

Beware of Touting Activities

From time to time, there are outsiders peddling claims recovery business discreetly near our field offices and in hospitals. The Department of Justice holds that the activities of recovery agents may constitute offences of champerty and maintenance, and the interests of the victims of personal injury cases may be jeopardized as their rights to compensation may not be fully protected. **Under the laws of Hong Kong, unlawfully maintaining or sharing the benefits of legal proceedings may constitute criminal offences, which are subject to a fine and up to seven years' imprisonment on conviction.**

Through persuasion, recovery agents may draw up agreement with victims of work-related or traffic accidents requiring the latter to share a **substantial portion** of the compensation recovered. You should be beware of these touting activities and, if necessary, seek proper legal advice, or assistance from solicitors or government departments such as the Legal Aid Department, the Labour Department and the Social Welfare Department.

Normally, a solicitor will advise clearly the claimant on the likely litigation cost involved, and how the legal charges and disbursements are to be met. The charges are always based on the volume of service provided (e.g. on an hourly-rated basis) and the solicitor will not carve up the compensation of the claimant.

Touting activities are strictly prohibited by this department and hospitals. To safeguard your interests, if approached by Recovery Agents:



1

DO NOT RESPOND to their touting activities, and should not discuss with them your injury case or disclose to them your personal particulars to avoid your personal information being abused.



2

DO NOT SIGN any document, or you may face unanticipated legal consequences and financial liabilities later on.



3

DO NOT BELIEVE readily propaganda such as “no win, no fee”, “free of charge”, “risk-free guarantee” and “huge amount of compensation”.



4

DO NOT TRY them out, as you may be liable to pay substantial compensation and handling fees to them if you withdraw from their services.

Anyone who feels being harassed should contact the Police immediately for assistance.



Labour Department