SELWYN YU SC's
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JOLIE CHAO
趙芷筠大律師

Year of Call (HK): 2005

PCLL, University of Hong Kong (2004)
LLB (Hons), University of Hong Kong (2003)

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PROFILE

Jolie has extensive experience in criminal and quasi-criminal litigation. She frequently appears in all levels of criminal courts in Hong Kong, acting for the prosecution and defence, and is capable of handling lengthy and complex cases. Jolie appeared as junior counsel in the Court of Final Appeal in *Vivien Fan & Ors v HKSAR* (2011) 14 HKCFAR 641 and *HKSAR v Leung Kwok Hung & Ors* (2007) 10 HKCFAR 148.

Jolie has all along maintained an active civil practice focusing on personal injuries and employees' compensation, and a growing number of cases in medical negligence. She is particularly experienced in managing clients' expectations of their claims, and giving tactical advice on how to proceed with and/or defend their claims. She also receives regular instructions from the Department of Justice to act for various government bodies and disciplinary forces in personal injuries, death inquests, tribunal and/or disciplinary matters.

Jolie served as a Deputy Magistrate from 2014 to 2018 and a Deputy Adjudicator in the Small Claims Tribunal in 2019.

She is fluent in English, Cantonese and Putonghua.

APPOINTMENTS

Judiciary

Deputy Magistrate (October 2014 – July 2018)
Deputy Adjudicator, Small Claims Tribunal (March – May 2019)

Statutory Bodies

Member, Barristers Disciplinary Tribunal Panel (June 2021 – present)
Member, Appeal Panel (Housing) (April 2025 – present)
Vice-chairman, Municipal Services Appeals Board (June 2025 – present)

Hong Kong Bar Association

Council Member, the Bar Council of Hong Kong Bar Association (2008 – 2010)
Chairman, Young Barristers Committee (2008 – 2010)
Member, Special Committee on Greater China Affairs (2009 – 2019)
Member, Special Committee on Pupillage Reform (2008 – 2010)

SELECTED CASES

Criminal

***HKSAR v Leung Kwok Hung & Ors* (2007) 10 HKCFAR 148, [2007] 1 HKLRD 797**

The defendants were convicted of offences arising out of a demonstration at the entrance of Eastern Harbour Tunnel in 2005. On appeal by the defendants, the convictions were quashed by the Court of First Instance on two bases, firstly, on the basis of the magistrate's conduct of the trial and secondly, on some of the judge's statements on the law of obstruction. The prosecution then sought leave to appeal to the Court of Final Appeal. Jolie was led by Mr Martin Lee, SC to act for the defendants in the Court of Final Appeal.

***Vivien Fan & Ors v HKSAR* (2011) 14 HKCFAR 641 (The Shanghai Land Case)**

Mr Selwyn Yu and Jolie represented a financial controller of a listed company, which was closely associated with The Shanghai Land Holdings Limited, in a 95 days trial. At trial, the FC was alleged to be a co-conspirator in the publication of a joint announcement of the listed company with false statement, and the trial involved a detailed forensic review of significant volumes of documentary evidence. Jolie continued to represent the FC in the Court of Appeal and Court of Final Appeal.

***HKSAR v. Ho Man Ho* [2012] 1 HKLRD 188**
Jolie was led by Mr Selwyn Yu SC in the appeal against conviction and sentence for a defendant convicted of rape.

***香港特別行政區 訴 鍾冰施及另三人*, HCMA 332/2013**
Mr Erik Shum and Jolie appeared for the appellants at trial and on appeal. The appellants were summonsed for failing to comply with demolition order of Building Authority without reasonable excuse.

HKSAR v Kwok & Anor [2022] HKCFI 1248, HCMA 74/2021(23 May 2022)(on appeal from ESCC 190/2020)
Jolie defended a private tutor who was alleged to have stolen the chose in action of a company by banking in a cheque written to her name. Jolie also represented the private tutor in the subsequent appeal on costs which was allowed.

***HKSAR v Tang & Ors,* WKCC 3866/2019**
Four Hoi Lai Estate residents were prosecuted by the ICAC for engaging in corrupt conduct at the 2018 Legislative Council By-election. Jolie represented D3 who was alleged to have accepted a "lucky bag" to vote for one of the DAB candidates standing in the said election.

***HKSAR v Yuen & Others*, DCCC 469/2022**
Jolie was led by Mr Edwin Choy SC in defending D3 where ICAC alleged that she was one of the co-conspirators in concealing the actual interest of D2 in a company doing money lending business, so that D1, the executive director/CEO of a listed co., had concealed or failed to disclose to various parties including the Stock Exchange of Hong Kong, that D2 was his wife and that the loan agreements signed with money lending company were connected transactions. D3 was acquitted after trial.

***HKSAR v Tam*, ESCC 1072/2023**
Jolie represented the defendant, who ran a business of providing service to private or corporate clients in opening bank accounts in Hong Kong. The defendant was charged by the ICAC for one count of conspiracy for an agent to accept advantages, in which he was alleged to have offered a monetary advantage to a local bank manager so that the prospective clients who were living abroad need not attend the bank in person for the applications during the pandemic. The Court found the said bank manager's evidence not credible and the defendant was acquitted after trial.

Personal Injuries and Employees' Compensation (cases with judgments only)

***Liu Wai Kwok v. Lui Chi Wai,* CACV 10/2009**

Jolie represented the plaintiff who appealed against a case management decision of excluding three witness statements regarding her garage business.

***Lee Lok Koon v Maxim's Caterers Limited*, HCPI 1129/2005**

Jolie acted for the defendant in arguing the proper scale of costs to be applied should be the District Court scale in this case.

***Wong Giles v Donowho Simon Christopher and Another* [2019] HKCFI 1803; [2020] HKFCI 1053, [2020] HKCFI 603, HCPI 1046/2014**

Jolie represented the plaintiff at trial which lasted for 12 days, which, amongst other issues in dispute, the issues of orthopaedic and psychiatric expert evidence.

***Chan Wai Ying v Secretary for Justice for Commissioner for and on behalf of COMMISSIONER OF CORRECTIONAL SERVICES* [2021] HKCFI 221, HCPI 838/2015 (29 January 2021)**

Jolie was instructed by the Department of Justice to act for the defendant in this alleged slip and fall accident of a former staff of the Correctional Services Department.

***Fong Yee Yan v Secretary for Justice* [2023] HKCFI 844, HCPI 1370/2016**

Jolie represented the Secretary for Justice in this personal injuries trial on liability and quantum. The plaintiff was a probationary inspector of police whom lost her balance and fell when descending a staircase during her training. She claimed to have suffered from patella dislocation as a result of the said accident. However, she had 2 prior events of left patella dislocations and was found to have pre-existing condition and instability in her left patella. There was a higher chance of further left patella dislocation. She also developed major depressive disorder. The plaintiff's claim was eventually dismissed.

Siu Chi Hung Garry v Secretary for Justice for and on behalf of COMMISSIONER OF POLICE [2022] HKDC 772, DCPI 3344/2019 (12 August 2022)

Jolie was instructed by the Department of Justice to act for the defendant in this case where allegedly the plaintiff was assaulted by police officers and claimed for various reliefs. The plaintiff's case was dismissed.

Yeung Siu Ling v Hospital Authority [2022] HKDC 674, DCPI 101/2018 (6 July 2022)

Jolie represented the plaintiff in this assessment for damages and there were arguments on whether the subject accident had aggravated the plaintiff's pre-existing injuries and questions of apportionment.

Wong Chau Wan v Incorporated Owners of Nos 11-12 Canal Road West, Hong Kong, **DCPI 227/2013 (13 November 2014)**
Jolie acted for the plaintiff in this application to strike out parts of the Defence and the whole of the Amended Counterclaim and dismiss the Amended Counterclaim.

Cheng Wai Lun v. Kong Hing Wah formerly trading as E an C-T Engineering Co and Another **[2023] HKDC 1158, DCEC 1402/2019**
Jolie acted for the applicant in this assessment for compensation where the 1st respondent former employer did not take any steps in the proceedings, but the Employees Compensation Assistance Fund Board was joined as the 2nd respondent to contest the issue of quantum.

Lau Yuk Kwan v. Po Lin Monastery**, DCEC 315/2010 (18 July 2011 and 8 September 2011)**
Jolie acted for the applicant in the trial of the case where liability and compensation were in dispute, and the subsequent costs applications.

Lau Oi Hing v. Sze Cheung Fun**, DCEC 1137/2008 (24 March 2010 and 5 May 2010)**
Jolie acted for the applicant in the trial of the case where liability and compensation were in dispute, and the subsequent costs variation applications.

莫家駿及另一人 訴 溫才**, DCPI 2294/2008 (8 December 2009)**
The plaintiff fell from the motorcycle after being chased by his neighbour's dog. He therefore sued his neighbour under the *scienter* rule for knowing his dog to have a propensity to chase after vehicles but did not exercise sufficient control. Jolie represented the plaintiff at trial.

<u>Other cases</u> (cases with judgments only)

Leung Kam Chung Kenneth v Commissioner of Police **[2023] 4 HKLRD 829**

The plaintiff brought this action against the Commissioner of Police claiming that he sustained damage as a result of a fire outbreak allegedly caused by two tear gas submunitions shot into his clinic-cum-residence by police officers following the occurrence of public order events on 18 November 2019. The Commissioner applied for an anonymity order in respect of three police officers who prepared witness statements in the proceedings such that their names, ranks and unique identification numbers would

be anonymised throughout the proceedings, or alternatively that no report by any member of the public (including the media) on these proceedings shall identify these police officers. The relevant legal principles for an anonymity order was revisited by the Court of First Instance.