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**THE SECOND MEETING OF THE THIRD SESSION
OF THE TWELFTH PARLIAMENT**

MONDAY 14 MARCH 2022

MIXED VERSION

HANSARD NO: 205



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Monday 14th March, 2022

THE ASSEMBLY met at 2:00 p.m.

(THE SPEAKER in the Chair)

P R A Y E R S

QUESTIONS FOR ORAL ANSWER

IMPROVEMENT OF TAX COLLECTION BY BURS

MR D. L. KEORAPETSE (SELEBI PHIKWE WEST): asked the Minister of Finance and Economic Development:

- (i) to specifically state innovative measures, the Botswana Unified Revenue Services (BURS) has put in place to improve tax collection from businesses; and
- (ii) to explain why payment terminals in the form of Electronic Data Capture Machine/Card Swipe Machine linked to BURS cannot be compulsory for certain categories of formal businesses to monitor transactions.

**ACTING MINISTER OF FINANCE AND
ECONOMIC DEVELOPMENT (MR SEGOKGO):**
Thank you Mr Speaker.

- (i) Mr Speaker, several innovative measures and interventions have been put in place over the last few years to enhance Botswana Unified Revenue Service's capabilities to optimise revenue mobilisation. Amongst the measures are the following, I will articulate them in sequence:
- (a) Tax Payer Management System - BURS has in place a tax and customs management system to facilitate taxpayers and traders to lodge and file Tax Returns and Customs Declarations as well as make online payments. Amongst other capabilities, the systems have distinct capabilities to allow clients to file Individual Tax Returns and Small and Medium Enterprises Customs Declarations with their mobile phones on a mobile application called MTax App.
- (b) Data Exchange – Mr Speaker, BURS in collaboration with the South African Revenue Service (SARS) has commissioned and

implemented a data exchange platform to reconcile and ascertain consistency in declaration of customs data generated from either side. This platform ensures transparency in the international supply chain, as well as promotes compliance in declaration and payment of customs duties and taxes on goods at ports of entry.

- (c) Track and Trace System - Due to substantial revenue leakages on tobacco and alcoholic products, BURS will in the first quarter of the 2022/2023 commence implementation of a track and trace system to manage these products. In more specific terms, the system will significantly improve the capacity of BURS in pursuing modern administration of the national market of risky products under the customs control; strengthening fair market conditions for all economic operators active in goods under customs control; fighting more efficiently against smuggling, counterfeiting, and under declaration and other illicit practices related to the trade of such goods; identifying quickly, and eliminating in an effective manner tax evasion and other forms of fiscal fraud related to production, importation, distribution and exportation of products under the customs control; protecting consumers against risks caused by the use of illegal products of sub-standard quality; and identifying revenue gaps to improve revenue collection.
- (d) Electronic VAT Billing Solution – Mr Speaker, as part of the Economic Recovery and Transformation Plan (ERTP), approved by Parliament in 2020, BURS will, during the financial year 2022/2023 introduce an Electronic VAT Billing Solution (EVBS) in order to improve revenue collection efficiency for VAT. The project is intended to ensure that all VAT registered businesses produce and issue receipts of all transactions. Subsequently, a record of the EVBS transactions shall in turn be submitted to BURS users on a daily basis. This will be achieved by integrating the billing machines with BURS systems, thereby reducing the risk of tax evasion and tax fraud; and
- (e) Taxpayer Segmentation - Mr Speaker, in line with international best practice in tax administration, BURS has segmented its taxpayers into large, medium and small in order to manage compliance and enhance revenue collection. With this model,



BURS has dedicated Relationship Managers who manage the tax affairs of all large taxpayers as they are the largest contributors to Government tax revenue.

- (ii) Mr Speaker, in Botswana, people who wish to make any payments are allowed to use any mode of payment that they are most comfortable with. There are no provisions under any law that may allow mandatory use of the Electronic Data Capture Machine or Card swipe machines for any categories of formal businesses compulsory. However, Mr Speaker, consideration will be made across all the laws of Botswana to introduce a requirement for the use of swipe machines for certain categories of formal business in order to monitor transactions. I thank you Mr Speaker.

MR KEORAPETSE: Supplementary Mr Speaker. Thank you Honourable Minister. I am aware that you are not the Substantive Minister for Finance and Economic Development. With respect to (i) I think we have dealt with the issue quite extensively through other questions and the budget speech. On question two you are saying, ‘consideration will be made,’ is it a consideration as a result of this question, or because we have been making calls as Parliament dating back from the 11th Parliament on the use of electronic data capture machines or card swipe machines linked to BURS? Is it a matter that we have been considering as a result of these calls, and whether it does not worry you that certain categories of business community prefer to be paid with large sums of cash, particularly Chinese and Indians, they prefer to be paid with large sums of cash, and that is where tax evasion comes in. Are you not worried about these practices? In your view, what is the best way to deal with such modes of payment? I thank you Mr Speaker.

MR SEGOKGO: Thank you Mr Speaker. With respect to the first question, whether the statement that consideration will be made across all laws of Botswana to introduce requirement, the Honourable Member is correct, whilst I am not the substantive Minister of Finance, these calls date back quite some time, and certainly I do not expect therefore that the considerations arise simply because he has posed the question today, these have been reflected upon. I think there is clear evidence of that fact. If you look at the answer to part one where we talk about the introduction of the electronic VAT billing systems, because some of what you are seeking needs to be supported by these very systems.

I then proceed to his second question, does it not worry us that there are businesses that transact with large amounts of money by cash and therefore, there is an opportunity to evade things like VAT.

Of course that is what it is and yet again, I want to say that the evidence of that is by way of what we are doing in terms of the systems that we are putting in place, and indeed looking across the loss, to see to it that we try and close this gap.

So, the answer in short Mr Speaker, he asked what is the best way. Certainly, I think you want a water tight system, that keeps a record of the transactions that these businesses are doing, in a manner that is transparent to the Government, so it is able to know that it is collecting the Value Added Taxes (VAT) that are paid to it, are the correct amounts of VAT and I am convinced that the work that is being done is towards that end. I thank you Mr Speaker.

MR KEORAPETSE: Further supplementary. Just so that we are sure Honourable Minister, can you update Parliament on the nature of this consideration? Do you have a committee set up in place to look at the prudence of electronic data capture machine usage linked to BURS as a compulsory system set up in businesses of whatever value? What is the nature of the consideration so that we can be able to hold you accountable on what you are telling Parliament today?

MR SEGOKGO: Thank you Mr Speaker. I must be honest to say that I do not have the full details of that consideration, but certainly the ministry is actually looking at the implementation of such. I promise the Honourable Member, that I will revert back to him with the details of what has already been progressed in that respect.

MR RAMOGAPI: *Supplementary.* Ke a leboga Mr Speaker. Ke botsa Tona gore ke eng o kare le setse Batswana morago fela thata, ka kgang ya lekgetho, mme fa go tla go tsena batswakwa, e bo e le gore ga le ba sale morago thata? Ke baya sekai se se fiwang ke Honourable Dithapelo Keorapetse gore bontsi jwa dishopo tsa maChina ba duedisa batho VAT, mme ga ba e ise kwa go Goromente ka gore le receipts ba gana go di neela batho. Fela fa o re receipt, o tlaabo a tsaya ordinary paper a kwalakwala a bo a re, “tsaya, ‘ke yone receipt, take.’” O ya kwa go ba ditena, ba ba rekisang ka madi a mantsintsi, ditena kana ke kgona go reka ka bo P20 000. O tlaabo a gana a re nnyaa, ke batla cash fela. Fa o re receipt; “no, I do not give, cash, bring, take.”



Dilo tse Tona, tota mme fela gone a la re ga le di bone? Le tsamaya Botswana fa kae? Ke sone se re reng, a e se tota o kare lona le setse Batswana morago fela, Batswakwa ga le na sepe le bone? *Same applies* le ba batswakwa ba ba rekisang dikoloi ba ba tletseng mo. Ga ba duele lekgetho, mme le ba lesa fela, Motswana ene nnyaa, le mo sala morago. Golo mo go bakwa ke eng Tona? Ke a leboga.

MR SEGOKGO: Ke a leboga *Mr Speaker*. Ga ke eletse gore ke re ke dumalana thata le se Ramogapi a se buang gore re setse Batswana morago fela, ga re a sala dikgwebo tse morago. Go boammaaruri selo se a se buang ke letshwenyo gore dikgwebo tse di bo di sa ntshe *receipts* le dilo tse di ntseng jalo, mme e bile fa ba batla go amogela, le madi a koo. Ke batla go mo fa sekai fela sa gore o ne a bua kwa bofelong ka ba ba rekisang dikoloi, o a itse gore go ne go tsogile tlhatlharuane nako e nne batho ba setswe morago ba tlhethomisiwa, e bile go tlhomamisiwa gore ba duela lekgetho le le tshwanetseng.

Ke batla go supa *Mr Speaker*, gore ba BURS gape kana ba supile gore ba lebelela dikgwebo ka gore bokete jwa kgwebo eo bo ntse jang, gore ba tle ba kgone go itebaganya le tsone tse di nang le *turnover* kana tse di tsenyang madi a mantsi. Ke tsone tse kwa go tsone go ka phuthiwang lekgetho le le fa godimonyana. Ke one mokgwa o ke batlang go bua *Mr Speaker*, ke re tota ga ke welelane le ene, ke setse ke supile mo karabong e gore tse di dirwang gore re kgone go itebaganya le dikgwebo tse, di a dirwa, re mo tseleng e e ntseng jalo. Ke a leboga *Mr Speaker*.

RETAIL BUSINESS OPERATIONS

MR T. MANGWEGAPE-HEALY (GABORONE CENTRAL): asked the Minister of Investment, Trade and Industry to state:

- (i) by name, the retail stores in Botswana which, in addition to their retail business operations, also operate farms/feedlots, poultry farms, grow vegetables for sale at their stores, and also sell cooked foodstuffs such as fat cakes, samp, meat, etc.;
- (ii) if the sale of cooked foodstuffs is part of their ordinary retail licence or they had to augment their licences by applying for special licences to the Minister in order for them to also sell cooked foodstuffs;

- (iii) if issuing such compounded licences does not defeat the Government's vision of income distribution and employment creation;
- (iv) the core functions of the Competition and Consumer Authority and if in his view these retail stores are not violating the competition legislation by occupying the entire value chain of retailing; and
- (v) what it would take, in terms of legislation or policy adjustment, to ensure that these retail stores cease to sell foodstuffs and hive off that operation to be undertaken by ordinary unemployed Batswana.

ACTING MINISTER OF INVESTMENT, TRADE AND INDUSTRY (MR PULE): I must take this opportunity Mr Speaker, to thank Honourable Member of Parliament (MP) for Gaborone Central for asking five questions which are actually going to help us provide enough information for Members of this House.

- (i) Mr Speaker, there are many retail businesses that are licenced under the Trade Act, 2020 and its subsidiary legislation that are eligible to sell cooked food. Amongst them are department stores, fresh produce, general dealers, supermarkets, restaurants and takeaways. There is no prescription on the type of food to be cooked at such stores. Mr Speaker, I only have the information with respect to businesses that are licenced under the Trade Act and therefore I am not in a very good official position to know if the owners of these retail businesses simultaneously operate farms. The ministry has currently commenced a study which is intended to give us the correct record of what is happening on the ground.
- (ii) Mr Speaker, the law allows either a department store or supermarket to house a takeaway business and fresh produce within its licenced premises provided that takeaway business or fresh produce is operated by citizens or companies wholly-owned by citizens.
- (iii) Mr Speaker, the Trade Act does not limit the number of businesses that one can operate as long as they comply. In my opinion, various licences create job opportunities to Batswana.
- (iv) Mr Speaker, the core function of the Competition and Consumer Authority (CCA) is to prevent and redress anti-competitive practices in the



economy, and to protect consumer rights through investigation and control of unfair business practices. These powers are vested in the two pieces of legislation being; The Competition Act of 2018; and The Consumer Protection Act of 2018.

The Competition Act does not restrict the operation of enterprises across the value chain, business operation is a function of the trade licence. Enterprises are only subjected to regulatory (competition) scrutiny whenever they seek to buy existing business enterprises; at that point merger control processes would kick in. The purpose of the merger control process, amongst other things is to maintain effective competition in the market place. The Authority would ensure that a vertical merger does not facilitate the foreclosure of a downstream competing firm.

Currently the CCA is carrying out an investigation on possible abuse of dominance that could be a result of vertical agreements by some major local supermarket retailers.

- (v) In conclusion, Mr Speaker, there is no need to amend the law as various statutes including Council Bye Laws provide for opportunities for various operators including small and micro business operators to sell cooked food.

My ministry has always and will continue to use Statutory Instruments to empower citizens. I thank you Mr Speaker.

MR MANGWEGAPE-HEALY: *Supplementary.* Thank you very much Mr Speaker. Tona ke lebogela karabo ya gago. Sa ntlha mo karabong ya (i), o rile ga o na maina a ke neng ke a batla, o rile you are carrying out a study. E le gore Tona, you cannot have asked them across the business gore do you conduct these particular businesses? Do you have to wait for the study ya the Competition Authority jaaka o bua, e re sa itseng gore e ya go tsaya lebaka le le kae? A go ne go ka se ke go kgonege gore o ka bo o boditse the people that the councils licensed gore, businesses tsa go nna jaana le jaana, a ba a di dira?

Sa bobedi, ga ke a go utlwa sentle gore golo fale a o ne o re golo mo ga o bone go tsenya kgatelelo mo bagwebing potlana, o bona go siame fela gore kgwebo e tonatona, e kcona gore e bo e itemela, e bo e ithuela dinku, dipodi le dikgomo tse e yang go di rekisa at a butchery ya tsone, e tsaya dithoto tse e di lemang e di rekisa. Golo moo wa re ga o bone go gatelela bagwebi potlana?

Sa bofelo, o ne o bua ka Competition Authority. Does the Competition Law, kana ke gore e ntsieditse ka fa o neng o e araba ka teng, ka gore nna ka fa ke tlhaloganyang ka teng, the Competition Law does not allow abuse of dominance. When you are answering this question, go lebega o dumalana gore there is dominance and it could be abused, mme o kare wa re ga o bone go na le molato. Ke batla gore o e clarify gone foo gore, possible abuse of dominance e e dirwang ke these retail stores, what is your answer ka yone? Ga ke a e utlwa sentle. Ke a leboga Mr Speaker.

MR PULE: Thank you Mr Speaker. Bokhutshwane le boolele jwa kgang ya ga Honourable Healy ya gore, a re batla go emela study gore se dirwe, yes I agree with you Honourable Healy because the study might take a longer period of time to be completed. Maybe up to a year or so, but the intention of the study was to collect comprehensive information that will truly guide the ministry on how the situation is on the ground, so that we can come up with the right kind of recommendations.

O ne o bua ka kgokgontsho kana ka kgatelelo, ke boammaaruri motlotlegi, Ministry of Investment, Trade and Industry le the Competition Authority ga di lettelele kgatelelo. Fa re ka bonang kgatelelo teng, go na le gore we can involve the Statutory Instruments tse di lekang go laola seemo seo sa kgatelelo. Tse go tlaabong go lebaganwe le go bona gore, go gateletswe fa kae, kana dilo tsa mergers for instance or somebody a batla go reka ba bangwe. Ke dilo tse molao wa Competition Authority o lettelelang gore the authority can actually manage them, and even control that situation gore ga o ka ke wa tsaya batho wa ba reka, o bo o ba ntsha mo business.

Fa o lebelela recently, the Ministry of Investment, Trade and Industry launched an initiative e e bidiwang gotwe ke #phusabw. This initiative, its intention ke go laola kgatelelo eo gore the retailers should actually be left to retail. Ba se ka ba lwela businesses le Small, Micro and Medium Enterprises (SMMEs), ba ba lekang to produce, say for instance, vegetables and other things. Ba bereke mmogo. Jaaka ke ne ke tlhalosa, molao ka fa o ntseng ka teng mo go se sebaka, does not restrict them gore ba ka rekisa eng, ba ka se ka ba rekisa eng. That is how the law is, and probably if we have to change that situation, we also have to change the law and ga ke itse gore to what extent will it really be okay for us to change it, because kana dilo tsa business ke business and there should be competition. Fa o simolola o gatelela ba gotweng ke retailers, gongwe e bile le ba ba ka fa tota are not really doing enough, we might put pressure on the economy.



The other one ya abuse of dominance, le eo ke e tlhalositse motlotlegi gore tota abuse of dominance ga e lettelelw. That is why re na le authority e e tshwanang le Competition Authority which is a watchdog ya go lebelela abuse of dominance and intervene. Molao o a ba lettelela ka fa o kwadilweng ka teng gore, they can intervene accordingly Mr Speaker. I thank you Mr Speaker.

MR MANGWEGAPE-HEALY: Supplementary. Mr Speaker, kana mo potsong ya ntlha se ke neng ke leka go se bua ke gore, ke a utlwa motlotlegi gore a re ba emetse study. Jaanong se ke se buang e ne e le gore for the purpose of answering this question, they did not have to wait for the study. Ba ka bo ba isitse the necessary questionnaire to the possible affected party, ba bo ba ba araba. It might not be as conclusive as a study, but for the purpose of the question here, we needed that information.

HONOURABLE MEMBER: Ke eng o sa botse ba ba ileng Dubai, wa tlogela swaare?

MR PULE: *Thank you Mr Speaker. Ke a utlwa motlotlegi, mafoko a o a buang ke mafoko a tlhwatlhw. Ba botlhe re tshwenyegile gore small businesses di a kgorelediwa kana di a gatelew. Tota we have not thought about that, but ke mogopolo o re ka o bayang mo tafoleng, ra bona gore re ka dira jang, ka boela kwa go ba ba dirang tiro ya go nna jaana, re bone gore a mme is it something that can be done without having to rely only on the study, se re buang ka sone. Study se, the reason why ke ne ke re gongwe we wanted to wait for the study, ke gore it is a study that is going to use the Organisation for Economic Cooperation and Development (OECD) Model, which is an international model that has actually informed how the study is going to be conducted. Mo go rayang gore tota fela study seo, re ne re na le tumelo e e tletseng gore fa se dirilwe, it will give us detailed and comprehensive information that can guide this economy. I am not putting aside your suggestion, I think I will take it, and then re bone gore gore gongwe re ka boela kwa go wena motlotlegi, re leka go go neela karabo e gongwe e ka go kgotsofatsang. Ke a leboga.*

MR KEORAPETSE: Procedure. Mr Speaker, is it not an indecent proposal by mmotsi wa potso gore effectively what he is requesting is to name and shame major sponsors of the ruling party? A go ka lettelesega mo Standing Orders?

HONOURABLE MEMBER: Motho yo o go diela nako Mr Speaker.

MR KEORAPETSE: Barotloetsi ba batona ba Domkrag.

MR SPEAKER (MR SKELEMANI): Ga ke itse gore a ke ba Domkrag kana ke ba kae.

HONOURABLE MEMBER: Where is the procedure?

HONOURABLE MEMBER: Le gone o tshwenya Pule, batho ba ile go ijesa monate kwa Dubai.

HONOURABLE MEMBER: Nna rra ke boletsa Batswana.

MR MOTSAMAI: *Supplementary. Mr Speaker, ke utlwa Tona jaaka a araba. O bua gore re santse re tlaa baya dikgang mo tafoleng jangjang, mme kana dikgang tse di tswa kgakala rraetsho. Re tshwanetse re go thomamisetse gore Batswana ba a lela kwa ntle, gore e bo dikompone tse ditona, beng ba tsone ba ba ruileng dikoko, e bo e le bone ba gape ba rekisetsang Batswana dikoko, ba boa gape ba rekisa mala, dintshu le dibete in the shops. Batswana ba ba kwa ntle ba dikobo dikhutshwane, sa bone e bo e le keledi fela. Batswana ba a lela rraetsho, o santse o bua ka ditafole.*

A o ne o sa bone gore go botlhokwa gore thulaganyo e Rre Healy a buang ka yone, go tsene molao fela wa potlako, jaaka wa maloba wa gore batho ba se ka ba sia ka ditilo? O le neng la o tsenya ka potlako le kganelo batho go tlola ka ditilo, la se ka la re le dira dithlhotlhomo. A o ne o sa bone go tshwanelo gore go tsene gape molao wa potlako o o tshwanang le wa banning of vegetables go tswa kwa ntle? A ga o bone go tshwana fela gore le eme ka dinao le dire the same thing le sireletse Batswana rraetsho? Go reka flour in a shop e tona, e bo e boa gape e gaisana le wena ka magwinya, ga se golo mo go fang kitso Mr Speaker. Ke a leboga.

MR PULE: *Thank you Mr Speaker. Ke a go utlwa Honourable Motsamai. O bua mafoko a tlhwatlhw. Fa ke araba, ke tlhalositse ke sa potapotele, ke sa iphithe kwa monwana ke re we have an Authority e e bidiwang gotwe ke Competition Authority. The whole job ya yone is to keep competition under check in the country. Mo go rayang gore fa go nna le unfair competition, e a tsena. Fa go na le unfair measures e a tsena to adjudicate. Dilo tse di a diragala because there is a law that was promulgated ka 2018 o o dirang tiro ya go nna jalo.*



Jaanong ga ke itse gore golo gongwe a ga re a utlwana nna le wena fa ke re, fa go nna le dilo dingwe tse di tlhokanang le Statutory Instrument, we invoke some Statutory Instruments tse di lekang go laola gore we can restrict eng, ra se ka ra kganelo eng go lebeletswe seemo. What Competition Authority has done right now is to invoke a study that will give them a comprehensive record of what is going on. That study will also help them come up with recommendations tse di comprehensive tsa go leka to put all these things under check.

Ke ne ke tlhalosa ke re recently, the same ministry has launched an initiative e ke tsayang gore it is proper; e e itebagantseng le go laola diemo tse o buang ka tsone Honourable Motsamai. E bidiwa gotwe #PushaBw. The whole forum ya teng ke gore the small producers and big producers who are retailers le value chain yotlhe e e teng has to balance. Re netefatse gore batho ba, ga ba gatane menwana. The retailers understand gore the small producers also have to provide. For instance; ke ne ke utlwa Rre Keorapetse kgantele a re procedure, a bo ke utlwa a shaota. Batho ba ba ton a ba retailers tiro ya bone ke go laola diemo tsa gore ba se ka ba felela ba gateletse ba ba kwa tlase. That is the sole purpose ya #PushaBW, go leka go laola market gore go se ka ga nna le yo o gatelelang yo mongwe. Goromento o na le upper hand ka gore fa go na le unfair competition, will invoke Statutory Instruments tse di laolang seemo go nna jalo through Competition Authority.

Jaanong e kete o a sotla a re dilo di se ka tsa bewa mo tafoleng. Tafole is important because it is going to give us a comprehensive record. In the meantime, initiatives are in place go laola seemo sa go nna jalo motlotlegi. Ke a leboga.

DIS OPERATIONS

MR M. BALOPI (GABORONE NORTH): asked the Minister for Presidential Affairs, Governance and Public Administration to brief this Honourable House on:

- (i) the operations of the Directorate of Intelligence and Security (DIS) and whether he does not consider some of its actions to be tarnishing Government image;
- (ii) how many court cases have been brought against the DIS for wrongful arrests, harassment and unlawful undertakings and how many it has successfully defended; and
- (iii) whether Government will not consider limiting DIS operations to investigations and that other enforcement actions be left to institutions like the Botswana Police Service (BPS).

MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MORWAENG): Mma ke go leboge Motsamaisa Dipuisanyo tsa Palamente. Raetsho, ke bo ke go ikokobeletse wena le boeteledipele jotlhe jo bo leng fano.

- (i) Mr Speaker, the operations of the Directorate of Intelligence and Security (DIS) are subject to the provisions of the Intelligence and Security Service Act Chapter 23.02, which is an Act that provides for the establishment of the DIS and define its functions. In terms of Section 5(1) of the aforesaid Act, the function of the Directorate is amongst other things; to investigate threats to national security as defined in terms of Section 2 of the Act in the exercise of its functions. That is to investigate, gather, coordinates, correlate, interpret intelligence etcetera. The operations are protected in terms of the Intelligence and Security Service Act.

The Intelligence and Security Service Act further provides for the structures such as the Tribunal which receive complaints from a person aggrieved by an act or mission of an officer of the Directorate. Inherently with any organisation, particularly law enforcement agencies, complaints should be made including and not limited to claims of harassment. It is in the light of the above, that I do not consider that any of the actions are tarnishing the image of Government because of their respect of the rule of law.

- (ii) There have been two cases brought against the Directorate for harassment, which have been successfully defended before the High Court as well as the Court of Appeal. Judgements in favour of the Directorate are a matter of public record and the Directorate like any other litigant continues to defend claims against it through the legal advice of the Principal Legal Advisor being the Attorney General's Chambers.

As previously stated Mr Speaker, the functions of the Directorate are clearly spelt out in the Act which include to protect the security interest of Botswana, whether political, military or economic. This is done in collaboration with the National Intelligence Community established by the Act and mandated to ensure inter-agency exchange of intelligence. Noteworthy is that this community is made up of Members of the law enforcement and other Government departments.



(iii) The role of the Botswana Police is set out in terms of the Police Act Chapter 21(01) and the functions clearly defined therein. What is of paramount consideration is that, there is need for agencies to cooperate in order to deal with the evolving changes of criminal activities that in no doubt threaten the security interest of this Republic. Criminal syndicates have become more sophisticated and criminal activities becoming complex. Be it crime of an economic nature, political or military, joint effort must be encouraged to harness this within our society. Limiting the operations of the Directorate will in no way be in the interest of the security of this nation where law enforcement is currently overwhelmed in the performance of their respective mandates. The law enforcement agencies complement each other in the combat of crime and achievement of the common goals. I thank you Mr Speaker.

MR BALOPI: *Supplementary.* Ke a leboga Tona. Ke a leboga Motsamaisa Dipuisanyo tsa Palamente. Tona, potso e, ga ke itse gore a ga o lemoge gore go na le bothokwa jwa gore go nne le go tsenelela mo go kwa teng go tlhalosetsa Batswana le batlotlegi ba Ntlo e ka kakaretso kgapetsakgapetsa, le go ba lemotsha botlhokwa jaaka o sa tswa go bua ka lekalana le? Makalana a Puso fa e sale a dirwa lefatshe le le tlholwa, ga ke ise, le wena Tona o ka supa seo, ra nna le dingongora tse dintsitse di amang lephata lengwe la Puso le one tota a a etseng batho tlhoko. A ga o bone gore fa re tsibogela pego ya ga Tautona ya madi, bakaulengwe mo Ntlong e, le bone go ne go na le tse ba neng ba ipelaetsa ka tsone tsa lephata le?

A ga o bone Tona go na le gore gongwe go dirwe go feta jaaka o ne o bua gore go tlhalosediwe batho bomosola le go itse kgapetsakgapetsa Batswana le botlhe ba ba ka tswang ba itse molao jaaka badiri ba molao ba Ntlo e?

MR MORWAENG: Ke a leboga Motlotlegi Rre Balopi. Sa ntla ke supe gore mo tsamaisong ya rona ya Puso jaaka o itse, *there are three arms of Government.* Palamente, *Executive* le *Judiciary* di itsheegile ka molao. *The rule of law* ke yone e e leng mmangmmang. Ga gona lephata lepe la Puso *that operates on its own.* Lephata le tshwana le DIS *operates* ka melawana e le e neetsweng gore *you operate within these laws.* Ba sepodise *operate within these laws.* They are already limited by the law.

DIS, police, Botswana Defence Force (BDF) and any other law enforcement agency, go na le melao e e leng gore *it has limited tsamaiso ya tsone, ke gore they are regulated by the law.*

Fa e le gore o dumela o le Motswana gore ba ba amegang, *including the DIS, fa e le gore e operate kwa ntle ga molao o o e fileng thata ya to operate, that is why re re o ka ya go ikuela kwa lekgotleng le le tlhomilweng gore o ka ikuela kwa go lone kgotsa o ka ya kwa go ba molao wa ya go ikuela teng. So, tota rona ka fa re dumelang ka teng ke gore the DIS is operating within the law and when it operates within the law, fa go na le ngongorego e tlaabo e itebaganya le go ka ya kwa molaong.*

Jaaka o bua gore kana dingongorego di dintsitse, kana ngongorego fa e le teng, e tshwanetse jaaka ke tlhalosa e ye kwa molaong. Jaaka o re bontsi jwa batho ba a ngongorega, o raya ba o ba utlwang Rre Balopi, mme ba bantsi ba ba sa ngongoreng *as usual and ga re na go ba utlwa.* Kana batho fa ba le palo potlana fa ba tsosa modumo, re utlwa modumo wa bone bao, mme bontsi jo bo didimetseng jone, ga re na go ba utlwa ka gore ba didimetse. Mme jaaka o supa gore go bua mo gontsi ga bangwe a ga go re tshwenye thata, ke re nnyaa, tota ga ke dumele gore a ba a bo a ba dira phoso ka gore fa ba dumela gore sengwe ga se direge sentle, ba tshwanetse ba tseye maikarabelo a go ka supa gore ga go tsamaye sentle. Ke ka gakolola fela gore *the DIS in particular, it operates within the law and of course* se ke ka se kopang fela ke gore bontsi jwa rona gongwe re tshwanetse re itlwaetse go bala molao gore molao wa DIS wa reng ka gore ka fa e berekang ka teng, rona tota re itse gore e bereka ka fa molaong.

*That is why Batswana ba ba ngongoregang ba kgona go ka ya kwa lekgotleng. That is why e bile go dirilwe tribunal e batho ba ka yang go ikuela teng fa e le gore ba dumela gore dilo ga di ga di tsamaye sentle. Fela ke ka go tlhomamisetsa gore tota *they act within the law* ka dinako tsotlhe. Ee, mo gongwe modumo o a tle o tsoge kana dingongorego. Tse dingwe ke ka bosenakitsi kana ka bomo *sir to tarnish* leina la DIS. Mo gongwe ke bosenakitsi mo gongwe jaaka ke tlhalosa gore tota *they are simply doing their job and ga ke dumele gore ba teng batho ba e leng gore fa ba tlhotlhomiwa gantsi ba ka lets me golokwane gore re a tlhotlhomiwa ka kwano, nnyaa, ga ba ka ke ba dira jalo. So, ga ke gakgamale sir gore bangwe ba bo ba ka tsosa modumo kana ba ka supa ngongorego.* Ke ka go tlhomamisetsa gore ga se Batswana ba bantsi jaaka o bua mokaulengwe, ke ba le*



palo potlana ba e leng gore gantsi e bile ba a bo e le gore tota ba a bo ba itsheka kwa ba dirisang *platforms* tse e seng tsone. Ke a leboga.

HONOURABLE MEMBER: Further clarification Mr Speaker.

MR KEORAPETSE: Supplementary.

MR SPEAKER: Honourable Keorapetse. I will come back to you Honourable Balopi.

MR KEORAPETSE: Motsamaisa Dipuisanyo tsa Palamente, ke a leboga. Honourable Morwaeng, a se o se buang ke gore bontsi jwa batho ba ba ngongoregelang lekgotla le la DIS, ke ba ba tlhotlhomiwang? Go lebega Honourable Balopi a na le ngongorego ya gore dilo ga di tsamaye sentle. Go lebega Honourable Dow a ne a bua gone mo Palamenteng gore *the DIS operates outside the law*. A o raya gore batho ba e ka tswa bangwe ba e leng gore DIS e a ba tlhotlhomisa? Ke santlha.

Sa bobedi mma ke go botse gore a o na le dipalo tsa Batswana ba ba ngongoregileng;

- (i) Kwa mapodiseng ka DIS ka *the unlawful arrests, harassment and unlawful undertakings?*
- (ii) Ba ba ngongoregileng kwa go *Ombudsman?*
- (iii) Ba ba ngongoregileng kwa *the DIS Tribunal?*
- (iv) Ba ba neng ba ikuela kwa makgatleng? A o na le dipalo tsa batho botlhe le gore *what has been the outcome* ya dingongorego tsa bone?

Se sengwe ke gore o re tlhalosetse ka *tribunal*. A gone gompieno jaana o ka bolelala Batswana gore *Secretariat* ya *Tribunal* e bonwa kae? *The numbers* tsa yone di kwa kae? Diofisi tsa yone di kwa kae kwa ba ikuelang teng?

Sa bofelo ke gore a wena o le Honourable Morwaeng, a wa re fa e sale o tsena mo setilong sa boTona ga gona gope kwa o kileng wa utlwalela kgetsi ya e e leng gore DIS ga e a ka ya e itshwara sentle kana ga e a dira dilo ka fa mokgweng kana ka fa molaong? A selo seo wa re ga o ise o se utlwe gotlhelele fela ga e sale jaaka o nna Tona? Ke a leboga.

MR MORWAENG: Ke a leboga Motlotlegi Keorapetse. Jaaka ke supile, ke tlhalositse gore go na le dikgetsi tse ke di itseng jaaka Motlotlegi Rre Balopi a ne a boditse. Ke supile mo karabong ya me gore di pedi tse di neng tsa ya kwa *court*, tsa bo tsa ya kwa *Court of Appeal*, mme ba garona ba DIS ba atlega mo dikgetsing tseo. Ke ne ke re ke go tlhalosetse jaaka ke ne

ke tlhalosa mo karabong ya me ka bophara gore gantsi mo dikgannyeng tse di amanang le *law enforcement agencies*, ga go nke go tlhokega dikgang tse di amanang le bo *harassment*. Fa gongwe batho ba ikuela gone gore *they have been harassed*. Jaaka ke bua, go na le tsamaiso e e teng ya ba ka ya teng. Go itsewe ene *Chairman* wa yone komiti yone e, e e leng gore jaaka o itse Motlotlegi Rre Keorapetse, ba kganetso ba ne ba gana go tsena mo komiting e. Batswana ba ka bong ba ikuela kwa go yone. Ba kganetso ka maswabi Rre Keorapetse, ba ne ba utlwisa Batswana botlhoko ka go tlhoka go tsena mo komiting e. Batswana ba ka bo gompieno o itse ba ikuela kwa lona Rre Keorapetse mme le ganne go tsena mo komiting yone e. Legale, *Chairman* wa yone o teng ke *Judge* o kwa *High Court*, mme le santse le amogelesega Rre Keorapetse gore fa e le gore le dumela gore le eletsa go thusa Batswana, le amogelesega mo komiting ...

MR KEORAPETSE: A o na le dipalo *Mr Speaker*? Ke ne ke boditse ka dipalo.

MR MORWAENG: Mma ke arabe, se ...

HONOURABLE MEMBER: Procedure Mr Speaker.

MR KEORAPETSE: Se mpotse potso, gakere ke go boditse dipotso, wena o ipotsa dipotso jaanong. *Do you have the numbers...*

HONOURABLE MEMBER: Ke tsone tse ba ka bong ba di botsa kwa komiting Honourable Morwaeng, jaanong ba ganne go tsena mo komiting.

MR KEORAPETSE: Do you have the numbers? If you do not, you do not.

MR MORWAENG: O nkomanysa eng? Mma ke arabe.

MR SPEAKER: Honourable Members, can we allow the Minister to answer the questions.

HONOURABLE MEMBERS: ...(Murmurs)...

HONOURABLE MEMBER: O ipotsa dipotso o bo o ikaraba tse o sa di botswang.

HONOURABLE MEMBER: Go na le nako e ntsi ya go atolosa dikgang mo komiting.

MR KEORAPETSE: Ke go boditse gore a DIS e tlhotlhomisa Dow le Balopi ka gore wa re ba ba ngongoregang ke ba ba tlhotlhomiwang?

MR SPEAKER: You are preventing the Minister from answering.



HONOURABLE MEMBER: Procedure Mr Speaker.

MR SPEAKER: Procedure.

DR GOBOTSWANG: *Mr Speaker, Honourable Minister o kare o tlhakathkanya dikgang tsa gagwe. Fa a bodiwa ka tribunal, ene o bua ka Komiti ya Intelligence e re ganneng go tsena mo go yone ka mabaka a re a supileng ka nako e e fetileng. Jaanong ke ne ke re a se ka a timetsa setshaba. Fa go buiwa ka tribunal, ga go ise gotwe re tsene mo go yone e bile ga re maloko. Ga go ise go nne le gore re ka nna maloko a tribunal Mr Speaker.*

MR SPEAKER: *Gongwe* that is what he considers a tribunal. Honourable Minister.

MR MORWAENG: Ke ka bua jaanong sir?

MR SPEAKER: Yes sir.

HONOURABLE MEMBERS: ... (Murmurs)...

HONOURABLE MEMBER: Ba leka *to impress* batho, mme fa ba na le tshono ga ba tsene...

MR MORWAENG: *Mr Speaker, komiti...ka gore jaanong ke tlamega go araba se batlotlegi ba se buang, ke santse ke ipoletska. Ka re ba kganetso, komiti ya Palamente e e neng e itebagantse le dikgang tsa intelligence jaaka ba bua, ba ganne go tsena mo go yone. Oversight Committee, e nngwe ya dilo tse e leng gore ke maikarabelo a yone ke go leba dikgang tse...*

HONOURABLE MEMBER: A ke gone mo go tshwenyang Honourable Balopi gone moo?

MR MORWAENG: ...ba ganne go tsena mo go yone. Jaanong ka tsela e ke fetela kwa pele ke re, mabapi le dingongorego tsa batho, fa batho ba ngongorega ke rile, ba ya kwa *tribunal* bone ba ba okametsweng ke *Judge* go ya go ikuela teng. Batswana bangwe ba setse ba ikuetska go ya kwa makgotleng. Dikgang di teng koo, *but jaaka go ne gotwe dipalo ke di itse go le kae ke re, ke ka senka dipalo tsa gore ba le kae jalojalo.* Ke ne ke supa gore gantsi mo dikgannyeng tsa *law enforcement agencies, including DIS, the police in particular*; go a kgonega gore o utwe dikgang tseo tsa gore ke harasitswe, fa ke tshwarwa ga ke a tshwarwa sentle. Dikgang tseo di nna teng. Ga go tshwane le fa e le gore gongwe motho o ya kwa sepateleng o thusiwa ke ba bongaka. Dikgang tsa teng di a farologana, ke dikgang tsa *law enforcement*, mme ke re dikgang tseo di a tle di nne teng. Fa di le teng re a kwa makgotleng. Ka

gore kgang e ne e le gore molao o o teng kana *the way it is operated*, a re bona mmuso's *image being tarnished*, ke re no, *The DIS is operating within the law and ga re bone go tlhokega gore its operations should be limited, because it is already limited by the legislation.* Ka fa e dirang ka teng *it operates within the law. That is why Motswana a na le tshwanelo, fa e le gore o dumela gore ga e a go tsaya sentle, o ya koo.*

Jaanong mabapi le gore bomangmang a ba a tlhotlhomiwa kana jang, ke kopa gore ke se ka ka araba eo mokaulengwe, ka gore ke ne ke bua kgang ya gore Batswana *in general*, ga ba ngongorege ka DIS. DIS ya gone jaana ga e kgoreletse Batswana, ga e ba tshwenye. Batho ga ba nyelele, ga ba bolawe mo sephiring. Batswana ba gololesegile, ga ba reediwe mo megaleng ya bone. Gantsi ba gone jaana ba lelang, ke a ipoletska, ke ba ba tshabang meriti ya bone.

MR SPEAKER: Last supplementary, Honourable Balopi.

MR BALOPI: Ke a leboga Motsamaisa Dipuisanyo tsa Palamente. *Maybe I have to re-emphasise my point in English. The question Minister Morwaeng was that, do you not think it is important to have a comprehensive communication strategy to allay fears and to re-emphasise the role of the DIS?* Ke sone se ke lekang go se bua gore, gongwe *because ga gona tsamaiso e e teng ya gore nako le nako ba tlhalosetswe, e bile ba itse ka tsamaiso jaaka o e re tlhalosetsa mo Ntlong jaana, ke sone se o bonang le bone gongwe bakaulengwe mo Palamenteng kana rona bakaulengwe le kwa ntle, le ba re ba emetseng mo dikgaolong tsa rona, fa o reetsa dikgang tsa bone e kete ga ba kgone go lemoga tiro ya DIS tota e e maleba, e bile ba setse ba e amanya le dilo dingwe tse gongwe jaaka o bua, ga se tse ba di dirang. That is the cracks of the matter to say, do you not think there is a need to have a very comprehensive strategy, because kana dilo tse dingwe tse rra, fa di ntse di nna di buiwa lwa bofelo di tlhakatlhakanya le serodumo sa DIS, di bo di tlhakana le serodumo sa maikaelelo a DIS e a diretsweng mo lefatsheng la Botswana? Tota fela ke yone e ke neng ke batla gore gongwe o tsene ka yone. Ke ne ke sa utlwa sentle gore a o nkarabile, gore a ga o bone go tlhokafala gore go sedimosetswe batho jalo? Ke a leboga Motsamaisa Dipuisanyo tsa Palamente.*

MR MORWAENG: Tla ke go leboge Motlotlegi Rre Balopi. Ke tshwanetse ke dumalane le wena mokaulengwe gore, ka fa seemo sa ketsaetsego se a tle se nne teng mo bangweng jaaka ke tlhalosa, mabapi le



gongwe go tlhoka kitso, ka gore *operations* tsa DIS di ntse jang, gongwe go ka nna bothokwa jalo jaaka o tlhalosa go leka go bontsha batho, go godisa, go itsise batho gore *operations* tsa rona di dirwa jang. *It is very difficult sir mo agency ya intelligence e e tshwanang le ya DIS kana ya mafatshe ape gore e bo e le gore e buisa batho kgapetsakgapetsa ka role ya yone, mme fela role ya yone ka bokhutshwane ke go sireletsa batho mo dikgannyeng tse di amanang le security sa lefatshe.* Mme ntlha eo re tlaa tshwanelwa, jaaka o bua morwaarre gore re tlhalosetse batho gore *image* e nne sentle. *I agree with you* gore, gongwe go bothokwa gore re tlhalosetse batho, re godise kitso mo bathong mabapi le *operations* kana gore DIS tota e dira eng, so that batho ba kgone go farologanya gore DIS e bereka jang, sepodise se bereka jang le sesole se bereka jang. Ba itse gore DIS fa e dira jaana e a bo e dira eng. Ke a leboga Rre Balopi ka sone seo, mme e bile ke tlaa dira gore ke tseye mafoko a gago, ke bo ke dire gore *public education* ya rona kwa DIS re e godise mabapi le gore *organisation* tota e dira eng, batho *at least* ba tle ba tlhaloganye *how it operates*. E se ka e a re ba dira tiro ya bone ka bo sena kitso, batho ba bo ba re DIS e dira se e leng gore molao ga o ba letle go se dira. Ke a leboga Rre Balopi.

MR SPEAKER: Thank you Minister. Honourable Members, we have overshot the runway, we must move on to appropriations.

ASSEMBLY IN COMMITTEE

(CHAIRPERSON in the Chair)

APPROPRIATION (2022/2023) BILL, 2022 (NO. 2 OF 2022)

ORGANISATION 1200 – ADMINISTRATION OF JUSTICE

MR CHAIRPERSON (MR SKELEMANI): Honourable Members, two hours have been allocated for this organisation and I will call upon the Minister to reply to the debate at just about 1620 hours today, and the question will be put at 1650 hours. Honourable Minister of Defence, Justice and Security.

MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR MMUSI): Thank you Mr Chairperson. *Tla ke go dumedise Rraetsho, ke bo ke dumedise le batlotlegi ba ba leng fa.*

Mr Chairperson, it is my honour to present to this Honourable Committee the Budget proposal for the Administration of Justice for the financial year

2022/2023. My presentation will highlight achievements in terms of policies, strategies and projects, as well as the impact of COVID-19 Pandemic on the operations of the Administration of Justice and the governance of the country, challenges experienced in the 2021/2022 financial year, planned policies, programmes, critical initiatives and projects to be implemented in the 2022/2023 financial year.

Achievements for 2021/2022 Financial Year

Mr Chairperson, in 2021, the Judiciary launched publication of its first Annual Report to document performance for the year 2020 and to give insight into plans for the Legal Year. This year, the Judiciary released the Annual Report for 2021 which covers the performance of the courts throughout the preceding year and provides an in-depth overview of planned activities in the judicature.

During the 2021 Legal Year, the disposal rate for criminal cases at the High Courts was 37 per cent, whilst at Magistrate Courts was 48 per cent. The disposal rate for civil cases at the High Court is 42 per cent, whilst at the Magistrates Courts is 57 per cent. It is evident that the COVID-19 pandemic had a negative effect on the disposal rate of cases.

Mr Chairperson, The new court rules stipulate that a judgment should be passed within a period of ninety days. The Chief Registrar is responsible for monitoring the case disposal monthly. This requirement will improve access to justice by ensuring timely delivery of judgments since each month, a Judge will receive a performance report indicating which cases are still awaiting decision out of the turnaround time.

It has to be noted that although it has been two years since the outbreak of the COVID-19 pandemic, it is debilitating effect and quick spread posed major challenges which affected the operations of the courts and hampered execution of planned projects, particularly with respect to the utilisation of funds for such projects. That notwithstanding, the Administration of Justice (AoJ) was able to implement the second phase of the establishment of the Maun High Court Division, with the addition of the third court room and an administration block which is expected to be completed by the end of March 2022. The setting up of this division in Maun is meant to reduce the distance travelled and costs incurred by litigants and the public in the North West District and North Western Region in their pursuit to access our services.



Mr Chairperson, the maintenance of Magistrates' houses at Bobonong and Kasane is on-going in order to provide more safe and secure decent accommodation for judicial officers.

The improvement of court security at Gaborone High Court is on its second phase following the installation of Close Circuit Television Cameras (CCTV); while the procurement of Biometric access control equipment is on-going and is expected to be completed by 28th February 2022.

Mr Chairperson, Rules of Courts have been amended under the Statutory Instrument No.1 of 2021 to establish Court Annexed Mediation as part of the Judicial Case Management. The intention is to facilitate an efficient, cost effective and speedy resolution of disputes Court Annexed Mediation (CAM) which will promote mediation and assist the parties to reach an expedited settlement without having to go the length of a trial.

A structure is prescribed in the Rules for the Administration of Court Annexed Mediation and an office of a Mediation Administrator is to be established for that purpose. The Rules also provide for the appointment of mediators who will be responsible for mediating in cases under these Rules and specifies the manner in which they qualify as such.

The engagement of a consultancy to spearhead the Court Annexed Mediation project is on-going.

Mr Chairperson, the Financial Action Task Force (FATF) in 21st October 2021, approved the exiting of Botswana from the listing of jurisdictions under increased monitoring. Amongst the efforts that facilitated Botswana's exit from the grey listing during the 2021/2022 financial year, is the continued capacitation of the Trust Property Unit through the appointment of an Anti-Money Laundering and Counter Terrorism Financing (AML/CTF) expert and training and capacity building of five other officers in anti-money laundering.

By January 2021, the Gaborone Trust Property Unit had a backlog of 593 applications. As at January 2022, the total of 670 applications have been approved since the office was opened in 2018. 54 applications pending approval, whilst over the same period, the Francistown Trust Property Unit had a backlog of 41 applications as at January 2021 and has managed to approve all pending applications by January 2022, thus having a total of 145 approved applications since the office was opened in 2018. The Trust Property Unit has declined to register

241 applications on account of varying reasons. Mostly, the files were closed due to the applicants' failure to respond to queries raised by the Master.

Mr Chairperson, AoJ has introduced Deputy Sheriffs in areas where there were previously no posts available such as Kasane, Gantsi and Maun, as part of the Judiciary's drive to avail access to justice by all. An empowerment workshop meant to serve as a refresher and induction course to improved service delivery was held for Deputy Sheriffs in Palapye in November 2021.

CHALLENGES

Mr Chairperson, the COVID- 19 pandemic has impacted negatively on some court operations and on the implementation of some projects. The COVID-19 protocols adherence meant that the courts had to decongest, thus limiting the normal running of courts. Some cases which already had dates set for hearing had to be re-scheduled as courts had to operate on a shift basis to safeguard the lives of court staff and the public. This had an adverse impact on the court disposal rate of cases.

Mr Chairperson, as the AoJ's services to different locations get additional manpower, it is not to provide to cater for new courts and functions. This has resulted in severe manpower shortages, more especially court administration personnel such as librarians and court reporters to transcribe court proceedings.

PLANNED POLICIES AND STRATEGIES FOR 2022/2023

Mr Chairperson, the process of enacting new legislation to govern the Sheriff Office's oversight of Deputy Sheriffs has commenced. It is my hope therefore that the new legislation will once and for all address the issues that have plagued the Sheriff's Office for many years.

Mr Chairperson, the Master's Office is developing a standard template for Trust Instruments in order to facilitate ease of registration. Resources permitting, the Court Record Management System (CRMS) has to be developed to enable the Master to make basic and beneficial ownership information widely available and accessible on a timely basis. The FATF Recommendations call for countries to ensure that basic and beneficial ownership information on Trusts is widely available and accessible on a timely basis. The CRMS has limitations in this regard, making it difficult for the Master's office to make the information widely available and accessible on a timely basis.



Mr Chairperson, on the 10th of December 2021, the AoJ issued Practice Directive No. 10 of 2021, which Directive came into effect on the 1st of February 2022. The objective of the Directive is to rationalise the procedure and management of bail applications in courts and to provide guiding principles for purposes of the relevant sections in the Criminal Procedure & Evidence Act, which deal with bail, which is without doubt, a topical issue. It is hoped that this Directive will address a lot of the concerns that revolve around the topical issue of bail.

Mr Chairperson, in line with the Reset Agenda to adopt new methods to accelerate service delivery and implementation of new systems, the Judiciary has embarked on projects to digitise its processes to further enhance service delivery. The AoJ is still keen to harness technology by having virtual courts in all the High Court's Divisions. If achieved, this will go a long way in cutting costs of travel for witnesses and also make the courts more COVID-19 protocol compliant. The work to establish such courts was awarded but halted because a bidder has appealed the award.

BUDGET PROPOSALS FOR 2022/2023

It is now my pleasure to request for the budgetary provisions for the financial year 2022/2023 for both Recurrent and Development Expenditure for AoJ Organisation 1200.

RECURRENT BUDGET

Mr Chairperson, I request for authorisation of a total of Three Hundred and Twenty-Five Million, Six Hundred and Eighty Thousand, Four Hundred Pula (P325 680 400.00) for the recurrent budget. This represents an increase of 3 per cent over the 2021/2022 approved budget of Three Hundred and Fifteen Million, Six Hundred and Forty-Seven Thousand, Nine Hundred and Twenty Pula (P315 647 920.00).

DEVELOPMENT BUDGET

Mr Chairperson, for Development Budget, I request a total budget of Thirty-Nine Million and Eighty Thousand Pula (P39 080 000.00) for the 2022/23 financial year. This presents an increase of One Million, Five Hundred and Eighty Thousand Pula (P1 580 000.00) or 4 per cent above the 2021/2022 budget. The budget covers infrastructure projects such as procurement of a Transaction Advisor for the construction of a purpose built court in Serowe and staff houses using a Public

Private Partnership (PPP), maintenance of court facilities, procurement of vehicles, improvements to court security, temporary office accommodation as well as the computerisation projects such as e-filing, computerisation of Administration of Justice and improvements to libraries.

CONCLUSION

Mr Chairperson, this concludes my presentation of the 2022/2023 budget proposal for the Administration of Justice. I therefore move that the sum of Three Hundred and Twenty-Five Million, Six Hundred and Eighty Thousand, Four Hundred Pula (P325 680 400.00) under the Recurrent Budget for Organisation 1200 be approved and stand part of the Schedule of the Appropriation (2022/2023) Bill, and that Thirty-Nine Million and Eighty Thousand Pula (P39 080 000.00) under the Development Budget for Organisation 1200 be approved and stand part of the estimates for the financial year 2022/2023. I thank you, Mr Chairperson.

MR MAJAGA (NATA-GWETA): *Good afternoon Mr Chairperson and thank you so much and Honourable Members. Let me take this time ke kgone go bua mo lephateng le ke supe fa ke ema Tona nokeng. Mme e re ke ema Tona nokeng Mr Chairperson, ke supe fa Administration of Justice e le lephata le letona thata kana le legolo thata mo lefatsheng. Ke bua jalo ka mabaka a gore kana if you want democracy to prevail mo lefatsheng, lephata le le tshwanelwa ke gore le nne teng e bile le tsamaye ka dinako Mr Chairperson. E bile e bo e le gore ke lone le le ka kalang seemo sa good governance mo lefatsheng lepe, e seng mo Botswana fela. Ka jalo, go maleba gore ke eme nokeng kopo ya ga Tona gore lephata le la Administration of Justice le na le gore le nne le ponelopele le tsothe tse gongwe di tlhogegang.*

Mr Chairperson, Tona o supile tse ba di kgonneng le tse ba nang le maikaelelo ka tsone mo lephateng le, mme go gontsi mo e leng gore mo go se se neng se buiwa ke Tona, dingwe di saletse morago, tse mo nakong ya gompieno re le lefatshe, re le Botswana, re tshwanetse re di lebelele. E re mo nakong e e tllang Mr Chairperson, Tona a bo a ka feta ka tsone gore maikaelelo a bone mo lephateng la gagwe ke eng, gore gongwe le ye kwa mankalenkaleng, le itsege ka serodumo sa lone le gore ke dife tse a tshwanetseng gore a di lebelele.

Tona, jaaka ke go ema nokeng jaana mo kopong ya gago, ke ne ke re lebelela seemo se sa go tlhabolola *all your courts, either High Court or Magistrate, then o bo*



o lebelela *distances* jaaka bo Masunga le Nata. Nako e tsile ya gore *courts* di nne teng mo metseng ya *sub-districts* le fa re itse gore go na le mathata a tsa madi, so that go se ka ga nna le *some distances*, batho ba itsheka kana ba le mo go tsa makgotla tshekelong. Selo seo se ka bolaya lephata la gago fa o ka se ke o se lebelele. Bo Gweta *Mr Chairperson*, ke nako ya gore le bone go lejwe gore go ka dirwa *courts* gone koo.

Kgang e e tshwenyang gape *Mr Chairperson*, ke ya *outsourcing* ya *private lawyers to represent Government on various cases*. This one also need to be done in a transparent manner; looking at changes tse e leng gore fa gongwe Goromente o a bo a na le tsone. Fa e le gore gongwe Puso kana lephata le tlaa nna fa gongwe le bona batho ba bangwefela fela, ga go ka ke ga nna sentle. That is why ke re this must be done in a transparent manner.

E nngwe e o tshwanetseng gore o e lebelele Tona ke ntse ke go eme nokeng *Mr Chairperson*, ke yone ya *appointment of Judges*. Ke re kana mo mafatsheng a mangwe, lephata le, after *Office of the President*, ke lephata la maemo a bobedi ka botlhokwa jwa lone, seemo sa lone le serodumo sa lone. *Judges like other countries are doing like bo South Africa, they must be appointed* le tsone ka a *Committee of Parliament*, le yone e nna le seabe. After interviews... I know that the *Judicial Commission is for current, e a partake. I know the interviews are being done*.

Jaanong ke ne ke re le Komiti ya Palamente *must as well undertake to strengthen democracy* le tshepho, especially appointments. Ke re ke sengwe se o tshwanetseng gore o se lebe Tona gore e re nako e e tllang re go neela a billion gore o baakanye diemo tse tsotlhe, o bo o lebeletse le tsone tseo.

Le bone ba ba tshwanang le *Judges Mr Chairperson, they need to be given terms that will not allow them to align to any party* fa ba setse ba le mo ditirong tsone tse. Seo se ka diragala fela fa e le gore *their conditions of service are looked after*. Le bone fa ba retire, *their condition of service must be looked after and be protected* ka gore ke bone ba ba a bong ba tshotse dikgang tse di amang lefatshe mme ba di tswaledisa *on merit*. All these things must be looked upon gore ba feel protected even on their retirement.

Ke re ke dikgang tse o tshwanetseng gore o di lebelele *Minister* le fa di le dints. Re itse gore lephata la gago tota le rwele dikgang tse dints jaaka gompieno o ka

lebelela, ke e fa sekai fela, o ya go fitlhela e le gore tota dingwe tse o di dirang di ne di tshwanetse gore di ka fiwa ba bo *Immigration*. Re a itse gore o lebelela dilo tse dints.

HONOURABLE MEMBER: *Elucidation Rre Majaga.*

MR MAJAGA: Eish! Mma ke fete ka tsone, ke tlaa go neela kwa bofelelong. Nako e *fast my comrade*. E nngwe e ke batlang go feta ka yone ke ya gore re akgola lephata la gago le wena re go akgola o le Tona ka tsotlhe tsa melao e e neng ya fetisiwa, e re e boneng o e fetisa ka sebele, mme kana e tsamaelana le lephata lone la *Administration of Justice* jaaka o ntse o bua ka bo *trust property*. Ke tshwanetse go akgola lephata le thata ka gore *backlogs* tsotlhe di ne tsa leka go baakanngwa e bo e le gore ke to promote serodumo seo.

The new Reset Agenda, ke ne ke re le yone a e bonale jaaka o fetile ka yone Honourable Minister: Honourable *Chairperson*, e re re ema nokeng jaana, dilo tse di bo di bonala ka gore tota re a bona gore no, this virtual set-up e le e dirang e reduce costs mo dingweng tsa dikgetsi.

Ke sengwe se e leng gore going forward, even post COVID, we should follow suit jaaka re itse gore you are embarking on a serious mission or project ya maranyane rather than dipampiri tse re neng re bona *courts* gotwe di tshubilwe, go rileng, boloi bo tsene. Jaanong fa le setse le le mo maranyaneng, le bone baloi ba tlaa tshaba maranyane, ga re ka ke ra nna re bona dilo tseo. Ke dingwe tse re boneng gore you have done a milestone on this one.

E nngwe e ke batlang gore *Minister* a e lebelele *Mr Chairperson*, a Batswana ba tswelele ka go rutiwa ka makgotla a. Ke a itse gore go na le bo Legal Aid Botswana, batho ba ba tshwanang le batlhophi ba me, ba Kgaolo ya Nata-Gweta e tonatona, e e leng gore re bahumanegi, ditsheko tse dingwe batho ba santse ba sa itse gore ba ka dira jang. Tsamaiso ya Administration of Justice (AoJ), le fa ke itse gore le mabogodika, a re tswelele batho ba itse *High Court* le bo *Judge*. Batho ba se ka ba tshoga, ba bangwe ba ikgapela matshelo fa gotwe go na le ditsheko. Le bo *Judge* le bone batho ba ba itse fela jaaka ba itse Tautona le Mothusa Tautona e le the highest office in the land. Le bone ba tshwanetse gore ba itse gore go na le bo *Judge* Leburu, *Judge Lesetedi* le bomang. Batho ba santse ba itse dikgotla fela tse di rileng especially ke raya mo dikgaolong tsa rona le bo Mme Monnakgotla tsa magae tsa Remote Area Development Programme (RADs) le



settlements. Nako e tlie ya gore batho ba di itse kwa bo Manxotai, Tshokatsha le Gweta jaaka o bona ke batha gore *at least* bo *Magistrate Courts*, di ye go dirwa koo. Ba bangwe ba swela mo dikoloing, ba re ba ya go itsheka, e le *distance*. Dilo tseo le tsone e re o kopa madi a *next time*, re a oketsa, o bo o di tsere *into consideration* gore go dirwe dilo tseo. Batswana ba tle ba itse gore jaaka re le baemedi ba bone jaana, re rebola madi, le bone *they benefit*.

Go na le ditsheko *Minister* tse o fithelang Goromente a latlhegelwa ke *taxpayers' money* a mantsi *that they use to pay for* ditsheko tse e leng gore ga re itse gore e a bo e le *non-performance or evidence* ya ba Directorate of Public Prosecutions (DPP). So batho ba ba ntseng jalo, ba tshwanetse ba nne a *accountable whether* ke ba DPP or ba eng.

Gape *the relationship between AoJ, DIS, Directorate on Corruption and Economic Crime (DCEC) and the police* e tshwanetse gore le yone e nne *clear* mo go reng who *administers justice*. Dilo tseo go tshwanetse go nne le tshekatsheko e e tseneletseng gore batho ba kgone go tlhaloganya ka gore go ya go felela go nna le dipotso tse e leng gore...

MR CHAIRPERSON: Thank you Honourable Majaga, your time is up.

MR MAJAGA: Thank you so much Mr Chairperson.

MR MANGWEGAPE-HEALY (GABORONE CENTRAL): Thank you very much Mr Chairperson. AoJ ke yone ya *lawyers* le *those who practice* ba se na *certificates*.

Mr Chairperson, let me start ka go akgola *Judge Tebogo Tau* le *Judge Mercy Garekwe* go bo e le bomme ba ntla go bewa fa ba setseng ba beilwe teng mo tsamaisong ya ba semolao mo lefatsheng la rona. Gape ke leboge le *the appointing authority His Excellency the President*, go tswelela a ntse a baya bomme *on the map*, jaaka re ne re tswa mo *International Women's Day, breaking the bias*.

Mr Chairperson, jaaka Tona a setse a buile ka dikgang tsa gagwe, sa ntla ke bue ka *annual reports*. Ke selo se se siameng thata gore re bo re setse re gorogile fa le AoJ, ba bona go le botlhokwa gore ba nne ba ntsha *annual reports* tse di supang *performances* tsa *courts*. Fa o batla go itokafatsa mo botshelong, go botlhokwa gore o nne o sedimosa gore o kgonne go le kae, ga o a kgona go le kae, ka gore golo moo go tlaa thusa gore o nne o itokafatsa. Jaanong ke ba akgolele sone seo.

Number two ya *challenge* ya COVID-19, le ka fa e leng gore ba ne ba fetisa *cases* ka teng, go a tshwenya *Mr Chairperson*, le fa re itse gore COVID-19 ee, e ne e le mmaba. Kana *cases* ke dilo tse di amang matshelo a batho, jaanong *the low disposal rates* e a tshwenya. Re tlaa ba itshwarela ka ntata ya sone segajaja se re neng re tswa mo go sone gore ke sone se se neng se ba pitlagantse.

Mo go tse dingwe gape tse re ka ba akgolang, fela jaaka kgang ya *annual report*, ba ipeetse seelo sa gore mo malatsing a le 90, *case* e bo e setse go filwe *judgement*. Golo moo go siame thata ka gore ke lebaka *cases* di diega, fa o le mosekisi kana o le mosekisiwa, o sa itse gore o ka ba kala (*measure*) ka eng ka gore go ne go sena seelo kana seelo se se neng se le teng, se ne se sa lekana. Jaanong seelo se se beilweng fa, ke bona se se siame thata. Mosekisiwa kana mosekisi o ka kgona gore le ene a itse gore o ka nna le tsholofelo a lebile nako e e beilweng, e bile go beilwe le *Chief Registrar* gore o tlaa nna a etse dilo tse tlhoko. Go botlhokwa gore sengwe le sengwe se se bewang e le seelo, go nna le mongwe yo o ka bodiwang gore go tsamaiwa fa kae. Jaaka go buiwa gore kgwedi le kgwedi, *Chief Registrar* ke ene a lebang gore *cases are disposed* jaaka go ipeetswe seelo.

Nngwe ya dilo tse di nnang di re tshwenya ke *conditions of service* tsa bodiredi jwa AoJ; ka fa ba nnang ka teng le kwa ba direlang teng. Jaanong go a itumedisa go bona go buiwa ka *maintenance of Magistrates' houses* kwa bo Bobonong le Kasane, go buiwa ka *improved security* kwa Gaborone High Court ka gore batho ba ba botlhokwatlhokwa, matshelo a bone le one go bothokwa gore a babalelw. Go botlhokwa gore ba berekele *in a conducive environment*. Gape *this improved security* e go buiwang ka yone kwa bo Gaborone *Court*, le batho fela ba ba tleng *courts*; a babelaelwa, basupi kana jang, go bothokwa gore ba bo ba le mo seemong fela se se babalesegileng.

Number seven, Minister o buile ka *Court Annex Mediation*. Selo se se siame thata ka gore ga se mongwe le mongwe yo o nang le madi *to go through the whole court process*, nako e nngwe go a tura. O fitlhela batho ba sa kgone *to go through the whole process* ya *court*. Jaanong go siame thata gore go na le thotloetso e e dirang gore gongwe dikgang di buiwe ka fa bothokong, go na le gore di felele di sekwa. Jaanong *I think this is a very good development*.

Then number nine, Tona o ne a kgoma mo dikgannyeng tsa *anti-money laundering* le gore go ntse go dirwa go le kae ka *trusts* jalojalo. Ke batla gore ke akgolele



Palamente e ka go tswelela e leka go baya lefatshe la rona mo tshiamelong ka tsone dikgang tsa bo *anti-money laundering*, tsa bo *black listing* le *grey listing* tse e leng gore *I must applaud the Ministry of Finance and Economic Development for leading gore jaaka re bua jaana, mo letsatsing la gompieno, lefatshe la Botswana le ntshitswe mo blacklisting ya European Union (EU) ya bo money laundering jalojalo. So credit must go to the AoJ for playing their part le bone mo go tsone dikgang tsa go nna jaana. Ke dikgang tse di siameng thata, tse di nontshang pelo go utlwa gotwe re ntshitswe mo listings tsa bo money laundering and like I say in part, it is due to se ba AoJ ba se dirang.*

Number 16 o buile ka rationalising the procedure and management of bail. Bail ke nngwe ya dikgang tse di buiwang thata gore e tsamaisiwa jang, e fiwa fa go rileng. O fitlhela batho ba ngongorega, ba ipotsa gore a kante magodu a dikgomo, motho a thubeditse kana a bolaile motho ka pela fela o setse a le kwa ntle, e bile nako e nngwe o fitlhela gotwe nnyaa, o golotswe mme a le out on bail. Jaanong ke bona go le botlhokwa tota gore go nne le a process e e itsegeng ya gore bail e tsamaisiwa jang.

Number 24 e o neng o bua ka Public Private Partnership (PPP) ya purpose built court kwa Serowe, I must congratulate you Minister, le simolotse process ya PPP, ga go a bolo go buiwa ka yone thata, mme le e simolotse.

Mr Chairperson kana Judiciary is very important. Jaanong ke na le matshwenyego a bringing the Judiciary into disrepute, dikgang tse re di bonang kgapetsakgapetsa, bangwe ba ipelaela, mme go ipelaetsa ga bone, ba bua ba nyefola kana ba nyenyeftsa the Judiciary. Dikgang tse ga di a re siamela tota. One of the chief culprits tsa go dira jaana, ke the former President, the patron of the opposition Rre Khama. He has a habit of always bringing the Judiciary into disrepute.

Gompieno go ntse go tswa judgement just the other day, e e neng e sa mo siamela, Court of Appeal e ne e tsholola dikgang tsotlhе tse e ntseng a di bua a re he is being harassed, o a reng, o a reng, di tshololwa. Karabo ya gagwe gona le gore a tlotle the Judiciary le outcome ya tsone, o simolola a bua gore Judges bangwe ba ne ba mo romelela messages, ba mo leletsa ba mmolelela gore ga a atlholwa sentle. Golo moo ke bona go sa siama gotlhelele, ka gore go dira gore Batswana ba simolole go ipelaetsa ka Judiciary, ba simolole go nna e re e ntsha judgements ba bo ba simolola ba nna le dikakanyo dingwe ka yone. Golo moo go tshwanetse

go kgalemelwa ka lenseswe le le kima tota, gore he must respect the courts and never start making allegations that he cannot prove gore go diregile jaaka re bua. I think that is bringing the Judiciary into disrepute.

Ga se sa ntlha re mmona a dira jaana, o tswa kgakala bringing the Judiciary into disrepute. Re sale re bona batho ba le convicted in a court and sentenced to prison, ene a bo a ba itshwarela for murder. O ipotsa gore what was his interest in that matter. Ka 2015 1st September o ne a seegela fa tlhoko Judges; Mercy Garekwe, Ranier Busang jalojalo. They were never charged. Re bone kgang ya teng e nyelela fela. Ke gore o dira gore batho ba nne le dipelaetsa ka the Judiciary, and I think this is not fair, e le mogolo, motsadi mo lefatsheng gore batho ba nne ba ipelaetsa ka Judiciary.

On top of this, political parties have made it a habit of wanting to attack or bring the Judiciary into disrepute. Re bonye ka 2019, Botswana Movement for Democracy (BMD) was kicked out of the Umbrella for Democratic Change (UDC). Ba UDC ba ne ba galaletsa Judiciary gore it took the right decision, e dirile sentle, jalojalo ba e boka. Mongwe wa Judges tseo e ne le e Tebogo Tau, yo maloba e rileng a tlhongwa the same people ba bo ba simolola ba mo nyefola ba bua gore ga a ka ke a reng, a reng. The same people fa ba isa elections appeal kwa kgotlatshekelo, fa go sa nne le a favourable outcome ba simolola ba nyefola Judiciary ba reng, ba reng. Mapolotiki ba tshwanetse go ithuta gore ba emisa dikgang tsa bringing the Judiciary into disrepute, because there are three arms of Government e leng Legislature, Executive, and the Judiciary. Motho yo o kgaoganyang fa rona re sa utlwane kana Motswana a sa utlwane le yo mongwe, ke Judiciary. Dikgang tsa mapolotiki go nna e re ba sa rate outcome ba bo ba simolola ba bua dilo tse di maswe tsa sepolotiki ka Judiciary, di tshwanetse go kgalemelwa, because there is a process ya Judicial Service Commission (JSC) e Judges ba tlhomiwang ka yone.

Fela jaaka ke ne ke bua, le nako e e fetileng Rre Khama, JSC e ne e buile ka Judge mongwe yo ene a neng a sa mo rate a gana go tsenya Judge eo. This interference by politicians mo matters of the Judiciary, must be condemned in the highest matter. Thank you Mr Chairperson.

HONOURABLE MEMBERS: ... (Murmurs)...

MR KEORAPETSE: Mr Chairperson, ke kopa go dira kopo jaana gore go na le list e e kwa go wena. Ke ne ke tlile go galelela fela gore fa nako e ka nna teng. Go na le ba ba beilweng kwa pele. Ga ke mongwe wa bone sir.



HONOURABLE MEMBER: Mo list ke Mr Kapinga.

MR KAPINGA (OKAVANGO): *Thank you Mr Chairperson and good afternoon. Ke lebogela sebaka se sa go latlhela tlhware legonyana mo kgannyeng e re lebaganyeng le yone Mr Chairperson. Ke bua jaana ke le Modulasetilo wa Komiti ya Palamente e e lebaganeng le tsa Boatlhodi, Mafatshe a sele, Sesole le Itshireletso. Ke sone se balekane ba me ba mphileng sebaka sa gore ke bue fa pele ga bone.*

Mr Chairperson, ke batla go simolola ke bua ke re maloba ke ne ke kwadile potso mo Palamenteng e, ke botsa ka go okediwa ga ditshwanelo kgotsa dithata tsa makgotla a rona go reetsa dikgang mo lefatsheng la rona, mo go bidiwang gotwe jurisdiction ka Sekgoa, in cases sounding in money. Ke gore ditsheko tse go sekwang dikoloto tsa madi. Karabo e ke neng ka e bona e ne ya ntemotsha gore, re santse re lebela kwa tlase dikgotla tsa Setswana or Customary Courts. Ke batla go gatelela jaaka ke ne ka gatelela kwa komiti ya rona gore, Customary Courts le tsone dispense justice e e botlhokwa fela jaaka justice that is dispensed by Magistrates and Judges. Se se botlhokwa ke gore a customers tsa bone ba ba dirisang dikgotla tseo, e bile ba dumela mo go tsone at the end of the day a mme ba ikuropa e le gore they have been accorded justice fa ba tlhageletse fa pele ga dikgotla tseo.

Kwa Rwanda after the genocide, ba ne ba bona go le bothhokwa gore ba boeile mo ditsamaisong tsa bone tsa seRwanda go atlholo dikgang tse di neng di amana le genocide. Ba ne ba dira courts tse ba neng ba di bitsa ba re ke Gacaca system. E ne ya ba thusa gore ba seke dikgang tseo ba di fetse ka bofeso ba fete seemo sa genocide, jaanong ba simolole go aga lefatshes la bone sesha.

Rona ga go tlhokafale gore re tle ka system e ntsha e re tlaa e bitsang Gacaca kana sepe fela. Re na le a traditional justice system, e Makgoa ba e fitlhetseng e ntse e le teng mo lefatsheng la rona. Se se botlhokwa ke gore Goromenta a lemoje gore these courts are as important as the Magistrates and High Court. Batho ba ba di dirisang ba di bona di le bothhokwa, ba bangwe e bile ba bona di le botoka in dispensing justice, gona le fa ba tlhageletse kwa go Magistrate kana kwa High Court, ka gore koo ba batliwa madi a a seng kana ka sepe, a ba senang nao, go buiwa ka language e bone ba sa e tlhaloganyeng.

The point I am trying to make ke gore, we must respect all the courts that we have in this country. Re se ka ra lebelela tse dingwe kwa tlase re re hey wee ke Customary

Court, ke ya Customary Law and so on and so forth. It is a justice system fela jaaka justice system e nngwe. Fa o bona mafatshe a mangwe ba bua ka bo Court Annexed Mediation jaana, ke gore ga ba na alternative courts, ga ba na Customary Courts. Therefore, they come up with Court Annex Mediation Systems. Rona re na le Customary Courts tse dintsi tse di gasameng le lefatshe la Botswana. Re tla fela ka Court Annexed Mediation, ka gore re na le mindset e e sa batleng to involve Customary Courts in the overall strategy of justice dispensation, mme dikgotla tsa Setswana di le teng di ka dirang tiro eo Mr Chairperson.

Ke a feta, ke batla go bua ka enforcement of judgements Mr Chairperson. Ga gona mosola wa gore o ye kwa court, o seke o bo o fiwa judgement gotwe wena mosekisiwa duela mongongoregi madi a o a mo kolotang, and then there is nothing effective se se dirwang kgotsa se se diragalang go tlhomamisa gore motho yo o kolotang o a duela. This problem e gongwe le gongwe, a o ya kwa go bo Magistrate, High Court le kwa Customary Court tota. Batho ba a lela gore ba a seka, ba fenza cases, mme ga ba duelwe dikoloto tsa bone ka gore there are not enough people to enforce the judgement. Enforcement ya judgement is a very very important issue, because if it is not enforced then it becomes an academic issue gore re ne ra seka, re ne ra nganga kgang e ne ya wela ka fa, go bo go ya fela jalo go sena gore mong wa kgang o boelwa ke eng.

Mr Chairperson, fa o bona ke bua ka customary system jaana gore re tshwanetse to exploit them, re na le tsone, to appoint Judge is a very very expensive exercise. Selo sa ntlha Judges are some of the most well paid people in this country. Go a tura go hira Judge, very expensive. Ka madi a Judge a le mongwefela, o ka hira Headmen of Record ba le 10, ke a dumela. Gona le gore re bo re ipolelela gore re tlaa oketsa dipalo tsa Judges di nna dintsintsi ke gone re tlaa kgonang to cover lefatshe lotlhe.

Ke dumela gore a re diriseng to the maximum point possible, Dikgosi le Kgosana tse re nang le tsone. Dikgosi tsa rona go bo di na le jurisdiction e e kwa tlase gompieno jaana, go dira gore bangwe ba bone e bo e nna Dikgosi tse di ceremonial fela. Tse di amogelang baeng kwa Dikgotleng, ba ba tsenelelang Ntlo ya Dikgosi. Ga ba seke dikgang tsa batho ba bone ka gore ga ba a fiwa dithata tse di kalo go seka cases tse di meaningful. Cases ka bontsi di felela kwa go Headmen of Records. Re tlaa felela e le gore most of Dikgosi tsa rona tse di tona di ceremonial fela, ke ba Ntlo ya Dikgosi. Ga go na sepe se ba se dirang in terms of dispensation of justice.



E nngwe kgang e ke batlang go bua ka yone ke ya *the facilities and infrastructure ya the courts*. Komiti ya me Mr Chairperson, e ne ya nna le sebaka sa go etela *the Broadhurst Magistrates Court*. We toured lefelo la teng, ra supegediwa *the facilities, even the technology* e e tsentsweng kwa Broadhurst Magistrates Court. E e supang gore *indeed, this is a modern court facility* e o ka buang gore ke ya *a knowledge-based society and a digital society*. Dilo tsa go tshwana le tseo, ga o di bone mo *the courts tse dingwe*. Fa o lebelela Maun High Court e go dirisitsweng *prefabricated materials*, ga e na seriti sa gore *this is a High Court of Justice*. Even the workmanship e neng e dirwa, *the bricklaying, plumbing* le mabati a a tsentsweng *especially in the public facilities*, it is a discredit to the image ya High Court eo. Mr Chairperson, fa re dira *High Court*, re tshwanetse re e dire *in a way e go tlaa bonalang gore here sits a Judge of Justice* e seng motho fela yo o innetseng fa fatshe. Go lebega gore golo fa go tshwanela *a Judge, a very senior Judge like Justice Nthomiwa*, go bonale. Ke gone ka fa batho ba ka tlolang *judgements* tsa teng gore golo fa go ntse banna ba ba tona, ba ba tlotlegang mo lefatsheng la Botswana. Ke batla gore seemo se se kwa Maun High Court se baakanngwe Mr Chairperson.

Issue e nngwe e tona mo lephateng le ke ya conditions of service. Go a lebega gore *Judges and Magistrates* ba a akanyediwa go tlhwaafetswe. Matlo ke a seemo se se rileng. They are even provided with security in their residences. Mme go lebalwa *the support staff* ba e leng gore without them, those Judges and Magistrates will not be able to deliver their duties, especially at the courts that we appreciate thata, tse di isitsweng kwa metseng e e kgakala e e tshwanang le Shakawe. Go botlhokwa thata gore supporting staff sa Magistrates le sone go nne le fa ba nnang teng, proper decent houses tse ba nnang mo go tsone. Government should realise gore kwa Shakawe, the property market is like mo Gaborone mo gotweng le tlaa itshomatshoma mo matlong a Botswana Housing Corporation (BHC) kana kaekae kwa le ka bonang boroko teng. Goramente o tshwanetse to treat housing of this support staff as a priority, as part of its projects tsa court tse di isiwang kwa dikgaolong Mr Chairperson.

Fa ke digela, ke batla go gatelela point e Mr Chairperson, re se ka ra itirela phoso ka mindset o o fosagetseng wa go tlota Dikgotla tse di tileng ka Makgoa with colonial Government, re bo re nyatsa Dikgotla tsa rona tse ba fitlhetseng re ntse re na le tsone. E bile e se ka ya re re di leba, ra re justice e kwa go Makaseterata le Judges,

ga e yo kwa Customary Courts. Both are institutions that deliver justice and they must be looked at as such. They should be given equal recognition gore tsotlhe they dispense justice for the people ba ba yang teng, ba batla ditirelo tsa yone. Kwa gaetscho batho ba santse ba tlota Kgotla ya Setswana fela thata. Therefore, I believe that respect should be reciprocated by Government. Ke a leboga Mr Chairperson.

MR REGOENG (MOLEPOLOLE NORTH): E ya bo e pala Mr Chairperson, can you hear me?

MR CHAIRPERSON: I can hear you sir.

MR REGOENG: You can hear me sir. Tanki Modulasetilo go bo o mphile sebaka se le nna gore ke akgele mo pegong e re sa tswang go e fiwa ke Tona ya Itshireletso le go kopa madi a ngwaga a o re tsenang mo go one o. Ke simolole ka gore, lephata la gago le botlhokwa. Ke tsaya gore rotlhe re a itse. Ke tlhomamise gore re a itse fa Batswana ba tlota lephata la bodiragatsi jwa dikatlholo. Ba bo tsaya ka matsetseleko ka gore ba beile mo go jone. Batswana ba setse ba dumela thata gore boammaaruri gore e re o tlaa bo bona, e bo e le fa o ile kwa makgotlatshekelong. Ditshwetso tse di tsewang ke ba Makgotlatshekelo bontsi jwa nako Batswana ba a di tlota, e bile ba a di obamela. Gone golo mo, go re baya mo seemong se se botoka fela thata ka gore re lefatshe le le tsamaisang dilo ka molao. Re batho ba re tlolang molao. Fa tshwetso e tserwe kwa High Court, re dumela gore e botlhokwa. Fa e tserwe kwa go Makaseterata e botlhokwa fela jaaka fa e tserwe. Golo mo go botlhokwa fela thata Mr Chairperson.

Re ema lephata le nokeng gore madi a ba a filweng a, ba a dirise jaaka ba a filwe ka bofeso jo bo ka solo gelang Batswana molemo. Pele fa ke bua tse dintsi Mr Chairperson, ke batla jaaka fa ke buile mo maphateng a a fetileng ke re, ke a tshwenyega gore e re fa re file lephata madi jaaka ba a kopa, e re fa re ya go fetsa ngwaga, e bo bontsi jwa madi a a dirisitsweng e le a Recurrent, mme a Development Expenditure, a bo a sa dirisiwe. Ke selo se se tshwenyang fela thata. Gompieno jaaka o bona Tona a ne a re begela fa, o ne a re supegetsa ka boammaaruri gore mo nakong ya gompieno e re tsamayang mo go yone e, fa re bua ka Recurrent Expenditure, o setse a dirisitse 79 per cent. Fa o ya kwa Development Expenditure, go dirisitswe only 43. Ke a itse gore o tlhalositse gore e tlaare ngwaga o o ya bofelong, 90 per cent ya madi a a setseng a bo a dirisitswe. Ga ke bone gore a ke gone mo re tshwanetseng go go dira. Golo mo go mpelaetsa gore fa re setse re ya kwa bokhutlong, ba itse gore go



tshwanetse go ye go kopiwa madi a mangwe, e bo e le gone ba dirisang madi a a setseng kwa morago. Gone fa, tshenyo ya madi kana go tlhoka go dirisa madi sentle, e ya go tsena fa go ntseng jaana. Ke ne ke akanya gore go ya pele, dithulaganyo tsa bone tsotlhe tse ba batlang go di dira ba di baakanyetse ruri. Fa madi a rebolwa jaaka a tlaabo a rebolwa jaana, e bo ba simolola go a dirisa fela gone foo. A tle a tsamaye le ngwaga a dirisitswe sentle. Go re supegetsa gore dilo dingwe di a kgobokana, e re fa pheletsong e bo e le gone di dirwang, di felelediwa.

Kgang e nngwe e ke neng ke batla go bua ka yone *Mr Chairperson* ke ya gore, go a lemotshega gore dispensing of cases at the courts le kwa ga Makaseterata go bonya fela thata. Ke a itse gore Tona o lekile go tlhalosa gore re tswa mo bolwetseng jwa COVID. Ke jone jo bo dirileng gore go nne bonya gore dikgang di se ka tsa dirwa. Fa ba bua ba re, “justice delayed is justice denied.” Go bothokwa gore re tshwanetse go lemoga gore a go na le bolwetse kana ga bo yo, fa tshiamelo ya motho e tshwerwe e busedswe kwa morago, ke selo se se sa siamang fela thata. Re kope gore go ya pele, a cases e ka nna tsa mofuta ofe fela, di potlakelwe di bonwe gore di a dirwa ka tshwanelo. Dipalo tse a neng a di fa le tsone ga di kgotsofats. O ne a re bolelela gore kwa *High Court* le kwa courts tsa boMakaseterata, cases di ne di saletse kwa morago fa re ya bofelong jwa ngwaga o re neng re tswa mo go one. Go supagetse gore kwa court only 37 per cent tsa criminal cases di setse di dirilwe. Mo go re supegetsa gore about 63 per cent di santse di saletse kwa morago. Golo mo ga se selo se se ka itumedisang ope. Still le kwa go ya civil cases, 42 per cent mo go rayang gore 57 or 58 per cent cases di santse di saletse kwa morago.

Dilo tse di tshwanetse di potlakelwe *Mr Chairperson*. Ke kope Tona gore a e re jaaka a dira dipaakanyo mo lephateng la gagwe, cases di dirwe ka bofeso di fele. E ka nna selo se se re itumedisang fela thata. Ke a itse gore o dirile maiteko go tla ka new court rules tse a tlaabong a lebile gore cases di a dirwa. Dikgang di dirwa, di fediwa gore batho ba duele dikathlo tsa bone. A golo mo ka boammaaruri go nne ka tsela e tshwanang le e e ntseng jalo.

E bile se se itumedisang segolobogolo ke maiteko a gore a bo a dirile gore e re mo nakong ya dikgwedi tse tharo fa motho a sek a bo a setse a boleletswe gore a o molato kana ga a molato. E se ka ya nna case ya ya lololo fela o sa itse gore gatwe se se e diang ke eng, le ene motho gongwe a boga, fa gongwe a tla a boga jaana mme tota ene e le gore ga a dira ope molato o a tshwanetseng gore a ka bo a o sekisediwa.

Ke ne ke re e re fa a lebelela kgang e ya gore judgments kana dikathlo di tswe ka bofeso, a nne le kgang e a e lebelelang gape gore... Tona, ke go kope gore o e lebelele ya gore kana cases tse dingwe di diegisiwa ke gore fa motho a sena go fiwa judgment, yo mongwe yo o kgatlanong le ene o e dira appeal. Ke ne ke re gongwe le yone o ka bo o supile kana le leke go supa gore motho a letlelelw gore a nne le appeals tse kae mo kgannyeng e le nngwefela. A se ka a nna le appeals fela mo go mo letlang botshelo botlhe go dira ka tsela e e ntseng jaana. Ke buisiwa se ka gore le kwa Molepolole re na le case ya mofuta o o ntseng jaana e e nang le over 10 years e le gore fa judgment e tswa, yo o neng a bonwe molato yo o ya go ikuela (appeal). Kamoso fa judgment e tswa, o ya go ikuela gape jaanong e nna lololo fela. Le jaaka ke bua le wena jaala e santse e tsweletse kgang e e tshwanang le yone e e ntseng jaana. Go ka nna bothokwa fa e ne e le gore e ka re fa motho a na le kgang mme e le gore e tseetswe tshwetso a batla go ikuela, go nne le nako e a e fiwang kana palo mo case yone e a e fiwang ya gore o ka ikuela ga kae. E se ka ya nnela sennelaruri fela ka thulaganyo e e ntseng jaaka gompieno re bona re go dirwa.

Kgang e nngwe e ke eletsang gore ke akgole Tona mo go yone ke ya the practice of Directive No. 10 ya 2021 e e leng gore tota bontsi jwa nako e tshwanetse gore e bo e ye go bua ka dikgang tse tsa bails. Modulasetilo, batho ba lela thata ka gore o kare dikgang tse tsa bails, dirukuthi tse di tshwenyang batho di nna di fiwa bail kgapetsakgapetsa mo e leng gore le fa ba ntse ba e filwe ba le mo setshabeng jaanong ba ikgantshetsa bone ba e leng gore ba ne ba sekisediwa bone, morafe e bo e le gore o nna mo poifong le letshogo la gore motho yo fa a ntshitswe mme e bile a re ikgantshetsa a tota re sireletsegile ka fa re tlaabong re tshwanetse go sireletsegka teng. Golo fa a kgang e rra e potlakelwe, re a leboga fa e le gore lephata la gago le tlaa dira le yone.

Kgang e nngwe ke neng ke batla go tsena mo go e ke bonang le ene Tona gape a e tlogetse kwa morago ke ya Small Claims Courts. O kare le tsone dikgang tsa teng di dintsi mme ga o a supa gope gore e tlaa re go ya pele le leke gore le ka di gefosa ka tsela e e ntseng jang. Golo fa kana ke gone fa batho ba re ba emetseng jaaka re le mo Palamenteng ba leng bantsi teng mme o fitlheli dikgang tsa bone di le bonya. Labofelo ba bo ba itlhoboge ba tloge ba ye go itseela ditshwetso ka tsela e ba ka itseelang ditshwetso ka yone. Golo fa gongwe o tshwanetse gore o bone gore le gone go ka baakanngwe ka tsela e e ntseng jang.



E nngwe fa ke ya kwa bokhutlong *Mr Chairperson*, ke bue ka e Honourable Kapinga a neng a bua ka yone ya enforcement of judgment gore e botlhokwa fela thata ka gore fa gongwe e a re fa ditshwetso di sena go tsewa kana katlholo e ntshitswe, gore e a go diragadiwa jang go bo go nna bonya e bo e sa diragadiwe go bo go sena yo o e salang morago gore a tshwetso eo mme e diragetse kana ga e a diragala. Ke re fa e ne e ka elwa tlhoko tota thata gore a e re fa ditshwetso di tserwe, katlholo e ntshitswe, yo o bonweng molato a bonwe molato, a atlholwa ka fa a atlholwang ka teng, a go tlhomamisege gore ka boammaaruri kgang e ya gagwe e a fela, a duele fa a le gore o a duela kana a ye kwa toronkong fa e le gore o tshwanetse gore a bo a ye go tlhatlhelwa.

Mr Chairperson, e nngwe gongwe e ke ka lebogang Tona gore le yone ba fetile ka yone mo lephateng le la Administration of Justice ke e ya Court Annexed Mediation gore ba bo ba tlhomile lephata le le ntseng jaana. Re re rra, direla ka bofelo gore ba nne teng, dikgang tse dingwe tse di salelang kwa morago tse dintsintsi tse gongwe di ka kgona gore di bo di fete di fele. Fa e le gore le dira ofisi, a ko le e dire ka bofeso le bone gore e a dirwa e a feta, ba ba tshwanetseng gore ba hirwe ba tle ba hirwe mo go yone.

Mr Chairperson, ke batla gore e re fa ke wela ke bue ka kgang e nngwe e e leng gore e a re fa gongwe fa re tshwanetse go dira dilo re bo re le bonya mo go di direng. Fa o ela tlhoko gore Tona o ne a kopa madi ka go leka gore a bo a ka aga diofisi golo gongwe mme through the PPP mme a bo a bua ka kgang e ya procurement of the Transaction Advisor. Ke ipotsa gore ke eng e bo e ne e sa dirwe gore e re jaaka ngwaga o o simologa go bo go setse go bonwe that Transaction Advisor ka gore re a bo re a go koama gone fa gotwe ga a bonwe, ngwaga o bo o ye go fela a santse a batlwa, tiro e e tshwanetseng gore e dirwe e bo e sa direge? Fa e ne e ka bo e tle e re ba its'e gore ba tlaa dira se, ngwaga o santse o le kwa morago ba leke go batla motho wa mofuta o o ntseng jaana gore a bo a le teng a kgone gore a dire tiro e e tshwanang le yone e. E re fela fa madi a bonwa a bo a ka boa a simologa.

Go tshwana le yone ya consultancy. Kana fa o ya go e dira mo ngwageng one o wa madi mme o kopile madi, obviously go raya gore madi a ngwaga o go a go nna bonya gore a bo a dirisiwe. Le yone ke kope gone gore a go ya pele fa go na le consultancy e e tlhokafalang, e dirwe e re ngwaga o o latelang motho a bo a setse a le teng gore tiro e e ka dirwa ya tswelela. Ke a leboga *Mr Chairperson*.

ASSISTANT MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR MODUKANELE): Ke a leboga Modulasetilo yo o tlategang, ke dumedise Mapalamente. Ke tle ke simolole fela ka go supa gore ke batla go buisa dikgang di ka nna nne fela *Mr Chairperson*. Ya ntlha ke yone ya disposal rate kana turnaround time ya ditsheko tsa rona. Ke bo ke bua ka e ya babelaelwa go letela tsheko kwa ntle le ka ya gore tota mme re goroga jang kwa batho ba leng teng. Gongwe ke bo ke feleletsa ka go bua ka kgang ya Makgotla a Setswana *Mr Chairperson*. Ke tle ke supe jaana gore kwa kgaolong e ke tswang kwa go yone, ba ke ba emetseng selelo sa bone se se tonatona ke gore mo borukutlhing jo jwa leruo, ba ba iphang dikgomo le dipodi tsa ba bangwe, se se ba utlwisang botlhoko ke kgang ya gore fa ba sena go tshwarwa, letsatsi le le latelang e bile ba bapile le ba bangwe gone fa e bile ba ya go tsaya tse dingwe gape.

Ke re gongwe mo go e ke dumalana le Batswana fa ba re a dikgang tse di sekiwe mo Makgotleng a Setswana ka Dikgosi ke bone ba ba itseng mebala ya dikgomo le ya dipodi *Mr Chairperson*. Batho ba bonwe ba sekaboba bo ba atlholwa ba diragatsa dikatlholo tseo gore batho ba bone gore selo se borukutlh ammaaruri re bo tsaya ka tlhoafalo.

E nngwe e ke batlang go bua ka yone ke ... (inaudible) ... ka yone kgang ya gore, ke e amanya le kgang ya bail ke re dikgang tse dingwe ka fa ke lebang ka teng ke a re a re lekeng go tlhotla charges re bone gore re ka dira jang. Dikgang tse di tshwanang le tsa dipolao, rape le jone bogodu jwa leruo, tota ke re a ruri nako ga e ise e tle ya gore fa e le gore Honourable Minister, re tshwanetse re lebe kgang e ya bail, a re e lebeng re bone gore ba bangwe ba ba dirang these heinous crimes tse di utlwisang batho bothhoko ka tsela fela e e sa nnang sentle, re bone gore re ka sireletsa... Tota kana dispensation of justice re bua ka motswasetlhabelo le yo o dirileng. Ba utlwa bothhoko ka go tshwana mme fa ene yo o dirileng phoso e e ntseng jalo re bo re tla re bapa le ene fela gone fa *Mr Chairperson*, mme le yo mosadimogolo yo le monnamogolo yo ba mo lebile ba le fale ba re, 'mme kana motho yo ke ene yo o dirileng ngwanake jaana le jaana,' go ba tsenya bohutsana jwa ntho. Ke gone fa ke reng a e re le tsone bails tse gongwe re se ka ra di tsaya fela gore re bone gore re ka e dira jang.

Fa e le gore go tlhokafala gore molao o o tle mo Palameteng e gore re bone gore re ka dira jang ka dikgang tse tsa bails, a o tle gore Palamente e o buisane



re bone gore re ka dira eng *as long as we are not ultra vires le Constitution of the Republic*. E ke batla go e kopa tota *Mr Chairperson* gore bogolo jang ka gore bone ba ba dirang borukutlhí jo bo ntseng jaana ba utlwisa batho bothhoko ka tsela e e ntseng jaana, fa gongwe fa a boa go feta beke fela kana dikgwedi tse pedi a bo a dira *a similar offence*. Go bo go felela fa e le gore ke mo motsaneng o monnyennyane o o tshwanang le metse e ke tswang kwa go yone ba re jaanong go raya gore o filwe tetla ya gore o ka tswelela fela kana a itseela dikobo ka dikgoka kana a bolaya. Ke re golo mo ga re re go atumele re bone gore tota re ka dira jang, bogolo jang fa go tla mo *cases* tse di tshwanang le tsone tsa bo *rape* le dipolao *Mr Chairperson*. *We need to be sensitive to these and be sympathetic* le ba e leng gore ba foseditswe.

Mr Chairperson, ke batla go bua ka kgang e nngwe ya *mobile courts*. Fa ke sa fose go kile ga bo go le teng fa moragonyana fale, ga ke *sure* gore a go ntse go teng. Ke re a ko le kwa re tswang teng kwa Lerala, Lesenepole, kaekae, re bone Bommakaseterata ba emeleta ba ya go seka ditsheko tse dingwe koo. Go na le gore e bo basadibagolo le basupi ba ntse ba tswa kgakala go ntse gotwe ba ya Palapye, re santse re letetse gore gongwe e ka re nako nngwe ra bona *Magistrate Court* e le teng kwa kgaolong ya rona. *We need to*, go bona gore *services* tse di ntseng jaana re di gorosa jang kwa batho ba rona ba leng teng. *Mr Chairperson*, ke re kgang e ke ne ke re ke e buise ka tsela e e ntseng jalo.

Mr Chairperson, dikgang tse gore di tsaya lebaka kwa makgotlatshekelong ke boammaaruri. Boammaaruri fela, e seng sepe gape. Jaanong ke re, gongwe re tshwanetse re lebe ka ditsela tsotlhe gore ke eng se re ka se dirang gore ditsheko di sekwe, di atlholwe ka bonako, ba ba fotseng ba bone gore ba dira dikatlholo tsa bone ka tsela e e ntseng jang, ka bonako jo bo ntseng jang. Ka gore gompieno jaaka ke ne ke sa tswa go bua, bothhoko jo bo teng ke gore, batho ba a senyediwa, ba a fosediwa, *people are violated* ka ditsela tse di sa siamang. Mme se se bothhoko e bo e nna gore, ene yo kamoso o bapile le nna gone fa, yo mongwe fa a sena botho, *bragging* gone fa *Mr Chairperson*, tsamaya a kokorogile, e le gore ke morena fela mo motseng. Ga go na yo o ka mo rayang sepe, ka gore go a itsiwe gore fa o mmuisa o ka nna a dira eng ka wena, a bo a tsamaya, e bo e re kamoso a bo a boile a le gone fa. Ke re *Mr Chairperson*, a re lekeng sengwe le sengwe. *Minister*, re a itse gore go na le tlhaelo, mme se ke batlang go se bua ke gore, *yes within this limited resources let us do more with what we have, let us do more with the less that we have*. Re bo re bona

gore batho ba ba dirang melato ba tseelwa dikgato mo nakong e e maleba, gore le ba ba foseditsweng ba bone gore le bone ka boammaaruri *justice is there and will be administered and dispensed* ka tsela e e nametsang.

Mr Chairperson, ke re mme e tlaabo e kete re touta dikgang di le dingwe fela, mme ke tsone tse e leng gore kwa bofelong jwa letsatsi *they matter most*, di gaufi thata le batho ba re ba emetseng mo Ntlong e. Ke tlhola ke touta ke re, kgang e ya bogodu jwa leruo re tshwanetse re e emele ka dinao. Fa o tseela Motswana podi e le nngwe fela, o mo tseela kgomonyana ya gagwe e a lalang a e setse morago mo letsatsing, o bo o e tsaya fela e kete o a ikgantsha, go mo utlwisa bothhoko jwa ntho. *Who is there to protect that ordinary Motswana? It is this Government. Who is there to protect this ordinary Motswana?* Ke Dikgotla tsa rona, ke one a ke reng, a re boneng gore *indeed* re ema ka dinao gore Motswana yo e leng gore *is unfortunate* ga a na se a nang le sone, mme a na le potsane, nkunyana le namanyane ya gagwe, dira gore Motswana yo le ene a itse gore yo o ntseetseng o ka tseelwa dikgato fela tse di maleba, gore a se ka a tla kamoso o mongwe a bo a mo tseela e nngwe ya bofelo. Ke re *Mr Chairperson*, I so submit. I thank you.

“EXCHANGE OF SPEAKERSHIP”

MR CHAIRPERSON (MR MOATLHODI): Afternoon Honourable Members, we are going to have Honourable Member for Mahalapye East, as the next Honourable Member of Parliament (MP) on the line.

MR MOTSAMAI: Go tlaa tsena Tshabang *Mr Chairperson*, Boko o tlaa latela.

MR CHAIRPERSON: O itse gore ke eng monna ke wena wa kwa Ghanzi South, ke tlaa go isa kwa lekgotleng. O mphile *list* ya gore ke e latele. Jaanong you begin to dictate to me your own story.

MR MOTSAMAI: Ke a ne ke ya ... (inaudible)... Mr Chairperson, sorry sir.

DR TSHABANG (NKANGE): Thank you *Mr Chairperson*. o se ka wa tshwenya Motsamai, ke ene Whip ya rona, ke ene molaodi wa rona mo Palamenteng. Mo itshwarele *Mr Chairperson*.

MR CHAIRPERSON: ... (Inaudible)...

DR TSHABANG: ... (Laughter!)... *Mr Chairperson*, ke lebogela sebaka se go akgela le nna mo kgannyé e ya *Administration of Justice*. Ke na le dikgang tse e leng



gore *I feel* gore ke di beye Minister fa pele, gore gongwe e re fa a na le ba gagwe kwa *Judiciary* a nne a di ba latlhelela.

Re a itse gore *Administration of Justice* ke nngwe ya makalana a go tsamaisa Puso mo Botswana, *one of the three arms of Government*, jaanong go botlhokwa thata gore Batswana ba nne le *confidence* kana tshepo mo *the Judiciary*. Fa gongwe o fitlhela le bone ba haraharilwe ke dikgang tsa gore ba sekametse ka kwa ntlheng e sele, go na le dipelaelo tsa gore dikatlholo tse dingwe di tswa ka gore *they are influenced from the highest office, the DIS, the BDF or from wherever or certain connected people*. Re re gongwe le bone mo tsamaong ba kgone go supa and accept themselves gore *they are not influenced, it is a professional body that is able to dispense justice without influence*.

Se sengwe ke kgang ya *bail*. *It looks like Batswana ka bontsi kgang ya bail ga ba e beye sebete, gongwe Judiciary e tlhokana le gore e kgone go ntsha thuto e e tseneletseng ka bail, ka gore it looks like Batswana are complaining gore bail is too cheap to obtain.* Gape o kare *conditions* tsa yone are relaxed. Fa gongwe mo mathlong a Batswana ba na le go lebelela ba bo ba bona gore go na le batho ba bangwe ba ba sa tshwanelwang ke gore ba ka bo ba filwe *bail*, dikgang tse dingwe tse di tshwanang le go bolaya motho, *passion killing, murder, manslaughter*, gore nnyaa *bail* fa gongwe le e fa motho... Ke na le sekai, rre yo mongwe o kile a tla kwa go nna fela fa ke fetsa Kgotla *meeting complaining* ka *bail*, gore, “kana motho o bolaile ngwanake mme a bo a fiwa *bail*, ke yo o nonne ke a mmona o a tsamaya-tsamaya, e bile gatwe o a nyala, tota mme *I am grieving*, ka gore ngwanake o bolailwe. Puso e bona go siame fela gore e tlogele motho a tsamayetsamaye mo setshabeng.” Re a itse gore *the Judiciary* e na le *its own argument, its own stand* mo kganny ye *bail*, but re kopa gore at least ba tsene mo setshabeng ba ba fe thuto gore ba kgone go tlhaloganya gore *bail*... le fa gongwe re sa dumalane le *situation at the time*, go nne le kgang ya gore tota mme *bail* e tla fa go rileng, mosola wa yone ke eng. *The benefits* mo justice system ke eng.

Se sengwe *Mr Chairperson*, ke kgang ya *costs* tsa access to legal services. E ka re gompieno go emelwa ke *lawyers* go a tura, go tura fela thata, mo e leng gore a lot of people are left unrepresented and fa gongwe go ba kgoba marapo. So go ka nna jang gore go nne le a system e e leng gore gongwe prices can be determined gore at least batho ba bangwe ba ba dikobo dikhutshwane

le bone ba kgone to access legal representation, ka gore situation e re leng mo go yone gone jaana e ka re e supa gore justice jaanong is expensive and it is only accessible by the haves. The haves not bone ba tlaa nna ba ntse ba lelalela fela, le fa motho a ne a na le case mme a ka se ke a kgone go emelwa kwa court, and he or she loses even justice and fairness. So money should not be a deterrence to access to legal system.

Ke tsaya gore *Mr Chairperson* kgang e e tlang e ya gore go tlaa nna le court annexed mediation gongwe e tle e thus e mo dikgannya tse, gore ba ba dikobodikhutshwane e ba thus e to expedite justice. Also mme go nne le ntlha nngwe mo system e ya gore le bone ba e leng gore ga ba na madi ba kgone go bona legal representation. Re a itse gore go na le mo gotweng you subscribe kwa Legal Guard, Legal Aid, but ga se mongwe le mongwe yo o nang le madi a to subscribe kwa Legal Guard le Legal Aid. A go nne le ntlha nngwe e gongwe batho ba e leng gore ga ba na madi ba kgone to access legal representation.

Mr Chairperson, go na le kgang ya gore cases di tsaya lebaka kwa court di ise di fele, tse dingwe e bile o fitlhela batho o kare ba ithbogile. Ke a tle ke utlw lawyers ba re go na le mo gotweng justice delayed is justice denied. I think gongwe it carries weight fa go setse go tla mo dikgannya tsa gore court cases di tsaya lebaka.

Re a itse gore go na le to gather evidence gore e tle e nne case e e nang le boleng, go nne fair at the end of the day, but sometimes court cases di diiwa fela. Ke gore go na le madiadia fa e leng gore gongwe case ga e favour system, go batliwa gore e ka nyelediwa jang, kana go lebalwe ka yone. Ke maikutlo a Batswana ba a re a neelang fa re ntse re tsamaya mo setshabeng.

Mr Chairperson, ntle ke kope Minister ke tseye sebaka sone se gore kana tota kwa dikgaolong tsa rona e bile ke buelala kgaolo ya me kwa Tutume, re tlhokana le *Magistrate Court*. O fitlhela e le gore dikgang tse di tshwanetseng go sekiwa, tse di yang kwa ga Mmakaseterata, it is either di isiwa kwa Masunga kana Francistown. Mo go raya gore kana kgaolo ya rona bontsi jwa batho ke ba e leng gore tota ga ba kgone go nna ba ntse ba kgarakgatshiwa ba isiwa kwa Masunga le Francistown, go a ba turela. E bile o fitlhela o kare mo go ba bangwe ba gongwe ba dikobo dikhutshwane go a ba intimidate, at some point they end up abandoning what should have been a fair trial for them ba tlogela, ba bo ba latlhegelwa.



Gape go a re *cost economically* Mr Chairperson, gore batho ba rona ba ye gone kwa. Fa gongwe le gone kana batho ba bangwe kana ba na le madi, fa motho a ne a go tshosetsa a go utsweditse dikgomo gore “nna ga ke seke mo Makgotlanyaneng a Setswana, ke tlaa kopana le wena kwa Masunga,” go *discourage* bone ba e leng gore *they are seeking justice*. So rraetsho, kgang e o tshwanetse gore o e lebelele, re tlhokana le *Magistrate Court because we need affordable, accessible and high quality judicial system that serves everyone and everywhere*. Fa re re *everywhere*, re raya gone kwa dikgaolong tsa rona, kwa e leng gore tota mme ga le yo teng.

Le yone *mobile court*, ke raya gore ga re itse gore *why it was discontinued, but it used to be helpful* fa e le gore e ne e ka tla. Re kopa gore le *revise such structures* fa e le gore ga le na go re neela *Magistrate Court* mo *financial year* yone e. O a itse le wena gore botlhokwa jwa *justice, fairness* le jwa *ease access to a justice system* o le *Minister, especially* ba ba dikobo dikhutshwane le ba ba kwa dikgaolong tse di kwa tennyanateng.

Mr Chairperson, like I said, go tlhokana le Judiciary, Judges, Magistrates, di lebelelw di le above board. Two; di lebelelw e le gore they are beyond reproach, they are fair. The system yone ka fa e tsamaisiwang ka teng ga e na infiltration. Jaaka gongwe rona ba bangwe ba kganetso, re ipelaetsa gore fa bangwe ba e leng gore ke ba Domkrag fa e le gore ba a seka, o fitlhela e le gore cases tsa bone e nna e le acquitted, acquitted, mo e leng gore it encourages gore motho fa a sentse jaaka re itse gore gongwe bangwe ba na le court cases, bale ba opposition, motho crosses the floor gore a ye kwa BDP go nna e kete o tlaa nna le protection. So we know gore perceptions are everything, perception is more of a reality.

So re kopa gore Judiciary fa gongwe e ikapole these conceptions, re tle re bone example fela gore gongwe motho fa a seka, re bone fela go salwa morago process yotho go fitlhelela e wela, go sena dipelaelo gore ka gore jaanong motho yo is a high ranking Government official, it is a high ranking BDP heavy weight, go nne le clarity ya judicial system. Ba nne very clear, go nne above board gore mongwe le mongwe a kgone go iponela gore the Judiciary e straight forward. Re a itse gore cases di tsamaya ka their own merits, sometimes di tsamaya ka merits and the merits tsa presentation kwa court. E se ka ya nna e kete by the look of things, go nna le favouritism that can be afforded by a certain high calibre individuals. E nna e le gore justice jaanong

can be bought. We are entering a dangerous state as a country where there are perceptions gore justice can be bought, go na le mo gotweng Judges can be assembled for a particular case. So such kind of a system ga e na...

MR CHAIRPERSON: Your time is up Honourable Member.

DR TSHABANG: Thank you Mr Chairperson.

MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MORWAENG): Mma ke go leboge Motsamaisa Dipuisanyo tsa Palamente rraetsho. Ke a ikokobetsa fa pele ga gago, le boeteledipele jo bo leng fano. Rra, ke ema fa go ema nokeng kopo ya ga Tona Rre Mmusi, mo a kopelang Lephata le la tsa Boatlhodi masheleng gore ba tswelele ka tiro ya bone. Ke ema nokeng kopo e.

Kana fa re bua ka tsa boatlhodi, re bua ka batho, lekgotla, lephata le le leng botlhokwa thata fa re bua ka puso ya batho ka batho. Re bua ka thitibalo le tshireletsegoo ya lefatshe, re bua ka go sala molao morago ka gore ya bone kana tiro ke go bona gore ba tlhalosa molao ka fa o builweng ka teng, ka fa rona re leng Ntlo e e fano re dirileng melao ka teng. Sa bone ke go *interpret* melao go bona gore batho ba a thusega, tšhaba e a thusega, ba tshereganya batho gore go nne le kagiso le thokgamo mo lefatsheng la rona.

Batho ba kgotsa lephata le, ke le le botlhokwa thata. Re tshwanetse re leboge gore lephata le le mororo go ne go na le COVID-19 dingwaga tse pedi tse di fetileng, le e ntse e le teng, ba tsweletse ba dira tiro ya bone ka fa ba neng ba ka kgona ka teng, re ba rolela hutshe. E bile makgotla a rona, Baatlhodi le bo Mmakaseterata ba rona re tshwanetse re ba rolele hutshe, le support staff ya bone gore ba dira tiro ka bottlalo.

Lefatshe le le a itsege le le lengwe la mafatshe a e leng gore boatlhodi mo Botswana ke jo bo ikemetseng, ga bo tseye lethakore. Ke boatlhodi jo e leng gore ba ba mo go jone ke ba ba rutetsweng tiro, le mororo ke dumela gore re tshwanetse re se ka ra emela fa thoko Rre Mmusi, ra re fela ka ba rutegile, re tswelele re ba katise. Re tswelele re ba neele dithuto tse dingwe, manpower o e leng gore o thusa makgotla a rona, ba rutuntshiwe letsatsi le letsatsi, nako le nako gore tiro ya bone e ntle e ba e tshotseng ba e tshwaretse lefatshe le, ba tswelele ba e dire. Ka tsela eo rra ke re ga gona jaaka ke ka tlhoka go ema nokeng kopo e.



Re tshwanetse re leke Rre Mmusi gore re ba thuse gore mo tirong ya bone ba e dire ka botlalo go gaisa ka fa ba dirang ka teng jaaka ke re a ba rutuntshiwe go gaisa mo dikarolong tse di farologaneng tsa molao, mme e bile a ba okediwa fa go kgonega. Re ba hire ba le bantsi, bana ba rona ba ye kwa Makgotleng a bo Mmakaseterata, fa go kgonega motse mongwe le mongwe mo Botswana o felele o na le Lekgotla la ga Mmakaseterata. Bana ba rona ba ba rutetsweng molao ba teng, ba kgone go ya go dira tiro, mme le *support staff* ba kgone go nna teng.

Keletso ya me ke gore re tshwanetse re ele tlhoko dilo dingwe tse di amanang le bone. A re lebe gore kwa bo *Judges* le bo Mmakasetarata ba rona ba nnang teng Rre Mmusi, a re ba baakanyetse boroko jo bo siameng fa madi a le teng. A ba nne sentle, e seng bone fela, le *support staff* sa bone o ya go fitlhela e le gore fa gongwe mmereki wa kwa *court* o hirisitse ntlo ya mmelaelwa kante ya motho yo o sekang, ke *customer* ya *court* ya dinako tsotlhe. Gone mo go bo go tsenya botshelo jwa mmereki yo mo diphatseng.

Ka tsela eo ke re, a e ne e re fa re aga *courts*; re aga kwa ga *Magistrate*, re aga *High Courts*, re ele tlhoko gore re aga le kwa ba nnang teng. Mme e bile re bo re tokafatse *security* sa bone, e seng *securing* fela kwa dikagong tsa bo *Magistrate*, le kwa *High Court*, *security* sa bone Rre Mmusi re bone gore se ka tokafadiwa jang ka gore malatsi a re tshela mo dinakong tse di sa siamang. Re a ba tlhoka go tsweledisa tiro e e seng ka poifo, e seng ka *to favour*. Mme *so far* makgotla a rona ba dira tiro e ka botlalo rraetsho.

Yes, re a itse gore bangwe gantsi fa ba jewa kwa court, ba sa atlege, go na le tse ba di buang. Bao re a ba itse, mme e bile ba bo ba dirisa forums tse e seng tsone go ka tlhasela makgotla, bogolo jang fa ba sa tsamaya sentle. Ke re, re tshwanetse re itlwaetse re le Batswana, bogolo jang re le baeteledipele gore re sireletse makgotla, re sireletse bo Judge. Re se ka ra iphitlhela re amega mo go reng fa e le gore kgetsi, a ke ya tsala ya gago, a ke ya eng, fa e sa tsamaya sentle ga e go fe tshwanelo ya go kgobotletsa bo Judge jaaka re lemoga. Mongwe o ntse a bua gone jaana a re kana jaanong go na le perceptions tsa gore makgotla a a rekwa, ke re perceptions tseo di tsalwa ke mapolotiki mangwe ba e leng gore ka dinako tsotlhe ga ba itse go tlhopha mafoko. Fa ba bona dikgang di sa ba tsamaele sentle ba bua a sele. Re re bagaetsho tlhe, a re lekeng bojotlhe gore re itsware, re tlhophe mafoko re sireletse bo Judge ba. Ke bana ba rona, ke

batsadi ba rona, ke ba batho ba ba rutetsweng tiro e. Ga e re o ya *court* ka nako tsotlhe o atlege. O a atlega, fa gongwe ga o atlege. Mma ke fetse ka ya gore, seemo se e leng gore....

MR CHAIRPERSON: Sorry Honourable Minister! Unfortunately I have to call upon Honourable Minister Mmusi to reply to the debate. Honourable Minister Mmusi, please reply to the debate.

MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR MMUSI): *Thank you Mr Chairperson.* Mma ke go leboge Rraetsho, ke bo ke leboge batlotlegi botlhe ba ba akgetseng le ba ba neng ba eleditsi go ka akgela. Ke lebogela kemo nokeng e ba e supileng mo kopong e re neng re e baya pele Ntlo e. Ke tlaa tsena mo dikgannyeng tsa bone ka bongwe, ka bongwe, tse dingwe ke nna ke di kopanya.

Ke lebelela Honourable Majaga, jaaka a ne are ema nokeng. Honourable Majaga, o ne a bua gore tota re leke gore re oketse *courts* le *Magistrate Courts* kwa dikgaolong tse di seyong. Ke keletso ya rona Modulasetilo, gore tota re ka bo re anamisitse mafelo a lefatshe lotlhe, mme tota ka ntata ya tlhaelo ya one madi ga re ise re kgone go dira jalo. Re tlaa nna re ntse re leka, re lebelela fa re ka kgonang teng gore re ka dira. O buile ka di agente tse a reng kana go na le batho ba ba ganang kemedi ya diagente, mme re bua gore kana fa o sena kemedi Puso e a go thusa ka kemedi. O ne a bua ka *appointment* ya *Judges*, e re neng re bua gore *Judges* go na le ba ba di lebalebang ba Judicial Service Commission. Ke bone ba ba lebelelang gore *Judges can be appointed* go lebeletswe mabaka otlhe a a leng teng, gore bothata bo fa kae, go ka okediwa mang, ke mang *who qualifies*. *Process* e ke dumela gore *is a very independent process and a very transparent one*. So e teng, ke yone e e lebeletseng *to appoint* bo *Judge*.

O ne a bua kgang e ke dumalanang le ene thata, gore le rona gongwe re tswele kwa Dikgotleng re ye go ruta Batswana ka *High Courts*, ka *Magistrates* gore ba bereka jang. Ke dilo tse re tlaa itekang le rona re le lephata, gore re bone gore re nna le gone mo re ka go bitsang *education to the nation* ka tsone dikgang tsa makgotlatshekelo, le gore go tsamaya jang, go lebeletsweng mo go tsone fa go dirwa. Ke rialo ke re, re a leboga Honourable Majaga for kemo nokeng eo.

Honourable Healy le e ne one a re ema nokeng, e bile a simolola ka go akgola bomme ba ba neng ba kgona *to be appointed Judges*, ba bangwe ba tlhatosiwe maemo.



Ke re rraetsho, re a bona gore lefatshe le le kwano ba ntse ba lebeletse thata kwa boeteledipele jwa ga Rraetsho Tautona Mokgweetsi Eric Keabetswe Masisi, go bona gore tota bomme ba a tlhatlosiwa maemo, ba neelwa maemo, gore le bone ba tseye boikarabelo mo go tsamaiseng lefatshe le. Le ene rraetsho re re re a mo leboga thata. O re akgotse thata ka *annual reports*, mme di teng *annual reports*, gongwe ke ka riana fela ka le bontsha gore ke tse, a re di tseyeng, re di baleng. Di na le dikgang tsotlhe tse di diragetse eng mo ngwageng o, *the latest one* ke ya 2021, mme e na le dikgang tsotlhe fela gore go diragetse eng, *cases* tse di sekilweng ke dife, fela jalo. O ne a akgola thata ka gore lephata le le ne le bereka thata mo go thuseng, mo go ntshiweng mo grey listing le mo *black listing* ke mafatshe a sele. Ke ka go bereka ga Puso le Mapalamente jaaka re ne re fetisa melao mo Palamenteng, mme melao e ya diragadiwa.

Mapalamente ka bontsi ba ngongoregile ka dikgang *tsa bail*. Tota re le lephata le rona re eme ka dinao go bona gore dikgang tse di a sekasekwa. Re tsamaile mo go ba ba maleba, ra dikologa le bone gore re tseye maikutlo mo go bone, mo Batswaneng, mo mapodiseng le Dikgosi, go utlwa gore tota molao o o ka fetolwa jang. Mme dikgang kana maikutlo a a setseng a tserwe a gompieno a setse a le kwa go *Attorney General* gore le ene o ka sekaseka jang go bona gore melao e ya *bails* e ka fetolwa jang, e ka dirwa jang. Re santse re mo e neetse, e tsamaya between rona le ene, ntse re buisanya nae.

Honourable Kapinga; ke nnene o ne a botsa potso maloba *yajurisdiction* ya *Magistrate* le ba *Customary Courts*. Le fa ke ne ke sa mo fa karabo e e papametseng fa re tla go tsena mo *Customary Courts* ka ke ne ka mo tlhalosetsa gore, ba kana ba santse ba wela ka fa tlase ga Lephata la *Local Government and Rural Development*. E ne ya re morago fa ke sena go mo araba ka boa ka mo leletsa *Honourable Kapinga*, ra nna ra buisana. Mme rraetsho kgang ya gago re a e utlwa, ke kgang e e papametseng, e ntle, e maleba, ka gore kana tota re tshwanetse gore re leke go dirisa our *Customary Courts* go seka *cases*. Kana tota basekisiwa le bone go a tle gotwe ba na le dithata. E a re motho a isitswe koo gotwe o a sekisiwa a bo a re, nnyaa ke batla agente. Kana fa a fetsa gore o batla agente go raya gore jaanong go iwe kwa go bo *Magistrate*, go iwe kwa *High Court*, jaanong tse di a bo di setse di dule. Fela gone re tlaa nna re ntse re thulanya ditlhogo le bone ba rona ba *Administration of Justice*, go ka bona gore go ka dirwa jang, go ka thatafadiwa jang, because tota le rona re a dumela gore if ba *Customary Courts* can be empowered, ba fiwa dithata, case gongwe

di ka kgona gore di sekwe ka pela, go be go athholwe gone foo. E bo e bile go tsewa dikgato gone foo, go sa diegwe. Re ka emisa mosuke o re leng mo go one.

Rraetsho jaaka le ne le ile kwa Broadhurst Magistrate, o lebogetse *court* ele le *technology* e e dirisiwang koo. Ke maikaelelo a rona gore re atolose *courts* tse di tshwanang le tse, re leke go tsenya *technology* kwa go tsone.

O buile ka *court* ya Maun, le maloba fa re tsile kwa komiting ya lona, o ne wa bua ka yone. Rraetsho, re tlaa e lebaleba. Ke ne ka botsa bonnake ba ke berekang le bone ka yone, bone ba ne ba nthaya ba re ba dumela gore e maleba. Le nna rraetsho, e tlaa re fa Palamente e tswalwa, ke tlaa bona gore ke taboge, ke ye go e leba, re bone gore re ka thusa jang gore re bone fa e sa siamang sentle.

Ke tsene kwa go *Honourable Regoeng*; rraetsho, ke a leboga gore Batswana ba dumela thata mo makgotlatshikelong. O buile thata gore re leke go dirisa madi. Ke maikaelelo a rona le rona gore re dirise madi, re leke go bona gore madi a re a neelwang, re a a dirisa, re a a feleletsa before ngwaga o fela, re leka to push projects. O buile ka *Court of Appeal* gore batho ba a seka, ba *appeal* go dirwa se. Kana bone diagente ba nna ba lebelela *technicalities*. Motho a tla ka lefoko lele, a fetola *statement* fale, a tla a *appeal* go ntse jaana. Nako e nngwe ke tsone dilo tse o bonang di dia ditsheko, to appeal gantsintsi ka gore agente wa gagwe le ene o a bo a mo fa botlhale a bo ba nna le *technicalities* tseo di dirisiwa to do appeals. Fela re go utlwile.

O buile ka *small claims*, fa e kare mo malatsing wa bona nako...

MINISTER OF BASIC EDUCATION (MR MOLAO): Ke kopa tlhaloso Modulasetilo. Ke a leboga *Mr Chairperson*. Ke a leboga *Minister*. Fela ka bokhutshwane Tona gore gongwe in your engagement le batho ba *Administration of Justice*, bogolo jang the *Chief Justice*, kana tota selelo sa batho se setona, fa gongwe se dira gore e kete batho ba latlhegelwa ke tshepo ke motsopodia le go tsaya lebaka ditsheko di sa sekwe. Fa o lebelela tsone tsa stock theft bogolo jang, gompieno re na le bokebekwa jo bosha jwa heists tse di diragalang, armed robberies, rape cases kana Gender Based Violence (GBV) fa o soboka fela jalo. Re bone maloba *Chief Justice* a ntsha a directive e ke sa itseng gore e berekile go le kana ka eng, gongwe le yone fa o ka tla wa feta ka yone, when it comes to public procurement processes, tenders tse di nnang di sekwa, di bo di dia



implementation of projects gore cases tsa go nna jalo, di tlaa dirwa ka bofeso gore di tle di se ka tsa tshwarelala project implementation. Ke raya gore yone melato e e tshwanang le ya bo *stock theft* le *heists* tse disha tse re di bonang tse, *the rape cases*, GBV, a ga o bone gongwe le gone go ka nna botlhokwa gore ba makgotla le bone ba di tseye ka tsela yone e, ba leka go tsaya tsa *public procurement system* gore le tsone di tsamaye ka bofeso? Gongwe selo se le sone se ka neela tshepo mo bathong gore dikgwtelho tse ba kopanang natso ba a reediwa. Ke a leboga.

MR MMUSI: *Thank you Honourable Member of Parliament,* Rre Molao. Ee rraetsho, nnyaa mme kgang ya gago re a e utlwa. Ke dilo tse ke dumelang gore jaaka re bua, go ne ga ntshiwa yone ...(*Inaudible*)... Directive No.1 of 2021. Re tlaa nna re ntse re lebelela tse dingwe. Re tlaa buisana le bo *Chief Justice* jaaka re ntse re tsena mo diphuthegong tsa rona, re gakololana, re bona gore re ka dira jang. Ke kgakololo e e siameng.

Fela ke ne ke re ke tsena mo go ele ya *Small Claims Courts*. Le yone e tsamaelana le se o se buang ka gore re simolotse tsone *Small Claims Courts*, mme fa o ka tsena mo *annual report* ya rona mo *page 31*, o ya go fitlhela e le gore tota *Small Claims Courts are very effective. Disposal rate* ya teng, it was about 89 per cent mo ngwageng o o fetileng. There were about 2219 cases tse di neng tsa reediwa ka *Small Claims Courts*.

Ke ne ke batla go tsena mo go Honourable Modukanele; le ene o ne a ntse a ngongorega ka *disposal tsa cases* gore di bonya especially tsa bo *cattle theft* jalo. Ke selo se re dumalanang gore tota tsone go ntse jalo. E bile fa di ka sekwa kwa makgotleng a Setswana, gongwe dikgang di ka itlhaganelelw a tsa fediwa ka pela.

O buile le ka kgang ya *bail*, jaaka ke bua ke re kana tota ke gore mo lefatsheng, go na le Molaomotheo o o fang Motswana mongwe le mongwe dithata. Jaanong re tshwanetse go netefatsa gore go a rerisanwa, sengwe le sengwe se a lebelelw a. Re mo tsamaong yone eo ya go bona gore tota re ka dira jang, ra leka gore re thuse, re tokafatse fela thata.

Go boela le kwa go ya gago Honourable Molao, kana le GBV cases di reediwa on urgency now, *Magistrate* jaaka o gakologelwa, o ne a ntsha *directive* eo gore le tsone tsa GBV di reediwe ka bofeso, di bo di atlholwe ka bofeso. Ke dumela gore ke selo se se diragalang fela go tlhamaletse.

Rre Modukanele o ne a bua ka dikgang tsa *mobile courts*. Ke batla go tlhalosa gore *mobile courts* di ntse di teng. Re na le *mobile court* kwa Palapye, Francistown, Maun, Kanye le Molepolole. Di ntse di teng fela di a bereka. Ke dumela gore ke dilo tse re lekang gore re atumele Batswana, re ba tlisetse makgotlatshekelo ka bofeso. E tlaa re fa re ntse re bona madi, re tlaa nna re ntse re di oketsa gore re tsene koo.

Honourable Tshabang o ne o bua ka *Judiciary* jaaka e le *one of the arms of Government*. Rraetsho, tota ke dumela thata fa e sale ke tsena mo *ministry* o gore *Judiciary is very independent* mo Botswana. They are very professional. Le nna fela ke le Tona yo ke ba okametseng jaana, ga go na gope fa ke a tleng ke ye go bua le bone dikgang dipe tsa ditsheko kana tsa eng. Sengwe le sengwe sa bone ba se dira koo, ba itirela ka bo bone. Ke bone ba tsayang ditshwetso gore *case* e reediwa ke mang le dikatholo re kopana fela le tsone jaaka Motswana mongwe le mongwe. Ga go nke go nna le gore tota go nna le *influence* epe ka letsatsi lepe.

Kgang e nngwe gongwe e ke batlang go e bua gape ke ya *bail* gore kana kgang e ya *bail* le yone ke ya ga *Magistrate* le *Judge*. Kana ke ene gape a e lebelelang gore o e ntsha leng, o dumalana le yone leng gore...

MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MORWAENG): *On a point of clarification.* Ke a leboga Motlotlegi Rre Mmusi. Rre Mmusi, a o a lemoga gore go ka kgonega gore re le Ntlo e e fano, re dire molao o o tlamang gore melato mengwe o ka se e bonele *bail*, bogolo jang fa e le gore re lemoga re le setshaba gore o kare setshaba se ngongoretse ruri ka ntlha ya teng? O a lemoga gore go ka kgonega gore re le Ntlo e e fano, re akanye, fa e le gore gongwe re eletsa go thusa makgotla, fa e le gore gongwe jaaka go buiwa, batho ba kgona go bona ka mathlo motho a bolawa mongwe le mongwe a mo lebile. Mmolai a bo a tlhalosa gore, “ee, ke mmolaile e bile fa a ka tsoga ke ka mmolaya gape.” Motho yo a bo a ya go kopa *bail*. Kgang e bo e nna gore lekgotla foo le kgone go tlamega gore nnyaa, yo ga se yo o fiwang *bail*. Kante motho a tswa go thubetsa ngwana yo o two years, re mmonye ka matlhlo, a bo a re o ya go kopa *bail*, Ntlo e e fano e ka kgona go dira molao wa gore dikgetsi dingwe tsa *rape* di se ka tsa bonelwa *bail*. Ke a leboga.

MR CHAIRPERSON: Motlotlegi Rraetsho Tona, ke a go utlwa gore o tsamaela go fetsa. O se ka wa tshwenngwa ke gore o santse o re tlogeletse nako. If so re ka itumela thata fa o ka re tlogelela nako e e bonalang. Tswelela motlotlegi rraaron.



MR MMUSI: Tanki Modulasetilo. Ke tlaa dira jalo mongwame. Rraetsho, ga ke re molao o ka dirwa fa gompieno. Kana molao o tshwanetse gore o ye go sekwasekwa, o ye go tsewa kwa setshabeng jaaka gompieno jaana, re na le ba *Constitutional review*, ba tshwanetse gore ba dikologe jaaka ba ntse ba dikologa jaana.

Ke dikgang dingwe tse di ka buiwang koo, tsa tlhatlhelewa, tsa tla di tsene mo Molaomotheong wa lefatshe la Botswana, gore re ka dira se le se, ra dira jaana, mme jaanong di ka tla kwa Palamenteng di tswa koo, tsa tla go lebelelwa tsa diragala. Ke dilo tse di ka diragalang rraetsho, jaaka ke go bolelela gore re setse re tswa go tsaya maikutlo mo go ba ba maleba ba sepodise, Dikgosi le bo mang, re setse re neetse *Attorney General*. Megopolo e tlaa tla mo Palamenteng, jaaka melao fela e ke neng ke e tlisitse maloba ka kgwedi ya *January* e ya bokhutlong, go ne go na le *Bill* nngwe e ke neng ka e tlisa mme re ne ra e tshotlha ka bolele mo Palamenteng, ra nna ra e baakanya fale le fale ra e dumalana. Le yone e e tlaa tla mo Palamenteng gore e tle go tshotlhiwa rraetsho, ke tsone dikgang tse re tlaa nnang re di tsenya jalo.

MR MANGWEGAPE-HEALY: *Clarification. Thank you Mr Chairperson. Thank you Minister. Minister, ke batla go itse gore mo your stakeholder consultations le ba ba amegang, Batswana ba a tshwenyega ka go jewa ntsoma ke diagente (lawyers). Jaanong ke batla go go botsa gore when engaging le Law Society jaana, le tshotlha jang dikgang tsa the lawyers that practice di sena diteseletso, jalojalo? Ke kgang e e tshwenyang Batswana, motho o kgona go fitlhela a tshetse madi ka motlhobodika, a a neetse motho yo a senang teseletso ya gore o ka dira tiro eo. Ke a leboga.*

MR MMUSI: *Thank you Modulasetilo. Rraetsho, sa rona ke go rotloetsa ba Law Society gore tota dibuka tsa bone di nne di le up to date nako le nako, ba rurifatse gore tota batho ba sala melao morago, ba rutuntshe babueledi. Fa go na le cases, motho yo o sekang a sa itumela, o kgona go ya gone kwa Law Society gore a ise dikgang tsa gagwe koo, gore ba mo thuse, mme fela ba a ba thusa. Law Society is very active and very hardworking, re bereka le bone fela sentle thata.*

Ke tsene mo go e nngwe e e neng ya buiwa ke *Honourable Tshabang, ya legal representation*. Ke bolelele Ntlo e e fano le setshaba se se reedseng gore, mo lephateng le re na le lephata le le ikemetseng ka nosi, le le bidiwang gotwe Legal Aid. Legal Aid e reetsa dikgang tsa batho

gongwe ba ka tla ba sena madi a go ka nna le mmueledi, a go ka iphirela mmueledi. Legal Aid ga e nke e duelwa sepe, e thusa fela e teng mo lephateng, yo o nang le dikgang...

HONOURABLE MEMBER: Clarification.

MR MMUSI: Ga ke itse gore a go ne go na le mongwe yo o neng a re o batla *clarification*.

HONOURABLE MEMBER: Ee, ke Boko.

HONOURABLE MEMBER: Ke mongwe wa *lawyers* tsele tsa maloba go buiwa ka tsone.

MR BOKO: Clarification. Let me just focus on you, because I take you very seriously, normally I do not entertain *batho ba ba tlogetseng sekole mo tseleng. Tona...*

HONOURABLE MEMBER: Ga o na teseletso to practice, o tsietsa batho.

MR BOKO: Can I speak?

MR CHAIRPERSON: Please, go ahead Honourable Boko.

MR BOKO: *Mr Chairperson, when I try to speak, yo mongwe yo o tlogetseng sekole mo tseleng, o a ntsenelela. Go na le mathata a batho ba ba tlang kwa Legal Aid, ba ngongorega gore o kare ga ba fiwe ditlamelo tse di tshwanang let us say private practice. E le kgang ya gore gongwe you are not resourced enough kana gongwe the skills le experience ya batho ba o nang le bone, o kare ga e mo maemong a a kwa godimo. O dira eng go leka go ka tokafatsa seemo?*

MR MMUSI: Ee rraetsho, nna ka fa ke itseng ka teng, Legal Aid e a bereka sentle, e thusa Batswana. Le beke e e tlang jaaka re tlaabo re tla go kopa madi a ministry. Re tlaabo re ntse le bone re ba kopela mo teng to ensure that we enhance, empower their office and it has a good team at all times go leba dikgang tse Batswana ba ka tlang ba na le tsone. Fa go nang le dikgang teng, bangwe ba etle ba tle, ba re mme go diegile fale, mme we attend dikgang tsa teng fela jalo. Ba bangwe ba di tlise kwa go rona kwa lephateng and we attend them. O fitlhela fa gongwe e le go tlhoka kutlwisisanyo kana not understanding, mme fela di felele di rarabolotswe. Ke a leboga.

Ke wele ke bua ka dikgang tsa ga *Honourable Morwaeng*, e ne e le ene wa bofelo go akgela. Rre Morwaeng o ne a bua a sa boele kwa morago gore o akgola lephata le, o



leboga ka fa le berekang ka teng. O buile gore re leke gore re sireletse thata *Magistrates, Judges le support staff* ya bone. Re tlaa leka fela thata gore re tswelele ka gore re ba sireletse, re ba fe tshireletso e re ka e kgonang fa re boneng madi teng, fa re ka bonang madi a a lekaneng, re tlaa ba sireletsa. Ba re setseng re kgona re tsamaya *step by step*, matlo le one re ntse re a a tlhabolola jaaka o ne o utlwa fa ke ne ke fa *speech* sa me gore nnyaa, re tsweletse re tlhabolola le *the courts tota re leka to make sure that they have good security* mo go tsone. Ka mafoko a a kalo, ke leboge Mapalamente ba ba nkemeng nokeng gompieno, mme le lotlhba le sa akgelang, ke a itse gore le ne le nkeme nokeng lotlhba *Mr Chairperson*.

Mr Chairperson, this concludes my presentation of the 2022/2023 Budget proposal for the Administration of Justice. I therefore move that the sum of Three Hundred and Twenty-Five Million, Six Hundred and Eighty Thousand, Four Hundred Pula (P325,680,400) under the Recurrent Budget for Organisation 1200 be approved and stand part of the Schedule of the Appropriation (2022/2023) Bill, and that the sum of Thirty-Nine Million, and Eighty Thousand Pula (P39,080,000) under the Development Budget for Organisation 1200 be approved and stand part of the estimates for the financial year 2022/2023. I move accordingly. I thank you Mr Chairperson.

Question put and **agreed to**.

HONOURABLE MEMBERS: ... (Murmurs)...

ORGANISATION 1600 - INDEPENDENT ELECTORAL COMMISSION

MR CHAIRPERSON: Let us have order please, we are dealing a very sensitive matter Honourable Members. Honourable Members, please note that 2 hours have been allocated to this Organisation, and I shall call upon the Honourable Minister to reply to the Debate at 11:15 hours tomorrow and the question will be put at 11:45. Honourable Minister responsible for Presidential Affairs, Governance and Public Administration, please present your budget.

MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MORWAENG): *Ke a leboga Motlotlegi Modulasetilo le batlotlegi ba ba leng fa.* Mr Chairperson, it is with great pleasure to present the 2022/2023 budget estimates for Organisation 1600, being Independent Electoral Commission (IEC) to

this Honourable House. The total Recurrent Budget estimate for the 2022/2023 financial year amounts to Sixty-Six Million, Five Hundred and Eight Thousand, Seven Hundred and Twenty Pula (P66 508 720). The Development Budget estimates amounts to Forty-Five Million, Six Hundred and Eighty-One Thousand Pula (P45 681 000).

OVERVIEW OF THE PERFORMANCE DURING 2021/2022

Mr Chairperson, allow me to start my presentation by updating this Honourable House on achievements and challenges faced during the 2021/2022 financial year. Mr Chairperson, the 2021/2022 financial year was another difficult year characterised by COVID-19 pandemic. Twelve (12) vacancies occurred at Local Government level, resulting from the demise of the elected Councillors. These could not be filled due to State of Emergency (SoE) caused by COVID-19. After the elapse of the SoE, IEC was able to successfully conduct the by-elections.

Mr Chairperson, in an effort to improve office accommodation in the outstation offices, IEC completed the refurbishment of an acquired former Department of Electrical and Mechanical Services office in Lobatse, which includes a conference room, a storeroom and an ablution. This will enhance stakeholder consultations as they will be done in-house and reduce Government's spending. It will further enhance storage of election materials.

Mr Chairperson, let me now highlight to this House on the challenges experienced by the IEC during the year under review. COVID-19 pandemic has dealt a hard blow to the efforts of the IEC to embark on stakeholder outreach, minimal stakeholder engagement was achieved due to enforcement of COVID-19 protocols.

Mr Chairperson, following the conduct of the National Stakeholder Evaluation Workshop during the 2021 financial year, IEC submitted stakeholder recommendations to the Executive for consideration and possible electoral reforms.

Mr Chairperson, the construction of the Tutume Office Block Project which was handed over on the 5th of November, 2020 reached the end of its defects liability period on the 4th of November, 2021. However, there are still outstanding mechanical defects which may lead to extension of the defects liability period.



In order to enhance participation of Batswana in the electoral process, IEC has commenced the Voter Apathy Study which seeks to establish impediments to the citizen involvement in elections. The study will further provide recommendations which will be implemented during the 2022/2023 financial year and beyond to strengthen citizen participation in the electoral processes.

2022/2023 BUDGET PROPOSALS

RECURRENT BUDGET

Mr Chairperson, with your permission, may I now proceed to present my budget request for the 2022/2023 financial year. Mr Chairperson, I request for the sum of Sixty-Six Million, Five Hundred and Eight Thousand, Seven Hundred and Twenty Pula (P66,508,720.00) for the 2022/2023 financial year. This represents an increase of Two Hundred and Eighty-Nine Thousand, Three Hundred and Sixty Pula (P289,360.00) or 0.44 per cent more than the 2021/2022 approved budget of Sixty-Six Million, Two Hundred and Nineteen Thousand, Three Hundred and Sixty Pula (P66,219,360.00).

May I now proceed to outline the major items of expenditure that comprise my budget proposal Mr Chairperson.

PARENT ACCOUNT 00110-SALARIES AND ALLOWANCES

Mr Chairperson, I request for Forty-Two Million, Three Hundred and Twelve Thousand, Eight Hundred and Thirty Pula (P42,312,830.00). This represents a decrease of P197,000 or 0.45 per cent less than the 2021/2022 approved budget of P42,509,830.00.

PARENT ACCOUNT 00160- PENSIONS, GRATUITIES AND COMPENSATIONS

Mr Chairperson, for this account, I request for P865,780.00. The funds will be used for gratuity payment of an officer at the end of employment contracts.

PARENT ACCOUNT 00200- TRAVELLING AND TRANSPORT (INTERNAL)

I request for an allocation of Six Million, Two Hundred and Fifteen Thousand, Three Hundred and Ninety-Pula (P6,215,390.00). This represents an increase of Two Million, One Hundred and Thirteen Thousand, Two Hundred and Seventy Pula (P2,113,270.00) or 34 per cent more than 2021/2022 financial year approved provision of Four Million, One Hundred and Two Thousand, One Hundred and Twenty Pula (P4,120,120.00).

PARENT ACCOUNT 00300- TRAVELLING AND TRANSPORT (EXTERNAL)

Mr Chairperson, I request for an allocation of Seven Hundred and Thirty-One Thousand, Seven Hundred and Eighty Pula (P731,780.00) and this figure represents a decrease of Four Hundred and Thirty-One Thousand, Eight Hundred and Eighty Pula (P431,880.00) or 37 per cent less than 2021/2022 financial year approved provision of One Million, One Hundred and Sixty-Three Thousand, Six Hundred and Sixty Pula (P1,163,660.00).

PARENT ACCOUNT 00400-GENERAL EXPENSES AND PUBLICITY

Mr Chairperson, an amount of Six Million, Four Hundred and Eighty -Four Thousand, Six Hundred and Ninety Pula (P6,484,690.00) is requested representing an increase of Three Hundred and Eighty-Seven Thousand, Nine Hundred Pula (P387,900.00) or 6 per cent more than 2021/2022 financial year approved budget or Six Million, Ninety-Six Thousand, Seven Hundred and Ninety Pula (P6,096,790.00). The funds will be used for advertising and publicity, service charges, postal charges and office supplies.

PARENT ACCOUNT 00500-DEPARTMENTAL SERVICES

Mr Chairperson, with regard to departmental services, for this account I request for Five Million, Six Hundred and Twenty-Two Thousand, One Hundred and Eighty Pula (P5,622,180.00) representing a decrease of Four Hundred and Sixty-Four Thousand, Five Hundred and Ninety Pula (P464,590.00) or 8 per cent less than 2021/2022 financial year approved budget of Six Million, Eighty-Six Thousand, Seven Hundred and Seventy Pula (P6,086,770.00). The funds will be used for office and warehouse rentals.

PARENT ACCOUNT 00700-MAINTENANCE AND RUNNING EXPENSES (EQUIPMENT)

Mr Chairperson, I would like to request for Three Hundred and Fifty-Seven Thousand, and Ten Pula (P357,010.00). which is maintenance and running expenses mainly for equipment. This is a decrease of P2,574,200 or 88 per cent less than 2021/2022 financial year approved budget of P2,931,210. The funds will be used for spare parts and maintenance of the fleet.

PARENT ACCOUNT 00800 -MAINTENANCE AND RUNNING EXPENSES (OTHER)



Now, for this account I request for Four Hundred and Six Thousand, Seven Hundred and Sixty Pula (P406,760.00) and this represents a decrease of One Million, Fifteen Thousand, Six Hundred and Ninety Pula (P1,015,690.00) or 71 per cent less than 2020/2021 financial year approved budget of One Million, Four Hundred and Twenty-Two Thousand, Four Hundred and Fifty Pula (P1,422,450.00). The funds will be used for minor works and maintenance of offices and staff houses.

PARENT ACCOUNT 01100 –GOVERNMENT HOSPITALITY

Mr Chairperson, for this account I request for Ten Thousand Pula (P10 000). This represents a decrease of Twenty Thousand Pula (P20 000) or 67 per cent less than 2021/2022 financial year approved budget of Thirty Thousand Pula (P30,000).

PARENT ACCOUNT – TRAINING

I request for P388,430. This represents a decrease of P361 570 or 48 per cent less than 2021/2022 financial year approved budget of P750 000. The funds will cater for various skills enhancement, short-term courses and performance management activities.

COUNCILS, CONFERENCES AND EXHIBITIONS.

Mr Chairperson, I request for the sum of P1 220,000.00 for councils, conferences and exhibitions. This represents an increase of P508 580 or 42 per cent above the 2020/2021 financial year approved budget of P711 420. The funds will cater for seminars, workshops, conferences and Commissioners' allowances.

GRANTS, SUBVENTIONS AND OTHER PAYMENTS

I request for an allocation of P285, 480. This represents a decrease of P6 300 or 2 per cent less than 2021/2022 financial year approved budget of P291,780.

SPECIAL EXPENDITURE

For this account I request for P1 608,390. This represents an increase of P1 485,060 or 92 per cent more than the 2021/2022 financial year approved budget of P123 330. These funds will be utilised for computer replacement, furniture and broadcasting equipment.

DEVELOPMENT BUDGET

Mr Chairperson, in the Development Budget, I request for a total of Forty-Five Million, Six Hundred and Eighty-One Thousand Pula (P45 681,000.00). This amount will be earmarked for various Information and Communications Technology (ICT) programmes for the Commission, as well as implementing the Delimitation of Constituencies project.

CONCLUSION

Mr Chairperson, I now request that a total of Sixty-Six Million, Five Hundred and Eight Thousand, Seven Hundred and Twenty Pula (P66 508 720) for the Recurrent Budget and Forty-Five Million, Six Hundred and Eighty-One Thousand Pula (P45 681 000) for Development Budget be approved and stand part of the estimates for the financial year 2022/2023.

I move accordingly Mr Chairperson and I thank you.

MR CHAIRPERSON: Order! Order! Honourable Members, the matter is open for debate and I am going to accord the slot to you Honourable Kekgongeile. Please take your slot Honourable Member for Maun East.

MR KEKGONGEILE (MAUN EAST): Ke a leboga Modulasetilo. Mma re dumedise batlotlegi le setshaba ka kakaretso.

Modulasetilo, re bua ka tsamaiso ya puso ya batho ka batho e e botlhokwa fela thata ya ditlhopho. Re bua ka gore naare tsamaiso ya rona ya ditlhopho e ntse jang. Re bua ka *budget* e e tsamaisang tsamaiso ya rona ya ditlhopho gore re di tsamaisa ka tsela e e ntseng jang. A ka fa re di tsamaisang ka teng go a re kgotsofatsa? A ka fa maduo a tswang ka teng go a re kgotsofatsa? A ka fa a tswang ka teng *serves democracy* ya rona sentle? Re bua ka tsamaiso ya gore fa re tlhophja jaana, re tlhophja jang? A re kgotsofalela *ballot papers* tsa rona? A batho ka fa ba tlhophang ka teng, a re kgotsofalela *lines* tsa bone? A dinako tsa ditlhopho tse re a di kgotsofalela? A *budget* e e tlaa *address* dilo tse di ntseng jalo?

HONOURABLE MEMBER: Rola hutse mo Palamenteng Carter.

MR KEKGONGEILE: A *budget* e e tlaa dira dilo tse di ntseng jalo? Ka fa re balang ka teng, re balela fa kae?

HONOURABLE MEMBER: A ko le boneng fela Moherero.



HONOURABLE MEMBER: A re o supa bogosi.

MR CHAIRPERSON: Honourable Leupe *o kgalemile*, let us have silence. Honourable Leupe *o kgalemile* and I thank him very much.

MR KEKGONEGILE: Tanki *Mr Chairperson*. Kana re tswa kgakala e re morago ga ditlhopho dingwe le dingwe re bo re nna le *stakeholder evaluation*, e le *workshops* le diphuthego, di bo di boa di ntsha *recommendations* tsa bone gore re ka tsamaisa ditlhopho tsa rona ka tsela e e botoka jang. Fa re bua ka IEC, ke tsone dilo tsa gore a mme *recommendations* tse fa di ntse di ntshiwa jaana, a ba ba tsamaisang ditlhopho ba ba nang le gore ba ka di tsaya, a ba a di tsaya, a di a diragatswa, dilo tsone tse di tshwanang bo go reng kana go na le golo mo go bidiwang gotwe tiriso ya madi mo ditlhophong. Gompieno tiriso ya madi ya ditlhopho re e laola go le kae? Fa re e laola mme gone madi a a tsenang, a tsena ka seemo se se ntseng jang? Go na le gore maloko e nne bone ba e leng gore jaanong ba *sponsor democracy from their pockets*, a golo mo go re siametse? *Is the playing field level kana it is not?* Re ka e *level* ka tsela e e ntseng jang gore mongwe le mongwe a kgone go tsenelela ditlhopho ka tshosologo le bokgoni gore a kgone go goroga kwa batlhophing le isa molaetsa a nne *visible*? A mme ga se nako ya gore go nne le mo go bidiwang gotwe *public funding* mo *democracy* jaaka re ne re bona South Afrika maloba e *introduce* mo go bidiwang gotwe Party Funding Act? Gone moo fela ka bogone, ope fela yo o emelang ditlhopho re leke to *avoid* seemo sa gore a tseye madi kwa ntle kana *foreign funding of democracy* ka gore e na le ditlamorago tse e seng tsone. Re kgona gore re bo re lata madi kwa ntle re a tsaya gongwe kwa ditsouloding kana mo bathong ba ba sa direng madi ka tsela e e siameng. Gone moo fela ka bogone, go raya gore kana gantsinyana motho fa a go *sponsor*, o raya gore a kgone go tla go diragatsa dikeletso tsa gagwe. Mme fa re tsaya madi mo bathong ba ba ntseng jalo, gone moo fela ka bogone go raya gore re baya lefatshe ka fa diphatseng. Fa e le gore ke tlaloganya sentle, go kile ga buiwa thata gone mo Palamenteng e gore kana 11th Parliament e kile ya tswa ka *resolution* ya gore go nne le *political party funding* e e tswang mo go Goromente gore a thus *to fund* puso ya batho ka batho mo lefatsheng, mme go santse go saletse kwa morago fela thata, ga go ise go diragale. Go botlhokwa thata gore selo se se diragale gore re *level the playing field*.

Recommendations tse di tshwanang le bo go reng a re baleleng kwa matlhophelong gore fa e le gore o tlhophela kwa Khwai, Seronga, New Xade le Mathathane, a go

balelwe gone foo, e se ka ya re *boxes* go tswa fa di bo di rwalwa go tsamaiwa le tsone go ralalwa dinaga masigo, go ya go simololwa go balwa morago ga lebaka le le lee, maduo a tsaya lebaka a sa tswe, kgantele batho ba belaela gore go diragala eng. Dilo tseo fela ka botsone, ditlhopho ke dilo tse di *sensitive*, di ka nna tsa felela e le gore di tlhakatlhakantse lefatshe. Jaanong a go balelwe kwa go tlhophelwang teng, ba a rialo, setshaba sa rialo. So, ke nako ya gore dilo tse re ka di dira.

Mehuta ya go tsamaisa ditlhopho e mentsinyana. Mo lefatsheng la rona re tsamaisa ditlhopho tsa rona ka mo go bidiwang gotwe, *winner takes all, First Past the Post, majority system*. Gone moo fela ka bogone go dira gore mashetla a ditlhopho a nne kwa godimo thata fa gare ga batho, mme go na le tsamaiso e nngwe ya bo *Proportional Representation*, e go buiwang ka yone thata, gore kana gompieno ga re na bomme, banalebogole le ba bongwefela ka palo mo Palamenteng le khansele. Mme go thata gore batho ba ba ka tsena re santse re dirisa *system* e. Fa re ne re ka kopanya, ga nna *First Past the Post* le *Proportional*, gone moo fela ka bogone e le *a mixed system* ya tsamaiso ya ditlhopho, go ka re dira gore dipalo tsa rona di oketsege ka Palamente ya rona e kwa tlase fela thata. Mme mo go oketsegeng ga tsone, *they will cater for these marginalised groups*.

Go na le kgang ya bo gore a go itlhophelwe Tautona, *Constitution* ke e, go tsweletswe, go a tsamaiwa fa, le fa re sa dumalane le ka fa go tsamaiwang ka teng, ka fa go dirilweng ka teng. Re rotloetsa setshaba gore dingwe tsa dilo tse ba tshwanelwang ke go di bua ba menne phata ba sa boele kwa morago ke *direct election of the President*. Le fa go na le kgang ya gore fa ba bangwe ba thuba lebelo ba bolotsa letsholo, ba pota ka kwa gape ba re, nnyaa, mme letsholo le ke le boloditseng tsayang se fela, le se ka la tsaya se. Sone seo fela ka bo sone ga se sone. Tumelo ke gore setshaba ka kakaretso se tlaa nna le gore se dire mo go tshwanetseng.

Mr Chairperson, ga re bua gape ka National Stakeholders' Evaluation Workshop Recommendations, e e dirwang ngwaga le ngwaga, go na le kgang ya *registration* ya ditlhopho, go ikwadisetsa ditlhopho. Motlhophi mo lefatsheng la Botswana o turelwae ke go tsaya karolo mo pusong ya batho ka batho, mme gone moo fela ka bogone le fa Tona a bua ka *voter apathy study* se ba se dirang, ke gore re a itse gore mo *the back forth for example*, ga gona ditiro, ga gona dikole, batho ba dule bo *thousand kilometres* ba tlie go kgobokana mo *south*, then go raya gore, gore ba ikwadisetsa ditlhopho ke gore ba tsamaye *another thousand kilometres* a ye gae



go ikwadisetsa ditlhopho. A boe, a tle a tsamaye *another thousand kilometres* a tsamaya a ya go tlhopho. Fa go ne go ka dirwa gore *at least* motho a ikwadisetse gongwe le gongwe, mme go itsiwe gore *data, information* ya gagwe e tlaa tsamaya e isiwa kwa *ward* le *constituency* e a batlang go ya go tlhophela kwa go yone. Gone moo fela ka bogone...botoka fa re ka sala ka gore, letsatsi le o tlhophang *that will be the day you will be traveling* ka lone, re fokoditse ditshenyegelo tse dintsi mo motlhophing. Le fa batho ba tsamaela kwa pele, ba tlhophela ka maranyane, go sa kgatlhalesege gore o kae, e bile gape ba ikwadisa ka maranyane, mme tlhopho ya gago e ya go balwa kwa a neng a tlhophela teng. Go sena bo gore tsamaya o ye kwa, tsamaya o ye kwa. Fa e le gore eo e a pala, ke eng lephata le le sa ganelele mo go reng le fokotse mesepel e, fa e le sengwe mosepele o nne mongwefela go ntse go tsweletse go tsamaiwa.

On this Budget Mr Chairperson, go na le kgang ya delimitation, mme re a bona gore within the Budget delimitation process has been budgeted for. Re re kana delimitation kana go kgaoganya dikgaolo go tshwanelwa ke gore re go dire, re go dira go le fair; re se ka raya go tsaya dikgaolo re di dira ka gore fa re bona gore strong hold se ke sa ga mang, se ke sa ga mang. Mo re fitlhelang dikgaolo tse dingwe e le tsa bokhanselara di le ditona distance wise, go gaisa dikgaolo tsa constituencies. Go batla gore delimitation re e direle mo boammaaruring. Re itse gore, kana re direla batho, setshaba, re direla ditlhabololo tsa lefatshe. Ga re itirele re le mapolotiki, re le political parties. Ke a leboga Mr Chair.

MR CHAIRPERSON: Thank you Honourable Kekgongeile. You have saved us a bit of time. Honourable Member for Gaborone Central.

MR MANGWEGAPE-HEALY (GABORONE CENTRAL): *Thank you Mr Chairperson and good afternoon. Mr Chairperson, IEC; Lekgotla le le tsamaisang ditlhopho, kana ditlhopho ke dilo tse di contentious, tse di losang, kgaoganyang, tse di tlhokang go nenekediwa. Ke raya gore motho o ka bona fela ka seemo sa Bophirima ward, Gaborone Bonnington South gore ditlhopho di borai go le kae.*

Mr Chairperson, jaaka Tona a ntse a bua gore due to mathata a re ntseeng le one rotlhe a COVID-19, there has been minimal stakeholder engagement. Ga ba a kgon a go kopana le batsayakarolo ka fa gongwe ba ne ba ka eletsa ka teng. Jaanong golo mo go a tshwenya, ka gore jaaka ke ntse ke bua gore ditlhopho ke dilo tse di aroganyang setshaba. Go tlhoka gore nako le nako batsayakarolo

ba bo ba ntse ba rerisiwa, gore e se ka ya re kamoso fa go nna le mathata kana makgwere e bo ba nna le legotlhlo, selo se ba ka ikgotlhang ka sone ba re, nnyaa, kana dikgang tse re ne re sa di rerisiwa jangjang. Fela jaaka re itse gore go kile ga nna le kgaruru ya Electronic Voting Machine, gore go ne go na le ba le bantsi ba ba neng ba ipelaetsa ka yone, ba reng, ba reng. Le ntswa gone re utlule gore gongwe bangwe e rile ba ile go e bona lantla ba ne ba dumalana le yone, e bo gongwe ba tsenngwa pressure ke bakaulengwe ba bone, ba tswa mo go yone. Jaanong stakeholder engagement ke selo se se bothhokwatlhokwa under all circumstances. I think IEC could have done more in terms of using maranyane, kana jaaka re ne re ntse re kopana ka mokgwa o re neng re ntse re kopana ka one re se digongwana. Go ne go le bothhokwa gore we should continue with stakeholder engagement, ka gore go bothhokwa thata.

Motho o batla go akgola Puso ya number five e go buiwang gore ba Puso ba setse ba simolotse engagements mabapi le tlhabololo ya molao wa ditlhopho. Jaanong ke ne ke ka batla fela go ba gakolola gore ba gefose dinao mo dikgannyeng tse, ka gore kana re tloga re ya ditlhophong and fa re ka goroga kwa ditlhophong gongwe go na le molala, e ka nna dilo tse kamoso bangwe ba tlogang ba iphatlha ka diphuka ba re ba tsieditswe. Jaaka re kile ra bona gongwe mo nakong e e fetileng ba Party ya UDC accussing IEC of maybe being complicit kana go tsaya karolo mo go tsietseng ga ditlhopho. Jaanong go bothhokwa gore dilo tse di se ka tsa salela kwa morago, ka gore re lefatsheng le e leng gore has been known for free and fair elections. Jaanong golo mo go a re senya mo bathong ba bangwe, especially mo continent ya Africa, ba tlaabo ba re, re lebile mo go lona le le baetapele, batshwarateu mo dikgannyeng tse tsa ditlhopho. Ke gore go fokodiwe makgwere a kamoso bangwe ba ka tsogang ba ipelaetsa ka one go lebilwe dikgang tse tsa IEC.

Kgang e nngwe ke ya voter apathy study. Go bothhokwa tota, e bile fa o tswa mo dikgaolong tse di tshwanang le tsa rona kwa Gaborone Central. Go lo mo ke study se se bothhokwa tota, ka gore le gompieno re a ipotsa gore fa population ya banana mo lefatsheng la Botswana e le somewhere over 65 per cent, mme fa o bona dipalo tsa bone mo ditlhophong o fitlhela di sa nyalane le dikgang tseo, gape tota e bile gongwe le half wa dipalo tsa bone o fitlhela o kare di kwa morago. Jaanong go bothhokwa gore gongwe motho o ka batla go itse gore mathata ke eng, matsapa di a tsaya kae? Jaanong dikgang tse di batla gore di itlhaganelelwe, ka gore di ka re boloka, di ka re boloka mo go ipelaetseng ga batsayakarolo mo ditlhophong.



Ke batla go bua gape le ka dikgang tse tsa dikago, ke lebile thata le bone boradikontekra. E bile *particularly* ba ga rona ba Batswana. Jaaka go buiwa gore *office* ya kwa Tutume, fela e le gone e agiwang, e setse e na le mathata, e setse e supa *some mechanical defects*, ke re, *as much as we sit here jaaka maloba re ne re bua gore the P3 Billion mo the budget wa maintenance o tshwanetse* go neela Batswana ba sekei, borakontekra ba Batswana ba sekei, le bone ke ne ke batla go ba gwetlha fela gore ba itsose, *because ba fa ba ba nyenyafatsang le ba ba batlang go nyenyafatsa maiteko a Puso a go tsenya Batswana mo itsholelong, leikgotho.* Fela fa o re o a bua go tlaabo gotwe, “e-e! Batswana *do not deliver on time, on budget.*

Jaanong dilo tseo ke tsone tse e leng gore kamoso di pitlaganya rona ba re lekang go ba buelelela gore ba tshwanetse go fiwa ditiro. Kgang e re tshwanetse gore re tseye sebaka se go bua le bone gore nnyaa bagaetsho, a ko le itekeng.

The overall budget ya IEC fela fa o leba, tota e nnyennyane. Fa o leba botlhokwa jwa lekgotla le, madi a teng a mannyennyane tota. E bile fa o akanya gore a kgona go fediwa ke gone go ya kwa Makgotlatshikelong mme e bile e le go ya go dia nako fela, batho ba sa kgone to substantiate the argument. Ba dira just wild allegations which they cannot substantiate mme o bo o fitlhela e le gore madi ao a go tlhoka go hemela dikgang tse, a tsewa gone mo bonnyennyang jo IEC e bo neetsweng. Looking at the importance of this organisation, go botlhokwa tota gore madi a yone a ka bonala, a se ka a nna mannyennyane jaaka a re a bonang a.

Kgang e nngwe jaaka ke ntse ke bua, kana dithopho are emotive, di gogomosa maikutlo, go ba go ka dira gore gongwe re felele re tlhaselana...

ASSISTANT MINISTER OF HEALTH AND WELLNESS (MR LELATISITSWE): *On a point of clarification. Ke ne ke re fa o santse o tshwere kgang e ya ditlhopho, o fete ka dikgang tse re bonang di diragala ka fa Phase 4. O leke go tlhalosa gore dilo tse di ntseng jaana in future, o bona di ka dirwa jang in relation to political parties?*

MR MANGWEGAPE-HEALY: *Thank you. Tota rona fela at national level, ga gona gore re ka di tsena jang but the fundamental issue is the Constitution. Mokgatlho mongwe le mongwe o tshwanetse go nna le Molaomotheo and ke one o tlaa o kaetsang. Jaanong fa*

o iphitlha o le mo seemong se se tshwanang le jaaka se o se buang sa kwa Phase 4 sa Bophirima Ward, o le a political movement mme o bereka ka a transitional Constitution for 10 years, ke moka ga o na Constitution. Jaanong kana fa o bereka o sena Constitution, it is a given gore you have a problem, o ya go nna o gotlhagotlhana, o ya go nna o reng. What kind of an organisation can exist for 10 years ka a transitional Clause, e e leng gore ya re Mookamedi ke ene a tsamaisang sengwe le sengwe, botlhe ba ka fa tlase ga gagwe a ba a rata kana ga ba rate, ba beile mo go ene?

Re tlhola re ba bona jaaka o bua mokaulengwe go ikgagolwa, go lowa. Kamoso o bona press statement gotwe ntlhopheng ke Manki Sekete, kamoso o utlwa ba bangwe ba re nnyaa re tla ka Peter. Ba re ke diphathi tse di emetseng banana mme you always see ka candidates tsa bone fela gore obviously that is not the case. Jaanong the fundamental thing ke Constitution. You need a working Constitution to avoid all these things. I think ke one mathata a gongwe bakaulengwe ba iphitlhelang ba le mo go one. Ga ba na Molaomotheo jaanong golo moo go ba tsenya mo mathateng.

Serodumo sa IEC go botlhokwa gore se babalelw. Dikgang tse re kileng ra di bona re tswa mo ditlhophong tsa 2019, mo go neng go tshwarwa press conferences kwa mafatsheng a sele go senngwa IEC leina e gogobisiwa mo seretseng, ra bo ra solo fediwa gore bosupi bo teng, le fa go court e rile ga reng, ga reng. E bo gotwe go tlaa nna le bo People's Court, masupi a tlaa ntshiwa, nako kgolo ke eno, re fa re ntse re eme. Ke gore fela se Motswana mongwe le mongwe a tshwanetseng go se itse ke gore go ne go sena bosupi. Tota dipelo di ne di le botlhoko fela jaanong go tlhokwa gore gongwe go ka ikgotlhiwa ka sengwe ka gore fa bosupi bo ne bo le teng, go ne go sa tlhoke People's Court jaaka e ne e buiwa. Masupi a ne a tlaa feta a bewa go sena Judge mme Motswana a bo a kgona to judge gore ka nneta batho ba ba tsieditswe mo ditlhophong. Jaanong mang le mang o a itse gore golo mo tota e ne le fela go intsha tlhong. Kana fa o leka sengwe se bo se sa tsamaye settle, it is not everybody who has the humility to accept se se diragetseng. Ba bangwe ba tlaabo ba batla gore ba ka ikgotlha gore ke tsieditswe. Ba bangwe ke a tle ke ba utlwe ba ba bitsa magapu, ba re ba bahibidu ka kwa teng, ba batala ka fa ntle. Mokgwa wa bone o tlaabo o bona mmala o motala o ithaya o re o na le bone, kante o bua ka batho ba bahibidu. Dilo tse ke tsone tse re tshwanetseng go dibela serodumo sa IEC, e se ka ya tsamaya e senngwa leina.



Fa go na le mathata a a buiwe, e lese go tsamaya e gogagogiwa mo mafatsheng a sele. *It is an important national institution. I thank you Mr Chairperson.*

MINISTER OF YOUTH EMPOWERMENT, SPORT AND CULTURE DEVELOPMENT (MR RAKGARE): *Thank you very much Mr Chairperson for the opportunity.* Ke lebelele ntlha e le nna Mr Chairperson, mme ke tle ke latlhele tlhare legonyana. Ke supe gore re tshwanetse kana re le Botswana re leboge e bile re itumelele gore *we have had elections since re kopa boipuso mo go Mma Mosadinyana, mme go fitlhelela gompieno ga re ise re ko re tsamaye Mr Chairperson, re nne le tshololo ya madi.* Gone moo ka bogone re tshwanetse re go itumelele re le Batswana mme e bile gape re go babalele.

Re farologana ka gore mme gone ditlhopho tsa rona di tsamaya ka tsela e e ntseng jang, mme re farologanngwa ke sepotolotiki Mr Chairperson. Bangwe fa ditlhopho di fela, morago ga tshekatsheko ya bone e nna gone gore re nnile le ditlhopho tse di *free, fair and transparent.* Bangwe ba tle ba re gore di *free and fair* re a bona, mme ditlhopho tsa Botswana *are not transparent.*

Bontsi jwa rona re na dipharologanyo tsa gore re leba ditlhopho tsa rona di tsamaya ka tsela e e ntseng jang Mr Chairperson. Go na le mabaka a a farologanyeng a re le bantsi re a bong re a ntsha mme kwa bofelong *it all boils down to the fact that we are politicians, we will always differ as politicians* ka gore ba bangwe ba batla to discredit IEC, ba batle phatlha ya gore mme gone ba ka ikgotlha ka eng gore ga ba kgone mo ditlhophong. Fa e le gore gone moo jaanong ga go kgonafale, ba felele ba ya kwa Makgotlatshekelong jaaka re itse. Re ne ra utlwgo diragala jalo morago ga ditlhopho tsa 2019, tse e leng gore *the BDP e ne ya nna a landslide win* e e neng e sa belaetse ka mabaka a gone gore Batswana ba ne ba utlwile gore Domkrag ya reng. Molaetsa wa BDP o ne o le *clear Mr Chairperson.* Ditsholofetso tsa BDP di ne di tlhamaletse mme e bile gape tirisanyo mo go yone e ne e le ya motia, *particularly* ba ba neng ba e goga.

Mr Chairperson, ga gona golo mo go botlhokwa jaaka go nna le ledula in a political organisation. Fa o nna le mathata mo phathing...

MR SALESHANDO: *On a point of correction.* Ke ne ke re ke go baakanyetse ka gore banana bangwe ba ba go reeditseng ba tloga ba tsaya gore fa party e fentse ka 52 per cent, ka Sekgoa ke mo gotweng *landslide* jaaka o ne o tlhalosa, *but ga se gone.*

MR RAKGARE: *Very true.* Ke a leboga Honourable Saleshando. Gone ga re ka ke ra re *landslide* ka gore ga re a tsaya gothe or re ne re sa atamela mo go reng re tseye gothe. Tota fela ke ne ke lebile dikgaolo tse re tswang kgakala re le BDP re sa ...*(Interruptions)*... *We have Gaborone e e leng gore BDP e tswa kgakala e na le go sokola go e fenza yothhe mme gompieno we won dikgaolo tsa Gaborone tsotlhe ka botlhano Honourable Saleshando.* *I think* ke gone mo ke neng ke leka go go supa. Mo gongwe fela go tsamaisa toropo e re itseng gore gongwe banni ba yone ke batho ba ba ntseng jang, ba ba neng go ntse go na le tumelo ya gore ba ikamanya gongwe le *parties* tsa kganetsso, gone moo ka bogone ke dumela gore ke sone se ke neng tota ke batla gore ke dirise lefoko le la *landslide*.

Ke ne ke leka go supa gore kana ga gona jaaka o ka ipona o ya kwa bathong go kopa ditlhopho o bo o kgonas, o tsamaya e le gore ga gona tshwaragano. Tota le mo lelwapeng ga gona lelwapa le le tlowlwang e le gore mosadi a o ne a gogela kwa, monna a gogela kwa. E le nthagaraga fela, e le gore jaanong fa go ntse jalo, kwa ntle o batla gore batho ba bone gore o na le lelwapa le le ka lejwang e le lelwapa. Ga go ka ke ga nna le...

Se re neng re se bona se diragala morago ga ditlhopho tsa 2019, e ne e le go iphatlha ka diphuka fela Mr Chairperson. E le gore batho ba a lela ba ya kwa Makgotlatshekelong ba re re tsieditswe. Potso e nna gore ka re ntse re itse re setse morago tsamaiso ya ditlhopho ya IEC, go simolola fela ka kwadiso ya ditlhopho ke process e e tlhamaletseng, e e senang le fa e le bana ba phefo. Go tswa gone foo go a sekwasekwa gore mme gone ba ba ikwadisitseng morago ga *registration phases* tsotlhe, mme gone maina a mo, batho ba ikwadisitsitse jang, a ba ikwadisitse settle, *plot numbers* tsa bone jalo le jalo, a ga gona ba ba kwadisitseng batho ba le bantsi golo go le gongwefela, a ga gona sepe se se belaetsang? Seo se wele Mr Chairperson, mongwe le mongwe a lebile yo o a bong a na le karalo mo ditlhophong tse.

Go tswa gone foo go tsene ditlhopho tse e leng gore le tsone jaaka re le fa jaana, rotlhe re le Mapalamente a le 57, re ne re na le ba ba neng ba re lebelela. Diphathi tsa rona ka go farologana ba ne ba bilediwa *workshops* go ya go buisanngwa, IEC e ntse e tsweletse ka go tlhalosa gore mme gone re ka solo fela eng kwa ditlhophong.

Jaanong go na le di le dints Mr Chairperson, tse e leng gore tota fa nako e ne e le ntsi, ke ne ke batlile gore ke ye go bua ka tsone. Dikgang tse di akaretsang bo *Direct Election of President*, gore mme gone tota fela



re le Botswana, re setse re le mo seemong sa gore re ka ya gone koo? Golo mo go na le thulaganyo e e nang le dibelebejane tsa yone. Re na le *system* mo nakong ya gompieno *Mr Chairperson*, e e re berekelang, e e leng gore *the President is accountable to his party*. E le santiha. Sa bobedi; *the President is accountable to Batswana* ka gore Batswana ba a bo ba mo tlhophile mme mo ka bogone go tla go ntse go re berekela.

Ba bangwe ba ne ba tswa mo Domkrag *Mr Chairperson*, ba ya *to form* Botswana Movement for Democracy (BMD), e le ka kgang ya gore ba ne ba re *this President wa party* e re leng mo go yone, *has to be accountable, he has to listen to us*, rona re batla go bona *party* e tsamaisiwa ka tsela e dilo di direlwa mo pontsheng. Re ne ra bona e le gore gape jaanong ba ya go tlhama BMD...

MR MMOLOTSI: *On a point of order. Mr Chairperson, point of order* yaaka ke gone gore Honourable Rakgare o dule mo tseleng. Ke raya gore ga a ka ke a tlhasela bo Honourable Morwaeng ba ba tlhamileng BMD, mme e ntse e le Tona wa gagwe. A o bona go siame *Mr Chairperson*, gore Honourable Morwaeng a tlhaselwe ke Honourable Rakgare fela ka gore o mo tlhatile? Kana Rre Morwaeng ke mothami wa BMD, yo e leng gore o setse a isitse le dipampiri kwa *court*.

MR CHAIRPERSON: You have made your point. He has never said anything about Honourable Morwaeng. He has never.

MR MMOLOTSI: A re BMD, BMD ke Morwaeng.

MR CHAIRPERSON: Honourable Rakgare, please continue with your submission.

MR RAKGARE: Ke a leboga *Mr Chairperson*. Fa motho a batla maemo go sena go tlhangwa yone BMD, o ne a tsamaya mo a a batla ka matlho a mahibidu, ba mo a neela. Foo e ne e le ene a tlhamileng BMD, e bile a ipoka ka golo mo ga gore ene o tlhamile BMD. Jaanong gompieno fa re bua tse re di buang gore go ne go tswelwa eng kwa Domkrag, jaanong ga se ene o neng a le mo teng ke Rre Morwaeng. O a nkutlwia Rre Mmolotsi. O a itse gore ke mongwe wa batho ba ba duleng mo Domkrag e le gore kgang ya bone ke gore moeteledipele ga a tsamaise *party* sentle. Golo mo ka bogone mo *Mr Chairperson*, go botlhokwa thata mo re tshwanetseng gore re go sireletse.

Ke digela jaana *Mr Chairperson*, e a bo e tlaa re kamoso ka 2024, go bo go supiwa IEC ka monwana gotwe ke eo re tsieditswe, mme e le gore go ana kwa

Phathing ya UDC. Go ana ba bangwe ba re rona kana re tlwaetse tsamaiso e e tlhamaletseng, re mokgatlho o o dumelang mo pusong ya batho ka batho, e bile mo dilo di direlwang mo pontsheng. *That is why one of the partners in the UDC is saying, the BCP.* Utlwa gore ba reng *Mr Chairperson*, ba re, “Re na le moeteledipele wa party yone ya UDC, yo o se keng a tsenelela diphuthego le go bitsa diphuthego tsa mokgatlho.” Jaanong a ko o ipotse fela gore mme gone batho ba Modimo, gatwe *party* yone e gatwe e tlhoafetse go le kae. A mme gone golo mo *Mr Chairperson*, ke *party*? Kana o a bona gore golo mo ke disorokisi fela. Go a tshamekiwa, ke gore go mo mmantlaneng fela mme kamoso go tlaabo gotwe IEC e molato, IEC e rile. Go tsamaiwa go lelekilwe *ballot papers* ka dikoloi gore rona re tsamaya ka dikoloi tsa dikgoropa. Ke gore go phuthiwa dikgang tse e leng gore ga di yo mme tsa boammaaruri ke tsamaiso ya gore *the UDC* mo nakong ya gompieno fela fa o sekaseka *Mr Chairperson*, e ya bo e tlaa re kamoso ba bo ba tshwaya phoso IEC. *They have a very weak leader; very weak.* Ke gore motho yo e leng gore fa o utlwa dikgang tse di buiwang ke bagabone ka gore ba di bua e bile ba sa bonye, ba re go ntse jaana, ba e leng gore ba a re ganetsa fa ba tswele kwa ntle re utlwe. Dikgang tse *Mr Chairperson*, go lebega e le gore di tswa kgakala le gone ka bo 2019, go ne go ntse go lelwa fela jaana.

Le bone ba ba neng ba ya go tlhama Alliance for Progressives (AP) bo Rre Mmolotsi, ba ne ba ntse ba lela ka moeteledipele yo wa UDC. Jaanong ga re batle go iphilhela lefatshe la Botswana re nnile le mathata a gore re bo re nna le motho a tshwana le yo, go bo gotwe o ka etelela lefatshe. Jaanong a re tswele ka thulaganyo e re leng mo go yone ya IEC, re babalele ledula le thokgamo e e mo lefatsheng la Botswana ya ditlhopho. Ka mafoko a a ntseng jalo ke a leboga *Mr Chairperson*, ke eme go le kalo.

MR CHAIRPERSON: Thank you Honourable Minister, contributing from Dubai. Enjoy your stay there. *O re tsamaele.*

HONOURABLE MEMBERS: ... (Murmurs) ...

MR CHAIRPERSON: Honourable Moswaane.

HONOURABLE MEMBERS: ... (Murmurs) ...

MR CHAIRPERSON: Honourable Moswaane. A ko le iketlele ngwana, tswang mo go ene. Le ene ngwana wa teng o a bo a tla a reng. A ko o nna o didimala.

MR RAKGARE: Tanki sir, mme ke itidimale. Sorry.



HONOURABLE MEMBERS: ... (Murmurs) ...

MR CHAIRPERSON: Motlotlegi Mopalamente wa Francistown West.

...Silence...

MR CHAIRPERSON: Motlotlegi Mopalamente wa Francistown West. Motlotlegi Mopalamente wa Serowe Bokone.

...Silence...

HONOURABLE MEMBERS: ... (Murmurs) ...

MR CHAIRPERSON: Let us have order please. Motlotlegi Mopalamente wa Serowe Bokone. Honourable Mathoothe! Ke a ba bitsa ka gore ba kwadilwe fa, ga bayo.

HONOURABLE MEMBER: Mme le nna o se ka wa ntebala.

MR CHAIRPERSON: Go tlaa re ke go bitse ka gore ba ba kwadilweng ga ba yo Honourable Mmolotsi. Please take the floor Honourable Mmolotsi.

MR MMOLOTSI (FRANCISTOWN SOUTH): Ke a leboga Mr Chairperson. Mr Chairperson, gongwe ke tsene fela mo kgannyeng e ya IEC. Ke supe thata fela gore Lephata le la IEC, le na le tiro e ntsi e le tshwanetseng gore le e dire. Ke batla go simolola fela ka kgang e ya public education, e go yang ka nna go mo maruding a matona a lekgotla le le tsamaisang ditlhopho go bona gore Batswana ba tlhaloganya ka tsamaiso ya ditlhopho mo go feteletseng. Ke lebaka le le leele Batswana ba ntse ba tsena mo ditlhophong mme tota ba sa tlhaloganye gore kante golo fa gatwe tsamaiso e ya ditlhopho, ke ya mofuta o o ntseng jang.

Ke batla go go fa sekai Mr Chairperson, gore mo nakong ya gompieno go santse go na le Batswana ba e leng gore ba dumela gore party fa e tlhophilwe jaaka Domkrag e le mo setilong jaana, ke gore madi a e a dirisang kgotsa a a dirisiwang mo ditlhabololong le go tsamaisa lefatshe, e a bo e le a yone. O kgona go utlwa motho a go raya a re, "Fa lona le le ba kganetso le ka fenyia ditlhopho, mpolelele gore le ya go tsaya kae madi?" Ke gore e le gore batlhophi bangwe bone ba dumela gore go raya gore madi a a dirisiwang mo tsamaisong ya lefatshe, ke a Domkrag. Kana ke IEC e e ka kgonang gore Batswana ba e utlwae ka gore it is supposed to be a neutral body, e ba tlhalosetsa gore fa party e tshwana le BDP e le mo Pusong jaana, fa ba e tlhopholola e tswa

ka baki, ga gona sepe se sengwe se e tswang ka sone. Party e e tlaabong e tsena mo maemong ka nako eo, e tsena e fitlhela madi a lefatshe, e bo e le gore sa yone ke to change priorities, e bo e dira se e dumelang gore se ka tlhabolola Batswana go gaisa ka fa party e e tswang e neng e ntse e busa ka teng.

Ke eletsa gore ke gwetlhe Mr Chairperson, gore IEC e tshwanelwa ke gore e tseye public education seriously. E bile ba lebelele issues tse thatathata, gongwe ke tse di tsietsang Batswana mo go feteletseng.

Gape ke batla gore ke supe Mr Chairperson, gore kgang e tota ya political reforms, re tshwanelwa ke go e emela ka dinao, ka lebaka la gore Batswana ba a supa nako e nngwe le nngwe morago ga ditlhopho, reports tsa IEC le tsone di a supa morago ga ditlhopho gore Batswana ba eletsa eng. Sengwe se Batswana ba se eletsang Mr Chairperson, se se mo pegong ya ditlhopho tse di fetileng, ke gore go balelwwe ditalama kwa go tlhophelwang teng, gore dikoloi di se ka tsa alolana, di tabogile, go setse go na le pelaelo ya gore boxes di a fetolwa mo tseleng. In fact, maloba in the by-elections Mr Chairperson, go ne go itshupa gore jaanong Batswana are becoming intolerant if I were to use that word, because e ne ya re fa dikoloi tsa nnetlane di re di a tswa, ba ne ba di kganelia ba re nnyaa, ga re eletse gore le tswe fa re seyo mo teng.

Golo mo gongwe mo go neng go diragala Mr Chairperson, e ne e le gore Batswana ba ne ba setse ba batla go tsaya dilo ka tlhoafalo jaanong ba re nnyaa, re tshwanelwa ke go itisetla ditlhopho tsa rona. Ke sone se o neng o bona kwa bo Tamasane, Lentsweletau le Metsimotlhabe, Batswana ba ne ba sa letlelele dikoloi tsa DIS gore ... (Interruptions) ... ka gore ba ne ba sa tlhaloganye gore maDIS jaanong ka nako ya go balwa, ba batla go tsenela eng mo matlhophelong, ba ne ba ba kganelia, ba bangwe ba tshosediwa ka ditlhobolo gore re tlaa le hula, mme ba nna fela mo dikgorong ba re nnyaa, ga re na go letlelela gore DIS e...

HONOURABLE MEMBER: On a point of order Mr Chairperson.

MR MMOLOTSI: So dilo tse Mr Chairperson...

MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MORWAENG): Point of order. Ke kopa gore Rre Mmolotsi a bolelele Ntlo e boammaaruri gore ke kae kwa e leng gore maDIS a reile ope a re a tlaa mo hula. Puo e a e buang e, ke yone



e re ntseng re e bua ya gore go bua dipuo tsa mofuta o mo setshabeng, ke go timetsa batho. Ke kwa kae kwa madis a ka a supang a re ba reile batho ba re ba tlaa ba hula? Kana ke tsone dipuo tse ke neng ke bua kgantele...

MR CHAIRPERSON: You have made your point, the crux of the matter is *ke kwa kae*. *Ke kwa kae* Honourable Mmolotsi?

MR MMOLOTSI: Fa e le gore Honourable Morwaeng o ganetsa sengwe le sengwe jaaka le kgantele Honourable Balopi a ne a bua dikgang tse di tlamaletseng, a nnetse go di ganetsa, tota ga re ka ke ra mo kgona, fa a itirile Comical Ali tota ga se kgang e rona re ka e kgonang. Kwa Tamasane le Lentswetau, dikgang tseo di dule. Ke ne ka lelediwa *personally*, ke le Mothusa Mookamed wa Phathi ya AP, ke bolelwa tsone diemo tseo. So fa e le gore wena Honourable Morwaeng, ga o a bolelwa, ba ne ba tshosetsa batho ba re fa ba sa ba lettelele, ba tlaa ba hula, mme batho ba re re hule, o re bolaye, re disitse *boxes* tsa rona. Ka tsela e e ntseng jalo, o ye go tlhotlhomisa gore dikgang tseo ke boammaaruri.

Ke ne ke batla go tsamaela mo kgannyeng e...

MR MORWAENG: Nnyaa, ga se boammaaruri Mr Speaker, ga se kgang e e ka tlogelwang fela go buiwa gotwe lekgotla la DIS le ne le re le tlaa hula batho...

MR CHAIRPERSON: Order! Order! Let us have order please! Let us have order Honourable Minister. Honourable Mmolotsi *o boditswe gatwe ke kwa kae*, he has specifically answered *gore ke kwa kae, kwa a utwileng teng*, now the onus is upon your good self Honourable Minister, go and collect your data and then get to whatever point you would like to have. We cannot have you arguing over the matter. Honourable Mmolotsi, please take your floor and continue.

MR MMOLOTSI: Ke a leboga Mr Chairperson. Kana se o tshwanetseng gore gape o se itse Mr Chairperson, ke gore Honourable Morwaeng, nna le ene re tswa kgakala. Kgang e...

MR CHAIRPERSON: I have made a ruling on that matter, *lebala ka* Honourable Morwaeng, *tswelela ka kgang ya gago*.

MR MMOLOTSI: ...ke dule Mr Chairperson, ke ne ke re ke go tseele dikgang fela gore kana re ne re le mmogo...

MR CHAIRPERSON: Ga ke batle dikgang, ke batla gore o tsepame, Standing Order 57.1.

MR MMOLOTSI: Okay. Nnyaa, tla ke tswelele Mr Chairperson, ke tsene mo kgannyeng ya *independence of the IEC* gore go tshwanelwa ke gore tota go emiwe ka dinao, go bona gore IEC e a ikemela, e tswa ka fa tlase ga ofisi ya ga Rre Morwaeng. O kgona go bona gore fa e le gore IEC e tlaa tswelela e le ka fa tlase ga Ofisi ya ga Tautona, nnyaa, ga go na *independence* e e ka nnang teng ka gore o kgona go bona fela le gore *the kind of Ministers* ba ba koo, ga se ba e leng gore golo mo ga bo *neutrality*, ba na le kgatlhego gotlhelele mo go gone. IEC e tshwanelwa ke go ikemela, mme e bile le yone khiro ya mookamed wa IEC tota fela gore *appointment* e bo e dirwa ke Tautona, golo mo go tlaa re direla mathata ka gore ga go na motho yo o e ka reng a tlhomilwe ke yo mongwe, e bo e le gore jaanong o ka dira dilo ka fa yo a mo tlhomileng a sa eletseng ka teng. Ke akanya gore sengwe sa dilo tse re tshwanetseng go di emela ka dinao re le Palamente e, ke gone go bona gore IEC is *independent* gore e se ka ya belaelwa ke ope. Mafatshe a mangwe a kopakopantswe ke dipelaelo tsa batho, ba dumela gore IEC e sokile dirope. Ga re eletse gore golo mo re go bone go diragala mo lefatsheng la Botswana. Ka tsela e e ntseng jalo, *the proposal or the suggestion is a ko mookamed wa IEC a hirwe ka seemo se se pharologanyo, gongwe a botsolodiwe ke komiti ya Palamente, a hirwe ke komiti ya Palamente jaaka re bona go diragala in other jurisdictions*. Gape IEC ka boyone e tshwanelwa ke go ikemela, e iphirele *staff* sa yone, se sa hirwe kwa Directorate of Public Service Management (DPSM). Golo mo go ka thusa ka gore even the skills they need, ba ka kgona gore ba di bone motlhoho, e bile the talent they want to retain, ba ka kgona to retain it ka lebaka la gore ba tlaabo ba sa direlwae transfers from elsewhere. Mr Chairperson, ke kopa gore a lephata le la IEC, le ikemele ka dinao go bona gore go ka dirwa jang.

Coming back to issue ya the reforms Mr Chairperson, Batswana ba tshwenyegile thata gore go tshwanelwa ke gore jaanong re bone gore ditlhopho fa di balwa, di balelwka kwa di diragaletseng teng.

Batswana gape ba tshwenyegile ka gore sengwe sa dilo tse ba eletsang gore di diragale ke gore e re ka nako ya go ikwadisetwa ditlhopho, Motswana a lettelesege go ka ikwadisetwa ditlhopho mo Gaborone a batla go ya go tlhopha kwa Francistown South. E bo e le gore it is allocated fela gore nnyaa, motho o ikwadiseditse mo Gaborone, mme o batla go ya go tlhopha kwa dimausung tsa Phillip Matante East, gone go leka gore go fokodiwe kgang ya voter apathy ka gore batho ba bangwe ga ba kgone go ya go ikwadisetwa ditlhopho, ba



bo ba felela ba sa tlhophpha ka lebaka la gore ka nako e go a bong go ikwadiseditswa ditlhophpha, batho ba a bo ba sena madi a go palama go ya kwa Francistown, go bo go raya gore ba tlolwa ke ikwadiso. Ba bangwe ba ya go palelwa ke go tlhophpha ka lebaka la gore ba ne ba sa ikwadisa ka nako ya teng. So dilo tse *Mr Chairperson*, ke tse gongwe Batswana ba eletsang gore di sekasekwe.

Sengwe se Batswana ba batlang gore se diragale *Mr Chairperson*, mo nakong ya gompieno, e go dumelwang gore Domkrag e utswa ditlhophpha, ke gore *ink* e e kileng ya bo e dirisiwa, e busediwe mo tirisong. Re ne re utlwa mo ditlhophpong tse di fetileng gore batho ba ne ba tlhophpha kwa matlhophelong ka go farologana, mme ga re itse bosupi jwa dikgang tse. Tumelo ya me ke gore a re lekeng go boela kwa kgannyeng ya *ink*, fa e le sengwe, fa e le gore, gore batho ba tsenye monwana e ne e le one mathata, gongwe go senkiwe thulaganyo ya gore e ka tshasiwa jang mo monwaneng *either ka syringe* go thothediwa jaana mo monwaneng *or something*. Go supafale gore motho yo o tlhophile, ka lebaka la gore re a bona gore go utswiwa ga ditlhophpha go kwa godimo. Kana go a tshwenya *Mr Chairperson*, gore mo ditlhophpong tse di fetileng, mo dikgaolong tse dingwe, gotwe motho o tlhophilwe ke batho ba le 15 000, e le la ntla mo ditsong tsa lefatshe le motho a tlhophiwa ke batho ba le 15 000, o ipotsa gore a golo mo ke selo se gotweng se diragetse. Jaanong fa *by-elections* di simolola di nna teng, tsone ditlhophpha tseo ga di bonale. Mokhanselara o ne a tlhophilwe ke bo 6 000, 7 000. Fa go duwa mo ditlhophpong ka boammaaruri, jaanong Mokhanselara o tlhophiwa ke bo 200 from 6 000. Jaanong o bo ipotsa gore ditlhophpha tsele tsa maloba...

HONOURABLE MEMBER: Ke ofe Mokhanselara yo o neng a tlhophilwe ke 6 000?

MR MMOLOTSI: Golo mo go tlaa belaetsa gore ditlhophpha di a utswiwa. Ke sone se o bonang gompieno Palamente e na le batho ba ba tshwanang le bo *Honourable Healy*, ba e leng gore *ordinarily*, ba ne ba sa tshwanelo gotlhelele go gata mo Palamenteng le fa e le ka letsatsi lepe. Jaanong go go bontsha gore ditlhophpha di a bo di sa tsamaya sentle fa go ntse jalo. Ke a leboga *Mr Chairperson*.

MR CHAIRPERSON: Thank you *Mopalamente wa Francistown South...*

HONOURABLE MEMBER: Wa re o Mothusa Mookamedi wa phathi ya Makhanserala a le *four* mo lefatsheng lothe, o bo o ka go ipokela fa. Rona ga re itse gore o tsile jang ka Makhanserala a le *four*...

HONOURABLE MEMBERS: ...(Murmurs)...

MR CHAIRPERSON: *Let us have order please, order!* Go bua rraarona, Motlotlegi Rraetsho Mothusa Tautona, Motlotlegi Moeteledipele wa Ntlo e, Motlotlegi Mopalamente wa Boteti. Your Honour.

HONOURABLE MEMBERS: ...(Murmurs)...

MR CHAIRPERSON: Keep quiet! Keep quiet! Take your floor Your Honour.

HIS HONOUR THE VICE PRESIDENT (MR TSOGWANE): Tanki *Mr Chairperson*. Tlaa ke tseye sebaka se le nna ke ise mafoko kwa Batswaneng, ke dumedise ba kgaolo le Batswana bothhe ka kakaretso. Ke tseye sebaka se *Mr Chairperson*, ke leboge pego e e e fa pele ga rona ya IEC. Ke supe fa e le pego e e bothhokwatlhokwa, jaaka bakaulengwe ba ba buileng pele ga me ba supile bothhokwa jwa yone. Ke lemoge gape gore IEC, pego ya yone e tlhapile; ga e telele, e khutshwane. Madi a ba a kopang a lebane e bile a tla ba thusa go dira ditiro tse ba di kopelang madi a.

Ba simolotse fela ka go re bontsha gore a ba neng ba a kopile ka ngwaga o re leng mo go one wa madi wa 2021/2022, ba a dirisitse ka tsela e e tlhomameng. Ba supile fa ba ne ba na le dikgwetlh, tse le rona re di itseng tsa COVID-19, go ya go buisana le go tsweledisa dikgang tsa bone le Batswana ka go ba ruta ka tsotlh tse di amang ditlhophpha le tse di ka tswang di tlhaela. Ba supile jalo gore ga ba a kgona ka mabaka a bolwetse jwa COVID-19. Le fa ba sa kgona jaana, ba supile gore *workshop* ya bone e e bothhokwatlhokwa e ba e tshwarang ngwaga le ngwaga morago ga ditlhophpha dingwe le dingwe, ba kgonne gore ba e tshware, e bile dipego tsa bone le tse ba di dirileng gore e nne dikgakololo kana tse di tshwanetseng tsa dirwa, ba di begile mo Pusong. Keletso e le gore e tlaa re kgabagare di tle fa di buisanngwe e bile di fetisiwe go tokafatsa ditlhophpha dingwe le dingwe tse di tlang, gore go nne le diphetogo tse di ka nnang teng mo ditlhophpong.

Mr Chairperson, ke leboge thata Tona go bo a tlisitse kopo e, mme pele fa ke ya kwa mading a a bothhokwa a, ke supe dingwe tse di bothhokwa tse ba di supileng, jaaka bakaulengwe ba ntse ba bua. Ba re letlhora kgofa; thatathata se se ba tshwentseng ke *voter apathy* e e supang tlhoko keletso mo go tlhopheng kana mo go yeng go latlhela talama. Batswana ka bontsi o kare ba boela morago, mo keletsong ya bone ya go tlhophpha. Golo mo go a tshwenya ka jaaka re buile, ditlhophpha ke bontla bongwe jwa puso ya batho ka batho jo bo



bothhokwa thata, jo re itseng gore mafatshe ka bontsi bo a lwelwa. Go tsoga dikgotlhong tse di seng kana ka sepe go buiwa ka tsamaiso ya ditlhopho le go tlhopha, jaanong go a re tshwenya fa re utlwa lekgotla le le bua gore ke dingwe tsa dilo tse di ba tshwentseng gore batho ga ba tlhophe ka tlhwaafalo. Ba na le go sa nna le kgatlhego thata mo ditlhophong. A rotlhe re emeng ka dinao batsaakarolo, re bone gore re thusana le IEC go kgothatsa batho gore ba nne le keletso e bile ba itse bothhokwa jwa go tlhopha. Fa go na le sengwe se se ka rutwang ke lekgotla le ke gore le rute batho thata ka botlhokwa jwa go tlhopha. Le rute batho ka gore tlhopho ya bone e bothhokwa, ba itumetse le fa ba sa itumela, tlhopho ya bone e botlhokwa. Ke dingwe tse ke ratang gore re di rotloetse mo lekgotleng le.

Sengwe se se bothhokwa se re tshwanetseng ra ruta batho ka sone ke gore, lekgotla le le ikemetse. Re a itse gore re na le dingongorego tsa bo gore go hirilwe jang, go bo go nna le go ipelaetsa gore ba ka tswa ba laolwa ka nngwe tsela, mme a re supeng gore lekgotla le la IEC bagaetsho le ikemetse. Le itseela ditshwetso, ke jaaka o bona le maloba fa le ne le gogwagogwa fa pele ga makgotlatshekelo, le ne le gogwagogwa ka bo lone e le lekgotla, go sa twe ke Goromento yo e leng phathi ya Domkrag e sekisiwa ka bo yone ka fa e neng e batla go sekisiwa ka teng. Lekgotla le le ikemetse, ke sengwe selo se e leng gore se ka neela Batswana tshepho le nonofo le go iketleetsa thata kwa ditlhophong, ka gore ba tlaabo ba nna le *confidence* mo lekgotleng le la IEC. IEC ga e a tlholega le ditlhopho fa re tsaya boipuso, e ne ya tla kwa morago e le dingwe tsa *reforms* tsa sepolotiki, tsa gore go nne le lekgotla le le ikemetseng le le tsamaisang ditlhopho. Ga dumalanwa, ga nna le tsamaiso le molao wa gore go tlhomiwe lekgotla la go nna jalo, jaanong re tlaabo re sa itirela sentle fa re ka re lekgotla le ntse le tlhomilwe jaana, re bo re nna re le maramara ka dikgang, e bo batho ba tlhoka le tshepho mo go lone. Go bo go felela gongwe jaanong batho ba sa nne le tshepho mo ditlhophong.

Sengwe se se bothhokwa gape se ke batlang go feta ka sone ke gore, re le baemedi ba batho, le rona re tshwanetse ra itshola ka tsela e batlhophi ba tlaa nnang le kgatlhego le keletso ya gore baemedi ba batho ba itshola ka tsela e e ntseng jang. Re a itse gore gompieno *television* ya rona e a supa mo setshabeng, mme fa o ka reetsa kwa ntle dingongorego tsa batho ka boitsholo jwa rona fa gongwe mo Palamenteng, ga go itumedise. Moo fela ka bo gone, go ya go re tsalela gore batho ba tlhoke tholloetso mo ditlhophong le tshepho mo baemeding.

Jaanong gongwe re itshware ka tsela e e siameng, mafoko a re a buang a mangwe ke matlhabisaditlhong, ke a tota le batho ka kwa ntle, ga se a ba ka a buisanang mme re a bua re le baemedi re le mo *television* ya setshaba. Ke dilo dingwe tse ke neng ke batla gore re kgothatsaneng bakaulengwe, re se ka ra itirela mo e seng gone.

Mr Chairperson, lekgotla le madi a lone a supagetse fa a wetse kwa tlase, e bile le dikoketso tsa madi a ba a dirisang a letsatsi le letsatsi, ga se tse di kalokalo; ke 0.44 per cent. Ga ba a dira le fa e le 1 per cent mo mading a a oketsegileng, mme ba ya go dira ditiro tse di botlhokwa e bile go a supagala sentle gore ba ya go dirisa eng madi, fa kae le fa kae e bile ba ipaakanyetsa gore fa go ka nna le koketsegoo ya dikgaolo, ba bo ba ipapanne sentle gore ba tle ba kgone gore ba dirise madi ka tsela e e ntseng jalo.

Mr Chairperson, ke batla go supa fa gore dingwe tsa dilo tse re di amuleng rona mo tirisong kana mo tsamaisong e e fetileng ya ditlhopho re le ba Kgaolo ya Boteti West, re kgaolo e e bophara thata, e aname. Re na le kwa merakeng, masimong le mafelo a mangwe a batho ba nnang ka lebaka le le leeble ba disa ba nna kwa merakeng ya bone. Re na le dikgaolo di tshwana tsa Qabo, Maditsenyane, Kubi le Tantika mo Makgadikgading. Ga go motlhofo go fitlhelela kwa dikgaolong tse *Mr Chairperson*. Fa ke re re amegile thata ke ka gore re bone go fokodiwa matlhophelo mo nakong ya ditlhopho tse di fetileng tse. Go fokodiwa ga matlhophelo go re amile thata, jaanong gongwe lekgotla le fa le santse le sekaseka go ya kwa pele, le lebelele bothhokwa jwa go nna le matlhophelo mo mafelong a a phatlaletseng a a kgakala le ditlamelo, gore batho ba kgone gore ba tlhophe. Ke selo se se bothhokwa thata, ke dingwe tsa dilo tse ke neng ke batla gore ke di fetise *Mr Chairperson*, mo go lekeng go tlhabolola ditsamaiso.

Gape ke kope jaaka ke ntse ke kopa go le pele gore, a re tlogeleng go goga jaaka bangwe ba ne ba sa tswa go bua, leina la lekgotla le tshwana le, le le bothhokwa, re le tshasa leswe jaaka go ne go diragala le amanngwa le tsietsi ya ditlhopho jalojalo. Ga go re siamele.

E nngwe kgang e e bothhokwa e gongwe bakaulengwe ba sa e buang ke ya go tsaya batho ba ya go tlhophisiwa kwa mafelong a e seng a bone, mo gotweng *voter trafficking*. Moo le gone go bokete, go ka re tsalela mathata ka gore batho ba ya go tlhophela batho motho yo e leng gore tota ga ba na keletso ya gore o ka bo a tlhophilwe kana gongwe phathi e ba senang keletso ya gore e ka bo e tlhophilwe. Golo mo go itshupile mo



ditlhophong, ka gore batho bangwe ba ne ba feta ba timela mo mafelong a ba neng ba tlhophela mo go one, ba botsa le marekisetso gore go ka rekwa fa kae dijо, mme motho gotwe o mo *ward* ya gagwe.

Gone moo fela bagaetsho, go re direla mathata tota. Re tshwanetse re emise go rwala batho re ya go ba kwadisa, re ba tlhophisa ka gore golo moo fela ka bogone, ke tsietso mo ditlhophong.

HONOURABLE MEMBER: ...(Inaudible)...

MR TSOGWANE: Jaanong ga re ka ke... ke utlwa sengwe, ke eng?

HONOURABLE MEMBER: Nnyaa, ke ne ke re o buisa jang *Secretary General* wa party ya gago?

MR CHAIRPERSON: Order!

MR TSOGWANE: Rraetsho...

MR CHAIRPERSON: *Ba lebale* Your Honour, please continue.

MR TSOGWANE: Thank you.

MR CHAIRPERSON: Ke go sireleeditse.

MR TSOGWANE: O kare Motlotlegi Keorapetse o a tshwenyega fa go buiwa ka batho ba ba neng ba sa itse gore dimausu di fa kae.

HONOURABLE MEMBER: Ke kwa Phakalane. Kgang e, ke ya Phakalane.

MR CHAIRPERSON: Order! Order!

MR TSOGWANE: ...(Laughter!)... Ga ke itse gore ke kgang ya kae motlotlegi. Ke ne ke re, *voter trafficking* ga e a re siamela ba rotlhe, kana ke ya Phakalane kana ke ya kgaolo efe. Ga e a siama, a re tlogeleng mokgwa wa go nna jalo.

Bagaetsho, nako le yone e tsamaile, ga e yo, ke eme go le kalo *Mr Chairperson*. Ke leboge lephata la IEC. Ke bo ke dumele gore *studies* tse ba di dirang, di tlaa re thusa, di tlaa re tswela molemo. E tlaare kgabagare, re tokafatse tsamaiso ya rona ya ditlhopho. Mme fela a go tlhophiwe. Tautona yo o tlhophiwang e le wa diphathi, ke ene yo o siameng, ke yone *system* e e siameng. Fa gotwe go batliwa Tautona yo o itlhophetsweng, nnyaa, ke go re tsalela mathata fela. Ke a leboga *Mr Chairperson*.

MINISTER OF BASIC EDUCATION (MR MOLAO): Mma ke ikwadise *Mr Chairperson* gore

kamoso ke tle ke kgone go simolola. Ke ema nokeng kopo ya ga mokaulengwe, Tona wa Ofisi ya ga Tautona.

MR SPEAKER (MR MOATLHODI): *Ya me ya re e tshaile bongwanaka.* Order! Order! Indeed, o ikwadisitse Motlotlegi Tona wa Thuto go tswa kwa Moding, Motlotlegi Mopalamente wa Shashe West, Jamataka le Makobo di le mo teng. As it is now 6 o'clock, Honourable Members, I shall now invite His Honour, the Leader of this House, His Honour the Vice President, to move a Motion of adjournment.

MOTION

ADJOURNMENT

LEADER OF THE HOUSE (MR TSOGWANE): Ke a leboga *Mr Speaker*: Ka gore jaanong re ntse re tshwere kgang, e bile nako ya rona ya letsatsi la gompieno e wetse, re eme fa jaaka o kopile *Mr Speaker*: Ke kope Ntlo e jalo.

Question put and **agreed to**.

The Assembly accordingly adjourned at 6:01 p.m. until Tuesday 15th March, 2022 at 11:00 a.m.



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