

CONTROLLING OFFICER'S REPLY

CSO028

(Question Serial No. 0751)

Head: (94) Legal Aid Department

Subhead (No. & title): (000) Operational expenses

Programme: (1) Processing of Legal Aid Applications; (2) Litigation Services

Controlling Officer: Director of Legal Aid (Thomas Edward KWONG)

Director of Bureau: Director of Administration

Question:

Please set out the numbers (broken down by the outcomes of proceedings) of employees' compensation claims with legal aid granted and heard by the court in the past 3 years.

Please provide the numbers of cases in which legal aid was discharged by the Legal Aid Department in the course of proceedings; and the highest, lowest and median amounts of compensation granted in the cases ruled in favour of the claimants or in which settlement agreements were reached by both parties in the past 3 years.

Asked by: Hon CHENG Chung-tai (LegCo internal reference no.: 34)

Reply:

The numbers of legal aid certificates granted by the Legal Aid Department (LAD) in respect of employees' compensation (EC) claims and the number of such certificates discharged / revoked in the course of proceedings, irrespective of whether they were heard by the court, from 2018 to 2020 are set out below. LAD does not maintain statistics on the number of such EC cases subsequently heard by the court:

Year	Number of legal aid certificates granted in respect of EC claims	Number of legal aid certificates discharged / revoked in respect of EC claims in the course of the proceedings ^{Note 1}
2018	1 157	23
2019	1 105	32
2020	933	20

Note 1: Legal aid certificates discharged / revoked in a year may not correspond to the legal aid certificates granted in that year.

From 2018 to 2020, the highest, lowest and median amounts of compensation received in legal aid cases in respect of EC claims that were closed in each year are appended below:

Year	Amounts of compensation received in EC claims (\$) ^{Note 2}		
	Highest	Lowest	Median
2018	3,031,120	1,800	145,800
2019	1,032,370	17,500	150,000
2020	4,638,930	5,000	200,000

Note 2: The amount of compensation received in some EC claims was low due to various reasons, e.g., the percentage of loss of earning capacity assessed was low or the final compensation was made after deducting a large amount of advance payment such as sick leave payment already received.

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