

M E M O R A N D U M

TO : ALL HON. JUDGES OF THE SUPERIOR COURTS
:
ALL REGISTRARS OF THE SUPERIOR COURTS
CC : THE HON. CHIEF JUSTICE
:
THE HON. DEPUTY CHIEF JUSTICE
:
THE HON. PRESIDENT OF THE CONSTITUTIONAL COURT
:
THE HON. CHAIRPERSON OF THE ADVISORY COMMITTEE ON COURT OPERATIONS
:
THE HON. JUDGE PRESIDENT OF THE COURT OF APPEAL
:
THE HON. JUDGES-IN-CHARGE OF THE HIGH COURT
:
THE CHIEF ADMINISTRATOR
:
THE CHIEF SECURITY OFFICER
:
THE SENIOR ASSISTANT REGISTRARS
:
ALL ASSISTANT REGISTRARS
:
THE CHIEF MARSHAL
:
THE MASTER INTERPRETER
FROM : THE CHIEF REGISTRAR OF THE JUDICIARY
DATE : 19TH MARCH, 2020

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SUBJECT : CORONA VIRUS (COVID-19) - SUPERIOR COURTS PRECAUTIONARY MEASURES

Reference is made to the above subject.

Following the announcement by the Minister of Health on 18th March, 2020 that Zambia had recorded two cases of COVID-19, the Hon. Chief Justice has directed that it has become necessary that precautionary measures be put in place to mitigate the potential spread of the Corona virus through courts.

The Hon. Chief Justice has guided that the following precautions be put in place with regard to Superior Courts:

1. For chamber applications in which litigants have no role to play, litigants shall not be allowed into the chambers of the Hon. Judges or Registrars. Where an Advocate comes to court with a litigant in such a matter, the litigant shall remain outside the court building in a special facility to be provided by the Judiciary.
2. In open court, only parties/accused persons, Advocates representing the parties/accused persons if any and witnesses to the particular matter being heard, shall be allowed in the court room. Therefore, no interested parties, i.e relatives or friends shall be allowed in court during trials. However, in juvenile matters, as prescribed by law, guardians shall be permitted in court.
3. Witnesses who have testified should leave the court room and court premises immediately.
4. The Hon. Judges should take note that Correctional Facilities country wide have requested that all accused persons be at the correctional facilities at 16:00 hours for screening purposes. Therefore, all trials should be concluded within reasonable time to enable the accused persons be at the Correctional Facilities at 16:00 hours.
5. Special precautions are to be taken with regard to the taking of oaths which involve the holding of books of religion. There shall be a visible process of sanitization with an alcohol-based sanitizer before and after the taking of oath with books of religion. However, affirmations, instead of oaths involving the holding of books of religion, are highly encouraged. This fact should be explained to the parties.
6. Special precautions are to be taken with regard to the handling of exhibits. There shall be sanitization of all exhibits before and after receipt. Where sanitization materials are lacking, matters shall be adjourned until materials are made available.
7. For Appellate Courts, i.e Supreme Court, Constitutional Court, Court of Appeal and the High Courts when sitting as Appellate Courts, only the litigants and their Advocates if any for the particular matter being heard shall be allowed in the court room.

8. The measures related to chamber matters outlined above will also apply to Appellate Courts when hearing chamber matters.
9. Where the cases for appeals/trials are by class/group action, only the representative of the class/group will be allowed in court/court premises.
10. The Hon. Judges who wish to visit correctional facilities as Visiting Justices should comply with all health precautionary measures put in place by Correctional Facilities.
11. All Registrars of the Superior Courts, shall ensure the highest standards of hygiene at all courts as guided by the Ministry of Health, i.e proper ventilation in offices and court rooms, clean surroundings and sanitation facilities, provision of water and handwash/ alcohol based hand sanitizers.
12. All Registrars of the Superior Courts should ensure that one accused person is brought into the court room at a time, unless the accused persons are jointly charged.
13. All Registrars of the Superior Courts should ensure that no precooked food is given to accused persons who are in remand and held in court holding cells.
14. All Registrars of the Superior Courts should ensure that only parties/interested persons shall be granted access to court premises. Security monitoring shall thus be enhanced.
15. The Hon. Judges, Registrars and support staff are encouraged to take special precautions during their course of duty, i.e masks, alcohol based hand sanitizers, gloves etc.

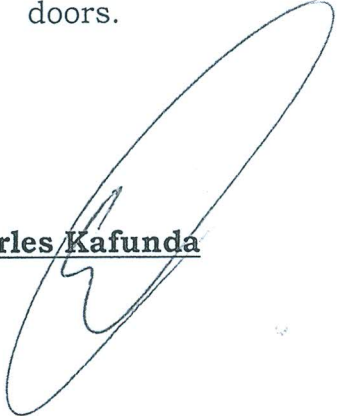
Special guidelines for Court Registries

The filing of pleadings shall continue with the following special precautions:

1. The number of persons entering registries shall be restricted to the number of Registry Clerks or counters per Registry.

2. Alcohol based hand sanitizers, masks and gloves shall be provided in all Registries and other offices with direct interface with the public.
3. Notices to the public in English and commonly spoken languages informing parties of the restriction of numbers of persons allowed in Registries and also directing them to strictly comply with hygiene standards before entering Registries should be placed on Registry doors.

Charles Kafunda

A large, handwritten signature in black ink, appearing to be 'Charles Kafunda', is written over the printed name. The signature is enclosed within a large, hand-drawn oval.