



**OFFICE OF THE CHIEF MAGISTRATE  
NORTH WEST ADMINISTRATIVE REGION**

**Private Bag X2045 MMABATHO 2735**

**Contact Details: 0836511055**

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**DIRECTIVES TO MANAGE ACCESS TO THE DISTRICT COURTS DURING THE  
LOCK DOWN PERIOD 27/03/2020 TO 30 APRIL 2020 AS EXTENDED BY THE  
STATE PRESIDENT ON THURSDAY 09 APRIL 2020**

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**As delegated by the Chief Justice in terms of Section 8(3) of the Superior  
Courts Act, 2013, I hereby issue the following directives to be applicable to all  
the district courts in the North West for the extended period of the Lock  
Down until 30 April 2020**

**A. GENERAL**

- 1. As part of Government's measure to curb the spread of Covid -19,  
essential justice services including courts will be available at courts  
between 09:00 until 13:00 week days during the national lockdown  
period**
- 2. All district courts will be accessible to deal with the following cases**
  - 2.1 All bail applications, old and new**
  - 2.2 All applications in terms of the Domestic Violence Act, the  
Protection from Harassment Act, Children's Act ; Older Persons Act  
and all other urgent matters**

3. Judicial Heads of District Courts will compile and keep daily rotational rosters with the contact
4. details of all the staff members who will be on duty to deal with what is on the roll
5. Magistrates on duty at one person stations or any other court may also attend to the postponement of Regional Court cases subject to a Judicial Appointment by the Regional Court President in consultation with the Office of the Chief Magistrate

#### **B. CRIMINAL COURTS**

1. Criminal Courts will be open to preside over old and new bail applications
2. Cases of Awaiting Trial Detainees whose bail processes have been finalised will be postponed in their absence
3. Criminal cases on the roll will be re-scheduled and the affected parties may not be present at court and will be informed of new date for court appearances which dates may have been arranged with their legal representatives, where applicable
4. No warrants of arrest for non-appearance will be authorised against any accused person, witness or any party to any proceedings in the district court during the lock down period
5. Audio virtual remand technology at courts and Correctional Centres where it is available, will be used to postpone cases to avoid bringing awaiting trial detainees before court
6. Matters involving children in conflict with the law in terms of the Child Justice Act , who are in detention, may be considered for release in the custody of parent/s, care givers or any suitable adult if it is in the interest of justice to do so

#### **C. CIVIL COURTS**

1. Civil courts will not preside over civil trials during the lock down period



2. Unopposed applications already enrolled for hearing during the lockdown period will be postponed to dates after the lock down period
3. Where a civil case is on the roll for the delivery of judgment during the lock down period, a magistrate will email copies of a judgment to legal representatives/parties and to the clerk of the court
4. Urgent civil processes may be filed with the clerk of the court
5. Arrangements for postponement of civil cases will be made with the magistrate assigned to that court
6. Any rule nisi with the return date that falls within the lock down period, and which was granted prior thereto will be extended to dates beyond the lock down period

#### **D. FAMILY COURTS**

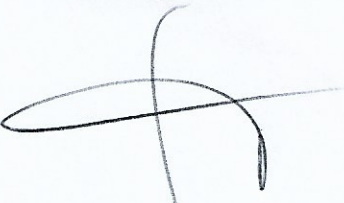
- 1.** Family cases and related matters are urgent in nature and will therefore be prioritized.
- 2.** Family courts will be available to preside over all matters in terms of the Domestic Violence Act, Protection from Harassment Act, Older Persons Act and the Children's Act
- 3.** Interim orders with return dates that fall within the lock down period, and which was granted prior thereto will be extended to dates beyond the lock down period
- 4.** Amendment to the DSD Regulations regarding the movement of children does not prevent magistrates from considering any application in terms of the Children's Act and making an order in the best interest of the child

#### **E. OTHER APPLICATIONS**

- 1.** Applications for Search and Seizure Warrants will be considered only if failure to attend to same may be prejudicial to the administration of justice

**2. Applications for the extension of detention orders under the Immigration Act, 13 of 2002 will be considered in the absence of detainees**

**These Directives will remain in force for the duration of the extended lock down period**



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**Ms JJ Ikaneng**

**Chief Magistrate**

**Head of Administrative Region 9**

**North West**

