

Gillian Lam

Partner | Litigation and Dispute Resolution

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With over 15 years of experience, Gillian is a versatile and effective dispute resolution lawyer that specialises in commercial litigation and international arbitration.

Gillian has handled and resolved a wide range of disputes and compliance issues. Her experience includes general commercial/corporate disputes, shareholders' disputes, trust/private wealth disputes, cyber fraud recovery, commercial fraud and bribery investigations, employment disputes and investigations, and product liability.

In recent years, she has assisted numerous clients in dealing with complex cyber fraud and asset tracing cases and has successfully recovered substantial sums for them. She is a Fellow of the Chartered Institute of Arbitrators and has handled international arbitrations under the HKIAC, ICC and ICDR Rules. She also managed a number of multi-million-dollar private wealth/ trust disputes as well as defamation cases (including one that went to the Court of Final Appeal of Hong Kong).

On the compliance side, she has advised on and conducted various investigations involving employment, bribery and compliance issues for multi-national companies, as well as product recalls for well-known brands.

As a solicitor advocate, Gillian has gained full rights of audience to appear before all levels of Hong Kong courts as an advocate in civil proceedings since 2017.

Gillian has worked on substantial matters with cross-border elements across multiple jurisdictions, collaborating closely with lawyers from around the world. Over the years, Gillian has served multi-national corporations, listed companies, major financial institutions and high net worth individuals.

Highlights

- Advised and assisted more than 100 multinational companies/financial institutions who were victims of cyber-fraud in recovery actions against defendants in Hong Kong. For example:
 - Assisted a bank based in the Middle East in tracing and recovering 80% of its EUR 25 million loss arising from a security breach in the bank's SWIFT system.
 - Acted for a leading European manufacturer of home appliances in a "CEO" fraud loss of around EUR 21 million, which was transferred to 110 bank accounts in Hong Kong and mainland China.
- Assisted a Japanese gaming corporation to obtain an urgent injunction to restrain the wrongful declaration of default under a USD 760 million bond.
- Defended a UK share custodian company on fraudulent misrepresentation claims relating to hypothecation of shares in a Hong Kong-listed company.
- Advised a Swiss multinational pharmaceutical corporation on defending a USD 30 million claim in a Singapore ICC arbitration commenced by a Hong Kong pharmaceutical company jointly owned by a Hong Kong listco and Shanghai listco, and commencing winding-up proceedings against the Hong Kong entity for debt owed to the Swiss entity.
- Advised on company shareholders' disputes for a charitable foundation founded by a high net worth individual for over a decade.
- Advised a Hong Kong professional trustee on dealing with and settling a family trust dispute.
- Acted for an executor in his claims on behalf of the estate of a high-profile Taiwanese high net worth individual against bare trustees and companies in Hong Kong.
- Advised and defended a major Chinese automobile manufacturer in its HKIAC arbitration with a potential joint venture partner from the United States. (Amount claimed: US\$1.1 billion)
- Advised and defended a US-listed manufacturer of non-invasive radio-surgical device on its arbitration dispute with a Taiwanese distributor over PRC distributorship. (Amount claimed: US\$157 million)



Principal Areas

- Litigation and Dispute Resolution
 - Banking Litigation
 - Cybercrime
 - Employment Disputes
 - Fraud and Asset Tracing
 - Insolvency and Restructuring
 - International Arbitration
 - Product Liability
 - Reputation Management
 - Shareholder and Partnership Disputes
 - Trust, Probate and Private Wealth Disputes

Sectors

- Energy and Resources
- Financial Institutions
- Funds and Investment Management
- Gaming and Gambling
- Life Sciences and Healthcare
- Private Equity and Investment
- Private Wealth
- Technology, Media and Telecom

Languages

- English
- Cantonese
- Mandarin

Jurisdictions

- Solicitor, Hong Kong (2009)
- Solicitor, England & Wales (2011)
- Solicitor Advocate, Hong Kong (2017)

- Acted for a US global pharmaceutical company in a HKIAC-administered arbitration against a Hong Kong listed company to enforce its right as a minority shareholder under a subscription deed.
- Conducted employee investigations for a multinational insurance company in relation to misconduct/ harassment issues.
- Acted for a major retail bank in Hong Kong on its action (injunction/ subsequent claim) against an ex-employee who sent client personal data to her personal email account.
- Advised an international school in Hong Kong on various child protection and employment related issues/ investigations.
- Assisted a US multinational company on its FCPA internal investigation in relation to potential regulatory breaches in China.
- Assisted a multinational company on its internal investigation on bribery issues in factories in PRC.
- Advised and assisted high-net-worth individual clients on defamation claims.
- Assisted a multinational telecommunications company in its investigation in relation to potential breach of the competition laws in Hong Kong and its liaison with the Hong Kong regulators.
- Assisted with voluntary product recall for well-known US audio equipment manufacturer and well-known US toy brand.
- Completed a secondment with an investment bank handling investigations and compliance issues for its private wealth management department.

More about Gillian Lam

Appointments/Memberships

- Member, The Law Society of Hong Kong
- Fellow, Chartered Institute of Arbitrators

Education

- LL.B (Hons), University of Hong Kong
- PCLL, University of Hong Kong
- LLM, London School of Economics and Political Science