

**立法會**  
**Legislative Council**

LC Paper No. CB(4)365/17-18(06)

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

**Meeting on 20 December 2017**

**Background brief on security in court buildings**

**Purpose**

This paper provides background information regarding the security in court buildings and summarizes the major views and concerns of Legislative Council Members on this and related matters.

**Background**

High Court incident in October 2017

2. According to the press reports, a man who was seated at the public gallery in Court 13 of the High Court during a contempt court hearing before Hon Justice Mr Wilson CHAN Ka-shun suddenly took out a chopper from his backpack at around 10:00 am on 17 October 2017. The man threatened Justice CHAN by shouting at him in Putonghua. Justice CHAN immediately halted the hearing and left the courtroom, and the court staff alerted the Police.

Introduction of enhanced security measures in court buildings

3. The Judiciary announced on 9 November 2017 that enhanced security measures would be introduced at the Family Court to help ensure the safety of all judges and judicial officers, Judiciary staff and court users.<sup>1</sup> In addition to bag inspection being carried out for court users before entering courtrooms of the Family Court and articles such as sharp objects and liquid bottles were prohibited, hand-held metal detectors would be introduced for security screening at the Family Court with effect from 15 November 2017.

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<sup>1</sup> Press release on "Introduction of enhanced security measures at Family Court and other court buildings" issued by the Administration on behalf of the Judiciary on 9 November 2017.

4. According to the Judiciary, it had all along attached great importance to security issues and had reviewed court security measures from time to time. Measures had been introduced at various court buildings over the past few years to enhance security and further enhancement measures were being introduced in phases. The next phase of enhanced security measures would soon be implemented in the High Court and appropriate measures would gradually be introduced in other court buildings.

5. The Judiciary also stated that the Police's presence at the court buildings had recently been strengthened, including the stationing of police officers at the High Court and District Court premises, and the Judiciary would continue to review with the Police on how the security arrangements for all levels of courts might be further enhanced.

### **Major views and concerns of Members**

6. At its meeting on 29 May 2009, the Panel on Public Service ("PS Panel") was briefed on the use of the private sector in the delivery of public services through outsourcing. PS Panel also received views from four relevant organizations at the meeting.<sup>2</sup> The Administration was requested to provide, among other things, information in response to the case as highlighted in the submission from the Hong Kong Federation of Civil Service Unions regarding the use of security guards employed by contractors to perform the duties of court ushers, in particular to explain how concerns about court security so arising would be addressed.

7. At the meeting on 10 November 2009 between the Chairman of the Panel on Administration of Justice and Legal Services ("AJLS Panel") and the Administration to discuss the Panel's work plan, the Judiciary Administration ("JA") was requested to provide a report to the Panel on the operation of the arrangement of replacing part of the Police Constable ("PC") establishment at Magistrates' Courts with security guards.

8. JA had provided the information requested by the two Panels in the annex to the Efficiency Unit ("EU")'s paper [LC Paper No. CB(1)2598/09-10(01)] to PS Panel in July 2010, and in its information paper [LC Paper No. CB(2)1981/09-10(01)] to AJLS Panel in June 2010, respectively.

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<sup>2</sup> The four organizations were the Hong Kong Civil Servants General Union; the Hong Kong Federation of Civil Service Unions; the Civil Servants and Subsidized Organisations Committee, The Federation of Hong Kong & Kowloon Labour Unions; and HKCTU Public Services Committee.

9. According to JA, following a study by EU on the benefits of civilianization within the disciplined services, the Security Bureau and the Police had initiated a programme to replace part of the Police's constabulary establishment in the Magistrates' Courts with security guards to perform crowd control duties. The Judiciary had no objection to the Police using civilian security personnel i.e. security guards, to perform non-constabulary crowd control duties in the Magistrates' Courts on the understanding that:

- (a) the Police would continue to be responsible, as part of its statutory duty, for maintaining order in the Magistrates' Courts and the level of security would not in any way be compromised as a result of the arrangement;
- (b) the Police would continue to deploy sufficient numbers of police officers to discharge its statutory duty; and
- (c) the Police would provide command and control of the security guards and be responsible for their performance.

10. JA pointed out in the paper that, prior to April 2009, there were a total of 242 PCs on duty in the Magistrates' Courts, of whom 89 were responsible for crowd control duties. Taking account of the Police's statutory duty and the practical circumstances in the various Magistrates' Courts, the Judiciary agreed to the Police arrangements that 31 PC crowd control posts would be retained to oversee crowd control arrangements in the Magistrates' Courts, particularly in the plea courts and the summons courts where larger crowds were normally expected; and sufficient number of security guards would be engaged by the Police to replace 58 PC posts to assist in non-constabulary crowd control duties in the Magistrates' Courts. JA also reported that, apart from some teething issues identified in the early stage of implementation which had subsequently been resolved, the new arrangement had not impacted adversely on the court operation.

### **Latest position**

11. At AJLS Panel meeting on 30 October 2017, some members expressed grave concerns about the security in court buildings in view of the High Court incident mentioned in paragraph 2. In response to members' concerns, the Administration plans to brief AJLS Panel on the security in court buildings at its meeting to be held on 20 December 2017.

## **Relevant papers**

12. A list of the relevant papers is in **Appendix**.

Council Business Division 4  
Legislative Council Secretariat  
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## Background brief on security in court buildings

## List of relevant papers

Date of meeting	Meeting	Minutes/Paper	LC Paper No.
29.5.2009	Panel on Public Service	Administration's paper on use of outsourcing in the delivery of Government services	CB(1)1646/08-09(03) <a href="https://www.legco.gov.hk/yr08-09/english/panels/ps/papers/ps0529cb1-1646-3-e.pdf">https://www.legco.gov.hk/yr08-09/english/panels/ps/papers/ps0529cb1-1646-3-e.pdf</a>
		Administration's follow-up paper	CB(1)2598/09-10(01) <a href="https://www.legco.gov.hk/yr08-09/english/panels/ps/papers/ps0529cb1-2598-1-e.pdf">https://www.legco.gov.hk/yr08-09/english/panels/ps/papers/ps0529cb1-2598-1-e.pdf</a>
		Minutes of meeting	CB(1)2019/08-09 <a href="http://www.legco.gov.hk/yr08-09/english/panels/ps/minutes/ps20090529.pdf">http://www.legco.gov.hk/yr08-09/english/panels/ps/minutes/ps20090529.pdf</a>
--	Panel on Administration of Justice and Legal Services	Administration's paper on replacement of part of the Police Constabulary establishment in Magistrates' courts with security guards	CB(2)1981/09-10(01) <a href="http://www.legco.gov.hk/yr09-10/english/panels/ajls/papers/ajcb2-1981-1-e.pdf">http://www.legco.gov.hk/yr09-10/english/panels/ajls/papers/ajcb2-1981-1-e.pdf</a>
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