

Issued:

כ"א אדר ה'תש"פ

17 March, 2020

At 1:00pm

פסק הלכה

Halachic Ruling

Revision 4 – supersedes all previous advice.

Dear community שיחיו,

Following two cases of confirmed COVID-19 in the Yeshivah Centre community, and further suspected cases, we present the following formal Psak Halacha (Halachic ruling) relevant to the present circumstances. The absolute prohibition of putting oneself in danger, or endangering others, cannot be overemphasised. Halacha **requires us** to make decisions based on the risk of preventing **even just one potential fatality**. It is an absolute Halachic imperative that one gives this the proper attention it deserves.

If you fall under any of the four categories mentioned below, it is an **Issur Gomur (absolute prohibition)** to attend **any** Minyan or engage in any other behaviour that puts others at risk:

1. Confirmed cases of COVID-19.
2. Suspected cases of COVID-19. This refers to a person presenting flu-like symptoms (cough, runny nose, fever, sore throat, diarrhoea etc).
3. Close Contact – This is defined as a person who has been notified by the DHHS that they are considered a “Close Contact” with COVID-19. This category is being intensively managed by the DHHS directly, and they will notify you directly if you fall in this category.
4. Have returned or arrived from overseas in the last 14 days.

Casual Contact – The DHHS has introduced this tier. For the general population, this is defined as someone who has been face-to-face for less than 15 minutes with someone who has tested positive for COVID-19, but who is not demonstrating symptoms. Additionally, for our community, the DHHS have advised that this should also include someone who has spent at least 15 minutes within 1.5 metres of a confirmed case of COVID-19 (even though the contact was not face-to-face at all), but who is not demonstrating symptoms. The DHHS has not **mandated** any hard rules, but has **suggested** and **recommended** that casual contacts not congregate indoors in large groups of close proximity. At present, there is no need to avoid small gatherings or non-congregate areas (such as shopping venues at low-peak times).

Minyanim

In consultation with doctors, we make the following recommendations for Minyanim. We emphasise that many of the following recommendations are **not** on the direct instructions of the DHHS, but are still common-sense and encouraged:

1. Shules must remain closed for now.
2. Minyanim **must** be held outdoors when the weather is cooperative, and **attendance must not exceed 20 people**.

3. If the weather does not allow for the outdoors, minyanim can be held indoors only under the following conditions:
 - Only in a large, non-cramped, well-ventilated space.
 - Do not linger in any other part of their house, or use the restroom facilities.
 - Attendance for indoor Minyan **may not exceed 15 people**.If such a space is unavailable, do not daven with a Minyan.
4. Maintain distance (recommended minimum 1.5 metres) from other people during davening.
5. The elderly and those with compromised immune systems, respiratory conditions, or other significant medical histories, **must not** attend Minyan at all.
6. Children under Bar Mitzvah should stay home and not attend a Minyan.
7. Before you attend, you must inform your host if you are a casual-contact or have flown domestic within the last 14 days. Respect and follow the instructions of your host regarding whether casual-contacts or domestic travellers may attend that Minyan. Hosts must **proactively** inform all prospective attendees whether casual-contacts or domestic travellers will be allowed to attend the Minyan.
8. Bring your own Siddur and Chumash, and do not use those of your host.
9. Do not directly kiss the Sefer Torah, Mezuzos or Siddurim.
10. At Aleinu, spit into a tissue, or not at all.
11. Sanitise your hands properly before and after attending the minyan.
12. Cover your nose and mouth with a tissue when sneezing and/or coughing.

Shabbos Meals

Our recommendation remains for no one to attend Shabbos meals elsewhere or invite others, wherever possible, given the nature of its prolonged contact. Please ensure that any potential or regular guests reliant on your hospitality are assisted by supply of food and other support as required.

Mikvah for Men

Mikvah facilities for men must remain closed.

Simchas/Kiddushim

The celebration of Simchas and/or other events in the current situation should be conducted in accordance with the following recommendations.

1. No Kiddushim should be held at any Minyan.
2. Simchas that can be postponed, must be postponed.
3. Simchas that cannot be postponed and are going ahead must be conducted with as limited an attendance as possible – ideally close family only. This applies to weddings, Sheva Brachos, Bar Mitzvos etc.
4. These Simchas should preferably be “drop-in style”, so as to limit the amount of time any guest needs to be present.
5. Simchas should be held outdoors and provide an adequate level of spacing for guests. If it must be held indoors, this can only be done in a non-cramped, well-ventilated space, and with a maximum of twenty people present indoors.
6. There should be no physical contact at all, even when dancing.
7. Safe distance recommendations should be followed.
8. Needless to say, any person in the four categories listed at the outset may not attend. Those deemed ‘Casual Contacts’ by the DHHS should also not attend.

Please be aware that this situation is evolving, and this Psak Halacha may be updated in the future.

It is now time to come together in a meaningful way, even if this can't necessarily mean physical closeness. Let us increase in helping others and giving more Tzedakah, learning more Torah and saying more Tehillim.

ויתקיים בנו מקרא שכתוב "כל המחלה ... לא אשים עליך כי אני ה' רפאך"

With much blessing for health and happiness for all,

Signed:

Rabbi Chaim Tzvi Groner

Rabbi Mordechai Gutnick

Rabbi Yonason Johnson

Rabbi Moshe Kahn

Rabbi Shmuel Lesches

קצת מקורות:

ראה יו"ד סי' קט"ז סעיף ה': "וכן יזהר מכל דברים המביאים לידי סכנה, כי סכנתא חמירא מאיסורא ויש לחוש יותר לספק סכנה מלספק איסור", ע"ש ובנו"כ שם, וכ"ה בהלכות שמירת גוף ונפש לאדמוה"ז. ולענין מגפת דבר המוזכר שם ראה פת"ש שם בשם הרשב"ש סי' קצ"ה, וראה שו"ת חו"י סי' קצ"ז, וראה גם יו"ד סוף סי' שע"ד, ולהעיר קצת מערוה"ש שם. וראה גם מכתבי הגרעק"א בעת המגיפה בשנת תקצ"א. וראה גם ספר החסידים סי' תרע"ג.