



Important Notice for
Legally-Aided Persons
Crime Section



Legal Aid Department



Responsibilities of an Aided Person

- ☞ You should fully co-operate with your lawyer and provide him/her with all the necessary information needed to prepare your case.
- ☞ You **must immediately notify the Department** and the lawyer assigned to handle your case **in writing** of any changes in your residential address, correspondence address, telephone number or **marital status** (e.g. married, remarried), and / or **your or your spouse's financial circumstances** (e.g. got a job, change of job, return to work after work injury, promotion, pay rise, receive bonus, take up a part-time job, property sale or purchase, open an investment account, receive pension / Mandatory Provident Fund benefits / an estate, etc.) which may affect your eligibility for legal aid or the amount of any contribution you may be required to pay. The wilful withholding of such information can lead to serious consequences, including discharge of your legal aid certificate and recovery of the costs and expenses by the Department.
- ☞ If you have to pay a contribution, you should pay it on time. If you cannot make the payment as scheduled because of changes in your financial circumstances, you should notify the Department immediately.
- ☞ Payment of contributions can be made using any one of the following methods:

By Mail

- Send a crossed cheque made payable to “The Government of the HKSAR” or “Director of Legal Aid” to the Department, with your name and file reference written on the back of the cheque. Do not send cash or post-dated cheques.

In Person

- Bring along the demand letter or the last payment receipt and pay by cheque, cash or Faster Payment System (FPS) at one of the following shroff offices during collection hours:
 - ◆ Hong Kong Headquarters: 27/F, Queensway Government Offices (QGO)
66 Queensway, Hong Kong

- ◆ Kowloon Branch Office: 3/F, Mongkok Government Offices (MGO)
30 Luen Wan Street
Mongkok, Kowloon
- ◆ Collection hours: Monday to Friday
9:00 a.m. to 1:00 p.m. and
2:00 p.m. to 4:30 p.m.

By Bank Automated Teller Machine (ATM) / Internet Banking

You can make payment with your ATM cards or credit cards at the ATMs affixed with “Bill Payment” / “JET Payment” signage or make payment via internet banking. For details, please check directly with your banks.




Payment by Phone Service (PPS)

You can make payment by using the PPS. For application details, please visit the PPS website at www.ppshk.com or call 900 00 222 329 / 2311 9876.

Faster Payment System (FPS)

You can use any mobile banking app or e-wallet that supports government bill payment via QR code to make payment by scanning the FPS QR code printed on the demand letter.

Relationship with Lawyers in the Legal Aid Department

-  The Director of Legal Aid (The Director) may appoint a legal aid counsel of the Department to act for you at the pre-trial stage, which includes committal proceedings before a magistrate, bail applications, plea day hearings in the District Court and listing hearings in the Court of First Instance and subsequent trials and appeals.
-  When a legal aid counsel is appointed to act as your legal representative, the relationship between you and the legal aid counsel is that of a solicitor and his client.
-  Our staff will keep you informed of the progress of your case and answer any queries you may have concerning your case.

- Once a solicitor and/or counsel in private practice are assigned to act for you, the Director will not agree to a request for a change of lawyer unless there are compelling reasons as this may cause delay in the hearing of your case and increase costs. Requests for change of lawyers must be made in writing with detailed reasons for the Director's consideration.

Assignment of and Relationship with Assigned Lawyers



- The solicitor and/or counsel may wish to view your case bundle before deciding whether to accept the legal aid assignment. Access to your case bundle is on the condition that there would be no disclosure or use of any information gleaned from looking at your papers if the solicitor or counsel decides not to take up your case.
- Once your case is assigned to a solicitor in private practice, he will act for you in the same professional manner as in the case of a private client and will take instructions from you during the conduct of your case. Where counsel is also assigned, he will provide advice and/or act for you in the same professional manner as if he was privately engaged.
- You should consult and address any queries you might have to your solicitor on any matters concerning your case. Your solicitor should keep you informed of the case progress.
- As the case bundle belongs to you, you should give written instructions to your solicitor on whether you want the case bundle disposed of or returned to you at the conclusion of your case.

Role of the Director of Legal Aid



- Whether your case is assigned to a lawyer in the Department or a solicitor in private practice, the Director may also assign a counsel in private practice to provide advice and/or represent you in court.
- If your case is assigned to a solicitor in private practice, the Director will not give legal advice on or be involved in the conduct of your case. The responsibility of the Director is limited to performing his statutory functions and duties which include monitoring the progress and conducting costs assessment of your case.

- ☛ If your case is about to go to court and your solicitor has not been in touch with you to prepare for the hearing, you should inform the Department immediately so that an interview with the solicitor can be arranged without delay.
- ☛ If you find the performance of your solicitor or counsel unsatisfactory, you should write to the Department so that the Department can conduct appropriate investigation. If you are concerned about the professional conduct of the solicitor or counsel who handles your case, you may bring your concern to the attention of the following professional bodies and notify us at the same time.

For Counsel:

The Hong Kong Bar Association
LG2, High Court Building
38 Queensway
Hong Kong

For Solicitor:

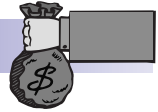
The Law Society of Hong Kong
3rd Floor, Wing On House
71 Des Voeux Road Central
Hong Kong

Discharge of Legal Aid Certificates



- ☛ Your legal aid certificate (certificate) may be discharged in certain circumstances, for example, where:
 - you have failed to render to the assigned lawyer or the legal aid counsel all necessary assistance;
 - you have failed to disclose all relevant information concerning the financial resources of you or your spouse;
 - you no longer have reasonable grounds for continuing an appeal.
- ☛ If your certificate is discharged, you are no longer an aided person from the date of the discharge. If you have to pay a contribution, all costs and expenses incurred by the Department while you were an aided person will be deducted from such contribution.

Costs



- Any contribution paid by you will be used to pay for the costs incurred in your case such as lawyers' fees, expert fees and other disbursements. If the contribution paid is more than the costs of your case, the excess will be refunded to you.
- In case you are acquitted or your appeal is allowed and you have paid a contribution, you may ask the court to order the prosecution to pay your costs. If the court makes the order, the Department will liaise with the prosecution for the payment of your costs in accordance with the costs order at a sum not more than the amount of contribution that you have paid and refund the contribution to you.
- If you have incurred costs prior to receiving legal aid, the Department will provide you with a sealed copy of the costs order so that you may liaise with the prosecution for payment of those costs.

Enquiries with Legal Aid Department



- If you wish to make an appointment with the legal aid counsel handling your case, please contact our staff and state clearly the matters you wish to discuss.
- For personal data privacy protection, no telephone enquiries about confidential information such as the progress of the proceedings, personal data relating to an applicant or aided person or any party in the proceedings will be entertained. For other enquiries, please contact the staff at the telephone number printed on the application card or call our 24-hour hotline at 2537 7677.
- You must provide your case reference number and identity card/prisoner/remand number to the Department for verification when making enquiries in writing or in person.
- You can check the status of your case through the Legal Aid Electronic Services Portal (LAESP) via the Department's website at www.lad.gov.hk if you have a digital certificate or an "iAM Smart" account.

