

JORC Report 2021

The 2021 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 2021, the Chief Executive re-appointed a member of JORC for a term of two years up to 30 June 2023 and appointed two new members to JORC for a term of up to two years until 30 June 2022 and 30 June 2023 respectively. The membership in 2021 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 Chief Justice Andrew CHEUNG Kui-nung, GBM
(Chairman) *[from 11 January 2021]*

The Honourable Ms Teresa CHENG Yeuk-wah, GBS, SC, JP (Secretary
for Justice) *[up to 30 June 2022]*

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 Mr Justice Jeremy POON Shiu-chor
(from 11 January 2021 to 30 June 2022)

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]*

Ms Melissa Kaye PANG, BBS, MH, JP (solicitor)
(from 1 July 2021 to 30 June 2023)

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)
(from 1 July 2021 to 30 June 2023)

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)

- * The Honourable Mr Justice Geoffrey MA Tao-li 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.

Secretary to JORC

2. Ms Esther LEUNG Yuet-yin, the Judiciary Administrator, has been appointed the Secretary to JORC since 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 2021, four meetings were held at which nine papers were discussed and two papers were circulated for consideration. JORC passed resolutions on 33 recommendations for judicial appointments which were accepted by the Chief Executive, comprising 21 for new appointments, four relating to further employment and transfer to permanent and pensionable terms, two on renewal of contract, and six on extension of term of office. Details are at pages 6 and 7.

Recommendations on new judicial appointments made in 2021

1. The 21 recommendations on new judicial appointments made by JORC in the year 2021 include one to the Court of Final Appeal, 13 to the High Court and seven to the District Court. Details are shown in the tables below.

Court of Final Appeal	High Court		
Permanent Judge	Judge of the Court of First Instance	Recorder of the Court of First Instance	President, Competition Tribunal
1	6	6	1

District Court
District Judge
7

2. Apart from new judicial appointments, JORC also made 12 recommendations relating to renewal of contract, extension of term of office, further employment and transfer to permanent and pensionable terms at three different levels of court. Details are shown in the table below.

	High Court	District Court	Magistrates' Courts
Extension of term of office	1 (Justice of Appeal of the Court of Appeal) 3 (Judges of the Court of First Instance)	1 (District Judge) 1 (Member, Lands Tribunal)	-
Further employment and transfer to permanent and pensionable terms	-	-	4 (Magistrates)
Renewal of contract	-	-	1 (Magistrate) 1 (Special Magistrate)

Judicial Appointments made on the recommendation of JORC in 2021

1. On the recommendation of JORC in 2021, 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. Mr Justice Johnson LAM Man-hon was appointed Permanent Judge of the Court of Final Appeal with effect from 30 July 2021.

High Court

3. The following persons were appointed Judges of the Court of First Instance of the High Court –

With effect from 26 November 2021

Judge Johnny CHAN Jong-herng
Miss Anna LAI Yuen-kee, SC

With effect from 5 January 2022

Ms Yvonne CHENG Wai-sum, SC

4. The following persons were appointed Recorders of the Court of First Instance of the High Court for three years from 1 October 2021 to 30 September 2024 –

Mr WONG Ming-fung, SC
Mr Victor DAWES, SC
Mr Richard KHAW Wei-kiang, SC
Mr José-Antonio MAURELLET, SC
Mr Abraham CHAN Lok-shung, SC
Mr PAO Jin-long, SC

5. Mr Justice Jonathan Russell HARRIS was appointed President, Competition Tribunal for a term of three years from 16 August 2021 to 15 August 2024.

District Court

6. The following persons were appointed District Judges –

With effect from 15 March 2022

Ms WONG Sze-lai

With effect from 14 April 2022

Ms CHEUNG Kit-yee

With effect from 1 June 2022

Ms Thelma KWAN Tin-man

With effect from 11 July 2022

Mr WONG Jonathan

With effect from 29 July 2022

Ms Elaine LIU Yuk-ling

Bio-data of the Chairman and Members of JORC

Chairman

The Honourable Chief Justice Andrew CHEUNG Kui-nung, GBM
(since 11 January 2021)

Chief 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.

Chief 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. Chief 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, Chief 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, Chief Justice Cheung was appointed a Permanent Judge of the Court of Final Appeal. In January 2021, he was appointed the Chief Justice of the Court of Final Appeal.

Chief Justice Cheung was made an Honorary Bencher of Lincoln's Inn in 2017. He was awarded the Grand Bauhinia Medal by the Government in 2021.

Ex officio member

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

(up to 30 June 2022)

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 Jeremy POON Shiu-chor (since 11 January 2021)

Mr Justice Poon obtained the Bachelor of Laws degree and the Postgraduate Certificate in Laws both from the University of Hong Kong in 1985 and 1986 respectively. He further acquired the Master of Laws degree from the University College London in the United Kingdom in 1987. He was called to the Hong Kong Bar in 1986 and was in private practice between 1988 and 1993.

Mr Justice Poon joined the Judiciary as Magistrate in 1993. He was appointed as Deputy Registrar, High Court in 1999, and as Judge of the Court of First Instance of the High Court in 2006. While in the Court of First Instance, Mr Justice Poon was appointed the Civil Listing Judge, the Probate Judge, the Judge in charge of the Mental Health List and the Family Law List. In 2015, he was appointed as Justice of Appeal of the Court of Appeal of the High Court. He has been appointed as the Chief Judge of the High Court since 18 December 2019.

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

The Honourable Madam Justice Carlye CHU Fun-ling

Madam Justice Chu graduated from the University of Hong Kong with a Bachelor of Laws degree in 1982 and a Postgraduate Certificate in Laws in 1983. In 1985, she obtained a Master of Laws degree from London School of Economics and Political Science. She obtained a Master of Social Sciences degree 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 Magistrate. She was appointed as 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 as Justice of Appeal of the Court of Appeal of the High Court in 2011 and was appointed as a Vice-President of the Court of Appeal of the High Court in 2022.

Madam Justice Chu has been serving 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

(up to 5 August 2021)

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 Council of the Hong Kong Bar Association 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, the fourth time in January 2019, and the fifth time 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.

Ms Melissa Kaye PANG, BBS, MH, JP
(since 1 July 2021)

Ms Pang is the Immediate Past President of the Law Society of Hong Kong. Ms Pang was elected the first female President of the Law Society of Hong Kong in 2018, and re-elected in 2019 and 2020. Ms Pang currently serves as Chairperson of Pro Bono and Community Work Recognition Committee; Member of Standing Committee on Policy and Resources and Mediation Committee. She was the Founding Chairperson of International Legal Affairs Committee and Pro Bono Committee.

Ms Pang is qualified to practise as a solicitor in Australia, England & Wales and Hong Kong. She is a Notary Public, Civil Celebrant, accredited mediator, Council Member of the Hong Kong Mediation Accreditation Association Limited and China Appointed Attesting Officer. Also, Ms Pang is the President of LAWASIA.

Ms Pang is the Chairman of the Family Council, the Hong Kong Press Council and the Agency for Volunteer Service. She is also a member of Operations Review Committee of the Independent Commission Against Corruption, Hong Kong Housing Authority and the Women's Commission. With her devotion to public service, Ms Pang was awarded the Medal of Honour by the Hong Kong Special Administrative Region Government in 2006, Justice of the Peace in 2010 and the Bronze Bauhinia Star in 2020.

Dr Thomas SO Shiu-tsung

(up to 30 June 2021)

Dr Thomas So was a partner of Mayer Brown till 31 March 2022. 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 the Bachelor of Laws from the University of Hull (1985), the Master of Laws from the University of Hong Kong (1993), the Bachelor of Laws from the China University of Political Science and Law (1997) and the Doctor of Laws from Tsinghua University Beijing (2005).

Dr So is a China-Appointed Attesting Officer (appointed by the Ministry of Justice of the People's Republic of China). 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, Ms Fung 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 has been actively involved in Public / Government sector. She was a Member of the Financial Infrastructure Sub-Committee of the Exchange Fund Advisory Committee of the Hong Kong Monetary Authority, 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 was an Independent Non-Executive Director of Hong Kong Exchanges and Clearing Limited.

She is an Independent Non-Executive Director of Hang Lung Properties Limited, BOC Hong Kong (Holdings) Limited and its principal operating subsidiary, Bank of China (Hong Kong) Limited. She is a Director of M Plus Museum Limited, a Court Member of the Hong Kong University of Science and Technology, and also a Steward of The Hong Kong Jockey Club.

Ms Fung 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 the Peace in 2015.

Mrs Pamela CHAN WONG Shui, BBS, JP

Mrs Chan has been an Independent Non-Executive Director of MTR Corporation since July 2013. She is Chairman of the Insurance Complaints Bureau, The Boys' and Girls' Clubs Association of Hong Kong and the Advisory Committee of the Department of Social and Behavioural Sciences of the City University of Hong Kong, Third Vice President of The 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 was Chairman of the 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, etc.

On law related appointments, Mrs Chan was a 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 Bachelor of Arts from Princeton University and Doctor of Philosophy 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 Monetary and Financial 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 Co., Ltd. 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 of the Hong Kong Special Administrative Region; Independent Commission on Remuneration for Members of the Executive Council and the Legislature, and Officials under the Political Appointment System of the Hong Kong Special Administrative Region; 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 the Peace in 2006.