



What to do – if you have been injured in an accident

If someone has been injured or killed in an accident at work, in a traffic accident or from wrongful medical treatment etc, then the law allows them (or their family) to claim money compensation for the injury and loss caused.

The entitlement to such compensation is governed by certain laws in Hong Kong. To ensure your claim is properly handled, you should seek legal advice from a solicitor experienced in handling such claims, so the legal claim is

- (1) properly prepared – including assessment of the injury and disability by a proper medical expert,
- (2) properly conducted – in accordance with the court guidelines and rules,
- (3) determined at a proper money figure through settlement or by trial, and
- (4) any legal claim is filed in court within the time limits.

A solicitor will charge you for the work they do and this is based on the time they spend in handling the legal claim plus disbursements for medical experts etc, as recorded in a Letter of Retainer. It is UNLAWFUL in Hong Kong to conduct your legal claims based on a “No Win No Fee” arrangement or payment by sharing the money recovered. If you need funding assistance for your legal claim, you can seek legal aid from the Legal Aid Department (which is subject to a financial limits test and there being reasonable prospects of winning the claim).

To find a suitable solicitor you can use the Law Society website or, if funded by legal aid, the Legal Aid Department will recommend a solicitor from their panel if you do not know one.

Victims of accidents are often approached by persons offering assistance (Recovery agents / Touts) who promise to

help them pursue the legal claim and find a suitable lawyer, arrange loans to cover immediate financial loss and generally help in handling the claim. You should NOT ACCEPT such assistance which is offered ILLEGALLY in return for a share of the damages. The risks of such arrangements include

- they are not trained lawyers
- they may not use solicitors who are suitable
- they may not use medical experts who are suitable
- they may not use mediators who are suitable

And most IMPORTANTLY they will encourage you to reach a settlement to ensure they get paid – even though your claim may be worth more money.

FURTHER INFORMATION

You could consider contacting the following:

- **Law Society of Hong Kong**

Website: https://www.hklawsoc.org.hk/pub_e/default.asp

Contact number: 2846 0500

- **PI Helpline – 2840 1211.**

- **Legal Aid**

The Legal Aid Department could be contacted at:

Website: <http://www.lad.gov.hk/index.html>

Contact number: 2537 7677

*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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