

**For discussion
on 10 July 2012**

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

Relocation of the Court of Final Appeal

PURPOSE

This paper aims to brief Members on the Judiciary's project to relocate the Court of Final Appeal ("CFA").

PROPOSAL

2. The current accommodation of the CFA at No. 1 Battery Path is manifestly inadequate for the smooth and efficient functioning of the Court. In order to address such inadequacies, we propose to relocate the CFA to No. 8 Jackson Road ("the project"). The project has the support of the Administration.

THE PROJECT

Justifications

3. The current CFA Building, with an internal floor area of around 1,600 m², is manifestly inadequate for the smooth and efficient functioning of the Court, as explained below –

- (a) there is only one courtroom and the courtroom is too small (140 m²) and not ideally designed due to space constraints;
- (b) facilities for Judges and support staff are inadequate;
- (c) facilities for the legal professionals are not satisfactory in that the robing and conference facilities are limited;
- (d) the press room is too small, particularly when reporters cover high-profile court cases; and
- (e) facilities for the public are either lacking or inadequate to meet the present-day court services requirements.

4. Since the present CFA Building is a declared monument, there is no opportunity for on-site expansion of the building. The only practicable solution to address the inadequacies of the current accommodation lies in the project. Having regard to the CFA's status as Hong Kong's final appellate court, there is no better place to accommodate the CFA than No. 8 Jackson Road, which was formerly the Supreme Court of Hone Kong. This building is a prestigious declared monument situated on a prominent site. The project is a live case of adaptive re-use of Hong Kong's treasured heritage.

Improved Facilities

5. Court services will be enhanced with the provision of adequate and up-to-standard facilities under the project set out in paragraphs 6 to 11 below.

(A) Courtrooms

6. There will be two courtrooms. The larger one (about 230 m²) will be the venue for hearing substantive appeals. It will be equipped with enhanced services and facilities, including audio-visual presentation systems and acoustic and audio systems. There will be sufficient seats for various parties involved in a substantive appeal hearing, including the legal professionals, the press and the public.

7. The smaller courtroom (about 95 m²) will be the venue for hearing leave applications and taxation cases.

(B) Facilities for Judges and Support Staff

8. Apart from Judges' chambers, common facilities for Judges (e.g. Judges' retiring room) will be enhanced. Space provision for support staff and ancillary facilities will also be adequately provided. Adequate accommodation arrangements will also be made for the Development Division of the Judiciary Administration. The Development Division, a key task of which is to provide administrative support for the Chief Justice, is at present located both at the current CFA building and the High Court. It will be centralized at the CFA Building in future.

(C) Facilities for Legal Representatives

9. A lawyers' common room, two robing rooms and four consultation rooms will be provided. Moreover, a proper interview room will be provided in the cell area.

(D) Facilities for the Press

10. A press room will be made available for use by reporters to better serve the needs of the media.

(E) Facilities for the Public

11. Ample waiting areas with sufficient seats will be provided in the court lobby and registry counter. A viewing booth will be provided to facilitate members of the public to search and view court records. Moreover, facilities for the disabled, for both the defendants and the public, will be enhanced, and a baby-care facility will be provided in line with the prevailing practice to enhance communal facilities to care for children.

12. The provision and design of the improved facilities from the court users' and the public's perspectives will be presented at the Panel meeting on 10 July 2012.

13. The total approved net operational floor area requirement of the reprovisioned facilities in the future CFA Building is about 3,070 m². As advised by the Architectural Services Department (“ArchSD”), which is our works agent, the net usable floor area of No. 8 Jackson Road is about 3,070 m². In terms of space, the CFA will practically make full use of the building. The major facilities to be provided in the future CFA Building are listed at **Annex**.

Heritage Considerations

14. As required under the prevailing requirements, the project is subject to a Heritage Impact Assessment (“HIA”). Our objective is to restore, display and highlight the heritage features of the building, such as the original floor finishes, mouldings, and any other heritage features of value as far as practicable. We will ensure that the conversion works will comply with the requirements set out in the HIA report. Details of the restoration proposals will be presented at the Panel meeting on 10 July 2012.

15. In the future CFA Building, we will set up two galleries, one for exhibits relevant to the Judiciary, and the other in connection with the history of architectural development of the building. The CFA Building is a building of great historical value and interest, and it belongs very much to the community. Our intention is to open as much as possible the building to the public, provided of course that the functioning of the Court is not adversely affected.

Project Planning and Design Development

16. In planning the project, we have set up a Steering Committee (“SC”) chaired by the Chief Justice, with members being a Permanent Judge of the CFA, Registrar of the CFA and key members of the Judiciary Administration and ArchSD, to oversee the implementation of the project. The provision of facilities and restoration proposals set out in paragraphs 6 to 15 above have been endorsed by the SC.

17. We have been working closely with relevant government departments, including ArchSD, the Correctional Services Department and the Police in developing the detailed requirements of the project. We will

maintain close liaison with various stakeholders, including institutional court users, in refining the requirements at the detailed design stage.

PROPOSED USE OF THE CURRENT CFA BUILDING AFTER THE RELOCATION

18. The present CFA building will be returned to the Administration after relocation. The Development Bureau has expressed their wish to earmark the current CFA Building for heritage use after relocation of the CFA.

PUBLIC CONSULTATION

19. We consulted the Criminal Court Users' Committee¹ and the Civil Court Users' Committee¹ on 4 May 2012 on the project. The two committees generally support the project. In response to their comments, we have increased the number of consultation rooms for use by legal representatives from two to four, added 16 movable seats for legal representatives in the large courtroom, and added a lawyers' common room where legal representatives may consume food which they buy or bring along over lunch if needed.

20. We also consulted the Central and Western District Council on 17 May 2012 on the project. Members generally support the project and have asked about the implementation timeline, the space requirements, the arrangements for opening the future CFA building to the public and the project cost. We have provided them with information which was available.

21. We consulted the Antiquities Advisory Board ("AAB") on the HIA for the project by circulation of a paper from 10 to 24 May 2012. Most members support the HIA and no objection has been raised.

¹ The Criminal Court Users' Committee and the Civil Court Users' Committee are appointed by the Chief Justice and chaired by a HC 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.

PROJECT PROGRAMME

22. The project programme is as follows –

- | | | |
|-----|--|------------------------|
| (a) | Invitation of Tender | October 2012 |
| (b) | Consultation with the LegCo AJLS Panel on the design of the project (prior to the submission to the LegCo Public Works Subcommittee (“PWSC”) in (c) below) | First quarter of 2013 |
| (c) | Submission to the LegCo PWSC | First quarter of 2013 |
| (d) | Funding approval from the LegCo Finance Committee | Second quarter of 2013 |
| (e) | Commencement of conversion works | Second quarter of 2013 |
| (f) | Completion of conversion works | Fourth quarter of 2014 |

ADVICE SOUGHT

23. Members are invited to note and give comments on the project.

Judiciary Administration
July 2012

Provision of Major Facilities in the Court of Final Appeal Building

Facilities	Number Proposed
(1) Courtrooms	2 (one around 230 m ² and the other around 95 m ²)
(2) Lawyers' Common Room	1
(3) Lawyers' Robing Rooms	2
(4) Lawyers' Consultation Rooms	4
(5) Galleries	2 (Note)
(6) Press Room	1
(7) Baby-care Facility	1
(8) Library	1
(9) Judges' Chambers	8
(10) CFA Registry	1
(11) Conference Rooms	2

Note: One gallery (about 150 m²) is proposed to be located on 1/F for the hosting of exhibits relevant to the Judiciary; and the other (about 100 m²) is proposed at the basement for the display of the history of architectural development of the Building. The former gallery also serves as a venue for the hosting of talks and functions.