



司法機構政務處

Judiciary Administration

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本函檔號 Our Ref.: JUD CR 1-70/8 Pt.7
來函檔號 Your Ref.: CB4/PL/AJLS

16 June 2021

Mr Lemuel WOO
Clerk to Panel on
Administration of Justice and Legal Services
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr Woo,

**Panel on Administration of Justice and Legal Services
("AJLS Panel")
Issues arising from the agenda item "Enhancements to the
Mechanism for handling complaints against judicial conduct"
Discussed at the Panel meeting on 14 May 2021**

I refer to your letter dated 2 June 2021. Supplementary information on various matters related to "Enhancements to the Mechanism for Handling Complaints against Judicial Conduct" as requested is provided herewith.

Criteria for classifying "frivolous or vexatious" complaints

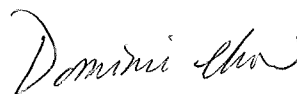
2. According to past experience of handling complaints against judicial conduct, a complaint will generally be regarded as frivolous or vexatious when the factual contentions are clearly baseless such as where the

allegations are not supported by any factual information, or where the complaints are misconceived and lacking in substance, or even constitute an abuse of the complaint process (e.g. alleging the judge for tampering with the audio recording or court documents or colluding with the opposite party to proceedings without providing any evidence in support, etc). The Judiciary considers it important that the complaint process should not be abused for raising unfounded allegations against judges. To ensure that these frivolous or vexatious complaints are disposed of in a reasonable and timely manner, their disposal will be regularly and summarily reported to the Advisory Committee on Complaints against a Judge's Conduct (the Advisory Committee). The Advisory Committee may raise questions and express views on the handling of this category of complaints where necessary and appropriate.

Composition of and appointment to the Advisory Committee

3. The Advisory Committee will comprise a majority of senior judges as well as a number of members from the community with profound experience in professional/community/public services. The Chief Justice would take into account the potential appointees' expertise and experience in professional/community/public services, their standing and credibility in appointing members from the community to serve on the Advisory Committee.

Yours sincerely,



(Dominic Chow)
for Judiciary Administrator

c.c. Chief Secretary for Administration's Office (Attn.: Miss Ingrid Wong)