

# Government announces appointment of Panel Judge under Interception of Communications and Surveillance Ordinance

The Government announced today (October 23) that the Chief Executive, on the recommendation of the Chief Justice of the Court of Final Appeal, has appointed Mr Justice Poon Siu-tung as a Panel Judge under the Interception of Communications and Surveillance Ordinance (Chapter 589).

Under the Ordinance, the Chief Executive shall, on the recommendation of the Chief Justice of the Court of Final Appeal, appoint three to six eligible judges as Panel Judges to consider applications for authorisations of interception and Type 1 surveillance and for device retrieval warrants. Under the Ordinance, "eligible judge" means a judge of the Court of First Instance.

The Chief Executive has appointed Mr Justice Poon to succeed Mr Justice Mohan Tarachand Bharwaney as a Panel Judge under the Ordinance for a term of three years from October 25, 2020, to October 24, 2023.

Mr Justice Poon was born in Hong Kong in 1967. He obtained an LL.B. and a P.C.LL. from the University of Hong Kong in 1990 and 1993 respectively. He was called to the Bar in Hong Kong in 1994 and was in private practice between 1994 and 2002. He was appointed as Permanent Magistrate in 2002, as District Judge in 2009 and as the Chief District Judge in 2012. He was appointed as Judge of the Court of First Instance of the High Court in 2019.

The Chief Executive, Mrs Carrie Lam, said, "I am grateful to Mr Justice Mohan Tarachand Bharwaney for his full dedication in handling the law enforcement agencies' applications for authorisations under the Ordinance since his appointment in 2014. I am confident that Mr Justice Poon Siu-tung will work with the other two incumbent Panel Judges, Mr Justice Barnabas Fung Wah and Madam Justice Lisa Wong Kwok-ying, to make use of their expertise and experience to ensure the effective operation of the regulatory regime under the Ordinance."

The Ordinance provides a comprehensive statutory framework for regulating the conduct of interception and covert surveillance by law enforcement agencies, and aims to strike a balance between maintaining law and order and protecting the privacy rights of individuals. Under the Ordinance, Panel Judges shall consider applications for authorisations of interception and Type 1 surveillance and for device retrieval warrants.