

Incident Handling Report Questionnaire

Sample no. : _____

Member no. : _____

Incident Code : _____

Key issues in dispute are_____

Key arguments are_____

1. Who are the other parties involved? (Please choose one that best describes the other party)

- | | | |
|------------------------|---|---|
| ① Family members | ④ Other private individuals, please specify: _____ | ⑦ Government departments, please specify: _____ |
| ② Friends or relatives | ⑤ Individuals/ organizations outside Hong Kong, please specify: _____ | ⑧ Other organizations, please specify: _____ |
| ③ Employers | ⑥ Business corporations, please specify: _____ | ⑨ Others, please specify: _____ |

2. Is money involved? (e.g. the amount of money owed; the amount of compensation claimed)

- ① **No money is involved**
- ② **Yes, money is involved. The estimated amount is:**
- | | | | |
|-----------------------|------------------------|----------------------------|----------------------|
| ① \$10,000 or below | ④ \$30,001 - \$40,000 | ⑦ \$100,001 - \$300,000 | ⑩ Above \$ 1 million |
| ② \$10,001 - \$20,000 | ⑤ \$40,001 - \$50,000 | ⑧ \$300,001 - \$500,000 | |
| ③ \$20,001 - \$30,000 | ⑥ \$50,001 - \$100,000 | ⑨ \$500,001 - \$ 1 million | |

3. What actions have you taken to try to solve the problem?

① **Take no action.** (Do not read out options first) Ask for reasons: _____)

(Please choose all that apply)

- | | | | |
|--|--|--|---|
| ① Believe that it will take too much time | ④ Afraid that the other side may seek revenge | ⑦ Believe it is not due to fault of the other side | ⑩ Threatened by the other side not to take any action |
| ② Believe that it will cost a lot of money | ⑤ Do not want to ruin relationship with the other side | ⑧ Do not know what action to take | ⑪ Prefer to wait, as the other side was already taking action |
| ③ Do not think anything can be done | ⑥ No need | ⑨ Do not know how to take action | ⑫ Others, please specify: _____ |

② **Actions taken are: (Please choose all that apply)**

- | | | | |
|--|---|--|-------------------------------------|
| ① Talk to the other side | ④ Threaten the other side with legal action | ⑦ Take the case to court or tribunal | ⑩ Complain to the mass media |
| ② Seek advice on how to resolve the problem | ⑤ Issue lawyer's letter to the other side | ⑧ Mediation or arbitration | ⑪ Seek help from voluntary agencies |
| ③ Search for helpful information from libraries, Internet or other printed documents | ⑥ Seek help from consultant/claims agent | ⑨ Complain to government departments/ relevant authorities (e.g. Consumer Council) | ⑫ Others, please specify _____ |

Go
To
Q24

Go
To
Q4

4. Have you contacted the other party to try to settle the problem?

- ① **Yes, and the outcome is:**
- | | | |
|---|--|---------------------------------|
| ① The problem is satisfactorily settled | ④ The other party's offer for settlement is not acceptable to me | ⑦ Others, please specify: _____ |
| ② The other party refuses to be contacted | ⑤ No response from the other party | |
| ③ The other party refuses to accept my offer for settlement | ⑥ Negotiation with the other party is still underway | |

② **No. The reasons are: (please choose all that apply)**

- | | | |
|---|---|---------------------------------|
| ① Do not want to contact the other party | ③ Believe that the problem cannot be settled through mutual agreement between parties concerned | ⑤ Others, please specify: _____ |
| ② Believe the other party does not want to be contacted | ④ Believe that the problem should be settled through legal proceedings | |

	Family Members/ Relatives/ friends	Social workers	Councillors	Bar Association/ Law Society	NGO with free legal advice please specify: _____	Social Welfare Department	Labour Department	Home Affairs Department	Others, please specify:
5. Have you successfully contacted the people or organization listed right hand side? ①Yes ②No									
6. What kinds of assistance were provided by those whom you contacted? If Yes, Please give ✓ in the box.									
a) Advice on legal rights									
b) Advice on legal procedures									
c) Advice on where to obtain assistance									
d) Advice on how to solve									
e) Referral of solicitors									
f) Assistance in contacting government departments (please specify: _____)									
g) Assistance in applying for legal aid									
h) Assistance in contacting / negotiating with the other parties									
i) Assistance in legal proceedings (e.g. accompany to tribunals/ courts)									
j) Others, please specify: _____									
7. How long did you have to wait before you could obtain advice or assistance?									
8. What follow-up actions were suggested by those whom you contacted? If yes, please give ✓ in the box.									
a) Talk to the other party									
b) Complain to government departments/ relevant authorities									
c) Threaten the other side with legal									

	Family Members/ Relatives/ friends	Social workers	Councillors	Bar Association/ Law Society	NGO with free legal advice please specify: _____	Social Welfare Department	Labour Department	Home Affairs Department	Others, please specify:
action									
d) Try mediation or arbitration									
e) Take the matter to court or tribunal									
f) Others, please specify: _____									
g) Do nothing									
9. a. Is their advice or assistance helpful?									
① Very helpful ② Helpful ③ Not very helpful ④ Not helpful at all ⑤ No comment									
b. If advice or assistance not very helpful or not helpful at all, please elaborate in what way it is not helpful.									
10. a. Would you recommend others in your situation to seek advice or assistance from them?									
① Definitely yes ② Probably yes ③ Probably no ④ Definitely no ⑤ No comment									
b. If you would probably or definitely not recommend others in your situation to seek advice or assistance from them, please explain why.									

11. Have you sought assistance from the Free Legal Advice Scheme of the Government?

① Yes a) Do you think the advice helpful?

① Very helpful

③ Not very helpful

⑤ No comment

② Helpful

④ Not helpful at all

b) (In Q11a, choose (3) or (4)) **If advice or assistance is not very helpful or not helpful at all, please elaborate in what way it is not helpful:** _____

c) **How long did you have to wait before you could receive service?** _____

d) **Would you recommend others in your situation to seek advice or assistance from them?**

① Definitely yes

③ Probably no

⑤ No comment

② Probably yes

④ Definitely no

② **No, the reasons are (Please choose all that apply)**

① Not aware of such a service

④ Others, please specify: _____

② Do not think it can help

⑤ No comment

③ The waiting time is too long

12. Have you applied for Legal Aid from the Legal Aid Department?

① Yes a) **How would you rate the quality of service provided by the Legal Aid Department?**

① Very Good

③ Acceptable

⑤ Very poor

② Good

④ Poor

⑥ No comment

b) (In Q12a, choose (3) or (4)) **If you rate the quality of service as poor or very poor, please explain why:** _____

c) **Did you receive legal aid?** ① Yes ② No, reasons of refusal : _____

d) **Would you recommend others in your situation to seek advice or assistance from the Legal Aid Department?**

① Definitely yes

③ Probably no

⑤ No comment

② Probably yes

④ Definitely no

e) (In Q12d, choose (3) or (4)) **If you would probably or definitely not recommend others in your situation to seek advice or assistance from Legal Aid Department, please explain why:** _____

② **No, the reasons are (Please choose all that apply)**

① Not aware of such a service

③ Have no confidence in lawyers provided by legal aid

⑤ Others, please specify: _____

② Do not want to pursue legal action

④ Believe to be not qualified for legal aid

⑥ No comment

13. Have you obtained assistance from solicitors?

① No, the reasons are (Please choose all that apply)

- | | |
|---|---|
| ① Have sought assistance from solicitors, but no solicitor is willing to help | ⑤ Have not sought assistance because do not think it is related to legal issues |
| ② Have not sought assistance because do not have confidence in lawyers | ⑥ Have not sought assistance because do not think solicitors can help |
| ③ Have not sought assistance because do not want to pursue legal action | ⑦ Others, please specify: _____ |
| ④ Have not sought assistance because cannot afford legal fee | ⑧ No comment |

② Yes, lawyers were paid by Legal Aid a) Are you satisfied with the services provided by the solicitors?

- | | | |
|------------------|------------------------|--------------|
| ① Very satisfied | ③ Not very satisfied | ⑤ No comment |
| ② Satisfied | ④ Not satisfied at all | |

b) (In Q 13a, choose (3) or (4)) If you are not very satisfied or not satisfied at all, please explain why: _____

③ Yes a) What kinds of services were provided by solicitors? (Please choose all that apply)

- | | | |
|-----------------------------------|-----------------------|---------------------------------|
| ① Legal advice | ③ Documentation | ⑤ Others, please specify: _____ |
| ② Issue of letters to other party | ④ Appearance in court | |

b) How did you find the solicitors whom you consulted? (Please choose all that apply)

- | | | |
|---|---|--|
| ① Referrals by friends or relatives | ④ From advertisement of solicitors | ⑦ Know the solicitors through free legal advice service provided by voluntary agencies |
| ② Referrals by social workers/ voluntary agencies | ⑤ Learn about names of solicitors through the mass media (e.g. newspaper reports) | ⑧ Others, please specify: _____ |
| ③ Personal friends | ⑥ Through search of Internet or Law Society websites | |

c) What were factors affecting your choice of solicitors? (Please choose all that apply)

- | | | |
|----------------------------|------------------------------|--------------------------------|
| ① Price | ④ Location of solicitor firm | ⑦ Size of solicitor firm |
| ② Experience of lawyer | ⑤ Reputation of lawyer | ⑧ Reputation of solicitor firm |
| ③ Specialisation of lawyer | ⑥ Friendliness of lawyer | ⑨ Others, please specify _____ |

- d) Could you tell me roughly the amount of legal fee charged by solicitors _____
- e) Do you know how your legal fee was calculated?
- ① Based on hourly rate ③ Others, please specify: _____
- ② It is an all-in fee ④ Do not know
- f) Have your solicitors told you beforehand the approximate amount of legal fee?
- ① No, and I have not asked ③ Yes, but it turns out to be very much different from the actual amount charged
- ② No, even though I have asked ④ Yes, and it is more or less the same as the actual amount charged
- g) Would you recommend others in your situation to seek assistance from the solicitors you have consulted?
- ① Definitely yes ③ Probably no ⑤ No comment
- ② Probably yes ④ Definitely no
- h) (In Q13g, choose (3) or (4)) If you would probably or definitely not recommend others in your situation to seek assistance from solicitors you have consulted, please explain why:_____
- i) Are you satisfied with the services provided by the solicitors?
- ① Very satisfied ③ Not very satisfied ⑤ No comment
- ② Satisfied ④ Not satisfied at all
- j) (In Q13i, choose (3) or (4)) If you are not very satisfied or not satisfied at all, please explain why:

14. Has the other side hired lawyers to help?

- ① Yes ③ Don't know
② No ④ No comment

15. Has the case been taken to court or tribunal?

- ① **No** (Go to Q17)
- ② **Yes. The case has been dealt with at: (Please choose all that apply)**
- | | | | |
|-------------------------|-------------------|-------------------|---------------------------|
| ① Small Claims Tribunal | ③ District Court | ⑤ Labour Tribunal | ⑦ Court of First Instance |
| ② Family Court | ④ Court of Appeal | ⑥ Lands Tribunal | ⑧ Court of Final Appeal |

16. Have barristers represented you in court proceedings?

① No, the reasons are (Please choose all that apply)

- | | |
|---|--|
| ① Already represented by solicitor | ⑤ Do not think barristers can help |
| ② Do not have confidence in barristers | ⑥ Do not think it is related to legal issues |
| ③ Believe that the judge will be more sympathetic if not represented by barrister | ⑦ Want to represent myself in court |
| ④ Cannot afford legal fee | ⑧ No comment |

② Yes a) How did you find the barristers who represented you? (Please choose all that apply)

- | | | |
|-------------------------------------|---|---|
| ① Referrals by friends or relatives | ③ Learn about names of barristers through the mass media (e.g. newspaper reports) | ⑤ Through search of Bar Association website |
| ② Referrals by solicitors | ④ Personal friends | ⑥ Others, please specify: _____ |

b) What were factors affecting your choice of barristers? (Please choose all that apply)

- | | | |
|--------------------------------|----------------------------------|---------------------------------|
| ① Price | ④ Reputation of barristers | ⑦ Others, please specify: _____ |
| ② Experience of barristers | ⑤ Friendliness of barristers | |
| ③ Specialisation of barristers | ⑥ Barrister was not chosen by me | |

c) Are you satisfied with the services provided by the barristers?

- | | | |
|------------------|------------------------|--------------|
| ① Very satisfied | ③ Not very satisfied | ⑤ No comment |
| ② Satisfied | ④ Not satisfied at all | |

d) (In Q16c, choose (3) or (4)) If you are not very satisfied or not satisfied at all, please explain why: _____

e) Would you recommend others in your situation to seek assistance from the barristers you have consulted?

- | | | |
|------------------|-----------------|--------------|
| ① Definitely yes | ③ Probably no | ⑤ No comment |
| ② Probably yes | ④ Definitely no | |

f) (In Q16e, choose (3) or (4)) If you would probably or definitely not recommend others in your situation to seek assistance from the barristers you have consulted, please explain why: _____

g) Are you satisfied with the way the court has dealt with your case?

- | | | |
|------------------|------------------------|--------------|
| ① Very satisfied | ③ Not very satisfied | ⑤ No comment |
| ② Satisfied | ④ Not satisfied at all | |

h) (In Q16g, choose (3) or (4)) If you are not very satisfied or not satisfied at all, please explain why: _____

17. Have you used the service of consultants or claims agents?

① No, the reasons are (Please choose all that apply)

- | | |
|--|---|
| ① Not aware of such a service | ④ Consider fee charged by consultants or claims agents too high |
| ② Do not like the kind of actions taken by consultant or claims agents | ⑤ Others, please specify: _____ |
| ③ Do not have confidence in such a service | ⑥ No comment |

② Yes a) How did you find the consultants or claims agents? (Please choose all that apply)

- | | | |
|-------------------------------------|---|---------------------------------|
| ① Referrals by friends or relatives | ③ Direct contact made by consultants or claims agents (e.g. at hospitals) | ⑤ Through search on Internet |
| ② From advertisements | ④ Personal friends | ⑥ Others, please specify: _____ |

b) Why did you decide to use the service of consultants or claims agents? (Please choose all that apply)

- | | | |
|---|---|--|
| ① No charge is involved if not successful | ③ Do not want to spend more time in solving the problem through other means | ⑤ Cannot afford to pursue other means (e.g. hiring of lawyers) |
| ② More confidence in successfully solving the problem | ④ Have already exhausted other means but still cannot solve the problem | ⑥ Others, please specify: _____ |

c) Could you tell me roughly the amount of fee charged? _____

d) Do you know how your fee was calculated?

- | | | | |
|--|-----------------------|--------------------------------|---------------|
| ① Based on percentage of money recovered | ② It is an all-in fee | ③ Others, please specify _____ | ④ Do not know |
|--|-----------------------|--------------------------------|---------------|

e) Are you satisfied with the services provided by the consultants or claims agents?

- | | | | | |
|------------------|-------------|----------------------|------------------------|--------------|
| ① Very satisfied | ② Satisfied | ③ Not very satisfied | ④ Not satisfied at all | ⑤ No comment |
|------------------|-------------|----------------------|------------------------|--------------|

f) (In Q17e, choose (3) or (4)) If you are not very satisfied or not satisfied at all, please explain why: _____

g) Would you recommend others in your situation to seek assistance from the consultants or claim agents who have provided services to you?

- | | | | | |
|------------------|----------------|---------------|-----------------|--------------|
| ① Definitely yes | ② Probably yes | ③ Probably no | ④ Definitely no | ⑤ No comment |
|------------------|----------------|---------------|-----------------|--------------|

h) (In Q17g, choose (3) or (4)) If you would probably or definitely not recommend others in your situation to seek assistance from them, please explain why: _____

18. Have you tried mediation services?

① **No, the reasons are (Please choose all that apply)**

- ① Not aware of such a service ③ Do not think mediation can help ⑤ Others, please specify: _____
② Cannot afford the fee ④ The other party does not agree to mediation

② **Yes a) What is the outcome of mediation?**

- ① Reached agreement with the other party ③ Failed to reach agreement with the other party
② Mediation still in process ④ Others, please specify: _____

b) Could you tell me roughly the cost of mediation services? _____

c) Which organisation arranged mediation services for you? _____

d) Apart from the mediators, who accompanied you during the mediation process?

- ① Family members/ relatives/ friends ③ Others, please specify: _____
② Social workers ④ No one

e) Do you know how your mediation fee was calculated?

- ① Based on hourly rate ③ Others, please specify: _____
② It is an all-in fee ④ Do not know

f) Are you satisfied with the services provided by the mediators?

- ① Very satisfied ③ Not very satisfied ⑤ No comment
② Satisfied ④ Not satisfied at all

g) (In Q18f, choose (3) or (4)) If you are not very satisfied or not satisfied at all, please explain why: _____

h) Would you recommend others in your situation to seek assistance from the mediators who have provided services to you?

- ① Definitely yes ③ Probably no ⑤ No comment
② Probably yes ④ Definitely no

i) (In Q18h, choose (3) or (4)) If you would probably or definitely not recommend others in your situation to seek assistance from them, please explain why: _____

19. Have you tried arbitration?

① No, the reasons are (Please choose all that apply)

- ① Not aware of such a service ③ Do not want to pursue arbitration ⑤ Others, please specify: _____
② Cannot afford the fee ④ The other party does not agree to arbitration

② Yes a) What is the outcome of tried arbitration?

- ① Reached agreement with the other party ③ Failed to reach agreement with the other party
② Arbitration still in process ④ Others, please specify: _____

b) Could you tell me roughly the amount of fee charged? _____

c) Which organisation arranged arbitration for you? _____

d) Apart from the arbitrators, who accompanied you during the arbitration process?

- ① Family members/ relatives/ friends ③ Social workers ⑤ No one
② Lawyers ④ Others, please specify: _____

e) Do you know how your arbitration fee was calculated?

- ① Based on amount involved in arbitration ③ Others, please specify: _____
② It is an all-in fee ④ Do not know

f) Are you satisfied with the services provided by the arbitrators?

- ① Very satisfied ③ Not very satisfied ⑤ No comment
② Satisfied ④ Not satisfied at all

g) (In Q19f, choose (3) or (4)) If you are not very satisfied or not satisfied at all, please explain why. : _____

h) Would you recommend others in your situation to seek assistance from the arbitrators who have provided services to you ?

- ① Definitely yes ③ Probably no ⑤ No comment
② Probably yes ④ Definitely no

i) (In Q19h, choose (3) or (4)) If you would probably or definitely not recommend others in your situation to seek assistance from them, please explain why. : _____

20. Please tell me the present status of action taken by you or the other parties to solve the problem.

(Interviewer: Please ask the respondents to briefly describe the present status and code the following)

The present status is: : _____

- | | |
|---|--|
| ① Decision already reached at court/ tribunal or other resolution mechanism. All issues resolved. | ④ Still being tackled at court/ tribunal or through legal means |
| ② Actions (other than legal actions) still being pursued | ⑤ Agreement reached with the other party and no action being taken |
| ③ Agreement not yet reached with the other party, but no action being taken | ⑥ Others, please specify: _____ |

21. Please tell me the present status of your problem. *(Interviewer: Please ask the respondents to briefly describe the present status and code the following)*

a) The present status is: _____

b) If the problem has been resolved, when was it resolved? _____

c) How was it resolved?

- | | |
|---|---|
| ① All issues resolved and the problem is no long there | ④ Issues not yet resolved, and the problem is still recurring |
| ② Issues mostly resolved and the problem is no longer there | ⑤ Others, please specify: _____ |
| ③ Issues not yet resolved, but the problem is no longer there | |

22. What were your objectives in taking action to solve your problem or dispute? (Please choose all that apply)

- | | | |
|--|--|---------------------------------|
| ① To recover loan, money lost or seek compensation | ④ To teach the other party a lesson | ⑦ Others, please specify: _____ |
| ② To see that justice is done | ⑤ To prevent the other party from taking action against me | ⑧ No comment |
| ③ To get an apology from the other party | ⑥ To change behaviour of the other party | |

23. Have your objectives in taking action been achieved?

- | | | |
|------------------------------|------------------------------|--------------|
| ① Fully achieved | ③ Achieved to a small extent | ⑤ No comment |
| ② Achieved to a great extent | ④ Not achieved at all | |

24. What follow-up action are you planning to take?

- | | | |
|---|---------------------------------|--------------|
| ① No action is planned to be taken | ③ Action contemplated is: _____ | ⑤ No comment |
| ② Waiting for the other side to take action | ④ Do not know what to do | |

25. So far, since this incident first arose, how much money have you spent in tackling this problem?

① No money was spent

② The amount spent was: _____(If respondent is not sure, prompt the following)

① \$1,000 or below

③ \$5,001 - \$10,000

⑤ \$20,001 - \$50,000

② \$1,001 - \$5,000

④ \$10,001 - \$20,000

⑥ Above \$50,000

26. In what way do you think the problem itself has affected you? The impact of this problem on me is:

(Interviewer please prompt the following in case the respondent has difficulties answering)

① No impact at all

② Lost my job

③ Ruin my relationship with family members

④ I feel very upset by the incident

⑤ My health suffers a lot

⑥ My reputation was affected

⑦ Lost money

⑧ Ruin my relationship with friends and neighbours

⑨ My family members were upset by the incident

⑩ I was injured as a result of the incident

⑪ Others, please specify: _____

27. In what way do you think actions taken by you and/ or the other party in solving this problem have affected you?

The impact of actions taken by me and/ or the other party in solving this problem on me is: _____

(Interviewer please prompt the following in case the respondent has difficulties answering)

① No impact at all

② Lost my job

③ I have spent a lot of time on it

④ Ruin my relationship with family members

⑤ Ruin my relationship with friends and neighbours

⑥ I feel very upset by the actions taken

⑦ My health suffers a lot

⑧ My reputation has suffered

⑨ Lost money

⑩ I get my job back/ promoted

⑪ Relationship with family members has improved

⑫ Relationship with friends/ neighbours have improved

⑬ I am happy with actions taken

⑭ My reputation has improved

⑮ Others, please specify: _____

28. In trying to solve your problem, whom have you tried to contact for advice or assistance? Please list below the order in which you have contacted.

(Do not read out options below)

1. Family members /relatives /friends
2. Social workers
3. Legislative/ District Councillors
4. Legal Aid Department
5. Police
6. Other government departments
(please specify: _____)
7. Law Society/ Bar Association
8. Voluntary agencies that offer free legal advice
9. Consumer Council
10. Other public bodies (please specify: _____)
11. Religious organizations
12. Trade unions
13. Professional bodies
14. Solicitors
15. Consultants or claims agents
16. Mediators
17. Others, please specify: _____

Order in which contact was made						For how long after the problem arose did you make the contact?	Contact successful or not?	Contact suggested or initiated by whom	Frequency /mode of contact
1 st	2 nd	3 rd	4 th	5 th	Other order				
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		
①	②	③	④	⑤			Y/ N		

29. What are your views on the way your problem has been handled? _____

Instruction to Interviewer:

After completing the Incident Handling Report Questionnaire for **ALL** incidents identified, please continue the interview using **Personal Opinion Questionnaire**.