

Dear Ms Li,

Further to our reply of 18 September 2020 to question (i) of your request for Access to Information on 30 July 2020, based on the information available to us, the requested information on the remaining questions (ii) to (v) is provided as below, please.

It should also be highlighted that under the Unified Screening Mechanism, all non-refoulement claimants may choose to receive publicly-funded legal assistance (PFLA) at the beginning of screening of their claim by the Immigration Department (ImmD). Whether a non-refoulement claimant will continue to receive PFLA at the appeal stage depends on the assessment by the lawyer providing PFLA to the claimant on the merits of lodging an appeal, taking into account the written decision by ImmD on the claim with detailed reasons.

(ii) The number of appeals/ petitions substantiated by the Torture Claims Appeal Board (TCAB) in each quarter from Q1 2014 to Q2 2020 is as below-

	No. of appeals/ petitions concluded by TCAB (a)	Out of (a), no. of appeals/ petitions legally represented by lawyers from PFLA (b)	Out of (b), no. of appeals/ petitions substantiated by TCAB (c)
Q1 2014	129	44	1
Q2 2014	158	27	0
Q3 2014	54	7	0
Q4 2014	58	7	2
Q1 2015	112	6	0
Q2 2015	168	18	0
Q3 2015	158	23	0
Q4 2015	166	20	1
Q1 2016	157	14	1
Q2 2016	158	25	1
Q3 2016	205	16	0
Q4 2016	406	44	1
Q1 2017	750	64	1
Q2 2017	822	39	0
Q3 2017	906	42	2
Q4 2017	916	47	5
Q1 2018	986	47	7

Q2 2018	1153	56	5
Q3 2018	1245	85	2
Q4 2018	1423	113	6
Q1 2019	1254	92	1
Q2 2019	1358	91	4
Q3 2019	1204	93	4
Q4 2019	1108	63	6
Q1 2020	652	46	9
Q2 2020	797	71	11

(iii) The number of people who requested a second opinion or review after not being provided with PFLA based on the assessment of the lawyer at the appeal stage in each quarter (from Q1 2014 to Q2 2020) is as below-

	No. of people who were declined PFLA (a)	No. of people requested a second opinion or review after not being provided with PFLA (b)
Q1 2014	189	0
Q2 2014	63	0
Q3 2014	258	3
Q4 2014	335	9
Q1 2015	602	19
Q2 2015	452	11
Q3 2015	462	13
Q4 2015	487	7
Q1 2016	454	4
Q2 2016	561	1
Q3 2016	752	5
Q4 2016	688	3
Q1 2017	773	6
Q2 2017	708	5
Q3 2017	772	2
Q4 2017	810	7
Q1 2018	1146	5
Q2 2018	1163	4

Q3 2018	1174	4
Q4 2018	1337	6
Q1 2019	444	11
Q2 2019	214	9
Q3 2019	246	4
Q4 2019	242	7
Q1 2020	169	1
Q2 2020	201	1

(iv) During the period from Q1 2014 to Q2 2020, all claimants who requested for a second opinion or review on provision of PFLA to them were provided with the requested second opinion or review.

(v) For those who requested a second opinion or review, the number of people who were subsequently provided with PFLA at the appeal stage based on the assessment of another lawyer is as below-

	No. of people requested a second opinion or review (a)	Out of (a), no. of people who were subsequently provided with PFLA (b)
Q1 2014	0	0
Q2 2014	0	0
Q3 2014	3	2
Q4 2014	9	3
Q1 2015	19	8
Q2 2015	11	4
Q3 2015	13	4
Q4 2015	7	3
Q1 2016	4	3
Q2 2016	1	1
Q3 2016	5	1
Q4 2016	3	0
Q1 2017	6	5
Q2 2017	5	1
Q3 2017	2	2
Q4 2017	7	2
Q1 2018	5	2

Q2 2018	4	4
Q3 2018	4	0
Q4 2018	6	5
Q1 2019	11	9
Q2 2019	9	8
Q3 2019	4	4
Q4 2019	7	3
Q1 2020	1	1
Q2 2020	1	1

(Miss Cuby Ng)

Security Bureau