

**THE NEW DISTRICT COURT BUILDING (“DCB”)
VIEWS OF THE COMMITTEE ON CRIMINAL LAW AND PROCEDURE
OF THE HONG KONG BAR ASSOCIATION
ON THE PROPOSED FACILITIES**

Introduction

1. The Hong Kong Bar Association (“**HKBA**”) has been approached by the Judiciary Administration (“**JA**”) for views on the Judiciary’s proposal in respect of the new District Court Building. We refer to the JA’s consultation paper dated June 2021 (the “**Consultation Paper**”)

Consultation Rooms

2. As suggested in para 4(a)(i) and (v) of the Consultation Paper, there will be 35 consultation rooms for 52 court rooms in the DCB (including 2 mega criminal courtrooms and 26 criminal courtrooms). On average, not every criminal court will be equipped with a consultation room. There are only about 19 consultation rooms for 28 criminal courts.
3. The number of consultation rooms for criminal court users is plainly insufficient. For cases heard at the plea court, no less than a dozen of cases would be listed in the same time slot. We also share the JA’s observation noted at para 7 of the Consultation Paper of an increase of cases with high number of defendants.
4. We recommend a significant increase in the number of consultation rooms from 35 rooms for all courts to a minimum of 52 rooms for 26 criminal courts (i.e., a 1:2 ratio). Even though this would unavoidably reduce the size of the consultation rooms, two consultation rooms per court at least ensures that one defence team and the prosecution would have space for private consultation free of interference, which is essential to the proper functioning of the criminal justice system.
5. We recommend providing more consultation rooms for the two mega courts.

Interview Rooms in the Cell Area of the Correctional Services Department

6. Experience tells that the time needed to queue up for interview rooms in the cell area in the CSD area are often excessive. This suggests that the supply of interview rooms could not meet the demand for them.
7. There are however currently no details (e.g. size, number, facilities) of these interview rooms in the Consultation Paper (see para 19 of the Consultation Paper).
8. We propose that more details of these interview rooms should be provided to us for further comments.

Lifts

9. As noted in para 21 of the Consultation Paper, criminal cases are attracting an increasing attendance of the public. Long queue for lifts is not an uncommon sight.
10. We recommend that legal representatives should be given priority in using the lifts during rush hours (i.e. 9 am to 9:30 am & 2 pm to 2:30 pm).

Parking Space

11. It appears that there was no mention of available parking space in the Consultation Paper. Experience from the West Kowloon Law Courts Building suggests that parking spaces are inadequate especially when a few cases involving multiple defendants are heard there at the same time.
12. We propose that more details in relation to parking space in relation to parking space, especially the number of parking spaces that may be allocated for use by legal representatives, be provided to us for further comments.

Dated: 9 July 2021

Committee on Criminal Law & Procedure