



Dispute Resolution Practice

August 2024

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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; trusts and wealth preservation; wills, probate and estate administration; property and building management; banking; fraud; distressed debt; investment funds; virtual assets; 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.

Commercial

HW's clients vary from internationally listed and private companies as well as multi-national conglomerates to local, family-owned businesses. Practice areas include:

- Alternative dispute resolution, including arbitration and mediation (Chris Howse is an accredited Arbitrator and Mediator, whilst David Kan is an accredited Mediator).
- Banking / financial services disputes.
- Commercial contract disputes.
- Commercial fraud.
- Contentious probate.
- Defamation.
- Shareholder / franchise / joint venture disputes.
- Boardroom disputes.
- Trade finance / sale of goods disputes.

Corporate and Regulatory

HW's clients (both corporate and private individual professionals) include those subject to regulatory regimes, including governmental, professional and other public authorities with investigations, disciplinary proceedings and prosecutions often the subject of judicial review proceedings. The wide-ranging caseload includes:

- Representing clients in regulatory investigations conducting internal inquiries; advising on regulatory compliance and advising on licensing and other applications to regulators and liaising with regulators on behalf of clients.
- Conducting administrative, regulatory, disciplinary and legal proceedings before the relevant boards, tribunals and courts.
- Contentious takeovers and mergers.
- Public inquiries.
- Investigations and prosecutions by the Hong Kong Monetary Authority, the Securities and Futures Commission, the Independent Commission Against Corruption and the Commercial Crime Bureau.
- The Medico-Legal and Professional Indemnity Insurance teams often work together on matters involving investigations and disciplinary proceedings by professional regulators.

Clinical Negligence and Healthcare

The Medico-Legal team is led by partners Chris Howse, David Kan, Bernard Murphy, Oonagh Toner and Alison Scott. David Kan and Bernard Murphy are dual-qualified as solicitors and medical practitioners.

Our clients include private hospitals as well as doctors, nurses, mid-wives, dentists, physiotherapists, group practices, other medical professionals and their respective insurers. We regularly advise on medico-legal matters that include:

- Internal hospital / clinic policies and procedures (e.g. admission, inter-hospital transfer procedures and incident reporting) and clinical risk management.
- Nursing and operations, including nursing operation guidelines, negligence claims against nurses and employment issues involving medical and nursing staff.
- Patient complaints, including those to the Department of Health. Assistance is given to private hospitals and to general and dental practices from an early stage in the investigation.
- Clinical negligence claims against doctors, dentists and private hospitals, including high-value obstetric cases and brain damage claims. As members of the legal panels of several healthcare professional indemnity insurers, our team handles a high volume of clinical negligence claims.
- General legal and ethical advice on confidentiality, patient rights, informed consent, documentation, record keeping and the release of information (including disclosure following death). David Kan has particular experience in mental health issues, and regularly lectures at specialist colleges, private hospitals and at medical and dental practices. He is also on the panel of the Guardianship Board.
- Representation before coroner's inquests, the Physiotherapists Board and the Medical and Dental Councils. Bernard Murphy has particular experience appearing before the Coroner's Court, whilst Chris Howse regularly advocates before the Medical and Dental Councils.
- Criminal proceedings including manslaughter and indecent assault; ICAC investigations and the Prevention of Bribery Ordinance; as well as breaches of the Pharmacy and Poisons Ordinance and the Dangerous Drugs Ordinance.
- Media coverage.
- Other legal issues pertaining to daily operations in private hospitals (e.g. debt collection, advertising and practice promotion, family disputes regarding patient care, the granting of admission privileges, discharge against medical advice and employment in the healthcare sector).

Insurance / Professional Indemnity / D&O

HW's clients are represented in a range of industries and include doctors, dentists, solicitors, accountants, architects, estate / property agencies and surveyors.

Our Insurance, Medico-Legal and Shipping teams work closely together in order to maximise the overlapping practice areas.

Members of our team sit on legal panels for professional indemnity insurers that cover accountants, doctors, dentists and solicitors. These partners also hold honorary advisory positions in medical and insurance organisations and are members of advisory committees for professional regulators. We focus on areas that include:

- Professional negligence complaints and claims against professionals
- All matters of general insurance (e.g. coverage, indemnity, aggregation, business interruption, event and regulation)
- Managing D&O claims

HW's market-leading Medical and Commercial Professional Indemnity Insurance teams have successfully managed and defended a significant number of valuable and high-profile professional indemnity claims against a wide range of professional individuals and organisations.

Employment

HW's Employment team, led by partner Patricia Yeung, advises on all aspects of Hong Kong's employment law, including confidentiality clauses, data privacy issues, sex, race, family status and disability discrimination, non-solicitation clauses, provident funds, reductions in benefits, redundancy, restrictive covenants, share option schemes, transfers of business, summary dismissal, termination, payments due on termination, wrongful termination and springboard relief. We also work regularly with lawyers from other Asian jurisdiction to provide advice on immigration and work permit applications.

We provide our clients with a full service in respect of contentious and non-contentious Hong Kong employment matters from drafting employment contracts, staff handbooks and internal policies / procedures to handling disputes arising both during and on termination of the employer-employee relationship.

Our clients include organisations and individuals from a wide variety of international and local industries and markets with a large proportion of our client-base consisting of financial institutions and professional firms.

In 2013 HW was awarded International Employment Law Firm of the Year in Hong Kong by Global Law Experts.

Shipping and International Trade

HW's Shipping team is led by Chris Howse, David Coogans and William Leung. Clients include charterers and their insurers (P&I Clubs), cargo owners, freight forwarders, ship owners, recovery agents, banks, logistic companies, godowns, terminals, port authorities, commodity traders and their insurers. 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.)
- Charter party and bill of lading disputes
- Collision, salvage and wreck removal
- Commodity and sale of goods disputes
- Trade finance
- Marine insurance disputes (cargo and hull policies)
- Maritime arbitration under both CIETAC and CMAC in Hong Kong, Korea and the PRC
- MOA disputes
- Personal injury and crew claims

Marine Personal Injury

HW's Shipping and Medico-Legal teams work together to advise on matters relating to personal injuries and fatalities suffered on board ship.

Contentious Probate / Trusts

HW's Dispute Resolution team works together with its Family and Matrimonial team when handling contentious probate and trusts matters, involving litigation arising from disputed wills, administration of estates, enforcement of trust arrangements, competing beneficial interests and all manner of inheritance situations.

Property and Building Management

HW's clients include some of the largest international real estate agents, listed property developers; international and local building management companies; quasi government bodies; property investment funds; incorporated owners of commercial/residential buildings; commercial and individual landlords and tenants in Hong Kong.



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 partners David Kan and Bernard Murphy. 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

▼ Professional Affiliations

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 Kan

Partner, Solicitor Advocate

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David is a dual qualified medical doctor/solicitor and is a Founding Member of the Faculty of Forensic and Legal Medicine of the Royal College of Physicians (UK). He "changed horses" to law almost 30 years ago and has specialized in healthcare law since.

Nowadays David and Chris Howse lead a team of healthcare lawyers, which is the largest team of its kind in HK, with extensive experience in defending clinical negligence claims.

As an experienced litigator, David has gained accreditation as a Solicitor Advocate with Higher Rights of Audience in Hong Kong's Court of First Instance, Court of Appeal and CFA. David has substantial advocacy experience before the Civil Courts, Coroner's Court, Medical and Dental Council and other professional tribunals. He appreciates the importance of getting involved in a case and managing the evidence and strategies from day 1.

David has a Master's Degree in Medical Law and Ethics which puts him on good stead in providing regulatory advice to healthcare institutions including hospitals, biotechnology companies, medical device manufacturers and specialist group practices. He has a special interest in advising on mental health law, medical criminal proceedings, clinical trials, and due diligence in corporate transactions.

In 2008, David was appointed as an Honorary Associate Professor by the Department of Pathology, Faculty of Medicine, The University of Hong Kong. He regularly lectures at the University as well as to the Specialist Colleges. He provides clients with training in clinical risk management.

David keeps up to date with clinical medicine. He has served on various governing boards including those of a government hospital and a major international school. He is a qualified coach with the Squash Rackets Association (UK) and he trains almost daily.

▼ Experience

2012 Howse Williams
2011 Reed Smith Richards Butler
2008 Richards Butler in Association with Reed Smith LLP
1999 Richards Butler, Hong Kong
1998 Bevan Ashford Solicitors, UK
1996 Lees and Partner Solicitors, UK

▼ Education

University of Hong Kong, Postgraduate Diploma in Child and Adolescent Health
Keele University, Master Degree in Medical Law
Birmingham University, LPC (with commendation)
Birmingham University, CPE
Nottingham University, Bachelor of Medicine and Bachelor of Surgery
Nottingham University Exhibition Prize for Medicine
Nottingham University, Bachelor of Medical Sciences (Hons)

▼ Professional Admissions / Qualifications

1999 Hong Kong
1998 England and Wales
MA (Med Law), MBBS, MFFLM, BMed Sci (Hons), PDipCAH

▼ Professional Affiliations

Honorary Legal Advisor of The Hong Kong Ophthalmological Society, Hong Kong Medical Association, Hong Kong Dental Association, British Medical Association of Hong Kong, Association of Private Eye Surgeons, Federation of Society for the Prevention of Blindness, Association of Private Medical Specialists of (HK), The College of Ophthalmologists of Hong Kong, Hong Kong Community Psychological Medicine Association (HKCPMA), Hong Kong Doctors Union and Eye Care Charitable Foundation Limited

Others:

Honorary Associate Professor in the Department of Pathology, Faculty of Medicine, The University of Hong Kong
Founding Member, Faculty of Legal and Forensic Medicine, Royal College of Physicians UK
Member, Medico-legal Society of London
Member, International Powerlifting Federation Ethics Commission
Member, Hospital Governing Committee of the Shatin Hospital and Bradbury Hospice
Member, Ethics Committee for the Hong Kong College of Obstetrics and Gynaecology
Previously Panel Member, Guardianship Board of Hong Kong
Previously Vice-chairman, New Medico-Legal Society of Hong Kong
Member, Hong Kong Association of the Pharmaceutical Industry
Member, Law Society of England and Wales
Member, Law Society of Hong Kong



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 represents healthcare organisations, doctors, dentists, veterinary surgeons and other healthcare professionals across a range of practice areas. Bernard supports clients in Medical Council, Dental Council and Veterinary Surgeons Board disciplinary proceedings and coroners investigations, from the commencement of investigations through to appearing on behalf of clients at disciplinary inquiries and coroners inquests.

An Adjunct Assistant Professor, Department of Accident and Emergency Medicine Academic Unit, the Chinese University of Hong Kong, Bernard teaches on the university's Master of Science Programme in Prehospital and Emergency Care and on the Postgraduate Diploma in Prehospital and Emergency Care. Bernard also provides expert witness training to doctors, dentists and other healthcare professionals involved/interested in expert witness work.

A graduate of Aberdeen University Medical School, before qualifying as a lawyer Bernard practised medicine for more than ten years, the majority of that time in Hong Kong and China. During and following his medical training, Bernard worked as a doctor in NHS hospitals in the UK. Bernard worked in the field of emergency medical evacuation in China and Hong Kong between 1995 and 1999. He has also worked in private medical practice in Hong Kong.

Since 2008, Bernard has been a Member of the Faculty of Forensic Legal Medicine, Royal College of Physicians UK. In 2021 he received a Foundation Fellowship (Dento-legal Adviser) of the Faculty of Forensic Legal Medicine, Royal College of Physicians UK.

▼ 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 (PCLL)
2001 Manchester Metropolitan University, Postgraduate Diploma in Law (PGDL)
1988 University of Aberdeen, Bachelor of Medicine and Bachelor of Surgery (MB ChB)

▼ Professional Admissions / Qualifications

2021 Ireland

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 UK

Foundation Fellow (Dento-legal adviser) Faculty of Forensic and Legal Medicine, Royal College of Physicians UK

Member, British Medical Association of Hong Kong

Member, Law Society of England and Wales

Member, Law Society of Hong Kong

Member, Law Society of Ireland



Oonagh Toner

Partner

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Oonagh specialises in dispute resolution and commercial and professional negligence litigation. She also handles clinical negligence claims advising healthcare professionals on a range of contractual, regulatory and criminal matters. Prior to qualifying as a Solicitor, Oonagh was an industrial designer and worked in design and advertising in London, Dublin and Hong Kong.

▼ Experience

2012 Howse Williams
2011 Reed Smith Richards Butler
2008 Richards Butler in Association with Reed Smith LLP
2005 Richards Butler, Hong Kong
Previously with Hayes Solicitors, Dublin, Ireland

▼ Education

Griffith College Law School, Dublin
Bachelor of Design in Industrial Design, National College of Art and Design, Dublin, Ireland
Master of Design in Design Management, Royal College of Art, London

▼ Professional Admissions / Qualifications

2007 England and Wales
2006 Hong Kong
2005 Ireland

▼ Professional Affiliations

Member, Law Society of Hong Kong



Alison Scott

Partner

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Alison previously worked as a partner with HW's senior partner Chris Howse at Richards Butler in Hong Kong. She has extensive experience in dispute resolution and commercial and professional negligence litigation. Alison moved to England in 1998 but returned to join HW in 2014.

Alison continues to advise in respect of commercial litigation matters including regulatory investigations by governmental bodies and corporate litigation including shareholder disputes. She also provides professional indemnity advice and assistance to doctors, dentists and other healthcare professionals in HW's medico legal practice.

▼ Experience

2014 Howse Williams
2008 Judicial appointment, legally qualified chairperson, Residential Property Tribunal (Wales).
2001 Judicial appointment, tribunal chairperson then tribunal judge, HMCTS (social entitlement chamber)
1991 Richards Butler

▼ Professional Admissions / Qualifications

1986 Admission as a solicitor, Hong Kong
1985 Admission as a solicitor, England and Wales

▼ Professional Affiliations

Member, Law Society of Hong Kong



Michael Withington

Partner

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Michael is experienced in a wide range of commercial litigation, including shareholder disputes involving both listed companies and high-profile private companies (many of which involve a cross-border element). He has also acted in litigation involving financial services institutions (including mis-selling claims and negligence claims), claims involving directors, and disputes over asset acquisitions.

A large part of Michael's practice at Howse Williams involves contentious employment matters (acting for both employers and employees), including claims over termination and remuneration, enforcement of post-termination restrictions, discrimination claims and partnership disputes. He advises employers and statutory bodies on internal investigations and disciplinary proceedings, and has represented a number of individuals in SFC investigations. He also has significant experience in conducting and defending judicial review proceedings.

Michael also has extensive insurance experience, particularly in relation to the defence of professional negligence claims and advising on coverage issues. He has been a panel solicitor for the Hong Kong Solicitors Professional Indemnity Scheme since 1998, and has represented both local and international law firms in connection with a broad range of claims.

▼ Experience

2015 Howse Williams
2012 Gall
2002 Herbert Smith Freehills
1998 Wilkinson & Grist
1994 Haldanes

▼ Education

1987 The University of Sydney, LLB

▼ Professional Admissions / Qualifications

1994 Hong Kong
1994 England and Wales
1987 New South Wales, Australia

▼ Professional Affiliations

Member, Law Society of Hong Kong

▼ Reported Decisions

- Philippe Delhaise v Ng & Co & Erving Brettell [HCA 10165/2000; CACV 386/2003]
- Mimi Monica Wong v Mirko Saccani [HCA 2061/2004]
- Pat Bobby Ying Ho v Hong Kong Solicitors Indemnity Fund Ltd [HCCT 40/2004]
- Michael John Treloar Rowse v The Secretary for the Civil Service, The Chief Executive & The Chief Secretary for Administration [HCAL 41/2007]
- GFI (HK) Securities LLC v Kang Gyong Hee & ICAP Equities Asia Ltd [HCA 451/2015]

▼ Professional Recognition

Michael is currently ranked by Chambers Asia as a Band 2 employment lawyer and a Band 3 insurance lawyer. Comments include:

2017: "He has a cool, calm demeanour. We use him during a crisis."

2015: "a seasoned operator"
"a very good litigator - very experienced and steady"

2014: "is an experienced litigator who certainly knows his stuff; gives clients sensible and considerate advice."

"He is particularly adept in restrictive covenants, partnership disputes and investigations by local regulators"

2013: "very quick and very clear on providing advice" ... "his immediate response and technical support are always available"

2012: "good judgement and great technical skills"... "is a seasoned practitioner for commercial litigious matters on labour issues"

2011: "has deep rooted experience in employment litigation"



Patricia Yeung

Partner

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Patricia has focused on employment law since qualifying as a solicitor in 2011, and her experience in employment matters is now widely recognised in Hong Kong. Patricia heads up HW's employment team, which consists of two partners (including Patricia) and three associates.

Patricia regularly advises employers and senior executives on both contentious and non-contentious employment matters. Her practice covers a wide range of work, including drafting employment contracts, handbooks and policies, terminations and advising upon the enforcement of post-termination restrictions and confidentiality obligations. She and her team frequently advise on the employment aspects of M&A deals and business transfers. Many of her clients operate in the financial services sector, and she frequently negotiates exit packages in relation to high-level employees of banks, brokerages and insurance companies. Patricia also advises upon the employment issues arising from discrimination and harassment, personal data related matters and immigration issues (including prosecutions). She also has experience in assisting employers and employees during the conduct of internal investigations and discrimination/harassment complaints.

Patricia has an in-depth knowledge of the Labour Tribunal, having assisted parties involved in Labour Tribunal proceedings for several years. She has also represented both plaintiffs and defendants in both District and High Court actions involving substantial claims for unpaid bonuses, enforcement of restrictive covenants and claims for injunctive relief in Hong Kong, including applications for injunctive relief. She also advises clients on licencing issues and regulatory investigations involving the SFC and the HKMA.

Professional Recognition

Patricia has been ranked by Legal 500 as a Next Generation Lawyer in 2017 and by Chambers Asia as an Associate to Watch from 2015-2017. Comments include:

2017: "She's very impressive and practical"

2015: "She's great; she knows what the situation with the case is all the time. She's very on the ball, really tough and really smart."

Patricia has also been listed in the Labour and Employment section of the 2017 edition of Who's Who Legal.

Patricia is the author of the 'Hong Kong Employment Ordinance - An Annotated Guide', which is published by Lexis Nexis.

▼ Experience

2015 Howse Williams
2008 Gall Solicitors

▼ Education

2008 The University of Hong Kong, Postgraduate Certificate in Laws
2007 Cardiff University, Master of Laws in Commercial Law
2006 BPP Law School, Legal Practice Course

▼ Professional Admissions/Qualifications

2011 Hong Kong

▼ Professional Affiliations

Member, Law Society of Hong Kong



Maureen Liu

Partner

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Maureen specialises in dispute resolution and medico-legal issues advising healthcare professionals and hospitals on clinical negligence claims and complaints, Coroner's inquests and disciplinary proceedings. Maureen is fluent in English, Cantonese and Mandarin.

▼ Experience

2012 Howse Williams
2011 Reed Smith Richards Butler
2008 Richards Butler in Association with Reed Smith LLP

▼ Education

2008 Bachelor of Civil Law (BCL), The University of Oxford
2007 Postgraduate Certificate in Laws (PCLL), The University of Hong Kong
2006 Bachelor of Laws (LLB), The University of Hong Kong

▼ Professional Admissions / Qualifications

2010 Hong Kong

▼ Professional Affiliations

Member, Law Society of Hong Kong



Desmond Lee

Partner

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Desmond is one of our partners specialising in contentious regulatory and compliance matters as well as complex cross-border commercial and shareholders' disputes. Desmond regularly advises and represents financial institutions, multinational corporations, state-owned enterprises, start-ups and private clients.

In particular, Desmond is experienced in representing clients on complex investigations by law enforcement agencies and market regulators in Hong Kong and abroad, such as the SFC and ICAC. He also represents clients across a range of commercial litigations in court and arbitration including cross-border commercial / trade disputes, corporate restructuring/insolvency, debt and asset recovery, disputes relating to financial products, investors/shareholders' disputes, and fraud/white-collar crimes,

Desmond is well regarded in Hong Kong and is tri-qualified in Hong Kong, England & Wales and Victoria, Australia. He is proficient in English, Cantonese and Mandarin.

▼ Experience

2021 Howse Williams
2016 Dentons Hong Kong
2007 Allen & Overy, Hong Kong

▼ Education

2007 Postgraduate Certificate in Laws (PCLL), The University of Hong Kong,
2006 Postgraduate Diplomas in Legal Practice (Merit), Monash University,
Melbourne
2005 LLB (2:1 Hons), Monash University, Melbourne
1998 Bachelor of Business Systems, Monash University, Melbourne

▼ Professional Admissions / Qualifications

2019 Civil Celebrant of Marriages, Hong Kong
2011 Solicitor, England & Wales
2009 Solicitor, Hong Kong
2006 Lawyer, Australia (Victoria)

▼ Professional Affiliations

Member, Law Society of Hong Kong
Member, Law Society of England and Wales



Gary Chow

Partner

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Gary was admitted in Hong Kong in 2008 and specialises in personal injury and insurance related litigation. He is a highly experienced practitioner with strong technical competence.

Gary regularly acts for liability insurers. He has extensive experience in defending personal injury claims involving work accidents, traffic accidents, occupiers' liability and medical malpractice. He advises insurers on a multitude of complex policy issues.

Gary also acts for professional indemnity insurers as coverage and defence counsel with claims involving educational institutions and healthcare professionals.

Gary has experience in advising on regulatory and compliance matters, contractual disputes, debt recovery, employment related matters, data privacy matters, arbitration and criminal matters.

▼ Experience highlights:

- Advising insurers on policy coverage and exclusion, policy interpretation, double insurance, seeking contribution from co-insurers, repudiation of policy liability, recovery against insured, under-insurance, insurable interest, subrogation, liability under compulsory insurance legislation, etc.
- Handling subrogation (recovery) claims against third party wrongdoers
- Handling, investigating, defending and settling personal injury claims of various scale from very minor injury to paraplegic / tetraplegic / fatal claims (concluded by negotiation, mediation or trial)
- Handling claims for contribution / indemnity against co-defendants
- Handling, investigating and defending highly suspicious personal injury claims and succeeding in getting the claimants to withdraw or discontinue their claims, or settle at low level and early stage
- Acting for construction site contractors, logistics companies, cleaning companies, security companies, property management companies, restaurants, retail shops, elderly homes, offices, SMEs, etc. in handling work accident claims and recovery claims under Section 25 of the Employees' Compensation Ordinance against third party wrongdoers
- Advising and handling industrial summons, claims for non-payment of periodical payment and complaints to the Labour Department against employers
- Advising motor insurers and the Motor Insurer' Bureau of Hong Kong on liability under the Domestic Agreement and the compulsory insurance legislation, and defending traffic accident bodily injury claims
- Acting for property management, security and cleaning companies on accidents at residential estates, commercial buildings and shopping malls, and advising on the related contribution / indemnity claims between the property management, security

and cleaning companies under their respective public liability policies and service contracts

- Advising on water seepage claims in residential, commercial and hotel buildings
- Acting for physiotherapists, chiropractors, Chinese medicine practitioners and optometrists in malpractice claims involving alleged negligent treatment
- Acting for special schools and elderly homes in personal injury claims involving alleged negligent care
- Acting for educational institutions and their management committees in defending a wide variety of claims relating to employment related matters (e.g. dismissal, suspension of employment, disciplinary procedure, variation of employment terms, reduction of wages, misrepresentation, etc.), discrimination, alleged wrongful or negligent student care, guidance or discipline, breach of the Personal Data (Privacy) Ordinance, etc.
- Handling a telephone enquiry hotline for answering enquiries from insured relating to policy coverage and claim notification issues
- Advising a property all risk and business interruption insurer on policy liability, subrogation issue, legal liability and quantum of loss arising out of a major roof collapse incident in Hong Kong
- Advising insurers on business interruption claims and policy coverage issues arising out of COVID-19
- Advising on debt recovery claims and related enforcement action and bankruptcy / winding up proceedings
- Advising insurers on complaints filed by insured with the Insurance Authority

▼ Experience

2022 Howse Williams
2013 Clyde & Co
2009 Leung & Lau
2008 YC Lee, Pang & Kwok

▼ Education

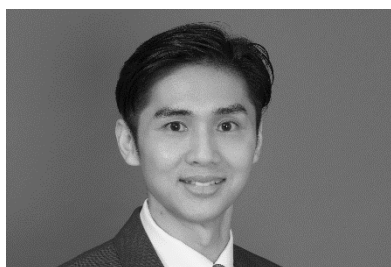
2006 Postgraduate Certificate in Laws, The University of Hong Kong
2005 Bachelor of Laws, The University of Hong Kong

▼ Professional Admissions / Qualifications

2008 Hong Kong

▼ Professional Affiliations

Member, Law Society of Hong Kong



William Wong

Partner

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William specialises in contentious regulatory work and financial services and commercial litigation. He represents both institutional and individual clients in investigations by regulatory authorities and law enforcement agencies in Hong Kong on matters including market misconduct, money-laundering, bribery and corruption, mis-selling, internal controls failure, fraud, employee whistleblowing and data breaches.

On the advisory side, leveraging his in-house experience William frequently provides counsel on a broad range of regulatory and compliance issues concerning financial institutions and listed companies, including new business initiatives (the drafting of client agreements), licensing issues and internal controls, as well as emerging trends such as the use of Tech and virtual assets.

As a litigator, William has over 15 years of experience in advising financial institutions, listed and private companies and family offices/high net worth individuals on high-stake commercial disputes, from pre-action strategy and settlement negotiations, interim injunctive relief, commencement of proceedings and trial, to enforcement of judgments and arbitration awards.

William has been ranked by leading legal directories since 2018, including Legal 500 ("Next Generation Lawyer" for Disputes Resolution), Who's Who Legal ("Future Leader" in Investigations), LexisNexis ("40 Under 40") and Chinese Business Law Journal (20 Rising Stars in international firms).

Clients have consistently provided positive testimonials about William:

"William is highly praised for his top-notch litigation work representing clients on investigations relating to market misconduct and white-collar crime." (Who's Who Legal Investigations 2022)

"William has been a standout: he is commercially astute, technically sound and extremely responsive." (Legal 500 Hong Kong 2022)

"William Wong is meticulous, professional, thoughtful and willing to listen and consider client needs." (Legal 500 Hong Kong 2022)

"William is a seasoned professional with in-depth experience not just in law, but also possesses excellent compliance related skills and techniques to deal with regulators. He is also very competent in civil litigation. He is highly accessible and responsive." (Legal 500 Hong Kong 2021)

"William is a "very experienced and highly skilled litigation lawyer" whose "responsiveness and attitude is top class". (WWL Investigations 2021)
"William is "knowledgeable" and has an "ability to deliver succinct and appropriate advice". (Legal 500 Asia Pacific 2018)

Before joining Howse Williams in April 2022, William spent over seven years at Clifford Chance's dispute resolution and regulatory practices after working at the Legal and Compliance Department at Bank of American Merrill Lynch and Credit Suisse for four years. He trained and worked with Simmons & Simmons in Hong Kong and London.

William is one of the authors of the Hong Kong chapter of The Practitioner's Guide to Global Investigation (3rd-6th editions) and Lissack and Horlick on Bribery and Corruption (3rd edition).

He is fluent in English, Mandarin and Cantonese.

The below is a list of his selected experience:

- Advising multiple financial institutions and their senior employees on compliance with Banking Ordinance, Securities and Futures Ordinance (including circulars and Codes), HKMA SPMs/Circulars, AMLO, Listing Rules and Takeovers Code
- Advising listed companies and their directors in internal investigations and investigations by HKEX or SFC
- Advising financial institutions (which are covered by investment management or financial services liability insurance) on client complaints, SFC/HKMA investigations and High court litigation relating to a wide range of issues including mis-selling, sponsor work, publication of research reports, conducting unlicensed regulated activities, phone recording requirements, etc.
- Advising major Chinese financial institutions on disputes arising from management of investments for an institutional investor, involving High Court proceedings
- Advising a PRC bank in resisting arbitrations commenced by a minority shareholder in Hong Kong
- Advising financial institutions on internal investigations of employee misconduct
- Advising financial institutions on financial crimes matters, including AML investigations, sanctions compliance, anti-bribery corruption issues, and NSL issues
- Advising crypto exchanges on investigations by the SFC

▼ Experience

2022 Howse Williams
2014 Clifford Chance
2011 Credit Suisse
2010 Merrill Lynch
2005 Simmons & Simmons

▼ Education

2005 Postgraduate Certificate in Laws (Distinction), University of Hong Kong

2004 Bachelor of Laws (First Class Honours), University of Hong Kong

▼ Professional Admissions / Qualifications

2016 Civil Celebrant, Hong Kong

2008 England and Wales

2007 Hong Kong

▼ Professional Affiliations

Member, Law Society of Hong Kong

Member, International Legal Affairs Committee, Law Society of Hong Kong

Member, OLQE Eligibility and Exemption committee, Law Society of Hong Kong

Member, Investment Products and Financial Services Committee, Law Society of Hong Kong (2020-2021)

Member, Solicitors Disciplinary Tribunal Panel, HKSAR Government



Janie Wong

Partner

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Janie focuses her practice on international arbitration, complex commercial litigation and cross-border investigations with an emphasis on Asia. She represents clients in a range of contentious matters including those relating to cross-border fraud, enforcement of arbitral awards and judgments, insolvency, intellectual property rights, M&A deals, private equity investments, product liability, professional negligence and shareholders' disputes. She also counsels clients on regulatory compliance, bribery and/or corruption issues and assists with pre-acquisition due diligence. Most recently, she has been acting for liquidators in a US\$11 billion restructuring of a China-state-linked group.

Janie has been recognised by Who's Who Legal in the category of Litigation – Future Leaders – Partners in 2020 and 2021. Janie was among the lawyers, in-house investigators, prosecutors and academics from the international investigations community profiled by Global Investigation Review in its "Women in Investigations 2021" survey.

Janie is a member of the Hong Kong Law Society Arbitration Committee.

Janie is fluent in English and Cantonese.

▼ Experience

2022 Howse Williams
2018 Addleshaw Goddard (Hong Kong) LLP
2016 Dechert LLP
2008 Orrick, Herrington & Sutcliffe
2004 Tanner De Witt

▼ Education

2019 International Diploma in Governance Risk and Compliance, International Compliance Association (in association with the University of Manchester)
2004 Postgraduate Certificate in Laws, University of Hong Kong
2003 Bachelor of Laws, University of Hong Kong
2002 Bachelor of Business Administration (Law), University of Hong Kong
2001 Bachelor of Arts (Psychology), Queen's University, Canada

▼ Professional Admissions / Qualifications

2007 England and Wales
2006 Hong Kong

▼ Professional Affiliations

Member, Law Society of Hong Kong
Hong Kong Law Society Arbitration Committee



Tony Leung

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Tony is a Partner whose practice focusses on insurance-related matters, complex commercial litigation and arbitration proceedings. He has been with the firm since he joined as a Trainee Solicitor in 2012.

Tony has extensive experience in a range of contentious and non-contentious commercial matters, and frequently acts for and advises clients in court and arbitration proceedings on misrepresentation claims, asset recovery, shareholder disputes, internet fraud claims, fraud investigations, and construction related claims. He has significant experience in building management and tenancy related claims, and his clients include leading real estate / property service companies. Tony has advised on matters relating to data privacy, and acted for a telecommunications / media company in a key case relating to the production of journalistic materials. He also has experience in acting for professional associations and bodies in conducting and defending judicial review proceedings.

Tony has particular experience in insurance-related matters, and frequently advises and acts for clients in connection with claims involving directors and officers as well as professional negligence claims (usually with the involvement of an insurer). He also has experience with policy disputes in relation to medical, life and cargo insurance. He has been a Panel Solicitor for the Hong Kong Solicitors Professional Indemnity Scheme since 2014, advising upon both coverage and defence of a broad range of professional indemnity claims.

Tony is fluent in English, Cantonese, and Mandarin.

▼ Experience

2012 Howse Williams

▼ Education

2012 The Chinese University of Hong Kong, Postgraduate Certificate in Laws (PCLL)

2011 The Chinese University of Hong Kong, Juris Doctor

2009 University of British Columbia, Vancouver, BC, Bachelor of Arts (Economics)

▼ Professional Admissions / Qualifications

2014 Hong Kong

▼ Professional Affiliations

Member, Law Society of Hong Kong

▼ Reported Decisions

- Commissioner of Police v i-CABLE Communications Ltd. [HCMP 119/2016]
- First Asia Finance International Ltd v Tso Au Yim & Yeung [HCA 2128/2013]
- Tsui Yuen (formerly known as Ho Wai Hung) v Ho Tse Wai, Philip Li & Partners (A Firm) (formerly known as Ho, Tse & Wai & Partners) [HCA587/2015 / HKCFI 1447/2019]
- Yip Kin Kwan Kenneth v Rich Well Finance Limited v K.B. Chau & Co. (A Firm) [HCA 2181/2016 / HKCFI 456/2020]
- Chan Shu Chun and Another v Dr Kung Yan Sum and Others [HCA 832/2014 / HKCFI 840/2023]

▼ Publications

Halsbury's Laws of Hong Kong: Insurance (Vol.32(1)&(2)) (co-author)



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Partner

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Damien specializes in complex corporate restructurings, contentious and non-contentious insolvencies, turnarounds and workouts, contentious credit enforcement, special situations advisory matters, and related litigation. Damien has over 20 years' experience, including over 15 years in Asia, in assisting clients to navigate all aspects of complex, cross border debt restructuring, workout, enforcement and litigation issues, including:

- financial restructurings, including by way of schemes of arrangement, external appointments and Chapter 11
- corporate insolvencies, including liquidations, administrations and consensual workouts
- credit management, including security reviews, receiverships and other enforcement options
- special situations, including proprietary acquisition or disposals of non-performing loans and assets in established and emerging markets
- shareholder, board and investor disputes, including injunctions and other applications for relief, related general litigation and arbitration matters
- domestic and cross border recognition, including under the UNCITRAL Model Law and Chapter 15
- general advisory on actual or impending financial distress, including contingency planning, strategy and risk management

Damien acts for financial institutions, funds, ad hoc creditor committees, insolvency practitioners, turnaround management firms, trustees, agents, investors, boards and officers.

Widely recognized as one of the leading restructuring and insolvency lawyers in the region, Damien has an established track record of involvement in a range of high profile, high value, complex matters in respect of distressed companies and investments across a range of industry sectors, in particular real estate, financial services, aviation, energy and resources, maritime and shipping.

Damien is known for drawing upon his extensive client experience, significant transaction experience, and from across other practice groups, to provide technically strong and commercially pragmatic advice.

Damien is recognised as a leading lawyer for restructuring and insolvency by Legal 500 and Chambers Asia - "... the 'excellent' Damien Whitehead excels at handling transactional and contentious matters, and also benefits from a significant degree of commerciality gleaned from his years spent in house..." (Legal 500).

Damien regularly speaks at conferences and seminars, provides market insights to various media, and publishes articles and guides on market developments, legislative changes and specific legal issues. He serves on a number of industry committees, including as president of the Turnaround Management Association (HK Chapter), INSOL and select advisory committees in relation to restructuring and insolvency law reform in the region.

▼ Experience

2024 Howse Williams
2021 CarVal Investors
2018 Ashurst
2016 White & Case LLP
2013 Herbert Smith Freehills
2010 Baker & McKenzie

▼ Education

2006 IPAA/University of Southern Queensland
1998 The University of Western Australia

▼ Professional Admissions / Qualifications

2011 Hong Kong
1999 Australia

▼ Professional Affiliations

Member, Law Society of Hong Kong

Our Team

Bianca Wu

Senior Associate

Bianca joined the medico-legal team in Howse Williams upon completing her training contract in 2013. She has experience in dispute resolution and medico-legal matters (including non-contentious matters). She advises healthcare professionals and hospitals on clinical negligence claims and complaints, Coroner's inquests, disciplinary proceedings, debt-recovery by hospitals, Mental Health Ordinance matters and criminal matters. Bianca is fluent in English and Cantonese.

