

# ANDREW BRUCE SC

## BARRISTER-AT-LAW

### Year of Call

1996 Senior Counsel (Hong Kong)  
1977 Barrister & Solicitor (High Court of Australia)  
1977 Barrister & Solicitor (South Australia)

### Practice Areas

- Administrative & Public Law
- Civil Law
- Criminal Law
- Appellate Law
- Public & Private International Law (Extradition and MLA)
- Regulatory & Disciplinary

### Academic Qualifications

- 1977, LLB, Australian National University
- 1974, BA, Australian National University

### Judicial, Statutory Body, and/or Other Appointments

Deputy High Court Judge of Hong Kong (part-time)

### Contact Details

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### Background

Andrew Bruce, SC has been a barrister in private practice in Hong Kong since 2001. From 1982 to 2001 he was a prosecutor with the Hong Kong's Department of Justice. Prior to that from 1977 to 1982 he was in private practice in Adelaide in Australia as a Barrister and Solicitor. He was a member of the Bar Council of the Hong Kong Bar Association between 2002 and 2006, including as vice-chairman of the Council.

Andrew Bruce, SC specialises in the conduct of proceedings which have a criminal or corporate element. His criminal cases almost always have an emphasis on a commercial or a corporate component often involving charges of fraud, money laundering or private or public sector corruption. Many of these cases are high profile cases. He also has extensive experience in asset recovery (both domestic cases and as Hong Kong's mutual legal assistance regime expands, international cases) and public law such as judicial review. Andrew Bruce conducts these cases both at the trial stage from the High Court to the Magistracy and on appeal at all levels including the Court of Appeal and the Court of Final Appeal and, until 1997, the Privy Council. Many of these cases now require a detailed knowledge of the Listing Rules of the HKSE and the powers of investigation by agencies such as the SFC and the ICAC. Andrew Bruce is often involved in representations to various levels of Government law enforcement agencies or regulatory agencies to avoid or limit criminal or related proceedings.

Since 1982, Andrew Bruce has been involved in the development of legal education in Hong Kong including as a member from time to time of the Faculty Boards of both Hong Kong University and the City University of Hong Kong. He has lectured at every university on topics relating to substantive law, the law of evidence and procedure, and practical matters such as dealing with the ICAC, the SFC. He has been for some years the Chair of the Special Committee on Criminal Law & Procedure of the Hong Kong Bar Association.

In each year between 2014 and 2022, Andrew Bruce served as a Deputy Judge of the High Court of the Hong Kong Special Administrative Region. This was a part-time appointment and he maintained his practice as Barrister when not serving in this capacity. In his time as a Deputy Judge he tried, with a jury, the full range of criminal cases that usually come before the High Court. He also did civil cases and dealt with matters in the Competition Tribunal.

### Judicial, Statutory, and/or Other Appointments

- Deputy High Court Judge of Hong Kong (part-time) (2014-2022)



# ANDREW BRUCE SC

**BARRISTER-AT-LAW  
SOLICITOR**

## Notable Cases

- *HKSAR v Chak Kong Fai* [2022] 1 HKLRD 370
  - Court of Appeal - nature of recent complaint in sexual offences - inconsistent verdicts
- *HKSAR v Chen Keen & Ors* [2021] 1 HKLRD 1086
  - High Court - commercial crime - international law - whether international CCTV available
- *HKSAR v Castillo Caicedo Teresa* [2022] 1 HKLRD 1230
  - Court of Appeal - drugs sentencing policy - mitigation for post-arrest conduct
- *HKSAR v McCall & Anor* [2018] 3 HKC 361
  - High Court - expert evidence - proof of qualifications and experience
- *HKSAR v Muhammad Riaz Khan* (2012) 15 HKCFAR 232
  - Court of Final Appeal – Right to Privacy
- *HKSAR v Okafor* [2012] 1 HKLRD 1041, 1 HKC 427
  - Court of Appeal – Obligation of Courts to Give Reasons
- *HKSAR v Chow Chi Wai & Another* HCCC 1022 OF 2012
  - High Court – Marine Collision - Trial
- *JS Micro Electronics Ltd v Achada & Another* [2013] 1 HKLRD 334
  - High Court – Injunction – Equities Concerning Alleged Proceeds of Fraud
- *HKSAR v Viven Fan* (2011) 14 HKCFAR 641, [2012] 3 HKC 72
  - Court of Final Appeal – Shanghai Land Case – Involved Since Trial
- *HKSAR v Egan & Ors* (2010) 13 HKCFAR 314, 5 HKC 180
  - Court of Final Appeal – Obligation to Give Reasons
- *Tsoi Man Hung & Another v Commissioner of Police* [2008] 5 HKLRD 412, 5 HKC 513
  - Judicial Review – Obtaining DNA Samples
- *S-J v Lam Tat-Ming & Anor* [2000] 2 HKLRD 431
  - Court of Final Appeal – Scope of Discretion to Admit Admissions Against Interest
- *Tang Siu-Man v HKSAR* [1998] 1 HKLRD 350, 1 HKC 381
  - COURT OF FINAL APPEAL – CHARACTER DIRECTION IN CRIMINAL TRIALS.
- *HKSAR v Wu Wing Kit & Another* DCCC 1022/2012
  - District Court – Money Laundering– Trial and Asset Recovery

## Publications

### **Criminal Evidence in Hong Kong**

Author (1987 – Present)

### **Criminal Proceedings: Trial on Indictment**

Author (1996 – Present)

### **Hong Kong Civil Procedure**

Consultant Editor

### **Hong Kong Law Reports and Digest (HKLRD)**

Consultant Editor

### **Bribery and Corruption Law in Hong Kong, 4th edition, 5th edition**

Author

### **Halsbury's Laws of Hong Kong: Volume 9 - Criminal Law**

Consultant Editor