

CONTROLLING OFFICER'S REPLY

CSO011

(Question Serial No. 0158)

Head: (94) Legal Aid Department

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

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid (C. M. CHAN)

Director of Bureau: Director of Administration

Question:

The financial provision for litigation services for 2024-25 was \$1.216 billion, with a revised estimate of \$1.2019 billion for 2025-26 and an estimate of \$1.3717 billion for 2026-27, showing an estimated increase by 14.1%. Meanwhile, there will be a decrease of 7 posts in 2026-27. In this connection, would the Government inform this Committee of:

1. the reasons for the Department to propose an increase in provision by 14.1% to \$1.3717 billion for the coming year, despite the fact that the financial provisions were about \$1.2 billion for each of the past 2 financial years; and
2. the reasons for an increase in the estimated provision, despite the fact that the indicators for 2026-27 are largely similar to those for the past year without an increase in the number of assigned cases?

Asked by: Hon MAN Wing-ye, Ginny (LegCo internal reference no.: 22)

Reply:

- 1 & 2. Legal aid services are demand-driven, and the Legal Aid Department (LAD) does not impose any limits on the number of civil and criminal litigation cases. As such, the actual amount of legal costs for civil and criminal cases each year varies, depending on factors such as the number of applications, type of cases, level of courts and outcome of proceedings. In addition to the number of assigned cases, factors including the type, complexity and progress of each case, as well as the seniority of assigned lawyers and adjustments to legal fees will also have impact on the actual amount of legal costs for civil and criminal cases each year.

The original estimate for litigation services of LAD remained at around \$1.4 billion for each of the past few years, with the aim of ensuring that there is sufficient funding to pay the legal costs for civil and criminal cases in a timely manner. In the course of providing litigation services, LAD has continued to closely monitor the progress and the actual expenditure of legal aid cases and the cost-effectiveness of litigation services to ensure proper use of resources. The revised estimate for 2025-26 is about \$1.2 billion which is evaluated by straight-line method based on the actual legal costs for civil and criminal cases paid as at

November 2025 in 2025-26. The estimated provision for litigation services of LAD for 2026-27 is around \$1.37 billion for the purpose of earmarking sufficient funding to pay legal costs in a timely manner, while taking into account the trend of actual expenditure in the past year.

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