

THE NEW CRIMINAL COURT COMPLEX

HIS HONOUR JUDGE MICHAEL WHITE*



Fig. 1: Artist's representation of the Criminal Court Complex

INTRODUCTION

The sceptics among us doubt there will be a dedicated Criminal Court Complex in place by 2010, and who would have thought that such a project would become a reality? Close to a reality it has become as the preferred bidder has been chosen, and the contract is about to be signed for the first Public-Private Partnership (PPP) project in the history of Irish Court construction and also the largest Courts project in the history of the State (bar, perhaps, construction of the Four Courts complex itself). The Office of Public Works (OPW) has provided a site at no cost to the Courts Service, at the junction of Parkgate Street

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and Infirmary Road, at the main entrance to the Phoenix Park in Dublin.

The experience of the judiciary has permeated the design of the complex. The judicial approach has not been inward looking, focusing on the needs of the judiciary alone, but has embraced the need for a building which caters appropriately for the general public, vulnerable witnesses, alleged victims and their families, jurors and other court users.

Crucial to realisation of the project is the major change in the administration of the Courts brought about by the establishment of the Courts Service in 1999 and the upturn in our country's economic fortunes which has ensured that capital spending on Court projects is unprecedented. Our Courts Service model, where Judges are centrally involved in administrative decision-making, has raised some concern, but those Judges who have got involved have made a difference.

I. THE PROVISION OF ONE DEDICATED FACILITY

The project will concentrate the administration of criminal justice, both national and local, into one dedicated facility. The Central Criminal Court, Court of Criminal Appeal, Special Criminal Court, Dublin Circuit Criminal Court and Dublin District Criminal Court will all be located in this facility.

Designed to be a landmark civic building, the complex will consist of twenty two courtrooms, sixteen of which will be jury courtrooms, and seven large courtrooms which will provide facilities for callovers and large lists.

All of the courtrooms (with the exception of the Special Criminal Court) will be multi-user, not assigned to any particular Bench, thus increasing their functional efficiency.

II. SEGREGATION OF COURT USERS

In the design for the Criminal Court Complex one of the most difficult tasks was to achieve a circulation pattern that ensured segregation of all the important users. The design chosen from the three shortlisted has achieved this, providing different access points to the courtrooms for Judges, jurors, the public and

accused persons in custody, thus ensuring that they will not come into contact with one another until they reach the courtroom. The generous size of each courtroom will also enable good separation of users within the courtroom itself.

Two of the most difficult problems frequently encountered in the Four Courts will therefore be solved, with contact between the families of homicide victims and the accused and their families kept to a minimum and an end brought to the indignity of persons being paraded in public in handcuffs.

III. FACILITIES

A. Facilities for Judges

The facilities for Judges in the new complex will be excellent. Judicial accommodation is on the top two floors of the building with separate access to the courtrooms and the basement car park. There will be a system of permanent chambers and ante-rooms contiguous to every two courtrooms. If Judges have to recess for a short period, the ante-room can be used, and if longer, Judges can return quickly to their permanent chambers. Facilities will include a common room and library with an outdoor roof garden, a dining room with an outdoor roof garden, secretarial facilities and a room for tipstiffs and criers. Judges will also be able to dine in their own chambers and have food provided from the central kitchens based on a daily menu. Judges entering the facility on foot will have access to a dedicated lift close to the main entrance.

B. Facilities for Juries

Jury trial has been central to the administration of criminal justice, but our jurors historically have not been treated well. Facilities were, and still are, basic. This will change when the complex is up and running. Jury facilities will be state of the art, with good quality waiting and dining facilities and jury rooms which will be comfortable and welcoming. The other essential reforms are a matter for the Executive: the payment of expenses to jurors, allowing them to separate during deliberations; and the widening of the franchise.

C. Courtrooms

A lot of thought has gone into the design of the courtrooms. As all of the courtrooms are on the outside of the circular building each will have access to good natural light, and a high specification in respect of acoustics and air quality. The courtrooms will range in size from 130 square metres to 175 square metres, with the standard jury court 140 square metres in size and the standard non-jury courts a slightly smaller 130 square metres. This is much bigger than existing courtrooms in the Four Courts: for example, Courts 1 to 4 in the Round Hall of the Four Courts are 120 square metres in size. The courts will all comply with the design in the standard courthouse brief which has been distributed to all members of the judiciary. The breakout space from courtrooms and information and access for the public will be excellent.

There will be two High Technology courtrooms and a further four video conferencing courtrooms all of which will have the capacity to provide for prison video link.

D. Facilities for Victims and Witnesses

A very welcome feature of the Complex is the provision of a victim support suite and reception in addition to separate areas for prosecution witnesses and vulnerable or child witnesses, which will also provide a video link to the courtroom.

IV. OPERATION OF THE FACILITY

As it is a Public-Private project constructed on a design, build, and operate contract, the operation of the facility will be in the hands of the Public-Private Partnership Company for a period of 25 years. They will be responsible for security, jury minding, catering, maintenance and information technology. The consortium has contracted a specialist company, Global Solutions Ltd., to provide the operation and maintenance. Fujitsu, the existing Courts Service IT provider, is part of the consortium with regard to provision of IT services. While this will be a novel experience for the Courts Service, there are detailed mechanisms in the contract by way of incentives and penalties to ensure a good standard of service.

V. THE ROAD AHEAD

The contracted construction phase for the Criminal Court Complex is thirty three months, with work scheduled to begin in the middle of the year. On present calculations the facility should be ready for occupation either in late 2009 or early 2010.

In tandem with this Project, there is a Sub Committee of the Building Committee of the Courts Service, developing a Plan for the redevelopment of the Four Courts as a Civil Complex with enhanced facilities to be developed on a phased basis.

VI. MORE INFORMATION

If any Judge would like a more detailed briefing on the Project, please contact John Mahon, Public Private Partnership (PPP) Unit, the Courts Service, Phoenix House, Dublin 7.