



 Howse Williams Bowers

# Insurance Practice

March 2018

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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.**

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## **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; 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.

## General Insurance

HWB acts for underwriters, brokers and intermediaries, principally regarding policy issues, coverage disputes as well as personal injury and employee compensation claims. Our core practice areas include:

- Admiralty insurance
- Asset and structured finance
- Business interruption insurance
- Corporate and regulatory insurance
- Directors' and officers' liability insurance
- Event insurance
- General insurance and reinsurance
- International trade
- P&I insurance
- Personal injury
- Professional indemnity
- Shipping insurance

We provide a full service in respect of insurance and reinsurance matters, including policy drafting and interpretation, coverage issues, contracts, regulatory advice and crisis management. Our diverse international clients include insurance and reinsurance companies, brokers, Lloyd's syndicates, corporate and individual policyholders, administrators and liquidators.

To best assist our clients, we leverage our in-depth knowledge in drafting and interpreting policy terms as well as handling non-marine and marine insurance and reinsurance disputes in litigation, arbitration and mediation. We are accustomed to working with liquidators and administrators in the insurance industry when they encounter financial difficulties.



## Admiralty Insurance

With one of the most extensive maritime law practices in Hong Kong, HWB's shipping team provides a full service to its clients in the shipping insurance market. Our clients include ship owners, charterers, brokers, insurance companies, P&I Clubs, trading companies, forwarders, shipping agents and cargo underwriters. We are heavily engaged in the admiralty or "wet" aspects of maritime litigation. Our team acts on maritime incidents arising in and around Hong Kong as well as throughout the Far East and Southeast Asia. The maritime documents and matters upon which we advise include:

- Actual and constructive total loss
- Measures of loss and damage
- Maritime investigations, arbitrations, mediation and litigation
- Limitation and associated matters
- Oil and other types of pollution
- Personal injury and death claims arising from maritime incidents
- Pilotage
- Salvage
- Towage
- Wreck removal
- Bills of lading
- Carriage of goods
- Collisions
- Demise, time and voyage charter parties
- P&I and defence club rules
- Limitation
- Marine insurance and reinsurance
- Oil and other pollution
- Provision of security
- Sale and purchase of vessels and oil rigs
- Ship arrests
- Shipbuilding contracts
- War risks
- Force majeure

## Corporate and Regulatory Insurance

HWB possesses a wealth of experience at the local, regional and international level. We offer our clients practical and commercial advice upon all aspects of company and commercial law including:

- Acquisitions and disposal of companies and their undertakings including insurance companies
- Commercial and trade agreements including agency and distribution agreements
- Insurance-related bonds, indemnity agreements and service agreements
- Mergers and acquisitions
- Regulation of insurers, brokers and intermediaries

- Restructuring and reorganizations
- Share options and profit-sharing schemes

## **International Trade**

HWB's scope of practice touches all areas of international trade law. We advise trading companies, trade associations, banks and governments and other institutions involved in international trade. Because a large portion of this work relates to goods carried by sea, we are fully versed in advising on problems arising under bills of lading, charterparties, multi-modal transport documents and contracts of insurance. Our Insurance and Shipping teams work together in the conduct of these overlapping practice areas.

## **Personal Injury**

HWB's personal injury practice in Hong Kong includes:

- Advice and representation at coroners' inquests, medical disciplinary hearings and criminal proceedings.
- General personal injury work such as employee compensation claims, road traffic accidents and personal injury claims arising in a shipping context.
- Medical litigation claims where we act primarily on behalf of medical practitioners and their insurers.
- Our Medico-Legal team is often involved with our Insurance team in the conduct of personal injury claims.

## **Professional Indemnity**

As one of HWB's key practice areas, our professional negligence experience means that we work closely with a wide range of professionals in Hong Kong and beyond as well as with a number of bodies representing professionals, including the Law Society of Hong Kong, the Hong Kong Society of Accountants, the Medical Protection Society, Dental Protection Limited, the Physiotherapy Association and other medical and professional bodies. We provide services to the following professionals:

- Accountants
- Architects
- Biotech companies
- Chiropractors
- Dentists
- Directors and officers
- Doctors
- Engineers
- Estate agencies
- Financial institutions
- Fund managers

- Health care workers
- Nurses
- Occupational therapists
- Pharmaceutical companies
- Pilots
- Private hospitals
- Property agencies
- Solicitors
- Speech therapists
- Surveyors

Providing advice and guidance to professionals on a wide range of issues, we act for professionals in disciplinary proceedings before bodies such as the Medical and Dental Councils. In addition, our advice and assistance extends to the defence of negligence and other claims against professionals. Ever mindful that cases are usually highly sensitive and that professional reputations are at stake, our approach is strictly confidential and professional.

Biotech and pharmaceutical companies are among the organizations that we represent on professional liability matters. We also provide advice upon and assistance with the drafting and interpretation of the appropriate policies and the rules of each profession.



## Chris Howse

*Partner*

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Chris specialises in maritime and commercial dispute resolution, handling a wide range of disputes in 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 possesses 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 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)



## Kevin Bowers

*Partner / Solicitor Advocate*

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Kevin specialises in commercial, insurance and employment litigation and dispute resolution both in Hong Kong and internationally. He handles complex multi-jurisdictional commercial cases involving debt recovery, sale of goods, trade finance, media law, fraud, shareholder, joint venture, employment, property (including land rights disputes and building management / tenancy issues) and franchise disputes, contentions probate/trusts, asset tracing, injunction proceedings, jurisdictional challenges, public inquiries and judicial reviews.

He acts for both employers and employees in a wide range of contentious and advisory employment matters, and is experienced in advising upon and handling internal disciplinary investigations and proceedings.

Kevin acts for a wide range of commercial and residential landlords and tenants, as well as asset / building managers in high value property rights disputes and has successfully defended a claim for HK\$300 million arising from the competing uses of commercial properties in Hong Kong.

He is also experienced in professional indemnity, D&O liability and other general insurance and reinsurance-related claims. Kevin has been a panel solicitor for the Hong Kong Solicitors Professional Indemnity Scheme since 1997.

His experience extends to defamation-related litigation and pre/post-publication advice to both printed and new media-based publications in Hong Kong and abroad, and regularly advises on broadcast and telecommunications matters.

Kevin is seasoned in conducting U.S. overseas depositions and is an advocate of alternative dispute resolution as well as an Accredited Mediator.

Kevin has represented major clients on important, high-value matters. He acted on behalf of Hong Kong's main cargo handler in *The Commission of Inquiry into the Opening of the Hong Kong International Airport* and for appellant insurers to the Privy Council in England. Kevin was also successful in obtaining one of the most far-reaching restraining orders worldwide from the Court of First Instance in Hong Kong and in representing a professional regulatory body before the Court of Final Appeal in Hong Kong in judicial review proceedings.

### ▼ *Experience*

2012 Howse Williams Bowers

2011 Reed Smith Richards Butler

2008 Richards Butler in Association with Reed Smith LLP

2006 Richards Butler, Hong Kong

1997 Deacons, Hong Kong  
1995 Masons, Hong Kong  
1990 Masons, London

▼ *Professional Qualifications*

1997 Hong Kong  
1992 England and Wales

▼ *Professional Affiliations*

Solicitor Advocate  
Accredited Mediator, Hong Kong International Arbitration Centre (HKIAC)  
Member, HKIAC Mediation Council  
Accredited Mediator, Law Society of Hong Kong  
Accredited Mediator, Hong Kong Mediation Accreditation Association (HKMAAL)  
Associate Member, Association of Certified Fraud Examiners (ACFE)  
Examiner, University of Hong Kong (1998)  
Member, Professional Indemnity Advisory Committee, Law Society of Hong Kong  
Member, Law Society of England and Wales  
Member, Law Society of Hong Kong  
Member, Hong Kong Insurers Club  
Member, Hong Kong Insurance Law Association  
Member, The Professional Negligence Lawyers' Association

▼ *Education*

1990 Guildford College of Law, CPE  
1989 University of Bristol, LLB (Hons)

▼ *Reported Decisions*

- Red Sea Insurance Co. Ltd. v. Bouygues S.A. & 22 Others [Privy Council Appeal No.32/1993]
- The Law Society of Hong Kong v. Robert James Brook [FACV20/1998]
- Park Kit Investment Limited v. Tsang Kwok Fun t/a Dickie Tsang & Co. [HCA 4757/1998]
- Yeung Sai Ying by his lawful attorney Chan Mei Ching v. Kan Chung Nin Tony & Ho Chi Keung Raymond all formerly t/a Tony Kan & Ho [HCA 5963/2000]
- Benefit Charter Ltd. v. Kevin L.H. Kwong & Co. & Hung Chun Leung [HCA 4775/2000]
- Ray Chen v. Wan Ching Lam & Johnson Stokes & Master [2002] HKEC 704
- Great Honour Investments Ltd. & Wall International Investments Ltd. v. Ko Yin, Sino Global International Ltd. & Li Wong & Lam [HCA 298/2002]
- Kensland Realty Ltd. v. Whale View Investment Ltd. & Tam, Pun & Yipp [2002] 1 HCA 243
- Lee Shing Hong Ltd. v. Leon Ko & James Towliss (representative members or associates of the organization known as Greenpeace) [HCA 1741/2002]

- China United Holdings Ltd. & Large Investments Ltd. v. Johnson Stokes & Master [2005] HKEC 394
- All Link International Ltd. v. Ha kai Cheong & Another [2005] HKEC 881
- Wonderyouth Industries Ltd. v. China Great Wall Finance Co. [FACV 9/2005]
- Jae Hoon Oh v. Richdale [2005] 2 HKLRD / Chin & Another v Richdale & Another [HCPI 1887/2000]
- Chua Ming Yuen v. Hentron Investments Ltd. & Kwan Lai Hung and Kwan Lai Hung t/a L.H. Kwan & Co. v. Rowland, Chow, Chan & Co. & Hentron Investments Ltd. [2006] HKEC 263
- John Jude Monteiro v. Incorporated Owners of Block Nos. 41-44 Baguio Villa [2008] HKEC 1722
- Kwok Ping Sheung Walter v. Sun Hung Kai Properties Ltd & Others [HCA 857/2008 & CACV 145/2008]
- Nicholas Hill v. Alvarez & Marsal Asia Ltd. [HCA 56/2008 & HCMP 2461/2006]
- Cityability Ltd. v. Treasure Spot Investments Ltd. [2010] HKEC 148
- Re Wing Fai Construction Co. Ltd. [2010] HKEC 644
- Peter De Krassel v. Chu & Ors [HCA 1151/2005]
- Lehman & Co. Management Ltd. v Effiscient Ltd. & Another [2011] HKLRD 237
- Grant David Vincent Williams v Jefferies (Hong Kong) Ltd. [2013] HKEC 981
- Commissioner of Police v. i-CABLE Communications Ltd. [HCMP 119/2016]

#### ▼ *Publications*

- Contributing Editor, Hong Kong Civil Procedure: "*Hong Kong White Book*" (2004-2018)
- Contributing Editor, *Hong Kong Insurance Law* (2003 & 2009)
- Contributing Editor, *Halsbury's Laws of Hong Kong: Volume 15(1) Insurance* (2007)
- Exclusive Contributor (Hong Kong), *International Law Office: Insurance* (2006 - 2017)

#### ▼ *Professional Recognition*

##### *Firm*

- Hong Kong Law Firm of the Year - 2014 Chambers Asia Pacific
- HWB's commercial dispute resolution, insurance and employment practice groups are consistently ranked by *Asia Pacific Legal 500* and *Chambers Asia Pacific*

##### *Self*

- Kevin is consistently recognised as a leading commercial dispute resolution, insurance and employment lawyer by *Asia Pacific Legal 500*, *Chambers Asia Pacific*, *Global Law Experts*, *Asialaw Leading Lawyers* and *Euromoney's Legal Who's Who Hong Kong*



## David Kan

*Partner, Solicitor Advocate*

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A medical doctor as well as a solicitor, 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.

An advocate 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.

### ▼ *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



## David Coogans

*Partner*

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David specialises in maritime dispute resolution and international trade with over 25 years of experience in all types of wet and dry shipping matters. He has experience in collision, salvage and pollution cases as well as charterparty and bills of lading disputes. He advises ship-owner salvors, charterers, freight forwarders and P&I clubs. Before qualifying as a lawyer, David served as a deck officer with the Cunard Steamship Company. Whilst at sea David served on various types of vessels including container ships, oil tankers and refrigeration cargo ships. He is familiar with all aspects of Admiralty procedure.

David's non-contentious experience includes negotiating a wide variety of commercial contracts including those concerning container leasing, trans-shipment and off take agreements contracts for iron ore export projects in Australia. He has also negotiated and drafted many forms of charterparties, letters of guarantee and other commercial contracts.

David has handled legal covers in many jurisdictions including Hong Kong, the UK, Australia, New Zealand, India, Bangladesh, China, Indonesia, Vietnam, Taiwan, Japan, Singapore, and South Korea.

### ▼ *Experience*

2012 Howse Williams Bowers  
2011 Holman Fenwick Willan, Head of Sydney office  
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 2<sup>nd</sup> Deck Officer's Certificate of Competency

### ▼ *Professional 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



## Alison Scott

*Partner*

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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





## William Leung

*Partner*

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As a prominent commercial litigator in Hong Kong, William has extensive experience in Shareholder's disputes and company's risk management issues. He has almost two decades of experience in advising companies (including listed companies) on Shareholder's disputes and other regulatory issues. He also acts for both trustees and beneficiaries on contentious trust matters. His clients span a wide range of industries including maritime and logistics, retail, financial institutions and insurance. William also regularly acts for high net worth individuals on personal wealth matters.

William has been consistently named as one of the leading lawyers in Hong Kong. (AsiaLaw, 2013; Chambers Asia 2014 – 2017; Asia Pacific Legal 500 2014 – 2017)

William also specialises in contentious disputes covering logistics / transport, maritime arbitration and marine insurance matters. He has unrivalled experience in handling a wide range of contentious matters with a particular emphasis on bills of lading/air waybills, cargo claims, demurrage, forwarding and logistics disputes. He has advised on various marine insurance matters and various regulatory matters such as enforcement actions by Customs & Excise, Labour Department and Environmental Protection Department.

William leads a market leading practice and he is appointed as panel lawyer for major blue-chip insurance companies, international logistic companies, 4 out of 5 containers terminals in Hong Kong and major 3PL and 4PL providers in Hong Kong. He has also acted for prominent maritime liquidators and major shipowners and their liability insurers on substantial disputes in London and Hong Kong.

William regularly gives talks and seminars on shipping matters and is well known within the shipping circle. He is admitted to practice in both Hong Kong and England & Wales.

### ▼ *Experience*

2015 Howse Williams Bowers  
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 England and Wales

1999 Hong Kong

▼ *Public Posts*

2017 Since 2017 to the present The Transport Tribunals' Panel (Member)  
appointed by Secretary for Transport and Housing

2015 The Board of Review, Inland Revenue Department (Panel member)

2015 The Obscene Articles Tribunal (Member Adjudicator appointed by Chief  
Justice of HKSAR )

2013 Admiralty Court Users Committee appointed by Chief Justice of HKSAR  
(Member)



## Michael Withington

*Partner*

Direct	+852 2803 3612
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Fax	+852 2803 3608
Email	michael.withington@hwbhk.com

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 Bowers 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 Bowers  
2012 Gall  
2002 Herbert Smith Freehills  
1998 Wilkinson & Grist  
1994 Haldanes

### ▼ *Education*

1987 The University of Sydney, LLB

### ▼ *Professional 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 Sacconi [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"

## 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.

### **Eviana Leung**

*Senior Associate*

Eviana is a senior associate in the shipping team. She was admitted to practise in Hong Kong in 2008.

Prior to joining Howse Williams Bowers, Eviana received training from the shipping department of an international law firm with a strong dispute resolution and arbitration practice in Hong Kong and thereafter joined and was promoted as senior associate of another international law firm specialising in acting for prominent marine liability insurers.

She has vast experience in both contentious and non-contentious maritime, commercial, contractual, international trade matters with a particular emphasis on marine policy coverage disputes. On the contentious side, she advises on various disputes relating to marine insurers, freight forwarders, international logistics providers with a particular focus on cargo loss, arresting of vessel and yacht liabilities. Eviana has vast experience on maritime arbitration in both Hong Kong and London and enforcement of maritime arbitration awards.

On the regulatory side, Eviana advises majority of the major container terminals in Hong Kong on enforcement actions by labour department on occupational health & safety issues and Customs & Excise.

She acts for more than 10 marine liability insurers and is known within the marine insurance circle as a solution-driven lawyer who would provide sound practical advice. Eviana is fluent in English, Cantonese and Mandarin.

## **Kane Mak**

*Senior Associate*

Kane is a Senior Associate in the commercial dispute resolution practice. He regularly advises on litigation and contentious regulatory matters. He has extensive experience handling disputes involving financial institutions and multinational corporations across various business sectors. He handles criminal and regulatory investigations and financial crime defence work. His experience includes advising corporations on handling urgent search warrants issued by law enforcement agencies. He also advises corporations on compliance policies and training. Kane is a member of the Law Society of Hong Kong's Criminal Law and Procedure Committee and is an accredited general mediator. Kane is fluent in English, Cantonese and Mandarin.

## **Germaine Ko**

*Senior Associate*

Germaine is an associate who specialises in insurance litigation. She is very experienced in advising all aspects of insurance and personal injury litigation including advising renowned insurers on policy issues and defending claims involving Employees' Compensation for various business sectors, Contractor's All Risks, Public Liability, Motor Vehicle Liability, and Professional Indemnity Liability.

Having been trained and practised in renowned law firms specialising in insurance matters and attended secondment with major insurer, she has gained vast experience in advising insurance companies in substantial claims on liability and quantum, pragmatic settlement strategy, including mediation option in order to minimise costs exposure for her clients. She has represented companies in various sectors, including major construction companies, cleaning companies, property management companies, and container terminals etc.

She is an accredited mediator on general panel of Hong Kong International Arbitration Centre since 2012. She is fluent in English, Cantonese and Mandarin.

## **Tony Leung**

*Associate*

Tony joined HWB as a Trainee Solicitor in 2012. He completed his training contract and was admitted as a Solicitor in Hong Kong in 2014 after gaining experience in

general commercial, shipping and medico-legal litigation and corporate/corporate finance work. Tony joined HWB's commercial dispute resolution team on qualification and is regularly involved in commercial and insurance litigation and dispute resolution. He has experience in insurance (including D&O liability and professional indemnity), misrepresentation claims, debt recovery, shareholder disputes, and construction / building management matters. Tony has also advised on matters relating to data privacy, and acted for a telecommunications / media company in relation to the production of journalistic materials.

Since 2014, Tony has been a Panel Solicitor for the Hong Kong Solicitors Professional Indemnity Scheme, advising upon both coverage and defence of a broad range of professional indemnity claims. Tony is fluent in English, Cantonese and Mandarin.

## **Viviane Lok**

*Associate*

Viviane joined HWB in November 2014 as a paralegal and became a Trainee Solicitor in 2015. On qualification in March 2017, she joined the firm's commercial dispute resolution team as an Associate. Viviane has particular involvement in the handling of commercial litigation, insurance and professional indemnity, employment, broadcast / telecommunications and property / building management matters.

Before becoming a lawyer, Viviane was a fundraiser for a local Hong Kong not-for-profit organization.

Viviane is fluent in English, Cantonese and Mandarin.



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