



Magistrates' Court Judiciary

MPUMALANGA

Republic of South Africa

MAGISTRATE COURT: MBOMBELA

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To: **All Magistrates:**
Mpumalanga Administrative Region

DIRECTIVES IN RESPECT OF COURT FUNCTIONING IN LIGHT OF THE STATE OF DISASTER LEVEL 3 LOCKDOWN ANNOUNCED DUE TO COVID-19

Conscious of the gravity of the risk associated with the Covid-19 pandemic and its effect on the administration of justice in the Magistrates Courts in the Mpumalanga province, the Office of the Chief Magistrate, after discussions with the senior managers at Regional Office as well as the prosecution, hereby issues the following directives as guidelines to the courts. These guidelines will be subject to any published directives/directions issued by the Chief Justice and Minister of Justice and Correctional Services in terms of the Regulations under the Disaster Management Act, 2002.

General:

1. The operational hours of courts during the level 3 lockdown period **shall be from 07:45 until 16:15 weekdays**
2. Operations shall be subject to the basic safety measures as required.
3. The staff at courts must include Court Orderlies at the criminal courts, security at the entrances to control access to the building, and cleaners to ensure a safe and healthy environment
4. At all times there **MUST** be sufficient personnel at the courts to cover for all the services as provided for in directions issued in terms of regulation 4 (2) of the Regulations under the Disaster Management Act, 2002.

Criminal Courts:

Must run fully in line with Paragraph 8 to 10, of the Directives issued by the Minister of Justice on 01 June 2020 [Govt. Gazette No. 43383 dated 02nd June 2020]

This will include the operations of Periodical courts (except Marapyane) and Traffic matters.

- Each Judicial Head of court must convene a meeting with the NPA & Legal Aid to determine the backlog of cases and compile a priority roll.
- That meeting must also make a determination of what might be classified as “petty offences” in their specific areas of jurisdiction.
- District Judicial Heads of court are encouraged to convene regular meetings with essential court stakeholders [Legal Aid, NPA, SAPS, DCS, Admin] to develop court performance recovery plans.
- Court personnel must be encouraged to issue witnesses and parties attending court proceedings with a “Certificate of court attendance” as per attached example.

Civil and Family Courts: Will render permitted services as set out in Sections B and C of Annexure1 of the directions issued by the Minister of Justice on 02nd June 2020. (Annexure 1 attached hereto for ease of reference)



TONJENI T S
CHIEF MAGISTRATE: MBOMBELA
CLUSTER HEAD: ADMINISTRATIVE REGION 8
MPUMALANGA

