

Senior judicial appointment: non-permanent judge from another common law jurisdiction of the Court of Final Appeal

The Chief Executive, Mrs Carrie Lam, has accepted the recommendation of the Judicial Officers Recommendation Commission (JORC) on the appointment of the Right Honourable Lord Patrick Hodge (Lord Hodge) as a non-permanent judge from another common law jurisdiction of the Court of Final Appeal. Subject to the endorsement of the Legislative Council, the Chief Executive will make the appointment under Article 88 of the Basic Law.

Mrs Lam said, "I am pleased to accept the JORC's recommendation on the appointment of Lord Hodge as a non-permanent judge from another common law jurisdiction of the Court of Final Appeal. Lord Hodge has been appointed as Deputy President of the Supreme Court of the United Kingdom since February 2020. He is a judge of eminent standing and reputation. I am confident that he will be a great asset to the Court of Final Appeal."

"With the appointment of Lord Hodge, the panel of non-permanent judges from other common law jurisdictions will consist of 14 eminent judges from the United Kingdom, Australia and Canada. The presence of these esteemed non-permanent judges manifests the judicial independence of Hong Kong, helps maintain a high degree of confidence in our legal system, and allows Hong Kong to maintain strong links with other common law jurisdictions. I have every confidence that these distinguished jurists from overseas with profound judicial experience will continue to be a unique strength of our judicial system," Mrs Lam said.

The Court of Final Appeal is constituted by five judges when hearing and determining appeals. Since July 1, 1997, apart from very few exceptions, one of the judges has invariably been drawn from the list of non-permanent judges from other common law jurisdictions to hear a substantive appeal in the Court of Final Appeal.

Article 90 of the Basic Law provides that the Chief Executive shall obtain the endorsement of the Legislative Council on the appointment of judges of the Court of Final Appeal. The Government will seek the endorsement of the Legislative Council of the recommended appointment in due course.

The curriculum vitae of Lord Hodge is at Annex.