

# SHAPHAN MARWAH

BARRISTER | MEDIATOR

CALL: 2014



PANTHEON  
CHAMBERS

Rm 2105, Tower 1, Lippo Centre,  
89 Queensway, Admiralty, H.K.

T : 2105 8400 F : 2690 0123

E : chambers@shaphanmarwah.com

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## SELECTED CASES

### MATRIMONIAL FINANCE

- [KCMA v ABC \[2021\] HKCFI 3392 \(ancillary relief\)](#) acted for respondent in 8-day high value ancillary relief trial involving overseas trusts and multiple expert witnesses (with Mr. John Scott SC JP)
- [W, LT v GWH \[2021\] HKFC 142 \(ancillary relief, set-aside disposition\)](#) acted for respondent in 4-day trial of application to set aside transfer of property (sole advocate)
- [KCWC v KPI \[2019\] HKFC 124 \(maintenance pending suit, litigation funding\)](#) acted for petitioner in application for maintenance pending suit and litigation funding (sole advocate)
- [CPS v WMK \[2019\] HKFC 148 \(maintenance pending suit, child maintenance\)](#) acted for respondent in application for maintenance pending suit and interim child maintenance (sole advocate)
- [Henderson v Henderson \[2016\] HKCFI 988; \[2016\] 6 HKC 382 \(contempt\)](#) acted for contemnor in leading case on applications to purge contempt (sole advocate)
- [YPC v SSSL \[2015\] HKFC 140; \[2016\] 1 HKC 257 \(judgment summons, fair trial\)](#) acted as sole advocate in judgment summons case concerning procedural fairness (sole advocate)

### CHILDREN

- [Re AAR \(Wardship: Sequestration\) \[2022\] HKCFI 2631; \[2022\] 5 HKLRD 583 \(child abduction, return order, contempt, sequestration, wardship\)](#) acted for the plaintiff in sequestration proceedings to enforce order to return abducted child
- [Re M \(Leave for Adoption Arrangements\) \[2021\] HKCFI 2699; \[2021\] 4 HKLRD 746 \(adoption: same-sex couple, non-relative, wardship\)](#) acted for the minor child in wardship proceedings involving same-sex adoption (sole advocate)
- [Mrs. B v FRC \[2021\] HKCFI 402 \(adoption, wardship\)](#) acted for the defendant biological parents in wardship proceedings involving adoption (sole advocate)
- [AKYC v DK \[2021\] HKCFI 131 \(custody and access\)](#) acted for the respondent in 7-day trial on custody, care and control, involving allegations of violence and drug use (sole advocate)
- [FJ v DTD \[2020\] HKFC 50 \(variation of custody\)](#) acted for the petitioner in a high conflict 7-day trial on variation of custody (sole advocate)
- [B, A v B, L \[2019\] HKCA 822; \[2019\] 4 HKLRD 19 \(permanent relocation\)](#) acted for the petitioner/appellant in leading case on permanent relocation (sole advocate)

- [\*\*BRS v LYY \[2018\] HKCFI 1524 \(Hague child abduction, repudiatory retention\)\*\*](#) acted for the defendant parent in Hague international child abduction proceedings (sole advocate)
- [\*\*In the matter of G \[2018\] HKCFI 816; \[2018\] 4 HKC 518\*\*](#) and on appeal in [\*\*\[2020\] HKCA 307 \(child protection\)\*\*](#) represented the minor child in long-running wardship proceedings (with Mr. Russell Coleman SC at first instance and as sole advocate on appeal)
- [\*\*JMFC v DJH \[2017\] HKFC 128 \(permanent relocation\)\*\*](#) acted for the respondent in 7-day trial on permanent relocation by non-primary care parent (sole advocate)

#### COMMERCIAL/INTERLOCUTORY

- [\*\*Re CARS \(Hong Kong\) Ltd \[2016\] HKCFI 1856 \(trademark\)\*\*](#) acted for the plaintiff in 6-day trial on ownership of a trademark (led by Mr. Kevin Egan)
- [\*\*L.J. Smith Inc. v Chancellor Precious Metals \[2014\] HKCFI 2240\*\*](#) acted for the plaintiff opposing leave to appeal against a Mareva injunction (sole advocate)

#### JUDICIAL REVIEW/PUBLIC LAW

- [\*\*He Wei v Director of Immigration \[2020\] HKCFI 328; \[2020\] 2 HKC 648\*\*](#) acted for the applicant in judicial review proceedings concerning the investor visa scheme (sole advocate)
- [\*\*MA v Deputy Chairperson of the Torture Claims Appeal Board \[2018\] HKCFI 4\*\*](#) acted for the applicant in judicial review proceedings concerning an asylum claim (sole advocate)

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#### SELECTED PUBLICATIONS

- Co-author, *Hong Kong Family Court Tables* [www.duxburyetc.com](http://www.duxburyetc.com) (2019 – present)
- Co-author, *Hong Kong Family Court Practice 2<sup>nd</sup> edition* (LexisNexis, 2015)
- Contributing editor, *The White Book* (Sweet & Maxwell, 2015 – present)
- Contributing editor, *Hong Kong Archbold* (Sweet & Maxwell, 2015 – present)

#### SELECTED TALKS

- Injunctive Relief in Family Law
- Children's Rights in Divorce
- The Children's Bill, Expert evidence and Enforcement in Family Law
- Domestic Violence and Child Abuse
- Gender Based Violence: the Legal Framework
- Elder Abuse
- Child Protection for Social Workers
- Documentation for Child Welfare Professionals

## **EDUCATION & TRAINING**

**Georgetown University**, Washington D.C. 2020 – 2021  
Master of Laws in International Legal Studies (LL.M.), Certificate in Arbitration and International Dispute Resolution (Distinction)

**Middle Temple**, London 2014  
Hong Kong Middle Temple Society Scholarship for Advocacy Training

**University of Hong Kong**, Hong Kong 2012 – 2013  
Postgraduate Certificate in Laws

**BPP Law School**, London 2011 – 2012  
Graduate Diploma in Law (Commendation)

**London School of Economics and Political Science (LSE)**, London 2002 – 2005  
Bachelor of Science (Honours) in Accounting and Finance (2:1)

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## **MEMBERSHIPS & APPOINTMENTS**

- The Hong Kong Family Law Association (Executive Committee, 2017-present)
- The Hong Kong Collaborative Practice Group (2015-present)
- Board Member, Resolve Foundation (2017 – present)
- Mother's Choice, Hong Kong, Honorary Legal Advisor (2012-present)
- Pathfinders, Hong Kong, Honorary Legal Advisor (2013-2016)