

## **JORC Report 2016**

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 2016 provides an account of the work of the JORC during 2016.

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 2016, the Chief Executive re-appointed three members of JORC and appointed a new member to JORC for a term of up to two years until 30 June 2018. The membership in 2016 is listed below –

### **Ex officio chairman and member**

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

The Honourable Rimsky YUEN Kwok-keung, SC, JP (Secretary for Justice)

### **Judges**

The Honourable Mr. Justice Robert TANG Ching  
(from 1 July 2014 to 30 June 2016)  
(from 1 July 2016 to 30 June 2018)

The Honourable Mr. Justice Andrew CHEUNG Kui-nung  
(from 1 July 2012 to 30 June 2014)  
(from 1 July 2014 to 30 June 2016)  
(from 1 July 2016 to 30 June 2018)

### **Barrister and solicitor**

Ms. Winnie TAM Wan-chi, SC (barrister)  
(from 1 July 2016 to 30 June 2018)

Mr. Paul SHIEH Wing-tai, SC (barrister)  
(from 1 July 2014 to 30 June 2016)

Mr. Stephen HUNG Wan-shun (solicitor)  
(from 1 July 2015 to 30 June 2017)

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

Professor Joseph SUNG, SBS, JP  
(from 1 July 2011 to 30 June 2013)  
(from 1 July 2013 to 30 June 2015)  
(from 1 July 2015 to 30 June 2017)

Mrs. Eleanor LING, SBS, OBE, JP  
(from 1 July 2011 to 30 June 2013)  
(from 1 July 2013 to 30 June 2015)  
(from 1 July 2015 to 30 June 2017)

Dr Christopher CHENG Wai-chee, GBS, OBE, JP  
(from 1 July 2012 to 30 June 2014)  
(from 1 July 2014 to 30 June 2016)  
(from 1 July 2016 to 30 June 2018)

## **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 2016, three meetings were held at which eight papers were discussed and 17 resolutions were passed making recommendations on judicial appointments and two recommendations on renewal of contract. In addition, four papers were circulated for consideration, resulting in the passage of seven resolutions on extension of term of office beyond the normal retiring age.

## Recommendations on Judicial Appointments made in 2016

1. In the year 2016, JORC made a total of 17 recommendations on judicial appointments – two to the Court of Final Appeal, six to the High Court and nine to the District Court. Details are shown in the table below.

<b>Court of Final Appeal</b>	<b>High Court</b>		<b>District Court</b>
Judge from Another Common Law Jurisdiction	Judge of the Court of First Instance	President and Deputy President, Competition Tribunal	District Judge
2	4	2	9

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

<b>High Court</b>		<b>Magistrates' Courts</b>	
Justice of Appeal of the Court of Appeal	Judge of the Court of First Instance	Principal Magistrate	Magistrate
1	3	2	1

3. Moreover, JORC made two recommendations on renewal of contract. Details are shown in the table below.

<b>District Court / Lands Tribunal</b>	<b>Magistrates' Courts</b>
Member, Lands Tribunal	Magistrate
1	1

## **Judicial Appointments made in 2016**

### **High Court**

1. On the recommendation of JORC, the Chief Executive appointed Mrs. Audrey Patricia CAMPBELL-MOFFAT SC as Judge of the Court of First Instance of the High Court with effect from 25 May 2016.
2. On the recommendation of JORC, the Chief Executive re-appointed Mr. Justice Godfrey LAM Wan-ho and Madam Justice Queeny AU YEUNG Kwai-yue as the President and Deputy President respectively of the Competition Tribunal for another term of three years from 1 August 2016 to 31 July 2019.
3. On the recommendation of JORC, the Chief Executive re-appointed the following four persons as Recorders of the Court of First Instance of the High Court for three years from 1 March 2016 to 28 February 2019 –

#### **Name**

Mr. Jason POW, SC  
Ms. Lisa WONG, SC  
Mr. Russell COLEMAN, SC  
Mr. Anthony HOUGHTON, SC



## **Bio-data of the Chairman and Members of JORC**

### **Chairman**

#### **The Honourable Chief Justice Geoffrey MA Tao-li, GBM**

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. He was awarded the Grand Bauhinia Medal by the Government in June 2012 and was conferred an Honorary Fellowship by Harris Manchester College of the University of Oxford in November 2012. He was made an Honorary Bencher of the Middle Temple and was admitted to the degree of Doctor of Laws (*honoris causa*) by the Chinese University of Hong Kong in 2016.

Chief Justice Ma is a Patron of the Bingham Centre for the Rule of Law; he is also a Patron of the International Advocacy Training Council.

## **Ex officio member**

### **The Honourable Rimsky YUEN Kwok-keung, SC, JP**

Mr. Yuen was appointed Secretary for Justice with effect from 1 July 2012. He was a barrister in private practice before joining the Government, specialising in commercial disputes. He also served as an arbitrator in international arbitrations and a mediator in commercial disputes.

Mr. Yuen was appointed Senior Counsel in 2003 and a Recorder of the Court of First Instance of the High Court in 2006.

Mr. Yuen had also been involved in various public duties, including Member of the Judicial Officers Recommendation Commission (which Mr. Yuen continues to serve in his capacity as Secretary for Justice), Non-Official Member of the Independent Commission Against Corruption Advisory Committee on Corruption, Chairman of the Transport Advisory Committee, Non-executive Director of Mandatory Provident Fund Schemes Authority and Council Member of the Hong Kong Institute of Education.

## **Members**

### **The Honourable Mr. Justice Robert TANG Ching, SBS**

Mr. Justice Tang was appointed a Queen's Counsel in 1986 and became a Senior Counsel in 1997. He was a Recorder of the Court of First Instance from September 1995 until his appointment as a Judge of the Court of First Instance in April 2004. He was appointed a Justice of Appeal in January 2005 and a Vice President of the Court of Appeal in November 2006. He was appointed a Non-Permanent Hong Kong Judge of the Court of Final Appeal in September 2010. Since October 2012, he has been a Permanent Judge of the Court of Final Appeal.

Whilst in private practice, Mr. Justice Tang was at various times, the Chairman of the Hong Kong Bar Association, the Criminal and Law Enforcement Injuries Compensation Boards, the Independent Police Complaints Council, the Town Planning Appeal Board, the Takeovers and Mergers Panel, and the Securities and Futures Appeal Panel. He was also at various times, a member of the Judicial Service Commission, the Appeal Board on Public Meetings and Processions, the ICAC Complaints Committee and the Exchange Fund Advisory Committee of the Hong Kong Monetary Authority, and a non-Executive Director of the Mandatory Provident Fund Schemes Authority.

## **The Honourable Mr. Justice Andrew CHEUNG Kui-nung**

Mr. Justice Cheung read law at the University of Hong Kong, graduating with a Bachelor of Laws in 1983 and a Postgraduate Certificate in Laws in 1984. In 1985, he obtained a Master of Laws from Harvard Law School. He was called to the Hong Kong Bar in the same year, and in 1995 he was admitted as an Advocate and Solicitor of the Supreme Court of Singapore.

Mr. Justice Cheung was in private practice in Hong Kong before joining the Judiciary as a District Judge in 2001. He started deputising as a Deputy High Court Judge in December 2001 and was appointed a Judge of the Court of First Instance of the High Court in 2003. Mr. Justice Cheung was made the Probate Judge in 2004 and the Judge in charge of the Constitutional and Administrative Law List in 2008.

In 2011, Mr. Justice Cheung was appointed the Chief Judge of the High Court and became the President of the Court of Appeal of the High Court.

Mr. Justice Cheung chairs or is a member of various committees and working parties within the Judiciary.

## **Mr. Paul SHIEH Wing-tai, SC**

Mr. Paul Shieh SC received his secondary school education locally at St. Joseph's College. He then studied law at the University of Cambridge and obtained his Bachelor of Arts degree (with double firsts) in 1987. He obtained his Postgraduate Certificate in Laws from the University of Hong Kong in 1988 and was called to the Hong Kong Bar in the same year. He then attended the University of Oxford on the Sir Edward Youde Memorial Fellowship for Overseas Postgraduate Studies and obtained his Bachelor of Civil Law degree in 1989. He commenced practice as a barrister in Temple Chambers, Hong Kong in 1990 and was appointed Senior Counsel in 2003. He was a member of the Law Reform Commission from 2006 to 2012 and a Recorder of the Court of First Instance from 2005 to 2014. He was Chairman of the Hong Kong Bar Association from January 2013 to January 2015. Currently he is Chairman of the Appeal Review Committee of the Hong Kong Examinations and Assessments Authority, Deputy Chairman of the Telecommunications (Competition Provisions) Appeal Board and a member of the Financial Reporting Review Panel under the Financial Reporting Council. He is also a Solicitor and Advocate of the Supreme Court of Singapore.

## **Ms. Winnie TAM Wan-chi, SC**

Ms. Winnie Tam SC is the Chairman of the Hong Kong Bar (January 2015 – January 2017), and has served on the Council or committees of the Hong Kong Bar Association for many years. Ms. Tam was appointed Senior Counsel in 2006. Her practice spans a wide range of litigation and arbitration in commercial and civil matters with an emphasis in intellectual property law. She is a panel arbitrator of the Hong Kong International Arbitration Centre, and the South China International Arbitration Institute. In 2015 she was appointed a Recorder of the Court of First Instance of the High Court of Hong Kong SAR. Ms. Tam was called to the English Bar in 1988, and was elected a bencher of the Middle Temple in 2015. She has maintained her connection with the English Bar as an overseas member of 8 New Square. Ms. Tam is also admitted as an Advocate and Solicitor of the Supreme Court of Singapore and the Australian Capital Territory.

In 2015 she was appointed a member of the working group to consider new legislation on the arbitrability of IP rights. She is a frequent speaker in international events on intellectual property and arbitration, and performs an active role in sharing knowledge in the common law system in mainland China. She currently holds positions as Adjunct Professor in the East China University of Political Science and Law, Shanghai and Law School of the Shanghai University of Finance and Economics.

Ms. Tam holds a number of current roles in public service and charities, including the ICAC Advisory Committee on Corruption, Hong Kong Jockey Club Music and Dance Fund, Hong Kong Tourism Board and the Board of West Kowloon Cultural District Authority.

## **Mr. Stephen HUNG Wan-shun**

Mr. Stephen Hung has been a member of Council of the Law Society of Hong Kong (“the Law Society”) since 2003. Mr. Hung was elected Vice-President in May 2012, President in August 2014, and was re-elected President in May 2015 until June 2016. He is currently the Immediate Past President of the Law Society, and also the Chairman of the Law Society’s Legal Education Committee.

As a representative of the Law Society, Mr. Hung serves as the Chairman of the PCLL Academic Board of the City University of Hong Kong, as member of the PCLL Academic Board of the University of Hong Kong, and Chinese University of Hong Kong. Mr. Hung is a member of the Steering Committee on the Provision of Legal Advice for Litigants in Person.

In his own capacity, Mr. Hung serves on the Hong Kong Examinations and Assessment Authority, the Law Reform Commission, Sub-committee on Causing or Allowing the Death of a Child, and the Lump Sum Grant Steering Committee.

Mr. Hung is an Adjunct Professor of Law of Hong Kong Shue Yan University.

Mr. Hung was admitted as a solicitor in Hong Kong in 1995. He is currently a Partner of Messrs. Li & Partners.

## **Professor Joseph SUNG, SBS, JP**

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**

Mrs. Ling has over 30 years of management experience with Jardine Matheson which she joined upon her graduation from the University of Hong Kong until her retirement in 2013. In parallel with her commercial career, Mrs. Ling has been active in public services among which was serving (1992 to 1997) as a member of the (then) Judicial Service Commission. She is currently a member of the Law Reform Commission, a Governor of the Maggie's Cancer Caring Centre Foundation, the Vice Chairman of Musica Viva Limited, a member of the Court of the City University of Hong Kong and a Vice-Patron of the Community Chest.

Mrs. Ling was the Chairman of the Queen Elizabeth Hospital, the Chairman of the Board of Trustees of the Hospital Authority Provident Fund Scheme and had served as an (appointed) Urban Councillor. She was a member of the Barristers Disciplinary Tribunal, the Hong Kong Employers' Federation, the Hospital Authority, the Kowloon Canton Railway Corporation, the Medical Council and the Public Service Commission.

Mrs. Ling is a Fellow of the Chartered Management Institute (FCMI).

**Mr. Christopher CHENG Wai-chee, GBS, OBE, JP**

Mr. Cheng is the Chairman of Wing Tai Properties Limited, an Independent Non-executive Director of the following listed public companies: New World Services Holdings Limited, Kingboard Chemical Holdings Limited and The Hongkong and Shanghai Banking Corporation Limited.

Mr. Cheng has a keen interest in the public services. He is currently a steward of the Hong Kong Jockey Club. He also serves as a member of the International Advisory Board of The Hong Kong Polytechnic University, a member of the Board of Overseers at Columbia Business School, and a member on the President's Council on International Activities of the Yale University.

Mr. Cheng is the former Chairman of the Hong Kong General Chamber of Commerce and a former member of the Council of The University of Hong Kong (Chairman of its Human Resources Policy Committee) (till 31 July 2015). He was formerly a Non-executive Director of Securities and Futures Commission, Chairman of Standing Committee on Judicial Salaries & Conditions of Service and a member of the Hong Kong Government Exchange Fund Advisory Committee (Chairman of its Governance Committee) and Public Service Commission. Mr. Cheng was conferred the degree of Doctor of Social Sciences *honoris causa* by The University of Hong Kong and Doctor of Business Administration *honoris causa* by The Hong Kong Polytechnic University.