

Barrister gets one year for attempting to steal from clients

16.11.10

A barrister, charged by the ICAC, was today (Tuesday) sentenced to one year's imprisonment at the District Court for attempting to steal more than HK\$30,000 from two foreign clients by claiming that the sums would be used for hiring a Queen's Counsel (QC) for them.

Valerie Lim Tin-tin, 43, was yesterday found guilty of two counts of attempted theft.

Co-defendant Ho Ying-pan, 49, a former legal executive of Chong & Yen Solicitors (C&Y), was convicted of three counts of using a false instrument. He was jailed for 12 months.

Judge Anthea Pang Po-kam ordered that three of the six-month jail term earlier given to him after being convicted at Eastern Magistracy of eight similar offences in another case to run consecutively to the above sentence, making Ho a total of 15 months in jail.

In sentencing, the judge remarked that Lim, as a barrister, should provide her clients with professional advice, but she did not perform her duty properly and took advantage of foreigners who were not clear about the legal procedures in Hong Kong.

The judge also reprimanded Ho for breaching professional conduct and blatantly abusing the prison visit system.

The case arose from a corruption complaint. Subsequent ICAC enquires revealed the above offences.

The court heard that at the time of offences, Lim was a practising barrister in Hong Kong, while Ho was employed by C&Y as a legal executive.

On July 18, 2007, Ho met Ms Vickie Smith, wife of Tochukwu Nwaneri who was then detained at Lai Chi Kok Reception Centre (LCKRC) in relation to a deception case investigated by the Police; and offered to provide Nwaneri with legal service.

While meeting Ms Smith in her chambers on July 25, Lim also asked to represent John Ryan, a co-defendant in the deception case.

On August 15, Lim sent an e-mail to inform Ms Smith that the Department of Justice had agreed to accept guilty pleas from Nwaneri and Ryan. She then advised to hire a QC to mitigate for a lighter sentence to them.

Lim later told Ms Smith that the fee for employing a QC was US\$4,000 to be equally shared by Nwaneri and Ryan. Ms Smith agreed to pay \$2,000 to Lim.

The court heard that in late August, Lim asked another barrister in the same chambers of her to handle the mitigation for Nwaneri and Ryan.

Having agreed to do so on a complimentary basis, the barrister, who was not a QC or Senior Counsel, eventually represented Nwaneri and Ryan at the hearing on September 6. At the hearing, Nwaneri and Ryan pleaded guilty to a joint charge of fraud, and were each jailed for 24 months.

Ms Smith refused to pay the agreed US\$2,000 to Lim because she was dissatisfied with the sentence. Ryan earlier refused to pay his fee.

The court also heard that on three occasions between July 24 and August 2, Ho had produced an authorisation letter, purportedly signed by a principal partner of C&Y, when he and Lim visited Ryan and/or Nwaneri at LCKRC.

The principal partner of C&Y confirmed that she was not aware of the case involving Nwaneri and Ryan and had never signed the authorisation letters, the court was told.

The prosecution was today represented by Senior Public Prosecutor Anna Lai, assisted by ICAC officer Vincent Ling.