

JORC Report 2010

The work of the Judicial Officers Recommendation Commission (“JORC”) is set out in two separate reports. First, a report entitled “Judicial Officers Recommendation Commission” is published to provide an overall account of the JORC, identifying the different levels of court within its responsibility. Secondly, an annual report is published to report on the work of the JORC during the year.

This JORC Report 2010 provides an account of the work of the JORC during 2010.

In an effort to contribute to the protection of the environment, we will only upload both Reports on our [Website](#).

Geoffrey Ma
Chief Justice
Chairman of the Judicial Officers Recommendation Commission

Membership of JORC

1. In 2010, the Chief Executive re-appointed three members of JORC for a term of two years from 1 July 2010 to 30 June 2012. The membership in 2010 is listed below –

Ex officio chairman and member

The Honourable Chief Justice Andrew LI Kwok-nang, GBM (Chairman)
(up to 31 August 2010)

The Honourable Chief Justice Geoffrey MA Tao-li (Chairman)
(from 1 September 2010)

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)
(from 1 July 2010 to 30 June 2012)

The Honourable Mr. Justice Louis TONG Po-sun
(from 1 July 2008 to 30 June 2010)
(from 1 July 2010 to 30 June 2012)

Barrister and solicitor

Mr. Rimsky Yuen, SC (barrister) (from 1 July 2009 to 30 June 2011)

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

Persons not connected with the practice of law

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

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

Dr Edgar CHENG Wai-kin, GBS, JP

(from 1 July 2008 to 30 June 2010)

(from 1 July 2010 to 30 June 2012)

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 2010, five meetings were held at which five papers were discussed with eight 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.

Recommendations on Judicial Appointments made in 2010

1. In the year 2010, JORC made a total of seven recommendations on judicial appointments – six to the Court of Final Appeal and one to the High Court. Details are shown in the table below.

Court of Final Appeal		High Court
Chief Justice	Non-Permanent Judge	Chief Judge of the High Court
1	5	1

2. In addition, JORC made two recommendations relating to extension of term of office beyond the normal retiring age. Details are shown in the table below.

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

Judicial Appointments made in 2010

Court of Final Appeal

1. On the recommendation of JORC, the Chief Executive appointed The Honourable Mr. Justice Geoffrey Ma as the Chief Justice of the Court of Final Appeal with effect from 1 September 2010.

2. On the recommendation of JORC, the Chief Executive appointed the following three Justice of Appeal as Non-permanent Hong Kong Judges of the Court of Final Appeal for three years from 1 September 2010 to 31 August 2013 –

Name

The Honourable Mr. Justice Robert Tang

The Honourable Mr. Justice Frank Stock

The Honourable Mr. Justice Michael John Hartmann

High Court

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

Name

With effect from 1 February 2010

Mr. Mohan Tarachand Bharwaney, SC

Mr. Joseph Paul Fok, SC

With effect from 12 April 2010

Mr. Andrew Colin Macrae, SC

4. On the recommendation of JORC, the Chief Executive appointed The Honourable Mr. Justice Au Hing-cheung as President, Lands Tribunal with effect from 1 January 2010.

District Court

5. On the recommendation of JORC, the Chief Executive appointed Ms Anthea Pang Po-kam as District Judge with effect from 1 February 2010.

Magistrates' Courts

6. On the recommendation of JORC, the Chief Executive appointed Mr. Li Kwok-wai as Magistrate with effect from 15 January 2010.

Bio-data of the Chairman and Members of JORC

Chairman

The Honourable Chief Justice Andrew LI Kwok-nang, GBM (up to 31 August 2010)

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 and the Woodrow Wilson Award for Public Service in 2010. 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, the Hong Kong Shue Yan University, Lingnan University and the City University of Hong Kong. He has been appointed Honorary Professor of Law of the University of Hong Kong, the Chinese University, the City University and Shue Yan University. He is a trustee of the Friends of Tsinghua University Law School Charitable Trust.

The Honourable Chief Justice Geoffrey MA Tao-li (from 1 September 2010)

Chief Justice Ma was appointed Chief Justice of Hong Kong on 1 September 2010.

Chief Justice Ma joined the Hong Kong Judiciary as a Judge of the Court of First Instance of the High Court in 2001. He was appointed a Justice of Appeal of the Court of Appeal of the High Court in 2002, and Chief Judge of the High Court in 2003.

Chief Justice Ma graduated with an LL.B from Birmingham University in 1977. He completed his Bar Finals in 1978. He was called to the English Bar (Gray's Inn) in 1978, the Hong Kong Bar in 1980, the Bar of the State of Victoria in Australia in 1983 and the Bar of Singapore in 1990. He was appointed Queen's Counsel in 1993 and made an Honorary Bencher of Gray's Inn in 2004.

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 and was conferred an Honorary Fellowship by Magdalene College, University of Cambridge, in 2009.

Members

The Honourable Mr. Justice Roberto Alexandre Vieira RIBEIRO

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 a Judge of the Court of First Instance of the High Court in 1999. He was appointed a 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 a Magistrate in 1991. He was appointed Principal Magistrate in 1997, and Chief Magistrate in 1998. In October 2000, he was appointed a 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. Rimsky Yuen, SC

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. He has since 2006 been appointed as a Recorder of the Court of First Instance of the High Court. Mr. Yuen was the Chairman of the Hong Kong Bar Association from 2007 to 2009. He is currently the Chairman of the Transport Advisory Committee, 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 a member of the Limited Liability Partnerships Committee of the Law Society of Hong Kong. He is also a member of the Inter-Pacific Bar Association, Lawasia, the Commonwealth Lawyers Association, 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. He is the clerk of the Disciplinary Committee of the Hong Kong Confederation of Insurance Brokers.

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. Rosanna Wong, DBE, JP, 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 sits on the Commission on Strategic Development and serves as a Court Member of both the Hong Kong University of Science and Technology and the University of Hong Kong, where she is also an elected Member of the Council. A former Member of the Executive and Legislative Councils, she currently serves numerous welfare organizations and charities and is a Non-Executive Director of the Hongkong and Shanghai Banking Corporation Limited, Cheung Kong (Holdings) Limited and Hutchison Telecommunications Hong Kong Holdings Limited and is also a Global Advisor to Mars, Incorporated. 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.

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.