

SEMINAR

The State of Hong Kong's Judiciary:
Common Law Courts in China**P.Y. Lo***Ph D (HKU), Barrister at law***Monday, 2 December 2013, 12:30 pm - 1:30 pm**
Room, 723, 7/F Cheng Yu Tung Tower
The University of Hong Kong

In 2011-2012, I participated in a project on Asian Courts in Context organized by the National Taiwan University Law School, preparing and presenting the report on the courts of the HKSAR. The Centre for Comparative and Public Law granted me a Visiting Fellowship in late 2011 to facilitate my preparation of the Hong Kong country report. Following the completion of the report (which is to be published as a chapter in a book), this talk aims to present some of the findings of the country report, which are relevant to our understanding of the current situation and the challenges faced by the Judiciary of the HKSAR. Three aspects will be focused on in the talk. Particular regard will be given to the HKSAR courts as common law courts embedded in the People's Republic of China and how this fundamental feature of the courts may be maintained. The upholding of judicial independence at appointment, administration and budgeting is looked into. Last but not least, the performance of the HKSAR courts is considered with reference to caseload, waiting times, freedom of access and the use of deputy or temporary judges.

P.Y. Lo has been a barrister in private practice in Hong Kong for 20 years. He has a diverse practice covering civil and criminal matters, including public law and judicial review cases. He is a current member of the Council of the Hong Kong Bar Association and the current chairman of the Special Committee on Constitutional Affairs and Human Rights and the Special Committee on Competition Law of the Hong Kong Bar Association. He has lectured on topics on the Basic Law of the HKSAR, judicial review and civil procedure. He has since 2011 been teaching constitutional law classes for undergraduates of the Faculty of Law, the University of Hong Kong. He has written on legal topics widely and his most recent publications are on civil and criminal procedure in Zhu Guobin (ed), *The Hong Kong Judicial System* (Chung Hwa Book Company, 2013) and on the Basic Law in the self-authored book, *The Hong Kong Basic Law* (LexisNexis, 2011) and *The Judicial Construction of the Basic Law* (HKU Press, forthcoming 2014).

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PLEASE EMAIL FLORA LEUNG AT FKLEUNG@HKU.HK
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