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# Equal Opportunities and Diversity Policy

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## Statement of Policy

1. The aims of this Policy aspires to:
  - (1) Declare the commitment of Pantheon Chambers to the practical application and promotion of principles of equal opportunities and diversity;
  - (2) Communicate that commitment to members, pupils, employees and other workers and service users of Pantheon Chambers, and
  - (3) Further our core values.
2. Discrimination by barristers on the ground of sex, race, disability, and family status is unlawful.
3. Under this policy, Pantheon Chambers will avoid discrimination not only on statutory grounds but also on grounds of other “protected characteristics”, namely:
  - (1) Age,
  - (2) Disability,
  - (3) Gender reassignment,
  - (4) Marital or civil partnership status,
  - (5) Pregnancy or maternity,
  - (6) Race, colour, nationality, ethnic or national origins,
  - (7) Religion or belief,
  - (8) Sex, and
  - (9) Sexual orientation.
4. Pantheon Chambers is opposed to all forms of unlawful and unfair discrimination, including:
  - (1) Direct discrimination – a person directly discriminates against another if because of a protected characteristic, he or she treats that person less favourably.
  - (2) Indirect discrimination – indirect discrimination occurs where an apparently neutral provision, criterion or practice has, or would have, a

disadvantageous impact upon a particular group compared with others, unless such provision, criterion or practice can be justified as a proportionate means of achieving a legitimate aim. For example, it could be indirect discrimination if all chambers social events took place in the evening which could affect pupils and members with primary childcare commitments.

- (3) Victimization – i.e. the subjection of one person by another to a detriment because they have done, or the victimizer believes that the other person has done or may do, a protected act such as:
    - (i) Making an allegation of discrimination or harassment,
    - (ii) Giving evidence in proceedings relating to an act or acts of discrimination or harassment,
    - (iii) Bringing proceedings relating to an act or acts of discrimination or harassment, or
    - (iv) Doing any other thing for the purposes of equality legislation or in connection with it.
  - (4) Harassment – i.e. unwanted conduct which has the purpose or effect of violating a person’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for the subject, and
  - (5) Failure to make reasonable adjustments which puts a disabled person at a substantial disadvantage in comparison with non-disabled people.
5. All applicants for membership, pupillage, employment, and work experience and all others who work with or for us will be treated fairly and will not be discriminated against on any of the prohibited grounds. Decisions about membership, recruitment and selection, promotion, training, pay, disciplinary action and any other matter will be made objectively and with the goals of this policy in mind. Members (including those involved in management of Chambers) are expected to declare conflicts of interest to the Management Committee.
6. Members, pupils, employees and students on work experience in chambers are encouraged to socialize and develop professional relationships in Chambers provided that these relationships do not interfere with the work performance of either individual or with the effective functioning of the Chambers. Those who engage in personal relationships (including romantic and sexual relationships) should be aware of their professional responsibilities and will be responsible for assuring that the relationship does not raise concerns about favouritism, bias, ethics and conflict of interest. In cases of doubt, advice and counsel should be sought from a member of the Management Committee.

7. Romantic or sexual relationships between members and employees/pupils/students where one individual has influence or control over the other's conditions of employment/work are inappropriate. These relationships, even if consensual, may ultimately result in conflict or difficulties in the workplace. If such a relationship currently exists or develops, it must be disclosed by the member to the Management Committee. The employee/pupil/student involved in the relationship is encouraged to disclose the relationship to a member of the Management Committee.
8. In particular, a sexual relationship between a pupil and pupil master/mistress, or between a pupil and any member of chambers or clerk who could be perceived to have any influence over that pupil's professional future, is strongly discouraged. The risk of a breach of duties under the Code of Conduct of the Hong Kong Bar (including duties of honesty, integrity, independence, trust and confidence, not to discriminate, and proper management of practice) is very high indeed. The risk may take the form of apparent or actual discrimination against the pupil concerned (particularly if the relationship breaks down before a tenancy decision is made) or against other pupils in Chambers, who may perceive themselves to be at a disadvantage. There will always be the risk of a perception that, for example, X was given a tenancy or better work because of the influence of the senior person with whom X was in a relationship. The pupil is inevitably in a very vulnerable position. There is a very real risk that a pupil will feel under pressure to enter into a sexual relationship with a pupil master/mistress or other member of Chambers, at a time when that pupil's future lies in the hands of members.
9. This policy has regard to the legal obligations, principles and guidance derived from the Hong Kong Bill of Rights, the relevant "Discrimination Ordinances" (Sex Discrimination Ordinance (Cap. 480); Disability Discrimination Ordinance (Cap. 487); Family Status Discrimination Ordinance (Cap. 527); and the Race Discrimination Ordinance (Cap. 602)). The policy also reflects Pantheon Chambers' commitment to promoting respect for fundamental human rights and compliance with the law.
10. Pantheon Chambers recognises that the provision of equal opportunities in chambers is not only right as a matter of principle and consistent with our core values, but that it is also good management practice. This policy will help us, and those who work with and for us, develop our full potential, and thus promotes respect for the individual worth of all people involved with Pantheon Chambers.

## Scope of the Policy

11. This policy applies to:
  - (1) Members, including tenants and door tenants,
  - (2) Employees,
  - (3) Applicants for membership and for employment or other engagements,

- (4) Pupils,
- (5) Students on work experience,
- (6) Contract workers (including casual workers),
- (7) Agency workers,
- (8) Volunteer workers,
- (9) Clients (lay and professional) and other service users,
- (10) Anyone who has formerly fallen into one of the categories above, but whose relationship with Pantheon Chambers has either terminated or altered, and
- (11) Visitors

## Implementation

12. All members, employees, pupils and students have a duty to read and comply with this policy. The Management Committee retains unfettered discretion in determining the appropriate sanction (including, but not limited to the issuance of a warning letter and/or termination of tenancy, employment, pupillage or internship) for such person who is found to have breached this policy.
13. Responsibility for implementation of this policy lies with the Chambers' Management Committee. In order to implement the policy, Pantheon Chambers shall:
  - (1) Provide a copy of this policy to all members, pupils, employees,
  - (2) Publish a copy of this policy on Pantheon Chambers' website,
  - (3) Inform all applicants, students on work experience, contract workers, agency workers and volunteer workers of the existence of this policy
  - (4) Retain hard copies of this policy in the Pantheon Chambers Reception for inspection on request,
  - (5) Require all members to sign an acknowledgement copy of this policy,
  - (6) Ensure that all members and employees who are involved in assessing candidates for recruitment or promotion are aware of and committed to the objectives of this policy.

## Recruitment

14. Advertisements for membership, pupillages and employment will give sufficiently clear and accurate information to enable potential applicants to assess their own suitability for the post. Information about vacant posts will be provided in such a manner that does not restrict its audience in terms of any protected characteristic.
15. Pantheon Chambers will, where possible, publish the statement set out below on detailed vacancy information for job vacancies, work experience placements, traineeship and membership posted on its website:

*“Pantheon Chambers strives to be an equal opportunities employer and is committed to diversity amongst its staff and members. We therefore encourage and welcome applications from women, people of minority ethnic origin and people with disabilities, as well as candidates from other groups which are under-represented in the legal sector. We are happy to make reasonable adjustments to enable disabled candidates to demonstrate their suitability for tenancy and/or employment opportunity.”*

16. Recruitment literature will not express or imply preferences linked with protected characteristics.
17. All vacancies for employment will be notified through appropriate non-discriminatory advertising. Where appropriate, persons from under-represented groups will be particularly invited to apply and Pantheon Chambers will endeavour to use those advertising media that are likely to attract the widest and/or most diverse group of candidates.
18. Descriptions and specifications for posts will include only those requirements that are reasonably necessary and justifiable for the performance of the job.
19. All selection will be conducted against defined criteria and will deal only with the applicant’s suitability for the job.
20. Pantheon Chambers is aware that reasonable adjustments may need to be made for disabled candidates at the application stage of the recruitment process when, for example, application forms may have to be provided on a particular format.

## **Monitoring and Review**

21. Pantheon Chambers will establish appropriate information, monitoring and review systems to assist the effective implementation of this policy. Pantheon Chambers welcomes the views and concerns of all applicants on the content and implementation of this policy.

## **Complaints**

22. Anyone to whom this policy applies who believes that s/he has suffered any form of discrimination, harassment or victimisation contrary to this policy, is entitled and encouraged to raise that concern. Employees, tenants, door tenants, pupils and mini-pupils should contact, in the first instance, **Azan Marwah** or **Ronald Pang**. All other complaints can be made in writing to the Chambers’ Administrator ([admin@pantheonchambers.com](mailto:admin@pantheonchambers.com)). All complaints of discrimination, harassment or victimisation will be treated confidentially, seriously and promptly.