



*Enhancing Judicial Excellence*

188 14 Road, Noordwyk, Midrand

**REPORT ON INDUCTION SEMINAR FOR NEWLY APPOINTED JUDGES OF BOTSWANA  
23-26 APRIL 2019  
GABORONE INTERNATIONAL CONVENTION CENTRE**



**From right to left (front):** Hon. Minister Nonofu Molefhi, Hon. Chief Justice T. Rannowane, Hon. Justice N. Dambuzza, Supreme Court of Appeal, Ms M. Bokole, Permanent Secretary, Ministry of Defence, Justice and Security, and Hon. Justice S. Majiedt, Supreme Court of Appeal. **Back row:** Hon. Justice R. Mathopo

## **A. INTRODUCTION**

One of the functions of the South African Judicial Education Institute (SAJEI) is to render assistance to foreign judicial institutions. The Honorable Chief Justice Mogoeng Mogoeng approved the request from the Honorable Chief Justice Rannowane of Botswana for SAJEI to conduct induction seminar for newly appointed Judges. Through the assistance of Justice N. Dambuza, Chairperson of the SAJEI Curriculum Planning and Development Committee a team of Facilitators was constituted consisting of Justice S. Majiedt; Justice R. Mathopo; Justice N. Dambuza and Justice Plasket. The team was joined by two experienced Judges from Botswana namely; Justice L. Moroka and Justice O. Ketlogetswe. A planning session of the Facilitators took place on the 22<sup>nd</sup> April 2019 in Gaborone followed by the seminar which was conducted over a period of four days.

The seminar was officially declared open by the Hon Chief Justice Rannowane. Also in attendance were the Hon Minister Nonofu Molefhi, Minister of Presidential Affairs, Governance and Public Administration (Acting Minister of Defence, Justice and Security), Ms Matshidiso Bokole, Permanent Secretary of Ministry of Defence, Justice and Security as well as nine newly appointed Judges.

## **B. OPENING SESSION**

His lordship, Chief Justice Rannowane welcomed all in attendance and delivered opening address. The Chief Justice expressed gratitude for the support received from Chief Justice Mogoeng Mogoeng. The Chief Justice also commended the team of Facilitators and SAJEI officials for their commitment to judicial training. Furthermore, the Chief Justice expressed the aspiration of institutionalizing judicial training in Botswana and establishment of an Institute in Lobatse.

After Justice Dambuza facilitated the introduction of the Facilitators and participants, the Minister of Presidential Affairs, Governance and Public Administration, Hon Nonofu Molefhi delivered a keynote address on Judicial accountability. Hon. Minister Molefhi also expressed appreciation for the support from the Justices of the Supreme Court of Appeal. Hon. Minister indicated that the newly appointed Judges should be “sensitized on matters of work ethos”.

The Hon. Minister highlighted the concerns of the public relating to backlog of cases and judgments that are not easily understood. Hon Minister stated that judgments sometimes take long to be delivered and thus adversely affect access to justice. Although there are inordinate

delays, Judges should not rush through decisions without due care, as justice hurried is justice buried. Lastly, Hon. Minister called on Judges to be conscious of the power in their hands.

### **C. SEMINAR PROGRAM**

The topics covered during the seminar were as follows:

- a. Judicial Caseflow Management: Justice G. Ketlogetswe (Botswana)
- b. Managing Civil Trials: Justice N. Dambuza (SA) and Justice Ketlogetswe
- c. Managing Criminal Trials: Justice R. Mathopo (SA) and Justice L. Moroka (Botswana)
- d. Sentencing: Justice Mathopo and Justice Moroka
- e. Unopposed and opposed motions: Justice Mathopo and Justice Moroka
- f. Judgment writing: Justice S. Majiedt (SA)
- g. Administrative Law reviews: Justice C. Plasket (SA)
- h. Financial intelligence and money laundering: Dr A. Sethibe (Botswana)
- i. Social media and the Judiciary: Justice Majiedt
- j. Appeals and Reviews: Justice Dambuza and Justice Moroka.

A program is attached for ease of reference (***Annexure 1***)

The evaluation feedback from the participants was very positive. In sum, their comments were as follows:

- a. The Facilitators were highly knowledgeable
- b. The presentations were well researched, incisive and enlightening.
- c. The interactive component and sharing of practical court experience was appreciated.
- d. The feedback provided on judgments by Facilitators was found to be useful.
- e. The presentation on Administrative Law reviews was excellent and stimulating.
- f. The seminar was most appropriate for new Judges.
- g. There was good approach to Appeals and Reviews.
- h. The presentation on social media and Judiciary was enlightening.

The following recommendations were made:

- a. Participants would like to receive training materials in advance in order to conduct preliminary research.
- b. The training should be extended to all Judges as part of continuing Judicial education.
- c. There is a need to add Judicial independence, Judicial ethics and Statutory interpretation on the program.
- d. There is a need for additional time for the topics, time allocated for presentations was too short.
- e. There is a need for ongoing refresher courses.

#### **D. CONCLUDING REMARKS**

SAJEI would like to thank the Facilitators for their support, commitment and sacrifice. This seminar was a debut program conducted by SAJEI in a foreign jurisdiction. Lastly, SAJEI would not have succeeded without the excellent support of Mr Motlhabi, Registrar, Ms Moatswi, Deputy Registrar, Ms Setlhomu, Deputy Registrar and other team members.