JORC Report 2023

The 2023 Judicial Officers Recommendation Commission ("JORC") Report gives an overview of JORC, and reports on the work of JORC during the year.

As part of our continued efforts towards environmental protection, we will only upload the Report on the <u>website</u> of the Judiciary.

Separately, there is a publication which provides an account of JORC, covering its constitution, functions, membership and operation. It also contains a description of the different levels of court and the various judicial offices on our <u>website</u>.

Andrew Cheung
Chief Justice
Chairman of the Judicial Officers Recommendation Commission

Membership of JORC

1. In 2023, the Chief Executive re-appointed two members of JORC and appointed a new member to JORC for a term of two years up to 30 June 2025. The membership in 2023 is listed below –

Ex officio chairman and member

The Honourable Chief Justice Andrew CHEUNG Kui-nung, GBM (Chairman)

The Honourable Mr Paul LAM Ting-kwok, SBS, SC, JP (Secretary for Justice)

<u>Judges</u>

The Honourable Mr Justice Jeremy POON Shiu-chor (from 11 January 2021 to 30 June 2022) (from 1 July 2022 to 30 June 2024)

The Honourable Madam Justice Carlye CHU Fun-ling (from 1 July 2018 to 30 June 2020) (from 1 July 2020 to 30 June 2022) (from 1 July 2022 to 30 June 2024)

Barrister and solicitor

Mr Victor DAWES, BBS, SC (barrister) (from 1 April 2022 to 30 June 2023) (from 1 July 2023 to 30 June 2025)

Ms Melissa Kaye PANG, BBS, MH, JP (solicitor) (from 1 July 2021 to 30 June 2023) (from 1 July 2023 to 30 June 2025)

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)

Mr Carlson TONG, GBS, JP (from 1 July 2023 to 30 June 2025)

Mrs Pamela CHAN WONG Shui, BBS, JP (from 1 July 2018 to 30 June 2020) (from 1 July 2020 to 30 June 2022) (from 1 July 2022 to 30 June 2024)

Professor LIU Pak-wai, SBS, JP (from 21 December 2018 to 30 June 2020) (from 1 July 2020 to 30 June 2022) (from 1 July 2022 to 30 June 2024)

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 2023, three meetings were held at which eight papers were discussed and two papers were circulated for consideration. JORC passed resolutions on 35 recommendations on judicial appointments which were accepted by the Chief Executive, comprising 15 relating to new appointments, six relating to further employment and transfer to permanent and pensionable terms, seven on renewal of contract, and seven on extension of term of office. Details are at pages 6 and 7.

Recommendations relating to new judicial appointments made in 2023

1. The 15 recommendations relating to new judicial appointments made by JORC in the year 2023 include five at the High Court and 10 at the District Court. Details are shown in the tables below.

High Court		District Court	
Recorder of the Court of First Instance of the High Court	Senior Deputy Registrar of the High Court	District Judge	
4	1	10	

2. Apart from new judicial appointments, JORC also made 20 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	3 (Justice of Appeal of the Court of Appeal of the High Court) 2 (Judge of the Court of First Instance of the High Court) 1 (Senior Deputy Registrar of the High Court)	1 (District Judge)	-

	High Court	District Court	Magistrates' Courts
Further employment and transfer to permanent and pensionable terms	-	-	6 (Magistrate)
Renewal of contract	-	-	7 (Magistrate)

Judicial Appointments made on the recommendation of JORC in 2023

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

High Court

2. Four persons were re-appointed Recorders of the Court of First Instance of the High Court for another three years –

From 1 January 2024 to 31 December 2026

Mr Martin HUI Siu-ting, SC Ms SIT Yat-wah, SC Ms Rachel LAM Yan-kay, SC

From 1 February 2024 to 31 January 2027

Mr Eugene FUNG Ting-sek, SC

3. Judge HUI Ka-ho was appointed Senior Deputy Registrar of the High Court with effect from 19 January 2024.

District Court

4. Six persons were appointed District Judges –

With effect from 12 April 2024

Miss Ada YIM Shun-yee Mr Lawrence YIP Sue-pui

With effect from 30 April 2024

Ms Grace CHOW Chiu-man

With effect from 5 June 2024

Mr KWONG Ka-tung

With effect from 18 June 2024

Ms Phillis LOH Lai-ping

With effect from 9 July 2024

Miss Liza Jane Mary CRUDEN

Bio-data of the Chairman and Members of JORC

Chairman

The Honourable Chief Justice Andrew CHEUNG Kui-nung, GBM

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 in 2021.

Ex officio member

Secretary for Justice, The Honourable Paul LAM Ting-kwok, SBS, SC, JP

Mr Paul Lam, SC, was appointed Secretary for Justice on 1 July 2022.

Before joining the Government, Mr Lam was a Senior Counsel in private practice specialising in general civil and commercial proceedings, and has passed the Guangdong-Hong Kong-Macao Greater Bay Area Legal Professional Examination. He was a former Vice-Chairman of the Hong Kong Bar Association from 2014 to 2017 and the Chairman from 2017 to 2018. He sat as a Deputy Judge of the High Court of Hong Kong for short periods each year since 2015. He was once enlisted in the Panel of Arbitrators of the Shenzhen Court of International Arbitration and The China International Economic and Trade Arbitration Commission, and was once appointed by the China University of Political Science and Law in Beijing as professor.

Mr Lam held a number of public service positions, such as Chairman of the Consumer Council, Chairman of the Administrative Appeals Board, Chairman of ICAC Operations Review Committee and Member of Independent Police Complaints Council.

Members

The Honourable Mr Justice Jeremy POON Shiu-chor

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 1984, 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 Victor DAWES, BBS, SC

Mr Dawes, SC, read law at the London School of Economic and Political Science and graduated with a Bachelor of Laws degree in 1998. He then obtained his Postgraduate Certificate in Laws at the University of Hong Kong in 1999.

He was called to the Hong Kong Bar in 1999 and was appointed Senior Counsel in 2015. Mr Dawes is currently the Chairman of the Hong Kong Bar Association. He is also a Recorder of the Court of First Instance of the High Court and a non-executive director of the Securities and Futures Commission. Mr Dawes was awarded the Bronze Bauhinia Star in 2024.

Ms Melissa Kaye PANG, BBS, MH, JP

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 Diversity and Inclusion Committee; Member of Standing Committee on Policy and Resources, External Affairs, Member Services 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 Immediate Past 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.

Ms Anita FUNG Yuen-mei, BBS, JP

(up to 30 June 2023)

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 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 Court Member of The Hong Kong University of Science and Technology, and also a Steward of The Hong Kong Jockey Club.

In the past eight years, she was a Member of the Financial Infrastructure Sub-Committee of the Exchange Fund Advisory Committee of the Hong Kong Monetary Authority, a Member of the Hong Kong Housing Authority, a Council Member of The Hong Kong University of Science and Technology, a board member of the West Kowloon Cultural District Authority, a Board Member of the Hong Kong Airport Authority, an Independent Non-Executive Director of Hong Kong Exchanges and Clearing Limited, as well as a Director of M Plus Museum Limited.

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.

Mr Carlson TONG, GBS, JP

(since 1 July 2023)

Mr Tong is the Chairman of Hong Kong Exchanges and Clearing Limited. He is also an Independent Non-Executive Director of MTR Corporation Limited and the Hong Kong Investment Corporation Limited; and a director of the World Federation of Exchanges.

He was Chairman of KPMG China and Hong Kong from 2007 to 2011, and was Chairman of the Asia-Pacific region and a member of KPMG's global board from 2009 to 2011. He was also an independent non-executive director of Standard Chartered PLC.

Mr Tong has been actively involved in capital markets throughout his career, with profound expertise in corporate governance and regulatory compliance. He served as a member of the Main Board and Growth Enterprise Market Listing Committee of The Stock Exchange of Hong Kong Limited from 2002 to 2006 before becoming the chair from 2006 to 2008.

Mr Tong was appointed Chairman of the Securities and Futures Commission from 2012 to 2018. He oversaw the launch of several major policy initiatives during his term, including the introduction of the landmark Stock Connect programme and the mutual recognition of funds between Mainland China and Hong Kong.

Mr Tong has also been very active and devoted in serving the community, particularly in the education and youth sectors. He was Chairman of the English Schools Foundation, the Hong Kong Sports Institute and the University Grants Committee of Hong Kong.

Mr Tong is a Fellow of both the Institute of Chartered Accountants in England and Wales (ICAEW) and the Hong Kong Institute of Certified Public Accountants. He received the 2022 ICAEW Outstanding Achievement Award, and was awarded an honorary Doctor of Business Administration by The Hong Kong University of Science and Technology, as well as an honorary Doctor of Social Sciences by The Education University of Hong Kong.

Mr Tong was awarded the Silver Bauhinia Star and the Gold Bauhinia Star by the Hong Kong Special Administrative Region Government in 2014 and 2019 respectively.

Mrs Pamela CHAN WONG Shui, BBS, JP

Mrs Chan is Chairman of the Insurance Complaints Bureau, The Boys' and Girls' Clubs Association of Hong Kong and Third Vice President of The Community Chest.

Mrs Chan had been the Chief Executive of the Consumer Council for 22 years and an Independent Non-Executive Director of MTR Corporation for 10 years until May 2023. 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 and Chairman of the Department of Social and Behavioral Sciences of the City University of Hong Kong, 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 the University of Hong Kong and the City University of Hong Kong.

Professor Liu Pak-wai, SBS, JP

Professor Liu is Distinguished Research Fellow 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 a member of the Advisory Board of the Faculty of Law of The Chinese University of Hong Kong 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 and Transport International Holdings Limited. 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 was 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: Wage Commission; Independent Provisional Minimum 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.