

香港特別行政區政府
政務司司長辦公室轄下行政署



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The Government of
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Administration Wing,
Chief Secretary for Administration's Office

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17 January 2017

The Hon Starry LEE Wai-king, SBS, JP
Chairman of the House Committee
Legislative Council
Room 602, Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

Dear Chairman,

Senior Judicial Appointments

I write to inform you that in accordance with Article 88 of the Basic Law and section 9(2) of the Hong Kong Court of Final Appeal Ordinance (Cap. 484), the Chief Executive has accepted the recommendations of the Judicial Officers Recommendation Commission (JORC) to appoint the Honourable Chief Justice Robert FRENCH AC and the Right Honourable Lord REED to the Court of Final Appeal as non-permanent judges from other common law jurisdictions (CLNPIs).

The Chief Executive will announce his acceptance of the JORC's recommendations at 2:00 p.m. tomorrow. An advance copy of the press statement on the above appointments is at **Enclosure A** for Members' reference. I should be grateful if Members could observe the confidentiality of the issue, pending the Chief Executive's public announcement.

Pursuant to Article 90 of the Basic Law, the Chief Executive shall obtain the endorsement of the Legislative Council (LegCo) of the appointments. Following the procedures for endorsement of judicial appointment of judges agreed by the House Committee in May 2003, a paper on the appointments of the CLNPs is at **Enclosure B** for Members' reference. Subject to the deliberation of the House Committee, the Government will move a motion to seek LegCo's endorsement of the appointments at the earliest opportunity.

Yours sincerely,



(Ms Kitty Choi)
Director of Administration

Encl.

c.c. All LegCo Members
 Clerk to the House Committee

Press Statement

Senior Judicial Appointment: Non-Permanent Judges from Other Common Law Jurisdictions of the Court of Final Appeal

The Chief Executive, Mr C Y Leung, has accepted the recommendation of the Judicial Officers Recommendation Commission (JORC) on the appointments of The Honourable Chief Justice Robert French AC and The Right Honourable Lord Reed as non-permanent judges from other common law jurisdictions of the Court of Final Appeal. Subject to the endorsement of the Legislative Council, the Chief Executive will make the appointments under Article 88 of the Basic Law.

Mr Leung said, "I am pleased to accept the JORC's recommendation on the appointments of The Honourable Chief Justice Robert French AC and The Right Honourable Lord Reed as non-permanent judges from other common law jurisdictions of the Court of Final Appeal. The Honourable Chief Justice Robert French AC has been the Chief Justice of the High Court of Australia since September 2008 and he will be retiring from the office on January 29, 2017. The Right Honourable Lord Reed has been a Justice of the Supreme Court of the United Kingdom since December 2011. They are judges of eminent standing and reputation. I am confident that they will be a great asset to 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 the judges of the Court of Final Appeal. The Government will seek the endorsement of the Legislative Council of the recommended appointments in due course.

The curricula vitae of the recommended appointees are at Annex.

**Curriculum Vitae of
The Honourable Chief Justice Robert French AC**

1. Personal Background

Robert Shenton French is a citizen of Australia, born in Perth, Western Australia on March 19, 1947. He married Valerie French in 1976. They have three sons and two granddaughters.

2. Education

Chief Justice French was educated at St Louis Jesuit College, Claremont in Western Australia and then at the University of Western Australia from which he graduated in 1967 with a Bachelor of Science degree majoring in physics and in 1970 with a Bachelor of Laws. He undertook two years of articles of clerkship with a law firm in Perth.

3. Professional History

Chief Justice French was admitted to practice in Western Australia in December 1972 as a Barrister and Solicitor – the profession in Western Australia being a fused profession. In 1975, with three friends, he established a law firm in which he practised as both Barrister and Solicitor until 1983 when he commenced practice at the Independent Bar in Western Australia. While in practice he served as a part-time Member of the Western Australian Law Reform Commission, the Western Australian Legal Aid Commission, the Trade Practices Commission (now known as the Australian Competition and Consumer Commission) and as Deputy President and later President of the Town Planning Appeal Tribunal of Western Australia.

On November 25, 1986, Chief Justice French was appointed as a Judge of the Federal Court of Australia. He continued to serve as a Judge of that Court until September 1, 2008. As a Judge of that Court he sat in both its original and appellate jurisdiction dealing with a wide range of civil cases including commercial disputes,

corporations, intellectual property, bankruptcy and corporate insolvency, taxation, competition law, industrial law, constitutional law and public administrative law.

While serving as a Federal Court Judge, Chief Justice French was appointed, in 1994, as the inaugural President of the National Native Title Tribunal responsible for the administration of the new Native Title Act 1993 (Cth), an office which he held until 1998. From 2003 to 2008 he served as a non-resident member of the Supreme Court of Fiji and as an additional Judge of the Supreme Court of the Australian Capital Territory. From 2005 to 2008 he was a Presidential Member of the Australian Competition Tribunal and from 2006 to 2008 a part-time Commissioner of the Australian Law Reform Commission.

On September 1, 2008, he was appointed as Chief Justice of the High Court of Australia.

4. Law-related Services and Activities

Chief Justice French helped to establish the Aboriginal Legal Service of Western Australia in the mid-1970s and served as its Chairperson for three years. He served as a member of the Barristers Board of Western Australia, the regulatory body for the legal profession in that State from 1979 to 1986. He was also a member of the Council of the Western Australian Bar Association from 1983 to 1986. He was a Council Member of the Australian Institute of Judicial Administration from 1992 to 1998 and served as President of the Australian Association of Constitutional Law from 2001 to 2005. From 2007 to 2008 he acted as the Convenor of the Indigenous Issues Committee of the National Judicial College of Australia. He has served as a Foundation Member of the Australian Academy of Law from 2007 to the present and is currently its Patron. In 2012 he was selected as a member of the American Law Institute.

5. Activities Outside the Legal Field

Chief Justice French served, from 1988 to 1990, as Chairman of the Council of the Western Australian College of Advanced Education which, in 1991, became Edith Cowan University. He was the inaugural Chancellor of Edith Cowan University, serving from 1991 to 1996.

6. Other Affiliations

Chief Justice French is an Honorary Bencher of Gray's Inn and Lincoln's Inn. He is an Honorary Fellow of the Australian Academy of Social Sciences and an Honorary Life Member of the Australasian Law Teachers Association. In 2010 he was appointed as a Companion in the General Division of the Order of Australia.

**Curriculum Vitae of
The Right Honourable Lord Reed**

1. Personal Background

Lord (Robert) Reed is a citizen of the United Kingdom. He was born there on September 7, 1956 and is married with two children.

2. Education

Lord Reed was educated at school in Edinburgh, and studied law at Edinburgh and Oxford Universities.

3. Legal Experience

Lord Reed qualified as a member of the Scottish Bar in 1983 and of the English Bar in 1991. He practised principally in Scotland, and was also a member of chambers in London. He was appointed Queen's Counsel in 1995. His practice was primarily in civil law, particularly public law, until 1996, when he was appointed as a senior prosecuting counsel. His work included cases before the House of Lords, the European Court of Human Rights and the International Court of Justice.

4. Judicial Experience

Lord Reed was appointed a Judge of the Court of Session in September 1998. He initially dealt with general civil and criminal work, before being appointed to the Commercial Court. In 2006 he became the Principal Commercial and Companies Judge. In January 2008 he was appointed to the (appellate) Inner House, where he sat on appeals of all kinds. In December 2011, he was appointed as a Justice of the Supreme Court. He also sits on the Judicial Committee of the Privy Council, and occasionally as an ad hoc judge of the European Court of Human Rights.

5. Services and Activities related to the Law

Lord Reed was closely involved in the reform of the administration of the Scottish courts, serving on the relevant committees and on the Board of the Scottish Courts Service. Between 2009 and 2012 he had responsibility for the judicial administration of the Court of Session, and was in charge of the administration of civil appeals.

He has acted as an expert adviser to the European Commission/Council of Europe Initiative with Turkey, Chairman of the Franco-British Judicial Co-operation Committee, President of the EU Forum of Judges for the Environment, and member of the UN Task Force on Access to Justice under the Aarhus Convention.

He is currently an Honorary Professor at Glasgow University, a member of the advisory board of Oxford University's Institute of European and Comparative Law, and a Trustee of the British Institute of International and Comparative Law. He is a member of the editorial advisory board of the Law Quarterly Review. He has written or contributed to books on constitutional and administrative law, human rights law, comparative law, and unjust enrichment.

6. Other Activities

Lord Reed served for six years as the chairman of the governing body of a children's charity. Since 2011 he has been the Visitor of Balliol College, Oxford. He is a Fellow of the Royal Society of Edinburgh.

**APPOINTMENT OF NON-PERMANENT JUDGES
OF THE COURT OF FINAL APPEAL –**

JUDGES FROM OTHER COMMON LAW JURISDICTIONS

INTRODUCTION

Pursuant to Article 90 of the Basic Law of the Hong Kong Special Administrative Region (“HKSAR”) and section 7A of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) (“the Ordinance”), the Government intends to give notice in due course to move a motion to obtain the endorsement of the Legislative Council of the appointment of The Honourable Chief Justice Robert FRENCH AC (“Chief Justice French”) and The Right Honourable Lord REED (“Lord Reed”) to the Court of Final Appeal (“CFA”) as non-permanent judges from other common law jurisdictions (“CLNPJs”). The curriculum vitae of Chief Justice French and Lord Reed are at Appendices 1 and 2 respectively.

**Appendices
1 and 2**

BACKGROUND

The Court of Final Appeal

2. The CFA is the final appellate court in Hong Kong. The CFA hears appeals in civil and criminal matters and may confirm, reverse or vary decisions of the lower courts.

3. The CFA consists of the Chief Justice and the permanent judges (“PJ”). Non-permanent judges may be invited to sit. There are two lists of non-permanent judges –

- (a) the list of non-permanent Hong Kong judges (“HKNPJs”) ; and
- (b) the list of CLNPJs.

Section 10 of the Ordinance sets a ceiling of 30 on the total number of persons holding office as non-permanent judges at any one time.

4. In accordance with section 16 of the Ordinance, the CFA is constituted by five judges when hearing and determining appeals, as follows –

- (a) the Chief Justice or a PJ designated to sit in his place under subsection (2);
- (b) three PJs; and
- (c) one HKNPJ or one CLNPJ (selected by the Chief Justice and invited by the CFA).

Where the Chief Justice is not available to sit in an appeal, he designates a PJ to preside at the appeal in his place. Where a PJ is unable to sit in an appeal, the Chief Justice nominates a HKNPJ to sit in place of the PJ.

Duties, Requirements and Qualifications for Non-Permanent Judges from Other Common Law Jurisdictions

Duties

5. The duty of a non-permanent judge is to hear civil and criminal appeals in the CFA. The CFA deals with appeals in –

- (a) any civil cause or matter that falls under the civil jurisdiction of the CFA under Part II of the Ordinance and any other law, as provided for in section 21 of the Ordinance; and
- (b) any criminal cause or matter that falls under the criminal jurisdiction of the CFA under Part III of the Ordinance, as provided for in section 30 of the Ordinance.

Basic Law Requirements

6. Article 92 of the Basic Law stipulates that judges of the HKSAR shall be chosen on the basis of their judicial and professional qualities and may be recruited from other common law jurisdictions.

Statutory Qualifications

7. Section 12(4) of the Ordinance provides that a person shall be eligible to be appointed as a CLNPJ if he is –

- (a) a judge or retired judge of a court of unlimited jurisdiction in either civil or criminal matters in another common law jurisdiction;
- (b) a person who is ordinarily resident outside Hong Kong; and
- (c) a person who has never been a judge of the High Court, a District Judge or a permanent magistrate, in Hong Kong.

Tenure of Office of Non-Permanent Judges

8. Under section 14(4) of the Ordinance, a non-permanent judge shall hold office for a term of three years, but that term may be extended for one or more periods of three years by the Chief Executive acting in accordance with the recommendation of the Chief Justice. Under section 14(3) of the Ordinance, there is no retiring age for a non-permanent judge.

Constitutional and Legal Framework for the Appointment

The Chief Executive

9. Article 48(6) of the Basic Law confers on the Chief Executive the power and function to appoint judges of the courts at all levels in accordance with legal procedures.

10. Article 88 of the Basic Law provides that judges of the courts of the HKSAR shall be appointed by the Chief Executive on the recommendation of an independent commission. The Judicial Officers Recommendation Commission (“JORC”) is the statutory body constituted by the Judicial Officers Recommendation Commission Ordinance (Cap. 92) (“JORC Ordinance”) to perform the functions of the independent commission referred to in Article 88 of the Basic Law.

11. In the case of the appointment of CFA judges, Article 90 of the Basic Law provides that the Chief Executive shall, in addition to following the procedures prescribed in Article 88 of the Basic Law, obtain the endorsement of the Legislative Council and report such appointment to the Standing Committee of the National People's Congress for the record. These requirements in relation to CFA judges are also stipulated in section 7A of the Ordinance.

Judicial Officers Recommendation Commission

12. Pursuant to Article 88 of the Basic Law and the JORC Ordinance, the JORC is entrusted with the function of making recommendations to the Chief Executive regarding the appointment of judges. The JORC consists of the Chief Justice as the Chairman, the Secretary for Justice and seven other members appointed by the Chief Executive (two judges, one barrister appointed after consultation with the Bar Council of the Hong Kong Bar Association, one solicitor appointed after consultation with the Council of the Law Society of Hong Kong and three persons not connected with the practice of law). Under section 3(3A) of the JORC Ordinance, a resolution at a meeting of the JORC is not effective if there are more than two votes which are not in favour. The recommendation of the JORC is then communicated to the Chief Executive.

The Legislative Council

13. Article 73(7) of the Basic Law confers on the Legislative Council the power and function to endorse the appointment of CFA judges. Article 90 of the Basic Law provides that the Chief Executive shall obtain the endorsement of the Legislative Council for the appointment of CFA judges.

14. Thus, the system of judicial appointment provides for the Chief Executive to make an appointment on the recommendation of an independent commission, viz. the JORC, as laid down in Article 88 of the Basic Law, and to obtain the endorsement of the Legislative Council of the appointment of CFA judges under Article 90 of the Basic Law.

THE CURRENT APPOINTMENT EXERCISE

The JORC's Recommendations

15. Pursuant to Article 88 of the Basic Law and section 6(a) of the JORC Ordinance, the JORC has recommended the appointments of Chief Justice French and Lord Reed as CLNPIs of the CFA for a term of three years. The recommendations have been communicated to the Chief Executive.

The Chief Executive's Acceptance of the JORC's Recommendations

16. In accordance with Article 88 of the Basic Law and section 9(2) of the Ordinance, the Chief Executive has accepted the recommendations of the JORC on the appointments of Chief Justice French and Lord Reed as CLNPIs of the CFA. Subject to the endorsement of the Legislative Council pursuant to Article 90 of the Basic Law and section 7A of the Ordinance, the Chief Executive will make the recommended appointments.

The JORC Process

The JORC Meeting

17. The JORC had held a meeting in the fourth quarter of 2016 to consider the recommendations of the persons to be appointed as CLNPIs.

Quorum

18. A quorum as required by section 3(3) of the JORC Ordinance was present at the JORC meeting at which the recommended appointments were considered.

Statutory Disclosure

19. In view of the qualifications required of CLNPIs under section 12(4) of the Ordinance (as detailed in paragraph 7 above), none of the members of the JORC could reasonably be regarded as a candidate for the CLNPJ position and they had not been invited, under section 3(5B) of the JORC Ordinance, to declare their interest in filling such position.

The JORC’s Deliberations

The Non-Permanent Judges

Appendix 3

20. The JORC noted that there are 13 non-permanent judges comprising three HKNPJs and 10 CLNPJs. A list of the serving non-permanent judges is at Appendix 3.

21. The JORC noted that the list of 10 CLNPJs comprises the current President and a serving Justice of the Supreme Court of the United Kingdom (“Justices of the Supreme Court”) and eight retired judges from England and Australia. A CLNPJ is normally required to come to Hong Kong for a period of four weeks at a time. In the past three years (January 2014 to September 2016), all of the 10 CLNPJs have been selected to sit on the CFA.

Caseload of the CFA

Appendix 4

22. The JORC noted the statistics for applications for leave to appeal and substantive appeals in the past four years from 2013 to 2016 (up to June 2016) as set out in Appendix 4. Applications for leave to appeal are dealt with by the Appeal Committee¹ and do not involve non-permanent judges. The volume of applications for leave to appeal is an indicator of the likely caseload of substantive appeals which will come before the CFA. As regards substantive appeals, the number of cases has been steady in the past four years. The JORC noted that with the caseload of the CFA at these levels, the CFA has a heavy caseload particularly bearing in mind the relatively small number of PJs.

Present Position

23. The JORC noted that overall, the CFA has been functioning satisfactorily. From 1997, apart from very few exceptions, the “5th judge” (please refer to paragraph 4(c) above) has invariably been drawn from the list of CLNPJs to hear substantive appeals.

¹ Section 18 of the Ordinance stipulates that the power of the CFA to hear and determine any application for leave to appeal shall be exercised by the Appeal Committee, consisting of the Chief Justice and two PJs nominated by the Chief Justice or three PJs nominated by the Chief Justice.

24. The JORC noted that it is anticipated that The Right Honourable the Lord NEUBERGER of Abbotsbury (“Lord Neuberger”) would unlikely be available to sit on the CFA on a frequent basis. Lord Neuberger was appointed as the President of the Supreme Court of the United Kingdom on 1 October 2012. Despite his heavy schedule, Lord Neuberger managed to sit on the CFA in August 2014 and September 2015 for one to two weeks on each occasion; and in August/September 2016 for four weeks. As Lord Neuberger may not be available to sit on the CFA on a frequent basis, shorter stints will be arranged for Lord Neuberger to secure his valuable contribution.

25. The JORC noted that with Lord Neuberger being unlikely to be available to sit on the CFA on a frequent basis in the foreseeable future, the CFA will effectively be operating with only nine CLNPIs. These nine CLNPIs comprise a serving Justice of the Supreme Court of the United Kingdom and eight retired judges. All of them have extensive professional commitments. The serving Justice of the Supreme Court of the United Kingdom (namely, The Right Honourable the Lord CLARKE of Stone-cum-Ebony) has judicial commitments. The retired judges have various commitments including arbitration, mediation and/or lecturing work for which they are in huge demand. Of course, all of them also have personal and family commitments.

26. The JORC noted that because of their various commitments, the availability of the 10 CLNPIs to come to Hong Kong for four weeks to sit on the CFA is somewhat limited. A number of them cannot manage a four-week period once a year.

27. The JORC noted that there are other logistical considerations in inviting CLNPIs to sit on the CFA. For example, the relevant judge may simply be unavailable to sit on the CFA during the time slot in which he is asked to do so. In addition, most of the judges have particular expertise in certain areas. When a judge who has expertise in a particular area of law is not available to sit on the CFA, the listing of the case may have to be delayed.

28. The JORC noted that since the last appointments in July 2013, the number of CLNPIs has dropped from 12 to 10 at present.

29. The JORC noted that it is important that substantive appeals are heard within a reasonable time. Bearing in mind that the Chief Justice intends to continue to require a CLNPJ as the “5th judge” for hearing appeals (please refer to paragraph 4(c) above) and to avoid delays, it would assist the listing of cases considerably if the pool is enlarged. The JORC agreed that the number of CLNPJs should be increased to give greater flexibility for dealing with the CFA caseload and to ensure its effective operation.

Considerations

30. The JORC considered the proposed appointments of Chief Justice French and Lord Reed as CLNPJs of the CFA and noted their curriculum vitae.

31. The JORC noted that Chief Justice French has been the Chief Justice of the High Court of Australia since September 2008 and he will be retiring from the office on 29 January 2017^(Note); and Lord Reed has been a Justice of the Supreme Court of the United Kingdom since December 2011. They are judges of eminent standing and reputation and their appointment will be a great asset to the CFA. If appointed, the total number of CLNPJs will increase to 12 (including one who would unlikely be available to sit on the CFA on a frequent basis in the foreseeable future as described in paragraph 24 above).

The JORC’s Resolution

32. The JORC resolved to recommend to the Chief Executive the appointments of Chief Justice French and Lord Reed as CLNPJs for a term of three years.

The Chief Executive’s Acceptance of the Recommendations

33. The Chief Executive accepted the recommendations of the JORC.

^(Note) Due to the small size of its judiciary, the Australian Judiciary would not make available serving judges to serve as CLNPJs.

ENDORSEMENT OF THE LEGISLATIVE COUNCIL

34. Subject to the endorsement of the Legislative Council, the Chief Executive will make the recommended appointments and report the appointments to the Standing Committee of the National People's Congress for the record.

Administration Wing
Chief Secretary for Administration's Office
January 2017

The Honourable Chief Justice Robert FRENCH AC

1. Personal Background

Robert Shenton French is a citizen of Australia, born in Perth, Western Australia on 19 March 1947. He married Valerie French in 1976. They have three sons and two granddaughters.

2. Education

Chief Justice French was educated at St Louis Jesuit College, Claremont in Western Australia and then at the University of Western Australia from which he graduated in 1967 with a Bachelor of Science degree majoring in physics and in 1970 with a Bachelor of Laws. He undertook two years of articles of clerkship with a law firm in Perth.

3. Professional History

Chief Justice French was admitted to practice in Western Australia in December 1972 as a Barrister and Solicitor – the profession in Western Australia being a fused profession. In 1975, with three friends, he established a law firm in which he practised as both Barrister and Solicitor until 1983 when he commenced practice at the Independent Bar in Western Australia. While in practice he served as a part-time Member of the Western Australian Law Reform Commission, the Western Australian Legal Aid Commission, the Trade Practices Commission (now known as the Australian Competition and Consumer Commission) and as Deputy President and later President of the Town Planning Appeal Tribunal of Western Australia.

On 25 November 1986, Chief Justice French was appointed as a Judge of the Federal Court of Australia. He continued to serve as a Judge of that Court until 1 September 2008. As a Judge of that Court he sat in both its original and appellate jurisdiction dealing with a wide range of civil cases including commercial disputes, corporations, intellectual property, bankruptcy and corporate insolvency, taxation, competition law, industrial law, constitutional law and public administrative law.

While serving as a Federal Court Judge, Chief Justice French was appointed, in 1994, as the inaugural President of the National Native Title Tribunal responsible for the administration of the new *Native Title Act 1993* (Cth), an office which he held until 1998. From 2003 to 2008 he served as a non-resident member of the Supreme Court of Fiji and as an additional Judge of the Supreme Court of the Australian Capital Territory. From 2005 to 2008 he was a Presidential Member of the Australian Competition Tribunal and from 2006 to 2008 a part-time Commissioner of the Australian Law Reform Commission.

On 1 September 2008, he was appointed as Chief Justice of the High Court of Australia.

4. Law-related Services and Activities

Chief Justice French helped to establish the Aboriginal Legal Service of Western Australia in the mid-1970s and served as its Chairperson for three years. He served as a member of the Barristers Board of Western Australia, the regulatory body for the legal profession in that State from 1979 to 1986. He was also a member of the Council of the Western Australian Bar Association from 1983 to 1986. He was a Council Member of the Australian Institute of Judicial Administration from 1992 to 1998 and served as President of the Australian Association of Constitutional Law from 2001 to 2005. From 2007 to 2008 he acted as the Convenor of the Indigenous Issues Committee of the National Judicial College of Australia. He has served as a Foundation Member of the Australian Academy of Law from 2007 to the present and is currently its Patron. In 2012 he was selected as a member of the American Law Institute.

5. Activities Outside the Legal Field

Chief Justice French served, from 1988 to 1990, as Chairman of the Council of the Western Australian College of Advanced Education which, in 1991, became Edith Cowan University. He was the inaugural Chancellor of Edith Cowan University, serving from 1991 to 1996.

6. Other Affiliations

Chief Justice French is an Honorary Bencher of Gray's Inn and Lincoln's Inn. He is an Honorary Fellow of the Australian Academy of Social Sciences and an Honorary Life Member of the Australasian Law Teachers Association. In 2010 he was appointed as a Companion in the General Division of the Order of Australia.

The Right Honourable Lord REED

1. Personal Background

Lord (Robert) Reed is a citizen of the United Kingdom. He was born there on 7 September 1956 and is married with two children.

2. Education

Lord Reed was educated at school in Edinburgh, and studied law at Edinburgh and Oxford Universities.

3. Legal Experience

Lord Reed qualified as a member of the Scottish Bar in 1983 and of the English Bar in 1991. He practised principally in Scotland, and was also a member of chambers in London. He was appointed Queen's Counsel in 1995. His practice was primarily in civil law, particularly public law, until 1996, when he was appointed as a senior prosecuting counsel. His work included cases before the House of Lords, the European Court of Human Rights and the International Court of Justice.

4. Judicial Experience

Lord Reed was appointed a Judge of the Court of Session in September 1998. He initially dealt with general civil and criminal work, before being appointed to the Commercial Court. In 2006 he became the Principal Commercial and Companies Judge. In January 2008 he was appointed to the (appellate) Inner House, where he sat on appeals of all kinds. In December 2011, he was appointed as a Justice of the Supreme Court. He also sits on the Judicial Committee of the Privy Council, and occasionally as an ad hoc judge of the European Court of Human Rights.

5. Services and Activities related to the Law

Lord Reed was closely involved in the reform of the administration of the Scottish courts, serving on the relevant committees and on the Board of the Scottish Courts Service. Between 2009 and 2012 he had responsibility for the judicial administration of the Court of Session, and was in charge of the administration of civil appeals.

He has acted as an expert adviser to the European Commission/Council of Europe Initiative with Turkey, Chairman of the Franco-British Judicial Co-operation Committee, President of the EU Forum of Judges for the Environment, and member of the UN Task Force on Access to Justice under the Aarhus Convention.

He is currently an Honorary Professor at Glasgow University, a member of the advisory board of Oxford University's Institute of European and Comparative Law, and a Trustee of the British Institute of International and Comparative Law. He is a member of the editorial advisory board of the Law Quarterly Review. He has written or contributed to books on constitutional and administrative law, human rights law, comparative law, and unjust enrichment.

6. Other Activities

Lord Reed served for six years as the chairman of the governing body of a children's charity. Since 2011 he has been the Visitor of Balliol College, Oxford. He is a Fellow of the Royal Society of Edinburgh.

List of Non-Permanent Judges of the Court of Final Appeal

A. Non-Permanent Hong Kong Judges

	Date of First Appointment	Expiry Date of Present Appointment
1. The Honourable Mr. Justice Frank STOCK	1.9.2010	31.8.2019
2. The Honourable Mr. Justice Syed Kemal Shah BOKHARY	25.10.2012	24.10.2018
3. The Honourable Mr. Justice Patrick CHAN Siu-oi	21.10.2013	20.10.2019

B. Non-permanent Judges from Other Common Law Jurisdictions

	Date of First Appointment	Expiry Date of Present Appointment
1. The Right Honourable The Lord HOFFMANN	12.1.1998	11.1.2019
2. The Right Honourable The Lord MILLETT	28.7.2000	27.7.2018
3. The Honourable Mr. Justice Murray GLEESON	1.3.2009	28.2.2018
4. The Right Honourable The Lord NEUBERGER of Abbotsbury§	1.3.2009	28.2.2018
5. The Right Honourable The Lord WALKER of Gestingthorpe	1.3.2009	28.2.2018
6. The Right Honourable The Lord COLLINS of Mapesbury	30.6.2011	29.6.2017
7. The Right Honourable The Lord CLARKE of Stone-cum-Ebony*	30.6.2011	29.6.2017
8. The Right Honourable The Lord PHILLIPS of Worth Matravers	1.10.2012	30.9.2018
9. The Honourable Mr. Justice James SPIGELMAN	29.7.2013	28.7.2019
10. The Honourable Mr. Justice William GUMMOW	29.7.2013	28.7.2019

§ President of the Supreme Court of the United Kingdom

* Serving Justice of the Supreme Court of the United Kingdom

Appendix 4

**Statistics on the Court of Final Appeal
from 2013 to 2016 (up to June 2016)**

	No. of cases											
	1.1.2013 to 31.12.2013			1.1.2014 to 31.12.2014			1.1.2015 to 31.12.2015			1.1.2016 to 30.6.2016		
	Filed	Disposed of	Withdrawn	Filed	Disposed of	Withdrawn	Filed	Disposed of	Withdrawn	Filed	Disposed of	Withdrawn
Application for leave to appeal												
- Civil	50	50	1	65	46	2	56	62	0	32	30	1
- Criminal	63	77	2	76	69	4	71	70	3	34	32	3
(Total)	(113)	(127)	(3)	(141)	(115)	(6)	(127)	(132)	(3)	(66)	(62)	(4)
Substantive appeal												
- Civil	23	33	1	12	23	0	22	19	0	8	6	0
- Criminal	8	13	0	11	11	0	9	7	0	10	6	0
(Total)	(31)	(46)	(1)	(23)	(34)	(0)	(31)	(26)	(0)	(18)	(12)	(0)