

JORC Report 2019

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 2019 provides an account of the work of the JORC during 2019.

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 2019, the Chief Executive re-appointed a member of JORC and appointed a new member to JORC for a term of up to two years until 30 June 2021. The membership in 2019 is listed below –

Ex officio chairman and member

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

The Honourable Ms. Teresa CHENG Yeuk-wah, GBS, SC, JP (Secretary for Justice)

Judges

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)
(from 1 July 2018 to 30 June 2020)

The Honourable Madam Justice Carlye CHU Fun-ling
(from 1 July 2018 to 30 June 2020)

Barrister and solicitor

Mr. Philip John DYKES, SC (barrister)
(from 1 July 2018 to 30 June 2020)

Mr. Stephen HUNG Wan-shun (solicitor)
(from 1 July 2015 to 30 June 2017)
(from 1 July 2017 to 30 June 2019)

Dr. Thomas SO Shiu-tsung (solicitor)
(from 1 July 2019 to 30 June 2021)

Persons not connected with the practice of law

Ms. Anita FUNG Yuen-mei, BBS, JP
(from 1 July 2017 to 30 June 2019)
(from 1 July 2019 to 30 June 2021)

Mrs. Pamela CHAN WONG Shui, BBS, JP
(from 1 July 2018 to 30 June 2020)

Professor LIU Pak-wai, SBS, JP
(from 21 December 2018 to 30 June 2020)

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 2019, four meetings were held at which seven papers were discussed, and 24 resolutions were passed making recommendations on judicial appointments. In addition, six papers were circulated for consideration, resulting in the passage of one resolution on judicial appointment, two resolutions on extension of term of office beyond the normal retirement age, four resolutions on further extension of term of office and one resolution on further employment and transfer to permanent and pensionable terms.

Recommendations on Judicial Appointments made in 2019

1. In the year 2019, JORC made a total of 25 recommendations on judicial appointments – four to the High Court, six to the District Court and 15 to Magistrates' Courts. Details are shown in the tables below.

High Court			District Court	
Chief Judge of the High Court	President and Deputy President, Competition Tribunal	President, Lands Tribunal	Chief District Judge	District Judge
1	2	1	1	5

Magistrates' Courts	
Chief Magistrate	Magistrate
1	14

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

Magistrates' Courts	
Principal Magistrate	Magistrate
5	1

3. Moreover, JORC made one recommendation relating to further employment and transfer to permanent and pensionable terms. Details are shown in the table below.

District Court
Member, Lands Tribunal
1

Judicial Appointments made in 2019

Court of Final Appeal

1. On the recommendation of JORC, the Chief Executive appointed The Right Honourable Lord Jonathan SUMPTION as Non-Permanent Judge from another common law jurisdiction of the Court of Final Appeal for three years from 18 December 2019 to 17 December 2022.

High Court

2. On the recommendation of JORC, the Chief Executive appointed Mr. Justice Jeremy POON Siu-chor as Chief Judge of the High Court with effect from 18 December 2019.

3. On the recommendation of JORC, the Chief Executive appointed Mr. Justice AU Hing-cheung as Justice of Appeal of the Court of Appeal of the High Court with effect from 14 January 2019.

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

With effect from 14 January 2019

Name

Judge LEE Wan-tang
Judge Marlene NG May-ling
Judge POON Siu-tung

With effect from 2 April 2019

Name

Mr. Russell Adam COLEMAN, SC

With effect from 29 July 2019

Name

Mr. Keith YEUNG Kar-hung, SC

With effect from 18 December 2019

Name

Ms. CHAN Ching-fan, SC

5. On the recommendation of JORC, the Chief Executive re-appointed Mr. Jason POW Wing-nin, SC and Mr. Anthony Kenneth HOUGHTON, SC as Records of the Court of First Instance of the High Court for three years from 1 March 2019 to 28 February 2022.

6. 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 2019 to 31 July 2022.

7. On the recommendation of JORC, the Chief Executive appointed Madam Justice WONG Kwok-ying as President of Lands Tribunal with effect from 1 April 2019.

District Court

8. On the recommendation of JORC, the Chief Executive appointed His Honour Judge CHAN Chan-kok as Principal Family Court Judge with effect from 14 January 2019.

9. On the recommendation of JORC, the Chief Executive appointed the following five persons as District Judges –

With effect from 21 August 2019

Name

Mr. LIN Kam-hung, Ernest Michael

Mr. PANG Ka-kwong

Mrs. TSE CHING, Adriana Noelle

With effect from 8 October 2019

Name

Mr. CHAN Kam-chuen

Ms. MAN Ho-yee, Phoebe

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. He was conferred the degree of Doctor of Laws (*honoris causa*) by the University of Hong Kong in 2019.

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

Secretary for Justice, The Honourable Teresa CHENG Yeuk-wah, GBS, SC, JP

Ms. Teresa Cheng, SC, was appointed Secretary for Justice on January 6, 2018. She was a Senior Counsel in private practice before joining the Government. She is also a chartered engineer and chartered arbitrator. She was frequently engaged as arbitrator or counsel in complex international commercial or investment disputes.

Ms. Cheng was one of the founders and Chairman of the Asian Academy of International Law. She is a Past Vice President of the International Council of Commercial Arbitration, Past Vice President of the ICC International Court of Arbitration and Past Chairperson of Hong Kong International Arbitration Centre. In 2008, she became the first Asian woman elected through a global election as President of the Chartered Institute of Arbitrators. She served as Deputy Judge / Recorder in the Court of First Instance of the High Court of Hong Kong from 2011 to 2017. She is a member of the International Centre for Settlement of Investment Disputes Panel of Arbitrators, and was a member of the World Bank's Sanctions Board.

Ms. Cheng is a Fellow of King's College in London, and was the Course Director of the International Arbitration and Dispute Settlement Course at the Law School of Tsinghua University in Beijing.

Members

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 degree in 1983 and a Postgraduate Certificate in Laws in 1984. In 1985, he obtained a Master of Laws degree 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. In October 2018, Mr. Justice Cheung was appointed a Permanent Judge of the Court of Final Appeal.

Mr. Justice Cheung chairs or is a member of various committees and working parties within the Judiciary. He is also a member of the Law Reform Commission.

Mr. Justice Cheung is an Honorary Bencher of Lincoln's Inn.

The Honourable Madam Justice Carlye CHU Fun-ling

Madam Justice Chu graduated from the University of Hong Kong with a Bachelor of Laws in 1982 and a Postgraduate Certificate in Laws in 1983. In 1985, she obtained a Master of Laws from London School of Economics and Political Science. She obtained a Master of Social Sciences in Criminology from the University of Hong Kong in 1994.

Madam Justice Chu was called to the Hong Kong Bar in 1983. She was in private practice before joining the Judiciary in 1991 as a Magistrate. She was appointed District Judge in 1995, Deputy Registrar of the High Court in 1997, Registrar of the High Court in 1999 and Judge of the Court of First Instance of the High Court in 2000. She was appointed a Justice of Appeal in 2011.

Madam Justice Chu has served on various committees and working parties within the Judiciary. She is an Honorary Lecturer in the Department of Professional Legal Education of the Faculty of law of the University of Hong Kong.

Mr. Philip John DYKES, SC

Mr. Dykes studied English Language & Literature at Lincoln College, Oxford but decided to become a barrister in 1975, his last year at university. He joined Lincoln's Inn and was called to the Bar in 1977. After pupillage in Manchester, he joined chambers there and practised on the Northern Circuit for seven years. He had a general common law practice.

In 1985, Mr. Dykes joined the Attorney General's Chambers in Hong Kong as a Crown Counsel. After a spell as a prosecutor he moved to the Legal Policy Division, which served the Solicitor General and Attorney General.

In 1989, Mr. Dykes was appointed an Assistant Solicitor General with special responsibilities for producing a Bill of Rights. In the next two years Mr. Dykes worked with the drafting team that eventually produced the Hong Kong Bill of Rights Ordinance. He also advised policy branches and government departments on the likely impact of the new law.

Mr. Dykes was for a time part of the Hong Kong government contingent on the British side in the Sino-British Joint Liaison Group. He was also a member of the United Kingdom delegation reporting to the United Nations Human Rights Committee in 1991 on the implementation of the International Covenant on Civil and Political Rights as it applied to Hong Kong.

Mr. Dykes left government service at the end of 1991 and went into private practice. He was one of the last barristers to be appointed Queen's Counsel in 1997. He served on the Bar Council for many years and became its Chairman in 2005 and served for two years. He was elected Chairman for the third time in January 2018 and the fourth time in January 2019. Now is the fifth term in January 2020.

Mr. Dykes has developed a practice in constitutional and administrative law. He has appeared for both applicants and respondents in judicial review proceedings, including cases before the Privy Council before 1997 and the Court of Final Appeal after then. Mr. Dykes has an established practice in immigration law, appearing first for Vietnamese refugees and asylum seekers in the early 1990's and then later for Mainlanders seeking to establish their status as permanent residents under the Basic Law. More recently he has been involved in several cases concerning persons who have claimed protection against refoulement under the United Nations Convention Against Torture.

Mr. Dykes has appeared in cases concerning mutual legal assistance, including extradition matters. He has also handled election cases ranging from petition cases to constitutional challenges on restrictions on voting and standing for election. Mr. Dykes also undertakes disciplinary cases and other regulatory work. He appears occasionally in the Court of Appeal and Court of First Instance in criminal appeals.

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 as President of the Law Society from August 2014 to May 2016. Mr. Hung holds the office of Past President at present. He is currently the Chairman of the Law Society’s Legal Education Committee.

As a representative of the Law Society, Mr. Hung serves on the Postgraduate Certificate in Laws Academic Boards of the University of Hong Kong, The Chinese University of Hong Kong and City University of Hong Kong.

In his own capacity, Mr. Hung serves on the Communications Authority, the Sub-committee on Causing or Allowing the Death of a Child or Vulnerable Adult of the Law Reform Commission, the Lump Sum Grant Steering Committee, the Professional Services Advancement Support Scheme Vetting Committee, and the Financial Reporting Council and Duty Lawyer Service Council.

Mr. Hung is an Adjunct Professor of Law of Hong Kong Shue Yan University and the Law School of Beijing Normal University. He is also a Visiting Professor of the Faculty of International Law of China University of Political Science and Law in Beijing, China.

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

Dr. Thomas SO Shiu-tsung

Dr. Thomas So is a partner of Mayer Brown. He advises on shareholders disputes, property and investments litigation and disputes and PRC-related arbitration and disputes.

Dr. So is on a number of panel of arbitrators in Asia and is also a solicitor-advocate with rights to appear in the higher courts in Hong Kong. He holds the degrees of LLB from the University of Hull (1985), LLM from the University of Hong Kong (1993), LLB from the China University of Political Science and Law (1997) and Doctor of Laws from Tsinghua University Beijing (2005).

Dr. So is a China-Appointed Attesting Officer (appointed by the Ministry of Justice of PRC). He was the President of the Law Society of Hong Kong (June 2016 – June 2018). He is currently Chairman of the Belt and Road Committee and Chairman of the Greater Bay Area Working Group of the Law Society of Hong Kong.

Ms. Anita FUNG Yuen-mei, BBS, JP

Ms. Fung was Group General Manager of HSBC Holdings plc (2008 – 2015). She was former Chief Executive Officer Hong Kong of The Hongkong and Shanghai Banking Corporation Limited (2011 – 2015).

Through her various positions, she has actively promoted the development of Hong Kong's financial landscape as well as that of other regional markets. With her extensive experience in financial markets, she plays a key role in Renminbi (RMB) internationalisation and the development of Hong Kong as the leading offshore RMB centre.

Ms. Fung is also actively involved in Public / Government sector. She was a Member of the Financial Infrastructure Sub-Committee of the Exchange Fund Advisory Committee (EFAC) of the Hong Kong Monetary Authority (HKMA), a Non-official Member of the Hong Kong Housing Authority and a Council Member of the Hong Kong University of Science and Technology. She was also a board member of the West Kowloon Cultural District Authority. She is a Board Member of the Hong Kong Airport Authority.

Ms. Fung is an Independent Non-Executive Director of Hong Kong Exchanges and Clearing Limited, Hang Lung Properties Limited, China Construction Bank and Westpac Banking Corporation. She is a Court Member of the Hong Kong University of Science and Technology.

She obtained her Bachelor's degree in Social Science from The University of Hong Kong and Master's degree in Applied Finance from Macquarie University, Australia.

Ms. Fung was awarded the Bronze Bauhinia Star in 2013 for her valuable contributions to the development of the banking industry in Hong Kong. She was appointed Justice of Peace in 2015.

Mrs. Pamela CHAN WONG Shui, BBS, JP

Mrs. Chan is Independent Non-Executive Director of MTR Corporation since July 2013. She is Chairman of the Insurance Complaints Bureau, Vice-chairman of The Boys' and Girls' Clubs Association of Hong Kong, Board and Executive Committee member of Community Chest and independent director of the Travel Industry Council of Hong Kong as well as member of the Private Columbaria Appeal Board.

Mrs. Chan was Chief Executive of the Consumer Council for 22 years. She is patron of Consumers International. She was Chairman of Hong Kong Deposit Protection Board, Deputy Chairman of the Hong Kong Baptist University Council and the Court, Chairman of the governing committee of Princess Margaret Hospital and etc.

On law related appointments, she was member of the Law Reform Commission of Hong Kong, Standing Committee on Legal Education and Training as well as Postgraduate Certificate in Laws Academic Boards of University of Hong Kong and City University of Hong Kong.

Professor Liu Pak-wai, SBS, JP

Professor Liu is Research Professor and Professor Emeritus at The Chinese University of Hong Kong. He was formerly Pro-Vice-Chancellor, Professor of Economics and Founding Director of the Institute of Global Economics and Finance. He is currently a member of the Advisory Board of the Faculty of Law and a member of the Governing Board of The Chinese University of Hong Kong, Shenzhen and the Shenzhen Finance Institute.

Professor Liu received his AB from Princeton University and PhD in economics from Stanford University. He was a Visiting Scholar of the Harvard-Yenching Institute (1981-82) and a Distinguished Fulbright Scholar in 2000-01.

Professor Liu is a Director of the Hong Kong Institute for Financial and Monetary Research of the Hong Kong Monetary Authority. He is an Independent Non-Executive Director of Hang Lung Group Limited, Transport International Holdings Limited and China Zheshang Bank. He was a Non-Executive Director of the Securities and Futures Commission.

Besides teaching, research and administration, Professor Liu has been active in public service. He is currently Chairman of Advisory Committee on Post-office Employment for Former Chief Executives and Politically Appointed Officials. He was a member of Chief Executive's Commission on Innovation and Technology, Commission on Strategic Development, Independent Commission on Remuneration Package and Post-office Arrangements for the Chief Executive, Independent Commission on Remuneration for Members of the Executive Council and the Legislature, and Officials under the Political Appointment System of the SAR, Aviation Development Advisory Committee, Provisional Minimum Wage Commission, Independent Review Committee for the Prevention and Handling of Potential Conflicts of Interests and Working Group on Long-Term Fiscal Planning, among others.

Professor Liu was awarded the Silver Bauhinia Star in 1999 for "outstanding academic achievement and public service in Hong Kong". He was appointed Justice of Peace in 2006.