

# Tim Parker

*“Tim is intellectually brilliant; his legal research and analysis is absolutely superb, the documents he produces are beautifully written and exceptionally well argued, and his tactical thinking is outstanding. He is the best of the best.”*

– LEGAL 500, 2024

Year of call: 2017  
Degree: LLM, First Class (Cantab), (Whewell Scholar), BA (University of Melbourne), LLB (University of Hong Kong)  
Languages: Chinese (Mandarin) (working knowledge)



Tim has a wide-ranging practice that encompasses all Chambers' main areas of work, with a particular focus on public international law, public and regulatory matters, competition, and commercial law. He is based in Hong Kong where he has established a formidable reputation as a leading junior, with particular recognition for his public law work.

Tim commenced practice in England and Wales in March 2018 on completion of his six-month pupillage in Chambers, having been called to the Bar in 2017. Tim was admitted as a barrister in Hong Kong in 2009, where he is a member of Temple Chambers. He is ranked as an 'up and coming' junior in Chambers Global, which describes him as "one of the best public law juniors around". He is also listed as a 'Global Elite Thought Leader' by Who's Who Legal. He is highly ranked for his Administrative and Public Law, Competition Law, Commercial Dispute Resolution expertise in Legal 500's Hong Kong Bar rankings, as well as for Commercial Dispute Resolution and Administrative Law in Chambers & Partners Greater China Region.

## Highlight cases

### Public International Law:

- *Infinger v The Hong Kong Housing Authority* [2023] HKCA 1178
- *Harjang Singh v Secretary for Security and Another* [2022] HKCA 781
- *The Deputy Registrar of the Cayman Islands and the Attorney General of the Cayman Islands v Day (Chantelle) and Bush (Vickie Bodden)* CICA No. 9 of 2019

### Public & Regulatory:

- *Kattina Anglin v The Governor of the Cayman Islands* CICA (Civil) Appeal No. 6 of 2022, 4 July 2023 (Cayman Islands Court of Appeal)
- *Tam Sze Leung & Ors v Commissioner of Police* [2023] 2 HKLRD 839 (Court of Appeal)

- Kezerashvili v Georgia Application No. 11027/22 (European Court of Human Rights)
- Day & Bush v The Governor of the Cayman Islands & Anor [2022] UKPC 6 (Privy Council)

Competition:

- Apple Inc & Ors v Competition and Markets Authority Authority [2023] UKCAT 29 (UK Competition Appeal Tribunal, currently on appeal to the EWCA)
- Competition Commission v Linde (HKO) Limited & Ors [2022] HKCT 3 (and [2021] 5 HKLRD 175)
- Competition Commission v Gray Line Tours of Hong Kong Limited & Ors [2023] HKCT 7 (and [2023] HKCT 2; [2022] HKCT 3)

Commercial:

- HKIAC Arbitration (confidential)
- SIAC Arbitration (confidential)
- A v B [2023] 1 HKLRD 144 (Court of First Instance)
- AB v X & Ors [2022] HKCFI 132 (Court of First Instance)

## EXPERIENCE

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### Public International Law

Tim accepts instructions in all areas of Chambers' public international law practice.

***“A very bright and user friendly barrister, especially when it comes to competition and public law related matters.”***

– LEGAL 500, 2022

### Cases

#### **Infinger v The Hong Kong Housing Authority**

[2023] HKCA 1178

The Hong Kong Court of Appeal upheld a constitutional challenge to the policy of the Hong Kong Housing Authority which excludes same-sex couples from eligibility for subsidised public rental housing units as “ordinary families”.

**Harjang Singh v Secretary for Security and Another**

[2022] HKCA 781

The Applicant, an asylum seeker, had been held in immigration detention for over 3 years and 3 months at Castle Peak Bay Immigration Centre following a term of imprisonment for blackmail in 2018. The Court of Appeal found that the Applicant's detention was in breach of the 'Hardial Singh Principles' because (i) it had gone on for a period of time that was unreasonable in all the circumstances, and (ii) his removal could not be effected within a reasonable time. Mr Singh's detention had therefore become unlawful, and he was entitled to immediate release. The judgment contains a number of significant developments in the application of the 'Hardial Singh Principles'. Tim appeared for Mr Singh, instructed by Mohnani & Associates. Please see the judgment [here](#).

**Certain Underwriters at Lloyds of London & Ors. v Syrian Arab Republic & Ors.**

CL-2015-000667

Application on behalf of the insurers for disclosure of UK assets belonging to the Syrian Government and certain officials in order to enforce a judgment in respect of a 1985 State-sponsored hijacking of an EgyptAir flight. Led by Tony Peto KC.

**Joseph Lau Luen Hung v Hong Kong Special Administrative Region**

Judicial review proceedings brought to challenge the proposed Extradition Law which would allow extradition from Hong Kong to other parts of the PRC. Acted for the Applicant, led by Lord Pannick QC. Shortly before the hearing in Hong Kong, the Bill was withdrawn because of protests.

**The Deputy Registrar of the Cayman Islands and the Attorney General of the Cayman Islands v Day (Chantelle) and Bush (Vickie Bodden)**

CICA No. 9 of 2019

The Court of Appeal of the Cayman Islands (Goldring P, Field and Morrison JJA) allowed the Government's appeal. Tim acted for the Deputy Registrar and Attorney General.

**Advice to a Government**

Advice re: an ongoing matter before the International Court of Justice (2017).

**Advice to a Government**

Advice re: an intended action before the International Court of Justice (2016).

**GA v Director of Immigration**

(2014) 17 HKCFAR 60 (Court of Final Appeal)

Establishing circumstances in which mandated refugees enjoy right to work. With Michael Fordham QC.

### **Ubamaka Edward Wilson v Secretary for Security**

(2012) 15 HKCFAR 743 (Court of Final Appeal)

Whether removal to a risk of inhuman or degrading treatment compatible with HKBOR Article 3. Led by Richard Gordon KC.

### **C & Others v Director of Immigration (UNHCR Intervening)**

(2013) 16 HKCFAR 280 (Court of Final Appeal)

Junior Counsel for UNHCR. Establishing that the HKSAR, a non-party to the Refugee Convention, may not lawfully return or expel mandated refugees.

### **Prosecutor v Jovica Stanišić**

IT-03-69-A, 9 December 2015 (Appeals Chamber, International Criminal Tribunal for the former Yugoslavia)

Legal Consultant to Mr. Stanišić.

## **Public & Regulatory**

Tim accepts instructions in all areas of Chambers' public law practice.

*“Tim is an outstanding public law junior. He has the law at his fingertips and offers incisive analysis of the issues, coupled with first-rate communication skills and an assured manner in court.”*

– LEGAL 500, 2024

## **Cases**

### **Infinger v The Hong Kong Housing Authority**

[2023] HKCA 1178

The Hong Kong Court of Appeal upheld a constitutional challenge to the policy of the Hong Kong Housing Authority which excludes same-sex couples from eligibility for subsidised public rental housing units as “ordinary families”.

### **Kattina Anglin v The Governor of the Cayman Islands CICA (Civil)**

Appeal No. 6 of 2022, 4 July 2023 (Cayman Islands Court of Appeal)

Resisting a constitutional challenge to the Governor's enactment of the Civil Partnership Act via reserved powers. Led by Tom Hickman KC.

### **Tam Sze Leung & Ors v Commissioner of Police**

[2023] 2 HKLRD 839 (Court of Appeal)

Challenge to alleged police practice of informally 'freezing' bank accounts by 'no consent' letters. Led by Abraham Chan SC.

### **Kezerashvili v Georgia**

Application No. 11027/22 (European Court of Human Rights)

Application by former Defence Minister alleging Article 6 violations in Georgian criminal appellate proceedings. Led by Sir Jeffrey Jowell KC.

### **Day & Bush v The Governor of the Cayman Islands & Anor**

[2022] UKPC 6 (Privy Council)

Represented the Cayman Islands Attorney General in judicial review proceedings concerning same-sex marriage. Led by Dinah Rose KC and Sir Jeffrey Jowell KC.

### **Harjang Singh v Secretary of Security & Anor**

[2022] 4 HKLRD 99 (Court of Appeal)

Habeas corpus following 3+ years of immigration detention. With Josh Baker.

### **H v Director of Immigration**

[2020] 1 HKLRD 144 (Court of Final Appeal)

Whether leave to appeal required following a refusal to extend time in judicial review. Led by Philip Dykes SC.

### **Joseph Lau Luen Hung v Hong Kong Special Administrative Region**

Judicial review proceedings brought to challenge the proposed Extradition Law which would allow extradition from Hong Kong to other parts of the PRC. Acted for the Applicant, led by Lord Pannick QC. Shortly before the hearing in Hong Kong, the Bill was withdrawn because of protests.

### **Greater Bay Airlines**

[2022]

Appearing for Greater Bay Airlines ("GBA") before the Air Transport Licencing Authority ("ATLA") at the private inquiry hearing of GBA's application for a licence to operate as a commercial airline. The licence was granted by ATLA and makes way for GBA to operate scheduled passenger and cargo flights on up to 104 specified routes at an unlimited frequency to and from Hong Kong International Airport.

**CWYJ v LTYE**

[2020] HKCA 913

The Court of Appeal discharged a Prohibition Order restraining the Respondent / ex-husband from leaving Hong Kong on the ground that the travel restriction disproportionately interfered with his freedom of movement under Article 31 of the Basic Law and his common law right to work. Tim acted pro bono for the successful Respondent.

**Hong Kong Journalists Association v Commissioner of Police**

[2020] HKCFI 2882

The High Court of Hong Kong found that the existing mechanism for handling misconduct complaints against police officers was constitutionally deficient. The mechanism, which is managed by a department within the Hong Kong Police Force, lacked independence and impartiality and fell short of the requirements of Article 3 of the Hong Kong Bill of Rights (which prohibits cruel, inhuman or degrading treatment or punishment). The Court also found that the Commissioner had acted unlawfully by failing to prevent officers deploying on public order duties without clearly visible, unique identity markings. Tim Parker acted pro bono for the Hong Kong Journalists Association. Please see the judgment [here](#).

**H v Director of Immigration**

[2020] HKCFA 22

The HK Court of Final Appeal held, in an important decision on judicial review procedures, that out-of-time judicial review applicants who are refused an extension of time at first instance may appeal to the Court of Appeal as of right. The Court overruled a line of earlier Court of Appeal authorities to the contrary. The Court further held that it had jurisdiction to hear appeals in such cases, and that the bar on bringing an appeal to the top Court against a decision refusing leave to appeal to the Court of Appeal did not apply, since the applicants had not needed leave in the first place.

**Re The German Swiss International School Association Limited**

[2020] HKCFI 1341

Acted for GSISAL in their application for a declaration that the German language restrictions contained in its Articles of Association ("the Articles") infringe the Race Discrimination Ordinance (Cap. 602) ("the RDO").

**The Deputy Registrar of the Cayman Islands and the Attorney General of the Cayman Islands v Day (Chantelle) and Bush (Vickie Bodden)**

CICA No. 9 of 2019

The Court of Appeal of the Cayman Islands (Goldring P, Field and Morrison JJA) allowed the Government's appeal. Tim acted for the Deputy Registrar and Attorney General.

### **QT v Director of Immigration**

[2018] 4 HKC 403 (HK Court of Final Appeal)

Represented QT in a landmark discrimination case in the Hong Kong Court of Final Appeal (with Dinah Rose QC). The Court ruled that the Director of Immigration acted unlawfully by excluding a same-sex couple from his policy of granting dependant visas to the spouses of employment visa holders.

### **QT v Director of Immigration**

(2018) 21 HKCFAR 324 (Court of Final Appeal)

Challenge to the exclusion of same-sex couples from the Government's policy of granting dependant visas. Led by Dinah Rose KC.

### **Browne v Munokoā**

[2018] UKPC 18 (Privy Council)

Appeal to the Privy Council from the Cook Islands concerning the status, interpretation and application of indigenous customary laws in former colonial territories. Concerned with succession rights of non-blood adoptees under Māori traditions and customs.

### **AA v Securities and Futures Commission**

[2017] 1 HKLRD 1018, and ongoing (Court of First Instance)

Securities regulation; human rights; transmission of compelled testimony to overseas regulator for use in criminal proceedings.

### **Television Broadcasts Limited v Communications Authority and Chief Executive of the Hong Kong Special Administrative Region**

[2016] 2 HKLRD 41 (Court of First Instance)

Right to fair trial; successful constitutional challenge to broadcasting sector competition law. (Appeal pending). With Dinah Rose QC.

### **Tsang Kin Chiu v Commission of Police**

[2015] 4 HKLRD 71 (Court of First Instance)

Police abuse of democracy protester; judicial review against failure to disclose identity of police officer suspects.

### **Leung Sze Ho Albert v Bar Council of the Hong Kong Bar Association**

[2016] 1 HKC 421 (Court of Appeal)

Freedom of choice of occupation; Barrister challenging constitutionality of the Bar Code of Conduct prohibition on subsidiary occupations.

### **Prosecutor v Jovica Stanišić**

(IT-03-69-A), 15 December 2015, Appeals Chamber, International Criminal Tribunal for the former Yugoslavia

Prosecution appeal against acquittal on war crimes charges. Legal Consultant to Mr. Stanišić, led by Wayne Jordash KC.

### **Brian Alfred Hall v Commissioner of Correctional Services**

[2015] 2 HKLRD 917 (Court of First Instance)

Human rights; fair hearing before an independent and impartial tribunal; successful constitutional challenge to prison disciplinary proceedings resulting in loss of days.

### **GA v Director of Immigration**

(2014) 17 HKCFAR 60 (Court of Final Appeal)

Establishing circumstances in which mandated refugees enjoy right to work. With Michael Fordham QC.

### **Brian Alfred Hall v HKSAR**

(2014) 17 HKCFAR 17

Whether Court of Final Appeal had jurisdiction to overturn its own judgment acquitting accused; successfully arguing Court should not exercise implied power.

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(2014) 17 HKCFAR 17

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Junior Counsel for UNHCR. Establishing that the HKSAR, a non-party to the Refugee Convention, may not lawfully return or expel mandated refugees.

### **Ubamaka Edward Wilson v Secretary for Security**

(2012) 15 HKCFAR 743 (Court of Final Appeal)

Whether removal to a risk of inhuman or degrading treatment compatible with HKBOR Article 3. Led by Richard Gordon KC.

### **A v Commissioner of the Independent Commissioner against Corruption**

(2012) 15 HKCFAR 362 (Court of Final Appeal)

Constitutional law; principle of legality; right to silence; compelled testimony.



### **Chan Chun Chuen v Commissioner of Inland Revenue**

[2012] 2 HKLRD 379 (Court of Appeal)

Inland revenue judicial review re tax liability in excess of HK\$ 330,000,000.

## **Competition**

Tim accepts instructions in all areas of Chambers' competition law practice.

***“Tim combines outstanding technical ability and legal knowledge in the area of competition law with his strong capabilities as an advocate. His written and oral submissions are first-rate.”***

– LEGAL 500, 2024

## **Cases**

### **Apple Inc & Ors v Competition and Markets Authority**

[2023] UKCAT 29 (UK Competition Appeal Tribunal)

Challenge to the CMA's decision to launch a market investigation into Apple and Google's mobile ecosystems. Led by Tim Otty KC.

### **Competition Commission v Linde (HKO) Limited & Ors**

[2022] HKCT 3 (and [2021] 5 HKLRD 175)

Acting for the Competition Commission in the first enforcement proceedings brought under the Second Conduct Rule, alleging abuse of market power in the supply of medical gases. Led by Robert O'Donoghue KC and Jin Pao SC.

### **Kerilee Investments Limited v International Tin Association Ltd**

Case No: 1379/5/7/20 (UK Competition Appeal Tribunal)

Damages action brought under section 47A of the Competition Act 1998 alleging abuse of dominance and cartel conduct in the supply of traceability services for rare earth minerals. Led by Brian Kennelly KC.

### **Competition Commission v Gray Line Tours of Hong Kong Limited & Ors**

[2023] HKCT 7 (and [2023] HKCT 2; [2022] HKCT 3)

Acting for Harbour Plaza 8 Degrees Hotel group (part of CK Asset Holdings Ltd) defending allegations of facilitating price fixing in respect of theme park and tour tickets. Led by Abraham Chan SC.

### **Shell Hong Kong Ltd & Anor v Meyer Aluminium Ltd**

CACV 500/2021

Appeal in a commercial dispute for the purchase price of fuel, defence alleging illegality due to price fixing (CA).

### **Competition Commission v Nutanix & Ors**

[2019] 3 HKC 307 (HK Competition Tribunal)

Defence of a listed IT distributor in the first enforcement action brought before the Competition Tribunal in respect of alleged bid-rigging / price fixing. Led by Gerard McCoy SC.

### **Television Broadcasts Limited v Communications Authority and Chief Executive of the Hong Kong Special Administrative Region**

[2016] 2 HKLRD 41 (Court of First Instance)

Right to fair trial; successful constitutional challenge to broadcasting sector competition law. (Appeal pending). With Dinah Rose QC.

## **Commercial**

Tim accepts instructions in all areas of Chambers' commercial law practice.

*“Tim Parker is a very good, sophisticated advocate. Very responsive and commercial.”*

– CHAMBERS & PARTNERS, 2024

## **Cases**

### **HKIAC Arbitration**

(confidential)

9-figure USD dispute arising out of cryptocurrency derivatives trading activities. Led by Andrew Green KC.

### **SIAC Arbitration**

(confidential)

Commercial dispute re breach of a global licensing agreement for electronics products.

### **A v B**

[2023] 1 HKLRD 144 (Court of First Instance)

Application for a further and more specific injunction arising out of an arbitration.

### **AB v X & Ors**

[2022] HKCFI 132 (Court of First Instance)

Application to set aside an examination order giving effect to a letter of request in US regulatory action. With Josh Baker.

### **Re a letter of request**

(2022)

Examination of a witness pursuant to a letter of request for use in a US action for breach of licence and/or patent.

### **Greater Bay Airlines**

[2022]

Appearing for Greater Bay Airlines (“GBA”) before the Air Transport Licencing Authority (“ATLA”) at the private inquiry hearing of GBA’s application for a licence to operate as a commercial airline. The licence was granted by ATLA and makes way for GBA to operate scheduled passenger and cargo flights on up to 104 specified routes at an unlimited frequency to and from Hong Kong International Airport.

### **Anderson Aviation & Anor v TAG Aviation San Marino S.R.L. & Anor.**

HCA 907/2021 (Court of First Instance)

Commercial dispute over management of business aviation aircraft.

### **Sang Cheol Woo v Funvest Global Pte Ltd & Ors**

HCMP 847/2020 (Court of First Instance)

Setting aside injunctive relief given in aid of Singapore proceedings.

### **Indian Overseas Bank v Seabulk Systems & Ors**

[2018] HKCFI 112 (Court of First Instance)

Ports machinery construction contracts; bank guarantees; loss of security.

### **Merck KGaA v Merck Sharp & Dohme Corp & Merck Sharp & Dohme**

(Asia) Limited HCA 1087/2018 (Court of First Instance)

Trademark / contractual dispute over the use of the ‘Merck’ name.

### **Certain Underwriters at Lloyds of London & Ors. v Syrian Arab Republic & Ors.**

CL-2015-000667

Application on behalf of the insurers for disclosure of UK assets belonging to the Syrian Government and certain officials in order to enforce a judgment in respect of a 1985 State-sponsored hijacking of an EgyptAir flight. Led by Tony Peto KC.

### **Tadjudin Sunny v Bank of America**

[2010] 3 HKLRD 417 (Court of Appeal)

Bankers' bonuses; successfully contending for implied anti-avoidance terms barring capricious denial of contractual bonuses.

## ACHIEVEMENTS

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### Education

- Whewell Scholarship in International Law, University of Cambridge (2014)
- E. M. Burnett Prize, University of Cambridge (2014)
- Hollond-Whittaker Studentship in Law, Trinity College, Cambridge (2015 - )
- Bar Scholarship, awarded by the Chief Justice of the Hong Kong SAR (2009)
- Baxter Prize, Philip C Jessup International Law Moot Court Competition (World's Best Memorial) (2006)
- Best Oralist, Asia Cup International Humanitarian Law Moot (2006)

### Publications

- Richard Gordon QC and Johnny Mok SC, *Judicial Review in Hong Kong* (2nd Ed), LexisNexis, Hong Kong, 2014. Contributing author (6 chapters).
- *Halsbury's Laws of Hong Kong: Administrative Law*, 2nd Ed., 2011 Reissue, Vol. 1, (LexisNexis, Hong Kong, 2011). Sole author.
- "Trials in Absentia at the Special Tribunal for Lebanon: Incompatibility with International Human Rights Law", *Journal of International Criminal Justice*, Volume 8, No. 2, (Oxford University Press, May 2010), co-author with W. Jordash.
- *Tort Law and Practice in Hong Kong* (2nd Edition), Thomson Reuters Hong Kong, 2011, Contributing Editor: Chapter 11 (Nuisance) and Chapter 12 (Rylands v Fletcher Liability).
- Hong Kong Bar Association, Committee on International Law
- Hong Kong Bar Association, Committee on Human Rights and Constitutional Affairs
- Hong Kong Competition Commission, Panel of External Counsel
- CEDR Accredited Mediator

VAT registration number: n/a

Barristers regulated by the Bar Standards Board