates of Expenditure 2010-11

Reply Serial No.

HAB145

CONTROLLING OFFICER'S REPLY TO INITIAL WRITTEN QUESTION

Question Serial No.

1177

Head: 94 Legal Aid Department Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Secretary for Home Affairs

Question:

(a) In 2009, 992 legal aid applications were refused on means. How many of them were refused because the applicants' financial resources exceeded the financial eligibility limit?

(b) The Administration states that basically no application for criminal legal aid would be refused on means. However, the statistics on criminal legal aid applications show that 34 and 33 applications were refused on means respectively in 2008 and 2009. What are the main reasons for that?

Asked by: Hon. LEUNG Mei-fun, Priscilla

Reply:

(a) In 2009, out of the 992 civil applications that were refused on means, 969 applications were refused because the financial resources of the applicants exceeded the financial eligibility limit. Of these, 103 applications were refused also on ground of merits or on other grounds such as failure to furnish information/documents required for considering the applications or to attend interview.

(b) Of the criminal applications refused on means in 2008, 11 were refused because the applicants failed to furnish information on their financial resources and 21 were refused both on means as well as merits. Only two applicants were refused solely on means.

As for 2009, 14 were refused for failure to furnish information and 18 on both means as well as merits leaving one applicant refused solely on means.

Signature _____

Name in block letters William CHAN

Post Title Director of Legal Aid

Date 17.3.2010