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Neville Sarony QC SC (HK)

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Area of expertise
Civil & Commercial
Criminal Law
Inquests & Inquiries
Personal Injury
Public Law
Regulatory & Competition

Profile

Appointments

Appointed Q.C. in Hong Kong (1992)
Recorder of the Crown Court of England & Wales (1992-2005)
Advocate of the Supreme Court of Nepal (1985-present)
Fractional Professor of Law, City University of Hong Kong (2004-2008)
First Chairman of the Personal Injury Committee of the Bar Council of Hong Kong

Profile

Neville Sarony QC served in 7th Gurkha Rifles in Malaya, obtained an LLB (Hons) degree from the London School of Economics (1963) and was called to the Bar of Gray's Inn (1964).

As a member of the UK Criminal Bar Association he was on the Special Committee that persuaded Parliament to change the review system of Criminal Appeals. He is also a past member of the P.I. Association and founder committee member of the Professional Negligence Bar Association of the English Bar. He is General Editor of Tort Law & Practice in Hong Kong (now in 4th edition) and Personal Injury Tables Hong Kong.

He is a leading counsel in authoritative decisions on personal injuries, medical negligence (mainly claimants with profound brain damage) and crime in the Privy Council, Hong Kong Court of Final Appeal and both English and Hong Kong Courts of Appeal.

He regards advocacy at all levels his true metier and believes trial by jury the most demanding yet rewarding arena for the advocate's skills – skills successfully deployed in the Operation Countryman trials at the Old Bailey to an unbroken chain of Diminished Responsibility verdicts in murder cases in Hong Kong and the defence of a Gurkha soldier court martialled for killing an officer in Hong Kong.

Notable cases include

Chow Mei Ling for Chan Wing Yin v The Hospital Authority of Hong Kong HCPI 971/2016 (Representing a child with Systemic Lupus Erythematosus who suffered brain damage as a result of a perforated pericardiophrenic artery)

Re Chan Fai Wong CCDI 477/2013 (Secured verdict by jury of unlawful killing at the inquest of a taxi driver whose cervical spine was broken when in police custody)

Ryanair Ltd v BTVOL International Trading Ltd HCA 913/2015 (Negotiated settlement for money exchange Defendant in alleged fraud/money laundering case)

Passport Special Opportunities Master Fund LP & Others v eSun Holdings Ltd & Others [2011] 4 HKC 62 (Intervened on behalf of a Hong Kong brokerage against an American hedge fund in its attempt to nullify a placement)

HKSAR v James Henry Ting [2006] 4 HKC 494 (Successful appeal of executive chairman & CEO of Akai Holdings against false accounting convictions in largest corporate collapse in Asia)

R v Chu Po Kwong (1994) (Convinced jury that man charged with 12 counts of murder was guilty of manslaughter)

Other recent cases

Contract Commercial

Emagist Entertainment v. Nether Games (HK) Ltd HCA 1659 [2012] Acting for the owner of IP in a very successful on-line game, and obtaining mandatory injunction compelling ex-employees to return the software they had stolen.

Active Profit Ltd v. Nissho Iwai (HK) Ltd HCCL 47/98 Acting for the Japanese Defendants in a dispute between property developers; Plaintiff claiming a resulting trust from a failed joint enterprise. Parties took the case to the Court of Final Appeal before the Defence was held to be valid and trial judge in error.

Rich Village Ltd v. Grand Pride Holdings Ltd, Zheng Yong Gang. HCA 867 [2012] Acting for Hong Kong Company to contest foreign jurisdiction claim and resist application to cancel injunction restraining Defendant from disposing of shares.

Probate

Chiu Man Fu & 5 Others v. Chiu Chung Kwan Ying FAMV 42/2013 A multi-billionaire disinherited all his legitimate children (some only in their teens) in favour of his mistress. Trial judge held that his will was valid even though it broke almost every golden rule.

Airlines

Kwok Kam Ming v China Airlines CACV 412/2007 and HCPI 715/2005 Representing the airline whose passengers, injured in a crash landing, failed to establish gross negligence so as to overcome the ICAO limit on damages.

Professional Disciplinary Tribunals

Hong Kong Bar Association v Daniel Fung SC Acting for the Bar to establish liability in a very high profile prosecution for breaches of the Code of Practice.

Estate Agents Tribunal v. Chan Chi Tung Preventing a young Estate Agent from losing his licence.

Medical Council of HK v Dr. Tang Yiu Cho 2015 Successfully defending doctor against allegations of financial impropriety made by his employer.

Medical Council of HK v Dr. Leung Sik Chiu CACV 92 [2004] Unsuccessful appeal against liability for oxytherapy.

Money-lending

Ever long Finance v. Chan Pui Ching Rebecca HCMP 619 [2015] Obtaining leave to appeal for borrower against first instance judgment in a contract void for illegality.

Judicial Review

Ngyuen Cuong, Ngyuen Ngoc Lanh, Nguyen Tan Loc, Do Giau, Dao Doc Linh, To Dang Minh, Tran Thi Van v. Director of Immigration, Refugee Status Review Board [1990] CACV 185. Following the Court of Appeal decision, took over the above 8 applications before Mortimer J. After lengthy hearing, the government realised it could not sustain the refusals of refugee status and granted rehearings on full and fair bases, permitting legal representation.

Banking

Li Sau Ying v Bank of China CACV 309 [2002] Widow pledged her home to secure Bank loans for an unrelated Third Party. Lord Scott held that the bank was not liable, even though no independent advice was obtained.

Employment

Cheng Yuen v Royal Hong Kong Golf Club [1997] HKLRD 1132 Representing a golf caddy who was held by the Privy Council to be self-employed. The powerful dissenting judgment by Lord Hoffman was relied on by the Court of Final Appeal in Poon Chau Nam v Yim Siu Cheung [2007] HKCFA to overturn the rationale in Cheng Yuen, illustrating the cogency of the dissenting judgment and Cheng Yuen's argument.

Wong Yin Fong & 97 Ors v. ISS Hong Kong Services Ltd HCAL 56 [2003] On behalf of employers, contesting claims of workers.

Professional Negligence

China United Holdings v. Vigers Hong Kong Ltd HCA 1589 [2003] Representing purchasers of shopping mall who relied on professional valuation of the premises. Chartered Surveyors found to have grossly overvalued property, indemnity costs awarded