

**For discussion
on 20 December 2017**

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

Security in Court Premises

PURPOSE

This paper aims to brief Members on the latest measures by the Judiciary to enhance security in court buildings/ premises¹.

BACKGROUND

2. The Police have a statutory duty under the Police Force Ordinance (Cap. 232) to take lawful measures for the purpose of keeping order in courts². This covers not only criminal courts, but also civil courts. The Police have all along been providing assistance and support to the Judiciary pursuant to its statutory duty in various forms having regard to the requirements of different levels of courts and different situations.

3. The Judiciary, as the occupier of court buildings, has a general duty of care to people who work at, use, or otherwise visit such premises and has the responsibility of ensuring the smooth operation of the courts in the administration of justice. The Judiciary has all along been attaching great importance to security matters and the safety of Judges and Judicial Officers, Judiciary staff, court users and the public. In this regard, the Judiciary has been putting in place various measures to enhance the security of court premises having regard to all relevant considerations such as operational efficiency, practicality, physical layout of premises, and user convenience.

¹ The Judiciary manages 10 stand-alone buildings solely for use as court buildings, while the District Court (including the Family Court) and the Eastern Magistrates' Courts are housed in two joint user general office buildings managed by the Government Property Agency.

² Section 10(p) of the Police Force Ordinance (Cap. 232) sets out “[t]he duties of the police force shall be to take lawful measures for ... attending the criminal courts and, if specially ordered, the civil courts and keeping order therein”.

4. While security in court premises has generally been satisfactory, a number of recent incidents in court premises and the corresponding concern of court users and the community in general have highlighted the need for the Judiciary to review and enhance the level of security provided for users of court premises.

RECENT DEVELOPMENTS

5. In recent months, having reviewed the security situation, the Judiciary has implemented a number of measures to enhance security in specific court buildings.

Increased Police presence

6. The Judiciary has increased liaison with the Police at various levels over the past year or so. Based on their latest assessment, in addition to deploying police officers at the Magistrates' Courts, the Police have enhanced their support for the High Court ("HC") and District Court ("DC") / Family Court ("FC"). Police officers have started to be stationed in these two court premises from 23 October 2017. Where necessary, additional police officers will be deployed to these courts and any other courts to assist, depending on circumstances.

Enhanced security at the Family Court

7. Since 2012, bag inspections have been conducted on all court users before entering the FC. Articles such as sharp objects and liquid bottle have been prohibited from being brought into courtrooms. As from 2015, security guards have also been stationed in all FC courtrooms. And most recently since 15 November 2017, all court users need to undergo security screening using handheld metal detectors before they enter the courtrooms in the FC. The introduction of this enhanced security screening has been implemented smoothly and has not caused any adverse impact on court operations in the FC.

FURTHER MEASURES TO ENHANCE SECURITY

8. In addition to the measures already implemented as set out above, the Judiciary is planning to put in place further measures in the near and longer term to further enhance security in all court premises.

Security Screening at the High Court

9. As the next immediate step, the Judiciary is planning to implement a pilot scheme to conduct security screening in the HC Building. The pilot scheme will apply to users of court floors at LG4/F, and from 1/F to 14/F. It is intended that persons accessing these floors will be required to undergo security screening before they can gain access. Security screening will be conducted on the G/F of the HC Building. Archway metal detectors will be installed and bag search will be conducted for court users. Additional staff and security guards will be on hand to provide guidance and assistance for court users at the screening point. To facilitate frequent users such as legal representatives and members of the media to access the building more expeditiously, it is intended that a dedicated screening lane would be in place to facilitate the screening for these groups of users. For users of courtrooms on LG4/F, security screening will be conducted at LG4/F. The details of the pilot scheme are being worked out. To ensure the smooth implementation of the enhanced security measures at the HC, the Judiciary will liaise with the legal profession and other stakeholders. The Judiciary will announce details in good time prior to implementation. At present, it is intended that the pilot scheme will be launched in early 2018.

10. In introducing security screening in the HC Building, the Judiciary will make every effort to minimize inconvenience for court users. However, it is inevitable that the enhanced security measures will mean that more time will be required for court users to gain access to courtrooms. As such, court users will be reminded to allow for additional time to go through security screening and arrive in court earlier, particularly during the peak hours in the early morning.

11. With the benefit of experience from the operation of the pilot scheme, the Judiciary will consider how and when the security screening may be extended to users of the registry floors from LG3/F to G/F of the HC building.

Security Screening in Other Court Premises

12. It is the intention of the Judiciary to introduce security screening in other court premises where this is practicable by adopting a phased approach.

13. Different court premises may require different approaches in screening having regard to a number of factors including the risk level and the physical layout of the premises. For example, for some court premises, the use of archway metal detectors may not be feasible and alternative screening methods would need to be considered. Details of the implementation plan for security screening in other court buildings will be devised and duly announced.

WAY FORWARD

14. The Judiciary will proceed with the enhancement of security in court premises as set out in paragraphs 8 to 13 above in phases, starting with the High Court in early 2018. The Judiciary will adopt a pragmatic approach, based on practical experience and having regard to factors such as operational efficiency, and user convenience, and where appropriate to proceed with the relevant measures on a pilot basis to ensure smooth implementation and minimize possible disruption to court operations.

15. Members are invited to note the Judiciary's measures to enhance security in court premises as set out above.

Judiciary Administration

13 December 2017