

JORC Report 2008

The Judicial Officers Recommendation Commission (“JORC”) Report has adopted a new format since 2007. Previously, our Report contained information about the JORC, gave an account of its important work during the year and described the different levels of court to give a comprehensive picture of the judicial offices within the responsibility of the JORC. Such information is now separately provided in two reports. First, a new report entitled “Judicial Officers Recommendation Commission” has been issued. This provides an account of the JORC and describes the different levels of court. It has been uploaded on our [website](#). Secondly, an annual report which will concentrate on the work of the JORC during the year will be issued.

In an effort to contribute to the protection of the environment, we will no longer publish a paper version of the “Judicial Officers Recommendation Commission” Report or the annual report. Both will only be uploaded on our Website.

We hope you will enjoy reading this Report and gain a better understanding of the JORC during 2008.

Andrew Li
Chief Justice
Chairman of the Judicial Officers Recommendation Commission

Membership of JORC

1. In 2008, the Chief Executive re-appointed two members of JORC and appointed one new member to JORC for a term of two years from 1 July 2008 to 30 June 2010. The membership in 2008 is listed below –

Ex officio chairman and member

The Honourable Chief Justice Andrew LI Kwok-nang, GBM (Chairman)

The Honourable WONG Yan Lung, SC, JP (Secretary for Justice)

Judges

The Honourable Mr. Justice Geoffrey MA Tao-li (up to 30 June 2008)

The Honourable Mr. Justice Roberto Alexandre Vieira RIBEIRO (from 1 July 2008 to 30 June 2010)

The Honourable Mr. Justice Louis TONG Po-sun
(from 1 July 2006 to 30 June 2008)
(from 1 July 2008 to 30 June 2010)

Barrister and solicitor

Mr. Ambrose Ho, SC (barrister) (from 1 July 2007 to 30 June 2009)

Mr. Michael Lintern-Smith (solicitor) (from 1 July 2007 to 30 June 2009)

Persons not connected with the practice of law

Professor Lap-Chee TSUI (from 1 July 2007 to 30 June 2009)

Dr Rosanna WONG Yick-ming, JP (from 1 July 2007 to 30 June 2009)

Dr Edgar CHENG Wai-kin, GBS, JP (from 1 July 2006 to 30 June 2008)
(from 1 July 2008 to 30 June 2010)

Secretary of JORC

2. Miss Emma LAU Yin-wah, the current holder of the Judiciary Administrator post, has been appointed as the JORC Secretary since 15 June 2005.

Work of JORC

1. Discussions and decisions on recommendations on judicial appointments were made usually through meetings and occasionally by circulation of papers. In the year 2008, four meetings were held at which 12 papers were discussed with 36 resolutions passed making recommendations on judicial appointments. In addition, one paper was circulated for consideration, resulting in the passage of one resolution without a meeting making such a recommendation.

Recommendations on Judicial Appointments made in 2008

1. In the year 2008, JORC made a total of 13 recommendations on judicial appointments – three to the Court of Final Appeal, eight to the High Court, one to the District Court and one to the Magistrates' Courts. Details are shown in the table below.

Court of Final Appeal	High Court		District Court	Magistrates' Courts
Non-permanent Judge from other common law jurisdictions	Justice of Appeal of the Court of Appeal	Recorder of the Court of First Instance	Chief District Judge	Chief Magistrate
3	1	7	1	1

2. In addition, JORC made three recommendations relating to extensions of service beyond the normal retirement age (that is whether to extend and if so for how long). Details are shown in the table below.

High Court	Magistrates' Courts	
Justice of Appeal of the Court of Appeal	Principal Magistrate	Magistrate
1	1	1

3. Moreover, JORC made five recommendations on transfers to permanent and pensionable terms. Details are shown in the table below.

Lands Tribunal	Magistrates' Courts
Member, Lands Tribunal	Magistrate
1	4

4. Further, JORC made 16 recommendations on renewals of contracts. Details are shown in the table below.

Magistrates' Courts
Magistrate
16

Judicial Appointments made in 2008

High Court

1. On the recommendation of JORC, the Chief Executive appointed The Honourable Mr. Justice Michael Hartmann as Justice of Appeal of the Court of Appeal of the High Court with effect from 10 September 2008.

2. On the recommendation of JORC, the Chief Executive re-appointed the following seven persons as Recorders of the Court of First Instance of the High Court for three years from 1 January 2009 to 31 December 2011 –

Name

Mr. Patrick FUNG Pak-tung, SC

Mr. Andrew Colin MACRAE, SC

Mr. Ambrose HO, SC

Mr. JAT Sew-tong, SC

Mr. Anthony CHAN Kin-keung, SC

Mr. Rimsky YUEN Kwok-keung, SC

Mr. Paul SHIEH Wing-tai, SC

District Court

3. On the recommendation of JORC, the Chief Executive appointed His Honour Judge Patrick LI Hon-leung as Chief District Judge with effect from 2 July 2008.

Magistrates' Courts

4. On the recommendation of JORC, the Chief Executive appointed Mr. TONG Man as Chief Magistrate with effect from 2 July 2008.

Bio-data of the Chairman and Members of JORC

Chairman

The Honourable Chief Justice Andrew LI Kwok-nang, GBM

Chief Justice Li holds the degrees of Master of Arts and Master of Laws from Cambridge University. He was called to the English Bar in 1970 and the Hong Kong Bar in 1973. In 1988, he was appointed Queen's Counsel. Chief Justice Li was in private practice before he was appointed as the first Chief Justice of the Court of Final Appeal on 1 July 1997. He was made an Honorary Bencher of the Middle Temple in 1997 and an Honorary Fellow of Fitzwilliam College Cambridge in 1999. Chief Justice Li was honoured with the award of the Grand Bauhinia Medal in 2008. He has been awarded honorary degrees by the Hong Kong University of Science and Technology, the Hong Kong Baptist University, the Open University of Hong Kong, the University of Hong Kong, the Griffith University, the University of New South Wales, the University of Technology, Sydney and the Chinese University of Hong Kong. He is a trustee of the Friends of Tsinghua University Law School Charitable Trust.

Ex officio member

The Honourable WONG Yan Lung, SC, JP

Mr. Wong graduated from Cambridge University and was conferred Bachelor of Arts (Law) and Master of Arts (Law) Degrees. In 1987, he was called to the Bar in England and Wales and in the same year he was also called to the Bar in Hong Kong. He was appointed as Senior Counsel in Hong Kong in 2002. In October 2005, Mr. Wong was appointed as Secretary for Justice. He heads the Department of Justice which has, among other staff, about 300 lawyers. He is the Chairman of the Law Reform Commission and the Deputy Chairman of the Fight Crime Committee. Before his present appointment, he was a lawyer in private practice. He sat as Deputy High Court Judge of the Court of First Instance in July and August in 2003, and was a Council member of the Council of the Hong Kong Bar Association on multiple terms in the period between 1989 and 2005 and Chairman of the Special Committee on Legal Education of the Hong Kong Bar Association from 2003 to 2005. He was elected as a Master of the Bench of Middle Temple in October 2007.

Members

The Honourable Mr. Justice Geoffrey MA Tao-li (up to 30 June 2008)

Mr. Justice Ma obtained his Bachelor of Laws degree from the University of Birmingham in 1977, and was called to the Bar of England and Wales in 1978. He was called to the Hong Kong Bar in 1980. He was also admitted to the Bar of the State of Victoria in 1983 and to the Singapore Bar in 1990. He became Queen's Counsel in 1993. Mr. Justice Ma is an Honorary Bencher of Gray's Inn. He was in private practice until his appointment as Judge of the Court of First Instance of the High Court in 2001. In 2002, he was appointed a Justice of Appeal of the Court of Appeal of the High Court. Since July 2003, he has been the Chief Judge of the High Court. Mr. Justice Ma is the Chairman of the Steering Committee on Civil Justice Reform. He is also the ex-officio Chairman of the High Court Rules Committee, District Court Rules Committee and the Criminal Procedure Rules Committee.

The Honourable Mr. Justice Roberto Alexandre Vieira RIBEIRO (from 1 July 2008)

Mr. Justice Ribeiro was conferred the degrees of Bachelor of Laws and Master of Laws from the London School of Economics in 1971 and 1972 respectively. In 1978, he was called to the Bar at the Inner Temple and also to the Bar in Hong Kong. He was appointed Queen's Counsel in 1990. In 1995, he was admitted as Advocate and Solicitor in Singapore. Mr. Justice Ribeiro was in private practice before joining the Judiciary as Judge of the Court of First Instance of the High Court in 1999. He was appointed Justice of Appeal of the Court of Appeal of the High Court in 2000. Since September 2000, he has been a Permanent Judge of the Court of Final Appeal. He is an Honorary Bencher of the Inner Temple and an Honorary Fellow of the London School of Economics. He has also been made a Chevalier de la Legion d'Honneur.

The Honourable Mr. Justice Louis TONG Po-sun

Mr. Justice Tong obtained the Bachelor of Arts Degree from York University Canada, in 1978. He was conferred the Bachelor of Laws degree and the Postgraduate Certificate in Laws from the University of Hong Kong, and in 1985, he was called to the Bar in Hong Kong. He was in private practice from 1985 to 1990. He joined the Judiciary as Magistrate in 1991. He was appointed Principal Magistrate in 1997, and Chief Magistrate in 1998. In October 2000, he was appointed Judge of the Court of First Instance of the High Court. Mr. Justice Tong is the Chairman of the Release under

Supervision Board and the Deputy President of the Long-term Prison Sentences Review Board. He is a member of the Sub-committee on Juries, Law Reform Commission. He is also the Chairman of the Society of Rehabilitation and Crime Prevention.

Mr. Ambrose Ho, SC

Mr. Ho is a practising Senior Counsel. He graduated from the University of London with a Bachelor of Laws degree in 1983 and obtained his LLM degree from the University of Cambridge in 1985. He was called to the Bar of England and Wales in 1984 and the Hong Kong Bar in the same year. In 2000, he was appointed as Senior Counsel. Mr. Ho was the Vice-Chairman of the Hong Kong Bar Association from 2003 to 2005. He is currently serving as the Vice Chairman of the Consumer Council, and has been appointed as the Chairman of the Broadcasting Authority from 1 December 2008.

Mr. Michael Lintern-Smith

Mr. Lintern-Smith has practised as a solicitor in Hong Kong since 1982. He was made a Partner of Robertsons in January 1985 and has been the firm's Senior Partner since 1989. Mr. Lintern-Smith was the President of The Law Society of Hong Kong in 2004-05 and is a current Council Member of the Society. He is also a member of the Inter-Pacific Bar Association, Lawasia, the French Chamber of Commerce, the Hong Kong Institute of Directors and the Court of Final Appeal Rules Committee. He is a member of the Law School Board, City University of Hong Kong and former Chairman of the European Committee of Hong Kong General Chamber of Commerce.

Professor Lap-Chee TSUI

Professor Tsui is the fourteenth Vice-Chancellor of The University of Hong Kong. Prior to his present appointment in September 2002, Professor Tsui was Geneticist-in-Chief at The Toronto Hospital for Sick Children, a University Professor and the H.E. Sellers Chair in Cystic Fibrosis at the University of Toronto. Professor Tsui is a pioneer in genomic research and other disease gene studies. His national and international honours include being elected as Fellow of the Royal Society of Canada, Fellow of the Royal Society of London, Fellow of Academia Sinica, Foreign Associate of the National Academy of Sciences (USA), and Honorary Fellow of the Royal College of Physicians (UK), and also awarded the Order of Canada (Officer rank) and the Order of Ontario.

Dr Rosanna WONG Yick-ming, JP

Dr Wong is the Executive Director of The Hong Kong Federation of Youth Groups and is a Member of the National Committee of the Chinese People's Political Consultative Committee. She was also the Chairman of the Education Commission of the Hong Kong Special Administrative Region until 30 April 2007. She was a former Member of both the Executive and Legislative Councils. Currently, she is committed to a number of welfare organizations and charities, and serves as Non-Executive Director of two public companies, namely the Hongkong and Shanghai Banking Corporation Limited and the Cheung Kong (Holdings) Limited. Dr Wong holds a B.Soc.Sc. from the University of Hong Kong; an M.S.W. from the University of Toronto; an M.Sc. from the London School of Economics and Political Science, University of London; and an M.A. and Ph.D. from the University of California, Davis. She was awarded Honorary Doctorates from the Chinese University of Hong Kong in 1996, from the University of Toronto in 1999, from the Hong Kong Polytechnic University in 2002, from the University of Hong Kong in 2003 and from the Hong Kong Institute of Education in 2004. In 2006, she was made an Honorary Fellow of the London School of Economics and Political Science. Dr Wong has been the recipient of the Ten Outstanding Young Persons Award in Hong Kong and was honoured as Global Leader for Tomorrow by the World Economic Forum. She was also honoured with the award of Dame Commander of the Most Excellent Order of the British Empire in 1997.

Dr Edgar CHENG Wai-kin, GBS, JP

Dr Cheng is the Chairman of The World-Wide Investment Company Limited, the Chairman of the Council of the Chinese University of Hong Kong and Chairman of the Council for Sustainable Development. He is also a member of the 11th Chinese People's Political Consultative Conference National Committee. Dr Cheng started his academic career in the medical profession and later joined the business sector in the late 1980s. He held important positions in a number of listed and private companies, including serving as Non-Executive Director and Vice-Chairman in the Hang Seng Bank from 1989 to 1998, as Director of the Hong Kong Futures Exchange Limited from 1991 to 1994, as Council Member from 1991 to 1994 and then as Chairman of the Council of the Stock Exchange of Hong Kong Limited from 1994 to 1997, as Vice President of the International Federation of Stock Exchanges in 1997, as Chairman of University Grants Committee from 1998 to 1999 and as Head of the Government's Central Policy Unit from 1999 to 2001.