

Appointment of non-permanent judges from other common law jurisdictions of the Court of Final Appeal

Chief Justice Geoffrey Ma Tao-li today (March 21) welcomed the acceptance by the Chief Executive of the recommendations of the Judicial Officers Recommendation Commission on the appointment of the Right Honourable the Baroness Brenda Hale of Richmond (Baroness Hale) and the Right Honourable Beverley McLachlin, PC (Ms McLachlin) as non-permanent judges from other common law jurisdictions of the Court of Final Appeal. The Chief Justice noted that the Government would be seeking the endorsement of the Legislative Council of the recommended appointments.

The Hong Kong Court of Final Appeal Ordinance (Cap 484) provides for a list of non-permanent Hong Kong judges and a list of judges from other common law jurisdictions. Currently, there are three non-permanent Hong Kong judges and 12 non-permanent common law judges. The maximum number of non-permanent judges is 30. In hearing and determining an appeal, the Court of Final Appeal is constituted by five judges, i.e. the Chief Justice, three permanent judges and one non-permanent Hong Kong judge or one non-permanent common law judge.

The appointment of Baroness Hale and Ms McLachlin to the Hong Kong Court of Final Appeal will increase the number of non-permanent judges from other common law jurisdictions from 12 to 14 and will provide greater flexibility for dealing with the caseload of the Court of Final Appeal.

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