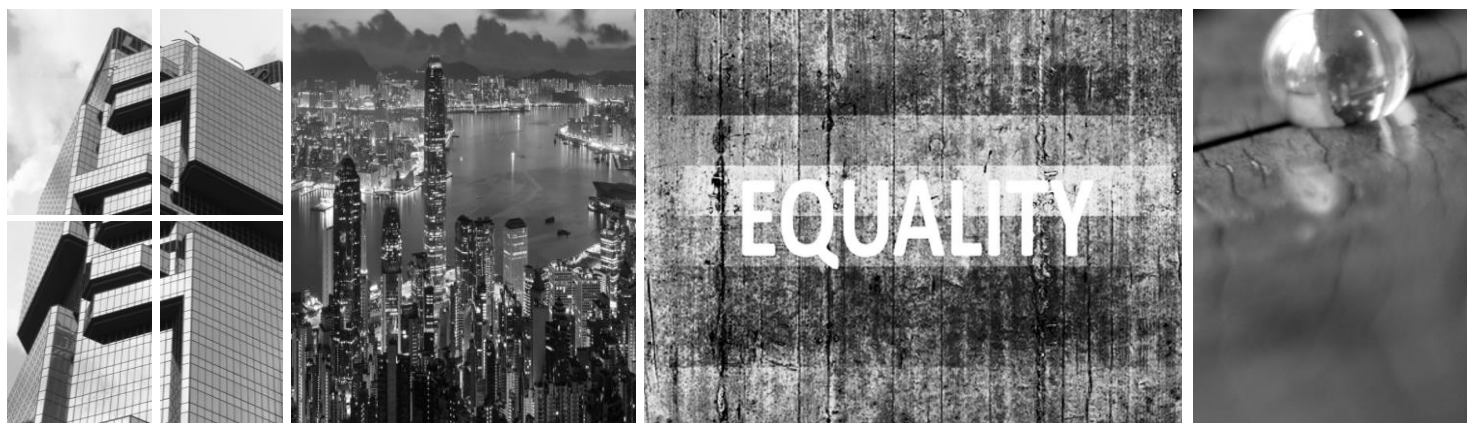


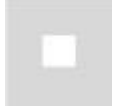
Public Interest and Equal Rights (PIER Group)

Capability Statement



1806 Tower Two, Lippo Centre, 89 Queensway, Hong Kong
Tel: +852 2573 5000 Fax: +852 2802 3553 www.tannerdewitt.com

Equal Rights and Public Interest



Objective

The objective of the Public Interest and Equal Rights (PIER) Group is to:

- (a) provide access to justice; and
- (b) use the legal system to promote public good through individual cases.

Mission

The PIER Group specialises in issue-oriented work such as civil rights litigation, discrimination, LGBT equality rights, child protection and medical malpractice. Many of our cases are not single issue cases but engage several legal issues across a number of practice areas that can include criminal, family, employment, immigration and bankruptcy or insolvency. In such cases, PIER Group's advantage is its ability to draw on the existing breadth and depth of experience at Tanner De Witt and engage any of the firm's other practice areas.

We pursue the vision of the Hong Kong Equal Opportunities Commission whose mission is set out below:

“Our vision is to create a pluralistic and inclusive society free of discrimination where there is no barrier to equal opportunities. Our role is to assist you to understand your rights and responsibilities under Hong Kong's anti-discrimination legislation, and facilitate redress for discrimination. In addition, we partner with various stakeholders to voice out views related to our areas of concern. We are committed to fostering a diverse society in which all individuals are treated with respect and dignity.”

Dr. York Chow Yat-ngok, Chairperson, Hong Kong Equal Opportunities Commission

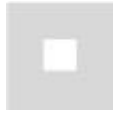
Clients of the PIER Group are selected with more emphasis on their need for the firm's services and the cause their claim relates to with less of an emphasis on the client's financial means. The litigation work of the PIER Group focuses on challenging, advancing or retaining laws with a view to safeguarding the legal rights of minority groups or individuals and advancing a strategy of broader social, governmental or economic impact and reform. We represent a number of clients facing legal issues that engage their legal rights under: the Bill of Rights, the Basic Law and the four anti-discrimination ordinances (i.e., the Sex Discrimination Ordinance) as well as bringing Judicial Reviews.

It is hoped that through the work of the PIER Group that positive change will result, whether by way of changes to law, policy or practice, exposing injustice or simply raising public awareness. The PIER Group also liaises with grassroots organisations, NGO's and civil society to provide information, training and assistance in demonstrated areas of need, and to identify new areas in which to direct future attention.

Our diversity statement

Tanner De Witt is one of the largest independent law firms in Hong Kong. Our core values include respect and fairness towards our employees and all clients across all practice areas. We do not discriminate based on factors such as gender, sexuality or background and in turn expect that our clients are respectful of Tanner De Witt's policy of diversity, inclusion and non-discrimination (you can view the full statement here <http://www.tannerdewitt.com/our-diversity-statement/>).

What we do



"They strike an excellent balance between legal imperatives and realistic expectations and concerns."
Chambers Asia Pacific

Areas of Law

1. **Policy work**
 - a. Migrant workers' rights;
 - b. Child protection;
 - c. Child criminal law – reform of young offenders' system.
2. **Civil litigation**
 - a. Personal injury
 - i. Medical malpractice;
 - b. Discrimination;
3. **Migrant workers' issues**
 - a. Trafficking in persons;
 - b. Undocumented children;
 - c. Sexual assault/violence;
 - d. Criminal issues;
4. **Women and children's law**
 - a. Child/youth protection;
 - b. Domestic violence;
5. **Civil rights litigation**
 - a. Disability rights;
 - b. Media law, freedom of speech;
 - c. Police brutality/use of excessive force;
 - d. Prisoner rights;
 - e. Wrongful arrest/false imprisonment;
 - f. Immigration/refugees;
 - g. Transitional justice/electoral rights/democratic process;
 - h. Consumer protection and product liability;
 - i. Environmental litigation/toxic torts.

Selected Experience

Tanner De Witt is recommended as a "Leading Hong Kong Family Law Firm".
Doyles Family Lawyer Guide

"Tanner De Witt is recommended for its 'response time, quality of work and commercial judgement'."
Legal 500 Asia Pacific

- Advising a **banking executive** in relation to the successful resolution of her claim against a US bank regarding **sex discrimination and sexual harassment**.
- Advising a **Hong Kong educational institution** in relation to the termination of an employee and settlement of claims arising from her employment involving consideration of issues including the **Disability Discrimination Ordinance**.
- Advising and supporting a **migrant asylum seeker** regarding their rights as a victim of a violent crime.
- Advising a senior executive in relation to the successful resolution of her claim against a **leading Hong Kong financial institution** involving allegations of **race discrimination and unilateral variation of contract**.
- Advising claimants or refugees **seeking protection from refoulement** to their home countries under the **UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**.
- Acting for a **pregnant foreign domestic worker** who was **terminated after serving their notice of pregnancy** on their employer.
- Acting for a **transgender person** facing **sex discrimination issues encountered in the course of employment**.
- Acting for a **same sex married couple** with regard to their claim for entitlement to spousal benefits and entitlements in a **discrimination case**.
- **Children's rights, protection of children and wardship cases.**
- **Acting for young offenders with respect to criminal matters and police**.
- **Judicial Review** of government decisions **affecting same sex couples under the Bill of Rights**.
- Advising **employers on their obligation toward employees under the Sex Discrimination Ordinance and the Race Discrimination Ordinance and the Disability Discrimination Ordinance**.
- Acting for a media client regarding infringement of **freedom of expression** per the Bill of Rights.
- Unprecedented **wardship** case for an **NGO**.

Equal Rights and Public Interest Team



Mark Side

Partner

markside@tannerdewitt.com



Mark Side has extensive commercial and private client litigation experience in both Hong Kong and the UK. Throughout his career Mark has conducted one of the largest cases in Hong Kong concerning the extent of a barrister's professional duty which generated litigation in Hong Kong, England and various courts in the United States of America. Mark is Head of Tanner De Witt's *Equal Rights and Public Interest* and *Family and Matrimonial* practices. A further part of Mark's work is for The Law Society's Solicitors Disciplinary Tribunal and the Disciplinary Committee of the Hong Kong Institute of Certified Public Accountants and involves the hearing of professional negligence complaints within these professions. Mark also operates extensively as a mediator (CEDR accredited) and as a solicitor to parties involved in mediations.

Joanne Brown

Solicitor

joannebrown@tannerdewitt.com



Joanne Brown was admitted as a solicitor in Hong Kong in 2008. Joanne's focus is now on matrimonial and private client work, advising on all aspects of matrimonial law including jurisdictional issues, financial arrangements for spouse and children, custody and other disputes relating to children including applications to remove children from Hong Kong, paternity, adoption case and wardship. Joanne is a Panel Solicitor for the Legal Aid Department for Personal Injury, Employees' Compensation and Family Law. She is also a Solicitor for the Duty Lawyer Criminal and Convention Against Torture Schemes.

Elizabeth Seymour-Jones

Paralegal

elizabethseymourjones@tannerdewitt.com



Elizabeth Seymour-Jones obtained her Juris Doctor in 2012 and was admitted as a solicitor in New South Wales, Australia in 2013. Prior to joining Tanner De Witt, Elizabeth's practice was in family law, and commercial, civil, and maritime litigation in both Sydney and Hong Kong. Elizabeth's experience since joining Tanner De Witt has focused on matrimonial law, including divorce, financial arrangements, custody, and other disputes relating to children.

Joshua Baker

Paralegal

joshuabaker@tannerdewitt.com



Joshua joined the Litigation and Dispute Resolution practice of Tanner De Witt in June 2016. His experience covers employment disputes (including breach of mutual trust and confidence and unreasonable directions); discrimination matters (gender, pregnancy, race, victimisation); injunction proceedings (including in divorce proceedings and restraint orders under OSCO); pre-action discovery; family proceedings (including work for children e.g. wardship applications, adoption matters and abductions).

Mark Side is recommended by market sources for his "considerable experience". He offers quality, responsiveness and a hands-on service.

Chambers Asia, China/Hong Kong

"Mark Side is a well-regarded lawyer who knows exactly what steps to take in order to succeed in a case. As well as being a seasoned litigator, he is also an accredited mediator."

Chambers Asia, China/Hong Kong

"I was specially pleasantly surprised the way you (Joanne Brown) and Mark made me feel comfortable."

Client comments

Tanner De Witt was a **Bronze Award Winner** in The Law Society of Hong Kong **Pro Bono and Community Work Recognition Programme 2015**.

The Equal Rights and Public Interest team is ably supported by Tanner De Witt lawyers in other departments including the *Employment, Criminal, Litigation, Family and Matrimonial* and *Corporate* teams.

Our Firm



Tanner De Witt was established in 1999 by Richard Tanner (now retired), Ian De Witt and Mark Side; we have grown to become one of the largest independent firms in Hong Kong with a growing focus on reform and community development in addition to our core focus on business law. We provide practical legal advice on issues concerning both businesses and private individuals in Hong Kong, China and the wider Asia-Pacific region. We work to protect the interests of our clients by drawing on our firm's deep-rooted experience of Hong Kong and its surrounding region. We are not a general practice law firm. Instead, we operate a business-focused practice which offers a great deal of experience in a range of specific fields, including:

- Litigation and dispute resolution
- Insolvency and restructuring
- Corporate and commercial
- Employment
- Family and Matrimonial
- Intellectual property
- Tenancy
- Leisure, travel and aviation
- Criminal and Regulatory Law

Understanding You and Delivering Successful Results

Client service and care is at the forefront of what we do. We make an uncompromising effort to provide you with exactly what you need. From day one we set out to understand you and your business so we can successfully guide you through the legal issues that you may need our help with. By knowing you we can most accurately assess how best to work on each case to achieve the results you want.

Our long-standing commitment to quality ensures that our work will be completed on time and to your full satisfaction. It is important to us that we create a long-term relationship with you by delivering successful results you want in the most cost-effective manner.

Our Commitment to You

We will represent your interests alone.	We will keep your business confidential.	We will give you clear legal advice that you can understand.
We will explain any risks involved in following your instructions.	We will keep you informed of progress.	We will deal with your questions promptly.

Confidentiality

We are bound by the professional code of conduct which assures you complete discretion and confidentiality at all times unless otherwise requested. In certain cases we can, with your permission, and should the legal framework allow it, help to publicise the cases through our network of press, charity, community and governmental contacts to raise awareness.

Cost Certainty

We pride ourselves on our ability to provide practical, cost-effective advice. As is usual for lawyers in Hong Kong, we generally charge clients on the basis of time spent. In certain cases we can agree alternative pricing structures and provided that it is lawful within the jurisdiction of Hong Kong we are prepared to work with you on innovative funding solutions involving third parties including Legal Aid (see <http://www.lad.gov.hk/index.html>). Please contact us for more information.

Disbursements

In addition to our professional fees, our bills will include charges for disbursements and other out-of-pocket expenses such as telephone and fax charges, travel and computerised legal research. The fees of outside professionals (such as counsel) will be included at cost in our bills to you. Please do not hesitate to contact us with regards costs and other expenses concerning your case.

We hope this document provides sufficient information about Tanner De Witt, and specifically our litigation and dispute resolution capability, to enable an informed judgment to be made about the suitability of our firm to be instructed on particular legal matters. More detailed information about the firm is available on our website (www.tannerdewitt.com). If you have any further questions, please contact Mark Side. We hope we can be of service.

Tel: +852 2573 5000

Fax: +852 2802 3553

Email: markside@tannerdewitt.com