

JORC Report 2011

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 2011 provides an account of the work of the JORC during 2011.

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 2011, the Chief Executive re-appointed one member of JORC and appointed three new members to JORC for a term of two years from 1 July 2011 to 30 June 2013. The membership in 2011 is listed below –

Ex officio chairman and member

The Honourable Chief Justice Geoffrey MA Tao-li (Chairman)

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

Judges

The Honourable Mr. Justice Roberto Alexandre Vieira RIBEIRO
(from 1 July 2010 to 30 June 2012)

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

Barrister and solicitor

Mr. Rimsky Yuen, SC, JP (barrister) (from 1 July 2009 to 30 June 2011)
(from 1 July 2011 to 30 June 2013)

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

Mr. Huen Wong, JP (solicitor) (from 1 July 2011 to 30 June 2013)

Persons not connected with the practice of law

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

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

Professor Joseph Sung, SBS (from 1 July 2011 to 30 June 2013)

Mrs Eleanor Ling, SBS, OBE, JP (from 1 July 2011 to 30 June 2013)

Dr Edgar CHENG Wai-kin, GBS, JP (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 2011, two meetings were held at which eight papers were discussed with 25 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 2011

1. In the year 2011, JORC made a total of nine* recommendations on judicial appointments, all to the High Court. Details are shown in the table below.

High Court	
Justice of Appeal of the Court of Appeal	Recorder of the Court of First Instance
3*	6

* Including one resolution to confirm JORC's previous recommendation.

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

High Court	Magistrates' Courts	
Judge of the Court of First Instance	Magistrate	Special Magistrate
1	1	1

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

High Court	Magistrates' Courts
Deputy Registrar, High Court	Magistrate
1	2

4. Furthermore, JORC made 11 recommendations on renewal of contracts. Details are shown in the table below.

Magistrates' Courts
Magistrate
11

Judicial Appointments made in 2011

High Court

1. On the recommendation of JORC, the Chief Executive appointed The Honourable Mr. Justice Andrew Cheung as the Chief Judge of the High Court with effect from 20 June 2011.

2. On the recommendation of JORC, the Chief Executive appointed the following three persons as Justices of Appeal of the Court of Appeal of the High Court –

Name

With effect from 1 February 2011

The Honourable Mr. Justice Joseph Paul Fok

With effect from 8 June 2011

The Honourable Madam Justice Carlye Chu

With effect from 13 December 2011

The Honourable Mr. Justice Michael Victor Lunn

3. On the recommendation of JORC, the Chief Executive appointed Mr. Ian Charles McWalters as Judge of the Court of First Instance of the High Court with effect from 10 February 2011.

Bio-data of the Chairman and Members of JORC

Chairman

The Honourable Chief Justice Geoffrey MA Tao-li

Chief Justice Ma was appointed Chief Justice of the Hong Kong Court of Final Appeal on 1 September 2010.

Chief Justice Ma joined the Judiciary as Judge of the Court of First Instance of the High Court in 2001. He was appointed 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. He was made an Honorary Bencher of Gray's Inn in 2004. He was admitted to the degree of Doctor of Laws (*honoris causa*) by the University of Birmingham in 2011.

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 was a member of the Sub-committee on Juries, Law Reform Commission. He is now the Chairman of the Society of Rehabilitation and Crime Prevention.

Mr. Rimsky Yuen, SC, JP

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, council member of the Hong Kong Institute of

Education and non-executive director of Mandatory Provident Fund Schemes Authority.

Mr. Michael Lintern-Smith
(up to 30 June 2011)

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, GBS
(up to 30 June 2011)

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
(up to 30 June 2011)

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.

**Mr. Wong Kwai-huen, Albert, JP
(from 1 July 2011)**

Mr. Huen Wong has practised as a solicitor since 1985. He was a Senior Crown Counsel of the Legal Department in 1988 before he joined the private practice and later became the China Managing Partner of a London based and a New York based international law firms until 2011. Mr. Wong was the President of the Law Society of Hong Kong in 2009-2011. He is currently the Chairman of the Hong Kong International Arbitration Centre and the Copyright Tribunal. He is a Deputy Chairman of the Board of Review (Inland Revenue Ordinance) and a Member of the Board of the Airport Authority. Mr. Wong is a member of the Appeals Tribunal of the Hong Kong Federation of Insurers and the Disciplinary Panel of the Hong Kong Institute of Certified Public Accounts. He is a member of the Board of the Faculty of Law of the University of Hong Kong, the PCLL Academic Board of the Chinese University of Hong Kong, Associate External Academic Advisor of the School of Law of the City University of Hong Kong and an Adjunct Professor of Shue Yan University.

**Professor Joseph SUNG, SBS
(from 1 July 2011)**

Professor Joseph J.Y. Sung, Mok Hing Yiu Professor of Medicine, has been Vice-Chancellor and President of The Chinese University of Hong Kong (CUHK) since 2010. Professor Sung graduated from the University of Hong Kong in 1983 with the Bachelor of Medicine and Bachelor of Surgery (MB, BS) degrees. He was conferred a PhD in biomedical sciences by the University of Calgary in 1992, and Doctor in Medicine (MD) by CUHK in 1997. In 2011, Professor Sung was elected to the Chinese Academy of Engineering (CAE) as an Academician in recognition of his contributions in the field of gastroenterology. Professor Sung also holds fellowships and memberships from many professional societies and associations: he is a Fellow of Hong Kong College of Physicians (FHKCP), Fellow of Hong Kong Academy of

Medicine (FHKAM), Fellow of Royal College of Physicians (FRCP Edinburgh, London, Glasgow), Fellow of American College of Gastroenterology (FACG), Fellow of Royal Australian College of Physicians (FRACP), Fellow of Royal College of Physician (FRCP Thailand), and Fellow of American Gastroenterological Association (FAGA).

**Mrs Eleanor Ling , SBS, OBE, JP
(from 1 July 2011)**

Mrs Eleanor Ling, SBS, OBE, JP is an Adviser to Jardine Matheson Limited which she joined in 1969 upon her graduation from the University of Hong Kong with a Bachelor of Arts degree. In parallel to her career at Jardines, Mrs Ling holds a variety of community and public services appointments. She served as a Member of the (then) Judicial Service Commission (1992 to 1997) and is a Member of the Law Reform Commission and a Member of the Higher Rights Assessment Board. She is also a Member of the Executive Committee & the General Committee of the Employers' Federation of Hong Kong, Chairman of the Keswick Foundation, Governor of the Maggie Cancer Caring Foundation, Vice Chairman of Musica Viva Limited and a Vice-Patron of the Community Chest of Hong Kong. She held important positions in many statutory organisations including serving as : Member of the Hospital Authority (1991 to 2005), Chairman of Queen Elizabeth Hospital (1996 to 2006), Member of the Barristers Disciplinary Tribunal (1998 to 2012), Member of the Medical Council (2003 to 2009), Member of the Kowloon Canton Railway Corporation Managing Board (1991 to 1997) ,Trustee & Chairman of the Hospital Authority Provident Fund Scheme (2002 to 2006), appointed Member of the Urban Council (1987 to 1995) and Member of the Vocational Training Council (2002 to 2005).

Dr Edgar CHENG Wai-kin, GBS, JP

Dr Cheng is the Chairman of The World-Wide Investment Company Limited. He is 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 an independent non-executive director of both CNOOC Limited and Shui On Land Limited, 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.