

Hierarchy of the courts

Overview

The following is an overview of the history, jurisdiction and characteristics of the levels of courts in Botswana:

The Court of Appeal

The Court of appeal is the highest court in the country and is the final arbiter of all legal matters. It is headed by the Judge President.

It currently has a total complement of nine Justices of Appeal. The Judge President and five citizen justices with the remainder being visiting justices. Judges of the high court are ex officio members of the Court of Appeal.

The High Court

The High Court is a superior court of record with unlimited jurisdiction. The Chief justice is the most senior judge. The Chief Justice is both the administrative and judicial head of the judiciary. The High Court currently has a complement of twenty seven citizen judges.

There are currently four locations of the High Court: Lobatse, Francistown, Maun and the headquarters in Gaborone. The High Court presides over matters beyond jurisdiction of the lower courts, and appeals emanating from the lower courts.

Industrial Court

The Industrial Court is a Court of Law and Equity, created by section 14 of the Trade Disputes Act No.6 of 2016. the Court has exclusive judgments in all labour disputes and ranks equal to the High Court in its status and power. Its judgments are appealable to the court Appeal.

The Magistrate Court

The Magistrate court are created by statute with power defined by the Magistrates Courts Act. They are subordinate to the High Court. Unlike the High Court, Magistrates Courts are not created by the Constitution. They are therefore controlled and supervised by the High Court, through reviews and appeals.

The Botswana Magistracy performs a very pivotal role in the judiciary of the nation. The Magistrates try the bulk of the offences committed and they handle the bulk of common disputes between ordinary citizens of Botswana.

The following services are available at the Magistrate Courts:

- Family related cases such as paternity and alimony orders.
- Adoption of children.
- Restraining orders in domestic violence cases.

- Civil suits; here individuals sue others for non-payment of debts, breach of contracts, etc.
- Criminal trials- Magistrates Courts hear the bulk of criminal cases.

Magistrates Courts have gone through a complete transformation, from courts that were presided over by administration officers to courts wholly staffed by professional magistrates with legal qualifications. In 1966, there were only two magistrate courts in the country, one in Lobatse and the other in Francistown. But the growth and development of Magistrate Courts has been considerable. Today, the courts operate in 25 different centres around the country. These courts handle a large percentage of litigation in the country. Jurisdiction of the Magistrates court is BWP60,000.00.

Where can I get more information on this Service

HIGH COURTS AND MAGISTRATES COURTS CONTACTS

Court of Appeal Private Bag 00316 Gaborone Botswana Tel: (+267) 371 8000	Gaborone High Court P O Box 00220 Gaborone Botswana Tel: (+267) 3718000 Fax: (+267) 3915119	Francistown High Court Private Bag F13 Francistown Botswana Tel: +267 241 2125 Fax. (+267) 2416378
Lobatse High Court Private Bag 001 Lobatse Botswana Tel: +267 5338000 Fax: (+267) 5332317	Regional Magistrate Court-North Private Bag F149 Francistown Botswana Tel: (+267) 2410624	Regional Magistrate Court- South Private Bag BR293 Gaborone Botswana Tel: (+267) 3956339
Gaborone - Village Private Bag X10 Gaborone Botswana Tel. (+267) 3956381	Extension II Private Bag X10 Gaborone Botswana Tel. (+267) 3956381	Lobatse Private Bag 16 Lobatse Botswana Tel. (+267) 5330540
Kanye Private Bag 17 Kanye Botswana Tel. (+267) 5440276/ 78	Jwaneng Private Bag 10 Jwaneng Botswana Tel. (+267) 5880628	Mochudi Private Bag 029 Mochudi Botswana Tel. (+267) 5777601

Molepolole Private Bag 0022 Molepolole Botswana Tel. (+267) 5920402	Tsabong Private Bag 359 Tsabong Botswana Tel. (+267) 6540277	Gantsi P. O. Box 206 Gantsi Botswana Tel. (+267) 6596352
Maun Private Bag 0271 Maun Botswana Tel. (+267) 6860370	Francistown Private Bag F19 Francistown Botswana Tel. (+267) 2413793	Masunga Private Bag 11 Masunga Botswana Tel. (+267) 2489277
Letlhakane Private Bag 32 Letlhakane Botswana Tel. (+267) 2976666	Selibe Phikwe Private Bag 003 Selibe Phikwe Botswana Tel. (+267) 2610321	Serowe Private Bag 14 Serowe Botswana Tel. (+267) 4630386
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Hukuntsi Private Bag 10 Hukuntsi Botswana Tel. (+267) 6510148	Bobonong Private Bag 003 Selibe Phikwe Botswana Tel. (+267) 2629790	Gumare P. O. Box 35 Gumare Botswana Tel. (+267) 6874511