

Steven Kwan



Call

1992 (Hong Kong)

Areas of Practice

Commercial & Banking Law
Companies
Confidentiality & Privacy
Conflicts of Law
Contract
Criminal Law
Defamation
Employment
Equity & Trusts
Injunction & Contempt
Mental Health
Probate & Succession
Professional Liability
Property & Land
Public Law & Judicial Review
Regulatory & Disciplinary
Unjust Enrichment

Contact

Secretary: **Ms. Winnie Fung**

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Practice Profile

Steven is a battle-hardened advocate in both civil and criminal matters.

Steven has an artisanal practice. His work for each client is handcrafted with care and precision, based on more than 30 years of experience in the trenches.

His civil practice covers public law, general civil procedure, company law, conflict of laws, contract law, evidence, guaranty and indemnity, land, legal profession, limitation of actions, mutual legal assistance and trust.

On the criminal side, Steven defended a major property developer charged with conspiring with the Chief Secretary for the latter to misconduct himself in public office. The developer represented by Steven was the

only defendant fully acquitted by the jury after a trial lasting for more than 120 days.

Steven also represented one of the 47 defendants (known as the “Hong Kong 47”) charged with conspiracy to commit subversion in connection with the 2020 Hong Kong pro-democracy primaries. Steven’s lay client was acquitted unanimously by a panel of designated judges after a trial lasting for 118 days.

Steven has been a member of Bernacchi Chambers since 1993.

Selected Cases

Hong Kong Special Administrative Region

Court of Final Appeal

- *Secretary for Justice v Timothy Wynn Owen KC* (2022) 25 HKCFAR 288, [2022] HKCFA 23
- *HKSAR v Chan Chun Kit* (2022) 25 HKCFAR 191, [2022] 6 HKC 1, [2022] HKCFA 15
- *Pacific Electric Wire & Cable Co Ltd v Texan Management Ltd* (2014) 17 HKCFAR 710
- *Marble Holdings Ltd v Yatin Development Ltd* (2008) 11 HKCFAR 222, [2008] 4 HKLRD 950 (representing the successful appellant in a case concerning interpretation of contracts)
- *P v Commissioner of the Independent Commission Against Corruption* (2007) 10 HKCFAR 293, [2007] 3 HKC 346 (representing the successful appellant in a case concerning the investigative powers of the ICAC)

Court of Appeal

- *Cheung Yuk Ying Engracia v MacGregor Isabella* [2023] 3 HKLRD 164, [2023] HKCA 749
- ***Re Owen KC* [2022] 5 HKLRD 726, [2022] HKCA 1689**
- *Lai Chee Ying v Commissioner of Police* [2022] 5 HKLRD 205, [2022] HKCA 1574
- *HKSAR v Wong Chi Fung* [2022] 1 HKLRD 1305
- *HKSAR v Chan Chun Kit* [2022] 2 HKC 175
- *HKSAR v Siu Wai Cheong* [2021] 3 HKLRD 29
- *HKSAR v Tai Yiu Ting* [2021] 2 HKLRD 899
- *Wong Kwai Sang v Bar Council* [2021] 1 HKLRD 455
- *Re Estate of Chiu Keung* [2020] 3 HKLRD 779
- *Global Bridge Assets Ltd v Sun Hung Kai Financial Ltd* [2012] 4 HKLRD 474
- *Chan Mei Yiu, Paddy v Secretary for Justice (No 2)* [2012] 3 HKLRD 65, [2012] 4 HKC 341
- *Pacific Electric Wire & Cable Co Ltd v Harmutty Ltd* [2009] 3 HKLRD 94, [2009] 2 HKC 330
- *Noble Power Investments Ltd v Nissei Stomach Tokyo Co Ltd* [2008] 5 HKLRD 631
- *Chan Mei Yiu Paddy v Secretary for Justice* [2008] 5 HKLRD 507, [2008] 2 HKC 596
- *Pacific Electric Wire & Cable Co Ltd v Texan Management Ltd* [2007] 4 HKC 372
- *HKSAR v Law Sui Kei* [2007] 3 HKLRD 114
- *HKSAR v Luo Shui Ji* [2007] HKCLR 127

- *Allied Group Ltd v Secretary for Justice* [2003] 4 HKC 359

Court of First Instance

- *Secretary for Justice v Persons Conducting in Acts Prohibited Etc* [2023] 5 HKLRD 675, [2023] HKCFI 2741
- *Lai Chee Ying v Commissioner of Police* [2022] 4 HKLRD 582, [2022] HKCFI 2688
- *HKSAR v Sam Ka Lam Sam* [2021] 5 HKLRD 345
- *HKSAR v Chan Yi Chun* [2021] 4 HKLRD 612
- *Secretary for Justice v Chan Kin Chung* [2021] 1 HKLRD 563
- *Re Freeman Fintech Corp Ltd* [2018] 1 HKLRD 320
- *Global Bridge Assets Ltd v Sun Hung Kai Financial Ltd (No 2)* [2016] 1 HKLRD 1113
- *Global Bridge Assets Ltd v Sun Hung Kai Financial Ltd* [2015] 5 HKLRD 453
- *SBC CPA Ltd v Au Ka Man Silkie* [2015] 4 HKLRD 842, [2016] 1 HKC 53
- *HKSAR v Hui Rafael (re: press access to documents)* [2014] 5 HKLRD 15, [2014] 5 HKC 251
- *HKSAR v Hui Rafael Junior (chronologies and flowcharts to jury)* [2017] 2 HKLRD 1
- *Re Perry QC* [2013] 1 HKLRD 145
- *Global Bridge Assets Ltd v Sun Hung Kai Securities Ltd* [2011] 4 HKC 9
- *Pacific Electric Wire & Cable Co Ltd v Hu Hung Chiu* [2011] 1 HKLRD 1000
- *Global Bridge Assets Ltd v Sun Hung Kai Securities Ltd* [2009] 3 HKC 445
- *Chan Mei Yiu Paddy v Secretary for Justice (No 2)* [2008] 3 HKC 182
- *Chan Mei Yiu Paddy v Secretary for Justice (No 3)* [2008] 2 HKLRD 154
- *Noble Power Investments Ltd v Nissei Stomach Tokyo Co Ltd* [2008] 1 HKLRD 134
- *Chan Mei Yiu Paddy v Secretary for Justice (No 2)* [2008] 2 HKLRD 137
- *Pacific Electric Wire & Cable Co Ltd v Texan Management Ltd* [2007] 1 HKC 301
- *Eric Hotung v Ho Yuen Ki & Others* [2005] 4 HKLRD 558, [2005] 2 HKC 457
- *Shanghai Land Holdings Ltd (In Receivership) v Chau Ching Ngai* [2005] 3 HKC 302
- *Fortune Global Development Ltd v Shung Cheong Trading Ltd* [2002] 2 HKLRD 447
- *Wong Luen Chun v Secretary for Justice* [1998] 4 HKC 122, [1998] CPR 16

Republic of Fiji

High Court of Fiji at Suva

- *Qarase v Bainimarama* [2009] 3 LRC 614 (a trial concerning the extent of the prerogative powers of the President of Fiji to act in *coup d'etat* under the doctrine of necessity)