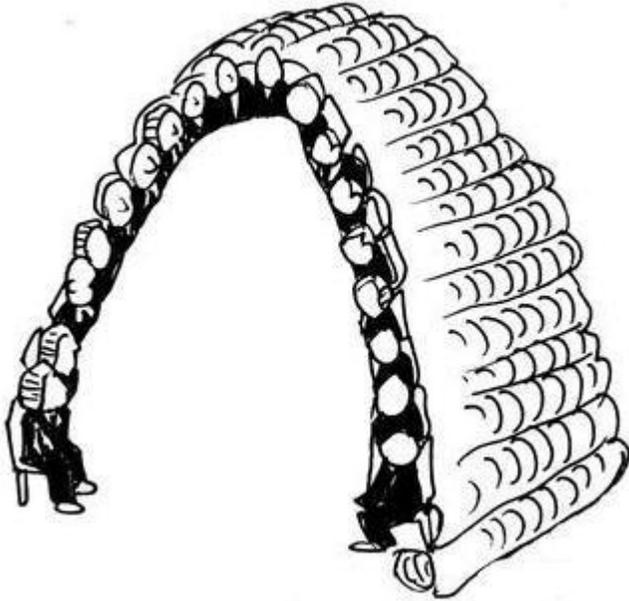


Judicial Appointments in the Senior Courts

Charles Banner

Landmark Chambers

Tuesday, 8 January 2013, 12:30 pm - 1:30 pm
Room A0724, 7/F Cheng Yu Tung Tower
The University of Hong Kong



The recent shortages on the bench in Hong Kong have brought the issue of judicial appointments into greater focus. How can the objectives of safeguarding judicial independence, maximising the talent pool on the bench and maintaining sufficient diversity among the senior judiciary best be secured in 2013? Should the process be more transparent and involve greater input from the legislature? Should the most exceptional practising lawyers have the opportunity to seek appointment directly to the highest court or should they gain experience lower down the judicial hierarchy first? Should the retirement age be raised or indeed abolished altogether? These are some of the questions that English senior judges and legislators have been grappling with in recent months, following criticism that the reforms to the judicial appointments process under the Constitutional Reform Act 2005 have not been as effective as had been hoped. The issues that they raise may also inform the current debate in Hong Kong.

Charles Banner is a barrister at Landmark Chambers in London and a College Lecturer in Law at Lincoln College, Oxford University. He was called to the Bar in England and Wales in 2004 and in Northern Ireland in 2010. He specialises in public law, environment & planning law and European Union law. He is on the Attorney General's Panel of Counsel and has appeared in eight cases before the UK Supreme Court. He has written and spoken regularly on matters relating to the judiciary, having spent a year on secondment as a Judicial Assistant to the Law Lords (now the UK Supreme Court) in 2005-06, during which time he undertook an exchange visit to the Chambers of Justice Scalia at the USA Supreme Court. In 2008, he was a Pegasus Scholar in Hong Kong, working on environment & planning litigation at Mayer Brown JSM and as a Judicial Assistant to Hon. Stock JA in the Court of Appeal and Hon. Litton NPJ in the Court of Final Appeal. He has also advised the British Virgin Islands Government on constitutional issues relating to the establishment of a specialist commercial court. In 2012, he gave evidence to the House of Lords Constitution Committee inquiry into the judicial appointments process in the UK.

Please email Flora Leung at flkleung@hku.hk to reserve a place.