

CONTROLLING OFFICER'S REPLY

CSO029

(Question Serial No. 1777)

Head: (94) Legal Aid Department

Subhead (No. & title): (-) Not Specified

Programme: (1) Processing of Legal Aid Applications

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

Director of Bureau: Director of Administration

Question:

1. For civil cases, the numbers of legal aid certificates granted in 2019 and 2020 were 5 406 and 4 754 respectively. Please set out the numbers (broken down by case types and public expenditures incurred) of legal aid certificates granted in those 2 years. Also, how many legal aid certificates granted in 2019 and 2020 involved judicial review cases? Among them, how many cases involved a lawsuit against the Government?
2. For criminal cases, the numbers of legal aid certificates granted by the Department in 2019 and 2020 were 2 328 and 2 751 respectively. Please set out the numbers (broken down by case types and public expenditures incurred) of legal aid certificates granted in those 2 years.
3. Please set out the amounts of legal aid costs and the numbers of cases granted in the past 3 financial years.

Asked by: Hon LAU Ip-keung, Kenneth (LegCo internal reference no.: 22)

Reply:

1. For civil cases, the numbers of legal aid certificates granted in 2019 and 2020 and the public expenditure incurred in 2018-19 and 2019-20 broken down by case types are as follows -

Year	Number of civil legal aid certificates							Total
	Personal Injuries Claims	Matrimonial Cases	Land and Tenancy Disputes	Employment Disputes	Immigration Matters	Wage Claims	Others	
2019	2 646	2 385	110	5	7	19	234	5 406
2020	2 359	1 832	74	209	0	30	250	4 754

Financial Year	Expenditure of civil legal aid cases							
	Personal Injuries Claims	Matrimonial Cases	Land and Tenancy Disputes	Employment Disputes	Immigration Matters	Wage Claims	Others	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
2018-19	353,419	84,273	40,075	1,451	8,036	266	78,455	565,975
2019-20	487,711	126,251	64,155	2,230	5,026	340	119,942	805,655

The numbers of legal aid certificates granted in 2019 and 2020 involving judicial review cases are 81 and 82 respectively. The proceedings of judicial review cases may involve different government departments, public authorities or persons exercising public powers as respondents. The Legal Aid Department (LAD) does not maintain separate statistics of these cases in which the Government was the respondent.

- For criminal cases, the LAD does not maintain separate statistics of legal aid certificates or the public expenditure broken down by nature of the offences or the type of cases.

Expenditure of criminal legal aid cases	
Financial Year	(\$M)
2018-19	239.5
2019-20	327.3

- Legal aid costs involved in the past 3 financial years are as follows -

Financial Year	Legal Aid Costs		
	Civil ^{Note} (\$M)	Criminal (\$M)	Total (\$M)
2017-18	517.8	174.6	692.4
2018-19	567.0	239.5	806.5
2019-20	806.5	327.3	1,133.8

Note : The total civil legal aid costs in this column include civil legal aid expenditure, as well as legal costs incurred for the Official Solicitor's Office.

The number of legal aid certificates granted in the past 3 years are as follows -

Year	Number of legal aid certificates granted (civil and criminal)
2018	8 252
2019	7 734
2020	7 505