

Judiciary to provide a new mega court in Wanchai Tower for handling SE cases

The following is issued on behalf of the Judiciary:

In response to media reports on handling of cases related to social events (SE cases), the Judiciary issued the following statement today (October 13):

As set out in the 2021 Policy Address Supplement on October 6, 2021 and the paper issued for the meeting of the Legislative Council Panel on Administration of Justice and Legal Services on October 11, 2021, the Judiciary is planning to construct one mega courtroom in the Wanchai Law Courts Building (WLCB) which is capable of accommodating up to 50 defendants, 100 legal representatives and 100 family members, media representatives or members of the public, mainly for coping with SE and other cases involving a large number of defendants. This mega courtroom, together with three additional courtrooms and associated facilities, will be provided during the interim years before the commissioning of the proposed new District Court (DC) building at Caroline Hill Road. The construction works are expected to start in May 2022 and complete in mid-2023.

The new mega courtroom in Wanchai Tower will complement the newly-renovated mega court of the West Kowloon Law Courts Building (WKLCB) which can accommodate SE and other cases with a maximum of 50 defendants, 100 legal representatives and 50 family members or members of the general public.

In the past one and half years, the Judiciary has been according high priority to coping with the upsurge of SE cases as expeditiously as possible while ensuring due administration of justice. While making continued efforts in increasing judicial manpower through recruitment of judges and appointment of deputies, the Judiciary has been making the best possible use of around 135 existing courtrooms suitable for criminal cases in 11 law courts buildings for handling around 80 hearings of SE cases each week.

The court has been proactively managing these cases to help ensure that they are disposed of within a reasonable time. These include imposing a tight procedural timetable, requiring justifications for adjournments and not accepting adjournments proposed by parties unless really justified, and requiring skeleton submissions prior to the hearing. Moreover, hearings have been held with longer and flexible sitting hours or Saturday sittings in appropriate cases.

The above pragmatic and multi-pronged strategy has proved to be effective and practicable. As at end July 2021, over 1 900 SE cases were brought before various levels of courts and around 1 400 or 74 per cent have already been disposed of. It is expected that the vast majority of cases at the Magistrates' Courts would have been disposed of by the end of this year.

The Judiciary will be focusing mainly on cases to be handled by the DC. By the end of July 2021, over 300 criminal cases were received, with about 250 cases yet to be disposed of. Many of them involve 10 or more defendants, entailing long trials, some of which lasting over 20 to 30 days. As compared with ordinary criminal cases, operational experience indicates that arrangements for SE cases tend to be more complex, mainly because quite a number of them involve a large number of defendants, legal representatives, media and public viewers, and evidence in the form of voluminous video recordings.

Given the limited number and capacity of existing courtrooms suitable for criminal cases, most of which were designed for cases with less than 10 defendants, the Judiciary has been adopting various pro-active measures to address these constraints.

In addition to the above-mentioned two mega courtrooms, the Judiciary has also been making efforts in providing additional court facilities for handling SE cases:

(a) enlarging 10 courtrooms in the WLCB from handling cases with a maximum of six defendants to up to 10-12;

(b) using adjacent courtrooms for broadcasting court proceedings at the WLCB and the WKLCB to enlarge the effective capacity of courtrooms (the paired courtroom arrangement); and

(c) recommissioning the Tsuen Wan Law Courts Building (as from October 4) for hearing cases of the DC which do not involve or attract many court users so as to free up courtrooms in the DC at WLCB for SE cases.

The Judiciary will monitor the situation with a view to identifying appropriate and feasible ways and means of expanding courtroom facilities for the above purpose.