

**For discussion
on 15 December 2009**

**Legislative Council
Panel on Administration of Justice and Legal Services**

**Proposed Construction of Additional Courtrooms and
Associated Facilities in the High Court Building**

PURPOSE

This paper seeks Members' support of the Judiciary's major works project "Construction of additional courtrooms and associated facilities in the High Court Building".

PROBLEM

2. There is a problem of shortage of courtrooms in the High Court. Additional courtrooms and associated facilities are required in order to alleviate the problem, and to facilitate greater efficiency in deployment of judicial resources.

PROPOSAL

3. The Judiciary Administrator, with the support of the Director of Architectural Services, proposes to construct the following facilities on LG4/F of the High Court Building:

- (a) Three civil courtrooms (with size ranging from 85m² to 100m²);
- (b) Three judges' chambers;
- (c) Three consultation rooms;
- (d) One office for staff providing support to the judges;
- (e) Waiting area;
- (f) One baby-care room;

- (g) One rest room cum storeroom for cleaning contractors; and
- (h) Toilet facilities, including toilet facilities for the disabled, as appropriate.

4. The total area of the proposed facilities is around 540m². Such additional space is made available by vacating the store rooms on LG4/F and releasing some 190m² from the Library.

Annex A 5. Layout plan showing the proposed facilities is at **Annex A**.

JUSTIFICATIONS

6. At present, there are 43 courtrooms in the High Court Building. Of the 43 courtrooms:

- (a) 36 are criminal/civil courtrooms, most of which are of around 180m² in size for conducting court hearing of civil and criminal cases within the jurisdiction of the Court of Appeal and the Court of First Instance (“CFI”) of the High Court; and
- (b) Seven courtrooms are Masters’ courtrooms ranging from 51m² to 65m² in size for the Masters to carry out judicial duties such as hearing interlocutory and summary applications in chambers, and conducting assessments of damages and interpleader trials in court.

7. There are currently a total of 45 Judges and Deputy Judges in the High Court, comprising the Chief Judge of the High Court who is the Court Leader and the President of the Court of Appeal, 10 Justices of Appeal, 29 Judges of the CFI and five Deputy Judges of the CFI. In addition, there are eight Recorders who are appointed to sit in the High Court to conduct hearing of cases within the jurisdiction of the CFI, each for an average of four weeks every year. For the Court of Appeal, three Justices of Appeal are normally required to conduct hearing of an appeal case. For hearings conducted at the CFI level, they are presided by a single judge. Taking into account the aforesaid requirements and the mode of operation of the courts, the existing 36 criminal/civil courtrooms in the High Court are insufficient to meet the operational needs of the High Court, resulting in the use of one to three courtrooms in the District

Court at Wanchai for hearing of High Court cases. Consequentially, one court of the Small Claims Tribunal has to be used for hearing of District Court cases; and at times, District Court cases are heard in the Eastern Magistrates' Courts at Sai Wan Ho. The situation is considered very unsatisfactory from the angles of both the Judiciary and the court users.

8. As regards the Masters' courtrooms, there are currently one Registrar and 10 Temporary Senior Deputy Registrars and Deputy Registrars / Temporary Deputy Registrars of the High Court (the latter three are collectively referred to as Masters) operating in the seven Masters' courtrooms in the High Court for conducting the hearing of those civil cases without the need to go to trial before a Judge. On occasions when the seven Masters' courtrooms are fully occupied, the criminal/civil courtrooms have to be used for hearing of civil cases under the Masters' jurisdiction. This has further added pressure to the competing demand for the 36 criminal/civil courtrooms.

9. The insufficient number of courtrooms in the High Court not only imposes constraints on the deployment of judicial resources, but also prevents the Judiciary from appointing more deputy judges to help shorten the waiting time of court cases even where there is operational need to do so. The situation would be seriously aggravated if the caseload (which is beyond the Judiciary's control) increases significantly at any time in the future. The provision of the proposed three additional courtrooms in the High Court is essential and imminently required to alleviate the unsatisfactory situation and facilitate better deployment of judicial resources to help shorten the waiting times for court cases.

10. In order to alleviate the problem, assistance of the Architectural Services Department has been sought to devise proposals for the provision of additional courtrooms in the High Court Building. Having regard to the site and technical constraints of the existing building, it is considered that converting part of LG4/F of the High Court Building into courtrooms and associated facilities is the only feasible option, as the ceiling height is suitable for the purpose and it will entail the least movement and disturbance to the existing users of the High Court.

PROPOSED ALTERATION WORKS IN THE LIBRARY

11. In order to release some 190m² from the Library (which is about 15% of the existing provision of 1,250m²) to make way for the construction of courtrooms and associated facilities, minor alteration

works have to be carried out in the Library, resulting in some adjustments to the existing layout of the Library, as follows:

- (a) The “Technical Processing Office” will be relocated to the existing area for “Temporary Book Storage” and “Judgments”;
- (b) The areas for the “Newspapers and Current Issues” and “English Textbooks” will be swapped; and
- (c) A “Rare Book Room” will be established in a cellular office with humidity control.

Annex B The proposed changes to the Library are shown in **Annex B**.

12. Although the area of the Library is slightly reduced to facilitate implementation of the major works project on LG4/F, the existing level of services provided by the Library would be maintained and enhanced as elaborated below:

- (a) Of the 190m² of space to be released in the Library, 100m² are currently used by the Technical Processing Office which will be relocated to the existing storage space of the Library. The arrangement will rationalize the use of space in the Library and put the space into more effective use;
- (b) The current stock of books/publications kept in the Library is 56,000 volumes. With the installation of movable book-shelves, the shelving capacity of the Library after the alteration works will become 60,000 volumes, representing an increase of about 7%;
- (c) The seating capacity in the existing Library is about 70, which will remain the same after completion of the alteration works. Based on the statistics collected from 16 April 2009 to 15 July 2009, the average patronage of the Library per hour at peak periods is 30. The seating capacity in the renovated Library is therefore adequate to meet the existing demand, and could cater for future increasing requirements; and

- (d) The opportunity is taken to bring improvement to the Library, including the setting up of a purpose-built rare book room with temperature and humidity control, replacement of carpet and re-painting of walls, etc.

13. Alteration works in the Library, which are carried out by phases and by zones during non-operating hours of the Library, commenced in July 2009 and are expected to complete in the second quarter of 2010. During the works period, full height partitions are erected to enclose the work zone so as to minimize disturbances and ensure safety of the Library users. Reading materials are properly stored and covered to avoid any damages. The Judiciary will monitor closely with the Architectural Services Department on the works programme to ensure its smooth implementation with the least inconvenience to Library users.

CONSULTATION

14. We have consulted the Criminal Court Users' Committee¹, the Civil Court Users' Committee¹, the Hong Kong Bar Association and the Law Society of Hong Kong on the project. The two Committees and the two legal professional bodies generally support the project.

FINANCIAL IMPLICATIONS

15. The estimated cost of the project is \$50.9 million in money-of-the-day prices. The estimated annual recurrent expenditure arising from this project is \$1.7 million.

ENVIRONMENTAL IMPLICATIONS

16. The Architectural Services Department proposes to engage consultants to undertake contract administration and site supervision of the project. During construction, the contractors will be required to control noise, dust and site run-off nuisances to within established standards and guidelines through the implementation of mitigation measures in the contract. These include the use of acoustic lining or

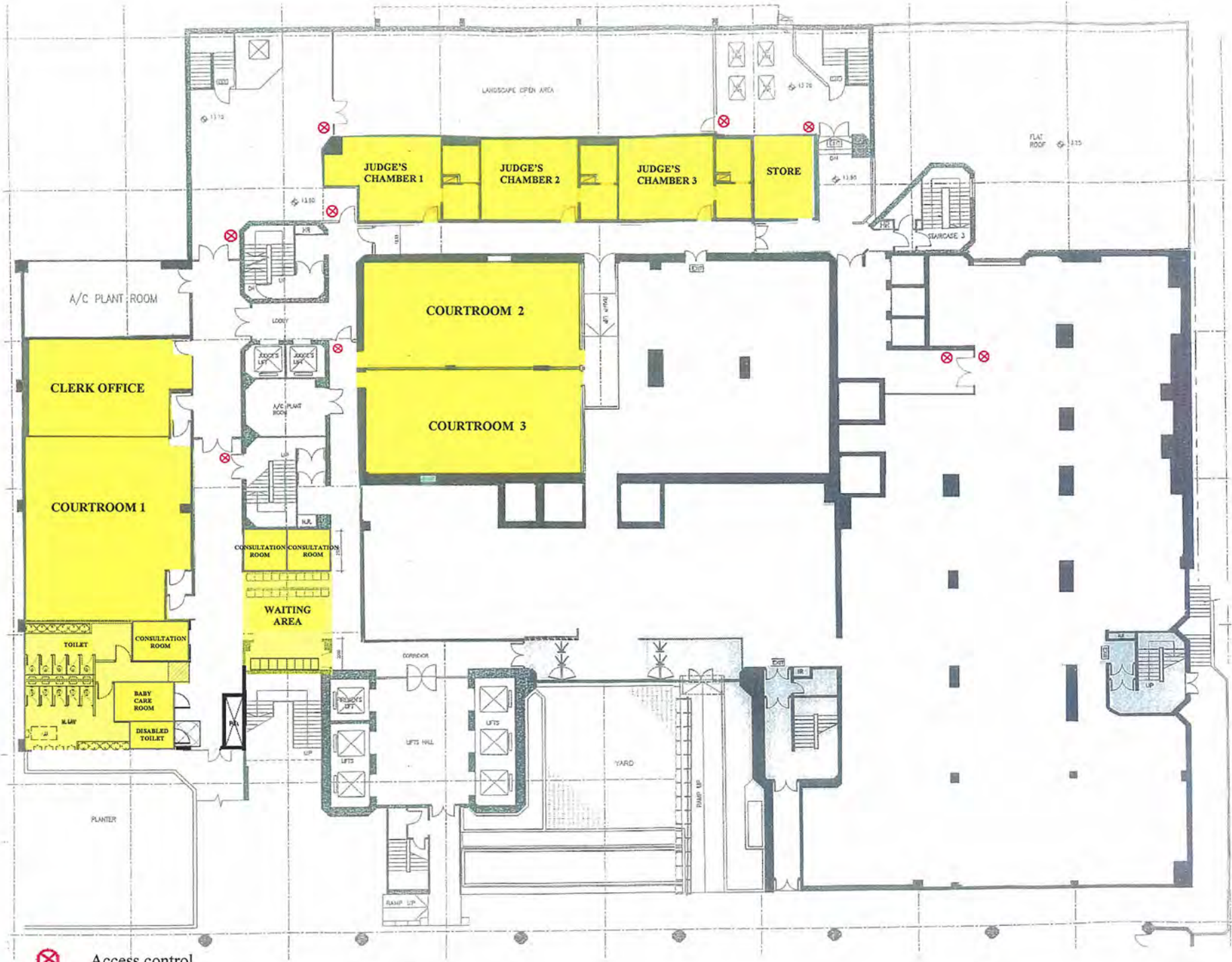
¹ The Criminal Court Users' Committee and the Civil Court Users' Committee are appointed by the Chief Justice and chaired by a High Court Judge to discuss matters of concern to users of the criminal and civil courts, including all matters of practice and procedure, and the administration of the courts. Members comprise judges, representatives of the legal profession, representatives of other court users and lay members.

shields and the building of barrier wall for noisy construction activities, frequent cleaning and watering of the site, etc. Further, measures have been considered in the planning and design stages to reduce the generation of construction waste where possible (e.g. using metal site hoardings and signboards so that these materials can be recycled or reused in other projects).

ADVICE SOUGHT

17. Subject to Members' views, we will seek the endorsement of the Legislative Council Public Works Subcommittee on 20 January 2010 and the approval of the Finance Committee on 5 February 2010. Subject to the Finance Committee's approval, construction works for courtrooms are expected to commence in mid 2010, and be completed for handing over to the Judiciary by end 2011.

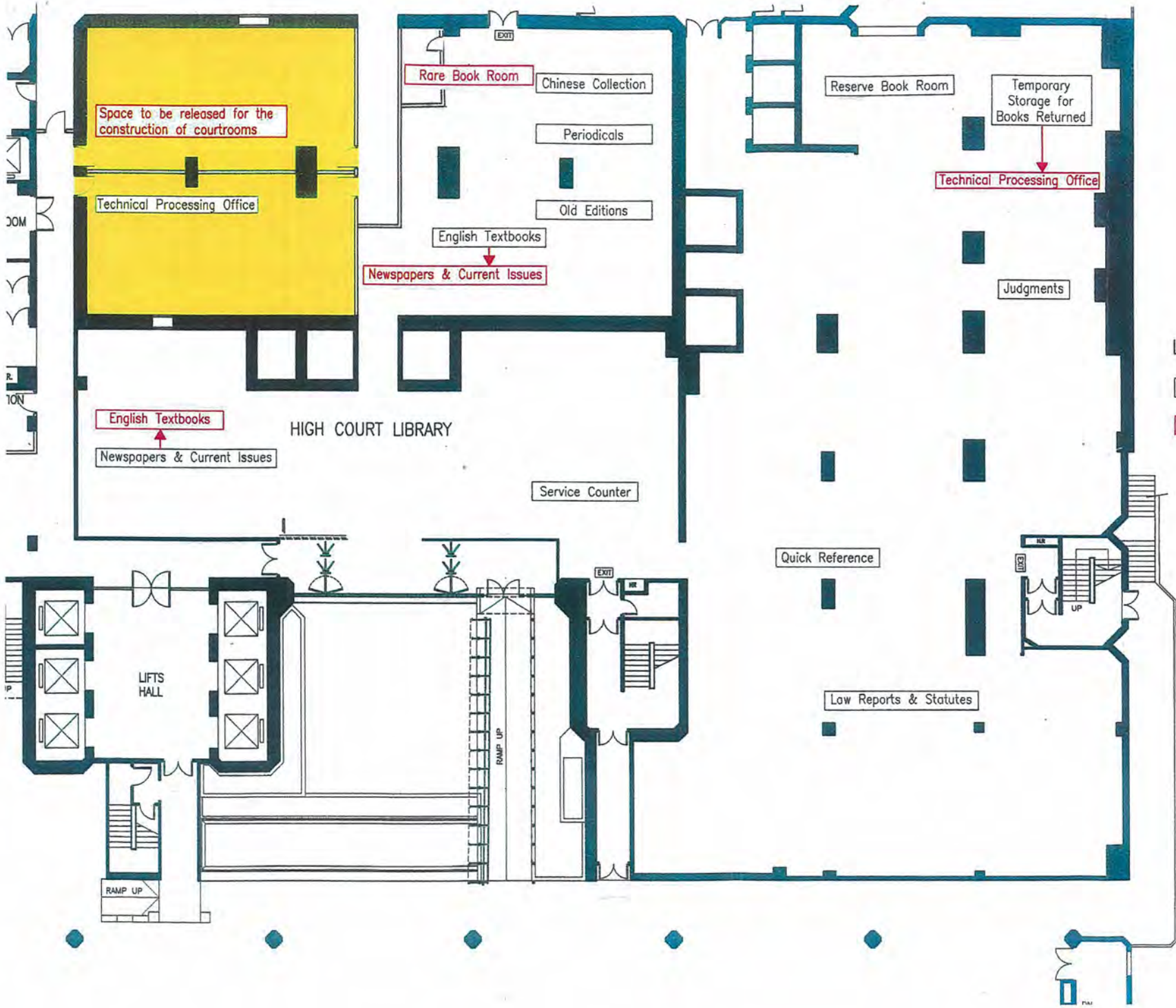
Judiciary Administration
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⊗ Access control

PROPOSED
COURTROOMS AND
ASSOCIATED
FACILITIES ON
LG4/F OF THE HIGH
COURT BUILDING

NOT TO SCALE



LEGEND

- Existing library facilities
- Library facilities after relocation

EXISTING AND PROPOSED FACILITIES IN THE HIGH COURT LIBRARY
NOT TO SCALE