

Incident Handling Report Questionnaire

Enumerator no.: E _____

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 Business friends | ④ Other private individuals | ⑦ Government departments, please specify: _____ |
| ② Employees | ⑤ Individuals/ organisations outside Hong Kong, please specify: _____ | ⑧ Other organisations, please specify: _____ |
| ③ Consumers | ⑥ Business corporations | 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 | ⑤ \$40,001-\$50,000 | ⑧ \$300,001-\$500,000 |
| ② \$10,001-\$20,000 | ⑥ \$50,001-\$100,000 | ⑨ \$500,001-\$ 1 million |
| ③ \$20,001-\$30,000 | ⑦ \$100,001-\$300,000 | ⑩ Above \$ 1 million |
| ④ \$30,001-\$40,000 | | |

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: _____ |

Go To Q20

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
Q4

4. Has your company 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 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 the problem should be settled through legal proceedings | |

| | Business friends | Other individuals who are not lawyers | Others, please specify: |
|--|-------------------------|--|--------------------------------|
| 5. Has your company successfully contacted the people or organisations listed in 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 procedure | | | |
| c) Advice on where to obtain assistance | | | |
| d) Advice on how to solve problem | | | |
| e) Referral of solicitors | | | |
| f) Assistance in contacting government departments (please specify: _____) | | | |
| g) Assistance in contacting / negotiating with other parties | | | |
| h) Assistance in legal proceedings | | | |
| i) 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? | | | |
|--|--|--|--|
| a) Talk to the other party | | | |
| b) Complain to government departments | | | |
| c) Threaten others with legal action | | | |
| d) Try mediation or arbitration | | | |

| | Business friends | Other individuals who are not lawyers | Others, please specify: |
|---|-------------------------|--|--------------------------------|
| e) Take the matter to court or tribunal | | | |
| f) Others, please specify: _____ | | | |
| g) Do nothing | | | |

| 9. a. Is their advice or assistance helpful? | | | |
|---|---------------------|-------------|--|
| ①Very helpful | ③Not very helpful | ⑤No comment | |
| ②Helpful | ④Not helpful at all | | |
| 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? | | | |
|--|----------------|-------------|--|
| ①Definitely yes | ③Probably no | ⑤No comment | |
| ②Probably yes | ④Definitely no | | |
| b. If you would probably or definitely not recommend others in your situation to seek advice or assistance from them, please explain why. | | | |
| | | | |

11. Has your company obtained assistance from solicitors?

① **No. Why has your company not obtained the assistance of solicitors? (Please choose all that apply)**

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

Go to Q12

② **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 the other party | ④ Appear in court | |

b) How did you find the solicitors whom you consulted?

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

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

- | | | |
|-----------------------------|-------------------------------|------------------------------------|
| ① Price | ④ Location of solicitor firms | ⑦ Size of solicitor firms |
| ② Experience of lawyers | ⑤ Reputation of lawyers | ⑧ Reputation of solicitor firms |
| ③ Specialization of lawyers | ⑥ Friendliness of lawyers | 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 No, and I have not asked | ③ No, even though I have asked |
| ② Yes, but it turns out to be very much different from the actual amount charged | ④ Yes, and it is more or less the same as the actual amount charged |

f) Would you recommend other companies in your company's 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 | |

g) If you would probably or definitely not recommend others in your company's situation to seek assistance from the solicitors you have consulted, please explain why. _____

h) 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 | |

i) If you are not very satisfied or not satisfied at all, please explain why. _____

j) Has the other side hired lawyers to help?

- | | |
|-------|---------------|
| ① Yes | ③ Do not know |
| ② No | ④ No comment |

k) Has the case been taken to court or tribunal?

- | | | | |
|-------|---------------------------|-------------------------|-------------------|
| ① Yes | ① Small Claims Tribunal | ④ Court of Final Appeal | ⑦ Court of Appeal |
| | ② Lands Tribunal | ⑤ Labour Tribunal | |
| | ③ Court of First Instance | ⑥ District Court | |
| ② No | | | |

12. a) Have barristers represented your company in court proceedings?

① **No. Why was your company not represented by barristers in court proceedings? (Please choose all that apply)**

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

Go to Q13

② **Yes.**

a) How did your company find the barristers who represented you?

- | | | | | | |
|---|-------------------------|---|---|---|---|
| ① | Referrals by friends | 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 the choice of barristers? (Please choose all that apply)

- | | | | | | |
|---|--------------------------|---|------------------------------|---|-------------------------------|
| ① | Price | ③ | Specialisation of barristers | ⑤ | Friendliness of barristers |
| ② | Experience of barristers | ④ | Reputation of barristers | ⑥ | Others, please specify: _____ |

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) If you are not very satisfied or not satisfied at all, please explain why. _____

e) Would you recommend other companies in your company's 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) If you would probably or definitely not recommend others in your company's situation to seek assistance from the barristers you have consulted, please explain why. _____

g) Are you satisfied with the court proceedings?

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

h) What are the reasons for satisfaction or dissatisfaction? _____

13. a) Has your company used the service of consultants or claims agents?

① **No. Why has your company not used the service of consultants or claims agents? (Please choose all that apply)**

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

Go to Q14

② **Yes.**

a) How did your company find the consultants or claims agents?

- | | | |
|---|-----------------------|---------------------------------|
| ① Referrals by friends | ③ From advertisements | ⑤ Through search on Internet |
| ② Direct contact made by consultants or claims agents | ④ Personal friends | ⑥ Others, please specify: _____ |

b) Why did your company 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 | ③ Others, please specify: _____ |
| ② It is an all-in fee | ④ Do not know |

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

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

f) If you are not very satisfied or not satisfied at all, please explain why. _____

g) Would you recommend other companies in your company's situation to seek assistance from the consultants or claim agents who have provided services to your company?

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

h) If you would probably or definitely not recommend others in your company's situation to seek assistance from them, please explain why.

14. a) Has your company tried mediation services?

① **No. Why has your company not tried mediation services? (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

Go to Q15

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 your company? _____

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

① Business colleagues/ personal friends

③ Others, please specify: _____

② Staff of trade associations

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) If you are not very satisfied or not satisfied at all, please explain why. _____

h) Would you recommend other companies in your company's situation to seek assistance from the mediators who have provided services to your company?

① Definitely yes

③ Probably no

⑤ No comment

② Probably yes

④ Definitely no

i) If you would probably or definitely not recommend others in your company's situation to seek assistance from them, please explain why.

15. a) Has your company tried arbitration?

① **No. Why has your company not tried arbitration? (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 | ⑥ No comment |

Go to Q16

② **Yes.**

a) **Could you tell me roughly the amount of fee charged?** \$ _____

b) **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 |

c) **Which organisation arranged arbitration for your company?** _____

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

- | | |
|---|---------------------------------|
| ① Business colleagues/ personal friends | ③ Others, please specify: _____ |
| ② Staff of trade associations | ④ No one |

e) **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 | |

f) **If you are not very satisfied or not satisfied at all, please explain why.** _____

g) **Would you recommend other companies in your company's situation to seek assistance from the arbitrators who have provided services to your company?**

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

h) **If you would probably or definitely not recommend others in your company's situation to seek assistance from them, please explain why.**

16. Please tell me the present status of actions taken by your company or the other party to solve the problem

(Interviewers: 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.
- ② Other actions (other than legal actions) still being pursued
- ③ Agreement not yet reached with the other party, but no action being taken
- ④ Still being tackled at court/ tribunal or legal means
- ⑤ Agreement reached with the other party and no action being taken
- ⑥ Others, please specify: _____

17. Please tell me the present status of your problem.

(Interviewers: 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
- ② Issues mostly resolved and the problem is no longer there
- ③ Issues not yet resolved, but the problem is no longer there
- ④ Issues not yet resolved, and the problem is still recurring
- ⑤ Others, please specify: _____

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

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

19. Have your objectives in taking actions been achieved?

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

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

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

21. So far, since this incident first arose, how much money has your company 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
 - ② \$1,001-\$5,000
 - ③ \$5,001-\$10,000
 - ④ \$10,001-\$20,000
 - ⑤ \$20,001-\$50,000
 - ⑥ Above \$50,000

22. In what way do you think the problem itself has affected your company?

(Interviewers: Please prompt the following in case the respondent has difficulties answering)

- ① No impact at all
- ② Loss of business opportunities
- ③ Ruin relationship with employees
- ④ We feel very upset by the incident
- ⑤ Lose money
- ⑥ Ruin relationship with business partners
- ⑦ Company reputation has suffered
- ⑧ Others, please specify: _____

23. In what way do you think actions taken by your company and/ or the other party to solve this problem have affected your company?

(Interviewers: Please prompt the following in case the respondent has difficulties answering)

- ① No impact at all
- ② Loss of business opportunities
- ③ Lose money
- ④ Ruin relationship with employees
- ⑤ Ruin relationship with business partners
- ⑥ We feel very upset by actions taken
- ⑦ Company reputation has suffered
- ⑧ Business opportunities improved
- ⑨ A lot of time was spent
- ⑩ Relationship with employees has improved
- ⑪ Relationship with business partners has improved
- ⑫ We are happy with actions taken
- ⑬ Company reputation has improved
- ⑭ Others, please specify: _____

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

(Please fill in the individuals whom your company tried to contact below)

| 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. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 2. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 3. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 4. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 5. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 6. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 7. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 8. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 9. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 10. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 11. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 12. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 13. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 14. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |
| 15. | ① | ② | ③ | ④ | ⑤ | | | Y/ N | | |

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

Instruction to Interviewers: After completing the Incident Handling Report Questionnaire for ALL incidents identified, please continue the interview using *Opinion Questionnaire*.