

## **JORC Report 2020**

The 2020 Judicial Officers Recommendation Commission (“JORC”) Report gives an overview of JORC, and reports on the work of JORC during the year.

In an effort to contribute to the protection of the environment, we will only upload the Report on the [website](#) of the Judiciary.

Separately, there is a publication which provides an account of JORC, covering its constitution, functions, membership and operation, and also contains a description of the different levels of court and the various judicial offices on our [website](#).

Andrew Cheung  
Chief Justice  
Chairman of the Judicial Officers Recommendation Commission

## **Membership of JORC**

1. In 2020, the Chief Executive re-appointed five members of JORC for a term of up to two years until 30 June 2022. The membership in 2020 is listed below –

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

\* The Honourable Chief Justice Geoffrey MA Tao-li, GBM (Chairman)  
*[up to 10 January 2021]*

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)  
(from 1 July 2020 to 30 June 2022) *[up to 10 January 2021]*

The Honourable Madam Justice Carlye CHU Fun-ling  
(from 1 July 2018 to 30 June 2020)  
(from 1 July 2020 to 30 June 2022)

### **Barrister and solicitor**

\*\*\* Mr Philip John DYKES, SC (barrister)  
(from 1 July 2018 to 30 June 2020)  
(from 1 July 2020 to 30 June 2022) *[up to 5 August 2021]*

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

- \* The Chief Justice retired with effect from 11 January 2021.
- \*\* The Honourable Mr Justice Andrew CHEUNG Kui-nung has been appointed the Chief Justice with effect from 11 January 2021.
- \*\*\* Mr Philip John DYKES resigned out of personal reasons with effect from 6 August 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)  
(from 1 July 2020 to 30 June 2022)

Professor LIU Pak-wai, SBS, JP  
(from 21 December 2018 to 30 June 2020)  
(from 1 July 2020 to 30 June 2022)

## **Secretary to JORC**

2. Miss Emma LAU Yin-wah, the former Judiciary Administrator retired on 16 July 2020. Her successor, Ms Esther LEUNG Yuet-yin was appointed the Secretary to JORC on 20 July 2020.

## **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 2020, four meetings were held at which 11 papers were discussed. JORC passed resolutions on 45 recommendations for judicial appointments which were accepted by the Chief Executive, comprising 17 for new appointments, 13 relating to further employment and transfer to permanent and pensionable terms, 14 on renewal of contract, and one on further extension of term of office. Details are at pages 6 and 7.

## Recommendations on new judicial appointments made in 2020

1. The 17 recommendations on new judicial appointments made by JORC in the year 2020 include two to the Court of Final Appeal, 12 to the High Court and three to Magistrates' Courts. Details are shown in the tables below.

Court of Final Appeal		High Court	
Chief Justice	Judge from Another Common Law Jurisdiction	Justice of Appeal of the Court of Appeal	Recorder of the Court of First Instance
1	1	4	8

Magistrates' Courts
Principal Magistrate
3

2. Apart from new judicial appointments, JORC also made 28 recommendations relating to renewal of contract, further extension of term of office, further employment and transfer to permanent and pensionable terms at two different levels of court. Details are shown in the table below.

	<b>High Court</b>	<b>Magistrates' Courts</b>
Further extension of term of office	1 (Vice-President and Justice of Appeal of the Court of Appeal)	-
Further employment and transfer to permanent and pensionable terms	-	13 (Magistrates)
Renewal of contract	-	14 (Magistrates)

## **Judicial Appointments made on the recommendation of JORC in 2019 – 2020**

1. On the recommendation of JORC in 2019-2020, the Chief Executive made the following judicial appointments at different levels of court as set out in the ensuing paragraphs.

### **Court of Final Appeal**

2. The Honourable Mr Justice Andrew CHEUNG Kui-nung was appointed the Chief Justice of the Court of Final Appeal with effect from 11 January 2021.

3. The Right Honourable Lord HODGE was appointed Non-Permanent Judge from another common law jurisdiction of the Court of Final Appeal for three years from 1 January 2021 to 31 December 2023.

### **High Court**

4. The Honourable Madam Justice Maggie POON Man-kay, the Honourable Mr Justice Godfrey LAM Wan-ho and the Honourable Mr Justice Anderson CHOW Ka-ming were appointed Justices of Appeal of the Court of Appeal of the High Court with effect from 9 June 2021.

5. The Honourable Madam Justice Anthea PANG Po-kam was appointed Justice of Appeal of the Court of Appeal of the High Court with effect from 16 August 2021.

6. The following persons were appointed or re-appointed Recorders of the Court of First Instance of the High Court for three years

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*From 1 January 2021 to 31 December 2023*

Mr Martin HUI Siu-ting, SC  
Ms Eva SIT Yat-wah, SC  
Ms Rachel LAM Yan-kay, SC  
Ms Winnie TAM Wan-chi, SC  
Mr Stewart WONG Kai-ming, SC



*From 1 February 2021 to 31 January 2024*

Mr Eugene FUNG Ting-sek, SC  
Mr Charles Peter MANZONI, SC  
Ms Yvonne CHENG Wai-sum, SC

## **District Court**

7. His Honour Judge Justin KO King-sau was appointed the Chief District Judge with effect from 6 January 2020.

## **Magistrates' Courts**

8. Mr Victor SO Wai-tak was appointed the Chief Magistrate with effect from 6 January 2020.

9. Miss Ada YIM Shun-yee, Mr Don SO Man-lung and Miss Ivy CHUI Yee-mei were appointed Principal Magistrates with effect from 29 June 2020.

10. The following 14 persons were appointed Magistrates –

*With effect from 6 January 2020*

Mr Arthur LAM Hei-wei  
Ms LAU Suk-han  
Miss Frances LEUNG Nga-yan  
Mr Andrew MOK Tze-chung

*With effect from 20 April 2020*

Ms CHAK Kwok-yee  
Ms Monica CHOW Wai-choo  
Mr LAM Chak-ming  
Mr LUNG Gwun-ting  
Miss Jo SIU Chi-wan  
Mr Jeffrey SZE Cho-yiu  
Miss Minnie WAT Lai-man  
Ms Eleanor YEUNG Yee-na  
Mr Peter YU Chun-cheung

*With effect from 29 June 2020*

Mr Dominic PUN Wang-hon

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

### **Chairman**

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

(up to 10 January 2021)

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. He was conferred the degree of Doctor of Laws (*honoris causa*) by the Lingnan University in 2020.

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 Chief Justice Andrew CHEUNG Kui-nung** (since 11 January 2021)

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. In January 2021, Mr Justice Cheung was appointed the Chief Justice 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 ceased to be Chairman of the Bar Council in January 2021.

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.

## **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 all levels of civil 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 was a Board Member of the Hong Kong Airport Authority.

Ms Fung is an Independent Non-Executive Director of Hong Kong Exchanges and Clearing Limited and Hang Lung Properties Limited. 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.

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.