OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA

THE HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION

JOHANNESBURG

Interlocutory Court: 17 May 2021 – 20 May 2021

BEFORE THE HONOURABLE JUDGE OPPERMAN

PLEASE NOTE THAT THE PRESIDING JUDGE HAS DIRECTED AS FOLLOWS:

1. Practice Notes and Draft Orders in word format must be e-mailed to ZTwaku@judiciary.org.za and to ingatwaku@gmail.com by no later than one full court day before the allocated date of the hearing.

2. All legal representatives must be available on the day of the hearing to enable the Judge to make contact about an oral hearing by video conference. In such event there must be compliance with the Unauthorised Recording Directive at the foot hereof.

3. All files have been frozen. The reason for freezing the files is to have control over the documents presented for filing after the cut off date. Should a party wish to file further papers before the hearing date, they are to seek the permission of the Judge via her Registrar who will, after the permission is granted, unfreeze the file to permit the uploading of the further documentation. Any party breaching this procedure may, amongst other consequences, be visited with a punitive costs order for such transgression.

4. Legal representatives are to access their Caselines files and are to ensure that a complete set of papers has been uploaded. If the papers are incomplete, the procedure set out in paragraph 3 hereof is to be followed.

5. The Judge may communicate with the parties' representatives via widely shared notes posted on the electronic file. Legal Representatives are to look out for these communications and are requested to respond to such communications.

6. Parties are reminded to comply with Chapter 8 of the Gauteng Local Division Johannesburg Practice Directive 1 of 2021.

Unauthorised Recording Directive

7. Attention is drawn to the provisions of chapter 10.5 of the Gauteng Local Division Johannesburg Practice Manual dated October 2018 ('the High Court Practice Manual'), and in particular paragraph 1 thereof which provides:

> 'It is hereby emphasised that no person may film or electronically record judicial proceedings without the prior permission of the presiding Judge. The granting and the terms of any such permission is within the discretion of the presiding Judge…..'

8. Attention is further drawn to the provisions of paragraph 221 of the 18 September 2020 Consolidated Directive ('the Consolidated Directive') dealing with media access to virtual court hearings and which expressly provides that such Directive does not replace the provisions set out in the High Court Practice Manual unless a deviation is specified and then only for the duration of the national state of disaster.

9. In order to ensure compliance with chapter 10.5 of the High Court Practice Manual during virtual hearings and to locate potential transgressors, any person to whom access is given to participate in a virtual hearing (or who is present at a virtual hearing) ('the linked participant') is: (a) to provide a list of all who are present with them during the virtual hearing; and, (b) the linked participant is to undertake not to record or to permit any other person to record any part of the proceedings without prior thereto, obtaining the leave of the Judge in the manner prescribed in chapter 10.5 of the High Court Practice Manual.

10. Should any transgression occur in the presence of the linked participant, the linked participant is to disclose this to Judge Opperman forthwith.

11. Failure to comply with chapter 10.5 of the High Court Practice Manual may, as recorded in paragraph 7 thereof, lead to contempt of Court charges.

12. The list and undertaking contemplated in paragraph 9 hereof, is to be provided to:
Judge Opperman's registrar by no later than 30 minutes prior to the commencement of any virtual hearing presided over by her at ztwaku@judiciary.org.za or ingatwaku@gmail.com.

13. Failure to comply with this Directive may result in the matter being removed from the roll.