
INFORMATION NOTE

Supplementary information on legal aid systems in selected places

1. Background

1.1 The Panel on Administration of Justice and Legal Services requested the Research and Library Services Division to provide supplementary information to the research report entitled "Legal aid systems in selected places" (RP01/08-09), in relation to the following aspects:

- (a) income level;
- (b) number of legal aid applications received and granted; and
- (c) updated figures of legal aid expenditure.

1.2 This information note provides information on the gross domestic product (GDP) per capita, the median household income, the number of legal aid applications, as well as legal aid expenditure per capita and per granted application in Hong Kong and the three selected places, i.e. England and Wales of the United Kingdom (UK), the Province of Ontario (Ontario) of Canada, and the State of New South Wales (NSW) of Australia.

2. Gross domestic product per capita

2.1 Table 1 shows the per capita GDP in the selected places and Hong Kong during the years 2005-2008. Since relevant statistics in England and Wales are not available, data of the UK is used instead. In addition, the per capita GDP figures in the UK and Ontario below are calculated by dividing the amount of GDP by the number of population in the respective years owing to the unavailability of the per capita data.

Table 1 – Per capita GDP in the selected places and Hong Kong

	Hong Kong	United Kingdom	Ontario of Canada	New South Wales of Australia
2005	HK\$202,928	£20,793 (HK\$261,888)	CAN\$42,850 (HK\$316,576)	AUS\$48,495 (HK\$340,483)
2006	HK\$215,158	£21,818 (HK\$274,798)	CAN\$44,198 (HK\$326,535)	AUS\$48,927 (HK\$343,516)
2007	HK\$233,245	£22,969 (HK\$289,295)	CAN\$45,723 (HK\$337,802)	AUS\$49,783 (HK\$349,526)
2008	HK\$240,327	£23,507 (HK\$296,071)	CAN\$45,472 (HK\$335,947)	Not available

3. Median/average household income

3.1 Statistics on the household income in the selected places and Hong Kong during the years 2005-2007 are shown in Table 2. It is worth noting that as the income measures in these places are expressed in different statistics, a direct comparison is not feasible. Since relevant statistics in England and Wales are not available, data of the UK is used in Table 2.

Table 2 – Median/average household income in the selected places and Hong Kong

	Hong Kong	United Kingdom	Ontario of Canada	New South Wales of Australia
	Median monthly household income	Average disposable household income per year	Median family after-tax income per year	Median equivalised disposable household income per week
Definition of statistical measure	Monthly household income refers to the total cash income (including earnings from all jobs and other cash incomes) received in the previous month by members of the household.	Disposable income is equal to gross income (sum of cash benefits and original income) minus income tax, employees' National Insurance contributions and Council tax.	After-tax income is total income (income from all sources), which includes government transfers, less income tax. It may also be called income after tax.	Disposable income is derived by deducting estimates of personal income tax and Medicare levy from gross income (sum of income from all sources). Equivalised disposable income is calculated by adjusting disposable income by the application of an equivalence scale, which can reflect the requirement for a larger household to have a higher level of income to achieve the same standard of living as a smaller household.

Table 2 – Median/average household income in the selected places and Hong Kong (cont'd)

	Hong Kong	United Kingdom	Ontario of Canada	New South Wales of Australia
2005	HK\$16,000	£26,039 (HK\$327,961)	CAN\$63,600 (HK\$469,877)	AUS\$565 (HK\$3,967)
in HK\$ per year	HK\$192,000	HK\$327,961	HK\$469,877	HK\$206,284
2006	HK\$17,000	£27,370 (HK\$344,725)	CAN\$63,800 (HK\$471,354)	Not available
in HK\$ per year	HK\$204,000	HK\$344,725	HK\$471,354	Not available
2007	HK\$17,500	£27,769 (HK\$349,751)	CAN\$65,900 (HK\$486,869)	AUS\$676 (HK\$4,746)
in HK\$ per year	HK\$210,000	HK\$349,751	HK\$486,869	HK\$246,792

4. Number of legal aid applications

4.1 Table 3 shows the number of legal aid applications and the grant rate in the selected places and Hong Kong during the years 2005-2008.

Table 3 – Legal aid applications in the selected places and Hong Kong

		Hong Kong	England and Wales	Ontario of Canada	New South Wales of Australia ⁽¹⁾
2005					
Received	Civil	16,806	194,795	59,787	19,314
	Criminal	4,320	Not available	83,439	45,836
	Total	21,126		143,226	65,150
Granted	Civil	8,656	155,065	45,508	14,339
	Criminal	2,751	Not available	65,510	42,482
	Total	11,407		111,018	56,821
Grant rate	Civil	51.5%	79.6%	76.1%	74.4%
	Criminal	63.7%	Not available	78.5%	92.8%
	Total	54.0%		77.5%	87.4%

Note: (1) The grant rate of legal aid applications in NSW is calculated after deducting the number of applications undetermined at year end from the number of applications received. The numbers of applications undetermined at year end were 102 in 2005-2006, 149 in 2006-2007, and 155 in 2007-2008 respectively.

Table 3 – Legal aid applications in the selected places and Hong Kong (cont'd)

		Hong Kong	England and Wales	Ontario of Canada	New South Wales of Australia ⁽¹⁾
2006					
Received	Civil	17,422	189,476	Not available	20,080
	Criminal	3,779	Not available		49,188
	Total	21,201		141,757	69,268
Granted	Civil	9,356	151,773	43,317	15,369
	Criminal	2,357	Not available	65,784	45,838
	Total	11,713		109,101	61,207
Grant rate	Civil	53.7%	80.1%	Not available	76.7%
	Criminal	62.4%	Not available		93.4%
	Total	55.2%		77%	88.5%

Note: (1) The grant rate of legal aid applications in NSW is calculated after deducting the number of applications undetermined at year end from the number of applications received. The numbers of applications undetermined at year end were 102 in 2005-2006, 149 in 2006-2007, and 155 in 2007-2008 respectively.

Table 3 – Legal aid applications in the selected places and Hong Kong (cont'd)

		Hong Kong	England and Wales	Ontario of Canada	New South Wales of Australia ⁽¹⁾
2007					
Received	Civil	15,598	172,420	Not available	21,289
	Criminal	3,765	573,036		52,605
	Total	19,363	745,456		73,894
Granted	Civil	7,937	137,963	Not available	16,086
	Criminal	2,507	532,060		49,222
	Total	10,444	670,023		65,308
Grant rate	Civil	50.9%	80.0%	Not available	75.7%
	Criminal	66.6%	92.8%		93.8%
	Total	53.9%	89.9%		88.6%

Note: (1) The grant rate of legal aid applications in NSW is calculated after deducting the number of applications undetermined at year end from the number of applications received. The numbers of applications undetermined at year end were 102 in 2005-2006, 149 in 2006-2007, and 155 in 2007-2008 respectively.

Table 3 – Legal aid applications in the selected places and Hong Kong (cont'd)

		Hong Kong	England and Wales	Ontario of Canada	New South Wales of Australia ⁽¹⁾
2008					
Received	Civil	15,314	183,026	Not available	Not available
	Criminal	3,413	601,661		
	Total	18,727	784,687		
Granted	Civil	7,513	145,286	Not available	Not available
	Criminal	2,235	563,260		
	Total	9,748	708,546		
Grant rate	Civil	49.1%	79.4%	Not available	Not available
	Criminal	65.5%	93.6%		
	Total	52.1%	90.3%		

Note: (1) The grant rate of legal aid applications in NSW is calculated after deducting the number of applications undetermined at year end from the number of applications received. The numbers of applications undetermined at year end were 102 in 2005-2006, 149 in 2006-2007, and 155 in 2007-2008 respectively.

5. Legal aid expenditure

5.1 Tables 4 and 5 show the amount of legal aid expenditure per capita and per granted application in the selected places and Hong Kong in the year 2007-2008 for comparison. Two alternative methods are used in calculating the legal aid expenditure: including and excluding the administrative or employment costs of legal aid provision.

Table 4 – Legal aid expenditure per capita in the selected places and Hong Kong (2007-2008)

	Hong Kong	England and Wales	Ontario of Canada⁽¹⁾	New South Wales of Australia
Population (in million)	7.0	54.1	12.8	6.9
Including administrative or employment costs	HK\$92.4	£36.5 (HK\$460)	CAN\$25.5 (HK\$188.4)	AUS\$29.6 (HK\$207.8)
Excluding administrative or employment costs	HK\$61.2	£35.4 (HK\$445.9)	CAN\$23.2 (HK\$171.4)	AUS\$19.0 (HK\$133.4)

Note: (1) As 2007-2008 figures for Ontario are not available, 2006-2007 figures are used instead.

Table 5 – Legal aid expenditure per granted application in the selected places and Hong Kong (2007-2008)

	Hong Kong	England and Wales	Ontario of Canada⁽¹⁾	New South Wales of Australia
Number of granted applications	10,444	670,023	109,101	65,308
Including administrative or employment costs	HK\$61,930	£2,951 (HK\$37,168)	CAN\$2,987 (HK\$22,068)	AUS\$3,124 (HK\$21,934)
Excluding administrative or employment costs	HK\$41,000	£2,858 (HK\$35,997)	CAN\$2,725 (HK\$20,132)	AUS\$2,004 (HK\$14,070)

Note: (1) As 2007-2008 figures for Ontario are not available, 2006-2007 figures are used instead.

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