

**COURT OF APPEAL**  
**Practice Direction No 1/2021**  
**Emergency Directions – COVID-19**

**1. Introduction**

- 1.1 This practice direction is intended to supplement Practice Directions Nos 1-4/2020 and is made with the concurrence of the President and Judges of the Court of Appeal in response to the situation created by the COVID-19 pandemic and the Prime Minister's declaration of Jamaica as a disaster zone.
- 1.2 Cognisant of the need to continue safety protocols in light of the sustained increase in the numbers of confirmed Covid-19 cases, this practice direction is intended to provide guidelines as to how this court will continue operations while seeking to protect the health of all judges, staff members, close protection officers and security guards at the Court of Appeal as well as all attorneys-at-law and members of the public.
- 1.3 This practice direction takes effect on 11 January 2021 and remains in effect until further order. It may be altered in response to any further developments in relation to the COVID-19 disease.

**2. Hearings**

- 2.1 Unless otherwise directed by the court, all in-person hearings in chambers and in court will remain suspended until further order.
- 2.2 Hearings of applications and case management conferences that are listed before a single judge of appeal will be conducted by way of telephone conferences or other electronic means.
- 2.3 In general, and in so far as the court deems appropriate, applications, motions and appeals that are scheduled for hearing in court will be conducted by video or telephone conferences, or other electronic means.
- 2.4 Parties are expected to adhere to the timelines set by the Court of Appeal Rules, Practice Directions and/or the court in relation to the filing of documents. Particular attention should be paid to Practice Note No 1/2015 and Practice Directions Nos 1/2019, and 2/2019. These are accessible on the court's website – [www.courtofappeal.gov.jm](http://www.courtofappeal.gov.jm) .
- 2.5 Until further order all judgments of the court and/or single judges of appeal will be delivered in open court/chambers by whatever means the court/single



judge of appeal deems appropriate, including teleconferences, video conferences or other electronic means.

- 2.6 Persons on bail, whose matters are scheduled for hearing, are expected to attend court in person on the scheduled hearing date. While attorneys for persons on bail are expected to appear by video conference or other electronic means, attorneys who wish to appear in person along with their clients should inform the registry at least two working days before the hearing date so that the necessary arrangements can be made. This information should be sent to [registry@courtofappeal.gov.jm](mailto:registry@courtofappeal.gov.jm) .
- 2.7 Parties with matters listed for hearing in chambers or before open court are to forward to the Registry their email and telephone contact information, making reference to the name of the matter, the application and/or appeal number, the name of counsel with conduct of the matter, and the date on which the matter is scheduled to be heard. This information is to be sent to [registry@courtofappeal.gov.jm](mailto:registry@courtofappeal.gov.jm) .
- 2.8 The Registrar of the Court of Appeal shall contact the respective parties to advise them how the court intends to deal with particular matters and to provide the relevant electronic access information for the relevant sitting.

### **3. Protocol for video hearings**

- 3.1 Hearings by video conference or other electronic means are still court hearings. Therefore, persons participating in these hearings are expected to conduct themselves as they would if they were present in the court room.
- 3.2 Judges, attorneys and court assistants are to be robed, while all other persons participating must be appropriately attired for hearings in open court.
- 3.3 All persons are expected to stand upon the entry of and for the exiting of the judges. However, all should remain seated during the hearing by video conference.
- 3.4 Microphones are to be muted when not addressing the court.
- 3.5 Cellular phones are to be turned off or placed on silent and should not be used during the hearing.
- 3.6 Persons are asked to be aware of their surroundings, ensuring that backgrounds that are visible to the court are appropriate. Additionally, persons are to ensure that there are no distractions during the hearing, including by persons not involved in the hearing, pets, and background sounds.

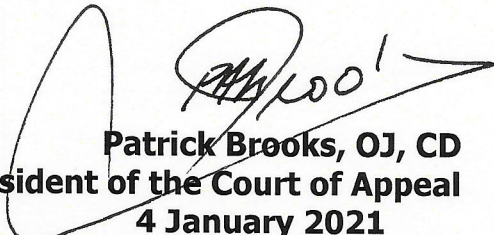
- 3.7 There must be no video recording, audio recording, photographing, taking of screen shots or live-streaming of court hearings.

#### **4. Access to the court building**

- 4.1 All persons accessing the court building will be required to wear masks and to have their temperature checked and their hands sanitised by the security guards stationed at the entrance points. The security guards are authorised to decline entry to persons who refuse to comply with these requirements.
- 4.2 Persons exhibiting signs of the COVID-19 disease will not be granted entry to the court building.
- 4.3 Persons exhibiting signs of the COVID-19 disease after entry to the court building will be asked to leave the building immediately.
- 4.4 Public entrance to the court building, in particular the registry, will be limited to the maximum allowed by the guidelines prescribed by the Government of Jamaica.

#### **5. The registry**

- 5.1 The registry of the court will remain open to the public during its usual opening hours.
- 5.2 However, as the need to maintain physical distance remains in effect, all users of the court are asked to attend the registry only where absolutely necessary.
- 5.3 For general queries and information please contact the registry by telephone at (876) 633-7201, or by email at [registry@courtofappeal.gov.jm](mailto:registry@courtofappeal.gov.jm) .



**Patrick Brooks, OJ, CD**  
**President of the Court of Appeal**  
**4 January 2021**



