

A REPORT FROM LESOTHO

CONDITIONS OF SERVICE INCLUDING WORKING CONDITIONS AND RELATED ISSUES

In Lesotho, working conditions of Judicial Officers are not as conducive as one would want of the constitution of Lesotho.

Although section 118 (3) mandates government to accord such assistance as the Courts may require to enable them to protect their independence, dignity and effectiveness, this is not the case in practice.

Actually there is a concerted effort by all successive governments to underfund the Judiciary. The budget which is allocated to the Judiciary is reduced every financial year.

This situation has become so acute/dire that in the current year, the sitting of the Court of Appeal has had to be indefinitely postponed while the government is resolving the financial crisis. In the last sitting of the Court of Appeal the total cost was M900,000.00 but this did not include fees for accommodation. However, this current financial year, that amount has been reduced to R300,000.00. This does not even cover the R400,000.00 for accommodation.

In the lower courts, the budgeting constraints are so dire that Judicial Officers have embarked on a go slow as their complaints about lack of resources, not only financial but also in respect of housing including offices has been left unattended for too many years.

Most of the Local and Central Courts are housed in very very old dilapidated houses; most of which are rented from the villagers

within which the courts are housed. Actually, and to put it clearly, most of these courts and residential houses are not fit for occupation by human beings.

Salaries of all Judicial Officers are a shame. These have been a lot of engagement with successive governments for the improvement of Judicial Officers but no positive fruits have been achieved; hence the go slow of Magistrate currently going on in protest. If not addressed promptly, the already volatile situation will out of control with the result that the administration of Justice will be permanently grounded to a halt.

What is worst, it has become impossible for the judiciary to even maintain a very few descent buildings, courtrooms and offices due to financial constraints.

The situation is most distressing in the local and central courts especially those situated in the remotest parts of Lesotho. As a result of the above, most such courts have been rendered inoperative with the result that members of the public served by those courts are virtually denied access to justice.

As for Judicial Officers' salaries, they are a disgrace and all our efforts to have government address this