



法律援助署  
Legal Aid Department

本署檔號 Our ref: LA/ADM/115/54 Pt.15  
來函檔號 Your ref: CB2/PL/AJLS  
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6 October 2009

Ms Amy Yu  
Clerk to the Panel on Administration  
of Justice and Legal Services  
3<sup>rd</sup> floor Citibank Tower  
3 Garden Road  
Hong Kong

Dear Ms Yu,

**Panel on Administration of Justice and Legal Services  
Conviction Rates and Criminal Legal Aid**

I refer to your letter of 23 September 2009 and provide the information requested as follows :-

- (a) The number of applicants for criminal legal aid at different levels of courts for the last 5 years:

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The information requested is at **Annex A**.

- (b) The number and percentage of cases where legal aid was granted:

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The information requested is at **Annex A**.

- (c) The amount (range) of financial contribution required from the applicant as a condition for legal aid:

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The information requested is at **Annex B**.

12 .....

- (d) Rate of acceptance of legal aid by the applicants who were required to pay contribution:

	2004	2005	2006	2007	2008
Rate of Acceptance	89%	88%	87%	92%	88%

Yours sincerely,



( Alice Chung )

for Director of Legal Aid

cc : Secretary for Home Affairs (Attn : Ms Christine Chow)

Encl

## No. of criminal legal aid applications with certificates granted at different level of courts for the past 5 years

	2004			2005			2006			2007			2008		
	Application	Cert granted	% of cert granted to application	Application	Cert granted	% of cert granted to application	Application	Cert granted	% of cert granted to application	Application	Cert granted	% of cert granted to application	Application	Cert granted	% of cert granted to application
Committal Proceedings at Magistrates' Court	396	390	98.5	339	325	95.9	266	262	98.5	384	374	97.4	363	354	97.5
District Court Trials	1858	1817	97.8	1711	1662	97.1	1511	1463	96.8	1463	1426	97.5	1350	1303	96.5
Court of First Instance Trials	457	453	99.1	380	373	98.2	280	275	98.2	370	362	97.8	325	321	98.8
Magistrates' Court Appeals to the Court of First Instance	808	122	15.1	806	110	13.6	780	147	18.8	718	123	17.1	642	111	17.3
District Court Appeals to the Court of Appeal	537	109	20.3	515	87	16.9	530	132	24.9	465	124	26.7	376	90	23.9
Court of First Instance Appeals to the Court of Appeal	178	61	34.3	187	66	35.3	192	69	35.9	165	58	35.2	175	45	25.7
Appeals in Court of Final Appeal	158	23	14.6	184	27	14.7	175	18	10.3	163	18	11.0	156	24	15.4
Others *	85	38	44.7	40	10	25.0	45	13	28.9	37	7	18.9	26	5	19.2
<b>Total</b>	<b>4477</b>	<b>3013</b>	<b>67.3</b>	<b>4162</b>	<b>2660</b>	<b>63.9</b>	<b>3779</b>	<b>2379</b>	<b>63.0</b>	<b>3765</b>	<b>2492</b>	<b>66.2</b>	<b>3413</b>	<b>2253</b>	<b>66.0</b>

\* Others included bail applications and appeals on application for review. We do not keep statistics on the level of courts where the proceedings were conducted.

**Amount and Percentage of Contributions  
required to be paid by Legally Aided Persons in criminal cases in 2004**

Financial Resources		Amount and Percentage of Contributions required to be paid
Exceed	Do not Exceed	
Not exceeding \$20,000		0
\$20,000	\$40,000	\$1,000
\$40,000	\$60,000	\$2,000
\$60,000	\$80,000	5%
\$80,000	\$100,000	10%
\$100,000	\$120,000	15%
\$120,000	\$144,000	20%
\$144,000	<b>\$155,800</b> (12.07.04-31.12.04)	25%
	<b>\$169,700</b> (01.01.04-11.07.04)	25%
\$155,800 (12.07.04-31.12.04)	\$269,700	30%
\$169,700 (01.01.04-11.07.04)		30%
\$269,700	\$369,700	35%
\$369,700	\$469,700	40%
\$469,700	\$569,700	45%
\$569,700	\$669,700	50%
\$669,700	\$769,700	55%
\$769,700	\$869,700	60%
\$869,700	\$1,200,000	65%
Exceeding \$1,200,000		67%

**Amount and Percentage of Contributions  
required to be paid by Legally Aided Persons in criminal cases in 2005**

Financial Resources		Amount and Percentage of Contributions required to be paid
Exceed	Do not Exceed	
Not exceeding \$20,000		0
\$20,000	\$40,000	\$1,000
\$40,000	\$60,000	\$2,000
\$60,000	\$80,000	5%
\$80,000	\$100,000	10%
\$100,000	\$120,000	15%
\$120,000	\$144,000	20%
\$144,000	<b>\$155,800</b>	25%
\$155,800	\$269,700	30%
\$269,700	\$369,700	35%
\$369,700	\$469,700	40%
\$469,700	\$569,700	45%
\$569,700	\$669,700	50%
\$669,700	\$769,700	55%
\$769,700	\$869,700	60%
\$869,700	\$1,200,000	65%
Exceeding \$1,200,000		67%

**Amount and Percentage of Contributions  
required to be paid by Legally Aided Persons in criminal cases in 2006**

Financial Resources		Amount and Percentage of Contributions required to be paid
Exceed	Do not Exceed	
Not exceeding \$20,000		0
\$20,000	\$40,000	\$1,000
\$40,000	\$60,000	\$2,000
\$60,000	\$80,000	5%
\$80,000	\$100,000	10%
\$100,000	\$120,000	15%
\$120,000	\$144,000	20%
\$144,000	<b>\$155,800</b> (1.1.2006 – 15.6.2006)	25%
	<b>\$158,300</b> (16.6.2006 – 31.12.2006)	25%
\$155,800	\$269,700	30%
\$158,300		30%
\$269,700	\$369,700	35%
\$369,700	\$469,700	40%
\$469,700	\$569,700	45%
\$569,700	\$669,700	50%
\$669,700	\$769,700	55%
\$769,700	\$869,700	60%
\$869,700	\$1,200,000	65%
Exceeding \$1,200,000		67%

**Amount and Percentage of Contributions  
required to be paid by Legally Aided Persons in criminal cases in 2007**

<b>Financial Resources</b>		<b>Amount and Percentage of Contributions required to be paid</b>
<b>Exceed</b>	<b>Do not Exceed</b>	
Not exceeding \$20,000		0
\$20,000	\$40,000	\$1,000
\$40,000	\$60,000	\$2,000
\$60,000	\$80,000	5%
\$80,000	\$100,000	10%
\$100,000	\$120,000	15%
\$120,000	\$144,000	20%
\$144,000	<b>\$158,300</b> (1.1.2007 – 14.6.2007)	25%
	<b>\$162,300</b> (15.6.2007 – 13.12.2007)	25%
	<b>\$165,700</b> (14.12.2007 – 31.12.2007)	25%
\$158,300	\$269,700	30%
\$162,300		30%
\$165,700		30%
\$269,700	\$369,700	35%
\$369,700	\$469,700	40%
\$469,700	\$569,700	45%
\$569,700	\$669,700	50%
\$669,700	\$769,700	55%
\$769,700	\$869,700	60%
\$869,700	\$1,200,000	65%
Exceeding \$1,200,000		67%

**Amount and Percentage of Contributions  
required to be paid by Legally Aided Persons in criminal cases in 2008**

Financial Resources		Amount and Percentage of Contributions required to be paid
Exceed	Do not Exceed	
Not exceeding \$20,000		0
\$20,000	\$40,000	\$1,000
\$40,000	\$60,000	\$2,000
\$60,000	\$80,000	5%
\$80,000	\$100,000	10%
\$100,000	\$120,000	15%
\$120,000	\$144,000	20%
\$144,000	<b>\$165,700</b>	25%
\$165,700	\$269,700	30%
\$269,700	\$369,700	35%
\$369,700	\$469,700	40%
\$469,700	\$569,700	45%
\$569,700	\$669,700	50%
\$669,700	\$769,700	55%
\$769,700	\$869,700	60%
\$869,700	\$1,200,000	65%
Exceeding \$1,200,000		67%