



Isabel Tam

Barrister-at-law

Denis Chang's Chambers

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Biography

Isabel Tam graduated with a first class LLB and with distinction in her LLM. She was awarded the Bar Scholarship in 2012. Her practice has an emphasis public law, family law, commercial law, regulatory matters, land law, and arbitration. She also has an MA in competition law with distinction (examination component), and was seconded to the Competition Commission.

Isabel has appeared in the Court of Final Appeal, the High Court, the District Court, the Lands Tribunal, the Magistrates' Courts, as well as administrative tribunals. She conducts trials in both English and Chinese and has handled both civil and criminal trials as sole counsel.

Her experience in public law includes: judicial reviews and hearings relating to the Small House Policy, the "Co-location Arrangement", the 3rd airport runway, immigration decisions, disciplinary decisions, and administrative tribunals.

Her experience in family law includes: children matters, ancillary relief, anti-suit injunction, and harassment-related proceedings.

Her experience in regulatory matters includes: representing the SFC in disciplinary proceedings and in trial, advising on competition law, advising on listing rules, and representing respondent and complainant in professional misconduct cases.

Her experience in land law includes: trials and hearings on adverse possession, management fees, disputes over common parts, IO meeting procedures, charging orders, and unauthorized building works.

Her legal experience outside Hong Kong includes working on a state-to-state international arbitration, researching at the International Environmental Law Research Centre in Kenya and a summer judicial clerkship at U.S. federal court. She is also called to the Bar in New York.

Isabel regularly undertakes pro bono work, including advising non-profit organizations and acting for litigants on a pro bono basis. She is also interested in environmental law, and has advised and published on the ivory trade and trade in endangered species.

Education / Qualifications

MA in EU Competition Law, King's College London (2017)

Admitted to Practice, Hong Kong Bar (2013)

Admitted to Practice, New York State Bar (2012)

PCLL, University of Hong Kong (2012)

LLM, Distinction, Georgetown University Law Center (2011)

LLB, First Class Honours, University College London (2010)

Scholarships / Awards

Bar Scholarship (2012)

Charles Ching Scholarship (2012)

Dean's List (2011)

CALI Award (2011) for Best Paper in International Criminal Law

Georgetown Global Teaching Fellow (2011)

Professional Experience

Public Law

- Judicial reviews relating to the the “Co-location arrangement” of the high speed rail, the construction of the 3rd Runway, immigration decisions, and disciplinary proceedings.
- Acted as junior counsel in the Court of Appeal judgment which extended the public interest litigation exception for costs to an interested party: ***Kwok Cheuk Kin and Another v. Director of Lands and Others*** (25/06/2021, CACV317/2019) [2021] HKCA 915.
- Represented the successful Respondent in ***Javid Kamran v. Commissioner of Registration and Another*** (HCAL1324/2019), where the Court upheld the decision to refuse the Applicant’s application for a Hong Kong permanent identity card
- ***Li Wai Hung Cesario v Administrative Appeals Board*** [2015] 5 HKLRD 575: acted as junior counsel in this challenge against the Administrative Appeal Board’s rejection of an application for mahjong / tin kau licence.

Family Law

- Acted for the Respondent in the landmark case of ***AA v. BB*** [2021] HKCFI 1401, where the Court of First Instance granted guardianship and joint custody to the non-biological parent within a same-sex relationship.
- FDR and CDR hearings, ancillary relief proceedings, claims of third-party beneficial interest, freezing remedies in aid of proceedings in and out of jurisdiction, maintenance variation/ maintenance pending suit, anti-suit injunction, litigation funding, custody and access, and domestic violence applications.

Regulatory

- Financial regulation: represented the Securities and Futures Commission in disciplinary proceedings and in trial.
- Competition law: seconded to the Competition Commission; advised private parties on implementation of the Competition Ordinance; undertook part-time

postgraduate studies in competition law, obtaining Distinction in examination component.

- Regulation of professions: has experience representing the regulatory body and the complainant in professional misconduct cases.

Land Law

- Represented Incorporated Owners at trials and hearings in the Lands Tribunal, District Court and the High Court;
- Conducted trials and applications on trust, adverse possession, building management fees, disputes as to common parts, meeting procedures, contentious charging orders, harassment remedies, and unauthorized building works.

Commercial, Company & Employment Law

- Employment and partnership disputes involving conspiracy to defraud and breaches of confidentiality and fiduciary duties.
- Shareholder and director disputes, injunctions (breach of confidence, restrictive covenants, Mareva, Norwich Pharmacal), conspiracy to defraud, bankruptcy and winding-up matters, tax appeals, restricted application orders, and advice on listing rules.

Tax

- ***Koo Ming Kown and Another v. The Commissioner of Inland Revenue*** (CACV 602/2018) [2021] 3 HKLRD 642: acted as junior counsel for the successful Applicants in resisting the Commissioner's appeal, which concerned assessments to additional tax made against the Applicants for incorrect statements in tax returns

Arbitration

- Dispute between parties to a construction and fitting-out contract in respect of a building's commercial area (claim value over HK\$30 million). Acted as Counsel in arbitration proceedings administered by HKIAC.

- Dispute between parties to a share transfer agreement: application to set aside an arbitration award under s.81 of the Arbitration Ordinance. Acted as Counsel in court proceedings.
- Dispute between parties to various financing agreements governed by BVI law and German law respectively (claim value over HK\$150 million). Assisted the Arbitral Tribunal in preparation of written decision, administered by the ICC International Court of Arbitration.
- Inter-state dispute between Pakistan and India in respect of the Indus Water Treaty 1960 (the Indus Waters Kishenganga Arbitration). Assisted one of the foreign counsel for India, administered by the Permanent Court of Arbitration.

Environmental Work

- Acted as independent co-legal advisers on ADM Capital Foundation's White Paper titled *Protection of Endangered Species: Enhanced Enforcement Strategy*, which proposed incorporating certain offences involving wildlife trafficking and illegal trade into the Organized and Serious Crimes Ordinance (Cap. 455).

International Work

- Legal experience outside Hong Kong includes working on a state-to-state international arbitration, researching at the International Environmental Law Research Centre in Kenya and a summer judicial clerkship at U.S. federal court.