

Jocelyn Tsao

PARTNER | HONG KONG

+852 3711 1609

jocelyn.tsao@withersworldwide.com



Jocelyn is a partner in the [divorce and family](#) team.

Jocelyn started her family law practice 15 years ago in 2007, and advises on all aspects of matrimonial law including divorce, prenuptial agreements, child care and custody and financial disputes. She advises husbands, wives, and unmarried partners. She is an experienced advocate in court as well as a seasoned negotiator in mediations.

Jocelyn has been involved with some of the most high profile cases to come before the courts in Hong Kong as part of a team involving high net worth individuals with diverse and complex issues. She has considerable experience in divorce cases involving trusts, corporate structures and injunctions, as well as complex cross-jurisdictional divorces which requires co-ordinating with other solicitors overseas and experts, as well as leading counsel in Hong Kong and London.

Her cases have recently been concerned with international child abduction, issues of jurisdiction, financial discovery and dealing with the preliminary issue of beneficial ownership, with one notable case involving two famous banking families in Hong Kong.

Jocelyn is passionate about cases involving children's interests, custody, care and control, and has successfully dealt with a number of child relocation cases, with expertise on Hague Convention cases involving child abduction before the High Court.

From 2020-2021, Jocelyn is recognised as a Recommended Lawyer in Doyle's Hong Kong Family & Divorce Lawyers Ranking and rated as a Future Star in Benchmark Litigation in the practice areas of Family and Matrimonial. She is also recognised as an Up and Coming practitioner in Chambers and Partners in 2021 and 2022.

SECRETARY **ELAINE HO**

+852 3711 1610

elaine.ho@withersworldwide.com

TRACK RECORD

Advised a very high profile client when she achieved the largest ever award from a court in Hong Kong, namely HK\$1.4 billion. This case involved issues relating to s17 applications as well as consideration as to whether or not shares in a business of considerable valuable should form part of the marital assets. It also considered the impact of corporate documents in the context of divorce following the landmark Supreme Court decision in England of *Prest v Petrodel*. This matter subsequently went to the Court of Appeal and was reported as *TCWF v LKKS (No. 1)* [2014] HKFLR 1; [2014] 1 HKLRD 896.

Responsible for a complex case involving a wealthy family in Hong Kong in particular successfully applying for detailed specific discovery and running a preliminary case to determine beneficial ownership: *LCJWY v LCKS* [2015] HKEC 1403 and [2016] HKEC 789.

Acted for the applicant in a highly acrimonious case involving custody, care and control and access on the issue of custody, care and control, and access. She successfully secured sole custody, care and control and restricted access to the father, with costs. Represented and advised client against the father's false criminal allegations of child abuse: *CCAIH and CGCL FCMP122/2013*.

Acted for the wife to the Court of Appeal on the main suit. The husband filed a stay summons on the wife's petition on the ground of forum non-conveniens, claiming that the South Korean Family Court was the more appropriate forum. The husband also filed an application to seek leave to file an amended answer and cross-petition. The Court of Appeal dismissed the husband's stay summons. Jocelyn worked with senior counsel from the UK and lawyers from Korea: *SJH and RJH CACV 280/2011* [2012] 3 HKC.

Jocelyn acted in one of the first cases under Section 29AC of the MPPO. Wife sought financial relief from the Hong Kong Court on a divorce already finalised in Macau. The key question in the case was whether the applicant could prove her substantial connection with Hong Kong so

that the Hong Kong courts would have jurisdiction to hear the matter: CMC and WPM FCMP59/2012 [2012] HKEC 1257.

ADMISSIONS

- Hong Kong, 2009

PUBLICATIONS

'Enforcement and recognition of matrimonial orders between Hong Kong and the Mainland', Feb 2022, co-author

'Parental choices over vaccinations and how it relates to custody in Hong Kong' - Jan 2022, co-author

'Parental rights for same-sex partners in Hong Kong and Singapore' - Dec 2021, co-author

'Parental rights of unmarried fathers in Hong Kong' - July 2021, author

'Hong Kong: Parental rights for same-sex partners' - June 2021, co-author

'Why Mediation Should be Used to Resolve Child Custody Disputes in Hong Kong', Hong Kong Lawyer - January 2020, co-author

'Why splitting assets down the middle may not be fair in some divorce cases', SCMP - October 2013

'International Aspects of Child Abduction in Asia Pacific', IAML - 2013

MEMBERSHIPS

- Hong Kong Family Law Association

- Law Society of Hong Kong

TALKS

'Protecting ones' wealth in the event of a divorce', Dec 2021

'Pro Bono Hong Kong Seminar on Family Law' - Pro Bono, Nov 2021

'Divorce across multiple jurisdictions' and *'The Protection of Assets in Trusts'*, Transcontinental Trusts Asia Conference - March 2015

'香港律師會法律周:知法守法', TVB legal programme, Hong Kong Law Week Special - 2011

EDUCATION

University of Hong Kong, LLB, PCLL

LANGUAGES

CANTONESE

ENGLISH

DATES

JOINED: 2012

RECOGNITION

2022 Chambers GCR Ranked
Jocelyn Tsao

2021 DG Recommended Leader in Family
Law

2021 Chambers Asia
Pacific Ranked
Jocelyn Tsao

2021
Benchmark
Litigation Future
Stars

2015 Wealth Briefing Asia Awards
Hong Kong Legal Team Winner
Jocelyn Tsao

2014 Wealth Briefing Asia Awards
Singapore Effective Legal Team Highly
Commended Jocelyn Tsao

2014 Citywealth
Hong Kong Law Firm
of the Year

2014 Asia Pacific
top ranked

2013 Wealth Briefing Asia Awards
Shortlisted Jocelyn Tsao

2013 Top Ranked Asia

2013 HK Law
Awards winner logo

2012 Hong Kong
Law Awards

2011 HK Law Awards Winner
Logo

Hong Kong
30/F UNITED CENTRE, 95 QUEENSWAY