Forthcoming Amendments to Practice Direction D.6

(To take effect on 25 August 2002)

6.   EMPLOYEES AUTHORISED FOR LEGAL VISITS TO PERSONS IN CUSTODY

(1)   Subject to the provisions of this Practice Direction, a firm is permitted to have a maximum of 10 clerks authorised to visit persons in custody ("authorised clerks").

(2)   A principal of a firm shall ensure that:

(a)   each authorised clerk in his firm shall be properly supervised by a full-time solicitor in his firm who is ordinarily resident in Hong Kong;

(b)   the supervising solicitor named in the application for authorisation of a clerk to visit persons in custody shall have sufficient relevant experience capable of affording appropriate supervision to the clerk;

(c)   for the purposes of sub-paragraph (b) above,

(i)   any full-time solicitor in his firm with less than 2 years of post-qualification experience in the litigation practice shall not be made responsible for supervising any authorised clerk;

(ii)   any full-time solicitor in his firm with at least 2 years of post-qualification experience in the litigation practice shall be made responsible for supervising not more than 2 authorised clerks; and

(iii)   any full-time solicitor in his firm with at least 5 years of post-qualification experience in the litigation practice shall be made responsible for supervising not more than 4 authorised clerks.

(3)   For the purpose of this Practice Direction, a full-time solicitor shall not be taken into account in respect of more than one firm.

(4)   Application for authorisation of a clerk to visit persons in custody shall be made in a form approved by the Society.

(5)   A principal of a firm shall advise the Society in writing any change in the supervising solicitor named in the application within 14 days of such change and shall ensure that the new supervising solicitor has sufficient relevant experience capable of affording appropriate supervision to the authorised clerk in accordance with this Practice Direction.

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