



How to find help after a Criminal Charge

If you or anyone you know has been arrested or charged with a criminal offence, you may be approached by strangers outside of the police station or the court, offering to find you a lawyer. These people are known as touts or middlemen.

DO NOT pay attention to these people. They may charge you a fee that does not reflect the value of their services and which may be unreasonably high. You will never find out from them the appropriate level of legal fees, if any at all, you should be paying.

How can you find a solicitor?

- Discuss with family and friends (but not touts or middlemen) to see if they have personal recommendations for solicitors.
- Visit the Law Society's website (www.hklawsoc.org.hk) and search for a solicitor under the "Find Legal Service" section. You can also verify the identity of the solicitor here if you have been recommended one.
- Ask to see the Directory of Hong Kong Law Firms which is available at all District Offices, police stations, public libraries, and the Law Society's office.
- For proceedings in the Magistrates' Courts, consider approaching The Duty Lawyer Service. You may visit their liaison offices at select Magistrates' Courts, visit their website (www.dutylawyer.org.hk), or call their Administration Office at 2526 5969.
- For proceedings in the District Court, the High Court or committal proceedings in the Magistrates' Courts, consider applying for legal aid from the Legal Aid Department by visiting their website (www.lad.gov.hk) or by calling 2537 7677.

Once you have the name of a preferred solicitor, you should call the solicitor's office and make an appointment to meet with him/her. You are allowed to have your relative(s) and/or friend(s) accompany you to this meeting. Initially, you should meet with the solicitor. After the first meeting, as agreed between you and the solicitor, your case may be handled by another member of that solicitor's firm.

Don't waste your money

- Except for officers from the Duty Lawyer Service in the Magistrates' Courts, you should be very suspicious of anyone who approaches you elsewhere claiming that they

would be able to help with your defence, or offering to introduce you to a lawyer.

- You should never have to pay anyone for introducing you to a solicitor, or have to pay anyone else to pay your solicitors. Instead, you should always pay the solicitor's firm directly. Insist on receiving a receipt for all monies paid.
- Warn your family and friends against engaging the services of touts or middlemen who take advantage of the situation when one is most vulnerable.
- Never ask for, or receive legal advice from a tout or middleman, as it may prejudice your position in the case. Doing so may result in unnecessary expenditure which could otherwise be used for legitimate legal expenses.

How much will the defence cost?

Legal fees will vary depending on the case, but regardless of what you are being asked to pay, the solicitor must do the following:-

- i. Explain to you how he/she will charge by providing the hourly rate(s) of the lawyer(s) and paralegal(s) involved. If possible, they should give you either a signed written estimate of these fees and the barrister's fees (if any), or a statement of agreed fees.
- ii. If you agree to pay the solicitor a fixed fee which includes disbursements (e.g. travelling expenses), the solicitor must confirm the terms of this agreement in writing, sign it personally, and send you a copy of the signed agreement.
- iii. The solicitor must give you a receipt for any amount of money they receive from you.
- iv. After each court hearing, the solicitor must give you a detailed account of the solicitor's fees, the barrister's actual fees (if any), and all other expenses. The solicitor must personally sign this document.

If you do not receive any of the above items, even upon request, you may have been cheated.

If you or your family and friends part with money to touts or middlemen, you will be cheated.

If you have any concern, you should immediately call the Law Society at 2846 0500 to enquire about your situation or to lodge a complaint; this will be dealt with in utmost confidentiality.

*The information contained in this leaflet is for reference only.
It should not be regarded as legal advice for any individual cases. If you have any queries, please consult a solicitor.*

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