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17 November 2004

Mrs Percy Ma  
Clerk to LegCo Panel on  
Administration of Justice and Legal Services  
Legislative Council Building  
8 Jackson Road  
Central, Hong Kong

Dear Mrs Ma,

**Panel on Administration of Justice and Legal Services**

**Guide to Judicial Conduct**

Thank you for your letter of 12 November 2004 and for distributing copies of the Guide to Judicial Conduct (“the Guide”) to Members of the Legislative Council.

Regarding the query raised by Members of the Panel about the applicability of standards of conduct set out in the Guide to former/retired judges and judicial officers, members may wish to note that the purpose of the Guide is to provide practical assistance to serving judges in dealing with matters relating to judicial conduct.

A query is also raised on possible consequences of breaching the standards of conduct. As stated in the Guide, it does not attempt to define judicial misconduct. The Guide seeks to provide practical guidance and there is no question of “breaches” of the Guide. However, where a judge’s conduct is

complained of as inappropriate, the matter will be handled in accordance with the complaint mechanism by the Chief Justice and/or the relevant Court Leader. That mechanism has been publicised in a leaflet on “Complaints against a Judge’s Conduct” which has been made available to the public. In a serious case of misbehaviour or inability to discharge duties, the Chief Justice may have to consider appropriate disciplinary proceedings in accordance with law.

Yours sincerely,

(Ms Sally Wong)  
for Judiciary Administrator