

**Cases of judicial reviews lodged through applications for legal aid
in the past three years**

1. The number of legal aid certificates granted for judicial review (JR) applications by the Legal Aid Department (LAD) in the past three years, the total contribution paid by applicants and the total legal expenditure borne by the LAD on JR cases in the past three financial years are tabulated below –

Year	No. of legal aid certificates granted for JR cases	Total contribution paid by applicants
2015	107	\$1,539,114*
2014	74	\$57,523
2013	119	\$115,765

* It is stipulated in section 5AA of the Legal Aid Ordinance (Cap. 91) that the Director of Legal Aid (the Director) may waive the financial eligibility limit imposed under section 5 of the Ordinance at his discretion where he is satisfied that a person should be granted legal aid in proceedings in which a breach of the Hong Kong Bill of Rights Ordinance (Cap. 383) or an inconsistency with the International Covenant on Civil and Political Rights as applied to Hong Kong is an issue, but the person shall pay a higher contribution. In 2015, three legal aid applicants who lodged JR were granted legal aid at the discretion of the Director under section 5AA. The contribution paid by the three applicants amounted to \$1,327,873, resulting in a substantial increase in the contribution received in 2015.

Financial year	Total legal expenditure on JR cases ^φ (\$ million)	Percentage of total legal aid costs of the year
2015-16	29.4	5.17%
2014-15	22.7	4.00%
2013-14	33.9	5.95%

^φ The total legal expenditure on JR cases was the total expenditure for JR cases involving legal aid in the year, including the expenditure for JR cases involving legal aid certificates not granted within that year.

2. The success rates of legally-aided JR cases concluded in the past three years are as follows –

Year	Judgments in favour of the legally-aided person [#]	Total	Success rate
2015	46	89	52%
2014	41	68	60%
2013	44	85	52%

[#] The figures include cases in which –

- (1) judgment was in favour of the aided person;
- (2) precedent was set by the court subsequent to the grant of legal aid, thus favourable to the case of the aided person;
- (3) relief was given to the aided person by the opponent (government department / organisation) before conclusion of the legal proceedings; and
- (4) policy amendment was made by the opponent (government department / organisation) so that relief could be obtained by the aided person who therefore did not have to continue with the legal proceedings.