

**BANKERS LOOK TO THE LEGAL PROFESSION :
CAN THESE PEOPLE BE TRUSTED ?**

Many solicitors' firms and barristers, resident of the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC), are, now, in the opinion of most banks, suspect customers.

With only a few exceptions, HKSAR firms of solicitors and certain individual barristers have fallen from grace in the eyes of many a banker – with a terrible thud.

Banks are tightening up on certain of these professionals because, clearly, they are not to be trusted, as recent history has proved.

HKSAR banks have learned, over the past few years, that solicitors and barristers can be just as tricky and deceptive as anybody else – and just as crooked as any layman.

Some solicitors' firms are known to be about to close, shutting their doors for good.

In late August, last year, the solicitors' firm of Sinclair, Roche and Temperley, closed up, almost overnight.

The closure of this firm left many of its suppliers, high and dry, with no recourse, in some cases.

However, when individual solicitors of this firm were sued in the HKSAR Small Claims Tribunal, The Law Society of Hongkong picked up the tab.

The reason for this was that the solicitors were individually and collectively responsible for the debts.

However, some of the solicitors of this defunct firm had left for other climes, as soon as it closed down.

The overriding problem with the current situation in respect of many HKSAR solicitors and barristers, other than the monetary aspect, of course, is that the general public could start to lose confidence in the members of these 2 privileged communities of the society because it has always been accepted – perhaps, mistakenly – that solicitors and barristers set an example to laymen with regard to the code of conduct that is expected in civilised society.

Respect for the law is paramount in a well-ordered society, as the HKSAR has been, in the past, but if those who represent the law and those who guide laymen in the ways of the law cannot act honourably, then, laymen might give these members of the society the respect that they richly deserve.

Only last year, there was an occasion whereby a barrister, a Queen's Counsel from the old (English) school, demanded a \$HK250,000 fee – an \$HK80,000 Brief Fee and a \$HK170,000 Retainer – from a solicitor's client, at the time of being introduced to the client, and, a few months later, went back to England, claiming that he was too ill to continue the case.

His statement to his client was: *'People work better when they are paid in advance.'*

He did not return any of the \$HK250,000 to the client; and, the solicitor did not relay the requests of his client to the barrister, who left within 48 hours of telling the instructing solicitor of his intention to quit the HKSAR.

The Chinese solicitor, who should have known that it was ethically wrong to follow the client – who is known to be a respected member of the HKSAR society – to his office, late one evening, in order to obtain the barrister's \$HK80,000-Brief Fee, demanded by the QC, appeared to have no remorse about the situation of clear intimidation, and only remarked that that was the way that it was, these days.

The QC did little to earn his Brief Fee, and TARGET has no idea as to whether or not the solicitor conspired with the QC in order to obtain a slice of that \$HK250,000.

But, considering the state of many of the members of the HKSAR legal profession, these days, it is quite possible that some HKSAR barristers are working hand in glove with some HKSAR solicitors ... in order to dupe laymen out of relatively large fees.

Although, no doubt, this will be strenuously denied.

TARGET knows of one incident whereby a solicitor did not attend a Court Hearing in a civil matter, leaving his client to fight his adversary, alone.

Luckily for this solicitor, the client, a Chinese gentleman, who was engaged in a legal tussle over monies that had gone missing from the company that he was supervising, did not know of his legal rights.

So, he allowed the situation to stand, but complained to **TARGET** of the situation.

So the HKSAR solicitor, who is English by birth and who is, still, practising law in the HKSAR, got off scot-free even though he should have been reprimanded by The Law Society of Hongkong, at the very least.

The problem for the majority of people, resident of the HKSAR, is that they do not know their rights in respect of engaging a solicitor of record.

For owners of properties in the HKSAR, however, they know when a solicitors' firm or a barrister has not paid rent on his/her office(s).

And they are not afraid to slap a writ on a member of what was once thought to be a noble profession.

Recently Laurence Pang and Company, which has offices in Central Hongkong and Castle Peak, the New Territories, the HKSAR, was accused by the owner of an office in The Hongkong Trade Centre of not paying rent – for the past 3 months.

Laurence Pang and Company was sued for \$HK143,100, plus costs of the Action, which was filed in the District Court, according to **TOLFIN** (**TARGET's** Computerised Online Financial Intelligence Service and Credit-Checking Provider).

The rent on these offices, by simple arithmetic, is just \$HK47,700 per month, but Laurence Pang and Company was alleged to be 3 months in arrears.

The world has seen leaders of the Catholic Church been found wanting, molesting young boys, among other things, and, now, it would appear that a relatively large number of another profession in the HKSAR has been found wanting, also.

The Raymond Hung Complaint

Last Wednesday, the HKSAR solicitors firm of Raymond L.M. Hung, trading as Raymond Hung and Company, was sued by a client for about \$HK8.29 million.

This High Court Action ... [CLICK TO ORDER FULL ARTICLE](#)

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