

POD Research Institute

Developing a Hong Kong-Compatible Career Judge System as a Judicial Talent Pipeline

A Qualitative and Quantitative Research Report on Judge Shortage, Early-Career Legal Talent and Rule-of-Law Evidence

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Executive Summary

- **Hong Kong is facing sustained pressure on its judicial capacity.** Over the past decade, caseloads have remained high, while the number of substantively filled Judges and Judicial Officers (JJO) posts has not increased correspondingly. In 2025, 160 JJO posts were substantively filled, slightly fewer than the 162 in 2016, while the vacancy rate remained at 24.2%. These trends suggest that the problem is not merely a short-term recruitment difficulty, but a more structural shortage of judges and judicial officers.
- **The pressure is concentrated mainly in criminal work.** In 2025, the waiting time for District Court criminal cases reached 337 days, substantially above the Judiciary's 100-day target, while the Court of First Instance criminal waiting time remained high at 368 days. By contrast, the selected civil fixture-list indicators remained within the Judiciary's respective targets. Measures to strengthen court capacity should therefore focus on the areas experiencing the greatest pressure rather than assume that all areas of court work face the same degree of delay.
- **The traditional practice-to-Bench model remains valuable, but it has limitations in developing future judges.** Recruiting judges from experienced Senior Counsel, barristers and solicitors helps ensure professional competence, litigation experience and familiarity with adversarial procedure. However, the Judiciary generally competes with private practice for judicial candidates only at a relatively late stage in their careers, by which time successful practitioners may have strong professional and financial incentives to remain in private practice. The remuneration gap between private practice and judicial office is only one indicative factor; workload, professional autonomy, career preference and personal timing are also important. Deputy and temporary judicial resources, court facilities and technology can relieve some operational pressure, but they cannot create a stable and sustainable future supply of permanent judges.
- **Lessons from international comparison.** Data from selected international financial centres indicate that Hong Kong courts carry a substantial first-instance civil workload. Among the top ten jurisdictions in the 2025 WJP Rule of Law Index, eight are classified as civil-law systems. The four highest-ranked jurisdictions—Denmark, Norway, Finland and Sweden—have different institutional arrangements, but all provide some form of court-based practical experience, judicial supervision and structured training for potential judicial talent before permanent judicial appointment. The fact that these four jurisdictions are civil-law systems does not, by itself, prove that any particular legal system or training model produces stronger rule-of-law outcomes. However, WJP data over the past decade also show that civil-law jurisdictions are strongly represented among high-performing rule-of-law systems. This is sufficient to support a more limited conclusion: structured judicial talent development can coexist with strong rule-of-law performance.
- **Public opinion indicates cautious openness towards judicial training.** A telephone survey of Hong Kong residents asked whether respondents agreed that Hong Kong should draw reference from countries such as Germany and France by allowing outstanding law graduates, after assessment, to receive structured training and progressively develop towards full-time judicial careers. The territory-wide survey recorded a mean score of 4.09 on a seven-point scale, with those leaning towards support slightly outnumbering those opposed or expressing reservations. The findings suggest that there is room for serious public discussion, while substantial reservations remain. Public opinion should therefore be understood as background evidence on policy acceptability rather than as endorsement of any particular institutional model.
- **Institutional safeguards.** A judicial talent development pathway could include competitive selection, paid court-based positions, supervised court work, mentoring, judgment-writing training, judicial ethics education and staged assessment. However, common-law precedent and legal reasoning, adversarial procedure, open justice, judicial independence, the Basic Law appointment framework and the role of the Judicial Officers Recommendation Commission must all be preserved. Participation in training must not amount to appointment; progressive development must not mean automatic promotion; and court-based training or exposure must not confer final adjudicative authority.
- **Institutional option and implementation.** A prudent approach to introducing an additional judicial training pathway would be to begin with a limited pilot. Selected candidates could first be appointed to positions such as judicial assistants, legal researchers, registry officers, tribunal support and case-management roles, with early emphasis on criminal procedure and trial management in light of the local evidence. Any expansion should depend on independent evaluation of candidate quality, judicial capacity, waiting-time outcomes and the effectiveness of institutional safeguards. The guiding principles remain: "reference, not transplant; supplement, not replacement".

Table ES1. Condensed longitudinal findings, 2016–2025

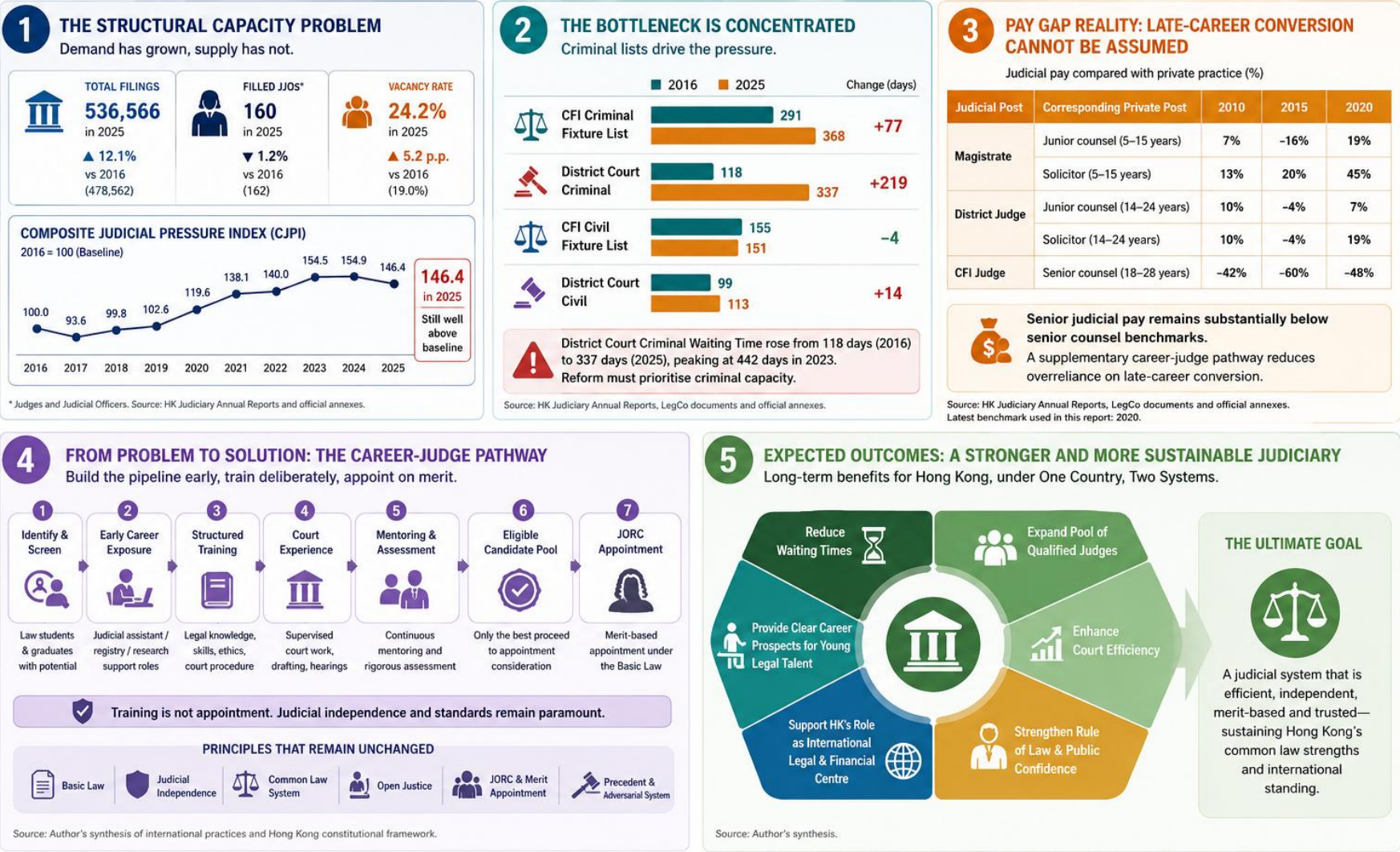
Indicator	2016	Latest year	Change	Interpretation
Total filings	478,562	536,566	+58,004 (+12.1%)	High-volume environment persisted; 2024 was the decade peak.
Disposals	459,578	537,391 (2024)	+77,813 to 2024	Annual clearance remained below 100% in several years; the cited source set does not provide a full-year 2025 disposal total.
Substantively filled JJOs	162	160	-2	Filled judicial strength did not rise with caseload over the decade.
Vacancy rate	19.0%	24.2%	+5.2 p.p.	Vacancy pressure remained structural.
CFI criminal waiting time	291 days	368 days	+77 days	2025: 368 days. The High Court Performance Pledge currently does not state an equivalent numerical target; the relevant measure and target remain under review.
District Court criminal waiting time	118 days	337 days	+219 days	2025: 337 days, about 3.4 times the Judiciary's 100-day target; improved from the 442-day peak in 2023.
CFI civil fixture waiting time	155 days	151 days	-4 days	2025: 151 days, below the Judiciary's 180-day target.
District Court civil fixture waiting time	99 days	113 days	+14 days	2025: 113 days, below the Judiciary's 120-day target.
Composite Judicial Pressure Index	100.0	146.4	+46.4 index points	Composite pressure remained high in 2025 after reaching severe levels in 2023–2024.

- *Source: Author's synthesis from Hong Kong Judiciary Annual Reports, Legislative Council documents, official government annexes and related public sources. The Composite Judicial Pressure Index is an author-constructed diagnostic index; see Appendix C.*
- This executive table shows that the report's assessment of Hong Kong's judicial capacity does not rest on a single statistic. Caseload remains above the 2016 baseline, substantively filled judicial strength has not risen in step with workload, vacancies remain elevated, and the clearest waiting-time pressure is concentrated in criminal cases. The CJPI has also remained elevated since 2020. These indicators first support the need for long-term capacity planning; the choice of any particular talent model must then be assessed against financial-centre comparisons, judicial-talent comparisons, rule-of-law safeguards and Hong Kong's institutional conditions.

● **Figure ES2. Executive infographic dashboard: structural capacity pressure and reform logic**

EXECUTIVE SUMMARY AT A GLANCE Developing a Hong Kong-Compatible Career Judge System as a Judicial Talent Pipeline

Hong Kong faces a structural judicial manpower challenge. A career-judge pathway—designed for Hong Kong, within the common law system—can build a sustainable pipeline of future judges.



Research Questions

1. What is the scale and nature of Hong Kong's judicial manpower and capacity problem, as reflected by caseload, filled judicial strength, vacancies and waiting-time indicators?
2. Where is the capacity bottleneck most concentrated, and why do criminal waiting-time trends require targeted rather than indiscriminate reform?
3. How do legal-market incentives and the existing solicitor/barrister-to-Bench recruitment model constrain judicial recruitment?
4. Why does Hong Kong's role as an international financial centre and common-law legal hub make judicial capacity institutionally significant?
5. What do the 2025 WJP top-ten pattern and the 2016–2025 top-50 aggregate evidence show, and not show, about legal family, judicial formation and high rule-of-law performance?
6. How do high-rule-of-law jurisdictions such as Denmark, Norway, Finland and Sweden organise court-based experience, judicial supervision, progressive responsibility and training before permanent or ordinary judicial appointment, and which functional elements could Hong Kong safely examine?
7. How should a Hong Kong-compatible career-judge pathway be designed to expand the future judicial talent pool while preserving common-law adjudication, judicial independence and constitutional appointment safeguards?

1. Research Design and Methodology

This report uses a mixed qualitative and quantitative design. The qualitative part examines Hong Kong's constitutional framework, common-law identity, legal-profession structure, recruitment incentives and the safeguards required for any judicial-talent development pathway. It compares two ideal-type supply models: later lateral recruitment after many years in legal practice, which is common in many common-law systems, and earlier accumulation of judicial experience through court-based roles, supervised practice, training and competency assessment in a number of other jurisdictions. The quantitative part uses Hong Kong judicial-efficiency data, selected international financial-centre court indicators and WJP rule-of-law data.

The report does not rely on one statistic. Its analysis is cumulative. Caseload shows demand; substantively filled judicial strength and vacancies show available supply; waiting time shows where pressure is concentrated; pay-gap and pipeline evidence provide context on recruitment incentives. The 2025 WJP top-ten snapshot shows the legal-family composition of highly ranked jurisdictions and examines the top four jurisdictions' court-based experience and development arrangements before permanent or ordinary appointment. Nine editions of top-50 data provide a longer-run descriptive background.

The most important methodological rule is caution. Hong Kong court indicators, international court-unit indicators, legal-family classifications, judicial-development classifications and WJP indicators measure different concepts and cannot be combined into a causal ranking. Table 10 selects the closest available official first-instance civil filing and disposal data across the selected jurisdictions. Its annual clearance rates use a consistent calculation, but the courts' jurisdictions and case mixes are not the same. Table 11 provides directional trend signals only and is not an efficiency ranking. WJP evidence likewise cannot prove that a particular training pathway directly causes stronger rule-of-law outcomes.

Table 1. Research indicators and data coverage

Indicator	Definition	Coverage	Caveat
Caseload	Total cases filed with all local courts and tribunals	2016-2025	Full-year 2025 available from GIA Annex A.
Disposal	Total cases disposed of	2016-2024	Full-year 2025 total disposal was not available in the source set; the updated brief gives end-June 2025 only.
Annual clearance rate	Cases disposed of during the reporting period divided by filings during the same period	2016-2024	Operational indicator of annual output relative to incoming work; not the proportion of the same cohort of newly filed cases completed in-year, and not a measure of adjudicative quality.
Manpower	Establishment, substantively filled JJOs and vacancies	2016-2025	Uses establishment and strength reported by JSSCS / LegCo sources.
Waiting time	Average waiting time by court/list type	2016-2025	A performance indicator; not equivalent to total time from filing to judgment.

Source: Author's synthesis from Hong Kong Judiciary Annual Reports, Legislative Council documents, official government annexes and related public sources.

Table 1 explains the role of each form of evidence. Caseload and disposals describe workload and output. The annual clearance rate (disposals divided by filings) describes output relative to incoming work during the reporting period; it is not the proportion of that same year's newly filed cases completed within the year. Manpower data describe actual serving capacity, and waiting-time data show where delay is concentrated. None of these measures evaluates whether judicial decisions are legally correct; they describe the operational capacity of the court system.

2. Research Background and Conceptual Framework: Career-Judge Development as a Supply-and-Demand Solution

2.1 Research Background

Hong Kong's judicial manpower problem is best understood as a supply-and-demand mismatch. On the demand side, courts face high caseloads, persistent vacancies, concentrated criminal waiting-time pressure and rising expectations from the public, businesses and international legal users. On the supply side, Hong Kong has many legally trained people, including law students, recent graduates and junior legal professionals. The difficulty is that the existing system does not connect this younger talent pool to the future judicial pipeline early enough.

The traditional common-law route has real strengths. Judges are normally recruited from experienced barristers and solicitors, so they bring courtroom experience, professional maturity, practical litigation knowledge and familiarity with adversarial advocacy. These strengths should be preserved. The weakness is timing. Serious judicial consideration usually comes only after many years of practice, by which time successful lawyers may already have high income expectations, established practices and professional autonomy outside the Bench.

This creates two losses. First, the courts may not have enough future candidates ready when vacancies arise. Second, capable young legal talent has no visible route towards judicial work. A career-judge pathway would not put inexperienced graduates on the Bench. It would identify promising candidates

earlier, train them progressively, assess them rigorously and prepare them over time for possible future appointment.

2.2 The Time Lag and Supply Constraints of the Practice-to-Bench Model

The principal strength of the traditional common-law practice-to-Bench model is that candidates are considered for judicial office after accumulating substantial legal experience. But where caseload remains high, substantively filled judicial strength does not increase in step, and senior practitioners have good reasons to remain in established professional careers, reliance on this route as the sole long-term source may create limits in timing and supply predictability. Hong Kong's data make these three factors worth considering together.

Other jurisdictions provide different comparative approaches, but they should not be reduced to a single model. Denmark, Norway, Finland and Sweden each use different combinations of court-based posts, judicial work, supervision, training or competency assessment through which some legally qualified or already experienced candidates develop judicial capability before permanent or ordinary appointment. Their legal status, prior-experience requirements and authority differ. They should not be understood as “law graduates becoming judges immediately”, nor do they establish that their judges are inherently superior.

Accordingly, this report treats earlier judicial-talent development as a supplementary option for evaluation, not a predetermined answer. Hong Kong should preserve lateral appointment from outstanding barristers and solicitors. If a preparatory pathway is added, its role should be limited to earlier identification, development and observation of candidates, clearly separated from final judicial appointment and adjudicative authority.

2.3 The Institutional Sensitivity under One Country, Two Systems

The proposal must be handled carefully because Hong Kong's common-law system is central to One Country, Two Systems. Any reference to civil-law institutional practice may be misunderstood as an attempt to replace the common-law system. The report therefore draws a clear line between learning from training methods and changing the legal system.

The report uses one consistent principle: reference, not transplant. Hong Kong may learn from selected civil-law practices in judicial training, mentoring and assessment. It should not adopt civil-law adjudication or alter the common-law foundations of Hong Kong's courts. A legal system is defined by sources of law, precedent, procedure, judicial independence, appointment safeguards and the method of legal reasoning. A training pathway is different. It is a way to prepare people for possible future judicial work.

The proposed reform does not require Hong Kong to abandon precedent, adversarial procedure, open justice, judicial independence, the Basic Law appointment framework or the Judicial Officers Recommendation Commission. It would create pre-appointment stages such as judicial assistantship, legal research, registry exposure, case-management training, tribunal support, supervised drafting, ethics education and specialist training. Only candidates who meet high standards after sustained assessment should become eligible for appointment consideration.

2.4 Conceptual Framework of the Study

The conceptual framework is simple. The demand side is the need for sufficient judges and judicial officers to process cases, manage hearings, write judgments, handle procedural applications and maintain public confidence in timely justice. When caseload remains high, vacancies persist and waiting times lengthen, demand for judicial manpower becomes more urgent.

The supply side is the pool of legally trained talent. Hong Kong produces graduates and junior legal professionals with legal knowledge and public-service potential. But without an early and credible judicial career pathway, that supply cannot be developed into future judicial candidates in a planned way.

The missing element is the bridge between demand and supply. A career-judge pathway would act as that bridge. It would enlarge the long-term pool of judicially capable candidates, give young legal talent a visible public-service route and protect judicial quality through staged assessment.

2.5 Working Proposition and Comparative Question

The working proposition examined in this report is whether Hong Kong can establish an earlier, merit-based, competitive and staged judicial-talent development pathway without altering the common-law system, judicial independence or the existing constitutional appointment framework. The analysis does not assume that participants should be appointed; it asks whether such a preparatory mechanism could enlarge the future pool of qualified candidates.

In one sentence: Hong Kong’s judge shortage is first a court demand-and-capacity problem, while legally trained people are the potential supply. The comparative question is whether a supervised, assessable institutional bridge, separate from appointment, can be created—not whether law graduates should be placed directly on the Bench.

3. Hong Kong’s Judicial Manpower and Workload Pressure

The manpower issue becomes clear only when several indicators are read together. A vacancy rate alone is insufficient. A court system may cope with vacancies if caseload is low, annual output keeps pace with filings and waiting times remain controlled. Hong Kong’s data show a more complex picture: filings remain high, substantively filled judicial strength has not risen in step with workload, and criminal waiting times have deteriorated materially.

Table 2. Total cases filed, disposed and annual clearance rate, 2016-2025

Year	Cases filed	Cases disposed	Annual clearance rate
2016	478,562	459,578	96.0%
2017	485,762	473,098	97.4%
2018	502,770	482,310	95.9%
2019	513,148	509,385	99.3%
2020	460,003	422,508	91.8%
2021	510,388	508,704	99.7%
2022	513,615	484,188	94.3%
2023	542,904	527,319	97.1%
2024	552,166	537,391	97.3%
2025	536,566	N.A.	N.A.

Source: Author’s compilation from Hong Kong Judiciary Annual Reports 2016–2025 and HKSAR Government, LCQ18: Measures to expedite the handling of court cases, Annex A, 6 May 2026. The 2025 disposal figure was not available in the cited source set.

Figure 1 and Table 2 show continuing high workload. Total filings rose from 478,562 cases in 2016 to 536,566 in 2025, with a decade peak of 552,166 in 2024. The “annual clearance rate” in the table is calculated as cases disposed during the year divided by filings during the same period. It describes annual output relative to incoming work and does not mean that the same proportion of that year’s newly filed cases was completed within the year. Because the cited sources do not provide a full-year 2025 aggregate disposal total, the corresponding 2025 fields remain N.A.

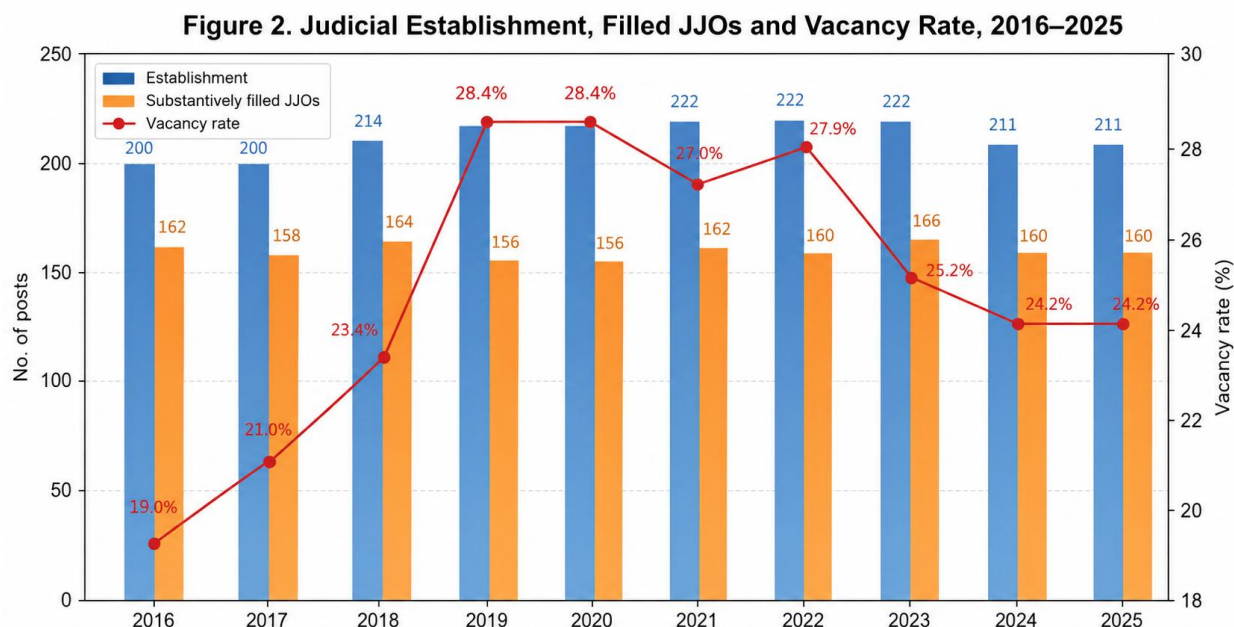
Table 3. Judicial establishment, filled posts and implied workload pressure, 2016-2025

Year	Establishment	Filled JJOs	Vacant posts	Vacancy rate	Filings per filled JJO
2016	200	162	38	19.0%	2,954
2017	200	158	42	21.0%	3,074

Year	Establishment	Filled JJOs	Vacant posts	Vacancy rate	Filings per filled JJO
2018	214	164	50	23.4%	3,066
2019	218	156	62	28.4%	3,289
2020	218	156	62	28.4%	2,949
2021	222	162	60	27.0%	3,151
2022	222	160	62	27.9%	3,210
2023	222	166	56	25.2%	3,271
2024	211	160	51	24.2%	3,451
2025	211	160	51	24.2%	3,354

Source: Author's compilation from the Standing Committee on Judicial Salaries and Conditions of Service, Reports on Judicial Remuneration Review 2016–2024; Hong Kong Judiciary, Judiciary Administrator's Speaking Notes at the Special Finance Committee Meeting on the 2025–26 Estimates of Expenditure, 7 April 2025; and annual case-filing figures in Table 2. Vacant posts, vacancy rate and filings per filled JJO are author's calculations.

Table 3 distinguishes authorised posts from actual serving strength. Establishment refers to approved judicial posts. Filled JJOs refer to the judges and judicial officers actually serving. Filled strength was 162 in 2016 and 160 in 2025. In other words, the Judiciary did not gain a larger permanent working judicial workforce over the decade. At the same time, filings per filled JJO rose from 2,954 to 3,354. This shows a widening gap between workload demand and effective manpower supply.



Source: LegCo Research Office ISSH16/2023, JSSCS judicial remuneration review reports and updated official-figures brief. 2025 uses the 211-post / 160-serving-JJO figure stated in the updated official-figures brief.

Figure 2 makes the manpower gap visible. Authorised establishment increased from 200 posts in 2016 to 222 posts between 2021 and 2023, but substantively filled JJOs did not rise in the same way. The practical message is simple: a post improves capacity only when it is filled by a serving judge or judicial officer.

The vacancy rate rose from 19.0% in 2016 to 28.4% in 2019 and 2020. It later improved to 24.2% in 2024 and 2025, but it remained above the 2016 level. The reduction in establishment from 222 posts to 211 posts in 2024 should also be read carefully. A lower vacancy rate can partly reflect a smaller authorised establishment, not necessarily a major increase in serving judicial strength.

The main message is that authorised establishment becomes judicial capacity only when posts are actually filled by suitable serving judges or judicial officers. The local data therefore first point to the need for a more stable and predictable talent supply. Which talent-development mechanism, if any, should be adopted is considered later against the comparative evidence and institutional safeguards.

4. Waiting-Time Evidence: The Bottleneck Is Concentrated

Waiting-time data matter because they show how capacity pressure is experienced by litigants, defendants, victims, witnesses, lawyers and the public. Hong Kong’s data show that the most serious deterioration is not evenly spread across all court work. It is concentrated in criminal waiting times.

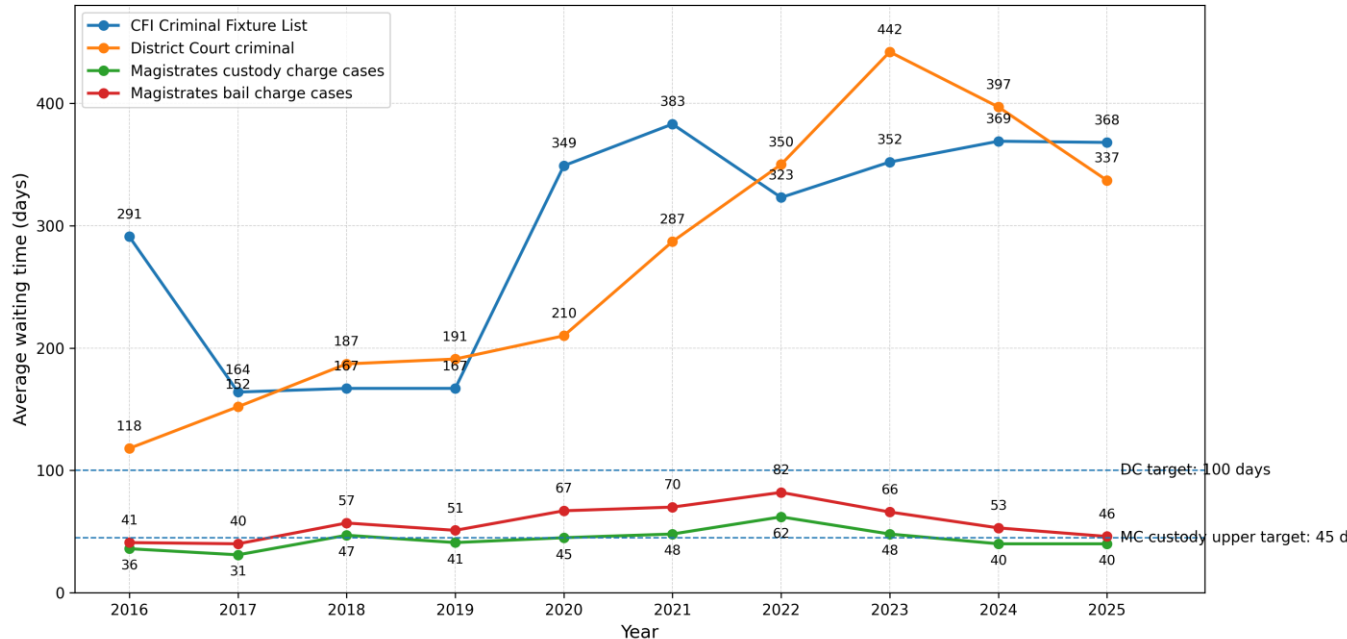
Table 4. Selected criminal waiting times, 2016-2025

Year	CFI Criminal Fixture List	District Court criminal	MC charge cases: custody	MC charge cases: bail
2016	291	118	36	41
2017	164	152	31	40
2018	167	187	47	57
2019	167	191	41	51
2020	349	210	45	67
2021	383	287	48	70
2022	323	350	62	82
2023	352	442	48	66
2024	369	397	40	53
2025	368	337	40	46

Source: Author’s synthesis from Hong Kong Judiciary Annual Reports, Legislative Council documents (Administration of Justice and Legal Services), official government annexes, and the Hong Kong Judiciary’s District Court and High Court Performance Pledges. See Appendix C.

Table 4 identifies the clearest pressure point: the District Court criminal list. Waiting time increased from 118 days in 2016 to 337 days in 2025, after peaking at 442 days in 2023. The Judiciary’s District Court Performance Pledge sets a 100-day target from a defendant’s first appearance in the District Court to trial; the 2025 figure of 337 days was therefore about 3.4 times that target. The Court of First Instance criminal fixture list rose from 291 days to 368 days. The High Court Performance Pledge currently does not state an equivalent numerical target for that measure; the relevant measure and target remain under review. These figures indicate that the clearest concern is criminal procedure and trial capacity, rather than an across-the-board deterioration in all case types.

Figure 3. Selected Criminal Waiting Time, 2016-2025



Source: 2016–2018 Hong Kong Judiciary Annual Report 2018; 2019–2024 LegCo waiting-time annex; 2025 GIA Annex A.

Source: Author’s synthesis from Hong Kong Judiciary Annual Reports, Legislative Council documents (Administration of Justice and Legal Services), official government annexes, and the Hong Kong Judiciary Performance Pledges.

Table 5. Selected civil fixture-list waiting times, 2016-2025

Year	CFI Civil Fixture List (Days)	District Court Civil Fixture List(Days)
2016	155	99
2017	163	102
2018	168	95
2019	173	95
2020	166	105
2021	176	108
2022	178	116
2023	158	115
2024	172	110
2025	151	113

Source: Author's synthesis from Hong Kong Judiciary Annual Reports, Legislative Council documents, official government annexes, and the Hong Kong Judiciary's High Court and District Court Performance Pledges.

Table 5 shows a different picture. The CFI civil fixture list improved slightly from 155 days in 2016 to 151 days in 2025, below the Judiciary's 180-day target. The District Court civil fixture list increased from 99 days to 113 days, also below its 120-day target. Civil fixture performance is therefore broadly controlled, while the clearest bottleneck is in criminal cases, especially the District Court criminal list. This supports a targeted capacity analysis rather than describing all court work as deteriorating across the board.

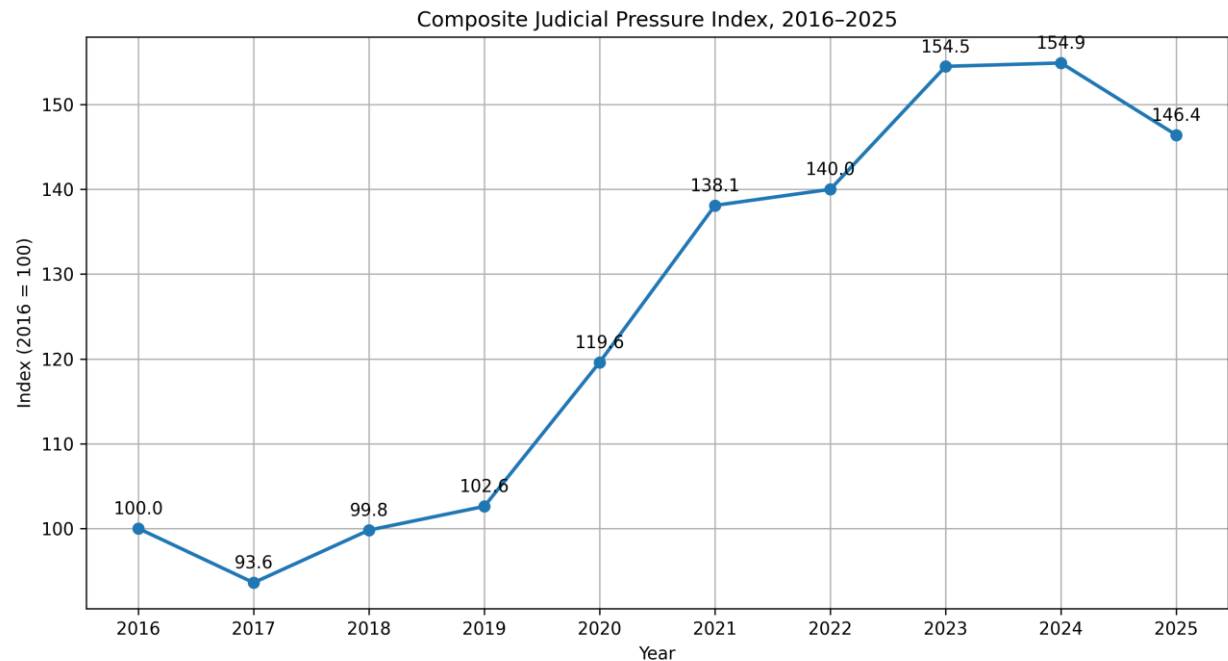
Table 6. Composite Judicial Pressure Index (CJPI), 2016-2025

Year	Total filings index	Filings per serving JJO index	CFI criminal waiting-time index	District Court criminal waiting-time index	CJPI	Interpretation
2016	100.0	100.0	100.0	100.0	100.0	Baseline
2017	101.5	104.1	56.4	128.8	93.6	Below baseline
2018	105.1	103.8	57.4	158.5	99.8	Around baseline
2019	107.2	111.3	57.4	161.9	102.6	Mild increase
2020	96.1	99.8	119.9	178.0	119.6	Moderate increase
2021	106.6	106.7	131.6	243.2	138.1	High pressure
2022	107.3	108.7	111.0	296.6	140.0	High pressure
2023	113.4	110.7	121.0	374.6	154.5	Severe pressure
2024	115.4	116.8	126.8	336.4	154.9	Severe pressure
2025	112.1	113.5	126.5	285.6	146.4	High pressure

Source: Author's synthesis from Hong Kong Judiciary Annual Reports, Legislative Council documents, official government annexes and related public sources.

Table 6 summarises the pressure through the Composite Judicial Pressure Index. The CJPI combines total filings, filings per serving JJO, CFI criminal waiting time and District Court criminal waiting time. It rose sharply after 2020, reached severe-pressure levels in 2023 and 2024, and remained high in 2025. This supports a durable capacity-building strategy rather than short-term ad hoc relief.

Figure 4. Composite Judicial Pressure Index, 2016-2025



Source: Author's synthesis from Hong Kong Judiciary Annual Reports, Legislative Council documents, official government annexes and related public sources. For the calculation of the Index, see Appendix C. Methodology for Constructing the Composite Judicial Pressure Index (CJPI).

Table 6 and Figure 4 use 2016 as the baseline year, with 2016 set at 100. A score above 100 means that composite pressure was higher than the 2016 baseline. A score below 100 means that composite pressure was lower.

The CJPI did not move in a straight line. It fell to 93.6 in 2017 and returned close to baseline at 99.8 in 2018. From 2019 onwards, it began to rise, and the increase became much clearer after 2020.

The most serious period was 2023 and 2024. The index reached 154.5 in 2023 and 154.9 in 2024, meaning that composite judicial pressure was more than 50% above the 2016 baseline. This was not caused by one figure alone. It reflected high filings, heavier filings per serving JJO, sustained CFI criminal waiting-time pressure and especially the sharp deterioration in District Court criminal waiting time.

By 2025, the CJPI eased to 146.4, mainly because District Court criminal waiting time fell from its peak. But 146.4 was still far above the 2016 baseline. The improvement therefore does not mean the problem disappeared. It means pressure moved from severe to still high.

The local indicators therefore point to a need for long-term capacity planning rather than reliance on short-term relief alone. Talent supply, criminal-list management, court support, case management, facilities and technology all need to work together. Whether Hong Kong should add a new judicial-talent development pathway is considered only after the comparative and rule-of-law safeguard analysis in Sections 6 to 10.

5. The Time Lag and Supply Constraints in the Existing Judicial Talent Pipeline

The traditional common-law model recruits judges mainly from experienced practitioners, and its strengths are important: candidates typically bring litigation experience, professional maturity and familiarity with adversarial procedure. The issue is not the route itself. The concern is that, if it is the only long-term source of talent, the Judiciary often encounters potential candidates only at a relatively late career stage, making future supply harder to predict.

This creates a “pipeline time lag”. Under the traditional route, capable lawyers generally need to accumulate many years of professional experience before seriously entering the pool for judicial appointment. Earlier preparatory talent development could be evaluated as a supplementary option for identifying, training and observing potential candidates sooner. Whether it should be used, how it should operate and whether any individual should ultimately be appointed are separate questions.

Table 7. Official pay-gap benchmark between selected judicial posts and private practitioners

Judicial post	Corresponding private post	2010	2015	2020
Magistrate	Junior counsel (5-15 years)	7%	-16%	19%
Magistrate	Solicitor (5-15 years)	13%	20%	45%
District Judge	Junior counsel (14-24 years)	10%	-4%	7%
District Judge	Solicitor (14-24 years)	10%	-4%	19%
CFI Judge	Senior counsel (18-28 years)	-42%	-60%	-48%

Source: Author's synthesis from Hong Kong Judiciary Annual Reports, Legislative Council documents, official government annexes and related public sources. The latest pay-gap benchmark used in this report is 2020; the absence of a 2025/2026 equivalent is treated as a limitation.

Table 7 compares selected judicial posts with broadly corresponding private-practice benchmarks in 2010, 2015 and 2020. A positive figure means the judicial post paid more than the comparator; a negative figure means it paid less. The official benchmark for a Court of First Instance Judge against Senior Counsel was -42% in 2010, -60% in 2015 and -48% in 2020. These figures should be treated only as historical, indicative context on recruitment incentives. This report has no equivalent 2025/2026 benchmark and therefore does not present them as direct proof of the current pay gap.

Table 7 cannot prove that salary is the only cause of recruitment difficulty. Workload, professional autonomy, career preference, public scrutiny, private-practice flexibility and personal timing also matter. The narrower observation supported by the evidence is that Hong Kong cannot assume that all qualified senior practitioners will naturally move to the Judiciary whenever vacancies arise; long-term talent supply therefore contains uncertainty.

Table 8. External deputy / temporary judicial resources, 2016-2025

Year	External deputy judicial resources / indicative figure
2016	27
2017	35
2018	23
2019	33
2020	41
2021	35
2022	45
2023	40
2024	40
2025	40

Source: Author's synthesis from Hong Kong Judiciary Annual Reports, Legislative Council documents, official government annexes and related public sources.

Deputy and temporary judicial resources are useful for short-term relief. But they do not by themselves produce the next generation of full-time judges. They should therefore complement, not replace, a long-term career-judge pipeline.

Table 9. Operational capacity measures: facilities and technology

Area	Latest official position	Efficiency relevance
New District Court Building	Expected late 2027 / early 2028	Longer-term facility expansion for District Court, Family Court and Lands Tribunal.
Courtrooms	53 current locations -> 70 new building	Improves physical listing capacity.
Chambers	56 current locations -> 82 new building	Supports judicial and case-management work.
High Court interim facilities	Six courtrooms and facilities on LG4/F commissioned in 2024; Queensway Government Offices space prepared by late 2025	Short- to medium-term capacity enhancement.
iCMS	Around 649,000 new cases initiated under iCMS by 30 July 2025; about 69% of relevant new cases	Electronic filing and case-management infrastructure.
Remote hearings	Remote Hearing Ordinance in operation from 28 March 2025; over 2,300 remote hearings conducted	Provides legal basis and operational flexibility.

Source: Compiled by the author from U.S. Courts, Judiciary of England and Wales, Hong Kong Judiciary, Singapore Courts, and data.gov.sg.

Table 9 shows that Hong Kong's capacity strategy cannot be limited to judge numbers. Even if more judges are appointed, the courts still need courtrooms, chambers, registry space, digital systems and support staff. The planned New District Court Building and interim High Court facilities are therefore important parts of the capacity picture.

Technology also matters. The Integrated Court Case Management System and remote hearings can improve filing, document handling, case management and hearing flexibility. But facilities and technology cannot replace trained judges and judicial officers. The policy implication is that manpower planning and operational-capacity planning should move together.

Sections 6 to 8 connect the local capacity analysis with comparative evidence. Section 6 compares workload and annual clearance rates for selected international financial-centre court units while expressly recognising differences in jurisdiction, case mix and statistical reporting. Section 7 compares court-based experience and judicial-talent development before permanent or ordinary appointment in high-rule-of-law jurisdictions. Section 8 then uses WJP Order and Security as a further descriptive check. These sections provide comparative context and test compatibility; they do not pre-judge a particular Hong Kong institutional solution.

6. International Financial-Centre Court Capacity: Directional Comparison and Hong Kong Context

Hong Kong's judicial manpower challenge should be assessed against its role as an international financial centre. A financial centre depends not only on banks, capital markets, listing rules and professional services, but also on courts that can process disputes in a timely, reliable and credible manner. For commercial users, the practical question is whether serious civil and commercial disputes can be handled by an adequately staffed court system without prolonged delay.

The financial-centre comparison uses the closest available official first-instance civil filing and disposal data. Table 10 compares the U.S. District Court for the Southern District of New York, the civil jurisdiction of Hong Kong’s Court of First Instance, the Singapore Supreme Court’s Civil Originating Processes, and the U.S. District Court for the Northern District of California. Table 11 adds a longer-term directional view of the relevant court units. Because their jurisdiction, case mix and statistical reporting are not identical, both tables are directional capacity comparisons, not efficiency rankings.

London is not included in the numerical comparison. Although its Commercial Court is institutionally important, the available official report does not publish a directly connectable disposal figure using the same calculation form as new claims, nor a connectable ten-year series. Excluding London avoids creating a false impression of comparability from materially different reporting bases.

Table 10. Directional capacity comparison of selected civil first-instance court units in financial centres (non-ranking)

Place	Selected first-instance civil court unit	Reporting period	Judicial workload: civil/commercial filings or cases issued	Civil/commercial disposals or terminations	Annual clearance rate
New York	U.S. District Court, Southern District of New York – civil cases	2025	11,176 civil cases filed	10,442 civil cases terminated	93.4%
Hong Kong	Hong Kong Court of First Instance, High Court – civil jurisdiction	2024	20,001 civil first-instance cases filed	16,501 civil first-instance cases disposed	82.5%
Singapore	Singapore Supreme Court – Civil Originating Processes	2024	8,562 civil originating processes filed	7,549 civil originating processes disposed	88.2%
Calif. N.D.	U.S. District Court, Northern District of California – civil cases	2025	10,783 civil cases filed	7,437 civil cases terminated	69.0%

Source: Author’s calculation from official court statistics. U.S. civil filings and terminations are taken from U.S. Courts Table C-1, “Civil Cases Filed, Terminated, and Pending, by Jurisdiction,” and median civil disposition times from Federal Court Management Statistics, December 2025. Hong Kong figures are calculated from the Hong Kong Judiciary Annual Report 2024. Singapore figures are calculated from the Singapore Courts Annual Report 2024.

6.1 What the directional civil first-instance comparison shows

First, the selected Hong Kong court unit has a comparatively high volume of civil first-instance filings. In 2024, the civil jurisdiction of the Court of First Instance recorded 20,001 civil first-instance filings, above

the selected figures for New York, Singapore and the Northern District of California. Because jurisdiction and case mix differ, this should not be read as an efficiency comparison; it shows that the selected Hong Kong court unit carries a substantial first-instance civil workload.

Second, the selected Hong Kong court unit’s annual clearance rate was below New York and Singapore. In 2024, the CFI civil jurisdiction disposed of 16,501 civil first-instance cases against 20,001 filings, an annual clearance rate of about 82.5%. Using the same calculation form, New York recorded 93.4%, Singapore 88.2% and the Northern District of California 69.0%. A rate below 100% means that disposals during the reporting period did not fully keep pace with incoming cases. It is not the “case-completion percentage” for that same cohort of newly filed cases, and it does not imply that case complexity is identical across jurisdictions.

Third, Hong Kong’s civil waiting-time indicator is broadly controlled but should not be read alone. The CFI civil fixture-list waiting time remained within the Judiciary’s 180-day target. Civil waiting time is only one part of the capacity picture; earlier sections show that the clearer local bottleneck is in criminal cases, especially the District Court criminal list.

6.2 Ten-year direction: a non-ranking comparison

A latest-year comparison is not enough. Table 11 therefore asks a narrower directional question: did workload in the selected court unit rise or fall over the available period, and did the latest annual output keep pace with incoming work? Since jurisdictions publish different court units and case categories, Table 11 should be treated as a contextual trend signal rather than a directly comparable efficiency ranking.

Table 11. Ten-year workload direction and latest annual clearance signals for selected financial-centre court units (directional, non-ranking comparison)

Place	Selected court unit	Baseline caseload	Latest caseload	Change	Latest annual clearance signal (non-ranking)
New York	Southern District of New York	2016: 13,074	2025: 12,309	-5.9%	2025 annual clearance rate about 99.7%
Hong Kong	Court of First Instance of the High Court	2016: 20,291	2024: 22,163	+9.2%	2024 annual clearance rate about 83.7%; criminal fixture list 369 days
Singapore	Supreme Court of Singapore	2016: 14,538	2024: 13,383	-7.9%	Latest available annual clearance rate about 99%
Calif. N.D.	Northern District of California	2016: 7,981	2025: 12,027	+50.7%	2025 annual clearance rate about 109.2% (including disposal of older pending cases; net pending stock fell)

Source and methodology: Data are compiled from the Administrative Office of the U.S. Courts, the Hong Kong Judiciary and the Singapore Courts. This report uses “annual clearance rate” for disposals/terminations during the reporting period divided by filings during the same period. Where courts also dispose of pending cases filed in earlier years, the annual clearance rate may exceed 100%. A rate above 100% indicates a net reduction in the stock of pending cases during that period, not the disposal of non-existent cases.

Table 11 provides directional background only. The selected Hong Kong CFI workload increased over the relevant period, annual output in the latest year did not fully keep pace with incoming work, and criminal

waiting-time pressure persisted. The comparison must be read together with Hong Kong's vacancy and waiting-time evidence and cannot stand alone as an international efficiency ranking.

The selected New York federal court unit did not show workload growth over the broad period and its latest annual output broadly matched incoming work. The selected Singapore Supreme Court workload declined and its latest available annual clearance rate was close to parity. The Northern District of California differed: workload rose sharply and 2025 terminations exceeded new filings, producing an annual clearance rate of about 109.2%. This occurs because terminations include pending cases filed in earlier years; the amount above 100% represents a net reduction in pending stock.

The comparison shows that Hong Kong is not the only financial centre facing workload pressure. Hong Kong's particular context is the combination of a heavy workload in the selected civil first-instance court unit, an annual clearance rate below full parity, persistent judicial vacancies and longer criminal waiting times. This is a broader court-capacity context, not the result of a single international ranking.

6.3 Why Court Capacity Matters to an International Financial Centre

The combined evidence supports a balanced reading. Hong Kong's civil fixture-list waiting time remains within the Judiciary's targets, so it would be inaccurate to describe all court work as generally delayed. At the same time, the selected civil first-instance court unit carries a substantial workload, annual disposals did not fully keep pace with filings, and criminal waiting times remain long. The indicators should be interpreted separately and then considered together as a capacity picture.

For an international financial centre, courts able to resolve major disputes fairly, professionally and within a reasonable time form part of the legal and economic infrastructure. If incoming work persistently exceeds annual disposals, pending-case pressure can grow. Prolonged criminal waiting times or persistent judicial vacancies may also affect users' perceptions of operational capacity. Manpower, case management, facilities and digital support therefore require integrated planning.

The financial-centre comparison does not by itself yield an answer on a particular judicial-talent model. Its narrower implication is that court service demand must be matched by adequate manpower, expertise, case management, facilities and support capacity. Hong Kong should consider these operational requirements together when assessing long-term judicial-manpower arrangements.

6.4 Implications of the Comparison for Judicial Talent Planning

Hong Kong's traditional route of recruiting judges from experienced barristers and solicitors remains indispensable because it brings professional maturity, litigation experience and practical common-law judgment. The evidence in Section 6 does not prove that Hong Kong must adopt any specific additional system. It shows only that, where workload, annual output, criminal waiting time and persistent vacancies combine, the stability of long-term talent supply belongs in capacity planning.

Section 6 therefore defines service demand rather than advancing a solution prematurely. Whether earlier identification or development of judicial talent is appropriate should be considered only after the specific jurisdictional comparisons in Section 7 and the rule-of-law compatibility and safeguard analysis in Section 8.

The central message is that Hong Kong's judicial-talent planning should move in step with court-service demand, but institutional choices should be made only after comparative evidence, common-law characteristics, judicial independence and appointment safeguards have all been fully considered.

In summary, Table 10 provides the closest available directional snapshot of first-instance civil capacity, while Table 11 shows longer-term directions of workload and annual output. The Northern District of California's rate above 100% reflects disposal of older pending cases. These data do not constitute a court-efficiency ranking; read alongside Hong Kong's persistent vacancies and criminal waiting times, they describe a combination of capacity pressures.

7. Judicial Talent Development in High-Rule-of-Law Jurisdictions: WJP Top-Ten and Top-50 Context

The purpose of Section 7 is not to decide whether common law or civil law is superior. It separates two questions: how judges adjudicate, and when and how future judicial talent acquires court-based experience. Hong Kong must preserve common-law adjudication. The comparative inquiry instead examines court-based roles, supervision, training, progressive responsibility and competency assessment before permanent or ordinary appointment in other high-rule-of-law jurisdictions.

The 2025 WJP ranking provides context. Under this report's classification, eight of the top ten are civil-law jurisdictions and the top four are Denmark, Norway, Finland and Sweden. Each has a different form of court-based experience or development before permanent or ordinary appointment, but the systems are not identical: some involve time-limited deputy-judge posts, others assistant-judge programmes or more developed judicial-training sequences. They are therefore treated as functional comparators, not as a single institutional type.

The inference remains deliberately limited. The WJP top-ten pattern and the longer-run top-50 data cannot prove that civil law, career judges or a particular training mechanism causes stronger rule-of-law performance. They support compatibility and comparator relevance only: more structured court-based experience or judicial-talent development before permanent appointment can coexist with high rule-of-law performance.

7.1 The 2025 top ten: eight civil-law jurisdictions

The 2025 WJP Rule of Law Index ranks Denmark, Norway, Finland, Sweden, New Zealand, Germany, Luxembourg, Ireland, the Netherlands and Estonia as the top ten jurisdictions. Under the classification adopted in this report, Denmark, Norway, Finland, Sweden, Germany, Luxembourg, the Netherlands and Estonia are civil-law jurisdictions; New Zealand and Ireland are common-law jurisdictions. Civil-law systems therefore account for eight of the top ten positions, and the first four positions are all held by civil-law jurisdictions.

The top four illustrate four different arrangements. Denmark's deputy-judge basic training normally lasts about three years and combines court work, theoretical modules, supervised civil and criminal work, learning objectives and course assessment, followed by later assessment of suitability for judicial office. Norway's deputy judges hold time-limited court posts; candidates generally already have legal work experience and work under the guidance of judges or court leadership, with authority expanding as training

and experience develop. Finland has a three-year assistant-judge programme and a Judicial Training Board, with relevant junior judicial-training posts requiring prior judicial work experience and competitive selection. Sweden's four-year fiskal training combines rotations in higher and lower courts with Judicial Training Academy courses; completion can lead to assessor status but not automatic appointment as an ordinary judge.

The four systems differ in legal status, entry-experience requirements, training form and candidate authority. The most accurate common description is that judicial capability is developed before permanent or ordinary appointment through some combination of court-based roles or judicial work, supervision, progressive responsibility, training and competency assessment. Completing such training or service does not itself confer automatic ordinary judicial appointment.

Table 12. WJP Rule of Law Index 2025 top ten: legal family and judicial-formation relevance

Rank	Jurisdiction	Legal family (report coding)	Judicial-formation relevance
1	Denmark	Civil law	About three years of deputy-judge basic training: court work and theoretical modules, supervised civil/criminal work, learning objectives and course assessment; followed by later judicial-suitability assessment.
2	Norway	Civil law	Time-limited deputy-judge post (normally up to two years, extendable to three): candidates generally already have legal work experience, work under judicial/court-leadership guidance, and gain broader authority with training and experience.
3	Finland	Civil law	Three-year assistant-judge programme plus Judicial Training Board; relevant junior judicial-training posts require prior judicial work experience and competitive selection, with training/assessment separated from final appointment.
4	Sweden	Civil law	Four-year fiskal training: rotations in higher/lower courts and Judicial Training Academy courses; completion can lead to assessor status but not automatic appointment as an ordinary judge.
5	New Zealand	Common law	Predominantly lateral/open appointment from experienced legal practice; no comparable career-judge programme.
6	Germany	Civil law	State examinations and preparatory legal training support structured career entry into the judiciary.
7	Luxembourg	Civil law	Included in the eight-of-ten legal-family count; not relied on for the top-four training-route claim.
8	Ireland	Common law	Judicial appointment principally draws on experienced practising lawyers.
9	Netherlands	Civil law	Structured initial judicial training and continuing professional education.
10	Estonia	Civil law	Included in the eight-of-ten legal-family count; not relied on for the top-four training-route claim.

Source: World Justice Project, WJP Rule of Law Index 2025; author's legal-family classification; and official court and judicial-training materials from Denmark, Norway, Finland and Sweden. Note: "pre-appointment court-based experience/structured development" is used

broadly for court posts, judicial work or training arrangements before permanent or ordinary appointment. Legal status and authority differ across jurisdictions; it does not mean automatic judicial appointment after law school.

7.2 Common-Law Lateral Recruitment and Earlier Court-Based Development: An Ideal-Type Contrast

The distinction is best understood as an ideal-type contrast.¹ In many common-law systems, the main route is lateral recruitment: a lawyer first develops as an advocate, solicitor, public lawyer or legal officer and is considered for the Bench only after substantial professional experience.² Judicial induction and continuing education then follow appointment. The model's principal strength is mature practical judgment and deep adversarial experience.

Its pipeline weakness is timing and predictability. The judiciary competes late for lawyers who may already have successful practices, higher earnings, professional autonomy and personal reasons not to change careers. The system can produce excellent judges, but it does not necessarily create a stable, observable or expandable future pool.

A second group of systems invests earlier in judicial-talent development through competitive entry, court traineeships, assistant or deputy judge posts, judicial-training institutions, supervised work and competency assessment before permanent or ordinary appointment. Potential advantages include earlier observation of judicial aptitude and more predictable manpower planning. If judicial independence and appointment safeguards are weak, risks can include bureaucratic conformity, closed career progression or administrative influence.

This distinction is only an analytical ideal type, not a complete classification of every jurisdiction. Nordic systems have distinctive traditions; Norwegian deputy judges exercise judicial functions within authorised limits; some civil-law jurisdictions use open recruitment; and common-law jurisdictions increasingly rely on judicial assistants, induction and continuing education. The more useful comparison concerns the timing of talent-development intervention, the extent of court-based practice, supervision, competency assessment and appointment safeguards—not the legal-family label by itself.

7.3 Functional Elements Observable in Structured Judicial-Talent Development

For Hong Kong's talent-supply question, the most useful comparative features are not other jurisdictions' adjudicative methods but functional tools: competitive screening, salaried court-based roles, supervised

¹ An "ideal type" is an analytical model used to highlight important institutional differences; it is not a claim that every jurisdiction fits neatly into one of two categories. Judicial systems classified as common law or civil law frequently contain mixed recruitment practices. Sweden, for example, maintains a structured judicial-training route but also permits experienced lawyers without a traditional court background to enter through an alternative *adjungerat råd* route. The categories should therefore be used to compare dominant patterns, not as rigid descriptions of every appointment.

² "Lateral recruitment" means entry into judicial office from an established legal career rather than progression through a judicial civil service beginning soon after legal education. England and Wales illustrates this pattern: District Judge candidates must possess at least five years of appropriate professional legal experience, while other judicial exercises commonly require five or seven years of post-qualification experience. Selection is conducted through open, merit-based competition by the independent Judicial Appointments Commission. The reference to advocates, solicitors, public lawyers and legal officers is deliberately broad because common-law judiciaries are not recruited exclusively from courtroom barristers.

legal research or drafting, registry and case-management work, mentoring, judicial ethics, specialist modules, progressive responsibility and competency assessment.

If Hong Kong studies any of these tools, they must be localised functionally and selectively. Common-law sources, precedent, adversarial procedure, open justice, judicial independence and existing constitutional appointment safeguards must not change because of a talent-development architecture. Administrative assessment must likewise never reward preferred outcomes, political positions or institutional convenience.

Common-law lateral recruitment and earlier court-based development provide complementary information. The former demonstrates the value of mature professional experience; the latter offers tools for early identification, sustained observation and manpower planning. Section 7 identifies these tools only. Whether Hong Kong should establish a second preparatory pathway is considered later after local evidence, WJP compatibility and institutional safeguards are integrated.

If Hong Kong ultimately adopts a supplementary pathway, the central institutional boundary is that appointment from experienced practice remains in place; preparatory development creates no entitlement to appointment; and final judicial appointment remains independent, merit-based and constitutionally separate from training and administrative management.

7.4 What the aggregate top-50 evidence shows

The aggregate table records the legal-system classification of jurisdictions occupying the top 50 positions in nine WJP Rule of Law Index editions: 2016, 2017–2018, 2019, 2020, 2021, 2022, 2023, 2024 and 2025. Each edition contributes 50 ranked positions, producing 450 placements. It complements the 2025 top-ten snapshot by showing representation over time.

Legal-family classification is used as analytical shorthand, not as a value judgment. “Civil law” includes the Nordic jurisdictions for this report’s comparative coding, while recognising their distinctive legal traditions. “Direct or structured route” refers to entry into a court-based formation role, traineeship or judicial programme before permanent appointment. It does not imply that a graduate automatically becomes a tenured judge.

These classifications are used to test only two limited propositions: whether high WJP rankings are exclusive to common-law systems, and whether more structured pre-appointment court experience is necessarily incompatible with high rule-of-law performance. They are not complete descriptions of any legal order and cannot establish the inherent superiority of a legal family or training pathway.

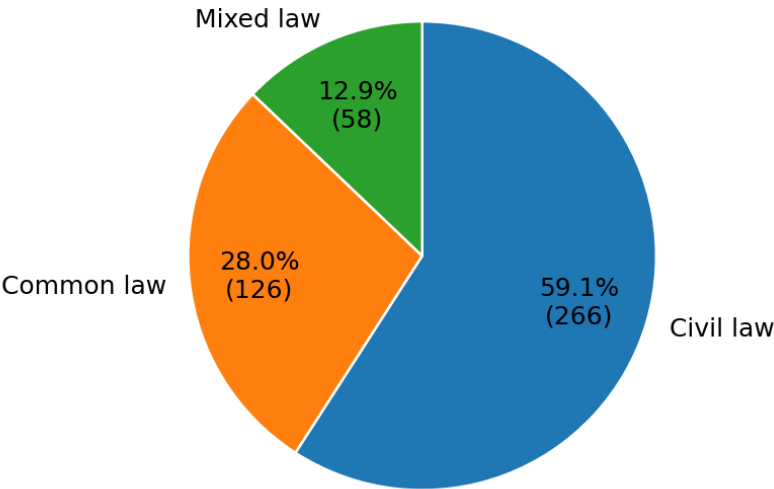
Table 13. Aggregate legal-system representation in WJP Rule of Law Index top 50, 2016-2025

Legal-system category	Top-50 placements	Share of all top-50 placements	Public-facing interpretation
Civil law	266	59.1%	Largest share of high-scoring placements
Common law	126	28.0%	Important but smaller share than civil law in this aggregate table
Mixed law	58	12.9%	Meaningful minority share
Total	450	100.0%	Nine editions x 50 placements

Source: Author’s calculation from the “10-year Aggregate Rule of Law Index top 50 and civil and common law jurisdictions” table. The WJP dataset supplies the ranking and scores; legal-system classification is author-coded for the purpose of this report.

Figure 5. Legal-system composition of WJP Rule of Law Index top-50 placements, 2016-2025

WJP Rule of Law Index top-50 placements, 2016-2025



Share of 450 top-50 placements across nine WJP editions

Source: Author’s visualization based on Table 13. Figures show shares of 450 top-50 placements across nine WJP editions.

Figure 5 shows that, across 450 top-50 placements in nine WJP editions, civil-law jurisdictions account for the largest share, while common-law and mixed-law jurisdictions also remain important components of the high-performing group. This is a descriptive distribution. The point is not that civil law causes higher WJP scores, but that high rule-of-law performance is not confined to common-law systems.

The descriptive pattern is clear. Civil-law jurisdictions account for nearly three-fifths of all top-50 placements. Common-law jurisdictions account for slightly more than one quarter. Mixed-law jurisdictions account for the remaining share. Table 13 gives the precise count, while Figure 5 makes the distribution visually apparent.

The precise proposition supported by Table 13 is that, over the selected period and under this report’s classification, civil-law jurisdictions account for the largest share of WJP Rule of Law Index top-50 placements. This describes representation; it is not a causal judgment about legal-system superiority or the effect of judicial training.

This proposition must be used carefully. Top-50 placements do not isolate the causes of high scores. Rule-of-law performance is shaped by judicial independence, public integrity, legal culture, administrative capacity, access to justice, enforcement, economic conditions and political institutions. Table 13 can therefore challenge a simplified assumption that strong rule-of-law performance is exclusive to common-law systems; it cannot prove civil-law superiority.

7.5 The Role of WJP Evidence in This Report

The WJP evidence matters because it separates legal-system identity from talent-pipeline design. Hong Kong’s common-law identity concerns precedent, adversarial procedure, open justice, independent adjudication, reasoned judgments and constitutional appointment safeguards. Judicial formation

concerns when candidates are identified, what supervised experience they receive, how aptitude is assessed and whether a future supply can be planned.

A structured route can be common-law in substance. Its curriculum can centre on Hong Kong precedent, statutory interpretation, evidence, adversarial procedure, judgment writing, case management and judicial ethics. Borrowing the architecture of staged formation does not import civil-law codes, inquisitorial procedure or a bureaucratic entitlement to promotion.

The WJP data therefore change the form of the comparative question, not Hong Kong's legal-system identity: can supervised court practice, mentoring, progressive responsibility, staged assessment and continuing development exist under judicial independence and Hong Kong's constitutional safeguards? WJP provides background on compatibility; it cannot determine which concrete institutional model Hong Kong should adopt.

7.6 The proper inference

The strongest inference is not causal. WJP does not measure the route by which each individual judge was recruited or trained, and rule-of-law performance reflects many institutional, economic and political factors. The evidence cannot establish that career judges are better or that judicial schools produce higher scores.

The defensible inference is one of compatibility and comparator relevance. Civil-law jurisdictions are strongly represented among high WJP placements, while the top four in 2025 each have different forms of pre-appointment court-based experience, supervision or development. Earlier and more structured talent development is therefore not inherently inconsistent with judicial independence, legal quality or high rule-of-law performance.

That inference is sufficient for comparative purposes. Whether Hong Kong needs reform should be judged primarily from its own manpower, workload and waiting-time evidence. International comparison identifies institutional tools and tests compatibility; it should not use WJP rankings to endorse a particular policy outcome.

7.7 Institutional Implications of the Comparison

Section 7 identifies a set of tools for Hong Kong to evaluate, not a predetermined model: competitive entry, court-based roles, judicial supervision, supervised drafting, rotations, progressive responsibility, specialist training, ethics education, written assessment and continuing education. Whether any tool should be adopted must be assessed against Hong Kong's common law, judicial independence, appointment safeguards and actual manpower needs.

The safeguards are equally important. Training must not equal appointment; candidates must not acquire final adjudicative authority by administrative progression; the curriculum must be common-law in substance; selection and progression must be transparent and merit-based; and final appointment must remain separate under the Basic Law framework and the Judicial Officers Recommendation Commission process.

In summary, eight of the 2025 WJP top ten are classified in this report as civil-law jurisdictions; the top four each have different forms of pre-appointment court-based experience or development; and the nine-edition aggregate shows civil-law jurisdictions accounting for the largest share of high-scoring placements

over time. These results establish compatibility and comparator relevance only, not causation or institutional superiority.

8. WJP Order and Security Evidence: A Second Descriptive Compatibility Check

The WJP Overall Rule of Law Index provides a broad picture of institutional performance. Order and Security provides a more specific test. It is one of the core subcategories of the WJP Rule of Law Index and reflects whether a society can maintain public order, control crime, limit civil conflict and prevent private violence as a means of resolving grievances.

Order and Security matters to this report because it is a public-facing dimension of the rule of law. A legal system cannot rely only on formal court structure or professional legal doctrine. It must also sustain social stability, personal security and public confidence. For Hong Kong, a city whose international role depends on safety, legal reliability and commercial predictability, this dimension is highly relevant.

Using the legal-family classification in Section 7, the WJP Order and Security data also show civil-law jurisdictions accounting for a large share of high-performing placements. This distribution cannot establish a causal connection between judicial training and public order. Its narrower role is a second descriptive check on whether more structured judicial-talent development is visibly incompatible with high performance in another core rule-of-law dimension.

8.1 What the Order and Security aggregate evidence shows

The aggregate data table records the legal-system classification of jurisdictions occupying the top 50 positions in WJP Order and Security across the same selected WJP editions. Each edition contributes 50 ranked positions. Across nine editions, the total number of top-50 placements is therefore 450.

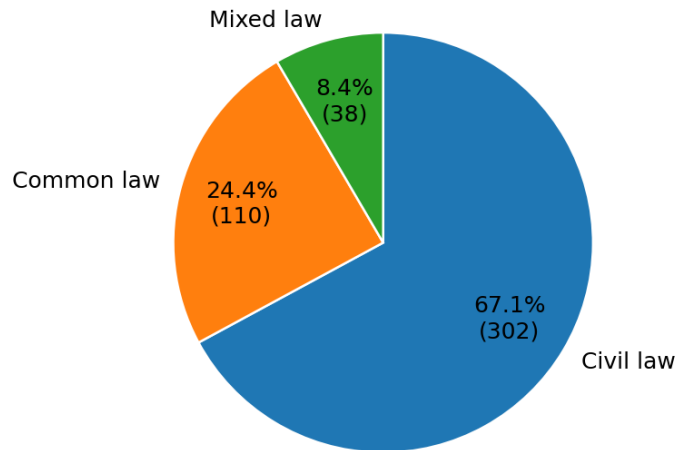
Table 14. Aggregate legal-system representation in WJP Order and Security top 50, 2016-2025

Legal-system category	Top-50 placements	Share of all top-50 placements	Public-facing interpretation
Civil law	302	67.1%	Largest share of high-scoring placements in this subcategory
Common law	110	24.4%	Important but smaller share than civil law in this aggregate table
Mixed law	38	8.4%	Smaller minority share
Total	450	100.0%	Nine editions x 50 placements

Source: Author’s calculation from the “10-year Aggregate Order and Security top 50 and common and civil law jurisdiction” table. The WJP dataset supplies the ranking and scores; legal-system classification is author-coded for the purpose of this report.

Figure 6. Legal-system composition of WJP Order and Security top-50 placements, 2016-2025

WJP Order and Security top-50 placements, 2016-2025



Share of 450 top-50 placements across nine WJP editions

Source: Author's visualization based on Table 14. Figures show shares of 450 top-50 placements across nine WJP editions.

Figure 6 shows civil-law jurisdictions accounting for the largest share of Order and Security top-50 placements. This remains a descriptive distribution because Order and Security is shaped by policing, public administration, social trust, crime levels and wider institutional conditions, and cannot be attributed to judicial training.

The pattern is even stronger than the overall Rule of Law Index table. Civil-law jurisdictions account for about two-thirds of all top-50 placements in Order and Security. Common-law jurisdictions account for about one quarter. Mixed-law jurisdictions account for less than one tenth. Table 14 gives the precise count, while Figure 6 shows the composition visually.

The precise public-facing statement is that, over the selected period and under this report's classification, civil-law jurisdictions account for a larger share of WJP Order and Security top-50 placements than common-law jurisdictions. This does not mean that a legal family or judicial-training model causes stronger order-and-security outcomes.

This statement also requires caution. Order and Security reflects policing, social trust, crime control, public administration, economic stability, civic culture and political order, among other conditions. It is not a direct measure of judicial training. The evidence supports only the observation that civil-law jurisdictions are not structurally under-represented in this core rule-of-law subcategory.

8.2 The Role of Order and Security in This Report

Order and Security does not measure court operation as directly as civil or criminal justice indicators, so this report does not use it as an effectiveness measure for judicial recruitment or training. Its role is narrower: a cross-check within the broader rule-of-law context.

Courts, criminal procedure, law-enforcement institutions, public administration and public confidence interact within a wider legal order. A jurisdiction's high Order and Security score therefore cannot be attributed to its judicial-training model. Equally, the existence of a talent-development tool in a civil-law jurisdiction does not by itself show that the tool must be adverse to the rule of law.

The Order and Security data do not support a direct link between a civil-law label and weaker order, safety or public confidence. Civil-law jurisdictions in fact account for the largest share of the top-50 placements, but this is a representation finding, not causal evidence.

For Hong Kong's comparative analysis, the more appropriate question is whether any talent-development tool can be safely localised under common law, the Basic Law appointment framework and safeguards for judicial independence, rather than where the tool first appeared.

8.3 The proper inference

The Order and Security evidence should be interpreted in three steps. First, high WJP Order and Security performance is not exclusive to common-law jurisdictions. Civil-law jurisdictions account for 302 out of 450 top-50 placements, or 67.1%.

Second, civil-law institutional traditions are compatible with strong public-order and security outcomes at the system level. This matters because many civil-law jurisdictions use more structured judicial career formation than Hong Kong.

Third, these data cannot predict the rule-of-law effect of Hong Kong adopting any particular training architecture. Whether a reform affects the rule of law depends on judicial independence, appointment safeguards, due process, common-law adjudication and concrete institutional design. WJP therefore provides compatibility background, not a forecast of reform outcomes.

The evidence should not be used to claim that “civil-law jurisdictions have stronger public order because they use career judges”, nor should it be reversed into an assumption that every structured pathway is necessarily safe. The more accurate proposition is that civil-law jurisdictions are highly represented among strong performers in this core rule-of-law subcategory, so legal-family labels alone are insufficient to predict the rule-of-law effect of a talent-development mechanism.

8.4 Relationship with Hong Kong's Institutional Options

If Hong Kong ultimately studies or pilots a supplementary judicial-talent development pathway, the more accurate description is a “common-law judicial-talent development system”, not the transplant of another legal system.

Such an option should not alter Hong Kong's sources of law, court procedure, legal reasoning, appointment framework or constitutional safeguards. Its role would be limited to creating structured opportunities before formal appointment for legally trained people to enter court-related roles, receive supervised practical experience, develop written reasoning and case-management skills, and undergo competency and ethics assessment over time.

Appointment would remain separate. Candidates who enter the pathway should not become judges by administrative progression. They should not exercise final adjudicative power merely because they join the pathway. Final appointment must remain merit-based and subject to Hong Kong's established constitutional process.

The core safeguard is to separate “talent development” from “judicial appointment and adjudicative authority”. Hong Kong can study more structured development methods, but whether any option preserves judicial independence and common-law characteristics depends on its safeguards and cannot be assumed from WJP data.

8.5 Conclusion on the Question of Rule-of-Law Impact

The WJP Order and Security evidence complements the overall rule-of-law context in Section 7: under this report's classification, civil-law jurisdictions also account for a large share of strong placements in this core subcategory. This shows only that high rule-of-law and high order-and-security performance are not exclusive to common-law systems.

For Hong Kong, WJP cannot answer whether a particular reform will necessarily improve or damage the rule of law. The more reliable tests are whether an option preserves judicial independence, common-law legal reasoning and procedure, merit-based appointment, the Basic Law framework and the decisive role of the Judicial Officers Recommendation Commission.

A Hong Kong-compatible pathway should therefore include the following safeguards: training must be separate from appointment; candidates must not exercise final adjudicative power merely because they enter the pathway; selection must be competitive and merit-based; the curriculum must be grounded in common-law reasoning, precedent, evidence, adversarial procedure, open justice and judicial ethics; progression must be staged and independently assessed; appointment must remain under the Basic Law framework and the Judicial Officers Recommendation Commission process; judicial independence must remain untouched.

In short, the conclusion from Sections 7 and 8 is compatibility, not causation. Legal-family labels are insufficient to determine the effect of a talent-development mechanism. What requires assessment is whether the specific training, authority, evaluation and appointment arrangements can operate within Hong Kong's constitutional safeguards.

9. Public Opinion Context: Cautious Openness to a Career-Judge Pathway

Public opinion provides an important backdrop to this research. In a territory-wide telephone survey conducted by the Hong Kong Institute of Asia-Pacific Studies at The Chinese University of Hong Kong between 25 June and 16 July 2026, 1,002 Hong Kong residents aged 18 or above were interviewed using a dual-frame random sampling method covering both landline and mobile numbers. The results were weighted by age and gender to better reflect Hong Kong's adult population.

Respondents were asked whether Hong Kong should consider drawing reference from countries such as Germany and France by allowing outstanding law graduates, after assessment, to enter structured training towards a full-time judicial career. On a seven-point scale, the mean score was 4.09, slightly above the neutral midpoint of 4. Among respondents who gave a substantive rating from 1 to 7, 41.6% gave a score of 5–7, compared with 36.0% who gave a score of 1–3, while 14.8% selected the midpoint. A further 7.6% of valid respondents said they did not know or found the question difficult to answer.

These findings should not be interpreted as overwhelming public endorsement of a career-judge system. Rather, they indicate cautious but meaningful openness to considering an alternative judicial talent pathway, alongside substantial public reservations. This is precisely why the policy question should not be framed as whether Hong Kong should simply transplant a civil-law judicial model. The more relevant question is whether Hong Kong can design its own supplementary pathway—drawing reference from structured judicial training, early talent identification, mentoring and staged assessment—while preserving common-law reasoning, judicial independence, merit-based appointment and the existing constitutional safeguards.

The survey therefore reinforces the central approach of this report: “reference, not transplant.” Public opinion suggests that there is room for serious discussion, but that any reform must be carefully designed, clearly explained and accompanied by strong safeguards. The proposal examined in this report is accordingly not to place inexperienced graduates directly on the Bench, nor to replace Hong Kong's traditional recruitment of experienced legal practitioners. It is to consider whether a structured, long-term judicial talent pipeline can enlarge the future pool of qualified candidates while maintaining the standards and institutional characteristics that underpin confidence in Hong Kong's common-law judicial system.

10. Policy Synthesis: From Comparative Evidence to Hong Kong's Institutional Options

Only at this stage does the report integrate local evidence and comparative material into institutional options. Hong Kong's own data first establish a long-term capacity and talent-supply issue; financial-centre comparisons provide directional court-capacity context; WJP evidence supports compatibility only; and

Denmark, Norway, Finland and Sweden illustrate different forms of pre-appointment court experience, supervision, progressive responsibility and training. Taken together, Hong Kong can study a supplementary talent-development pathway separated from appointment, but whether and how to implement it must remain subject to common law, judicial independence and existing constitutional safeguards.

The report summarises the direction for study as “reference, not transplant; supplement, not replace.” The traditional route of appointing judges from experienced legal practice should remain. Any additional route, if adopted, would identify, develop and observe talent earlier without creating a right to appointment. Potential tools include salaried court roles, judicial supervision, mentoring, supervised drafting, case-management rotations, staged assessment and continuing development. What must not be transplanted includes changes to common-law adjudication, automatic career progression or any administrative control capable of weakening judicial independence.

Table 15. Principal Concerns, Comparative Evidence and Required Safeguards for a Hong Kong Institutional Option

Principal concern	What the comparative evidence can show	Safeguard for Hong Kong
A Hong Kong-compatible career judge system may undermine common law.	Eight of the 2025 WJP top ten are classified in this report as civil-law jurisdictions; the top four each have different forms of pre-appointment court-based experience/development. This supports compatibility with high rule-of-law performance, not institutional superiority.	Keep curriculum, procedure and reasoning common-law; preserve Basic Law and JORC appointment safeguards.
Career judges may lack practical experience.	A Hong Kong option need not appoint law graduates directly as judges. Judicial-assistant, legal-research, registry, case-management and other supervised court roles can be designed as preparatory stages.	No automatic appointment; progression must remain merit-based and independently assessed.
The reform may weaken judicial independence.	Rule-of-law quality depends heavily on independence, corruption control and due process, not legal family alone.	The Basic Law appointment framework and JORC safeguards must remain decisive.
International confidence may be damaged.	The financial-centre comparison shows only that court capacity forms part of the competitiveness context. Stronger manpower, case management, facilities and digital support can sustain court-service capacity, but the comparison itself cannot predict changes in international confidence.	Publish judicial-capacity indicators, specialist-list data and waiting-time performance.

Principal concern	What the comparative evidence can show	Safeguard for Hong Kong
The reform may be perceived as civil-law transplantation.	The value of the comparators lies in pre-appointment court practice, supervision, progressive responsibility and training tools—not in adopting their adjudicative methods or legal systems.	Use the explicit principle “reference, not transplant” and define direct training as formation without automatic appointment.

Source: Author’s analysis based on Hong Kong institutional framework, financial-centre capacity data and WJP evidence.

Table 15 converts common concerns into institutional-design questions. Two distinctions are central: “development” is not “appointment”, and “training architecture” is not “legal method”. Comparative evidence supplies institutional tools and compatibility background only; any Hong Kong model remains bounded by common-law reasoning, adversarial procedure, open justice, independent adjudication and existing appointment safeguards.

11. Specific Judicial-Talent Comparisons and Hong Kong Safeguards

The 2025 WJP top four provide four different examples of court-based experience or talent development before permanent or ordinary appointment. None should be transplanted wholesale, but recurring elements can be observed: court-based roles or judicial work, supervision by experienced judges or court leadership, progressively greater responsibility as competence develops, and formal training or competency assessment. These are talent-development tools, not wholesale models of legal system or judicial appointment.

Denmark’s deputy-judge basic training normally lasts about three years and combines practical court work with theoretical modules, including supervised civil and criminal work, learning objectives and course assessment. Later suitability assessment for judicial office remains separate. The Hong Kong lesson is that a court role can have clear development objectives and competency-assessment functions without creating automatic ordinary judicial appointment (Danish Courts, n.d.).

Norway’s dommerfullmektig is a time-limited deputy-judge post, normally for up to two years and extendable to three in specified circumstances. Official materials indicate that candidates generally already have legal work experience. Under judicial or court-leadership guidance and authorisation, deputy judges can hear cases, with authority expanding alongside training and experience. It is better understood as a time-limited judicial post with progressive responsibility than as the same type of formal future-judge training programme found in Sweden (Norwegian Courts Administration, n.d.).

In Finland, the Judicial Training Board and court administration coordinate judicial training, including a three-year assistant-judge programme. Official entry materials indicate that relevant junior judicial-training posts require general judicial eligibility, at least three years of judicial-service experience and success in a pre-selection examination. The institutional lesson is that training and competency assessment can be formalised while remaining separate from final permanent judicial appointment (Finnish Courts, n.d.-a; National Courts Administration of Finland, n.d.).

Sweden’s four-year fiskal judicial-training sequence combines rotations in higher and lower courts with Judicial Training Academy courses. Completion of the full sequence can lead to assessor status, but it does not automatically make the candidate an ordinary judge. Ordinary judicial posts must still be separately applied for and are subject to the independent Domarnämnden selection/recommendation process. The

lesson is that transparent court rotations, a formal learning sequence and ordinary judicial appointment can be kept clearly distinct (Swedish Courts, 2026; Swedish Courts, n.d.).

Germany, the Netherlands, Japan, France, Austria and Belgium provide additional reference points on legal qualifications, judicial-training institutions, practical training, suitability assessment and continuing education. These examples broaden the range of observable policy tools; they do not support Hong Kong adopting another legal system wholesale.

The comparative analysis also defines what Hong Kong should not borrow. No pathway should become an automatic administrative ladder into judicial office; training institutions must not direct adjudication; and performance assessment must not reward political preference, administrative satisfaction or predetermined case outcomes. Final appointment, tenure safeguards, adjudicative independence and open justice must be protected.

The common observable principle is rigorous development, not the early conferral of unrestricted judicial authority. Comparator systems use qualification requirements, competitive selection, court-based practice, judicial supervision, ethics and written-reasoning assessment, continuing education and institutional safeguards, but the legal status and authority of participants differ.

The common lesson is disciplined formation, not early judicial power. Stronger systems use rigorous qualification, competitive selection, supervised practical work, ethical assessment, written reasoning, continuing education and institutional safeguards. Hong Kong can use these techniques to expand its candidate pool while retaining the experienced-practitioner route and constitutional appointment process.

Safeguard 1: training must not equal appointment. Entry into the pathway should give candidates access to judicial assistant, legal research, registry, tribunal support, case-management, supervised drafting and court-exposure roles. It should not give them judicial power. Candidates should not decide cases, impose sentences or exercise final adjudicative authority merely because they have entered the pathway.

Safeguard 2: selection must be competitive and merit-based. Candidates should be assessed on legal knowledge, analytical ability, written reasoning, ethical judgment, independence of mind, procedural discipline, language ability, public-service motivation, maturity, temperament and ability to handle pressure.

Safeguard 3: the curriculum must be common-law in substance. Training should focus on precedent, statutory interpretation, adversarial procedure, evidence, open justice, procedural fairness, judgment writing, case management, judicial ethics and reasoned decision-making. Comparative experience may inform the structure of training, but the content must remain grounded in Hong Kong's common-law method.

Safeguard 4: assessment must be staged. Candidates should pass through entry screening, court exposure, supervised drafting, criminal and civil procedure training, specialist tracks, ethical assessment, written evaluation, performance review and final eligibility assessment. Advancement should never be automatic.

Safeguard 5: training and appointment must remain constitutionally separate. The pathway should create a better-prepared pool of possible candidates. It should not replace the Basic Law appointment framework, judicial independence, JORC or the requirement that judicial appointments be made on merit.

Safeguard 6: training should continue after appointment. Judges and judicial officers need continuing education on procedure, ethics, judgment writing, technology, specialist lists, court administration and emerging social and commercial issues.

Table 16. International lessons for Hong Kong's training, selection and appointment safeguards

International practice	Lesson for Hong Kong	Hong Kong-compatible safeguard
Denmark: about three years of deputy-judge basic training combining supervised court work, theoretical modules, learning objectives and course assessment; followed by later judicial-suitability assessment.	Court-based roles can have clear development objectives and competency-assessment functions without creating automatic ordinary appointment.	Use supervised rotations, written work, ethics modules and periodic assessment; no automatic appointment.
Norway: time-limited deputy-judge post, normally up to two years and extendable to three; candidates generally already have legal work experience and hear cases under guidance and authorisation.	Progressive responsibility and clear authority boundaries allow judicial practice to deepen with competence. The arrangement should not be simplified as the same formal future-judge training programme found in Sweden.	If Hong Kong studies progressive responsibility, authority must be clearly defined and judicially supervised; training or service experience itself must create no right to ordinary appointment.
Finland: Judicial Training Board and three-year assistant-judge programme; relevant junior judicial-training posts require at least three years of judicial-service experience and success in a pre-selection examination.	Entry qualifications, training, competency assessment and final appointment can be institutionally separated.	Create an independent professional training and assessment framework linked to, but separate from, JORC appointment.
Sweden: four-year fiskal training with higher/lower court rotations and academy courses; completion leads to assessor status, while ordinary judges must still apply separately and undergo Domarnämnden selection/recommendation.	Transparent court rotations, a formal learning sequence and ordinary judicial appointment can be clearly separated.	Publish stages, competencies and assessment criteria; ground every stage in Hong Kong common law.
Germany and Netherlands: rigorous qualification and structured initial/continuing formation	Strong entry standards and lifelong education support professional quality.	Require competitive legal assessment and continuing judicial education without bureaucratic promotion rights.
Japan and other comparative systems: institutional training with practical exposure and ethics	Judicial formation should connect doctrine, court operations, professional ethics and practical judgment.	Use chambers, registry, tribunal and specialist rotations under judicial supervision.

Source: Author's synthesis from official judicial-training materials of Denmark, Norway, Finland, Sweden, Germany, the Netherlands and Japan, read together with WJP Rule of Law Index context and Hong Kong's common-law institutional framework.

The top-four examples clarify the distinction between direct formation and automatic appointment. Candidates enter structured court-based roles, but their powers are supervised, limited or progressively expanded; completion does not by itself displace final appointment safeguards. Hong Kong should use the Hong Kong Judicial Institute as the institutional foundation for post-appointment education while developing a separate preparatory pathway for prospective candidates. That pathway can provide common-law research, supervised drafting, registry and case-management exposure, ethics, mentoring and specialist training without creating any entitlement to appointment.

The comparison of the top four also shows that there is no single relationship between court-based experience, training and ordinary appointment. Denmark, Finland and Sweden use different training sequences, while Norwegian deputy judges hold time-limited posts that may exercise judicial functions

within authorised limits. The common feature is court-based practice, supervision or competency assessment before permanent or ordinary appointment, without that experience itself creating an automatic right to ordinary appointment. If Hong Kong studies a preparatory pathway, candidate authority must be defined separately and final appointment must remain distinct under the Judicial Officers Recommendation Commission process.

12. Proposed Hong Kong-Compatible Supplementary Judicial-Talent Development Pathway

After the local data, financial-centre comparison, judicial-talent comparison and rule-of-law safeguard analysis, this report sets out a supplementary option for policy discussion. It would not abolish appointment from experienced legal practice. It would add an earlier, supervised, selective and appointment-separated talent-development mechanism. If implemented, it should be competitive, salaried, transparent and rigorous, and it must clearly create no entitlement to judicial appointment.

The design should respond to local evidence. Because the strongest waiting-time deterioration is concentrated in criminal cases, an initial pilot could give early emphasis to criminal procedure, evidence, trial management, sentencing, bail/custody and case-flow control. Civil, commercial, insolvency, arbitration, family and public-law tracks also have long-term value, but should be developed progressively according to demonstrated capacity needs.

Table 17. Proposed Hong Kong-compatible career judge system

Stage	Mechanism	Purpose	Safeguard
1. Entry and screening	Competitive entry into judicial assistant, legal researcher, registry, tribunal support or case-management roles.	Identify promising law graduates, recent graduates and junior legal professionals with public-service motivation and legal aptitude.	Entry into the pathway is not appointment as a judge. Candidates receive training and assessment only.
2. Core court exposure	Rotation through chambers support, registry work, procedural applications, legal research, judgment-drafting assistance and supervised case-management tasks.	Develop practical understanding of court operations, judicial ethics, legal reasoning, written work and procedural discipline.	Work remains supervised. Candidates do not exercise final adjudicative authority.
3. Criminal and trial-capacity track	Specialised exposure to criminal procedure, evidence, sentencing, trial management, bail/custody issues and case-list control.	Respond directly to the strongest empirical bottleneck: criminal waiting-time pressure in the District Court and Court of First Instance.	Only experienced candidates proceed. Training is supervised by judges and subject to ethics and performance review.
4. Civil, commercial and public-law tracks	Specialist training in civil procedure, commercial disputes, insolvency, arbitration, public law, family and other high-demand areas.	Support Hong Kong's role as a financial and legal-services centre while ensuring balanced judicial capacity across court lists.	Specialisation follows core training and should not replace general judicial competence.

Stage	Mechanism	Purpose	Safeguard
5. Eligibility and appointment consideration	After years of assessment, selected candidates may become eligible for consideration under the existing constitutional appointment framework.	Create a larger and better-prepared pool of future judicial candidates.	Appointments remain merit-based and subject to the Basic Law, judicial independence and the Judicial Officers Recommendation Commission process.

Source: Author's proposed design based on Hong Kong manpower evidence, criminal waiting-time pressure, financial-centre capacity concerns and comparative career-judiciary experience.

Table 17 shows that the core of the pathway is not to lower the threshold for judicial appointment, but to move talent identification, court-based experience and competency assessment earlier. Participation in training is not appointment; progressive development is not automatic promotion; and court exposure is not final adjudicative authority.

13. Reform Package and Implementation Roadmap

A judicial-talent development pathway should not be introduced as an isolated recruitment measure. It should be coordinated with manpower, training, infrastructure, case management, data monitoring and public communication. The initial focus should be the clearest criminal-capacity bottleneck, with other specialist areas assessed progressively against evidence. Any expansion should remain conditional on judicial quality, independence and demonstrated operational effectiveness.

Table 18. Reform package derived from the evidence

Policy area	Recommendation	Evidence basis
Judicial manpower pipeline	Create a supplementary career-judge pathway for law graduates, recent graduates and junior legal professionals.	Filled JJOs remained broadly flat while case volume stayed high.
Criminal-list capacity	Prioritise criminal procedure, evidence, sentencing and trial-management training in the early specialist stage.	District Court criminal waiting time rose from 118 days to 337 days; CFI criminal waiting time rose from 291 days to 368 days.
Existing practitioner route	Preserve the solicitor/barrister-to-Bench route while reducing overreliance on late-career conversion.	Pay-gap and private-market incentives make late-career recruitment uncertain.
Court infrastructure and support	Align judge training with courtrooms, chambers, registry capacity, iCMS, remote hearings and judicial support staff.	Operational capacity depends on people, facilities, technology and case-management systems.
Comparative learning	Draw reference from selected civil-law career-judiciary practices, but do not transplant the civil-law model.	WJP evidence weakens legal-family stereotypes but does not prove direct causation.
Public communication	Frame the reform as a common-law-compatible talent pipeline under One Country, Two Systems.	Institutional sensitivity requires clear safeguards and consistent language.

Source: Author's synthesis from Hong Kong judicial-efficiency data, financial-centre comparison and WJP evidence.

Table 19. Implementation roadmap

Timeframe	Action	Expected effect	Indicator
Short term: 2026-2027	Establish a judicial talent-pipeline task force; design role descriptions, selection criteria and ethics rules for pathway entry posts.	Create institutional ownership and avoid ad hoc design.	Approved framework, published pathway standards and pilot role structure.
Pilot stage: 2027-2029	Launch pilot judicial assistant, legal researcher, registry and case-management posts, with criminal-list exposure prioritised.	Begin converting young legal talent into trained court-capacity support.	Number of entrants, retention rate, assessment outcomes and supervisor feedback.
Expansion stage: 2029-2032	Add specialist tracks in criminal, civil, commercial, public-law and family work; introduce structured mentoring and written-work assessment.	Build a wider and more specialised pool of future judicial candidates.	Track completion, specialist exposure, written-work quality and ethical assessment.
Review stage: 2032 onward	Evaluate pathway impact on recruitment pool, vacancy pressure, support capacity and waiting-time indicators.	Decide whether to expand, modify or narrow the pathway.	Vacancy rate, waiting times, candidate quality, appointment outcomes and public accountability reports.

Source: Author's proposed roadmap based on the evidence and safeguards discussed in this report.

14. Conclusion

This report first examined whether Hong Kong's judicial-manpower difficulty is merely a temporary staffing issue or a structural capacity problem requiring a longer-term talent strategy; it then used financial-centre, judicial-talent and WJP evidence as comparative background, and only after that assessed institutional options. The local evidence shows that the challenge is not limited to individual vacancies: court demand has remained high, substantively filled judicial strength has not increased correspondingly, and criminal waiting times deserve particular attention.

14.1 Answers to the Research Questions

Research Question 1: What is the scale and nature of Hong Kong's judicial manpower and capacity problem?

Hong Kong's judicial manpower problem is structural, measurable and sustained. Over the period examined, court filings remained high while the number of substantively filled judges and judicial officers remained broadly unchanged. Persistent vacancies, rising workload per serving judicial officer and elevated composite pressure show that the problem cannot be explained by short-term recruitment fluctuations alone. It reflects a continuing mismatch between court-service demand and permanent judicial capacity.

Research Question 2: Where is the capacity bottleneck most concentrated?

The clearest pressure is concentrated in criminal waiting times. In 2025, the District Court criminal figure was 337 days—about 3.4 times the Judiciary’s 100-day target. The CFI criminal fixture-list figure was 368 days; an equivalent numerical High Court target is currently not specified and remains under review. By contrast, the CFI civil figure of 151 days was below the 180-day target and the District Court civil figure of 113 days was below the 120-day target. Capacity analysis should therefore be targeted rather than treating every case category as deteriorating equally.

Research Question 3: How does the existing solicitor- and barrister-to-Bench model constrain judicial recruitment?

The traditional common-law route remains indispensable because it produces judges with professional maturity, litigation experience, practical judgment and familiarity with adversarial procedure. Its structural limitation is timing and predictability. Candidates are usually considered only after substantial professional experience, when successful practitioners may already have established careers, higher earnings, professional autonomy and personal reasons not to enter judicial service. Hong Kong therefore does not suffer from a general absence of legal talent; it lacks an earlier and more systematic mechanism for identifying, preparing and observing potential future judicial candidates.

Research Question 4: Why is judicial capacity important to Hong Kong’s role as an international financial centre and common-law legal hub?

Judicial capacity forms part of Hong Kong’s legal and economic infrastructure. Businesses, investors, creditors, legal practitioners and the public depend on courts that resolve disputes fairly, professionally and within a reasonable time. Cross-financial-centre data cannot be used as an efficiency ranking, but the directional comparison shows that the selected Hong Kong court unit carries a substantial workload and that latest annual output did not fully keep pace with incoming work. These indicators should be read together with Hong Kong’s vacancy and criminal waiting-time evidence.

Research Question 5: What do the WJP top-ten and top-50 findings show about legal family, judicial formation and rule-of-law performance?

The 2025 WJP top ten includes eight jurisdictions classified in this report as civil-law systems. The top four—Denmark, Norway, Finland and Sweden—each have different forms of pre-appointment court-based experience, judicial supervision or talent development; they are not a single institutional model. Across the nine WJP editions examined, civil-law jurisdictions also account for the largest aggregate share of top-50 placements.

These findings do not prove that civil law, career judges, judicial schools or any single talent pathway causes stronger rule-of-law outcomes. Their narrower and defensible significance is that more structured court-based experience or talent development before permanent appointment can coexist with high rule-of-law performance. WJP therefore provides compatibility background in this report, not causal evidence of reform effectiveness.

Research Question 6: Why are high-rule-of-law jurisdictions relevant comparators, and what can Hong Kong observe?

These jurisdictions are relevant because the comparison concerns the timing of judicial-talent development, court-based experience, supervision, progressive responsibility, competency assessment and supply predictability. Common-law jurisdictions demonstrate the value of appointing experienced practitioners. High-rule-of-law jurisdictions such as Denmark, Norway, Finland and Sweden provide

different tools for developing judicial capability before permanent or ordinary appointment. The comparison is about functional elements that may be safely localised, not choosing a legal family.

Hong Kong may study competitive screening, salaried court-based roles, judicial supervision, supervised judgment drafting, registry and case-management rotations, mentoring, specialist training, ethics education, progressive responsibility and staged competency assessment. It should not alter common-law adjudication, adversarial procedure, open justice or existing appointment safeguards, nor create a route in which administrative assessment or automatic promotion confers judicial office.

Research Question 7: How should a Hong Kong-compatible career-judge pathway be designed?

Within the policy option considered in this report, the pathway should be supplementary, staged, merit-based and separated from final appointment. Recruitment from experienced barristers and solicitors should remain a core route. If an earlier preparatory track is added, judicial-assistant, legal-research, registry, tribunal-support, case-management and supervised-drafting roles could be used to develop talent.

Candidates should receive progressively more demanding court exposure, specialist training and structured assessment. Entry into the pathway must not guarantee judicial appointment or confer final adjudicative authority. Training, assessment and appointment must remain institutionally separate. Final appointment should continue to depend on merit, judicial suitability and the existing constitutional process under the Basic Law and the Judicial Officers Recommendation Commission.

The pathway should also incorporate a clear system of **quality assurance for judicial competence and performance**. Before appointment, this should include transparent competency standards, supervised work, written assessments, ethics evaluation, judgment-writing exercises and repeated observation over time. After appointment, quality assurance should rely on judicial induction, continuing education, mentoring, appellate guidance, established complaint and disciplinary mechanisms, and regular review of system-level indicators such as timeliness, case management and training needs.

Such quality assurance must be designed carefully. It should strengthen competence, consistency and professional development without compromising adjudicative independence. Judges should not be assessed according to whether their decisions satisfy the executive, achieve predetermined outcomes or meet crude disposal quotas. The correctness of individual decisions must remain subject to the judicial process, particularly reasoned judgments and appellate review, rather than administrative performance scoring.

14.2 Central Policy Position

This report recommends that a Hong Kong-compatible judicial-talent development pathway, clearly separated from appointment, be considered as a policy pilot option and as a supplementary long-term talent pipeline alongside the traditional practice-to-Bench route.

The reform should preserve the traditional practice-to-Bench route while creating an additional mechanism for identifying and developing judicially capable legal talent earlier. Its curriculum and professional culture should remain firmly grounded in common-law reasoning, precedent, statutory interpretation, evidence, adversarial procedure, open justice, judgment writing, case management and judicial ethics.

If piloted, the pathway should initially focus on the areas where local capacity pressure is clearest, especially criminal procedure and trial management, before progressively supporting civil, commercial, public-law and other specialist judicial capabilities. It should begin on a limited scale, use transparent

indicators and independent evaluation to examine candidate quality, vacancies, court-support capacity, waiting times and institutional safeguards, and expand only where the results justify doing so.

Quality assurance should operate throughout the pathway. Selection standards, supervised training, staged assessment and continuing judicial education should ensure that expanding the talent pool does not dilute judicial quality. Once candidates enter judicial office, professional development, ethical accountability, appellate review and appropriately designed system-level performance monitoring should continue to support high standards. These mechanisms must remain under judicially independent arrangements and must never become instruments for influencing the substance or outcome of judicial decisions.

The governing principle should remain “reference, not transplant; supplement, not replace.” Hong Kong may adapt earlier and more structured judicial-talent development tools, but judicial independence, common-law adjudication, merit-based selection, the Basic Law appointment framework and the decisive role of the Judicial Officers Recommendation Commission must remain unchanged.

The report’s central position is therefore:

Hong Kong faces a shortage in judicial capacity, while legally trained talent represents a potential source of future judges. A carefully designed career-judge pathway, supported by strong safeguards, rigorous quality assurance and full compatibility with the common-law system, can bridge the gap between the two.

Appendix A : Supplementary WJP Jurisdiction Summary

This appendix retains one jurisdiction-level WJP summary table for transparency. Detailed regression and subfactor tables should be kept in the working dataset or supplementary materials rather than repeated in the main report.

Appendix Table A1. Selected jurisdictions, legal-system classification and longitudinal WJP Overall Score summary

Jurisdiction	Legal system	2016 score	2025 score	2016-2025 average	Change 2016-2025
Australia	Common Law	0.810	0.800	0.800	-0.010
Canada	Common Law	0.810	0.790	0.803	-0.020
Hong Kong SAR, China	Common Law	0.780	0.720	0.748	-0.060
India	Common Law	0.520	0.490	0.504	-0.030
Jamaica	Common Law	0.580	0.570	0.572	-0.010
Malaysia	Common Law	0.540	0.570	0.562	0.030
New Zealand	Common Law	0.830	0.830	0.829	0.000
Singapore	Common Law	0.820	0.780	0.790	-0.040
United Kingdom	Common Law	0.810	0.780	0.792	-0.030
United States	Common Law	0.740	0.680	0.710	-0.060
Austria	Civil Law	0.840	0.790	0.810	-0.050
Belgium	Civil Law	0.790	0.780	0.784	-0.010
France	Civil Law	0.720	0.720	0.728	0.000
Germany	Civil Law	0.840	0.830	0.836	-0.010
Italy	Civil Law	0.650	0.660	0.659	0.010
Japan	Civil Law	0.780	0.780	0.786	0.000
Korea, Rep.	Civil Law	0.730	0.740	0.733	0.010
Netherlands	Civil Law	0.860	0.820	0.837	-0.040
Portugal	Civil Law	0.720	0.670	0.697	-0.050
Spain	Civil Law	0.700	0.710	0.717	0.010

Source: Author's calculations from WJP Rule of Law Index historical data and WJP 2024-2025 published materials; legal-system classification is binary common-law/civil-law as adopted in this report.

Appendix B : Methodological Note on Civil/Commercial First-Instance Comparability

The financial-centre comparison in Section 6 is a directional capacity comparison, not a ranking of court systems or efficiency. Table 10 selects the closest available official first-instance civil filing and disposal data; Table 11 shows directional changes in the relevant court units. Annual clearance rates are calculated consistently as disposals/terminations during the reporting period divided by filings during the same period, but the courts' jurisdiction, case mix and statistical reporting are not identical. The comparison should therefore not be understood as substantively identical denominators or homogeneous case categories. Where courts dispose of pending cases from earlier years, the annual clearance rate may exceed 100%.

Appendix Table B1. Comparability rules used in Section 6

Comparability rule	Application in Section 6	Reason
Use civil/commercial first-instance work where possible	U.S. federal civil cases, Hong Kong CFI civil jurisdiction and Singapore Civil Originating Processes	Civil and commercial disputes are the closest common category for financial-centre court capacity.
Use annual clearance rates calculated in a consistent form	New York, Hong Kong, Singapore and the Northern District of California all use disposals/terminations during the reporting period divided by filings during the same period	Maintains a consistent calculation form without claiming identical court jurisdiction, case mix or case complexity.
Exclude jurisdictions lacking adequate directional output data	Jurisdictions without a reasonably comparable disposal figure or connectable series are omitted from the numerical comparison	This avoids N.A. rows, false precision and the appearance of a comparison that the source data cannot support
Separate civil/commercial comparison from criminal bottleneck analysis	Section 6 compares civil/commercial capacity, while earlier sections retain Hong Kong criminal waiting-time evidence	This prevents civil waiting-time indicators from masking Hong Kong's serious criminal waiting-time pressure.

Comparability rule	Application in Section 6	Reason
Explain annual clearance rates above 100%	Cases disposed/terminated in the reporting year may include pending cases filed in earlier years	A rate above 100% indicates a net reduction in pending stock; it does not mean that more than 100% of the year's new filings were 'completed'.

Source: Author's methodological synthesis based on official court statistical reporting used in Section 6.

Appendix C : Methodology for Constructing the Composite Judicial Pressure Index (CJPI)

The Composite Judicial Pressure Index (CJPI) is an author-constructed diagnostic index designed to measure the overall direction and intensity of judicial pressure in Hong Kong from 2016 to 2025. It is not an official index published by the Hong Kong Judiciary. Its purpose is to combine several workload and waiting-time indicators into one summary measure so that year-to-year judicial pressure can be compared more clearly.

1. Indicators included

The CJPI uses four indicators:

1. Total filings

This measures the total number of cases filed with Hong Kong courts and tribunals in each year.

2. Filings per serving JJO

This measures workload pressure relative to actual serving judicial manpower. It is calculated by dividing total filings by the number of substantively filled judges and judicial officers.

3. Court of First Instance criminal waiting time

This measures waiting-time pressure in the CFI Criminal Fixture List.

4. District Court criminal waiting time

This measures waiting-time pressure in the District Court criminal list.

These four indicators were selected because they capture different dimensions of judicial pressure: total demand, workload per serving judicial officer, serious criminal-list pressure at the High Court level, and criminal-list pressure at the District Court level.

2. Base-year indexing

The year 2016 is used as the baseline year. Each indicator is converted into an index with 2016 set at 100.

The formula is:

Indicator index in year t = (indicator value in year t / indicator value in 2016) x 100.

For example, the total filings index for 2025 is calculated as:

$536,566 / 478,562 \times 100 = 112.1$.

This means that total filings in 2025 were about 12.1% higher than in 2016.

The same method is applied to the other three indicators. Since all four indicators are pressure indicators, a higher value represents greater pressure. No reverse coding is required.

3. Calculation of filings per serving JJO

Filings per serving JJO are calculated as:

Filings per serving JJO in year t = total filings in year t / substantively filled JJOs in year t.

For example, in 2025:

$536,566 / 160 = 3,354$.

The filings-per-serving-JJO index is then calculated by comparing the annual figure with the 2016 baseline:

$3,354 / 2,954 \times 100 = 113.5$.

This shows that average filings per serving JJO were about 13.5% higher in 2025 than in 2016.

4. Composite index formula

The CJPI is calculated as the geometric mean of the four component indices:

CJPI in year t = the fourth root of: Total Filings Index x Filings per Serving JJO Index x CFI Criminal Waiting-Time Index x District Court Criminal Waiting-Time Index.

The geometric mean is used instead of a simple arithmetic average because it reduces the risk that one very large component will dominate the whole index. It also treats the four indicators as linked dimensions of systemic pressure rather than as separate figures to be added mechanically.

5. Example: 2025 calculation

For 2025, the four component indices are:

- Total filings index: 112.1
- Filings per serving JJO index: 113.5
 - CFI criminal waiting-time index: 126.5
 - District Court criminal waiting-time index: 285.6

The CJPI is therefore:

Fourth root of (112.1 x 113.5 x 126.5 x 285.6) = 146.4.

This means that the composite judicial pressure level in 2025 was about 46.4% higher than the 2016 baseline.

6. Interpretation bands

The interpretation bands are descriptive rather than official thresholds:

CJPI range	Interpretation
Below 95	Below baseline
95 to below 100	Around baseline
100 to below 115	Mild increase
115 to below 130	Moderate increase
130 to below 150	High pressure
150 or above	Severe pressure

These bands are used to help readers understand the direction and severity of the index. They should not be treated as official performance standards.

7. Limitations

The CJPI is a diagnostic tool, not a complete measure of judicial performance. It does not measure the quality of judgments, fairness of proceedings, complexity of cases, availability of prosecutors or defence counsel, registry capacity, courtroom availability, judicial support staff, technology use or settlement behaviour. The CJPI focuses on criminal waiting-time pressure because the evidence shows that the most serious deterioration occurred in criminal lists. Civil waiting-time indicators are not included because the selected civil fixture lists were relatively stable over the period and, in 2025, the CFI civil figure of 151 days was below the 180-day target while the District Court civil figure of 113 days was below the 120-day target. The CJPI is not an official Judiciary performance measure and should not replace the individual targets in the Judiciary’s Performance Pledges. The index should therefore be read together with the detailed caseload, manpower and waiting-time tables in the main report. Its value lies in summarising the overall direction of pressure, not in replacing court-level analysis.

Appendix D : WJP Top-Ten and Top-50 Comparative Data Note

This appendix records the two layers of WJP evidence used in Sections 7 and 8. The 2025 top-ten snapshot shows legal-family composition and, using official judicial sources, describes the different pre-appointment court-based experience, supervision or development arrangements of the top four jurisdictions. The aggregate tables count top-50 placements across nine WJP editions. Neither layer proves causation or directly measures individual judicial quality. Appendix D first relies on the published 2025 ranking: Denmark (1), Norway (2), Finland (3), Sweden (4), New Zealand (5), Germany (6), Luxembourg (7), Ireland (8), the Netherlands (9) and Estonia (10). Under the report’s coding, eight are civil law and two are common law. Official court materials are used separately to describe the top four formation routes.

Appendix Table D1. Aggregate evidence used in Sections 7 and 8

WJP measure	Civil law	Common law	Mixed law	Key point
Overall Rule of Law Index	266 (59.1%)	126 (28.0%)	58 (12.9%)	Civil law occupies the largest share of high-scoring overall rule-of-law placements.
Order and Security	302 (67.1%)	110 (24.4%)	38 (8.4%)	Civil law occupies the largest share of high-scoring Order and Security placements.

Source: Author's calculation from the two uploaded 10-year aggregate WJP top-50 tables for Overall Rule of Law Index and Order and Security. The WJP dataset supplies scores and rankings; legal-system classification is author-coded for this report.

Interpretation. The 2025 top-ten snapshot and the nine-edition aggregate serve different purposes. The snapshot shows that eight of the top ten are classified in this report as civil-law jurisdictions, while the top four each have different forms of pre-appointment court-based experience, judicial supervision or development. The aggregate data show that civil-law jurisdictions' high representation among top-ranked placements persists across editions. The proper inference is compatibility and comparator relevance, not causal superiority. Legal-family and talent-development categories remain analytical shorthand and should be read together with the limitations in Section 13.

Appendix E : Limitations

This report has several limitations. First, the accessible official source set does not provide a full-year 2025 aggregate disposal total, so no 2025 annual clearance rate is calculated. The 2025 caseload figure is used, but the corresponding disposal and annual-clearance fields remain N.A. to avoid presenting a figure that cannot be verified from the cited sources.

Second, the judicial-to-private-practice pay-gap benchmark used in this report stops at 2020. It remains useful because it illustrates the structural recruitment challenge at senior levels, but it should not be described as direct proof of the 2025 or 2026 pay gap.

Third, international financial-centre court comparisons involve different jurisdictions, court jurisdictions, case mixes and reporting practices. Tables 10 and 11 should therefore be read only as directional capacity comparisons, not efficiency rankings. Annual clearance rates use a consistent calculation form, but this does not mean that the underlying cases are substantively identical. Where courts dispose of older pending cases as well as new filings, an annual clearance rate can exceed 100%.

Fourth, WJP data measure system-level rule-of-law outcomes. They do not directly measure individual judicial quality or the causal effect of a training pathway. The statement that eight of the 2025 top ten are classified in this report as civil-law jurisdictions is descriptive. The top four each have different forms of pre-appointment court-based experience, supervision or development, with different legal status, entry requirements, authority and training arrangements. They are not one uniform model and do not imply permanent appointment.

Fifth, the common-law/civil-law distinction is an analytical ideal type. Legal systems may contain mixed elements, Nordic systems have distinctive features, and both legal families use multiple recruitment and training mechanisms. "Pre-appointment court-based experience/structured development" in this report is a broad description of court posts, judicial work or training before permanent or ordinary appointment. It does not mean immediate appointment after law school or automatic progression to ordinary judicial office.

Sixth, the career-judge proposal is institutional and prospective. It cannot remove existing waiting-time pressure immediately. Its contribution is long term: to enlarge the pool of judicially capable candidates, create a credible public-service route for young legal talent and strengthen future judicial capacity.

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