



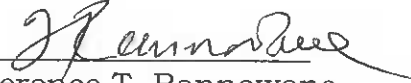
REPUBLIC OF BOTSWANA

ADMINISTRATION OF JUSTICE

**PRACTICE DIRECTIVE NO. 7 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

31<sup>st</sup> July 2020

---

**DIRECTIONS ON COURT OPERATIONS DURING THE COVID-19 STATE OF EMERGENCY – GREATER GABORONE LOCKDOWN COMMENCING 31<sup>ST</sup> JULY 2020**

1. This Practice Directive is issued in terms of REGULATION 30B of the EMERGENCY POWERS (COVID-19) (AMENDMENT) (NO.2) REGULATIONS, 2020, and shall be deemed to have come into effect on the 3<sup>rd</sup> August 2020. It is applicable to Divisions and stations of the Administration of Justice situated in the Greater Gaborone Zone.
2. His Excellency the President, acting in terms of section 17 of the Constitution of Botswana has on the 31<sup>st</sup> March 2020 declared a State of Public Emergency in order to address the grave situation posed by the COVID-19 Pandemic and to implement extreme social distancing. Consequently, and in order to give effect to the preventive measures pronounced in the declaration by His Excellency the President, the Practice Directive No.5 of 2020 is hereby reviewed and revived as follows, to give effect to the Greater Gaborone Lockdown which commenced at midnight on 30<sup>th</sup> July 2020.
  - 2.1 With effect from Monday 3<sup>rd</sup> August 2020, there shall be no court hearings except in relation to urgent applications. The applications shall not be entertained unless the duty Judge or Magistrate confirms the urgency of such a case. The purpose of this Directive is that where possible judicial officers and support staff, as well as stakeholders should be facilitated to remain at home to prevent the spreading of COVID-19.

2.2 Without deviating from the generality of Paragraph 1 above, 'urgent applications' shall include, but shall not be limited to:

2.2.1 Bail applications;

2.2.2 First appearances in serious criminal cases; (offences punishable with imprisonment for 3 years and above);

2.2.3 Any case involving domestic violence under the Domestic Violence Act, No.10 of 2008;

2.2.4 Garnishee applications for maintenance of minors and deserted spouses;

2.2.5 Payments of maintenance for minors under the Guardian Fund (Administration of Estates Act (Cap 31:01).

NB: For any issues related to the Masters Office (Administration of Estates and Guardian Fund), contact the following:

Gaborone : Deputy Master S. Mtunzi @ 74209174

Francistown: Deputy Master F.S. Sigweni @ 71570541

Maun : Senior Assistant Master M. Rampha @ 71773262

3. Subject to 4 below, Registrars, Magistrates, Judges of the High Court, and Justices of Appeal shall work from home, but shall be on call to deal with urgent matters only. The necessary support staff shall also be on call during the lockdown. Except where necessary every employee of the Administration of Justice shall work from home at his or her duty station, but each station shall prominently display a Notice informing the public of the contact number of the duty officer on call.
4. There shall be a Registrar or Clerk of Court, with necessary support staff on duty at each Division or station during office hours for the duration of the lockdown, for the purpose of registration of process in addition to their usual duties.

5. All employees of the Administration of Justice shall provide their contact numbers, and shall be available should they be required to attend to urgent Administration of Justice business.
6. Required support staff will be picked up by an official vehicle at their designated addresses. The vehicles to be used in this assignment will be sanitised.
7. Registrars dealing with default judgments will be expected to carry on with their pending filed matters from home.
8. Court Reporters with pending records for transcription will be expected to work on those records from home where practicable.
9. Judicial officers will utilise this period to conclude their pending judgments, working from home.
10. The *dies* requirements and existing time bound orders of court arising from and/or in terms of the Magistrate Court Rules, the High Court Rules and the Court of Appeal Rules are hereby suspended for the period of the lockdown. This notwithstanding, interdicts, stays of execution, warrants of detention and arrest orders are unaffected by the lockdown and shall, where practicable, continue to be in force.
11. The return date of all applications with rules nisi returnable during lockdown are hereby extended *sine die*, with such matter to be recalled by the court upon the lifting of the lockdown.
12. Warrants of detention in respect of all remand detainees are hereby extended until the lockdown is lifted. However, such detainees shall be entitled to file applications for bail.
13. Where practicable courts should strive to use video conferencing facilities to obviate the need for physical attendance by the litigants at the court premises.

14. This Practice Directive is subject to review from time to time as circumstances unfold in the light of the COVID-19 Pandemic.
15. This Practice Directive is issued subject to any State of Emergency Regulation which may be promulgated in terms of the Constitution.

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  
CEO – Business Botswana