



 Howse Williams

Shipping Practice

September 2022

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Howse Williams is an independent Hong Kong law firm which combines the in-depth experience of its lawyers with a creative, forward-thinking approach.

About Us

Our key practice areas are corporate/commercial and corporate finance; commercial and maritime dispute resolution; clinical negligence and healthcare; insurance, personal injury and professional indemnity insurance; employment; family and matrimonial; property and building management; banking; fraud; financial services/corporate regulatory and compliance.

As an independent law firm we are able to minimise legal and commercial conflicts of interest and act for clients in every industry sector. The partners have spent the majority of their careers in Hong Kong and have a detailed understanding of international business and business in Asia.

The HW partners and their teams have an excellent reputation for delivering high quality legal advice with a practical and commercial approach to solving legal issues in line with clients' commercial objectives.

Our Shipping Practice

HW shipping practice specialises in maritime dispute resolution; mergers and acquisitions; competition and regulation and infrastructure.

Our shipping team handles a wide range of disputes both in Hong Kong and throughout Asia. The team (which includes solicitors with seagoing experience) has considerable experience in all types of wet and dry shipping litigation. We handle shipbuilding, sale and purchase, collision, salvage, wreck removal and pollution cases, as well as charterparty, bill of lading and other contract of affreightment disputes. We advise ship-owners, P&I Clubs, Hull and Machinery insurers, salvors, charterers and freight forwarders. The team has particular expertise in handling problems arising from the shipment of steel, coal, iron ore, nickel ore and fluorspar.

Our clients include charterers, shipowners and their insurers (P&I Clubs), cargo owners, freight forwarders, recovery agents, logistic companies, godowns, terminals, port authorities, commodity traders and their insurers and other organisations in the marine transport and insurance industries.

Our practice includes:

- P&I and Defence Club work.
- Policy terms and disputes (e.g. war risk, breach of warranty, insurable interest, material non-disclosure etc.).
- Charterparty and bill of lading disputes.
- Collision, salvage and wreck removal.
- Commodity and sale of goods disputes.
- Marine insurance disputes (cargo and hull policies).
- Arbitration in London, Hong Kong, Singapore, Korea and the PRC.
- MOA disputes.
- Personal injury, employee's compensation and crew claims.
- Sale and purchase of vessels, including commercial vessels such as bulk carriers and tug boats, as well as yachts and oil rigs.
- Shipbuilding contracts for standard and specialist vessels, including offshore structures and complex engineering projects.
- Competition/regulatory work
- Mergers & acquisitions, IPOs, debt and equity capital markets, privatisations, international joint ventures, restructuring and financial services.
- Development, investment and financing of port projects working with a diverse range of organisations including governments, port authorities, developers and lenders.
- Regulatory issues on Customs & Excise, Labour Department (safety) and environmental matters including defending the relevant summons/charges.
- Container terminals defence work.
- Yacht policy disputes.



Chris Howse

Partner

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Chris specialises in maritime and commercial dispute resolution, handling a wide range of disputes in the Hong Kong courts and international arbitrations throughout Asia. He has considerable experience in all types of dry shipping litigation on behalf of owners, charterers and their P&I Clubs. He also has particular expertise handling problems arising from the shipment of coal, iron ore, nickel ore and fluorspar.

Chris has more than 35 years of legal experience. He built the Hong Kong office of Richards Butler and he was Senior Partner and Managing Partner of that office from 1983 to 2011. He has considerable experience in arbitration and he is qualified as an arbitrator in Hong Kong, China (CMAC), Korea, Malaysia and other Southeast Asian jurisdictions. He has represented parties in arbitrations in China (both CIETAC and CMAC), Hong Kong, London, Singapore and Malaysia. In addition, Chris is an accredited mediator.

Chris also provides professional indemnity advice and assistance to a full spectrum of professionals in Hong Kong, including solicitors, accountants, brokers, architects, doctors, dentists and other healthcare professionals.

Chris leads the medico-legal team with fellow partner David Kan. They advise doctors, dentists and their indemnity provider – the Medical Protection Society and Dental Protection Ltd – as well as private hospitals and other healthcare professionals. Chris also advises private hospitals, corporate healthcare providers and pharmaceutical companies on issues relating to the import and distribution of drugs and pharmaceutical products, drug liability claims and other regulatory matters.

▼ *Experience*

2012 Howse Williams
2011 Reed Smith Richards Butler
2008 Richards Butler in Association with Reed Smith LLP
1983 Richards Butler, Hong Kong
1975 Richards Butler, London

▼ *Education*

1975 College of Law
1973 University of Bristol, BA (Hons)
1970 University of Geneva

▼ *Professional Admissions / Qualifications*

1978 England and Wales

1981 Hong Kong

1988 Australia

Arbitration:

Fellow, Chartered Institute of Arbitrators (Hong Kong)

Fellow, Hong Kong Institute of Arbitrators Ltd

Supporting Member, London Maritime Arbitrators Association

Arbitrator, Hong Kong International Arbitration Centre

Arbitrator, China Maritime Arbitration Commission

Arbitrator, Hong Kong Maritime Arbitration Group

Arbitrator, Korean Commercial Arbitration Board

Member, Hong Kong Arbitrations Law Review Committee (1996-2000)

Professional Indemnity Insurance:

Chairman, Hong Kong Law Society Professional Indemnity Claims Committee (2004-2007)

Deputy Chairman, Hong Kong Law Society Professional Indemnity Claims Committee (1999-2004)

Member, Hong Kong Law Society Professional Indemnity Insurance Claims Committee (1989-1999)

Member, Hong Kong Law Society Professional Indemnity Advisory Committee (1999-2006)

Member, Hong Kong Law Society Working Party on Professional Indemnity Insurance Scheme (1996-2004)

Chairman, Hong Kong Professional Indemnity Review Committee (2002)



David Coogans

Partner

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David is a commercial disputes lawyer specialising in international trade disputes. David has over 25 years of experience in commercial dispute resolution. He advises a wide variety of shipping interests including marine and non-marine insurers. David also has extensive experience outside of international trade matters, including dealing with, insolvency matters, shareholder disputes and the recovery and tracing of monies lost due to internet/identity fraud.

Before qualifying as a lawyer, David served as a deck officer in the British Merchant Navy with the Cunard Steamship Company. He has dealt with several high profile casualty matters.

David has handled both Court proceedings and Arbitrations concerning a wide range of disputes in Hong Kong, England & Wales, Australia, Singapore and the United States. David is familiar with UNCITRAL rules, LMAA terms, ICDR, ACICA and SIAC Rules. David has also acted as mediator in several high value disputes.

▼ *Experience*

2012 Howse Williams
2005 General Counsel P&O Cruises Sydney Australia
1989 Richards Butler, Hong Kong
1976 Cunard Steamship Company

▼ *Education*

1985 College of Law, Chancery Lane, London, Solicitors Final Examinations
1984 Anglia University, England, BA (Hons)
1980 Riversdale College, Liverpool, England, British 2nd Deck Officer's Certificate of Competency

▼ *Professional Admissions / Qualifications*

1987 England and Wales
1989 Hong Kong
1991 Australia (NSW & Victoria and the ACT)

▼ *Professional Affiliations*

LEADR and nationally accredited mediation practitioner
Member, Law Society of Hong Kong
Member of the Hong Kong Maritime Law Association Executive Committee
Board member of the Maritime Services Training Board



Bernard Murphy

Partner

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A medically qualified solicitor, Bernard specialises in medico-legal issues, acting for a wide range of healthcare professionals including doctors, dentists, nurses and physiotherapists in proceedings before the Medical Council, in clinical negligence claims, Coroner's Court inquests, and Department of Health investigations. Bernard also advises ship owners and P&I Clubs in relation to personal injury and fatal accident claims. He was admitted as a solicitor in Hong Kong in 2004 and in England and Wales in 2005.

Bernard's legal career began with Richards Butler Hong Kong. Before qualifying as a lawyer, Bernard practised medicine for more than ten years, the majority of that time in Hong Kong and China.

An Adjunct Assistant Professor, Department of Accident and Emergency Medicine, the Chinese University of Hong Kong, Bernard lectures on healthcare legal issues for the Chinese University Department of Accident and Emergency Medicine. He also presents lectures/workshops for doctors' medical practices, public and private hospitals, the Chinese University School of Public Health, and the Hong Kong Polytechnic University Department of Physiotherapy.

▼ *Experience*

2012 Howse Williams
2011 Reed Smith Richards Butler
2008 Richards Butler in Association with Reed Smith LLP
2002 Richards Butler, Hong Kong

▼ *Education*

2002 University of Hong Kong, Postgraduate Certificate in Law
2001 Manchester Metropolitan University, Postgraduate Diploma in Law
1988 University of Aberdeen, Bachelor of Medicine and Bachelor of Surgery

▼ *Professional Admissions / Qualifications*

2005 England and Wales
2004 Hong Kong

▼ *Professional Affiliations*

Adjunct Assistant Professor, Department of Accident and Emergency Medicine, The Chinese University of Hong Kong
Foundation Member, Faculty of Forensic and Legal Medicine, Royal College of Physicians
Member, British Medical Association of Hong Kong
Member, Law Society of England and Wales
Member, Law Society of Hong Kong



William Leung

Partner

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As a prominent commercial litigator with more than 22 years solid experience, William with his team of fee earners specialize in the following:

Commercial litigation

William's commercial practice ranges from companies'/shareholder's disputes, joint venture disputes, winding up/bankruptcy, restructuring and corporate risk management issues. His clients would include prominent liquidators, corporates, listed companies, banks/lenders, investors, charitable organisations to private/corporate shareholders. Notably, William and his team have recently been involved in a number of large winding up/re-restructuring matters.

William also acts for both trustees and beneficiaries on contentious trust and probate matters particularly on high net worth individuals on personal wealth matters.

William also handles general debt recovery matters for listed companies and is known for his efficiency and costs effectiveness producing great results for clients.

He has ample experience in acting for both Claimants and Recipients for funds internet fraud cases.

Insurance litigation

William acts for more than 10 large international/PRC insurers covering public liability, property, marine, travel, EC/PI insurance. He is also a leading advisor in dealing with riot and COVID19 related claims for various insurers.

William regularly gives talks and seminars on insurance matters due to his high acclaim within the industry.

He leads a large team of dedicated lawyers specialising in insurance disputes covering public liability, property damage marine, yacht and EC/PI matters.

Transport litigation

William acts for shipping companies, forwarders, international logistic companies, four of the largest container terminals in Hong Kong and leading warehouse operators along with their liability/property insurers. He has unrivalled experience in handling a wide range of contentious matters on bills of lading/air waybills, cargo claims, forwarding, warehousing and logistics disputes. Particularly he is a leading figure in advising container terminals on their emergency casualty, employment, risks and property damage matters. He has advised on transport related regulatory matters such as enforcement actions by Customs & Excise, Labour Department, Environmental Protection Department and ICAC.

William is also on the Transport and Logistics Committee of the Law Society of Hong Kong.

Pleasure crafts

William has vast experience on yacht matters including sale and purchase, collision, casualty, fire and their related personal injury, insurance and litigation matters.

Escrow agent / accounts

William frequently advises on escrow agent / account agreements and their litigation risks to facilitate sale and purchase of valuable yachts, club debentures offshore properties and antiques/ paintings etc. In appropriate cases, our firm will act as escrow agent or stakeholder.

Accreditation

William has been consistently named as one of the leading lawyers in Hong Kong by various legal directories. He is admitted to practice law in both Hong Kong and England & Wales.

William also holds a number of public posts with a view to rewarding the society.

▼ *Experience*

2015 Howse Williams
2009 Eversheds
2001 DLA Piper
2000 Stevenson Wong & Co
1998 Hampton, Winter & Glynn

▼ *Education*

1997 PCLL, University of Hong Kong
1993 LLB, University of Wales / Portobello College, Dublin, Ireland

▼ *Professional Qualifications*

2001 Solicitor of England and Wales
1999 Solicitor of Hong Kong

▼ *Public Office*

Since 2021 Member of Patient Complaint Committee of The Prince Philip Dental Hospital
Since 2018 Transportation and Logistics Committee of The Law Society of The Hong Kong (Co-option)
Since 2017 The Transport Tribunals' Panel (Member) appointed by Secretary for Transport and Housing
Since 2015 The Board of Review, Inland Revenue Department (Panel member) to Dec 2020
Since 2015 The Obscene Articles Tribunal (Member Adjudicator appointed by Chief Justice of HKSAR) to Aug 2020

Our Team

Heidi Sheung

Consultant

Heidi has a great depth of experience in personal injury and contentious insurance matters having been engaged in them since the outset of her traineeship in 2000. She advises on all aspects on liability ranging from statutory, employees' compensation, product liability, medical negligence, occupational disease claims, motor vehicle accidents and construction sites, with a particular emphasis on accidents on board ships and at container terminals and maritime industrial undertakings. She has handled and given advices on a very wide range of cases from the most serious tetraplegic to the more run of the mill minor accidents acting for numerous major liability insurers. She is frequently called on by clients to construe terms of policies of insurance and review on policy coverage disputes. She is acutely aware of the commercial needs of the insurers in economic and practical claims handling and seeks to work closely with the instructing claims officers making her one of the most user friendly defence lawyers in town.

In addition to her insurance practice Heidi has throughout her career been engaged in major commercial litigations.

She is also an accredited mediator on the HKIAC General Panel and Law Society of Hong Kong since 2009 and acts regularly as a mediator in numerous disputes of various natures.

Bronson Chan

Senior Associate

Bronson specialises in shipping and commercial litigation. He has experience in charterparty, bill of lading and other contract of affreightment disputes, collision claims and defending shipping related criminal offences. He also has experience in shareholders and partnership disputes, contractual disputes, injunctions, debt recovery, insolvency, employment and company-related matters. Prior to joining Howse Williams, Bronson worked as an Associate in the Marine Department of another international law firm [and as a Transport Planner at Transport for London].

Bronson qualified as a solicitor in Hong Kong in 2013. He holds a Bachelor's degree in Law from BPP University and a Postgraduate Certificate in Laws from the University of Hong Kong. Bronson also has a Bachelor's degree from University College London and a Master's degree from the University of Cambridge.

Bronson is fluent in English and Cantonese and is proficient in Mandarin.

Elizabeth Pong

Associate

Elizabeth joined HW as a Trainee Solicitor in September 2017.

Elizabeth has experience dealing with time and voyage charter disputes such as off-hire, performance warranties, cessation / deduction of hire and bunker consumption disputes. She also has experience dealing with cargo claims, ship management contract disputes, loss recovery in vessel collision and allision cases and refund guarantees in ship building contracts.

She has experience with the Hague and Hague-Visby Rules, Himalaya and circle-indemnity clauses. She is also familiar with the arbitration regimes under the LMAA Terms, the Hong Kong Arbitration Ordinance and the English Arbitration Act 1996.

Elizabeth also has experience with debt and fraud recovery including winding up, default judgment, garnishee order and Norwich Pharmacal applications in court, and liaisons with the police and banks.

She is fluent in English, Mandarin, and Cantonese and conversational in Korean. She is also a beginner in German.



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