

DESIGNING A WORKING COURTROOM

The courtroom is the arena where the rule of law metamorphoses from an abstract concept to a distinctly human process – one in which criminal and civil feuds are adjudicated upon peaceably and according to laws equally applicable to all. It is a public place, where the administration of justice is portrayed not only to the litigants but also to the world at large.

In the design of the new courthouse at 415 George Street, Brisbane, the architects engaged in structured conversations with representatives of the Supreme Court and the District Court to identify the essence of a courtroom from both symbolic and functional perspectives. An appropriate balance had to be struck between authority and tradition on the one hand and functionality and innovation on the other, in the context of a raw in-situ concrete structure infused with natural light. It was a collaborative process between the architects and court users. We identified strengths and weaknesses in the courtrooms in the Law Courts Complex at 304 George Street and in other courthouses some of us had visited in Australia and abroad.

A survey of the courtrooms in the old Law Courts Complex showed courtrooms of varying sizes, some designed primarily for criminal proceedings and some for civil proceedings. There needed to be a similar mix in the new building. We agreed that long trials, with multiple parties and multiple sets of legal representatives, called for at least some courtrooms that were larger than those in the old building.

The decision as to the basic layout of the courtrooms was made at an early stage. The traditional model was chosen – with the bench centred on the far wall from the public entry, beneath the coat of arms, and, in the criminal courtrooms, the dock in the middle of the room facing the bench. This choice emphasised the authority of the judge and provided the necessary separation between the various participants in the proceedings. It was also compatible with the logical, grid-based design of the whole building.

As the planning advanced, we came to appreciate that an atmosphere of dignity and authority could be achieved by putting functionality before tradition for its own sake. For example, critical sightlines were unobstructed and there was no loss of formality when the bench was raised above the well of the court by only two steps. One long table was positioned in front of the bench, for use by the judge's associate, the court reporter and the bailiff, instead of there being a separate work station for each.

The floor plan of the criminal courtrooms had to allow for the presence of the defendant in the dock, attendant corrective services officers, and the jury. There had to be discrete, unimpeded pathways for persons in custody and the jury – on one side of the courtroom to the lifts leading to the cells and on the other side to the jury deliberation room, toilets and dedicated lifts. A glass partition was inserted behind the dock to provide mutual security between the defendant and people in the public gallery, and in two of the criminal courtrooms the dock could be fully enclosed in glass to provide extra security. The jury box was positioned along one side wall and the witness box on the opposite wall. The jury box allowed for as many as 15 people (12 jurors and up to three reserve jurors), with seating for 14 and space for one

wheelchair. Adequate, functionally positioned monitors had to be provided for the jury and the defendant, as well as the judge, counsel and those in the public gallery.

Designing courtrooms at a time of transition from paper-based litigation to E-trials was particularly challenging. They had to accommodate present practices and to have flexibility to meet rapidly evolving changes in procedure and technological support. The frequency with which witnesses give their evidence by telephone or video link or legal representatives appear that way was anticipated to rise. So, too, the use of video-conferencing facilities for the questioning of vulnerable witnesses and the assistance of interpreters located outside the courtroom.

The public character of the administration of justice mandated an adequate public gallery in each courtroom. That meant a gallery with sufficient seating capacity, and one where members of the public could see and hear the proceeding, including evidence presented in electronic form and or with audiovisual aids.

The media play an important role in informing the general public of court proceedings. Some provision for them was made by dedicated seating with fold-away writing tablets in the public galleries. One or more media rooms elsewhere in the building to which proceedings could be transmitted electronically were envisaged.

The public floors of the building are notable for their flat concrete ceiling soffits and structurally inverted floors. There is no ceiling lighting, and air-conditioning, power and data cabling and the sprinkler system run below the timber panel flooring. The side and back walls of the courtrooms have acoustic panelling. Concern that the noise of people walking over the timber flooring during proceedings would be distracting has to some extent proved well founded. Considerable attention was paid to lighting work areas such as the bench and the bar table, with perimeter lighting being supplemented by task lighting. Access for the physically disabled and sound enhancement for the hearing impaired had to be incorporated in an effective but understated way that was mindful of diversity but did not detract from the overall operation of the courtrooms.

The erection of a mock courtroom with prototype fittings in an industrial shed at Lawnton north of Brisbane was pivotal in the implementation of the design. All of the judges of the Supreme Court and the District Court had an opportunity to visit it, as did registry staff, bailiffs, court reporters, corrective services officers and some members of the legal profession. Their constructive criticisms and suggestions for improvement were invaluable in transforming the design into a working courtroom.

I was privileged to be one of the Supreme Court's representatives on the committee which facilitated liaison between the judges, the architects, the builders and relevant Government departments. It was an exhilarating experience to be party to a creative process that translated spaces into courtrooms. We are confident that those spaces have the inherent flexibility to be adaptable to the changing needs of the administration of justice.

Justice Margaret Wilson
30 September 2013.