
ADMINISTRATION OF JUSTICE



**SPEECH BY THE MINISTER FOR DEFENCE, JUSTICE AND
SECURITY**

HON. D.N. SERETSE

AT THE COMMITTEE OF SUPPLY

DEPARTMENT 1200

ADMINISTRATION OF JUSTICE

MARCH 2013

INTRODUCTION

- 1. Madam Chairperson,** I humbly request to present the 2013/2014 Budget Estimates for “**HEAD 1200 - ADMINISTRATION OF JUSTICE**”, to this august House.
- 2.** Please allow me to brief this Honourable House on the successes the Judiciary made and the challenges it faced during the financial year 2012/13.
- 3. Madam Chairperson** I start with the progress made on the reforms and activities which the Judiciary undertook in the current year in its continued attempt to improve its operations and deliver on its constitutional mandate.
- 4. Madam Chairperson,** last year I informed this house that in our effort to take justice to the people, three (3) more Stock Theft Courts were being set up at Jwaneng, Palapye and Selebi Phikwe. I am happy to report that the courts are now fully operational in those centres. This brings the total number of Stock Theft Courts in the country to seven (7). The performance of these courts is expected to further improve the disposal

rates of stock theft cases. I would also want to inform this House that the Bill to amend Section 60 of the Magistrate Court Act, increasing the penal powers of all grades of magistrates has been completed and will be presented to Parliament in the July Session.

5.In our endeavour to take justice to the people we will be establishing four (4) new Courts in Shakawe, Nata, Kang and Bobonong. I wish to note here that these courts will be operating in rented facilities.

6.I must hasten to mention that traffic cases and road carnage have been on the rise, further exacerbating safety on our roads and necessitating new strategies to deal with them. Presently there are two traffic courts in operation in Francistown and Gaborone. These will be complemented by Mobile Courts to cover other parts of the country. These courts may also be used for hearing other matters such maintenance and Small Claims.

Relocation of AOJ Headquarters and Developments in the Court of Appeal

7. Madam Chairperson, This House is aware that the headquarters of the Judiciary relocated from Lobatse to Gaborone effective 6th July 2012 following the completion of the Gaborone Court complex. The Court structure houses a division of the High Court and the Court of Appeal making it convenient for people who may want services from both courts and for records of appeal to be transmitted to the Court of Appeal. The aforementioned relocation left Lobatse High Court Division operational with a complement of seven (7) Judges.

8. Madam Chairperson, we continue to localize the Court of Appeal Bench. Two additional citizen Justices have been appointed to the Court of Appeal bench, bringing the number of citizen Justices to four (4). The increase of citizen Justices of Appeal will enable the Court to attend to matters brought to the Court immediately. However, we will continue to use expatriate Justices in the Court of Appeal sessions.

New reforms

9. Madam Chairperson, In its endeavour to further improve case disposal levels the Judiciary will starting in April 2013, pilot Court Annexed Mediation(CAM) which is a form of alternative dispute resolution. This follows a benchmarking exercise in the United States of America by the Judiciary. To facilitate this reform, training will be done starting in March 2013 over a period of six months and will include Judicial Officers, Support Staff and lawyers from both the public service and the private practice. This will further complement the ongoing Judicial Case Management.

10. Madam Chairperson, security of Judicial Officers, particularly magistrates has in the past left a lot to be desired. Incidents of attacks on magistrates in courts are becoming too frequent. We have and are going to continue to strengthen security in our courts and in judicial officers residences in the next financial year.

General Customer Service

- 11.** The manpower needs of the Judiciary continue to be given priority so as to enhance capacity for efficient customer service and speedy delivery of justice.

- 12.** In addition, a number of initiatives are being put in place in response to customer needs. These relate in particular to the disbursement of maintenance (child) funds to beneficiaries, which currently stands at eleven million (P11m) uncollected monies. To address this, the Administration of Justice in collaboration with my office and the Accountant General are exploring customer focused methodologies for disbursing such funds, including engaging the private sector such as Botswana Post and banks, and the most efficient and cost effective system will be employed.

Madam Chairperson

- 13.** The support service staff of the Judiciary continue to be addressed, and trained on the principles and etiquette of customer service, especially in dealing with increasing numbers of customers at several service points, in particular the Small Claims Court and the collection of maintenance funds, where they interact with customers almost on daily basis.
- 14.** Honourable Members, and members of the public at large have expressed concern about what they perceive as easily obtainable bail for criminals. In this regard we have agreed to convene a meeting of all stakeholders on the 22nd March 2013 in Palapye. The objective being to understand circumstances and factors leading to granting of bail, bearing in mind that the granting of bail remains the prerogative of the courts.

Challenges

15. Madam Chairperson, Financial constraints have affected our service delivery and we continue to do more with less.

16. I now turn to budget proposals for financial year 2013/2014.

Recurrent Budget Head 1201

17. Madam Chairperson, a total amount of **One Hundred and Two Million, Nine Hundred and Forty Seven Thousand, Seven Hundred and Twenty Pula (P102 947 720.00)** has been allocated to Personal Emoluments. This represents an increase of **Eight Million, One Hundred and Sixty One Thousand, Seven Hundred Pula (P8 161 700.00)** or **8.61%** above the 2012/2013 estimates. This increase is due to an increase in the establishment of magistrates and their support staff and the three per cent (3%) salary increase.

**PARENT ACCOUNT 00400 - GENERAL EXPENSES AND SUPPLIES
- P28 462 260.00**

18. Madam Chairperson, for General Expenses and Supplies the Administration of Justice has been allocated **Twenty-Eight Million, Four Hundred and Sixty two Thousand and Two Hundred and Sixty Pula(P28 462 260.00)**which represents thirty-one percent (31%) increase from last year's approved budget of Nineteen Million, Three Hundred and Sixty Two Thousand, Four Hundred and Sixty Pula (**P19 362 460**). The increase will cater for the security of Magistrates and the IT system support for the Gaborone High Court Division and Court of Appeal.

**PARENT ACCOUNT 00500 - DEPARTMENTAL SERVICES - P13
920 220.00**

19. Madam Chairperson, for this account, there has been an increase from **Nine Million, Four Hundred and Fifty Seven Thousand, Five Hundred and Seventy Pula(P 9 457 570)** to **Thirteen Million, Nine Hundred and Twenty Thousand, Two Hundred and Twenty Pula(P13 920 220.00)**. This represents an increase of thirty

two percent (32%) from last year's figure. This increase came as a result of decentralization of office-rental budget from Ministry Headquarters (MDJS) of Four Million, Four Hundred and Sixty Two Thousand, Six Hundred and Fifty Pula (P4 462 650.00).

**PARENT ACCOUNT 0700–Maintenance and Running–
P1 966 880.00**

20. Madam Chairperson, For this account there is a slight increase of **One Million, Two Hundred and Thirty Nine Thousand, Three Hundred and Eighty Pula (P1 239 380.00)** from last's year approved figure of **Seven Hundred and Twenty Seven Thousand, Five Hundred Pula(P727 500.00)**. For the financial year 2013/14 the budgeted amount for this account is **One Million, Nine Hundred and Sixty Six Thousand, Eight Hundred and Eighty Pula(P1 966 880.00)**. The increase is as a result of the increase in consumables for the new computers and printers. The percentage increase in this account is thirty six percent (36%) over last year's figure of **One Million, Two Hundred and Thirty**

Nine Three Hundred and Eighty Pula (P1 239 380.00).

21. Madam Chairperson, let me now turn to the development budget.

DEVELOPMENT BUDGET-HEAD 1201

22. Before I proceed, I would like to give a brief overview of our development budget performance for the current financial year.

23. As Honourable Members may recall Administration of Justice (AOJ) was allocated **Eighty Million, Five Hundred and Fifty Thousand Pula (P 80 550 000)** for the 2012/2013 financial year.

24. This amount was allocated amongst the following projects; design and construction of the Gaborone High Court and Court of Appeal, Court Records Management System, procurement of law books, and furniture and equipment for the new Gaborone High Court and Court of Appeal and refurbishment of a Judge's house in Francistown.

Currently, **Forty two Million, two hundred and eighty nine Thousand, nine Hundred and thirty nine Pula (P42 289939)**, which is **52.5%** has been spent mainly on these projects which have now been substantially completed. The refurbishment of the Judge's house in Francistown did not proceed as planned in this financial year and authority has been granted to use the allocated funds to procure a vehicle for the Judge President of the Court of Appeal.

25. Madam Chairperson, I now request approval of **Sixty Two Million, Three Hundred and Seventy Three Thousand Pula (P 62 373 000.00)** for Administration of Justice (AOJ) for the 2013/2014 financial year. This represents a decrease of **P18177000** or **22.6%** over last year's approved budget. Out of this amount, **Eighteen Million (P18 000 000)** is required to fund the final account for the design and construction of the Gaborone Division of the High Court and Court of Appeal. The balance will be used for projects that have been approved for next financial year like Kanye Magistrate Court, extension to Broadhurst Magistrates' Court, staff houses for Maun

Magistrates' Court, procurement of law books for Magistrates, vehicles for Judges, four mobile courts (converted buses) as well as construction of security walls, installation of alarm systems and security fences for houses occupied by Judicial Officers.

CONCLUSION

26. Madam Chairperson, I move that the Recurrent Budget in the sum of **One Hundred and Sixty Three Million, One Hundred and Fifty Three Thousand, Five Hundred Pula (P 163 153 500. 00)** for Organization 1201 be approved and stand part of the schedule of the Appropriation (2013/14) Bill 2013, and **Sixty Two Million Three Hundred and Seventy Three Thousand Pula(P62 373 000.00)** for Development Budget be approved and stand part of these estimates for the Financial Year 2013/14.

Thank You for your attention.