

## Chief Justice's statement on Government's decision on enhancing remuneration packages for Judges and Judicial Officers

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The Chief Justice of the Court of Final Appeal, Mr Geoffrey Ma Tao-li, is pleased to note today (December 7) that the Chief Executive-in-Council has decided to accept the recommendations of the Standing Committee on Judicial Salaries and Conditions of Service (Judicial Committee) to increase pay and to enhance the conditions of service for Judges and Judicial Officers (JJOs).

The Chief Justice notes that in recognition of the independence and uniqueness of the Judiciary, the Government has since 2008 adopted a mechanism for the determination of judicial remuneration separate from that of the civil service. JJOs are remunerated according to a separate judicial salary scale subject to annual reviews. Regular benchmark studies are also conducted by the Judicial Committee to review whether judicial pay is kept broadly in line with the movements of legal sector earnings over the same period.

The Chief Justice notes that the Judicial Committee has conducted the 2015 Benchmark Study on the Earnings of Legal Practitioners in Hong Kong and also an annual review of the judicial pay for 2016-17. The recommendations to adjust judicial pay upwards at all levels with additional increases for Judges at the Court of First Instance of the High Court (CFI) level and above have been accepted by the Government. According to the findings of the Benchmark Study, the judicial pay at all the three entry ranks, i.e. Magistrate, District Judge and Judge of the CFI (CFI Judge), have lagged behind legal sector earnings, with the differential particularly significant at the CFI level. The Chief Justice welcomes the increases in judicial pay as approved by the Government and considers that the adjustments will strengthen the Judiciary's position in attracting legal talent to join the judicial service.

The Chief Justice also welcomes the decision of the Government, following the Judiciary's comprehensive review of the conditions of service for JJOs and recommendations of the Judicial Committee, to enhance the fringe benefits for JJOs. The Chief Justice takes the view that fringe benefits are part and parcel of the remuneration packages for JJOs and this is the first comprehensive review of the existing packages of benefits and allowances

for different ranks of JJOs since the early 1990s and also since the establishment of a separate new mechanism for determining judicial remuneration in May 2008.

The Judiciary has been experiencing persistent recruitment difficulties particularly for Judges at the CFI level. The Judiciary has since 2012 conducted more regular recruitment exercises for CFI Judges. However, the number of eligible candidates found suitable for appointment in the past four recruitment exercises since 2012 was still far less than the available vacancies. Given the uniqueness of judicial service in that Judges at the District Court level and above (including the CFI level) are prohibited from returning to private practice, and that legal practitioners from private practice usually join the Judiciary at the pinnacle of their careers, it is necessary to have a judicial remuneration package that will attract candidates of the right calibre and experience to join the Bench. The Chief Justice believes that the enhancement to the conditions of service for JJOs, particularly in the areas of housing and medical benefits, is a positive step in tackling the manpower issues at the CFI level.

The Chief Justice stresses that for the administration of justice, it is of the utmost importance that only JJOs of the highest standard be appointed. The judicial pay adjustment and enhancement to the conditions of service for JJOs will hopefully help achieve this objective.

The Chief Justice appreciates the careful consideration which the Government and the Judicial Committee have given to the reviews. He is grateful for the full support the Judiciary has received from the Government in relation to this matter. It recognises the crucial constitutional role and function of the Judiciary.

"I hope that with the adjusted pay together with the enhanced packages for JJOs, there will be a positive impact on the recruitment of judges, particularly at the level of the Court of First Instance of the High Court," the Chief Justice said.

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