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MEASURES ADOPTED BY THE HEADS OF COURT TO CURB THE SPREAD OF COVID-19 IN ALL COURTS.

17 MARCH 2020

DIRECTIVES ISSUED BY CHIEF JUSTICE MOGOENG MOGOENG IN TERMS OF SECTION 8(3)(b) OF THE SUPERIOR COURTS ACT, 2013.

Whereas on Sunday, 15 March 2020 Cabinet decided that:

- (i) gatherings of more than 100 people will be prohibited; and
 - (ii) where small gatherings are unavoidable, organizers will need to put in place stringent measures of prevention and control,
- in order to curb the spread of COVID-19 in South Africa,

Now, therefore, the Heads of Court have decided to adopt the following measures:

1. Persons with a material interest in a case, such as practitioners, litigants, accused persons, witnesses, those who may be needed to provide support such as those accompanying children, victims of domestic violence and/or sexual abuse, elderly and people with disabilities, family members, representatives of special interest or support groups and members of the media will be permitted to enter the court precinct.
2. All court buildings shall be secured to avoid exposing Judicial Officers, court staff and members of the public to risk. To that end, the following measures shall be put in place:
 - a. Decontamination of reception and admission areas / community service centres, court rooms, cells / detention facilities, offices, lifts, vehicles, biometrics and ablution facilities; and all other objects that are generally



- touched by persons utilising the facilities including handles and taps.
- b. Floor and work surfaces of court rooms, with special focus on maintenance, domestic violence and children's court, shall be disinfected periodically, at least twice a day during working hours;
 - c. Assignment of officials who will sanitise hands of officials (including service providers), persons in custody, inmates and visitors at all entry and exit points;
 - d. Installation of secured alcohol (ethyl alcohol 70%) based sanitizer dispensers at all points of entry, exit, work stations and in the passages/corridors;
 - e. All officials at reception, admission and operational areas shall be issued with appropriate protective equipment i.e. heavy duty gloves, N95 masks, protective eye shields etc (as per the Department of Health Standard Operating Procedures);
 - f. Gloves shall be sanitised between searches;
 - g. Handheld infrared thermometers (scanners) shall be made available to conduct the temperature screening of Judicial officers, staff and members of the public; and
 - h. Provision of bins for the disposal of biohazard material.
3. It is imperative that all court buildings have running water, toilet paper, soap, disinfectant wipes and all other relevant health and safety material.
 4. A distance of 1 meter shall be maintained between people seated in a court room.
 5. Judicial officers and court staff must self-isolate and seek medical intervention if they display any symptoms. This also applies to those Judicial officers and staff members who have travelled to high risk areas or have been in contact with a person who has recently travelled, displays symptoms or have been confirmed positive for COVID-19.
 6. The Heads of Court may make proposals to the Executive, in line with section 165 of the Constitution and the powers contained in the Superior Courts Act, 2013, to issue Regulations impacting on the operations of courts.

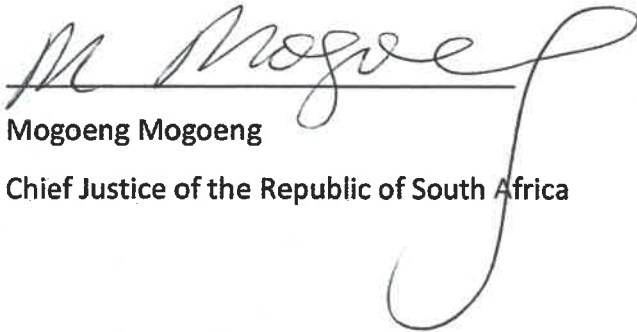


7. The Executive shall avail the necessary resources to ensure that these measures are implemented and that access to justice is enforced in line with provisions of section 165(4) of the Constitution and the principle that justice shall not only be done but must manifestly be seen to be done.

8. The Department of Health, with the coordination of the Minister of Justice and Correctional Services, shall conduct assessments of the preventative measures at Courts.

9. The Judiciary urges all to comply with the directives and guidelines issued by the relevant Departments when dealing with confirmed or suspected cases of COVID-19.

Given under my hand in Midrand on this 17th day of March 2020


Mogoeng Mogoeng
Chief Justice of the Republic of South Africa

