

Practice Direction
Supreme Court of Judicature of Jamaica
THIRD COVID-19 Emergency Directions

This third Practice Direction is issued by the Chief Justice of Jamaica in response to the COVID-19 pandemic. The following measures are to take effect on Monday, May 11, 2020 and last until Friday, May 29, 2020.

Criminal Cases in the Home Circuit Court Division of the Gun Court, the High Court Division of the Gun Court, and the Western Regional Gun Court (Easter Term 2020):

1. All sittings of the Home Circuit Court Division of the Gun Court, the High Court Division of the Gun Court, and the Western Regional Gun Court are further suspended from Monday, May 11, 2020 to and including Friday, May 29, 2020.
2. Sittings will resume on Monday, June 1, 2020.
3. All matters listed in the Home Circuit Court Division of the Gun Court for the periods listed below are further adjourned to Monday, June 1, 2020.
 - a. Monday, March 23, 2020 to Friday, April 3, 2020,
 - b. Wednesday, April 15, 2020 to Friday, May 8, 2020;
 - c. Monday, May 11, 2020 to Friday, May 29, 2020.
4. No matters will be heard between Monday, May 11, 2020 and Friday, May 29, 2020 except emergency matters or matters determined by the judge to be fit for hearing in this period.
5. Emergency matters are bail applications, habeas corpus applications and matters where a child is charged with a criminal offence.
6. **There shall be no in-person hearings in respect of any emergency matter or matter determined by the judge to be fit for hearing.**
7. Any emergency hearing or matter deemed fit for hearing by the judge shall be by telephone, video-conferencing or by any other electronic means of communication only.
8. If the hearing cannot take place by telephone, video-conferencing or by any other electronic means of communication then such hearing shall not take place.
9. The bail of all persons who were scheduled to appear before the Home Circuit Court Division of the Gun Court, the High Court Division of the Gun Court, and the Western Regional Gun Court and which was extended to Monday, May 11,

2020, is further extended to Monday, June 1, 2020 at which time they are to appear before the named courts.

10. The commencement of the Easter Term for the Home Circuit Division of the Gun Court 2020 originally set for Wednesday, April 15, 2020 and which was extended to Monday, May 11, 2020 is now to take place on Monday, June 1, 2020.

Criminal Cases for the Home Circuit Court (Easter Term 2020)

11. Sittings which were to resume on Monday, May 11, 2020 are further suspended until Monday, June 1, 2020.
12. All cases referred to in paragraph 12 of the COVID -19 PRACTICE DIRECTIONS DATED, MARCH 23, 2020 which were traversed to Monday, May 11, 2020 are further traversed to Monday, June 1, 2020,
13. No matters will be heard between Monday, May 11, 2020 and Friday, May 29, 2020 except emergency matters or matters determined by the judge to be fit for hearing in this period Monday, May 11, 2020 to Friday, May 29, 2020.
14. Emergency matters are bail applications, habeas corpus applications and matters where a child is charged with a criminal offence.
15. **There shall be no in-person hearings in respect of any emergency matter or matter determined by the judge to be fit for hearing.**
16. Any emergency hearing or matter deemed fit for hearing by the judge shall be heard by telephone, video-conferencing or by any other electronic means of communication only.
17. If the hearing cannot take place by telephone, video conferencing or by any other electronic means of communication then such hearing shall not take place.
18. The bail of all persons who were scheduled to appear before the Home Circuit Court and which was extended to Monday, May 11, 2020, is further extended to Monday, June 1, 2020.
19. The commencement of the Easter Term for the Home Circuit Court 2020 originally set for Wednesday, April 15, 2020 and which was extended to Monday, May 11, 2020 is now to take place on Monday, June 1, 2020.
20. Jurors summoned to appear in the Home Circuit Court on April 15, 2020 and who were asked to appear on Monday, May 11, 2020 are discharged without risk of penalty for not attending.

Jurors summoned to the Home Circuit Court Division of the Gun Court and the Home Circuit Court (Easter Term 2020)

21. Jurors summoned to serve in the Home Circuit Court Division of the Gun Court and the Home Circuit Court for the period Wednesday, April 15, 2020 to Friday, May 8, 2020 are discharged from attending without risk of penalty for not

attending and are not required to attend on Monday, May 11, 2020 as previously announced.

22. Jurors summoned to serve in the Home Circuit Court Division of the Gun Court and the Home Circuit Court for the period Monday, May 11, 2020 to Friday, May 29, 2020 are discharged without risk of penalty for not attending.

Criminal Cases for the Circuit Courts for the Parishes of Manchester, St Ann and St Thomas (Easter Term 2020)

23. All Easter Term sittings of the Circuit Courts for the parishes of Manchester, St Ann and St Thomas for the period Monday, May 11, 2020 to June 5, 2020 are postponed.
24. The cases that would have been heard during the period stated in paragraph 23 are traversed to the following dates:
- a. Manchester Circuit – Wednesday, September 16, 2020 to Friday, December 18, 2020;
 - b. St Ann Circuit – Monday, September 28, 2020 to Friday, October 23, 2020
 - c. St Thomas Circuit – Monday, September 28, 2020 to Friday, October 23, 2020;
25. The bail of all persons who were scheduled to appear before the Circuit Courts for the parishes of Manchester, St Ann and St Thomas for the period Monday, May 11, 2020 to June 5, 2020 is extended to Wednesday, September 16, 2020 in the case of the Manchester Circuit Court and to Monday, September 28, 2020 in the cases of the St Ann and St Thomas Circuit Courts respectively at which time they are to appear before the named courts.
26. Jurors summoned for jury service for the period Monday, Monday, May 11, 2020 to Friday, June 5, 2020 are no longer required to attend and are discharged accordingly without any risk of penalty.

Criminal Cases for the Parishes of Clarendon, St. Catherine Circuit Courts (Easter Term 2020)

27. Sittings of the Circuit Courts for the parishes of St Catherine and Clarendon which was scheduled to resume on Monday, May 11, 2020 are further suspended and will resume on Monday, June 1, 2020.
28. The commencement of the Easter Term 2020 for the parishes of St Catherine and Clarendon originally set for Wednesday, April 15, 2020 and which was scheduled to take place on Monday, May 11, 2020 is now to take place on Monday June 1, 2020.
29. No matters will be heard between Monday, May 11, 2020 and Friday, May 29, 2020 except emergency matters or matters determined by the judge to be fit for hearing in this period.

30. All cases listed for the period stated in paragraph 29 are further traversed to Monday, June 1, 2020.
31. Emergency matters are bail applications, habeas corpus applications and matters where a child is charged with a criminal offence.
32. **There shall be no in-person hearings in respect of any emergency matters or matters determined by the judge to be fit for hearing.**
33. Any emergency hearing or matter deemed fit for hearing by the judge shall be by telephone, video-conferencing or by any other electronic means of communication only.
34. If the hearing cannot take place by telephone, video conferencing or by any other electronic means of communication then such hearing shall not take place.
35. The bail of all persons who were scheduled to appear before Circuit Courts for the parishes of Clarendon and St Catherine which was extended to Monday, May 11, 2020 is further extended to Monday, June 1, 2020 at which time they shall appear before the named courts.

Jurors summoned or directed to return to the Circuit Courts for the Parishes of St Catherine and Clarendon (Easter Term 2020)

36. Jurors summoned to serve in the Circuit Courts for the parishes of St Catherine and Clarendon for the period Wednesday, April 15, 2020 to Friday, May 8, 2020 and from Monday, May 11, 2020 to Friday, May 29, 2020 are no longer required to appear and are discharged without risk of penalty.

Civil cases at Supreme Court (including the Commercial Division) and Revenue Court

Sittings/Trials in Open Court

37. All open court sittings of the Civil Division of the Supreme Court (including the Commercial Division) and the Revenue Court for the period Monday, March 23, 2020 to Friday, April 3, 2020 which were suspended as of Monday, March 23, 2020 and which were scheduled to resume on Monday, May 11, 2020 are further suspended and will resume on Monday, June 1, 2020.
38. All open court matters scheduled for hearing between Monday, May 11, 2020 to Friday, May 29, 2020 will be rescheduled and the parties will be advised of the new dates.
39. Emergency matters and matters deemed fit for hearing by the judge shall continue to be heard during the period Monday, May 11, 2020 to Friday, May 29, 2020.

40. Emergency matters and matters deemed fit for hearing by the judge will be heard by telephone, video-conferencing or other electronic means of communication.
41. Notwithstanding paragraphs 38 and 39 where the parties have arrived at a settlement, whether through mediation or otherwise, and wish to have judgment entered may contact the civil registry of the Supreme Court for arrangements to be made for judgment to be entered.
42. In the instances where open court hearings are to take place such hearings will be conducted having regard to the guidance issued by the Ministry of Health and Wellness.

Hearings in Chambers

43. Subject to paragraphs 46 and THE SECOND COVID-19 EMERGENCY DIRECTIONS, dated April 30, 2020 all hearings in chambers for the period Monday, May 11, 2020 to Friday, May 29, 2020 are suspended and will be rescheduled.
44. Chamber hearings will resume on Monday, June 1, 2020.
45. Emergency matters and matters deemed fit to be heard by the judge will be accommodated during the period stated in paragraph 43.
46. All chamber hearings, whether emergency or deemed fit by the judge to be heard, shall be by telephone, video conferencing or by any other electronic means of communication only and there shall be no in-person hearing.
47. If the hearing cannot take place by telephone, video conferencing or by any other electronic means of communication then such hearing shall not take place.

General

48. All emergency matters, matters deemed fit for hearing by the judge and any other matter will be heard between 10:00 am and 2:00 pm.
49. Judge means judge of the Supreme Court, judge of the Circuit Court Division of the Gun Court, judge of the High Court Division of the Gun Court, and judge of the Revenue Court.
50. Any person seeking to arrange for hearing to take place in the manner prescribed by this Practice Direction may contact the civil registry of the Supreme Court by way of the telephone numbers for the court and email addresses stated in paragraph 24 of THE SECOND COVID-19 PRACTICE DIRECTION dated April 30, 2020.
51. In respect of video-link services, the Registrar of the Supreme Court may waive, the fees established for this service by the schedule of fees of the Supreme Court. for the period Monday, May 11, 2020 to Friday, May 29, 2020.

52. Any person exhibiting flu-like symptoms and any symptoms of the COVID – 19 virus will not be allowed to enter any of the court buildings.
53. Any person exhibiting signs and symptoms of COVID – 19 after entry to any of the court buildings will be required to leave immediately.
54. Services offered by the registries of the Supreme Court (all Divisions) and the Gun Court (all Divisions) will take longer than usual because of reduced staff.
55. Temperature checks will be administered at all entry points to the court and persons with higher than normal temperature will be denied entry to the court building.
56. Entry to all court buildings and registries will be restricted so that the guideline of having ten or less persons gathered in any one place is observed at all times.
57. This Practice Direction may be altered in light of further developments.

Dated May 4, 2020

A handwritten signature in black ink, appearing to read 'Bryan Sykes', written in a cursive style.

Bryan Sykes OJ, CD
Chief Justice of Jamaica