

## **JORC Report 2009**

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 report entitled “Judicial Officers Recommendation Commission” was issued in 2009. 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 2009.

Andrew Li  
Chief Justice  
Chairman of the Judicial Officers Recommendation Commission

## **Membership of JORC**

1. In 2009, the Chief Executive re-appointed three members of JORC and appointed one new member to JORC for a term of two years from 1 July 2009 to 30 June 2011. The membership in 2009 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 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. Rimsky Yuen, SC (barrister) (from 1 July 2009 to 30 June 2011)

Mr. Michael Lintern-Smith (solicitor) (from 1 July 2007 to 30 June 2009)  
(from 1 July 2009 to 30 June 2011)

### **Persons not connected with the practice of law**

Professor Lap-Chee TSUI (from 1 July 2007 to 30 June 2009)  
(from 1 July 2009 to 30 June 2011)

Dr Rosanna WONG Yick-ming, DBE, JP (from 1 July 2007 to 30 June 2009)  
(from 1 July 2009 to 30 June 2011)

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 2009, three meetings were held at which 13 papers were discussed with 52 resolutions passed making recommendations on judicial appointments. In addition, four papers were circulated for consideration, resulting in the passage of five resolutions without a meeting making such recommendations.

## Recommendations on Judicial Appointments made in 2009

1. In the year 2009, JORC made a total of 48 recommendations on judicial appointments – 19 to the High Court, 13 to the District Court and 16 to the Magistrates' Courts. Details are shown in the table below.

High Court		District Court		Magistrates' Courts	
Justice of Appeal of the Court of Appeal	Judge of the Court of First Instance	Principal Family Court Judge	District Judge	Principal Magistrate	Magistrate
1	12	1	12	3	13
President, Lands Tribunal	Recorder of the Court of First Instance				
2	4				

2. In addition, JORC made three recommendations on transfers to permanent and pensionable terms. Details are shown in the table below.

<b>Magistrates' Courts</b>	
Principal Magistrate	Magistrate
1	2

3. Moreover, JORC made six recommendations on renewals of contracts. Details are shown in the table below.

<b>Magistrates' Courts</b>	
Magistrate	Special Magistrate
2	4

## **Judicial Appointments made in 2009**

### **Court of Final Appeal**

1. On the recommendation of JORC, the Chief Executive appointed the following three Non-permanent Judges from other common law jurisdictions to the Court of Final Appeal for three years from 1 March 2009 to 29 February 2012 –

#### **Name**

Mr. Murray Gleeson

The Right Honourable The Lord Walker of Gestingthorpe

The Right Honourable The Lord Neuberger of Abbotsbury

### **High Court**

2. On the recommendation of JORC, the Chief Executive appointed The Honourable Madam Justice Susan Kwan as Justice of Appeal of the Court of Appeal of the High Court with effect from 28 September 2009.

3. On the recommendation of JORC, the Chief Executive appointed the following seven persons as Judges of the Court of First Instance of the High Court –

#### **Name**

*With effect from 28 September 2009*

His Honour Judge Anthony To Kwai-fung

His Honour Judge Peter John Line

Her Honour Judge Maggie Poon Man-kay

His Honour Judge Derek Pang Wai-cheong

His Honour Judge Colin Richard Mackintosh

*With effect from 1 December 2009*

His Honour Judge Au Hing-cheung

Mr. Jonathan Russell Harris, SC

4. On the recommendation of JORC, the Chief Executive re-appointed Mr. Benjamin Yu, SC as a Recorder of the Court of First Instance of the High Court for three years from 1 December 2009 to 30 November 2012; and appointed Mr. Horace Wong Yuk-lun, SC and Mr. Anderson Chow Kaming, SC as Recorders of the Court of First Instance of the High Court for three years from 1 January 2010 to 31 December 2012.

## **District Court**

5. On the recommendation of JORC, the Chief Executive appointed Her Honour Judge Bebe Chu Pui-ying as Principal Family Court Judge with effect from 28 September 2009.

6. On the recommendation of JORC, the Chief Executive appointed the following 11 persons as District Judges with effect from 28 September 2009 –

### **Name**

Mr. Garry Tallentire  
Mr. Eddie Yip Chor-man  
Mrs. Katina Levy Law Suet-mui  
Mr. Chan Chan-kok  
Mr. Simon Kwang Cheok-weung  
Mr. Albert Wong Sung-hau  
Mr. Frankie Yiu Fun-che  
Mr. Wong King-wah  
Mr. Poon Siu-tung  
Mr. Justin Ko King-sau  
Mr. Douglas Yau Tak-hong

## **Magistrates' Courts**

7. On the recommendation of JORC, the Chief Executive appointed Mr. Anthony Chow Siu-wo, Mr. Anthony Kwok Kai-on and Mr. Tam Lee-cheung as Principal Magistrates with effect from 28 September 2009.

8. On the recommendation of JORC, the Chief Executive appointed the following 12 persons as Magistrates –

### **Name**

*With effect from 28 September 2009*

Mr. Raymond Wong Kwok-fai  
Ms Amy Chan Wai-mun  
Miss Josephine Chow Pok-fun



*With effect from 1 December 2009*

Mr. Pang Ka-kwong  
Mr. Wong Lai-wing  
Mr. Dick Ho Chin-pang  
Mr. Simon Lui Kin-man  
Mr. Lawrence Yip Sue-pui  
Mr. So Wai-tak  
Mr. Cheung Kwan-ming  
Mr. Jason Wan Siu-ming  
Miss Ivy Chui Yee-mei

## **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, the Chinese University of Hong Kong and the Hong Kong Shue Yan University. 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 University of Cambridge 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 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 was 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 (up to 30 June 2009)**

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. Rimsky Yuen, SC**  
**(from 1 July 2009)**

Mr. Yuen is a practising Senior Counsel. He obtained his Bachelor of Laws degree in 1986 and Postgraduate Certificate in Laws in 1987, both from the University of Hong Kong. He was called to the Hong Kong Bar in 1987. In 2003, he was appointed Senior Counsel. Mr. Yuen was the Chairman of the Hong Kong Bar Association from 2007 to 2009. He is currently serving as a part-time member of the Central Policy Unit, non-official member of the Independent Commission against Corruption Advisory Committee on Corruption and non-executive director of Mandatory Provident Fund Schemes Authority.

**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 the Chairman of Anti-Money Laundering Committee and the Chairman of Limited Liability Partnerships Committee of the Law Society of Hong Kong. He is also a member of the Inter-Pacific Bar Association, Lawasia, the French Chamber of Commerce and the Hong Kong Institute of Directors. He is a former Chairman of the European Committee of Hong Kong General Chamber of Commerce and a current Chairman of the Buildings Ordinance Appeal Tribunal Panel.

**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), Foreign Member of Chinese Academy of Sciences, 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, DBE, JP**

Dr. Wong is the Executive Director of The Hong Kong Federation of Youth Groups. She is a Member of the National Committee of the Chinese People's Political Consultative Conference (CPPCC). Dr. Wong is also a Member of the Judicial Officers Recommendation Commission and the Commission on Strategic Development, both of the Government of the HKSAR. Dr. Wong serves as a Court Member of the Hong Kong University of Science and Technology. With the University of Hong Kong, she is an elected Member of the Council and an ex-officio Member of the Court.

Dr. Wong serves a number of welfare organizations and charities, including as Chairman of World Vision Hong Kong and on the Board and Executive Committee of World Vision International. She is also a Member of The Asia Foundation Hong Kong Leadership Council and a Member of the Cyberport Digital Entertainment IncuTrain Centre Advisory Committee. She serves as Non-Executive Director of the following public companies: Hongkong and Shanghai Banking Corporation Limited, Cheung Kong (Holdings) Limited and Hutchison Telecommunications Hong Kong Holdings Limited. Dr. Wong is also a Member of the Mars Global Independent Advisory Group (GIAG) of Mars, Incorporated.

She has a distinguished record of public service. Dr. Wong is a former Member of the Executive and Legislative Councils. She is also the former Chairperson of the Education Commission, the Hong Kong Housing Authority, the Commission on Youth and the Social Welfare Advisory Committee. Dr Wong is also a former Working Group Member of the United Nations High Level Commission on Legal Empowerment of the Poor and a former Member of the United Nations High Level Panel on Youth Employment and the former President of the English-Speaking Union (Hong Kong),

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 has been awarded Honorary Doctorates from the Hong Kong Institute of Education (2004), the University of Hong Kong (2003), the Hong Kong Polytechnic University (2002), the University of Toronto (1999) and the Chinese University of Hong Kong (1996). In 2006, she was made an Honorary Fellow of the London School of Economics and Political Science. She was bestowed the Beta Gamma Sigma Chapter Honouree Award by the Hong Kong University of Science and Technology in 2003.

Dr. Wong has been the recipient of many awards, both locally and internationally, including one of the Ten Outstanding Young Persons Award in

Hong Kong and being honoured as a 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 (DBE) in 1997.

**Dr Edgar CHENG Wai-kin, GBS, JP**

Dr Cheng is the Chairman of The World-Wide Investment Company Limited. He is an independent non-executive director of both CNOOC Limited and Shui On Land Limited. 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, as Vice Chairman from 2003 to 2007 and then as Chairman of the Council for Sustainable Development from 2007 to 2009 and as Member of the Council from 2002 to 2003 and as Chairman of the Council of the Chinese University of Hong Kong from 2003 to 2009.