

Head 94 — LEGAL AID DEPARTMENT

Controlling officer: the Director of Legal Aid will account for expenditure under this Head.

Estimate 2026–27 **\$1,613.7m**

Establishment ceiling 2026–27 (notional annual mid-point salary value) representing an estimated 541 non-directorate posts as at 31 March 2026 reducing by 13 posts to 528 posts as at 31 March 2027..... **\$304.2m**

In addition, there will be an estimated 15 directorate posts as at 31 March 2026 and 31 March 2027.

Controlling Officer’s Report

Programmes

<p>Programme (1) Processing of Legal Aid Applications</p> <p>Programme (2) Litigation Services</p> <p>Programme (3) Support Services</p> <p>Programme (4) Official Solicitor’s Office</p>	<p>These programmes contribute to Policy Area 20: Legal Aid (Director of Administration).</p>
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Detail

Programme (1): Processing of Legal Aid Applications

	2024–25 (Actual)	2025–26 (Original)	2025–26 (Revised)	2026–27 (Estimate)
Financial provision (\$m)	142.9	150.6	147.4 (–2.1%)	154.3 (+4.7%)
				(or +2.5% on 2025–26 Original)

Aim

- 2 The aim is to ensure that legal aid service is provided only to eligible applicants.

Brief Description

3 The Application and Processing Division and the Crime Section of the Litigation Division of the Department assess applicants’ eligibility for legal aid and the financial contributions required of them towards the relevant legal costs.

- 4 To qualify for legal aid, an applicant has to pass both the means test and the merits test.

5 Although an applicant’s financial resources may exceed the prescribed financial eligibility limit, the Director of Legal Aid (the Director) may grant legal aid if 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, or, in a criminal case, if the Director is satisfied that it is desirable in the interests of justice to do so.

6 For civil cases, unsuccessful applicants may appeal against the Director’s refusal to grant legal aid on grounds of means or merits. For criminal cases, unsuccessful applicants may appeal against the Director’s refusal to grant legal aid where appeals to the Court of Final Appeal are involved. Legal aid may also be granted to an accused or appellant by a Judge in certain circumstances even though such has been refused by the Director.

- 7 The Department generally met the aim of the programme in 2025.
- 8 The key performance measures in respect of processing legal aid applications are:

Targets

	Target	2024 (Actual)	2025 (Actual)	2026 (Plan)
<i>Civil legal aid</i>				
applications processed within three months from the date of application (%).....	85	85	89	85

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	Target	2024 (Actual)	2025 (Actual)	2026 (Plan)
<i>Criminal legal aid</i>				
Appeals against sentence				
applications processed within				
two months from the date of				
application (%).....	90	83	84	90
Appeals against conviction				
applications processed within				
three months from the date of				
application (%).....	90	95	92	90
Court of First Instance of the High				
Court/District Court				
applications processed within				
ten working days from the date				
of application (%)	90	97	98	90
Committal proceedings				
applications processed within				
eight working days from the date				
of application (%)	90	95	98	90

Indicators

	2024 (Actual)	2025 (Actual)	2026 (Estimate)
<i>Civil</i>			
enquiries received.....	27 467	26 247	26 200
applications received	9 506#	8 636#	8 600
applications processed.....	9 461	8 977	8 600
applications pending decision as at end of year	1 786	1 445	1 445
legal aid certificates granted.....	4 028	3 690	3 700
applications refused			
on means.....	630	571	570
on merits	3 588	3 612	3 480
appeals against the Director’s decisions			
appeals heard	754	749	750
appeals allowed	33	19	26
<i>Criminal</i>			
applications received	3 459	4 035	4 035
applications processed.....	3 456	3 937	4 035
applications pending decision as at end of year	137	235	235
legal aid certificates granted.....	2 763	3 034	3 220
applications refused			
on means.....	71	54	50
on merits	520	739	500

The numbers of applications received in 2024 and 2025 included three and four applications respectively from applicants who were subject to an Order made pursuant to Regulation 11 of the Legal Aid Regulations (Cap. 91A).

Matters Requiring Special Attention in 2026–27

- 9 During 2026–27, the Department will continue to monitor:
- the number of legal aid applications and the processing time;
 - the effectiveness of the means-testing processes; and
 - the use of mediation in legally-aided cases.

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Programme (2): Litigation Services

	2024–25 (Actual)	2025–26 (Original)	2025–26 (Revised)	2026–27 (Estimate)
Financial provision (\$m)	1,216.0	1,403.4	1,201.9 (–14.4%)	1,371.7 (+14.1%)
				(or –2.3% on 2025–26 Original)

Aim

10 The aim is to discharge the Department’s statutory duties relating to assignment and conduct of legal aid cases.

Brief Description

Assigning out and monitoring of cases

11 The Application and Processing Division and the Crime Section of the Litigation Division of the Department systematically monitor cases assigned to private practitioners.

In-house litigation

12 The Litigation Division conducts litigation on behalf of legally-aided persons. The work involves:

Civil litigation

- Personal injury and miscellaneous – taking proceedings for legally-aided persons in respect of claims for common law damages for personal injuries and death and compensation under the Employees’ Compensation Ordinance (Cap. 282), claims for seamen’s wages, and claims for damages due to professional negligence; and
- Matrimonial – taking or defending proceedings for legally-aided persons in respect of separation, dissolution or annulment of marriage or ancillary and other relief and wardship.

Criminal litigation

- representing legally-aided persons in committal proceedings in the Magistrates’ Court, plea day proceedings in the District Court, and bail applications in the Court of First Instance; and
- acting as instructing solicitors for legally-aided persons in Court of First Instance cases, as well as in appeals before the Court of First Instance, the Court of Appeal and the Court of Final Appeal.

13 The Department generally met the aim of the programme in 2025.

14 The key performance measures in respect of assignment and conduct of legal aid cases are:

Indicators

	2024 (Actual)	2025 (Actual)	2026 (Estimate)
<i>Assigning out and monitoring of cases</i>			
<i>Civil</i>			
new cases assigned	3 257	2 954	3 060
cases concluded	3 893	3 484	3 065
active cases as at end of year	12 103	11 573	11 570
<i>Criminal</i>			
new cases assigned	2 714	2 998	2 790
cases concluded	2 577	2 697	2 790
active cases as at end of year	2 817	3 118	3 120
<i>In-house litigation</i>			
<i>Civil</i>			
<i>Personal injury and miscellaneous</i>			
new cases assigned	164	123	130
cases concluded	127	172	150
active cases as at end of year	381	332	310
<i>Matrimonial</i>			
new cases assigned	494	514	510
cases concluded	580	566	570
active cases as at end of year	838	786	725

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	2024 (Actual)	2025 (Actual)	2026 (Estimate)
Insolvency			
cases concluded Δ	14	5	5
active cases as at end of year			
pending realisation of assets Δ	18	13	10
Criminal			
new cases assigned	469	433	430
cases concluded	451	465	425
active cases as at end of year	119	87	90
<i>Damages/costs recovered from all civil cases</i>			
amount of damages recovered (\$'000)	935,067	955,243	N.A.
amount of costs recovered (\$'000)	383,868	374,112	N.A.

Δ The Protection of Wages on Insolvency Fund Board has procured legal services from service providers to assist in handling winding-up and bankruptcy proceedings since 2023. Apart from those previously referred to the Department for issuing insolvency proceedings, the Labour Department has no longer referred new insolvency cases to the Department since 1 April 2023. As no new cases will be assigned, cases to be realised and eventually concluded each year will continue to drop until all inactive cases are dwindled to nil.

Matters Requiring Special Attention in 2026–27

15 During 2026–27, the Department will continue to monitor:

- the progress and expenditure of legal aid cases;
- the performance of assigned private practitioners and progress of assigned-out cases;
- the cost effectiveness of litigation services; and
- the outstanding insolvency cases pending realisation of assets.

Programme (3): Support Services

	2024–25 (Actual)	2025–26 (Original)	2025–26 (Revised)	2026–27 (Estimate)
Financial provision (\$m)	62.0	65.2	67.3 (+3.2%)	67.0 (–0.4%)
				(or +2.8% on 2025–26 Original)

Aim

16 The aims are to provide effective support services for processing applications and conducting legal aid cases and for increasing public understanding and awareness of legal aid services, and to review or make recommendations on legal aid policy to meet areas of perceived needs.

Brief Description

17 Support services include:

- Costing – assessing costs, preparing bills of costs and attending taxation hearings;
- Enforcement – taking action to enforce unsatisfied judgments and orders; and
- Public education – organising or participating in activities to enhance the public’s knowledge and awareness of legal aid services provided by the Department.

18 The Department assesses and makes payments to assigned solicitors and counsel, and effects payment of damages recovered to clients.

19 In the area of policy and legislation, constant effort is made to improve the practical working of the legal aid schemes; to increase the Department’s efficiency and productivity; to make recommendations on any change in legal aid legislation; and to comment on other legislation which may have an impact on the provision of legal aid services.

20 It is not possible to specify quantitative measures and indicators for work on policy and legislation, as performance in such areas must be judged in qualitative terms.

21 The Department generally met the aims of the programme in 2025.

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22 The key performance measures in respect of support services are:

Targets

	Target	2024 (Actual)	2025 (Actual)	2026 (Plan)
<i>Payment of damages or compensation to aided persons</i>				
<i>Interim payment</i>				
payments processed within one month (%).....	95	99	98	95
<i>Final payment</i>				
payments processed within six weeks (%).....	95	99	99	95
<i>Payment to lawyers/experts/other parties</i>				
<i>Advance payment</i>				
payments processed within six weeks (%).....	95	99	99	95
<i>Balance payment</i>				
payments processed within six weeks (%).....	95	99	99	95

Indicators

	2024 (Actual)	2025 (Actual)	2026 (Estimate)
<i>Costing</i>			
taxation - court attendance.....	241	237	240
preparation of bills and objections.....	394	324	320
assessments made	8 172	7 743	7 740
<i>Enforcement</i>			
cases assigned.....	122	126	130
enforcement action taken.....	117	135	135
active cases as at end of year	164	155	150
amount of debts and costs recovered (\$'000).....	7,884	15,485	N.A.

Matters Requiring Special Attention in 2026–27

23 During 2026–27, the Department will continue to:

- promote public awareness and understanding of legal aid services;
- provide support to the Legal Aid Services Council and implement recommendations of the Council to improve the quality and efficiency of legal aid services;
- monitor the performance pledges on payments related to legal aid cases; and
- monitor the outstanding insolvency cases pending realisation of assets.

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Programme (4): Official Solicitor's Office

	2024–25 (Actual)	2025–26 (Original)	2025–26 (Revised)	2026–27 (Estimate)
Financial provision (\$m)	18.2	18.8	19.6 (+4.3%)	20.7 (+5.6%)
				(or +10.1% on 2025–26 Original)

Aim

24 The aim is to provide representation to persons under a legal disability and to discharge the Official Solicitor's duties as prescribed by the Official Solicitor Ordinance (Cap. 416) (OSO) and other enactments.

Brief Description

25 Under the OSO, the Director is appointed the Official Solicitor.

26 The Official Solicitor plays an important role in safeguarding the rights of those under a legal disability (i.e. mentally incapacitated persons and minors). He is also the Official Trustee pursuant to the Trustee Ordinance (Cap. 29) and may also act as the Judicial Trustee if appointed by the Court.

27 Cases falling within the scope of the Official Solicitor's duties include wardship, adoptions, contempt cases, divorce and family cases, committee cases, Judicial and Official Trustee cases and grants of administration. A large proportion of the cases involving the work of the Official Solicitor includes representation of persons under a legal disability, representation of deceased persons' estates in litigation and management of a number of trust funds. Where so directed by the Court, the Official Solicitor undertakes investigations and reports on matters such as complex custody and/or access issues.

28 The Official Solicitor also provides, upon requests by other government bureaux or departments, advice on matters such as custody, adoption and representation of children and comments on legislation which may have an impact on the provision of services by the Official Solicitor's Office.

29 The Department generally met the aim of the programme in 2025.

30 The key performance measures in respect of the Official Solicitor's Office are:

Indicators

	2024 (Actual)	2025 (Actual)	2026 (Estimate)
new cases received.....	357	308	310
cases concluded	280	246	250
active cases as at end of year	685	747	805

Matters Requiring Special Attention in 2026–27

31 During 2026–27, the Official Solicitor's Office will continue to:

- enhance the efficiency and quality of its services; and
- promote understanding of the work of the Official Solicitor's Office by strengthening communication with other government departments, non-governmental organisations and legal practitioners.

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ANALYSIS OF FINANCIAL PROVISION

	2024–25 (Actual) (\$m)	2025–26 (Original) (\$m)	2025–26 (Revised) (\$m)	2026–27 (Estimate) (\$m)
Programme				
(1) Processing of Legal Aid Applications....	142.9	150.6	147.4	154.3
(2) Litigation Services	1,216.0	1,403.4	1,201.9	1,371.7
(3) Support Services.....	62.0	65.2	67.3	67.0
(4) Official Solicitor’s Office	18.2	18.8	19.6	20.7
	1,439.1	1,638.0	1,436.2 (–12.3%)	1,613.7 (+12.4%)
				(or –1.5% on 2025–26 Original)

Analysis of Financial and Staffing Provision

Programme (1)

Provision for 2026–27 is \$6.9 million (4.7%) higher than the revised estimate for 2025–26. This is mainly due to the increased provisions for salaries and other operating expenses. There will be a decrease of four posts in 2026–27.

Programme (2)

Provision for 2026–27 is \$169.8 million (14.1%) higher than the revised estimate for 2025–26. This is mainly due to the increased provision for legal aid costs. There will be a decrease of seven posts in 2026–27.

Programme (3)

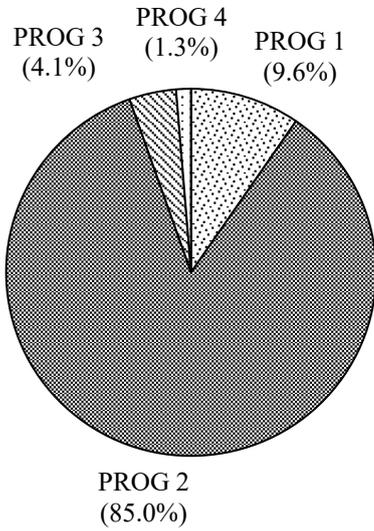
Provision for 2026–27 is \$0.3 million (0.4%) lower than the revised estimate for 2025–26. This is mainly due to the decreased provision for salaries, partly offset by the increased provision for other operating expenses. There will be a decrease of two posts in 2026–27.

Programme (4)

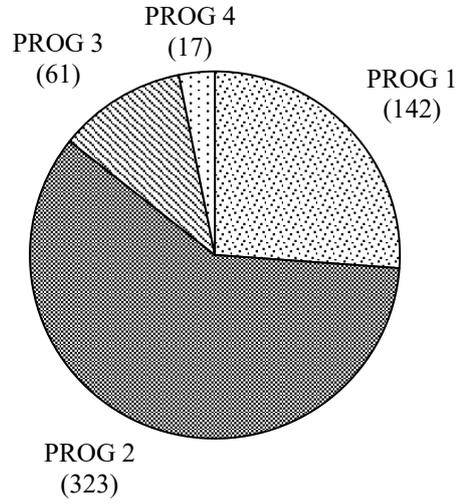
Provision for 2026–27 is \$1.1 million (5.6%) higher than the revised estimate for 2025–26. This is mainly due to the increased provisions for salaries and other operating expenses.

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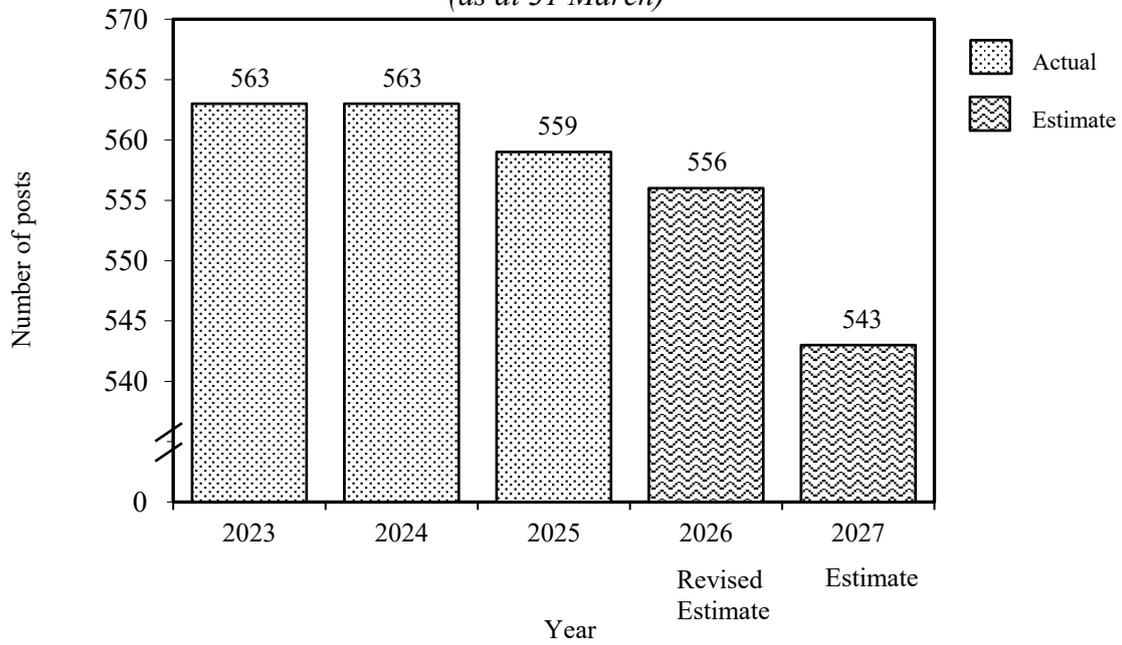
*Allocation of provision
to programmes
(2026-27)*



*Staff by programme
(as at 31 March 2027)*



*Changes in the size of the establishment
(as at 31 March)*



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Sub-head (Code)	Actual expenditure 2024–25	Approved estimate 2025–26	Revised estimate 2025–26	Estimate 2026–27
	\$'000	\$'000	\$'000	\$'000
Operating Account				
Recurrent				
000	Operational expenses	396,404	420,199	411,213
208	Legal aid costs.....	1,042,718	1,217,800	1,025,000
	Total, Recurrent.....	1,439,122	1,637,999	1,436,213
	Total, Operating Account	1,439,122	1,637,999	1,436,213
	Total Expenditure	1,439,122	1,637,999	1,436,213
		1,613,686	1,613,686	1,613,686

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Details of Expenditure by Subhead

The estimate of the amount required in 2026–27 for the salaries and expenses of the Legal Aid Department is \$1,613,686,000. This represents an increase of \$177,473,000 over the revised estimate for 2025–26 and \$174,564,000 over the actual expenditure in 2024–25.

Operating Account

Recurrent

2 Provision of \$424,384,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Legal Aid Department.

3 The establishment as at 31 March 2026 will be 556 posts. It is expected that there will be a decrease of 13 posts in 2026–27. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2026–27, but the notional annual mid-point salary value of all such posts must not exceed \$304,154,000.

4 An analysis of the financial provision under *Subhead 000 Operational expenses* is as follows:

	2024–25 (Actual) (\$'000)	2025–26 (Original) (\$'000)	2025–26 (Revised) (\$'000)	2026–27 (Estimate) (\$'000)
Personal Emoluments				
- Salaries.....	335,176	350,470	344,012	350,287
- Allowances.....	3,836	4,061	3,750	3,260
Personnel Related Expenses				
- Mandatory Provident Fund contribution.....	1,090	1,416	1,197	973
- Civil Service Provident Fund contribution.....	28,458	31,695	30,754	36,323
Departmental Expenses				
- General departmental expenses	27,844	32,557	31,500	33,541
	396,404	420,199	411,213	424,384

5 Provision of \$1,189,302,000 under *Subhead 208 Legal aid costs* is for expenses related to legal aid and Official Solicitor cases. The increase of \$164,302,000 (16.0%) over the revised estimate for 2025–26 is to cater for the anticipated increase in legal aid costs for both civil and criminal cases.