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Howse Williams Bowers 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 clinical negligence and healthcare; corporate/commercial and corporate finance; commercial and maritime dispute resolution; insurance, personal injury and professional indemnity insurance; employment; family and matrimonial; property and building management; banking; 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 HWB 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 Clinical Negligence and Healthcare Practice

The medico-legal team advises doctors, dentists, nurses, midwives, physiotherapists, pharmacists, chiropractors, osteopaths and other healthcare professionals and other healthcare professionals. The partners also advise private hospitals, medical group practices, 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.

Our team of over ten lawyers, four of whom are partners, is led by the firm’s senior partner, Chris Howse. Chris has over 25 years of experience assisting healthcare professionals in Hong Kong. Our team has unrivalled expertise and is widely respected as being a leader in medico-legal and pharmaceutical markets in Hong Kong. Two of our partners are dual-qualified as lawyers and medical practitioners.

Our Approach

At HWB we defend healthcare professionals and institutions on a broad range of clinical negligence and healthcare related matters. We provide timely advice, as soon as clinical incidents occur, often outside office hours.

We are mindful that the cases we handle are often very sensitive and professional reputations are at stake. We provide practical solutions to resolve problems and protect our clients' interests. We diligently investigate and obtain early expert assistance where required.

We also have expertise to advise on the professional and legal obligations when setting up a medical practice (whether as a sole practitioner, limited company, or a partnership or group practice). These issues concerning the business aspects of medical practice include compliance with Medical Council provisions including those governing practice promotion and the announcement of commencement of practice; potential liability issues of the doctor/owner, or the partners or the company; obtaining professional indemnity insurance cover for the medical and nursing staff; fulfilling the requirements for making contributions to the Mandatory Provident Fund; and also obtaining insurance cover for potential liabilities under the Employee Compensation Ordinance and for public liability.

Healthcare Expertise

We advise on a broad range of medico-legal matters including:

- Clinical negligence claims against doctors, dentists and private hospitals including high value obstetric cases, brain damage cases and fatality claims. We secure early discontinuance of frivolous claims. We represent clients in the District Court, High Court, Court of Appeal and Court of Final Appeal.
- Department of Health investigations, particularly sentinel event investigations arising from adverse incidents. We assist the doctor and sometimes the
hospital prior to any interview. This includes the preparation of medical reports and meeting with various staff members.

- Medical Council and Dental Council matters. We have an impressive track record of disposing of cases at the Preliminary Investigation Committee. If a case is referred to the inquiry stage we represent the doctor ourselves at the inquiry (as opposed to routinely instructing barristers).
- Education and Accreditation Committee issues such as restriction or withdrawal of the specialist registration for doctors.
- Coroner's inquests arising from patient deaths. We usually undertake our own advocacy at the inquests and we are well known to the coroners.
- Criminal investigations and proceedings such as manslaughter, indecent assault and fraud – we attend police interviews, ICAC interviews and assist with cautioned statements.
- Dangerous drug prosecutions and Magistrate Court hearings.
- Mental Health Tribunal work. Dr David Kan has served as a member of the Guardianship Board and has expertise in handling Guardianship Board matters and applications under the Mental Health Ordinance.
- Judicial Reviews.
- Mediation – two of our team's lawyers are accredited mediators and are called on to mediate clinical disputes. Where appropriate, our team use mediation to resolve claims for negligence.
- General legal and ethical advisory work on a wide range of matters such as confidentiality, informed consent, data protection legislation, practice promotion and advertising.
- Legal ramifications of reproductive technology treatment, particularly sex selection and surrogacy.
- Drafting risk assessment policies within clinics and hospitals on high risk areas of clinical management.
- Defamation and libel proceedings in the medical field.

Pharmaceutical Expertise

We advise biotech and pharmaceutical companies, and other organisations, on a variety of matters including:-

- Product liability claims for defective medical and pharmaceutical products including consequential economic loss.
- Advising pharmaceutical companies on clinical trials (particularly with adverse events/patient harm)
- Assisting with the complex regulatory framework for registering, importing and selling drugs
- Drafting distribution agreements with various parties such as importers and distributors.
- Contractual claims for breach of warranty and civil claims for compensation
- Representing pharmaceutical companies in the Courts for breach of strict liability offences concerning the supply of pharmaceutical products.
- Intellectual Property matters are advised on by our specialist IP team.
Medico-legal Employment

Our healthcare team works closely with HWB’s specialist employment team to advise on sensitive areas such as:-

- Staff grievance investigations and hearings within the clinical environment.
- Appeals of healthcare workers facing disciplinary sanctions such as warnings, suspension, stoppage of increment and removals.
- Other employment related matters such as unfair and prejudicial references and revocation of admission privileges.
- Media guidance including press releases, following high profile staff disputes/incidents where patients have been harmed.
- Advice upon staff recruitment, contract terms, transfers, remuneration, terminations, redundancies, minimum wage, discrimination and other general employment issues applicable to the healthcare industry.

Regulatory Advice

We have provided medicolegal regulatory advice to a wide range of individuals and entities on issues including:

- The categorisation of medical devices and drafting of distribution agreements for medical device manufacturers.
- Advising how the Hong Kong statutory pharmaceuticals regime affects veterinary surgeons and veterinary product importers / distributors.
- Drafting end-user and physician-user agreements for healthcare apps.
- Advising medical start-ups on regulatory, employment, property and corporate structuring issues.
- Packaging requirements for pharmaceutical / cosmeceutical products.
- Advising healthcare companies on relationships with medical and dental professionals.
- Guiding medical device companies and healthcare companies on legal issues affecting proposed marketing initiatives.
Chris Howse was admitted as a solicitor in Hong Kong in 1981 after being seconded by the London office of a city law firm, Richards Butler, to build up its Hong Kong office. He was the Senior Partner and Managing Partner of the Hong Kong office of Richards Butler until December 2011. Following the takeover of Richards Butler Hong Kong by an American law firm he set up Howse Williams Bowers on 1 January 2012 with a large number of partners and solicitors from the Hong Kong office of Richards Butler. The firm is now one of the largest independent law firms in Hong Kong.

Chris Howse is the head of the medico-legal team. He started to undertake medico-legal work in 1985. He has been providing professional advice and assistance to doctors, dentists and other healthcare professionals and to the private hospitals of Hong Kong on a wide range of medico-legal issues for over 30 years. His firm have been panel lawyers for the Medical Protection Society and Dental Protection Ltd. since the mid-1980s.

The medico-legal areas on which Chris Howse provides advice and assistance include:

1. Civil claims being pursued against doctors and dentists in the Hong Kong courts.
2. Defending doctors and dentists before the Medical Council and Dental Council.
3. Representing doctors and dentists at inquests.
4. General advice and assistance on a wide range of medico-legal topics arising from the everyday practice of doctors, dentists and other healthcare professionals.
5. Department of Health investigations.
6. Advice concerning pharmaceutical companies, clinical trials and the import and export of medicines and other medical products into and out of Hong Kong.

Experience

2012  Howse Williams Bowers
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 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

Direct +852 2803 3658
Mobile +852 9731 2010
Fax +852 2803 3608
Email david.kan@hwbhk.com

A medical doctor as well as a solicitor and solicitor advocate, David specialises in clinical negligence claims, advising healthcare professionals, including doctors, dentists, physiotherapists, midwives and nurses. His clients also include insurance companies, pharmaceutical companies, biotechnology companies, medical device manufacturers, hospitals, specialist group practices and other corporate healthcare providers. David’s legal career began with Richards Butler Hong Kong.

He has experience in handling coroner’s inquests, disciplinary and medical criminal proceedings, investigations commenced by the ICAC and Privacy Commissioners, product liability claims and other healthcare regulatory matters. David also has a special interest in providing advice on mental health laws and ethical issues such as consent and euthanasia.

A proponent of alternative dispute resolution, David is an accredited mediator of the Hong Kong International Arbitration Centre. Before qualifying as a lawyer, David practised medicine for five years in the UK. He remains a CME-certified medical practitioner and in 2008 was appointed an Honorary Associate Professor of the University of Hong Kong Li Ka Shing Faculty of Medicine.

Between 1991 and 1996, David practised general medicine as a house physician and then as a general surgeon. He subsequently worked in private medical practice in the UK as a part-time resident medical officer in various hospitals. He has been registered as a medical practitioner in the UK since 1991 and in Hong Kong since 1994.

In 2016 David was granted Higher Rights of Audience and accredited as a Solicitor Advocate by the Higher Rights Assessment Board in Hong Kong. David is accredited in the civil proceedings category, by way of assessment. David has substantial advocacy experience representing clients before the Coroner's court and at Medical and Dental Council hearings. As a Solicitor Advocate David may also advocate for clients, similar to a barrister, in Hong Kong's Court of First Instance, Court of Appeal and Court of Final Appeal.

Experience

2012 Howse Williams Bowers
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

2007  University of Hong Kong, Postgraduate Diploma in Child and Adolescent Health
1996  Keele University, Master Degree in Medical Law
1996  Birmingham University, LPC (with commendation)
1995  Birmingham University, CPE
1991  Nottingham University, Bachelor of Medicine and Bachelor of Surgery
1990  Nottingham University Exhibition Prize for Medicine
1989  Nottingham University, Bachelor of Medical Sciences (Hons)

Professional Qualifications

1999  Hong Kong
1986  England and Wales
MA (Med Law), MBBS, MFFLM, BMed Sci (Hons), PDipCAH

Professional Affiliations

Founding Member, Faculty of Legal and Forensic Medicine, Royal College of Physicians UK
Member, Fitness-to-Practice Committee, University of Hong Kong Medical School
Legal Advisor, Hong Kong Medical Association
Legal Advisor, British Medical Association of Hong Kong
Member, Ethics Committee for the Hong Kong College of Obstetrics and Gynaecology
Panel Member, Guardianship Board of Hong Kong (2005-2008)
Vice-chairman, New Medico-Legal Society of Hong Kong (2005-2007)
Member, Personal Injury Medical Negligence Law Association of Hong Kong
Member, Hong Kong Association of the Pharmaceutical Industry
Member, Law Society of England and Wales
Member, Law Society of Hong Kong
Both a medical doctor and a 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 Coroner’s Court, the Medical Council, clinical negligence claims and Department of Health investigations. He was admitted as a solicitor in Hong Kong in 2004 and in England and Wales in 2005. Bernard also acts for hospitals and other institutional and corporate healthcare providers in a comprehensive array of healthcare legal matters. His 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. During and following his medical training, Bernard worked as a doctor in NHS hospitals in the UK as a house physician and house surgeon. He was commissioned into the British Army in 1989 and worked as an army doctor until 1994. After leaving the army, 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.

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 has also presented 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 Bowers  
  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 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, Law Society of England and Wales
Member, Law Society of Hong Kong
Oonagh Toner
Partner

Direct +852 2803 3697
Fax +852 2803 3608
Email oonagh.toner@hwbhk.com

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 Bowers
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 joined HWB in March 2014, having previously worked as a partner with HWB’s senior partner Chris Howse at Richards Butler in Hong Kong. She specialized in professional negligence and commercial litigation and has extensive experience in dispute resolution and commercial and professional negligence litigation. Alison returned to England in 1998 and was appointed as a Tribunal Judge with her Majesty’s Courts and Tribunals Service specializing in Social Security law (including human rights and EC law, tax credits and benefit fraud). She was also appointed as a legally qualified chairperson for the Residential Property Tribunal in Wales, hearing appeals in respect of service charge disputes, enfranchisement valuations, determinations of fair and market rents, HMO licensing, rent repayment orders, park homes and local authority gypsy and traveller licensing issues and Right to Manage disputes. She continues to sit in both jurisdictions, returning to the UK for short periods to do so.

Alison continues to advise in respect of commercial litigation matters but also provides professional indemnity advice and assistance to doctors, dentists and other healthcare professionals in HWB’s medico legal practice.

**Experience**

2014    Howse Williams Bowers
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 Qualifications**

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

Maureen Liu  
*Senior Associate*

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.

Carmen Fung  
*Senior Associate*

Carmen specialises in insurance litigation. She has extensive experience in handling personal injury and insurance litigation claims on behalf of insurance companies. Carmen also advises insurers on policy-related issues and defence of claims. Carmen is fluent in English, Cantonese and Mandarin.

Anjelica Tang  
*Senior Associate*

Anjelica has extensive experience in a wide range of commercial litigation and insurance matters, particularly in relation to the defence of professional negligence claims. Prior to joining Howse Williams Bowers, she was a panel solicitor for the Hong Kong Solicitors Indemnity Scheme from 2012 to 2016, and has represented law firms in connections with a broad range of claims.

Anjelica now also focuses on medico-legal matters. She advises healthcare professionals, hospitals and their indemnity providers on clinical negligence claims and complaints, coroner's inquests and disciplinary proceedings.

Anjelica is fluent in English and Cantonese.

Bianca Wu  
*Associate*

Bianca has experience in dispute resolution and medico-legal matters. She advises healthcare professionals and hospitals on clinical negligence claims and complaints, Coroner's inquests and disciplinary proceedings. Bianca is fluent in English and Cantonese.
Hiu Yee Chung  
*Associate*

Hiu Yee has experience in insurance litigation including professional indemnity, regulatory and medico-legal matters. Hiu Yee was admitted in Hong Kong in 2012. She is an accredited mediator with the Hong Kong International Arbitration Centre and the Hong Kong Mediation Accreditation Association Limited. Hiu Yee is fluent in English, Cantonese and Mandarin.

Betty Lee  
*Associate*

Betty specialises in providing Hong Kong employment law advice and advises international corporations, small companies and individuals upon contentious and non-contentious employment-related matters.

Betty has experience advising upon compensation and benefits, employment protection, payment on completion and termination of contracts of employment, employment and consultancy agreements, secondment agreements, effect and enforceability of restrictive covenants, discrimination policies, maternity protection, summary dismissal and termination of contracts of employment, transfer and dismissal of employees upon corporate restructuring. Betty also has experience in immigration related issues such as entry permits, visas and permanent residence.

Natasha Tin  
*Associate*

Natasha specialises in insurance litigation and commercial litigation. She also has experience in handling personal injury and employee compensation claims. Natasha is fluent in English, Cantonese and Mandarin.

Katy Yeung  
*Associate*

Katy qualified as a Solicitor in England and Wales in 2011 and was admitted as a Hong Kong Solicitor in 2015. Katy has experience in medico-legal matters. She advises healthcare professionals on clinical negligence claims and complaints, Coroner's inquests and disciplinary proceedings. Katy is fluent in English and Cantonese.