



REPUBLIC OF BOTSWANA

ADMINISTRATION OF JUSTICE

REGISTRAR & MASTER

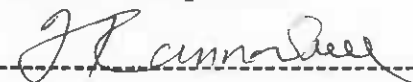
20 MAR 2020

ADMINISTRATION OF JUSTICE
GABORONE

PRACTICE DIRECTIVE NO.1 OF 2020

TO: Hon. Justices of Appeal
Hon. Judges of the High Court
All Registrars
All Magistrates
All Staff Members
All Attorneys
All members of the public

REF: RM 1/6/1 X

FROM: 
Terence T. Rannowane
CHIEF JUSTICE

20th March 2020

PREVENTATIVE MEASURES TO REDUCE THE RISK OF THE SPREAD OF COVID-19 (CORONAVIRUS) IN THE COURTS OF BOTSWANA

Following public notice by His Excellency the President on Covid-19 measures, the Hon. Chief Justice called a meeting of all Stakeholders. The Chief Justice now directs that except under exceptional circumstances, the following measures will apply with effect from 23 March 2020 within all the Courts of Botswana;

1. Attendance and entry into all Courts will be limited in order to comply with the Health Ministry's advice to avoid a gathering of more than 10 people. Once inside the courtroom, a sitting distance of 1 to 2 meters between individuals should be maintained. Entry into the court rooms will be limited to persons with direct interest in the matter such as litigants, their attorneys and witnesses, accused persons and their

legal representatives. Courts may however, admit more people into the court room where circumstances dictates such as, but not limited to a cases involving multiple litigants or more than 10 co- accused persons provided that the sitting distance of 1 to 2 meters between individuals is strictly maintained.

2. Further to (1) above, customers shall be required to wait for their turn into Court Rooms in open spaces or somewhere else (whereat the 1-2 metres distances shall apply).
3. The scheduling of motion cases shall ensure that litigants, organised into small groups or teams (made up of parties to a case), are allotted time slots for the hearing of their cases one after the other instead of the usual mass attendance inside the court rooms. The Registrar's office shall ensure that rolls are availed to the parties in advance so that they can appreciate the date and time they would be expected to be in attendance.
4. The attendance of non-litigants and /or spectators shall be prohibited but courts may where necessary, use their discretion to allow close relatives of the litigants or members of the media to attend subject to full compliance with the sitting distance outlined above.
5. All Courts shall provide disposable gloves to cleaners and those handling equipment and /or exhibits.
6. Courts should ensure accessibility to soap and hand washing facilities including sanitizers (where available), to all front desk officers, customers, judges and magistrates.
7. Case management conferences shall be held in the Judges' chambers, save where the presiding Judge, for reasons he or she considers appropriate directs otherwise.
8. Prisoners on remand are encouraged to make written applications for bail in order to reduce the need for actual attendance in the Courts.

9. To the extent possible, e-mailing of court process may be accepted particularly in matters not highly contestable, e.g. withdrawal applications, confirmation of dates of hearing to name only a few. Provided that in all such cases proof of payment of all court fees is produced.
10. All Reception areas, Registries, Court rooms and areas of potential risk should regularly be sanitized and fumigated as may be necessary.
11. Suspected covid-19 cases shall be handled in accordance with the protocols recommended by the Ministry of Health and Wellness including, but not limited to isolation.
12. The Heads of the Courts and or Divisions reserve the right to direct additional measures considered necessary in their areas of operation.
13. Where dates of hearing have been set, magistrates should avoid the monthly mentions and direct that accused persons be brought to court only on the dates of hearing. Likewise, case management conferences should be strictly limited initial and final conferences only.
14. These measures shall remain in force for a period of 30 days from the date of issue of this directive but shall be reviewed on a monthly basis or earlier as the circumstances surrounding the pandemic evolve.
15. These instructions should be strictly observed in order to protect members of staff as well as members of the public from infection by, and to prevent the spread of Covid-19.

Thank you.

CC: Hon. President of the Court of Appeal
Attorney General

Director of Public Prosecutions

Commissioner of Police

Commissioner of Prisons & Rehabilitation

Chairman, Law Society of Botswana

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