

Panel on Administration of Justice and Legal Services

Conviction Rates

The relevant information requested by the Panel members in respect of the conviction rates is provided below:

- (a) Conviction rates (overall and conviction after trial) at different levels of court for the last 5 years:

	Conviction Rates					
	<i>Court of First Instance</i>		<i>District Court</i>		<i>Magistrates Court</i>	
	<i>w/o PG</i>	<i>with PG</i>	<i>w/o PG</i>	<i>with PG</i>	<i>w/o PG</i>	<i>with PG</i>
2004	61.3%	89.1%	67.7%	90.1%	58.0%	77.3%
2005	66.4%	90.4%	62.8%	87.5%	54.7%	73.5%
2006	75.6%	92.3%	76.3%	91.8%	60.1%	76.8%
2007	72.4%	93.4%	69.0%	90.5%	58.2%	76.6%
2008	79.3%	94.8%	73.3%	92.6%	53.9%	73.2%

w/o PG denotes exclude pleaded guilty cases.

with PG denotes include pleaded guilty cases.

- (b) A breakdown of the conviction rates into categories of offences is not available.
- (c) In around March 2009, when the Finance Committee examined the Estimates of Expenditure for 2009-10, a member requested information on the breakdown of legal advices by types of cases, and by whether to lay charges or not. Such a breakdown was not available at that time because such information was not captured in our computer system. Consideration has since been given to enhancing our system. We are advised that our system can be enhanced to capture the number of legal advices given to prosecute and not to prosecute. In April 2009, the enhancement was made to enable us to capture the breakdown figures from 1 January 2009 onwards. From 1 January 2009 to 31 August 2009, the number of legal advice given to prosecute was 3,251 (74.3%), while the number of advice given not to prosecute was 1,126 (25.7%).