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Guidelines on the organisation and accessibility of court premises

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Introduction

1. Improving the efficiency and the quality of the public service delivered by the justice system, in particular vis-à-vis the expectations of the justice practitioners and users, is a central element of the action of the European Commission for the Efficiency of Justice (CEPEJ). Its Working Group on the Quality of Justice (CEPEJ-GT-QUAL) is inter alia tasked to "draft concrete solutions for policy makers and for courts to improve the organisation of the court system" as well as the good functioning of the latter, including from a material and logistical viewpoint.

2. The purpose of this document is to provide a reference framework which could be of use to administrators and decision-makers for the construction of new court premises or the conversion of older buildings. These Guidelines apply to all branches of justice.
3. The CEPEJ believes that it is essential that plans to build or renovate court premises be drawn up in such a way as to ensure the delivery of high quality justice and take into account the users' expectations.
4. In particular, it is important for such premises to guarantee the tranquillity required for judicial debate. Accordingly, there are specific features of court premises which differ from those of an administrative building.
5. Public access to justice must be facilitated by improving reception in courthouses, in particular for persons with reduced mobility. The access to information by court users through IT must be encouraged. A further objective is to ensure that judicial staff benefit of good working conditions. It is also important to put in place security arrangements commensurate with the nature of the associated risks.
6. The construction of court premises should also allow for the concrete exercise of the defence rights or the detainee's rights.
7. The present document offers a series of guidelines for identifying the factors to be taken into account, with a view to enhancing the quality of the public service provided and facilities for accommodating the public.
8. This document has been prepared by the CEPEJ Working group on the quality of justice (CEPEJ-GT-QUAL) on the basis of a working document drafted by Gilles Accomando and Michel Perchepied (scientific experts, France).

1. A REAL ESTATE POLICY FOR COURT PREMISES

1.1 Understanding the real estate situation

9. This presupposes, as a first stage, an inventory of court premises, followed by an assessment of how they may be adapted to needs.
10. Compiling an inventory of existing premises will make it possible to initiate a real estate database, containing the following information:
 - Main features: address, status, owner, land registry references, date of construction, composition, number of floors, etc.
 - Planning information: applicable regulations, protection requirements, easements, etc.
 - Surface areas (land, buildings)
 - The use to which they are put
 - Staff
11. The next stage is to assess the condition of this real estate from a technical, regulatory, economic and functional point of view.
12. The technical assessment will review the various components of the building in order to classify their condition and how long they can be expected to remain (walls and roofing, technical equipment, internal and external layout); the regulatory assessment will establish the situation of the building from the point of view of the legal obligations to be complied with concerning premises open to the public (accessibility for people with disabilities, health and safety, physical security); the economic assessment will focus on the costs relating to rent and taxes, utilities, maintenance and operational costs; and the functional assessment will analyse the geographical and urban context of the building, its general organisation, public areas, areas reserved for users and secure areas.

13. These assessments should be carried out by visits to the premises, questioning the court managers and collecting financial data and reference documents concerning the functioning of the building. They may be supplemented by thematic audits in accordance with the priorities that have been identified.

14. The results of the assessment will be added to the database.

1.2 Prospective analysis of the activity

15. This analysis will be based on the judicial map and any changes that may be planned. The CEPEJ has produced guidelines for the creation of judicial maps ([CEPEJ\(2013\)7Rev1](#)). Several factors must be taken into account in order to achieve the best compromise between the activity of the courts and closeness to users: population density, size of the court; case-flow and geographical location.

16. This revision of the judicial map must be based on objectives designed to improve access to justice, efficiency, enhance specialisation or improve overall importance, in the light of performance indicators. These indicators are of different types: financial, such as the cost of justice per inhabitant, access to justice, such as the number of courts per inhabitant, and performance-related (length of dealing with the number of pending cases). They may also be qualitative, with indicators of satisfaction among court users.

17. The overall prospects regarding functional trends in the organisation of the courts must also be incorporated where these are known – for example the reorganisation of jurisdiction between the courts.

18. Where there are no changes to the judicial map, it is a question of identifying the target staffing levels and therefore the theoretical surface areas needed in the medium and long-term, based on statistics on staff levels and court activity, and on demographic projections.

19. These simulations can be carried out using different geographical scales, depending on the available demographic projections.

20. The method can be refined to distinguish trends in staff categories or by type of court.

1.3 Drawing up a real estate master plan

21. By incorporating the parameters derived from the assessment of buildings and the shortfall between existing and theoretical surface areas, it is possible to identify the priority action to be taken in terms of real estate.

22. More precise feasibility studies and in-depth technical audits may be carried out on these sites to specify the work schedule to be implemented and to estimate the related costs.

2. CONSTRUCTION OR RENOVATION: THE CHOICE TO BE MADE.

2.1 The choice criteria

2.1.1 Anticipated future activity

23. Following the prospective activity analysis, it is essential to assess whether or not the existing surface areas can satisfy needs. If they cannot, then it will be necessary either to construct new premises or extend existing ones.

2.1.2 Grouping of various sites in one location

24. Grouping different courts into a single site provides for improved citizen access to the public service of justice. It also enables optimum use to be made of common spaces.

25. The overall surface area of the courts in a town or city will consequently be significantly reduced in the case of a court complex grouping all the courts together compared with a town or city which has one building for each court.

26. Depending on the court tradition in each country, if certain courts have their own specific identity, then having different sites is not necessarily an obstacle to access to justice.

27. Grouping different courts together often necessitates the construction of new buildings. The conception of such buildings, moreover, is more complex as they may also be used for dealing with criminal cases involving the bringing in of detainees who have to be routed through special secure channels.

2.1.3 The condition of the building

28. A technical assessment of the building is a key factor. When the work involved concerns the very structure of a building, the cost comparison between renovation and a new building would tend to favour the latter.

29. A detailed technical analysis of the possibilities of reusing the building should be carried out, together with an architectural, economic and functional feasibility study.

2.1.4 Adaptation possibilities

30. Courts are often buildings of historical interest and as such are protected by regulations restricting the alteration work that can be carried out.

31. While adapting old buildings – rooms with high ceilings, wide corridors, etc. – to the new requirements of justice may be technically feasible, it could give rise to additional costs in terms of both construction and use.

2.1.5 Location

32. Court premises are often located in town centres where it is rare for there to be land available for extending the building. In addition, the cost of land is often significantly higher.

33. Constructing new buildings presupposes acquiring or having available relatively large areas of land which are often to be found only in areas lying outside town centres. In choosing sites, it is important to consider the urban development prospects in the medium and long-term for the town and the neighbourhoods concerned: relocation of poles of attraction, changes to transport networks and urban development plans. Excellent public transport links and proximity to public parking areas are particularly important.

2.1.6 Maintaining the continuous operation of the courts

34. Renovation presupposes either maintaining the activity on-site or finding temporary off-site solutions (see under 6 below). These arrangements may be complex and costly to implement and must be studied at the same time as considering the final real estate solutions.

35. If a new construction is opted for, it has to be determined whether the existing sites can be maintained during the building phase and whether they have the capacity to deal with the case-flow. In particular, the courts located in areas where there are significant demographic developments may encounter difficulties if too much time elapses between the planning and implementation phases of the project, for example for budgetary reasons.

2.1.7 Taking account of budgetary resources

36. The advantage of renovation work is that it can be done in phases whereas all the work involved in a new construction has to be fully financed in order for it to have the desired benefits.

37. In addition to the spreading out of the financial impact, phasing also makes the problem of interim alternative accommodation somewhat easier.

38. This phasing of the work has to be spelled out in the architects' specifications and the study phase must cover the whole work to ensure consistency between the initial stages and the final project.

39. Nonetheless, the work cannot be spread out over too long a time as changes in the regulations or in needs may call into question the validity of the initial project.

40. It is therefore very important, in the light of all the needs identified in the assessment stage and quantified in the feasibility stage, to specify the budget allocated to the construction, which will then directly determine the annual volume of work that can be funded, and for how long the investment will be required.

2.2 Analysis of the criteria and implementation of a real estate policy

41. The main aspects here will focus on new constructions on the sites which are in the greatest state of disrepair and where constraints are greatest, and considerable restructuring with possible extensions on other sites.

42. Projects will have to be prioritised in accordance with the following criteria: available resources, condition of the buildings as revealed by the assessment stage, the likely adverse impact on operating conditions in the light of the prospective activity analysis, and the size of the court.

43. Certain more minor work for technical or functional upgrading could also be included in this phase and be added to the multiannual work programme.

44. In addition to the planning of remedial work, it is also necessary to specify an annual budget for preventive work making it possible to extend the life of the building's technical components and delay remedial action.

45. All these activities will constitute the multiannual real estate programme.

46. The choice between new building or renovation is a decision which can be part of a broader approach than one based solely on the above criteria.

47. The courthouse is a prominent public landmark and as such, the construction of a new court building may derive from a desire by the public authorities to group various public buildings together in another location (town or neighbourhood).

48. Conversely, the historic siting of a courthouse in a town and therefore keeping it in the same location may be the predominant criterion underlying the choice.

3. TAKING THE SPECIFIC JUDICIAL FEATURES INTO ACCOUNT

3.1 The courthouse is a public building

49. The courthouse is a public building having its own specific features. Like every public building it is subject to certain regulations (fire safety, type of materials used, etc.) not covered in this document, which fall within the architecture field.

3.2 Judicial symbolism

50. A courthouse is a building specifically for delivering justice. In the model of the Greek temple which prevailed in the 19th century, courthouses are generally built in an elevated position – a distinct, enclosed and sacrosanct place. This type of building emerged in Europe and also in the United States, and this is the image of a courthouse that remains in most people's minds.

51. Some studies¹ have highlighted the common features of this judicial symbolism and the perceptions of justice to which it gives rise.

52. The classic image of a courthouse with large staircases, huge dark foyers and imposing statues can be intimidating for the public.

53. The symbolism of the courts has changed; this reflects the way the very concept of justice has evolved. The aim is no longer to overwhelm the public with vast, dark spaces. In contrast,

the trend today is for light in the buildings, easy access for the public and a symbolism which is often less grandiose and more welcoming for the public.

54. Nonetheless, there has to be some judicial symbolism, so that the building can be easily identifiable as a place of justice and as a public space. Particular attention should be attached to the architecture of the entrance façade.

55. Within the courthouse, the need for symbolism is greater in criminal law matters than in civil law due to the increased formalisation of the procedures.

56. However, if from the architectural point of view it is decided that the building should be clearly identifiable as a place of justice from the outside, this will be to the detriment of its subsequently being used for other purposes. If, as a result of a reorganisation of activities, it is decided to relocate, redevelopment of the existing site could prove to be a substantial resource for financing the new premises, but if it is too clearly a judicial building, then this could make any conversion work excessively complicated.

Two examples of façade of a courthouse: the Strasbourg courthouse (Palais de Justice), on the left, example of a classical façade, and the European Court of Human Rights, on the right, example of contemporary façade.



3.3 Compiling documentation specifically for architects

57. The specific rules recommended by the CEPEJ for new buildings and for renovation work are given below (5 and 6). Whatever the type of construction however, it is important for architects to be informed of how the courts operate so that they can adapt the buildings to the operational and technical needs of the courts. Similarly, users should also be involved in the project.

58. The operation of a court is complex for anyone outside the judicial world. Architects must be properly apprised of all court procedures and the role of each stakeholder.

59. The documentation provided should take account of the specific procedural aspects. The position occupied in the court room by prosecutors or representatives of the prosecution authorities differs from country to country in Europe.

60. The first stage in compiling this documentation could be an analysis of the functional quality of a sample of the existing buildings, in particular in terms of the architecture, functionality, security and maintenance.

61. This means that the project management team must have a functional and technical reference framework, so as to be able to harmonise the construction or renovation of the court premises from the point of view of internal organisation and performance.

62. This document will serve as a basis for drawing up the schedules for consultation of the contractors to whom the work will be assigned.

63. It will also serve as a basis for consultation and dialogue with users so that their specific needs can be taken into account within a common framework.

64. It is important for the final programme given to the architect to include a prioritisation of objectives established by the contracting authority given that implementation of a project requires certain decisions to be taken where there is incompatibility between several objectives, taking account of the nature of the site or the surrounding area, for example. In such cases, these decisions should not be taken by the architect according to his or her own interpretation, but in line with the order of priorities laid down by the contracting authority.

3.4 Involvement of users in the project

65. As with any architectural project, users must be involvement in the implementation. In the judicial field, in addition to the opinions expressed by the judges, security officers and public servants who will be occupying the premises, the observations of the lawyers and barristers must also be sought.

66. In the programming phase, it is essential to observe in situ how the activities are organised, and interviews should be held with a sample of users of the building, court staff and law-clerks.

67. Setting up a steering committee and possible thematic working groups will help define needs more closely and ensure that the project is consistent with those needs.

68. It will also be helpful to obtain the opinions of the health and safety committee and the occupational physician.

69. In parallel, a communication plan may also be set up to provide information on the progress made in the project, the arrangements which will improve working conditions and reception of the public, and any disruption during the construction. This could be carried out by mailshot, a dedicated website or regular newsletters.

4. CONSTRUCTION OF NEW PREMISES

4.1 Accessibility to the courthouse

4.1.1 Simplified access regardless of mode of transport

70. The choice of site often depends on what land is available or on public development plans. However, in order to facilitate citizen access to the public service of justice, it is essential that the court has good public transport links. It is also essential for there to be public parking nearby, and where possible a drop-off area.

71. Pedestrian access must be free of encumbrances and clearly marked.

4.1.2 Access for persons with reduced mobility

72. Particular attention should focus on such persons. Raised entrances represent the first difficulty they face, even if there are ramps.

4.1.3 Information on access to the courthouse

73. The public must be provided with information on access to the courthouse. It is helpful if the court website provides information for citizens on the location of the court, public transport links, opening hours, the layout of the courtrooms, times of hearings, etc.

74. The courthouse must also be clearly identifiable from the public area outside, either from its architectural symbolism, a sign placed close to the entrance such as a flag pole with flags or other external feature, or by a sufficiently large sign on the façade. An information board at

the entrance should indicate opening times to the public and there should be a letter box close by for documents which would otherwise be sent by ordinary mail to be deposited when the building is closed.

75. Consultation with the local technical services should also make it possible to study and put in place appropriate signage directing people to the building from the main traffic routes.

4.2 Citizen reception

4.2.1 An architecture designed with citizens in mind

76. When citizens enter a court building, they often feel they have stepped into an unknown world. To overcome this apprehension that many people feel, the premises should offer reassurance and the reception area should be welcoming.

77. The imposing nature of conventional courthouses conveys to citizens the power of the law and justice system and can be intimidating. Contemporary architecture tends to produce a new type of environment using natural light and a variety of materials. Such buildings help put citizens entering the courthouse more at their ease.

4.2.2 Reception areas

78. Immediately upon entering the courthouse, the public should find a reception area providing three types of information: where exactly to go, information on the stage reached in the proceedings, and legal information.

79. The reception area for directing people to where they need to go should be able to cater for people both with and without disabilities, for example with reception counters at two levels and audio induction loops for people with hearing impairments. This orientation area could be enhanced by information displayed on monitors showing the distribution of hearings, times or the parties concerned. In addition, the directional signs could be complemented by floor markings (with lines showing the direction to follow) or more detailed signage especially in buildings comprising several different courts.

80. It is essential that reception staff are physically present, so as to answer any questions from court users who may often feel intimidated, and in this way exert a calming influence.

81. There should be a second, confidential reception area to provide information on the stage reached in the proceedings and/or legal information. This area should be occupied by dedicated staff or on a rota basis organised among the different departments, lawyers and outside associations in specially designed areas able to accommodate one or more people.

82. In each courthouse it is essential to specify the tasks to be carried out by the reception services and to assign competent staff to those tasks. It is essential that reception staff are physically present, so as to answer any questions from court users who may often feel intimidated, and in this way exert a calming influence.

83. The information provided should dovetail with that available on a website or given over the telephone.

4.2.3 Signage and display of practical information

84. Signage is of particular importance in a court building, especially as citizens often feel out of their depth in coping with procedures and even more at a loss in finding their way around.

85. Practical information on the scheduling of hearings should be displayed using information panels on monitors.

86. In the larger courts, reception staff should provide the public with a leaflet showing the plan of the various departments. In addition, it is helpful for the public if reception and guidance staff are available beyond the reception area.

4.3 The functional aspects of the building

4.3.1 Zoning

87. There should be three main zones, the first for reception of the public, the second restricted to judicial staff and the third a secure zone. Security measures and movement within the building will be specific to these different zones.

4.3.2 The areas reserved for judicial staff

88. The functioning of a court depends on the professional staff working there on an ongoing basis. This aspect is often underestimated in the architectural plan which focuses primarily on the architectural design of the building in terms of the entrance façade, the foyer and the courtrooms. The preparation of a specific document for architects (see 4.3 above) will be of particular benefit for the design of this area.

89. Consultations between the architects and users is even more important for determining the size of offices, where they are located in view of the procedures followed, and the provision of storage and meeting areas.

90. Such areas must satisfy the characteristics common to any office building: fittings, ergonomics, light.

91. First of all, they comprise the professionals' working areas, including office furniture and storage areas for the ongoing files that the person concerned is dealing with, an area for receiving visitors if appropriate, and if necessary, technical equipment (for example, for recording hearings).

92. There can be various approaches to designing these work areas depending on the specific anticipated working methods:

- work requiring concentration on a file which is carried out particularly by a judge will be made all the easier where the space is arranged into individual offices which are well sound-proofed from each other.
- team work will be made easier if there are areas with several workstations, which could even follow the open-plan approach.
- It is also possible to combine the two with individual offices in one part and work areas where working jointly with others is possible in another part. In this case, to optimise the total surface area allocated to workstations, thought could be given to "hot desking" in which a workstation can be shared by several members of staff. An adequate number of meetings rooms must also be foreseen.

93. Each of these approaches has its own technical and ergonomic requirements to ensure a satisfactory working environment.

94. It would also be sensible to determine a typical working area ratio for each workstation in the technical documentation so as to keep this total surface area under control when finalising the programme.

95. The total number of staff to be taken into account must include anticipated changes in the judicial map and the provision of workstations for trainees and non-permanent staff (associations or external services, for example). The percentage to be allocated to offices for temporary use should be around 15% of the surface area for permanent workstations.

4.3.3 Taking service areas into account

96. Like any public building, courthouses have technical premises complying with the standards in force in each state. What is different about court buildings is that they require premises to store files and evidence. In many states, procedural rules require files or evidence to be stored for several years and premises designed for this purpose often prove to be too small.

97. The logistical aspects need to be carefully studied to ensure easy access for delivery vehicles, unloading and subsequent transfer by trolley to storage areas.

98. Provision must also be made for certain services for the public and staff, for instance crèches, restaurant and coffee-break areas, water fountains, Wi-Fi terminals, and libraries.

4.3.4 Areas specifically for lawyers

99. In view of the fundamental role played by lawyers in the various procedures, there is a need for dedicated premises in the courts with confidential areas for them to meet their clients.

4.4 Security in the building

4.4.1 Different levels of security depending on the type of case

100. The rise in the number of physical and verbal attacks in recent years has led to the need to strengthen security in the courts. It is essential to define, for each court in the light of the type of cases it deals with, the appropriate level of security, or to differentiate within one and the same building, levels of restricted access, with some areas having tighter security measures. For example, courts dealing with organised crime must have enhanced measures, including in certain parts of the building such as the car park reserved for court staff.

101. Particularly vulnerable positions are those dedicated to reception of the public. For these positions, it would be useful to introduce a physical separation between staff and the public. However, the installation of technical equipment (security screens, for example) should not have an adverse effect on the quality of the reception of the public by causing communication difficulties. Systems can be installed such as sliding windows making it possible to adapt the level of separation in accordance with staff needs and the situation at the time. It would also be worth considering to have a simple means whereby documents can be passed through.

102. Offices for individual appointments with the public or taking statements are also highly vulnerable areas and such premises must be designed with two access points, one for the public and one, at the opposite side of the room, for staff through which the latter can exit if there is any threat.

103. Specially equipped rooms (with reinforced security, different exit points) should be envisaged. They should be reserved to certain cases, including civil cases, in which there might be concerns as regards the occurrence of violent behaviours between the parties or towards judicial staff.

104. Alarm equipment connected to reception or the security desk will ensure that outside intervention is possible.

4.4.2 Zone-specific security measures

105. By specifying the three zones (public, restricted and secure) it is possible to establish different security measures for access to each zone.

106. Access to the public area may be unrestricted or involve the public passing through a security gate. For the area restricted to court staff, a filtering system (presentation of professional ID) or badge system can be used to control access.

107. The secure zone includes the area where individuals brought under escort are held. Depending on the size of the court, one or more areas may be secured in this way. These zones will be subject to enhanced security with restricted access via a separate entrance.

4.5 Movement within the court building

4.5.1 Clearly defined zones

108. Having three distinct zones makes it possible to limit movement within the building. It is essential to analyse the services to be provided to citizens in the public zone: public hearings, chamber hearings, reconciliation meetings, seated area for registering procedures. The underlying principle is to limit public access to the restricted zone in the court and to have premises in the public zone where the judges and court officers can go to provide their services to the public. The judge should be allowed to work in peaceful conditions, without justice users having unlimited access to his office.

4.5.2 Differentiated routes

109. As far as possible, there should be different routes for the public, the staff and detainees.

110. For security reasons, it is imperative to have a specific, separate route for detainees. Depending on the size of the court, separate entrances can be provided for staff.

111. Within the courthouse, court staff should have their own separate route by which they can access the courtrooms, and if necessary, according to different national traditions, different entrances for judges and prosecutors may be foreseen, in order to mark a clear difference between these two professionals.

112. It is also important for there to be routes for juries and vulnerable witnesses, which may be either specially for them or shared with court staff.

4.5.3 Movement of people with reduced mobility

113. This factor should be taken into account not only when designing the public routes but also the routes for detainees and the justice professionals.

4.6 Courtrooms

4.6.1 Number and size of courtrooms

114. The number of courtrooms should be decided in the light of a provisional timetable of hearings based on the volume of cases dealt with by the courts in question. Having the different courts share the courtrooms makes it possible to limit the space reserved for this purpose. In assessing needs, it is essential to factor in additional capacity to cater for any increase in activity (for example 30%).

115. The size of courtrooms should be adapted to the type of cases dealt with. It is perhaps not necessary to make provision for a separate courtroom for cases where a large number of people would attend, but rather a room with a moveable partition wall between it and the foyer so that this area could be used where larger capacity was required.

4.6.2 The different types of courtroom

116. In Europe there are different courtroom layouts (area for the prosecution, witnesses, raised areas etc.) for which it is up to each state to lay down the rules.

117. In general, the following points should be noted:

118. In criminal cases, there is a separate access for detainees with a secure dock for them and their escort. The dock must have a sufficient level of security so as to prevent any physical contact between the accused and the other people in the courtroom or the possibility of anything being thrown at defendants, while still allowing for communication between the accused and their counsel, seated or standing. If possible, courtroom layout should accommodate the possibility of separated sitting arrangements for witnesses.

119. In civil cases, conventional courtrooms are used, i.e. with rooms in which the litigants are on the same level as the judges and lawyers, seated around the same table. Often there is an insufficient number of such rooms.

120. Particular attention should be paid to the design of conciliation or mediation rooms, bearing in mind the increase in settlements of this type.

4.6.3 Courtroom equipment

121. The quality of acoustics is of particular importance to enable the public to follow the hearing. Excessive reverberation must be avoided and for large courtrooms, an effective soundproofing system should be in place.

122. The courtroom should have facilities to view films or computer media.

123. Certain courtrooms should be designed so as to allow for videoconferencing.

124. It is important that the parties are able to communicate directly with their defence counsels without being heard.

125. In certain countries, a « justice of cabinet » is emerging, for instance in family disputes. Processing these case requires that parties be met in a place allowing to preserve the intimate character of the subject which is being dealt with. Offices, small hearing or meeting rooms for this type of "justice of cabinet" could be set up in areas which should be different from the office of a judge.

4.6.4 Waiting room design

126. There must be waiting rooms of an adequate size corresponding to the number of courtrooms that are planned. The main area through which people pass (the foyer) could be designed in such a way as to have separate areas for each of the different types of hearing: public, family cases, specialist hearings.

127. For courtrooms hearing family cases or for matters heard in chambers, it would be preferable for there to be separate waiting rooms for the two parties. For criminal hearings, there should be a separate waiting room for witnesses.

128. Particular attention should be paid to the victims of criminal offences and, where necessary, ensure that there are separate waiting rooms for them.

4.6.5 Other useful facilities

129. It would be helpful to have confidential areas for discussions between defendants and their counsel close to the courtrooms. A press room would also be a useful addition.

130. Toilets should be close by for litigants while they wait for their hearing, and vending machines where they could buy drinks should also be available. Their number should be proportionate to the court needs.

5. MAKING PROVISION FOR POSSIBLE EXPANSION OF THE BUILDING

5.1 Having additional land in reserve

131. Given the time that elapses between the design stage and the completion of a building, it is not always possible to take account of court developments. Having additional land in reserve is one way of ensuring that a future extension would be possible.

5.2 Opting for a modular approach

132. Restructuring is frequent in the judicial field and requires regular adaptation of premises.

133. To assist with the reallocation of space, it is a good idea to opt for buildings with standardised office unit dimensions, and partition walls and ceilings that can be dismantled in these areas.

134. Similarly, it would be worthwhile designing courtrooms in such a way that a large room could be divided into two smaller rooms, which could, when required be joined together again if a large room were needed.

5.3 Incorporating maintenance costs

135. Certain architectural choices entail high maintenance costs which are subsequently difficult to afford. Such is the case, for example, with large glass surfaces which require special means of maintenance, or water features whose upkeep is difficult.

5.4 Taking sustainable development into account

136. This is now taken on board in most public construction projects. A court building, with large areas such as the courtrooms and foyer, generates heating and lighting costs that will have to be kept under control.

137. Sustainability and ease of upkeep: materials should be chosen after careful study of their sustainability, in particular in the light of the specific use to which the building will be put.

138. There should be the means of monitoring the performance of the heating, cooling, ventilation and lighting systems.

139. Limitation of energy consumption: particular attention should be paid to the performance of the insulation of the building envelope and to the efficiency of the technical equipment (heating, cooling, ventilation and lighting).

140. Comfort and health: particular attention should be paid to the design of solar protection devices, ensuring stable temperatures, making a distinction between the various routes depending on the direction the façades are facing and their exposure to sunshine, to the quality of natural light and to control of ventilation air speed.

5.5 The logistics for the new technologies

141. The logistics facilities should allow for adaptation to the new technologies. As things currently stand, few courtrooms are equipped for videoconferencing. The placing of equipment in courtrooms should be arranged in such a way as to ensure that hearings can be conducted properly and that all participants have a full view of everything.

142. Moreover, network connections and cabling must take account of foreseeable technological developments.

143. Free access to Internet through WI-FI should be encouraged in the reception areas for the public.

5.6 Conversion to other uses

144. Where real estate policy results in permanently moving out of a court building, whether it can be used for other purposes will very much depend on its architectural design, imbued to a greater or lesser extent with judicial symbolism. The design of a simple building housing a civil court will not be very dissimilar to a typical office building and therefore much easier to convert than a courthouse dealing with criminal cases having separate circulation routes and large, secure courtrooms.

145. However, consideration given to opting for a modular approach, described in section 6.2, can also help make subsequent conversion of a courthouse much easier.

6. RENOVATION OF EXISTING BUILDINGS

6.1 Complete renovation

6.1.1 Particular aspects of worksites in buildings which continue to be in use

146. The simplest solution in order to maintain the operation of the court is to provide for total rehousing during the work, which avoids having to deal with continuing to run the court while building work is taking place.

147. However, given the regulatory constraints relating to buildings open to the public, those relating to separation of movement to ensure the safety of staff and the need to have large courtrooms, total rehousing of the court is not always feasible, either because a suitable building cannot be found within the court's jurisdiction, or because the funds are not available to adapt a building for temporary court use in addition to financing the work on the existing building.

148. An intermediate solution would be to relocate at least in part the office areas so as to carry out the work in phases. The work is then done in turns, with departments being rehoused one at a time. The rehousing can be done in office buildings close to the courthouse or in modular buildings if there is sufficient space on the existing site. The courtrooms should also be renovated in turn to keep to a minimum the reduced capacity for hearings in the court. It may be possible to make provision for a smaller courtroom in the premises used for the temporary rehousing. The smaller the individual phases of the work, the longer it will take for the whole work to be completed.

149. During this phased work, with the building continuing to be partially in use, it is important to ensure a clear separation between the areas where renovation work is taking place and the areas operating normally, both for the safety of the public and so that the two activities do not impact on each other:

- Provision of separate access points and circulation routes: the worksite areas should have a separate access linked to the area for the materials storage area and waste area.
- Arrangements to ensure that the workers and the material do not circulate through the areas open to the public: temporary outside staircases, goods lift, discharge chutes, etc.
- Temporary partitions to ensure protection from the dust and noise of the renovation work. It may be necessary to adapt the emergency exits.

6.1.2 Consultation on the scheduling of work

150. There has to be effective consultation with the court manager during the studies to stipulate the necessary arrangements to be included in the firms' specifications.

151. The work entailing the most disruption can be scheduled to take place outside the times when the building is open to the public, in the evening or at weekends. The firms must be made aware of these arrangements to avoid any complaints when work is in progress. The impact on the timetabling of hearings must also be taken into account, in order to adapt the issuing of notices to litigants with due regard for the regulatory time-frames.

152. This consultation must continue when work is in progress, with the setting up of a co-ordination unit including the main contractor and representatives of the court manager to ensure effective communication ahead of each work phase and to co-ordinate the scheduling of work and the timetabling of the court. It would also be helpful to include in this unit the firm responsible for site maintenance to schedule the work required on existing technical installations (cuts, insulation, draining, laying on the water supply, etc.).

6.1.3 Adapting the reference documentation

153. The reference documentation for the architects will be the same as that for new buildings.

154. However, often the level of functional, technical and regulatory requirements will have to be tailored to what can feasibly done with the building in order to remain within a reasonable budget, bearing in mind, moreover, that the risk of technical hazards is much higher in restructuring an existing building than it is when constructing a new building.

6.2 Ensuring compliance with regulations

155. This will involve specifically focused action to comply with regulatory or technical obligations.

6.2.1 Scheduling of work

156. It will be essential to identify the priority areas of work in order to optimise the available resources. These priorities may be disseminated by means of an annual circular setting out proposals for inclusion in the multiannual programme. This programme will be based on current regulations and an analysis of the condition of the real estate by means of the assessments described in 2.1. The main points concern accessibility for people with disabilities, energy savings and fire safety.

6.2.2 Accessibility for people with disabilities

157. Recommendation 1592 and Resolution 1642 of the Parliamentary Assembly of the Council of Europe advocate adapting the built environment to make it accessible to people with disabilities by applying universal design principles and avoiding the creation of new obstacles.

158. The first phase is to carry out a systematic audit of all the real estate to be able to define an accessibility index, draw up a list of work to be carried out to ensure compliance with regulations and work out the cost. The priority work will relate to those buildings with the lowest accessibility indices, receiving the most people.

159. The second phase is to carry out detailed feasibility studies on the priority sites. As the buildings are often old, subject to heritage protection measures, structural work on entrances and staircases will be complex and costly. Prior to any work to ensure overall compliance with regulations, thought needs to be given to the functional organisation of the building and to bringing those services dealing with the most people closer to the building entrance.

160. This type of restructuring also helps improve safety in the building, by limiting public access to the new office areas.

161. In addition, a study of the different options for ensuring compliance with the regulations may serve as a basis for a discussion with the departments responsible for heritage protection and those responsible for regulations regarding people with disabilities, so as to result in projects which will be given planning permission. This phase may also give rise to dispensatory solutions approved by the relevant departments which are less costly than work to bring the building fully into line with regulatory standards.

162. If there are serious budgetary constraints, then the work should be carried out in stages depending on the importance of the aspects to be brought up to standard as regards people with disabilities, in the following proposed order:

- access to the building
- the reception area
- one courtroom per type of use (criminal, civil, hearing in chambers)
- toilet facilities close to reception and the courtrooms

163. In addition to the work relating to accessibility for people in wheelchairs, provision should be made for work in connection with other disabilities: for example, improving lighting and signage for people with visual impairments, the provision of audio induction loops for those with hearing impairments, and adapting door handles and the height of light switches. Very often, this work also helps improve the quality of reception for the general public.

6.2.3 Taking respect for the environment into account

164. An effective policy in this regard should be based on concerted action between the day-to-day use and maintenance of and investment work on the buildings.

165. With regard to the day-to-day use, it is essential for the court managers to raise the occupants' awareness of the challenges, objectives, steps to be taken and results obtained.

166. Steps should be taken to limit the use of individual devices which use a lot of energy, such as supplementary heating and lighting, individual printers or individual kettles or coffee machines.

167. A commitment to comply with reasonable summer and winter temperature norms, and regulatory ventilation airflows could also be made known and enforced.

168. Concerning maintenance, the introduction of performance clauses in contracts should bring about changes in practices by encouraging firms to make savings in relation to a baseline situation: compliance with temperature and ventilation norms, installation of meters and timer system, replacement of lighting sources, installation of heat recovery systems and rainwater recovery systems for watering, restricting the temperature of the water heater for hand washing, etc.

169. The real estate investment policy should make it possible to carry out the most extensive work by seeking to optimise the relationship between expenditure and the savings generated.

170. The first phase of this policy is to gather data on electricity and gas consumption in each building. Problem sites can be identified in the light of the total energy consumption of each site and its consumption per m².

171. In the light of the total consumption for all the real estate, it is possible to set a global target for reducing consumption.

172. Priority action will focus on the sites with the highest consumption per m². There is no point in trying to ensure that each building meets the reduction target.

173. The work will focus on insulation of the building envelope and optimisation of the technical equipment.

174. For the less complicated sites, the analysis will be based on the assessments described in 2.1. For the more complex sites, identified as priority sites, detailed audits should be carried out to draw up and quantify action plans.

175. Account must be taken of the time taken to obtain a return on investment in the optimisation work in order to draw up a work schedule (cost of investment divided by consumption savings). In this connection, it will be noted that the return on investment in equipment takes considerably less time than does investment in insulation of the building envelope.

176. The work on equipment which is of interest here includes, in order of priority, replacement of the heating or air-conditioning system, installation of timers, optimising ventilation flow rate, replacement of lights or the installation of timers or sensor-dependent lighting control.

177. The work on insulation of the building envelope which is of interest includes, in order of priority, roof insulation, floor insulation, wall insulation and replacement of external joinery. For the latter, in view of the very long lead time for return on investment, it is basically justified only where it is in a very poor condition.

6.2.4 Fire safety

178. Building regulations precisely set out the rules to be adhered to in buildings open to the public.

179. Regular inspections can give an up-to-date picture of the situation of the building vis-à-vis the regulations and specify corrective measures.

180. If major work is carried out on the building, the authorities responsible for enforcement of the fire safety regulations may require more extensive work to comply with the regulations.

181. In such cases, the aim is not to bring the building up to standard, but in the light of a fire-safety analysis, to suggest ensuring the safety of the building by means of compensatory measures to offset the situations which deviate from the regulations, where full compliance would be technically or financially too onerous to implement. Finalising these plans to ensure the safety of the building presupposes close consultation with the departments responsible for fire safety in public buildings.

¹ GARAPON Antoine, *Bien juger, essai sur le rituel judiciaire*, Odile Jacob (2010) ; GARAPON Antoine, *Imaginer le palais de justice du XXIe siècle*, Institut des hautes études sur la justice, 2013 ; MULCAHY Linda, *Legal architecture*, Routledge (2011); RESNIK Judith, CURTIS Dennis, *Representing Justice*, Yale University Press (2011)