

# Holly H.C. Cheng

## CONTACT

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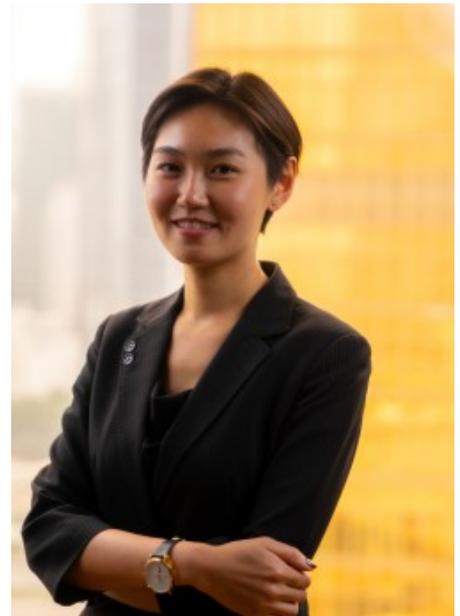
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## YEAR OF CALL

2015 (HK)



## PRACTICE PROFILE

Holly has a mixed practice specialising in criminal law. She has appeared in her own right or as a led junior in all levels of court. She has a particular interest in commercial crime, medical, and construction matters. She also has a broad civil practice which includes obtaining and resisting injunctions, seeking anonymity orders and advising on construction contracts, personal injury, and defamation.

Holly's first foray into the law was through a summer traineeship at the Legal Services Department of the Hong Kong Exchanges and Clearing Limited. The first case she assisted on was a 114-day jury trial on conspiracy to defraud and money laundering with evidence being taken overseas. Her first case in full practice was *HKSAR v Zhou Limei* (2017) 20 HKCFAR 71 as a led junior where the conviction was quashed with retrial ordered.

Holly was called to the Bar in 2015 after completing her pupillage with Mr. Clive Grossman, S.C., Mr. Leo Remedios, Mr. Walker Sham, Mr. Douglas Kwok, and Mr. Benson Tsoi. She was the recipient of the Hong Kong Bar Association Charles Ching Memorial Scholarship in 2016, when she also served a mini-pupillage for three weeks at Doughty Street Chambers with Mr. Edward Fitzgerald, Q.C., and Mr. Tim Moloney, Q.C.

## EDUCATION & ACADEMIC ACHIEVEMENTS

PCLL, The University of Hong Kong

LLM (specialising in Corporate and Financial Law), London School of Economics and Political Science

LLB, School of Oriental and African Studies (SOAS)

IB (attended with 2-year full scholarship), United World College of the Adriatic (UWCAD), Italy

HKCEE, Belilios Public School

## NOTABLE PRIZE AND SCHOLARSHIP

Hong Kong Bar Association's Charles Ching Memorial Scholarship Recipient (2016)

## NOTABLE CASES

HKSAR v Zhou Limei

(1st CFA appeal; CA appeal; 2nd CFA appeal):

(2017) 20 HKCFAR 71/[2017] 4 HKC 212:led by Shahmim K. Khattak, acting for the Appellant, inviting the Court to consider the nature of equivocal admissions made by the accused. Conviction quashed with retrial ordered.

[2020] 1 HKLRD 234/[2020] 1 HKLRD 217 (Chinese judgment): led by Anthony Lai, acting for the Appellant, inviting the Court to consider lies direction, liberato direction and appropriateness of applying proviso when dealing solely with the defendant' s credibility. Appeal allowed, retrial ordered.

[2020] HKCFA 15: led by Shahmim. K. Khattak and Anthony Lai, acting for the Appellant, inviting the Court to consider whether it was in the interests of justice to order a third trial in relation to a charge of trafficking in dangerous drugs. Appeal allowed, Appellant released from custody.

香港特別行政區 訴 李暉 [2019] HKDC 1417

Led by Shahmim. K. Khattak

Successfully defended against a charge of causing death by dangerous driving

Dealing with the engagement of 3 medical experts and discussion on relevance of collision

HKSAR v Lam Ming Tung [2018] HKDC 66

Representing the defendant for mitigation for criminal intimidation, making child pornography, and unlawful sexual intercourse with discussion on the nature and interpretation of perceived threats and what constituted “revenge pornography”

香港特別行政區 訴 梁國雄及譚得志 (代表譚得志) [2018] HKCFI 2167

Appeal successful on sentence

Representing D2 on appeal with discussion on whether the offence of wilful obstruction, disturbance, interruption or annoyance of other persons in lawful use of a civic centre under the Civic Centres Regulation was an unconstitutional restriction of freedom of expression and right to lawful assembly

HKSAR v Tsui Tack Kong and ors ESS 39227-39230/2015

Led by Clive Grossman SC

Representing the registered specialist contractor on whether the excavation and lateral support works conducted was carried out in such manner as was likely to cause the formation of a sinkhole which subsequently caused injury