



CONSOLIDATING THE ACHIEVEMENTS OF JLOS QUICK WIN BACKLOG REDUCTION STRATEGY

THE 13th ANNUAL JUDGES' CONFERENCE REPORT, 2010

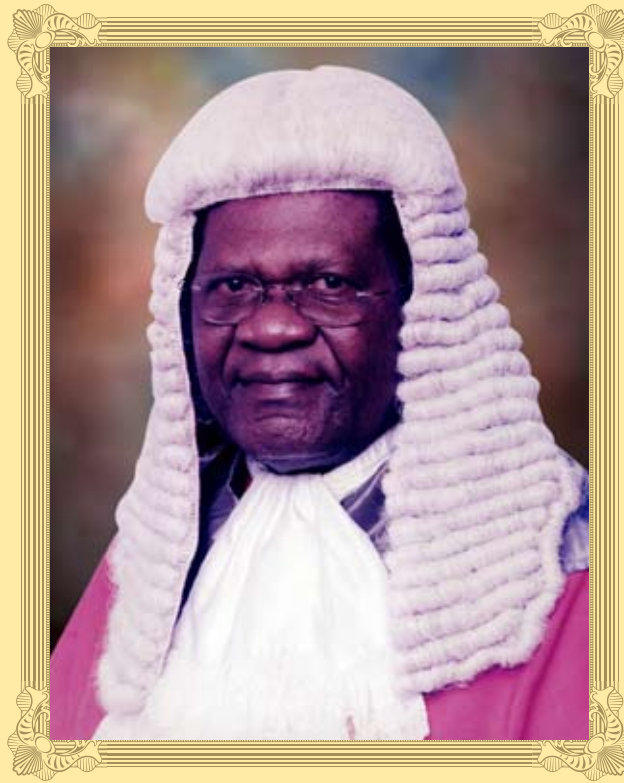
MPALE RESORT HOTEL 16TH - 20TH JANUARY, 2010



COURTS OF JUDICATURE
UGANDA



THE REPUBLIC OF UGANDA



THE HON. THE CHIEF JUSTICE, B.J ODOKI



THE HON. THE DEPUTY CHIEF JUSTICE, A.E.N MPAGI BAHIGEINE



THE HON. THE PRINCIPAL JUDGE, JUSTICE YOROKAMU BAMWINE

PREFACE

Judges' Conferences are annual events for the Judiciary to review its performance in the previous year and map strategies for the current and subsequent years. During Annual Judges' Conferences, Judges and Registrars get the opportunity to share experiences and challenges met during the course of their operations.

The 13th Annual Judges' Conference was organized by the Judicial Studies Institute under the theme: "Consolidating the Achievements of JLOS Quick Win Backlog Reduction Strategy".

The conference which was residential took place at Mbale resort, Mbale from 16th - 20th January, 2011. It was opened by his Excellency, The Right Honourable Prime Minister, Apollo Nsibambi.

Participants included Justices of the Supreme Court, Justices of the Court of Appeal, Judges of the High Court, Registrars, Judiciary Administrators and members of the JLOS institutions.

This Report captures the composition of the participants, the dignitaries who graced the opening ceremony, the topics and discussions and the recommendations on the way forward.

At the close of the conference, the participants embraced the best practices that emerged during the discussions. It is my hope that the recommendations made during the conference shall be addressed by the authorities responsible as this will go a long way in promoting the desired efficiency in the Judiciary and timely dispensation of Justice.

Hon. Justice JWN Tsekooko
Chairman, Judicial Training Committee &
Conference Chair

ACKNOWLEDGEMENT

We owe a debt of gratitude to our distinguished facilitators who took off their precious time from their busy schedules to prepare and present papers at the 13th Annual Judges' Conference.

Those facilitators who wrote and delivered papers are specifically mentioned in the body of this report and their respective pictures have been captured to identify them with their presentations.

We acknowledge the support and resource mobilization from the Secretary to the Judiciary and her able team of Managers who made it possible for the Conference to take place at a venue as far as Mbale town. Most conferences have been previously held between Kampala and Entebbe except for one that was held in Jinja in 1997.

We are grateful that his Lordship the Chief Justice, her Lordship the Deputy Chief Justice and his Lordship the Principal Judge were able to sit in the Conference for all the duration of the sessions and shared with the participants their invaluable knowledge and experience during the discussions.

Of course we acknowledge with many thanks the attendance and participation of the Justices and Judges of the Courts of Judicature and their Registrars. Without their attendance, the Conference would be a flop.

We would like to thank Ms. Henrietta Wolayo the Registrar Inspectorate who was the rapporteur for the Conference.

Finally but by no means the least, we extend our special thanks to the Chairman and Members of the Judicial Training Committee for planning for the Conference and the Executive Director, Registrar and the Staff of the Judicial Studies Institute for organizing the programme.

L. Gidudu
JUDGE/EXECUTIVE DIRECTOR,
JUDICIAL STUDIES INSTITUTE.

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ACRONYMS

JTC	Judicial Training Committee
JSI	Judicial Studies Institute
JLOS	Justice Law and Order Sector
ESAMI	East and Southern African Management Institute
JEP	Jurisprudence for Equality Program
ICT	Information and Communication Technology
FY	Financial Year
JSC	Judicial Service Commission
AJS	Assistance to the Judiciary System
PRDP	Peace, Reconstruction and Development Programme

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THEME: CONSOLIDATING THE ACHIEVEMENTS OF JLOS QUICK WIN BACKLOG REDUCTION STRATEGY

1.0 INTRODUCTION

This is a report on the 13th Annual Judges Conference which was organized by the Judiciary from the 16th to the 20th January, 2011 at Mbale Resort Hotel, Mbale.

1.1 TARGET GROUP

This conference was intended to benefit the Judiciary staff and key stakeholders. The target group included; Justices of the Supreme Court, Justices of the Court of Appeal, High Court Judges, Registrars of different categories. Chief Magistrates on assignment, Finance and Administration judiciary staff, Representative of Judicial Service Commission (JSC). Representatives of the Director of Public Prosecution (DPP)

Representatives from the Uganda Law Society, The Attorney General and some State Attorneys from Ministry of Justice and Constitutional Affairs, to mention but a few.

1.2 FOCUS AREAS

The conference evaluated the performance of the Judiciary for the year 2010 in the Supreme Court, Court of Appeal / Constitutional, High Court and Magistrates' Courts. The topics discussed included Civil and Criminal Proceedings, Management and Administration of Courts, Ongoing Practices in the Administration of Justice, Adoption of best practices that enhance performance for 2011 and beyond.

The participants were also exposed to salient issues involved in diverse topics that included:- stress management, strategic retirement management and Nutrition and Healthy Living.

1.3 CONFERENCE METHODOLOGY

Several methods were used to make the conference interesting, interactive and highly participative. It was a mix of mini presentations, panel discussions and plenary discussions which were largely guided by the theme of the conference: "Consolidating the Achievements of the Justice Law and Order Sector (JLOS) – Quick Wins Backlog Reduction Strategy" .

2.0 SESSION ONE

2.1 ADMINISTRATIVE ANNOUNCEMENTS

2.2 REMARKS FROM THE EXECUTIVE DIRECTOR, JSI

2.3 REMARKS FROM THE CHAIRPERSON, JTC



Hon. Justice JWN Tsekooko, JSC, Chairperson

of JTC/JSI Governing Council welcomed the participants and wished them a prosperous 2011. He informed the participants that most of the training activities for year 2010 had been implemented. He outlined the changes that had occurred in the membership of the Training Committee/Governing Council in the last year and highlighted the achievements of the former Executive Directors of JSI, Justice D.K. Wangutusi and Justice Yorukamu Bamwine. He congratulated Justice Lawrence Gidudu upon his appointment as the Executive Director JSI and reminded him of the urgent need to finalise the process of acquisition of the Institute home.

He said the achievements of JTC which include trainings conducted by JSI as well as those conducted in conjunction with other partners FIDA, NUFFC, JLOS, Irish Government, ESAMI, DANIDA and Uganda Revenue Authority.

Among the problems faced during the year is the issue of limited office space that was earlier mentioned and incoherence in planning for training among some partners and JSI. He lamented the high cost of training outside the country that limited participation of the

Judges, Registrars and Magistrates. He also observed the problem of failure of Judiciary staff who participated in trainings/conferences to furnish JSI with reports.

In conclusion he thanked all partners who contributed to training efforts particularly, the Hon, the Chief Justice, the Deputy Chief Justice and the Principal Judge the Secretary to the Judiciary and the Lordships and Worships and all Judiciary staff. Finally he invited his Lordship the Chief Justice to address the participants.

2.4 ADDRESS BY THE HONOURABLE CHIEF JUSTICE



The Hon. The Chief Justice, Hon. Benjamin Odoki,

welcomed the participants to the 13th Judges' Conference with special mention of the Guest of Honour the Rt. Hon. Prime Minister, Prof. Apollo Nsibambi. He continued to congratulate the Deputy Chief Justice, the Principal Judge, Justices of the Court of Appeal and Judges of the High Court upon their recent appointments and paid tribute to the retired Deputy Chief Justice and Principal Judge.

He noted that the beginning of the year is time for introspection and the theme of the conference 'Consolidating the Achievements of the Justice Law and Order Sector (JLOS) – Quick Wins Backlog Reduction Strategy' provides an opportunity for the institution and various stakeholders in the justice system to review the previous year's developments, identify constraints and challenges with the view of turning them into opportunities that could be exploited to improve performance.

He reiterated the constitutional mandate of the Judiciary and also reflected in the Vision and Mission, realisation

of which are indispensable for Judiciary set key priorities that are in tandem with the National priorities. He made reference to the 2010 State of the Nation Address in which His Excellency the President stressed the national priorities in which access to justice was noted as central to the realisation of these goals. The Chief Justice observed that year 2010 was quite eventful, marked by successes such as;

- Inauguration of the “**Quick Wins Backlog Reduction Strategy**” in March that was focused on reduction of case backlog. Implemented under the JLOS, the ensuing coordination of activities among stakeholders in the Justice system in dealing with matters of case backlog reduction saw 40,000 cases disposed of in both High Court and Magistrates' Courts.
- In August 2010, the first ever Court of Appeal session outside Kampala was held in Gulu with 52 cases disposed of. This was followed by a session in Mbarara handling 79 cases.
- The number of judicial officers was increased through recruitment of more Judicial Officers and appointment of a new Deputy Chief Justice and Principal Judge, 11 Judges, 12 Chief Magistrates and promotion of Grade I and Grade II Magistrates.
- Six courts were constructed to promote access to rural and remote communities while ensuring that architectural details enable access by all people including those with disabilities.
- The process of gazetting new Chief Magisterial Areas and Magistrates Gr. I Courts to cater for the new district underway.
- The Administration of Justice Bill which is in progress.
- The process to establish a pilot Small Claims Court to provide access to justice especially to the indigent is underway in four districts.
- Justice Centres to promote the rights of the vulnerable communities through the provision of quality human rights based legal aid, legal and rights awareness, community outreach, empowerment and advocacy was launched at the JLOS forum.
- Besides criminal sessions, sessions involving civil cases were held both in the High court and Lower Courts.
- A total of 19 vehicles were provided to ease the transport constraints in various areas of the Judiciary.
- Training for all cadres of judicial officers and administrative staff was conducted.

- The pay for Magistrates Grade II was increased and submissions for augmentation of retired Judges' Welfare made to JSC.
- Continued computerisation of the courts with launch of the Judiciary ICT Policy 2008, Judiciary ICT Strategy 2009-2013 and Judiciary re-designed Website as well as increase in infrastructure setup.

The Chief Justice cautioned that the above successes, however, set a stage for future challenges and opportunities that should form a basis for objectives for 2011. He advised the participants to strive for teamwork and ownership of the Mission, Vision and Mandate of the Judiciary to make a difference in the lives of all court users, especially the vulnerable and indigent. In conclusion he invited the Rt. Hon. Prime Minister to give the keynote address.

2.5 Key Note Address by the Rt. Hon. Prime Minister, Prof. Apollo Nsibambi



Rt. Hon. Prime Minister, Prof. Apollo Nsibambi

The Guest of Honour began his address with expressions of thanks to the Hon. Chief Justice for extending him an invitation to attend the conference. Participants were reminded of the objective of the conference, that is, to examine work done in the past year, assess achievements, identify challenges, and generally discuss issues affecting the administration of justice. The Prime Minister said the conference theme was important because it prioritized case backlog reduction.

He observed that the programme enabled disposal of a big number of old cases.

Other highlights of the Prime Minister's speech were:

- Loss of trust in the judicial system and loss of confidence in judicial officers as evidenced by episodes of mob justice.
- Need for appointment of more Judges in light of recent retirement of senior Judges.
- Government **is aware** that the current terms and conditions of service of judicial officers are inadequate and therefore capable jurists are reluctant to join the Judicial Service.
- Some judicial officers have exhibited indiscipline and laxity towards work, and called on the Judiciary and Judicial Service Commission to address the matter expeditiously.
- The Courts of Law must adhere to article 126 (2) (e) of the Constitution to deliver substantive justice without undue regard to technicalities.

The Prime Minister thereafter, declared the 13th Annual Judges Conference open and wished participants fruitful deliberations.

3.0 SESSION TWO

3.1 RESOURCES, FINANCES AND ADMINISTRATION IN THE JUDICIARY

Chairman: Hon. Justice E. Mwangusya

Speaker: Mrs. Okalany W. Dorcas, Secretary to Judiciary



Mrs. Okalany W. Dorcas, Secretary to Judiciary

Session objective: to enable the Secretary to the Judiciary to inform the participants about administration and finance management in the Judiciary

Mrs. Okalany started by observing the historic occurrence of holding the first ever Judges' Conference in Eastern Uganda as an effort towards demystifying the Judiciary in other regions of the Country. She congratulated participants of the successful completion of the year 2010 and hoped for a fruitful 2011.

She informed the participants that the gist of the paper was to contribute to a better understanding of the current status of finance and resources in the Judiciary. She noted the timeliness of the subject of discussion considering that the Budgeting process for the FY 2010/11, had just begun and reiterated the significance of the issue of resources allocation and management to the survival of any institution with especial reference to the likely increase in involvement of the Judiciary during and after the elections. She cautioned that notwithstanding the circumstances, the issue of resources calls for transparency, accountability and efficient utilization of the available resources.

Mrs. Okalany proceeded to give her presentation as follows;

3.1.1 The Process of Securing Financial Resources for the Judiciary

The process of securing financial resources for the Judiciary is a Budget Cycle that starts in the month of October with the issuance of a Budget Call Circular to all Accounting Officers by Ministry of Finance, Planning and Economic Development, outlining the timeframe for the Budget Process thus setting the budgeting cycle in motion. This circular, among other things, sets expenditure limits within the Medium-Term Expenditure Framework (MTEF), under which Medium term budget priorities are formulated, guided by key Policy options e.g. The National Development Plan and also sets deadlines for submissions of the Budget Framework Paper (BFP) and Preliminary Budget Estimates to the MFPE, H.E The President, and subsequently to Parliament. She outlined the process of preparing the BFP and the various consultation and approval stages.

3.1.2 Status of Resources in the Judiciary for FY 2010/11

Financial Resources

While there has been a reasonable increase in resources available for the Judiciary, the unit cost of various inputs have also increased leading to the chronic shortage in funds this Financial Year.

Table 1: The Recurrent Budget for FY 2010/11

No	Component	2009/2010		2010/2011		
		Approved (U Shs)	Submitted Estimates (U Shs)	Approved (U Shs)	Funding Gap (UShs)	% Approved
1	Wage	14,192,667,705	20,008,765,228	15,316,104,795	4,692,660,433	70.42
2	Non Wage	34,679,064,006	60,348,291,753	40,259,000,000	20,089,291,753	66.71
3	Domestic Arrears	300,000,000	989,399,923	0	989,399,923	0
Total		49,171,731,711	81,346,456,904	55,575,104,795	25,771,352,109	66.81

There was a total funding gap of Ugshs. 25,771,352,109. Although the total allocation was higher than the previous year, spending pressure had increased as a result of new appointment of Judges, equipment replacement and creation of new districts. The overall effect was under-funding of some key activities as outlined in the table below.

Table 2: Under-funded Activities

No	Item/ Activity	Proposed Estimates (U Shs)	Approved (U Shs)	Funding Gap (UShs)	% Approved
1	Staff Training	3,026,200,000	1,200,000,000	1,826,200,000	39.65
2	Travel Inland	8,770,104,000	6,092,950,970	2,677,153,030	69.47
3	Information, and communication Technology	2,462,400,000	1,002,000,000	1,460,400,000	40.69

Table 3: Development Budget for FY 2010/11

No	Component	Proposed Budget	Approved Funding	Funding Gap	% Approved
1	AJS (GoU/ Danida)	62,583,549,579	9,957,369,999	52,626,179,580	15.91
2	JLOS	7,413,001,000	4,420,001,000	2,993,000,000	59.62
Total		69,996,550,579	14,377,370,999	55,619,179,580	

The Capital Development Budget had a funding gap of Shs. 55,619,179,580 leaving items in table below unfunded.

Table 4: Unfunded Items in the Capital Development Budget

No	Item/ Activity	Proposed Estimates	Available Resources	Funding Gap
1	Non Residential buildings	44,465,049,580	4,117,000,000	40,348,049,580
2	Training for Judiciary staff so as to improve the quality of services delivered	2,910,359,999	488,369,999	2,421,990,000
3	Transport Equipment	5,550,000,000	2,950,000,000	2,600,000,000
4	Machinery and Equipment	2,037,000,000	731,000,000	1,306,000,000
5	Information & Communication	4,730,000,000	1,400,000,000	3,330,000,000

3.1.3 Infrastructure

Infrastructural development undertaken in the year included construction and renovation of Magistrate Grade I Courts in 20 districts, a request for funds for construction of the Criminal Court to the Netherlands, relocation of the Supreme Court, War Crimes and Anti Corruption Divisions to more spacious premises and procurement of furniture for 10 upcountry Courts.

3.1.4 Information Communication Technology (ICT)

Judiciary has embraced the ICT development by increasing Internet bandwidth from 1MB to 5MB and bandwidth on the respective leased lines from 128KB to between 256KB to 1MB as well as extension and installation of the Judiciary Local/Wide Area Networks (LAN/WAN) in various Courts and Divisions. Ninety two computers (including Desktop and Server Computers) were procured and distributed to the Hon. Justices, High Court Circuits, High Court Divisions and Court Stations. Other processes to further improve service delivery in this area are under way.

Donor/Danida contribution Shs 2,047,369,999; GoU contribution being Shs 7,910,000,000

3.1.5 Transport Equipment

The Chief Justice, Deputy Chief Justice, two High Court Judges, 10 newly appointed Judges, two Chief Magistrates and five district Grade one courts have received new vehicles and routine vehicle maintenance funds are provided for all vehicles.

3.1.6 Human Resource Management

During the year a total of 18 Justices and Judges, 5 Assistant Registrars and 1 Magistrate Grade I were appointed, 25 judicial officers were promoted and 4 faced disciplinary cases. 9 Justices and Judges retired and several transfers of both Judicial and Non Judicial Officers were made. The procurement process for Consultancy services on the development of the Performance Appraisal Tool for Judges is in progress and a proposal on restructuring of the Judiciary was submitted to the Ministry of Public Service and a response is awaited.

3.1.7 Key Issues in the Inspectorate

Funds were allocated to the judicial arm for inspection and generally inspections were conducted. The Internal audit was facilitated and staff were mentored and disciplined. In addition inspections were carried out by the Chief Justice, the Deputy Chief Justice and Principal Judge.

3.1.8 Planned Investments

Planned investments include:

- The construction of Appellate Courts, 6 courts and maintenance of 10 courts.
- The provision of solar panels to at least 10 upcountry Courts.
- The procurement of furniture for the Supreme, High Court Circuits and 15 up country courts plus acquisition of more land titles for Judiciary Land.
- Under ICT, the backup and disaster recovery system, Digital Court Recording and Transcription System, deployment of Re-Engineered CCAS in all Court Stations, extension of Judiciary Local/Wide Area Network, recruitment of IT staff, ICT Model Court and provision of a computer set to each Court Station, are planned.
- The transport plan covers 32 vehicles for various staff and departments.
- The Human Resource Management plan is to lobby for appointment of at least 16 Justices and Judges and

declare vacancies for recruitment of the Technical and Administrative staff.

- Plans are also underway to intensify Inspections and continue responding to complaints from the public.

The presenter expounded the Internal Management of Available Resources that is spearheaded by the Finance Committee, on behalf of the Accounting Officer. Procurements are managed by the Contracts Committee on behalf of the Secretary to Judiciary.

3.1.9 Challenges

The Secretary highlighted the following challenges that emanate from the inadequate funding:-

- The increase in Magisterial Areas puts pressure on allocation of resources to cater for more Judicial Officers recruited, provide operational funds for the Courts including those recently gazetted.
- Inadequate staff especially those to work in up-country Courts.
- Escalating costs of Vehicle Maintenance, repairs, fuel prices and Stationery.
- The long procurement process which causes delays in the provision of goods and services.
- Increasing demand for judicial services is a major source of pressure in resource allocation and Utilization.

3.1.10 Conclusion & Way Forward

Finally, the Secretary affirmed the good job done in the face of a very tight budget and acknowledged the shortcomings promising that efforts have been made to address them especially improvement on accountabilities and minimizing audit queries.

3.2 PLENARY DISCUSSIONS

Issues raised during the plenary discussions included:-

The plans to alleviate staffing gaps in the circuits at the level of support staff.

Medical insurance for staff.

Plans for expansion of Nakawa Court and constructions of the new JSI offices.

Need to liaise with Judicial Service Commission on expansion of judicial services.

Restructuring of the Judiciary.

The need to tap into optic fibre network was mooted.

*The status of the Administration of Justice Bill**It was recommended that:-**At least 14 vehicles be set aside for deputy registrars**A policy should be put in place to acquire land and preserve it for future purposes was emphasized**A generator should be made available to the Arua court to help solve the power problem.**Vehicles should be made available for unspecified judicial officers for official purposes (visiting locus etc).**The Estates Manager should in future acquire premises and furnish it prior to posting judicial officers as some places have no facilities for courts .**The need to elevate the chief magisterial areas of Kisoro, Apac, Kumi, Rakai, to address backlog.*

On the issue of deployment of support staff remains a sticky issue. The plenary noted the need to rationalize. Recommended the enforcement of policy to serve anywhere in the country.

A participant informed members that the administration is in the process of reviewing the current set up of magistrates' courts. It is a continuing process.

The policy is that the Judiciary is visible in every district. The Judiciary must demonstrate capacity to provide judicial services. Need to put the infrastructure in place prior deployment.

The plenary wished to know the law for increased posts for justices and judges.

In response to issues raised in the plenary, the SJ said although Parliament approved posts for increased justices and judges His Excellency has not assented to the law.

On transfer of support staff, a national exercise ended recently. However, the SJ informed participants that at upcountry stations, judicial officers may identify persons to fill existing posts, which appointments are then subjected to formal process of recruitment.

SJ informed conference that Judicial Studies Institute is to benefit from a 50,000 Euros grant from Netherland for construction of premises.

On the issue of Medical Insurance, the plenary resolved that medical allowance converts into a fund for medical insurance.

On the issue of restructuring of the Judiciary, SJ reported that the process is ongoing.

Pool vehicles for circuits, purchases will be made subject to availability of funds.

On the issue of residences for judicial officers, SJ informed the plenary that donors are now willing to avail funds for construction.

On the issue of power shortage, the way forward is to buy solar panels for areas in need.

On the issue of infrastructure for magistrates SJ assured the plenary make available this available prior to deployment.

4.0 SESSION FOUR**4.1 THE STATE OF AFFAIRS IN THE HIGH COURT**

Session Chairperson: Hon. Justice A. Twinomujuni, JA

Presenter: The Hon. Principal Judge, Justice Yorokamu Bamwine

**Hon. Principal Judge, Justice Yorokamu Bamwine**

The Hon, Principal Judge lamented the alarming number of complaints against the judicial system in regard to; poor advocacy, poor adjudication, and the delayed hearings and judgements. He noted that a number of the judicial officers had been charged, tried and convicted on corruption charges and called upon the High Court and Courts to improve on management and leadership

to reduce on referring issues to the Principal judge or The Hon. Chief Justice. He also asked that clear and enforceable orders and decrees be made by courts.

4.1.1 Measures for Improved Performance

He informed participants that a specialised division to deal with corruption had been created and adequately staffed with fully trained personnel. He said Judiciary had intensified its internal mechanisms to stump out the corrupt, the undisciplined and non-performers and the top management had carried out inspection tours of High Court Circuits and Magistrates Courts around the country in a bid to learn, teach and empower all stakeholders in the fight against corruption.

The Hon, Principal Judge also touched on the issue of indiscipline in regards to absenteeism from duty, and poor time management especially by Magistrates.

In regards to the delay in delivering judgments, he noted that this is to large extent an element of indiscipline. To this problem he recommended that officers stay hearing until completion of judgments.

On Financial and Human resource the Hon. Principal Judge mentioned the increased funding from government to more reasonable levels which was appreciated. He however called upon for the proper allocation of these funds. The appropriate committee of parliament had been requested for the increase of High Court Judges to 82 including the Principal Judge to fill vacant positions. He noted the need for more Chief Magistrates due to the creation of more districts, and also many Magistrates courts have reported need for more support staff. The phasing out of Grade two Magistrates as per Judicial Professionalization Plan created need for more Grade One Magistrates.

He observed that 70% of the High Court's backlog was transferred to Magistrates' Courts with the low number of Chief Magistrates to oversee more than one district. The quick-win Case backlog Reduction programme in western and parts of central Uganda proved effective in case reduction and hopefully this would be extend to the rest of the country.

The Hon. Principle Judge made mention of the training of judicial and administrative staff of the High Court and the appointment of new judges, Deputy Registrars, Assistant Registrars Chief Magistrates

and Magistrates Grade One. Also noted were the new premises of The Supreme Court Anti-Corruption Division and War Crimes Division located in Kololo as well as new upcountry Courts constructed in 2010 and with others under construction or about to start construction.

4.1.2 Sentencing Guidelines for Judiciary

In August 2010 the Hon. Chief Justice constituted a national multi-institutional task force to spearhead the development of sentencing guidelines. As chairman the Hon. Principal Judge took liberty to list the key issues:

- Application – to which category of Courts should the guidelines apply
- Form: Act of Parliament or Practice Direction.
- Format: Narrative or matrix.
- Sentencing Council – composition, terms of reference.
- How to strike a balance between attaining appreciation of the intent of sentencing guidelines and the feeling that the guidelines may usurp judicial discretion.

The Hon. Principal Judge called for input on the definition of Community Service Orders to help address the questions; what is a minor offence and what court has jurisdiction to order community service?

Also noted was the Bar/Bench relationships emanating from increasing number of complaints from Counsel and litigants to remove files from Judge X or asking that they step down due bias or likelihood of it. He recommended that proposals be made for a procedure of making applications for recusal of the judicial officers that would be laid down in Regulations.

On Ex-parte hearings and orders, he noted that courts had been turned into institutions of torture by dishonest litigants aided by lawyers and judicial officers. We should be able to evolve best policies and practices on ex-parte hearings and executions. The Hon. Principal Judge informed members that he had requested the Civil Division to scrutinise cases of Judicial Reviews to avoid abuse of court process by lawyers and clients. Numerous references to the constitutional court have been made and this has in turn stalled the progress of these cases especially in the Anti-corruption and Civil Divisions and since the law is yet to be interpreted by the constitutional court a backlog has been created.

4.1.3 Way Forward

The presenter suggested the following as way forward;

- The need to prioritise the finances of the judiciary to facilitate quick disposal of cases, priority going to court sessions to clear increasing backlog.
- Call for increased man-power to cover the existing vacancies.
- A special session should be organised in the constitutional Court to urgently resolve the outstanding Constitutional references.

He ended by thanking the Judges of the High Court, all Registrars and Administrative staff, who contributed differently to the success of 2010, those working tirelessly to overcome the challenges that continue to dog the Judiciary. He also extended thanks to the government of Uganda, Donor community, The JLOS institutions and other organisations that have rendered assistance, worked hand in glove with Judiciary to keep the courts open and functioning and trained our staff on new initiatives, modern processes and the best practices.

4.2 PLENARY DISCUSSIONS

The plenary noted the need to educate public on where to take complaints.

On the issue of judgment writing, the plenary said that the way forward is to speak to individual judges as an initial step.

On deployments, the plenary proposed consultations prior to deployment

The plenary recalled that in the past, there was regular interaction among judges upcountry and heads of Judiciary High Court Kampala. Need to increase communication among judges of the High Court.

On the issue of forged signatures: a serious matter need to address the handling of court files to eliminate foul play, especially in the Family division.

The plenary proposed professional meetings for judges every three months to promote collegiality

The plenary asked for circulation of new rules and laws to all judges as soon as they are passed.

Bar-bench relationship: need to address the tension with formation of bar-bench forum.

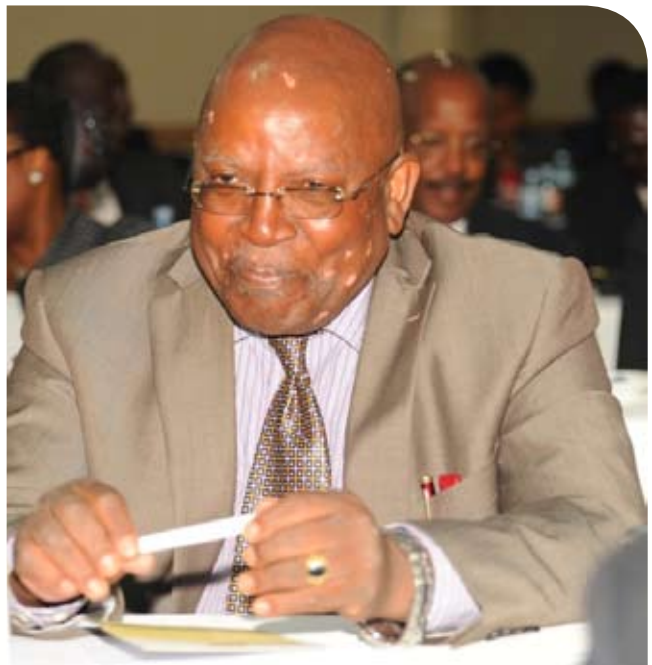
Failure to write judgments within stipulated time is gross incompetence chargeable under the Uganda Code of Judicial Conduct.

The plenary recommended that the Constitutional court should determine references expeditiously to enable speedy disposal of matters in the High Court.

5.0 SESSION FIVE

5.1 ANTI CORRUPTION DIVISION

Presenter: Hon. Justice J.B.A. Katutsi , Head, Anti-Corruption Court.



Hon. Justice J.B.A. Katutsi

narrated the inception of the Anti-Corruption Division and its mandate. He cited the Division's staff capacity and proceeded to outline its performance as summarised in the table below.

Table 5: Performance of the Anti-Corruption Court since 31st December 2010.

Case Type	Registered	Completed	Pending
Criminal Appeals	34	28	6
Criminal MISC.APP	434	415	19
Corruption Cases	229	105	124
Criminal Revision	15	14	1
GRAND TOTAL	712	562	150

The Division was able to dispose of 78% of all categories of cases registered with the average lifespan 4 months. Sessions were carried out in 9 districts.

5.1.1 Challenges

The Hon. Justice cited the following challenges encountered by the Division:-

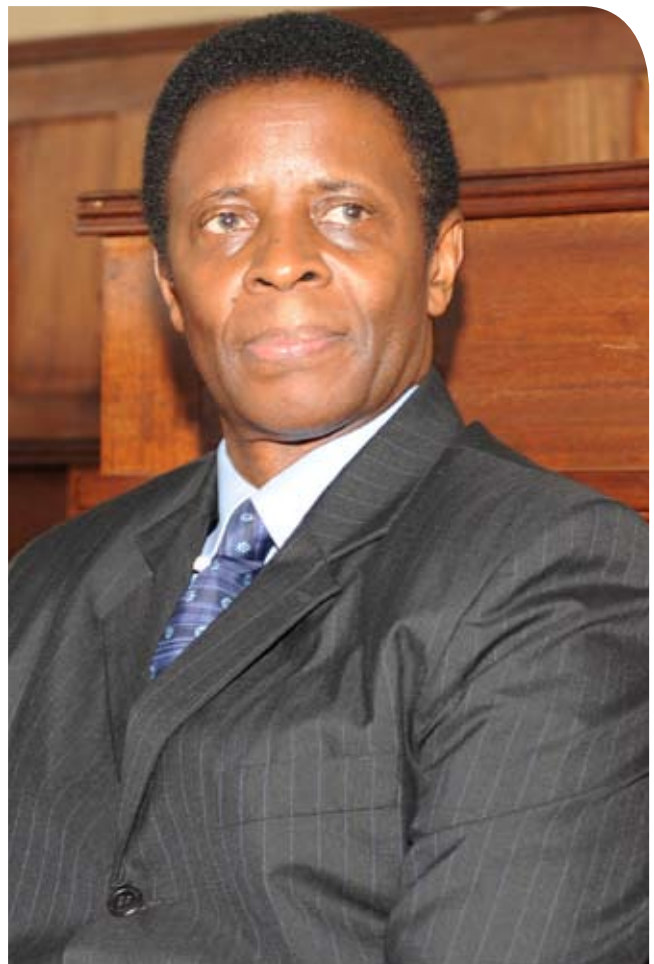
- The main challenge is on application of the new law on offences that occurred before its enactment resulting in numerous constitutional references and stalling of the progress of the court.
- Limited infrastructural facilities (office space, vehicles, computers) that curtail full utilization of the available human resource.
- Power fluctuations that affect use of transcribing machines.
- Shoddy investigations and prosecutions in some of the matters that benefit the accused.
- Absence of the law on asset recovery and money laundering curtails the comprehensiveness of the legal regime in the adjudication of corruption cases.

5.1.2 Way Forward

- Urgent resolution of the Constitutional References, especially the ones on the application of the new law on cases that were committed before its enactment.
- Acquisition of a generator to mitigate power outages.
- Increase on the court halls so that courts work at full capacity.
- Support for up-country sessions for ease of access of witnesses who are usually either civil servants or local government officials.
- Enhancement of capacity of all players i.e. investigators, prosecutors and judicial officers especially with the enactment of the new law.
- Equipment of the judicial officers in the Division with the basic tools of work like computers and transport.

5.2 CRIMINAL DIVISION

Presenter: Hon. Justice E. S. Lugayizi, Head Criminal Division



Hon. Justice E.S. Lugayizi

Justice E.S. Lugayizi, Head of the Division informed the participants that the Division has four Judges though the ideal number for the central circuit is 6. The work undertaken during the year is summarised in the table below.

Table 6: Criminal Cases held in 2010

No.	B/F 2009	Registered	Completed	Pending
Criminal Sessions	121	333	222	232
Criminal Misc. Appl.	29	147	100	76
Criminal Appeals	52	68	66	52
Criminal Revisions	5	13	5	13
Confirmations	1	0	1	0
Total	208	561	382	397

The Division had a target of clearing all backlog, which to a large extent was achieved. He attributed some of this success to lessons learnt on a visit of Judges to California, USA, to understudy the “plea and sentence bargaining” criminal justice system that had been used to clear backlog. Although the “Quick Win Project” resulted in disposal of hundreds of criminal cases, he suggested that improvement in choice of cases would yield better results. He highlighted the collaborations both external and internal.

5.2.1 Challenges

Apart from the usual challenges of power and funding, he noted the disparity in sentences meted out to convicts.

5.2.2 Way forward

He observed that there is need to domesticate the “plea and sentence bargaining” for better results.

5.3 WAR CRIMES DIVISION

Presenter: Hon. Justice Akiiki-Kiiza, Head, War Crimes Division.



Hon. Justice Akiiki-Kiiza

Hon. Justice Akiiki-Kiiza thanked the organisers and proceeded to highlight the genesis of the division. On current status, he said though the War Crimes Division is a domestic court, it handles International Crimes. The court has 5 Judges and a team of other staff. He explained the International Crimes triable by the Division; Genocide (Section 6), Crimes against Humanity (Section 8) and War Crimes (Section 9). He proceeded to outline the successes and challenges and way forward as follows;

5.3.1 Successes

The following were rated as accomplishments:-

- Filing of the first case, with hearing about to commence.
- Attending both international and local trainings workshops.
- Acquisition office space with a library.
- Increased staff and research assistants.
- Recognition by International Government bodies.

5.3.2 Challenges

- Legal notice – lack of formal instrument setting up the division.
- Inadequate office space.
- Lack of transport for the Registrar and witnesses/ victims/children.

5.3.3 Way Forward

- Appeals – Uganda should emulate the ICC and other International Courts that have an appellate division.
- Strategic Plan - War Crimes Division Strategic plan and Overall JLOS Strategy should be developed to enhance efficiency in handling International Crimes and transitional issues.

- Funding – Adequate funding should be provided to the Division to meet the internationally accepted standards in trials.

In conclusion the presenter hoped for continued support from government and development partners to enable them play their role in fighting impunity as a viable alternative to the ICC.

5.4 PLENARY DISCUSSIONS

The plenary shared her experience in sentencing a person who pleaded guilty to a murder charge to 70 years imprisonment, as an alternative to the death penalty sentence.

The plenary recommend training in the ICC for appellate courts.

Pre-trial assessment: need for closer interaction, collaboration and coordination with DPP, Prisons and Advocates on state briefs to sort out cases that will proceed to trial.

DPP is most times ill prepared and trial judges spend time training state attorneys who appear before them.

The plenary noted the need for training judges to build capacity.

Training in plea bargaining to develop standards is required.

In the absence of plea bargaining along with sentences, there is hesitancy in pleading guilty.

The success of the anti-corruption court is attributed to team work among all stakeholders.

Matters of policy: War crimes division practice direction to set up jurisdiction, composition, participation of stakeholders etc. is being addressed.

The plenary noted that plea bargaining should not be ad hoc to avoid disparity, adventure, creating distrust in the system. Called for draft procedure to guide plea bargaining process. Who starts the process, what is the process? For what consideration?

Need to validate the process.

Trial by full disclosure, calls for summary of evidence.

6.0 SESSION SIX

6.1 INFORMATION AND COMMUNICATION TECHNOLOGY

Session Chairperson: Hon. Justice G. Kiryabwire.

Presenter: Mr. Kikabi David Sunday , Ag. Principal Technology Officer.



Mr. Kikabi David Sunday

Session objective: To update the participants on the current ICT initiatives in the Judiciary.

The Ag. Principal Information Technology Officer presented a paper on the current trends and development in the Judiciary. He implored the participants to acknowledge that the advent of Information and Communications Technology (ICT) is fundamentally changing the way people work, learn and interact. ICT is being adopted in all aspects of society to facilitate online service delivery and the Judiciary is not an exception to these trends in bid to improve the safety of the persons, security of property, and access to justice for all people in Uganda. This he said has led to the alignment of ICT investments to the core business of the Courts of Judicature (COJ). He pointed out the following functions of the ICT department:-

- i) Alignment of information and communications technology with the Judiciary business requirements to achieve the implementation of the Judiciary strategic plan.*
- ii) To ensure the effective utilization of information and communications technology and awareness of the risks and responsibilities involved.*
- iii) To provide continued availability of ICT services with minimal disruption to business in the event of a major disaster*
- iv) To safeguard information and IT components against unauthorized use, disclosure, modification or loss.*
- v) To coordinate ICT related procurement in accordance with policy.*
- vi) Account for IT resources and manage the IT investment in the Judiciary.*

He cited the enabling environment like the Judiciary ICT Policy 2008 and ICT Strategy 2009 -2013 that had been developed, launched and are being implemented. The Judiciary ICT current trends and developments are aimed at addressing the identified projects in the ICT Strategy 2009 – 2013. He outlined the management of ICT which is categorized into Strategic management and operational management.

He updated the participants on the Judiciary ICT Service Desk that is intended to improve customer satisfaction through a single point of contact for all ICT users, thus providing clear communication lines to the ICT Division and back to the users. He listed reports from the system that can guide the ICT division in the ICT system troubleshooting, ICT training need assessment, equipment replacement. He informed the conference that though Judiciary requires 1894 Desk Top Computers, it only has 645.

He explained Computer Network Connectivity and Court Case Management System. He added that the Analog Court Recording and Transcription Systems were obsolete and were to be replaced by the Digital Court Recording and Transcription System (DCR&TS) with operations in the Jinja Model Court to begin 2011. He stressed the consequences of the Judiciary Backup and Disaster Recovery Site to the Judiciary and its constitutional obligations as the third arm of the Government of Uganda.

The presenter elucidated the E-Government Backbone and its benefits to the Judiciary. He mentioned the efforts to create a Judiciary Digital Library and enhance

Internet Research and the Closed Circuit Television (CCTV) System and the Electronic Display Boards for security. He further informed the participants of the existence of the website- URL <http://www.ulii.org> where all the judgments from all the Courts are uploaded and that the Judiciary ICT Division was involve in the co-ordination, implementation and support of National ICT projects such; Integrated Financial Management System (IFMS), Integrated Personnel and Payroll System (IPPS). He threw some light on the Implementation of the Integrated Justice Management System (IJMS) that brings together all Justice, Law and Order Sector stakeholders each performing it role on a joint system aimed at easy access to records, eliminate file misplacement among others. He went on to outline the role of Hon. Judges in the ICT Implementation.

6.1.1 Constraints and Challenges

- i) High Cost of Bandwidth. The LAN/WAN Connectivity including the Internet.*
- ii) Resistance to Change towards the use of ICT in the Judiciary.*
- iii) Reluctance in supervision by Action Officers/ usage the Information Systems and/or updating of information in the computer systems.*
- iv) Insufficient Funding to cater for training, maintenance of computer systems and equipment.*
- v) Limited Sources of Power. This poses a challenge to the required need for computerisation in all our Court Stations for ease of information processing and communication.*

6.1.2 Way Forward

- i) Change Management for Judiciary Reform towards use of ICT: To ensure the Judiciary's readiness to undertake change (towards the use of ICT).*
- ii) Enforcement and adherence to the ICT Policy and Strategy: ICT should be implemented following the Judiciary ICT Policy.*
- iii) Adherence to and Maintenance of the ICT Strategy.*
- iv) More funding consideration for ICT (Implementation, Training, maintenance and improvement according to strategy).*
- v) Collective and coordinated responsibility over ICT by all Judiciary staff.*

6.2 PLENARY DISCUSSIONS

The plenary was concerned at the disconnect between ICT priorities and needs of the Judiciary. Most courts are not connected to the intra net, maintenance of computers is centralized etc., judges don't have lap tops etc

Need for continuous training for those born before computer to bring them on board.

Errors in CCAS. Need to correct errors as soon as they are identified.

It was noted that the Jinja model court does not have a running generator although it's a model court.

Need to design CCAS for courts that do not have systems.

The plenary recommended that laptops be procured for all judges.

7.0 SESSION SEVEN

7.1 COMMERCIAL DIVISION

Session chairperson: Hon. Justice Y. Bamwine, Principal Judge.

Presenter: By Hon. Justice Geoffrey Kiryabwire



Hon. Justice Geoffrey Kiryabwire

The Hon. Justice gave an overview of the court's work progress in the concluded calendar year 2010. As of 31st December 2010, 65% of the pending court load was comprised of Civil Suits, of which 27% were miscellaneous applications arising out of the Civil Suits, 34% of the pending Civil Suits constitute the court backlog, while pending judgments constitute 5.2% of the total pending total court load, 44.4% stands as the court disposal to total court load average ratio. The backlog in the Civil Suits built up to 286 higher than the position of 2006 when it stood at 285, even if the cases filed this year were slightly lower than those filed in 2009. Many challenges experienced by the court explain this performance, not limited to the transfer of the judicial officers, and the limited number of judges who were only increased to four by the end of the year. With Mediation intervention, the court has seen a steady improvement. The Court thanks the entire Judiciary and all staff and stake holders for their contribution and encouragement towards the court performance.

7.1.1 Personnel of Court as of 31st December, 2010

The speaker informed the participants that the court currently has four Judges assisted by two Deputy Registrars, 35 staff support staff and a fully fledged VIP police post. The court has total of 12 court annexed mediators, but the rules also provide for the Judges participation in Mediation.

7.1.2 Funding and Financial Management

The forum was told that the court activities are being funded by the mainstream Judiciary vote from the Government of Uganda to a tune of Shs. 108m=. A monthly release of Shs. 4m= per month per registry from the Registrar High Court was initiated and if maintained the general annual financial release funding would come to Shs. 204m= annually. The support from JLOS varies with the JLOS year plan for the recipients and is subject to submission of the approved quarterly work plans.

7.1.3 Workload of the Division

The presenter narrated that a total of 1067 was brought forward and 1223 cases were filed in the year. 1,018 cases were disposed and 1,272 are pending out of which 833 are Civil Suits. Backlog was reduced to 34% by end of 2010.

Table 7: Pending Cases by Case Category

Case Category	Pending Cases
Arbitration Cause	17
Bankruptcy Petition	6
Civil Appeals	41
Company Cause	2
Civil Revisions	0
Civil Suits	833
Miscellaneous Application	352
Miscellaneous Causes	21
Miscellaneous Appeal	0
Originating Summons	14
TOTAL	1272

7.1.4 Mediation

The presenter reported that mediation has been an integral part of the Commercial Court Case Administration System since it was first piloted in 2003 to 2005 (S.1. 71 of 2003). The most significant changes in 2010 have been the creation of a Mediation Registry headed by a Deputy Registrar, integration of mediation cases in CCAS, appointment of Advocates as Court Designated Mediators and extension of mediation training to include advocates and their clients. The cases that went through mediation achieved a 21% success rate.

7.1.5 Information and Computer Technology of the Court

Participants were updated on the Information and Communication Technology initiatives that are aimed at improving the delivery of judicial services to the entire country and in particular the users of this court. These comprise of;

- Plasma screens, projectors and other visual devices to help in the display of electronic evidence
- Video conferencing to allow some court services to be delivered remotely, either for parties and witnesses who live some distance from the venue, or for vulnerable witnesses.
- Hearing loops for the hearing impaired.
- Digital recording of court proceedings for transcription purposes.
- The ability for case details to be filed and searched electronically.

- The lodging of some kinds of case documents over the internet (e-filing)

7.1.6 Professional enhancement and competence

The participants were further informed of the career progress made by various staff of the Court especially in achieving higher academic qualifications. Notable was the appointment of the Head of the Court as Head of the UNESCO Appeals Board.

7.1.7 Local and International Cooperation

The speaker stated that the Commercial Court continues to attract delegations from other jurisdictions to exchange lessons and learn from their practices that can be replicated in their jurisdictions. Two delegations were received in the year; 6 judges with the Registrar from the Interim Independent Constitutional Dispute Resolution Court (IICDRC) of Kenya and a delegation of Nigerian Judges on a training programme with Uganda International Legal Institute to view the court proceedings.

7.1.8 Projects

He said two major projects, Small Claims Procedure and the ICF (Investment Climate for Africa) Projects are being piloted by the Court Division.

7.1.9 Successes

The presenter continued to articulate the courts successes as;

a) Action Plan 2010

- Significant progress in the completion of the Action Plan which will guide the activities of the Court.
- Continual registry weeding was made and three of the four quarterly court users meetings held, two of which were through mediation training.
- Backlog and ordinary case load was disposed of.
- The second phase of the court artworks is on-going.
- The library gallery has been improved, and more library reforms like activating the e-line library, literature stocking, and re-arrangement are on-going.
- Finally the edited Commercial Law Report, 2002-2004 is out.

b) Staff collegiality

Staff collegiality continued even at the heart breaking

moments of bidding farewell to some of the long serving staff members to other divisions.

7.1.10 Challenges

The presenter also mentioned the following challenges to the court.

- a) Failing Court Recording equipment: The court is yet to get the audio digital court recording machinery that was a component of the EU grant in the construction of the Commercial Court building, despite all efforts to pursue its installation.
- b) Machines that were installed in the court and not serviceable in Uganda continues to lie unused.
- c) There is urgent need to procure a heavy machinery printer with color, with spares and accessories in the market.
- d) The court also lacks other vital IT accessories like scanners and LCD projectors a prerequisite to progress to the next levels of e-court filing and e-court room.
- e) There is underutilization of the court IT capacity.
- f) Despite the now available four Judges of the court, there is still need for more Judges as to match the filing rate of the court that continues to create a case load which finally builds into a backlog for the system.
- g) Uptake of Innovations by the bar is still wanting. During pre-trial scheduling conferences, lawyers continue not to adequately prepare, slowing down the fixing of cases for actual hearing, especially the AG's chamber that is slow to commit to positions.
- h) Need for training of the support staff in Customer Care, Financial Management flows, their entitlements, and financial discipline.
- i) The Law reporting function stalled, in particular, the production of the Commercial Law Reports due to delays in correction of the last produced version of 2004.
- j) The Need for training tour- guides and developing court tour manuals still remains.

7.1.11 Way forward

On the way forward, the speaker said the task lay in managing the burgeoning workload hence the court has laid strategies on how to improve the disposal- workload rate, and to identify and eliminate the backlog cases that have been more than two years in the court system using all modes practicable. The court has focused on an aggressive action plan for the New Year period, with

emphasis on training, study tours, soliciting for funding of IT solutions, and evolving an effective case backlog strategy.

7.2 CIVIL DIVISION

Presenter: Hon. Justice E. Mwangusya, Head Civil Division



Hon. Justice E. Mwangusya,

The presenter commenced by naming the Judges of the Civil Court and the categories of cases handled. He outlined the composition of the registry and management system (CCAS) to which the Judges' chambers have also been connected making it easier to monitor operations of the division. He informed participants that 1477 cases had been brought forward from 2009, 1363 cases registered while 838 were disposed of and 2002 cases were pending. 25 cases were disposed of under backlog handling. The presenter highlighted the following achievements, challenges and proffered a way forward:-

7.2.1 Achievements

The Division registered a number of achievements such as:

- A number of election matters were disposed of.
- Staff motivation resulting from Case backlog reduction funds from JLLOS.
- Weeding out dormant cases under O.17 of Civil Procedure Rules.
- Improved attendance of litigants and their counsel.
- Increase in number of out of settlement.

7.2.2 Challenges

The challenges included;

- Limited use of alternative dispute resolution methods.
- Delayed judgements and/or rulings.
- Untrained staff of use of CCAS system resulting in inaccurate CCAS entries.
- Unprofessional record management system causing misplacement of files, mis-entry of records and time wastage in retrieving records.
- Increased filing of Miscellaneous Applications diverting attention from other matters.

7.2.3 Way Forward

The proposed way forward covers;

- Increased number of Division Judges.
- Constitute a Court User's Committee to improve relationship between Court and its users.
- Train Registrars and support staff on records handling and customer care.
- Disseminate judgements online.
- Acquire pool vehicle for Civil Registry.
- Annual work plans of Judges indicating time of leave.
- Modernisation of Civil Registry.
- Procure Court recording equipment and better security for the Registry.
- Create a backlog reduction policy for the Division.

The speaker concluded by thanking the participants and wished them a prosperous new year.

7.3 FAMILY DIVISION

Presenter: Hon. Justice L. Mukasa, Head of Division



Hon. Justice L. Mukasa

Curved out of the Civil division six years ago, the Family Division was set up to handle family related cases that include marriage, divorce, domestic violence and separation, maintenance and custody of children, legal guardianship and adoption and administration and management of estates.

7.3.1 Performance

Although the Division carried out several activities, the report below is based on activities under the quick win strategy funded by JLOS.

Table 8: Case Statistics

No.	Case Category	B/F 2009	Registered 2010	Completed 2010	C/F 2011
1	Civil Suit	365	127	110	387
2	Administration Cause	2231	994	1449	1808
3	Divorce Cause	71	43	32	79
4	Family Cause	98	276	184	188
5	Miscellaneous Appln.	242	228	229	267
6	Miscellaneous Cause	27	18	20	28
7	Originating Summons	37	17	23	31
8	Civil Appeals	13	8	4	19
9	Civil Revisions	2	0	2	0
	Totals	3086	1711	2053	2807

The participants were informed that the court conducted 9 sessions at which they cleared 328 of the 360 backlog cases leaving 42 for the next session.

The presenter continued to highlight the successes of the division as;

- Establishment of the Court User's committee which held quarterly meetings.
- Relocation of the division to new but temporary home on Crusader house.
- Increase in the number of staff.
- Increased output with 328 cases disposed of by judges under the quick win strategy and 666 through the weeding sessions by the Deputy and Assistant Registrar.
- ADR/Mediation through which 187 complaints were handled with 134 successfully resolved.
- Training of 3 judges and one registrar in case management at RIPA, London.
- Acquisition of Shs.7.5m= from JLOS for clearing backlog in Family and Children Courts.

7.3.2 Challenges

The challenges cited included;

- Differences in information on CCAS and physical files that need reconciliation.
- Mediation and ADR are not reflected on CCAS.
- Lack of division library and inadequate reference books.
- High degree of illiteracy on administration/ management of estates by the applicants.
- Inadequate court space.
- Frequent transfer of judicial officers.
- Frequent power failure.
- Very noisy court premises.
- Failure of judicial officers and court clerks to navigate CCAS.
- Lack of mediation rules.

7.3.3 Reforms

The presenter called for the following reforms;

- Need to train judicial officers on the new laws passed by Parliament (Domestic Violence Act, Prevention of Trafficking in Persons Act and Female Genital Mutilation Act) and their implementation.

- Enlisting of the Family Division for JLOS support.
- Creation of manual register for follow-ups of ADR/ Mediation.
- Formation of the Family Justice Working Group in JLOS and establishment of Family Court User's Committee.

7.3.4 Planned activities and Way Forward

- Creation of more space by repartitioning.
- Streamlining and Drafting of Family Court Mediation Rules.
- Ministry of Defence Project on Letters of Administration for Veterans receiving ex gratia.
- Creation of a Task Force on Orphans and Vulnerable Children.
- Sensitization on new gender sensitive Acts, especially on family related issues.
- Staff training on customer care and file management.
- Follow up on the implementation of video conferencing project.
- Training of the bar and bench on ADR with emphasis on family mediation.
- To carry out surveys and a study on post guardianships and post adoption with particular emphasis on inter country adoption.
- Carry out surveys and study on child sacrifice and trafficking in persons.
- Intensify on the weeding out exercise.
- Publication of court user's guide.

The presenter concluded by saying the Family Division intends to further build on the Quick Win Strategy for better and quicker disposal of cases.



Above: The newly appointed Judges of the high court.



Above: Presentations during the conference.



Guests interacting during a Tea Break



7.4 LAND DIVISION

Presenter: Hon. Justice J. Murangira J (delivered the presentation on behalf of Hon. Justice Apio Aweri.)



Hon. Justice J. Murangira

Justice Rubby Opio Aweri began his presentation by wishing the participants a happy new year. He congratulated Hon. Justice Wilson Masalu Musene on his appointment to the High Court and retired Hon. Lady Justice Anna Magezi who served at the Division until July, 2010. He continued to inform the participants of the origins and jurisdiction of the division. He lamented the increasing contention in land matters which suck into play several bodies and agencies of the state often with conflicting decisions. He illustrated the emanation of wisdom to judge from God with several Bible verses. After stating the location and staff establishment of the division, he highlighted its achievements and performance as being;

7.4.1 Achievements and Performance

Despite the surmounting challenges, the Division managed to dispose of 1506 cases. These consisted of 394 civil cases, 946 miscellaneous applications, 118 miscellaneous causes, 6 Miscellaneous Appeals, 28 civil Appeals, 5 civil revisions and 9 originating summons applications. Compared to 2009 there was a drop in performance due to fewer numbers of judges due to the impending retirement of the third judge who could not take on new cases compounded by their deployment to conduct criminal sessions in other circuits. The division held 10 sessions that saw a reduction of backlog from to 2,257 cases and a

reduction of the caseload to 3,224 cases. Through the quick win strategy the division weeded out 616 cases. The division established land user's committee that improved the quality and dispensation of land justice. The CCAS has been instituted while judicial officers have undergone training in field case management and mediation. The procurement of transcribing machines is in advanced stages and service delivery improved leading to reduction in complaints. Enforcement of Court orders continues though at a slow pace.

He attributed the successes to;

- Timely funding especially from the Judiciary and JLOS.
- Training offered to support staff.
- Team work, committed staff and supervision of staff.
- Interest of advocates and parties in quick disposal of cases.
- Proper case management by Judges.
- Use of User's committee strategies.

7.4.2 Challenges

He said the Division was faced with several challenges such as;

- Critical Judicial Human Resource base that is overwhelmed with the workload.
- Lack of own premises that limits the expansion of programmes in the event of assignment of more judges.
- Enforcement of court orders is constrained by vetting process of RDCs, DISOs, GISOs and the Police.
- Inadequacy of funds for servicing operations like visiting land dispute sites etc.
- Procurement process by the Contracts Committee is too slow.
- Forum shopping with litigants filing similar claims in the Land Division, Family Division, Civil Division and Commercial Division leading to multiplied cases and matters.
- Unrepresented litigants present peculiar challenges in the enforcement of procedural rules.

7.4.3 Way Forward

He recommended the following as a way forward;

- a) Increase number of Judges and funds to land division.

- b) Plans to reduce caseload and backlog
- c) Plans to reduce delays
- d) Acquisition of court recording and transcribing equipment
- e) Continuous training of Judges and staff to enhance knowledge, skills and aptitudes.
- f) Engagement of other stakeholders involved in execution of court orders into mapping out best practices to curtail malpractices and extra-judicial evictions.
- g) Use of mediation and arbitration
- h) Monitoring Land Justice in Magistrate's courts in the country and dissemination of best practices to lower courts.

The presenter concluded by lamenting the continued loss of lives and property as well as illicit assumption of authority in resolution of land matters. He argued that timely intervention by the Judiciary would save the citizens. Finally he thanked the staff of the Division and paid tribute to the funders.

7.5 PLENARY DISCUSSION

On case backlog reduction the plenary recommended that the powers of registrars in interlocutory matters be enhanced.

The plenary observed that this is the age for e-filing: complaints, records of appeal etc. is encouraged

Resurrect publication of the cause list in the media.

Intensify legal literacy.

Bailiffs: how far has development of regulatory framework progressed?

On the issue of forged signatures, it was recommended that specimen signatures be circulated especially those for retiring judges.

The plenary recommended that cause lists be emailed to law from appearing on mailing lists.

The plenary noted the need for training and mentoring of registrars.

The plenary noted the need for two registrars to handle mediation and civil litigation.

8.0 SESSION EIGHT

8.1 MANAGING A HIGH COURT CIRCUIT

Hon. Justice L. Gidudu, Resident Judge, Jinja High Court Circuit - Presenter

Session Chairperson: Hon. Justice E. Musoke



Hon. Justice L. Gidudu, Resident Judge

The presenter started by commenting that the Resident Judge is not strictly a circuit manager but rather a circuit leader since actors undertake the general management in the circuit. He then outlined the various management functions and responsible actors as;

- Planning which is centralised and principally undertaken by the planning and development committee then plans are rolled out into circuits.
- There are judicial and administrative structures in place and Judges do not choose but work with the team in place.
- The function of hiring and retaining a suitable workforce in the circuit rests elsewhere.
- Directing is a leadership role of the resident judge through regular instructions and guidance.

- Controlling that involves coordinating, reporting and budgeting is conducted at the centre and other staff like Registrar, Chief Magistrate and Office Supervisors.

He commended the Secretary to the Judiciary for facilitating resident judges to “walk” their circuits in order to monitor and evaluate performance.

8.1.1 Performance

The speaker made reference to the Judiciary mission statement and reiterated the litigants’ expectation for quick and right justice. He however noted the diversity in individual judge’s mental processes in making right judgement hence the need to provide for them

8.1.2 Case flow management

He pointed out that although the management of a case through the court system from filing to completion is monitored by both the judicial and administrative machineries, the resident judge works with the Registrar in charge of his/her diary to controls allocation of cases. Full control and proper utilisation of the calendar or programme by the Judge can guarantee smooth flow of cases and minimize case backlog.

8.1.3 Successes

He cautioned that the absence of compulsory work planning and performance standards and bench marks breeds complacency and low output as well as stressing hard working judges.

8.1.4 Challenges

The Judge underscored the challenges as;

- a) Posting of one judge in a circuit limits collegiality, promotes loneliness and curtails consultation and eventually negatively impacting performance.
- b) Overload of cases due to limited human resource inevitably leading to backlog.
- c) Lack of performance bench marks hence no evaluation of value for money and recognition of those who hit targets.
- d) Since judges do not choose their own team, performance is impeded by incompetent team mates.
- e) Lack of competent management presence in the circuit diverting judicial officers time to none core tasks.

8.1.5 Reforms and Way Forward

The presenter recommended that in order to fulfil the judicial mandate there is need to consolidate and continue with the various reforms being implemented in the judiciary and JLOS. Some of these reforms are;

- Steady appointment of judges to confront building backlog.
- Promotion of various forms of ADR.
- Establishment of small claims courts.
- Plea bargaining
- More JLOS quick win sessions.
- Establishment of performance standards.
- Deployment of more than one judge in a circuit.
- Weeding out of incompetent staff.
- Strengthening the management branch in the circuit to free judicial officers to do adjudication.

Finally the presenter acknowledged the significance of High Court Circuits as an avenue through which the Courts of Judicature take services nearer to people and called for adequate facilitation of circuits in terms of both human and material resources.

8.2 REFLECTIONS OF A NEWLY APPOINTED RESIDENT JUDGE



Hon. Justice Mike Chibita

Hon. Justice Mike Chibita narrated the call and the mixed feelings that were dispelled on taking the Judicial Oath. He recounted the issuing changes in his personal life and the confidence created after the two week orientation of new Judges and Registrars and the induction process that was occasionally interrupted by the need to finalise work and handover former offices.

He acknowledged that as newly appointed judges they were quickly provided with motor vehicles, drivers, guards plus wigs and promised laptops, internet modems, grey books, gowns, diplomatic passports, identity cards, visiting cards. He sadly noted that unfortunately some essential items such as identity cards, laptops, internet modems and grey books had not been forth coming. He however commended administration for ensuring that the salaries were actually on the account on or around the 10th day of the month. He briefly described the chambers and work environment pointing out the late coming of the lawyers and handling of cases with litigants.

8.2.1 Challenges

The presenter summarized challenges faced by newly appointed/posted judges which included;

- a) Decision as to relocation of family.
- b) Finding suitable accommodation.
- c) Management of human resource that includes driver, body guard, three police guards among others.
- d) Frequent power outages that interrupt work.
- e) Ensuring security of the Court premises.

In conclusion the presenter remarked that justice is such a central pillar in the struggle for democracy and human dignity that in every single case we should ask whether we have done everything possible to deliver justice and to deliver it expeditiously.

8.3 PLENARY DISCUSSION

Should the record of proceedings be in ink or handwriting?

The plenary noted the need for stronger leadership by the resident judges over registrar, and magistrates in the circuit.

The plenary noted the need for a written brief on administrative responsibilities of a Resident Judge

Success of a circuit is about team work, cultivating interpersonal relationships.

The plenary noted a disconnect between the circuit

judge and magistracy. Often the judge gets to learn of problems during exercise of judicial function in appeals and revisions.

Resident judges are representatives of the principal judge in the circuits.

The resident judge is the head of the judiciary in the location; therefore the judge is in charge and does not require instructions to perform as the leader.

Practice of writing hand over reports should be emphasized.

9.0 SESSION NINE

9.1 CHALLENGES OF ENFORCEMENT OF THE LEADERSHIP CODE OF CONDUCT-LEGAL OBSTACLES

Session Chairperson: Hon. Justice L. Gidudu, Executive Director JSI

Presenter: Hon. Baku Raphael Obudra, IGG



Hon. Baku Raphael Obudra

The Acting Inspector General of Government (IGG) commenced by the legal framework for the Leadership Code of Conduct such as the Constitution and the Leadership Code Act, 2002 upon which the Inspectorate of Government relies to exercise its mandate. He regretted that recent decisions in the Courts of Judicature had, in their opinion, considerably whittled down the powers of the Inspectorate of Government to effectively and independently discharge its constitutional mandate to enforce the Leadership Code of Conduct leaving them

in a position where there is a lot of ambiguity, as the guidance offered by decided cases, in some instances seems contradictory. He made reference to the Hajji Mohammed Baswari Kezaala vs. Inspector General of Government, Jinja Municipal Council & the Electoral Commission: Miscellaneous Application No. 8 of 2009 and Eng. Thomas Mulondo vs. IGG, Kayunga D.L.G & Electoral Commission; Miscellaneous Application No. 7 of 2009 cases.

Hon. Baku asserted that the two procedures for removal, one under the Local Governments Act, Cap 243 and the other under the Leadership Code Act, 2002 are parallel and all adequately provided for by Constitutional and Statutory provisions. He cautioned that to discard all the provisions of both the Constitution and the Leadership Code Act would defeat the purpose of the framers of the Leadership Code of Conduct if the enforcement institution (Inspectorate of Government) is made subject to the institutions it is supposed to hold accountable.

He pronounced that with the decision of John Ken Lukyamuzi vs. Attorney General & the Electoral Commission; Constitutional Appeal No. 2 of 2007, Inspectorate of Government suffered its biggest setback in its exercise of the mandate of enforcement of the Leadership Code Act. He argued that Article 230 (2) gives the Inspector General of Government powers to give orders and directions as he/she deems fit in the circumstances, during or as a consequence of his/her findings through investigations. Their view is that due consideration may not have been accorded to the nature of the institution and the importance of Article 42 of the Constitution and Section 32 of the Leadership Code Act. They also hold the view that the provisions of Sections 1 & 2 of the Constitution (Consequential Provisions) Act, Cap 1, Laws of Uganda, which provides for enforcement during transitional periods could have been accorded more weight in making this decision.

Consequently, the presenter stated, the enforcement of the Leadership Code of Conduct is paralysed, until Parliament enacts the law to establish the Leadership Code Tribunal and the Tribunal is actually established, or the Supreme Court departs from that judgment.

He wrapped up hoping that in as much as the Supreme Court is the final court of the land; an opportunity would arise for it to review the judgment in John Ken Lukyamuzi's case. He informed participants that they were working with other stakeholders to expedite the process of amendment of the Leadership Code Act, to provide for the Leadership Code Tribunal. Additionally, the enactment of the Anti Corruption Act, 2009 has criminalised most of the conducts that were prescribed

under the Leadership Code Act, 2002, as breaches of the Code thus providing a means of bringing big errant leaders to book.

9.2 PLENARY DISCUSSION

The various ways of handling complaints include;

i. Investigations, police style.

ii. Inquiry: principles of leadership code must be complied with, i.e, observe principles of natural justice.

iii. Inquiry envisages fair hearing, notwithstanding statutory powers of IGG Act.

Powers under IGG Act and Leadership Act are mixed up during implementation.

Resort to court for removal of leaders in breach.

10.0 SESSION TEN

10.1 COURT OF APPEAL/ CONSTITUTIONAL COURT

Session Chairperson: Hon. Justice G.M Okello JSC

Presenter: Hon. Justice A.E. N.Mpagi Bahigeine JA

Session objective: To enable the presenter inform the participants about the performance of the court as a first Appellate and Constitutional Court.



The Hon. Deputy Chief Justice A.E.N Mpagi Bahigeine JA

The DCJ Hon. Justice Mpagi-Bahigeine presented a paper on the performance of the Court of Appeal as a first appellate Court as well as a first Constitutional Court. She appraised the participants on the establishment and composition of the Court and requested the appointing authority to consider the dire need for more judges to enable them perform optimally.

On the business of the Court, the Lady Justice informed the forum that 7 sessions were held with two unprecedented sessions in Gulu and Mbarara where 51 cases were listed with 48 completed and 79 cases listed with 69 completed and 8 fixed for judgement notice respectively. She commended the quick win strategy and support from JLOS that enabled the Court to complete a good number of criminal cases that constituted backlog. She mentioned that among pending criminal cases, 278 are backlog while 618 are without High Court records. She noted that some of the trial Judges in the High court moved with files from Circuits to High Court or their next stations increasing chances of misplacement and called for resolution of this issue. The Court performance statistics is summarised in the table below;

Table 9: Court Performance Statistics Report 2010

No.	Case type	B/F	Registered	Completed	Pending hearing
1	Civil Appeals	351	103	58	396
2	Civil Application	424	231	69	601
3	Election Petition Appeals	6	1	0	7
4	Election Petition Applications	8	2	0	10
5	Constitutional petitions	41	55	8	88
6	Constitutional applications	31	73	11	93
Total performance		863	465	149	1179

Other successes the speaker mentioned were:-

- Participation in various conferences/seminars by justices of appeal and the Registrar.
 - Adoption of the Quick Win Strategy that saw 71 cases cause listed, 68 completed.
 - Posting of 4 research assistants that reduced the research burden of the Justices of appeal.
- She thanked the Secretary to the Judiciary and JLOS for the financial support and observed that though the challenges of the court have been recited at various fora, they have largely remained unattended to. She continued to cite the following challenges:-
- Few numbers of Justices of Appeal limiting the disposal of cases.
 - Lack of adequate/qualified number of secretaries causing the delay in the preparation of proceedings for appeals.
 - Limited space in archives/records, hardly holding the number of records.
 - Lack of pool vehicle limiting mobility of staff.
 - Few numbers of research assistants and need for laptops to facilitate their work.

10. 1. 1 Way Forward

As a way forward, she requested that the Appointing Authority be continually reminded to increase the number of Justices. She informed participants that a session to be held in Mbale had been planned. She proposed ways to decongest the Archives and Registry.

She wound up by thanking their Lordships the Justices of Appeal, the Registrar and entire staff for the spirit of team work in the performance of duties at hand.

11.0 SESSION ELEVEN

11.1 SUPREME COURT

Presenter: Hon. Justice J.W.N Tsekooko JSC

Session objective: To enable the presenter to inform the participants about the performance of the final appellate court. Hon. Justice J.W.N Tsekooko JSC

The speech was presented by the Hon. Mr. Justice Tsekooko on behalf of the Hon. Chief Justice. The Hon. Justice began by listing all seven members of the Supreme Court. He informed the meeting that the court

has two Registries; the Civil and Criminal registries dealing with civil appeals and applications as well as serving as registry for constitutional matters and election appeals matters and criminal appeals and applications respectively. The court also has a Finance committee to oversee management of Supreme Court funds and the Peers committee to ensure observance of ethical standards by Justices of the Supreme Court.

The presenter then outlined the operations of the court as follows;

i. Management of Appeals – This is the Supreme Court’s constitutional mandate guided by principles set out in clause (2) Article 126 of the constitution.

ii. Annual Calendar System of Session - enables the Court to plan its work in advance.

iii. Court Sessions for 2010 – Nine sessions were scheduled but less were held due to lack of Coram and inadequate funding. Also in part because two of the Judges could not participate in the appeals as they had risen in part from the decisions in which they had participated while members of the Court Appeal.

iv. Summaries of Facts for each appeal – Summaries of facts for each appeal are done before pre-hearing conference. The duty is currently assigned to the three research assistants under the supervision of the Ag. Registrar. A summary of the facts of an Appeal inter alia enables members of the Court to get an over view of the Appeal before the hearing.

v. Pre-hearing Conference - is analogous to scheduling conference for trial courts. Its presided over by one Justice of the Supreme Court in a bid to thrash out various matters and causes that are cause listed after the conference are heard.

vi. Monthly Status Reports - are an appeal tracking procedure in case management. They are meant to provide relevant information about Supreme Court caseload and are generated by the Registrar of the Court.

vii. Maintenances of Library, Registries and Archives - The relocation of the Supreme Court from Mengo to Kololo is still incomplete as such the library, Registries and Archives have no shelves leaving them exposed to damage. The manager of Estates and procurement was called upon to look into this.

viii. Appeals and Records of Appeal - The institution of Appeals is regulated by law; in case of Criminal Appeals the appellant should lodge notice of an Appeal to Court of Appeal. In Capital offences notice should be lodged immediately after the Court of Appeal

confirms a conviction and sentence. However, it was noted that getting these records to the Supreme Court continues to be difficult.

ix. Civil Appeal - Proper procedure should be followed in filing Civil Appeals, Election Petitions and Constitutional Appeals. There has been abuse and disregard of this process in the past which leads to submission of irrelevant or insufficient information in the Appeals. Unfortunately advice and warnings from the bench has not helped.

x. Presentation of Written Arguments - The rules and guidelines set in 2005 as Practice Directions by the Chief Justice should be strictly followed when submitting written statements/ arguments. However many advocates have not followed this and these infringements caused a lot of inconveniences especially during hearings.

xi. Statistics - A summary of the caseload at the Supreme Court covering criminal appeals, criminal applications, civil appeals, civil applications, constitutional applications and references was presented.

xii. Publication and Circulation of Court Judgements and Rulings- The Supreme Court sends electronic copies and hard copies of its judgments and rulings to lower Courts, LDC, lawyers and other interested persons on annual basis. These are also accessible at www.saflii.org and www.ulii.org for international community and other interested persons.

11.1.1 Challenges

The presenter drew attention to the following challenges to the Court;

1. There is a need to furnish the newly created Court hall.
2. Inadequate facilities. The court is currently housed in rented premises in Kololo and being a suburb transportation to and fro especially for support staff is a big challenge.
3. There is a need for new computers with UPSs and printers to replace the missing and obsolete ones as well as faster internet connection.
4. Lack of Coram in constitutional Appeals, as two Justices had been part of decisions taken on petitions from which some constitutional appeals arose.
5. Majority of the Supreme Court staff need training on time management, case management and ethical conduct. Some Justices are without proper secretaries.

11.1.2 Forward Planning

The Justice told the participants that 7 sessions to hear appeals and applications are planned for 2011. Two of which will hear 30 criminal appeals whose records have been received for the Court of Appeal. He concluded looking forward to a quick response to its pleas for installation of CCAS, sufficient Court recording equipment, computers and other required equipment to ensure efficiency in performance.

11.2 PLENARY DISCUSSIONS

A participant noted the volume of work in the court of appeal and constitutional court was huge, and suggested practice of borrowing judges from the high court in constitutional references.

Participants wanted to know when a bill becomes law after submission to the president and no action is taken within reasonable time.

Does a reference to the constitutional court operate as a stay in the lower court?

Ethical issues: need to establish linkages with JSC to deal with indiscipline.

Civil appeals : need to roll out upcountry

Useless materials: need for training of lawyers.

Backlog in the court of appeal:

Need for more appointments to the court of appeal.

Promotion to the Supreme Court, There is a need to create incentives for Court of Appeal justices in case going to the Supreme Court renders them redundant.

There was a challenge of records, misplaced files, and Prisoners serving sentences before the appeal is heard that was noted.

Inverters were proposed as alternative power for court buildings

Records of proceedings, Judges should not move with files after completion of the cases.

13.0 SESSION TWELVE

13.1 MANAGING RETIREMENT

By Bwisho Michael - Internationally Certified Coach, Coach and Management Consultant

Session objective: To sensitise participants on life after retirement



Mr. Bwisho Michael

Mr Bwisho stated that the purpose of the presentation was to refresh the participants' knowledge about their own plans, equip them with necessary expertise to deliver future purpose and to shape their future at psychological, financial and professional levels. He went on to define retirement as a cessation of employment or opting out of the labour force and said the commonest motivation for retirement is eligibility to private or public pension benefits. Illness and accidents and employer policy change can also lead to retirement. In this regard he surmised that retirement is discussed in the context of employees. He continued that conditioned by the school system to be employees there is bewilderment when weaned from the job market. He advocated for career transition that is essentially empowerment, staying power and comeback power.

The presenter highlighted some aspects about life and gave some indications on reality checks. He presented some comparative in the East Africa region on GDP, laziness and corruption which showed Uganda to be fairsing poorly. He stated that in the 1994-1998 Uganda's Civil service Reform the total work force in the civil service was 360,000 and total workforce retrenched 200,000. In 5 years 38% of those retrenched had died, 36% were jobless and 26% were in the SME sector.

He drew attention to five determinants of career transition, emphasized stock taking (friends, family, health, spiritual, work) and list of pertinent questions to ask. He stressed reform of the thought cycle and the need to change because times change while taking decisions is imperative in determining destiny. He pointed out where to start and the need to watch your words, become actions. He ended saying "If you can, start a business before you retire."

14.0 SESSION THIRTEEN

14.1 TOWARDS A JUDICIAL PERFORMANCE EVALUATION FRAMEWORK

Session Chairperson: Hon. Justice S. Kavuma JA

Presenter: Mr. Wilberforce Turyasingura

Session objective: To sensitise the participants on the importance of evaluating performance



Mr. Wilberforce Turyasingura (PHD)

The presenter, Dean, School of Business, Productivity and Competitiveness, Uganda Management Institute started with a discussion on Performance Management (PM) in general before concentrating on performance evaluation with specific reference to the judiciary. He acknowledged the scanty of information in respect of Judicial Performance Evaluation (JPE) in the developing countries, much less in Africa hence basing the bulk of the discussion on literature reviewed from the USA, Scandinavian countries and some commonwealth countries such as Australia and New Zealand.

He noted that JPE is constrained by reluctance of Judges to compare their work with that of other civil servants, arguably because of the inherent differences in the nature of the work thus consider evaluations imposed by the executive arm of government or the public as a breach on the doctrine of separation of powers, and interference with judicial independence. He went on to outline the three forms of Judicial performance evaluation as judicial performance evaluation in terms of judicial accountability and appellate review, analysis of judicial attributes, and judicial activity especially case management initiatives.

He then analysed the merits and demerits of each aspect from Uganda's context saying, the traditional understanding of open justice is illusory as very few people in Uganda have the capacity to litigate let alone follow up on the reasons behind specific judgments. Few people visit courts, and only a few can read and understand the legal technical language. In addition, the practice of representative juries is also on the decline. These reasons make the concept of public scrutiny and open justice a myth. The second aspect relates to judicial performance evaluation based on individual judge's attributes. No doubt that performance of individual judges contributes to the overall performance of the judiciary and judicial performance can not be divorced from the performance of individual judges. Judges stand to benefit from this mechanism by way of getting feedback which in-turn translates into performance improvement interventions. Thirdly, although the court and administrative measurement appears to be holistic and aggregates performance measurements, it does not provide an opportunity for tackling performance problems at individual levels which ideally constitute the linchpin for overall organisational performance.

He outlined the benefits of judicial performance evaluation as:-

- Informing both the public and the courts about the strengths and weakness of individual judges, and educating the public about the roles of judges generally and has the potential to minimize attacks on judicial impartiality and independence by focusing on process-oriented judicial skills away from specific case outcomes.
- JPE provides an objective feedback on the performance of judges based on measurable indicators as well as a basis for professional development and training of judges, and on an individual judge level.
- From the national economic perspective, JPE has the potential of promoting ethical standards in the delivery of justice thereby promoting law and order which is a pre-requisite for national stability.

The speaker briefed the participants on the current state of judicial performance evaluation which he said follows a hierarchical pattern imposed by the structure of the judiciary and cascades downwards from top to down through various layers with performance standards premised in the judicial code of conduct that stresses the core principles of independence, integrity, impartiality and competence.

The presenter discussed the need and nature of a Judicial Performance Evaluation framework with emphasis on promotion of law and order through dispensation of quality and timely justice resulting in improved public confidence and good governance and would;

- Enable stakeholders to evaluate the performance of the judiciary
- Be instrumental in monitoring the impact of judicial reforms and other interventions in the judicial sector for improving performance
- Provide the judicial service commission and other administrative organs with performance data for policy and management decision making and;
- Provide development partners with data on the effectiveness of their support to the judicial sector.

He stressed that the core components of the JPEF is the Key Performance Indicators (KPIs) upon which data will be collected and analyzed. He posed the question on whether judges be evaluated based on the degree of their efficiency or on the quality of their services and whether it possible to deliver quality justice in an efficient manner? He cautioned that the judiciary should not insulate itself from the tendency of the executive power to place more emphasis on the efficiency models for indicators of performance but rather embrace the value for money philosophy is through case management in which judges should be very concerned about the efficiency and effectiveness of court procedures.

The accentuated that establishment of a Judicial Performance Evaluation Framework requires a transition in the mindset of those in leadership and management to support the collection and usage of performance evidence in decision making processes and calls for a fundamental shift in the organisational culture and judicial officer's behaviour, awareness building and sensitization of all stakeholders involved in the dispensation of justice and creation of incentives for the key actors involved in data collection at service delivery points.

Lastly he postulated that Judicial performance evaluation is a complex task set against the judicial conservatism, threat of executive intervention, and complicated methodological issues that cannot stand in the vacuum, but requires a well primed performance

management system complete with a supporting performance culture. He said the success of any judicial performance evaluation initiation largely depends of the acceptance levels of the judicial officers, resource availability and capacity building especially in information management, analysis and interpretation.

14.2 PLENARY DISCUSSIONS

A member stated that the concept is desirable as long as judicial independence is preserved.

Members wanted to know which body will oversee performance evaluation self, JSC, public.

Incremental system is an incentive that ought to be considered.

There is a need to factor judicial experience in promotion.

Should the JSC become the body to oversee judicial performance.

A member suggested that evaluation should be based on objective indicators of performance.

15.0 SESSION FORTEEN

15.1 REPORT OF THE JUDICIAL INTERGRITY COMMITTEE

Session Chairperson: **Hon. Justice Dr. E. M. Kisaakye, JSC**



Presenter: Hon. Justice G.M. Okello, JSC

Justice Okello based his presentation on findings of the 5th monitoring exercise conducted by JIC on the impact of the interventions put in place to promote integrity in the Judiciary. The committee, he said, visited 8 places in central region, 5 in western region, six each in eastern and northern region. He outlined the objectives and methodology of the study and summarised the findings as follows;

i. Judicial Performance

- Bail was the commonest complaint across the country. The judicial officers were either abusing their discretion on application for bail or simply did not have the necessary competence to exercise it.

- Mandatory bail after 60 and 180 days was not observed in some places causing congestion in prisons.

- Refund of bail money was a major complaint with cash bail not paid to the bank or not receipted.

ii. Land Justice – the complaints were on judicial officers decisions on land matters without visiting the “locus in quo”.

iii. Delays either in disposal of cases, particularly civil and land matters or in judgement is a chronic problem.

iv. Political interference political interference especially in land matters was widely reported.

v. Corruption/Extortion was reported with glaring examples in Kitgum, Lira and Apac given.

vi. Drawing Court documents by court clerks at a fee was reported in Iganga and Jinja.

vii. Transfer of undisciplined officers from one area to another without any disciplinary action taken.

viii. Frequent adjournments that caused delays in disposal of cases and frustrated witnesses leading to miscarriage of justice.

ix. Part heard cases – judicial officers on transfer did not bother to complete part-heard cases before leaving the station causing general delays in the entire system.

x. Management of bailiff’s operations – conduct of court bailiffs is still a menace to the litigants.

xi. Congestion of prisons – delays by some Chief Magistrates to report to the station resulted in increase of the number of remand prisoners that led to congestion of prison.

xii. Long distance between prison and court - In some places the distance from prison to court was over 8 kms with no transport hence the prisoners had to walk.

xiii. Unethical behaviour of judicial officers – these included acts like habitual drinking, chain smoking, delay to supply record of proceedings and connivance to cheat litigants.

xiv. Failure by judicial officers to supervise court clerks - Unbecoming conduct such as mismanagement of registries, poor time management and outright case of insubordination, was reported.

However, some improvements in judicial performance were noted in some places.

15.1.1 Recommendations

The presenter suggested recommendations to cover weaknesses in judicial performance, unethical conduct of some errant judicial officers and support staff and lack of knowledge by the public of court procedure and process. These included;

i) Judicial performance

- Land cases should be given special attention akin to “quick win” approach.

- Engage other arms of the state to secure maximum cooperation in the disposal of land matters.

- Enhance staff levels to ensure equitable distribution of justice delivery.

- Split large magisterial areas for effective management and justice service delivery.

- Training in case management and other appropriate strategies to address rampant delays is case disposal, file losses, poor time management, weak administration and supervision in most upcountry courts.

- Engage and lobby stakeholders like JLOS to provide remand facilities for juveniles where they are badly needed.

ii) Judicial Ethics and Integrity

- Take strong disciplinary measures against errant judicial officers.

- An internal disciplinary committee, as a support strategy to Judicial Service Commission/Public Service Commission be set up to address the high level of complacency especially among errant staff.

- Inspectorate of courts should be further strengthened to cover superior courts as well.

- Working ties of Inspectorate of Courts and Judicial Integrity Committee should be linked and harmonised and headed by a Justice of the Supreme Court.

iii) Ethical Conduct of the Judiciary Support staff

- Regular counselling, coaching and mentoring programmes should be initiated to change the behaviour and attitudes of this category of staff.
- Standard forms be circulated to all courts for use of unrepresented litigants.

iv) Public awareness Programme

- The Public Relations Officer extending his activities countrywide by linking up with up country Chief Magistrates and Registrars to carry out sensitisation programmes.
- Flyers and other materials in English and major local languages outlining basic court procedures, processes and values of the judiciary should be produced and regularly distributed to the public.

He concluded hoping that the public image of the Judiciary would be improved and public confidence in the judicial system enhanced.

16.0 SESSION FIFTEEN**16.1 NUTRITION AND HEALTH LIVING**

Session Chairperson: Hon. Justice M. Byabakama

Presenter: Dr. Sali

Session objective: To sensitise the participants on issues of nutrition and health



Dr. Sali

The speaker presented a paper entitled “Health is Wealth” saying health is a perfect balance between man and his environment. He highlighted the functions and values of air, water, rest, sunlight, exercise, positive thinking, food and colon irrigation. He informed the participants that while the body can go for up to 40 days without food and 4 days without water, 3 minutes without oxygen causes brain damage and 5 minutes without it usually causes death. He advised that a person should drink at least 8 glasses of water a day to stay refreshed and healthy. He said that rest allows the body to recover and sunlight is one of nature’s most powerful healing agents. He advised that exercise improves mental health and general sense of wellbeing while positive thinking affects health in a positive manner. He further advised on foods to avoid and healing food. He recommended eating less late in the day and internal cleansing especially where dietary choices are poor and environmental pollution heavy.

17.0 SESSION SIXTEEN**17.1 OFFICIAL CLOSING**

Session Chairperson: Hon. Chief Justice

Guest of honour: Hon. Minister of Justice and Constitutional Affairs and Attorney General, Dr. Kiddu Makubuya



Dr. Kiddu Makubuya

The conference was officially closed by the guest of honour at 3 pm after the adoption of recommendations, resolutions and best practices that emerged from 5 days of deliberations.

18.0 RESOLUTIONS, RECOMMENDATIONS AND BEST PRACTICES

At the end of the conference the following were the resolutions, recommendations and best practices:

1	It is recommended that the Judiciary should acquire vehicles for official use by Registrars and Administrative officers.	
2	Management should first ensure that there are facilities like court accommodations in new districts before a Judicial officer is posted.	
3	All courts should be adequately staffed.	
4	It was resolved that effective next financial year, the Secretary to Judiciary in consultation with the Hon. Chief Justice operationalise the medical insurance scheme for Judges.	
5	Management should install generators and/or solar panels at courts to ensure that court business does not stall during load shedding.	
6	It is recommended, retiring Judges should retire with full benefits to minimize hardships during retirement. In this regard, it is important to enact a separate law governing pension terms for Judges.	
7	The Administration of Justice bill should be expedited.	
8	The Judiciary should take firm steps to discipline errant officers among its fold.	
9	Judicial officers should ensure that judgments are delivered within 60 days as provided for in the judicial code of conduct.	
10	There should be constant information and communication between the headquarters and the circuits.	
11	All new legislation and rules should be circulated to Judicial Officers as a matter of urgency to update them.	
12	It is recommended that there be regular Bar-Bench forums to harmonize delivery of Justice.	
13	Constitutional references be expeditiously disposed off.	
14	It was emphasized that Resident Judges being the more Senior Judicial officers in the Circuit should take full charge and provide leadership to the Judicial and Non Judicial staff in the Circuit.	
15	It is recommended that officers at all levels should write handover reports upon being transferred as required by public service regulations.	
16	It is recommended that inter agency interactions continue in order to weed out non-starter criminal cases in the system.	
17	It is recommended that a law on plea bargaining be enacted to harmonise and standardize procedures for its application.	
18	It is recommended that the ICT sector provides appropriate continuous training to all Judges, Judicial officers and Court staff to enhance their ICT skills.	
19	It is recommended that the Judiciary protects and maintains the investment it has made in ICT throughout the country.	
20	It is recommended that the Judiciary operationalises CCAS in all courts to ensure efficiency in case management.	
21	Land cases should be given special attention akin to the “quick win” approach with necessary logistics for visiting locus in quo.	
22	All staff and officers in the Judiciary should plan and prepare for retirement.	
23	The Judiciary should operationalize a Judicial performance evaluation framework	

19.0 CONFERENCE GUEST LIST

Names	
The Right Hon. Prof. Apolo Nsibambi	Guest of Honor
The Hon. Justice Benjamin Odoki	Chief Justice
The Hon. Justice Alice Bahigeine	Deputy Chief Justice
The Hon. Justice Yorokamu Bamwine	Principal Judge
Supreme Court	
Hon. Justice J.W.N Tsekooko	Justice of the Supreme Court
Hon. Justice Bart Katureebe	Justice of the Supreme Court
Hon. Justice G.M Okello	Justice of the Supreme Court
Hon. Justice Christine Kitumba	Justice of the Supreme Court
Hon. Justice Jotham Tumwesigye	Justice of the Supreme Court
Hon. Justice Dr. E. Kisakye	Justice of the Supreme Court
Court of Appeal	
Hon. Justice G. Steven Engwau	Justice of Appeal
Hon. Justice Amos Twinomujuni	Justice of Appeal
Hon. Justice C. K Byamugisha	Justice of Appeal
Hon. Justice Steven Kavuma	Justice of Appeal
Hon. Justice Augustus Nshimye	Justice of Appeal
Hon. Justice Stella Arach Amoko	Justice of Appeal
Hon. Justice Remmy Kasule	Justice of Appeal
High Court	
Hon. Justice John Patrick Tabaaro	Judge of the High Court
Hon. Justice J.B A. Katutsi	Judge of the High Court
Hon. Justice Edmund Sempa Lugaiyizi	Judge of the High Court
Hon. Justice V. F Musoke-Kibuuka	Judge of the High Court, Masaka
Hon. Justice Peter Kermit Onega	Judge of the High Court
Hon. Justice Moses Mukiibi	Judge of the High Court
Hon. Justice Dan Akiiki Kiiza	Judge of the High Court
Hon. Lady Justice Caroline Atima Okello	Judge of the High Court
Hon. Justice D.K. Wangutusi	Judge of the High Court
Hon. Justice Eldad Mwangusya	Judge of the High Court
Hon. Justice Rubby Aweri Opio	Judge of the High Court
Hon. Justice A. F Rugadya Atwoki	Judge of the High Court
Hon. Justice Paul Kahaibale Mugamba	Judge of the High Court
Hon. Justice Vincent Tiwangye Zehurikize	Judge of the High Court
Hon. Justice Lameck Nsubuga Mukasa	Judge of the High Court
Hon. Justice Geoffrey Kiryabwire	Judge of the High Court

Hon. Justice Stephen Musota	Judge of the High Court, Mbale
Hon. Justice Ezekiel Muhanguzi	Judge of the High Court
Hon. Justice Margaret Oumo-Oguli	Judge of the High Court, Soroti
Hon. Justice Lawrence Gidudu	Judge of the High Court, Jinja
Hon. Justice Joseph Murangira	Judge of the High Court
Hon. Justice Alphonse Owiny Dolo	Judge of the High Court
Hon. Justice Benjamin Kabiito	Judge of the High Court
Hon. Justice Elizabeth Musoke	Judge of the High Court
Hon. Justice Ralph Ochan	Judge of the High Court, Masindi
Hon. Justice Singh Choudry	Judge of the High Court
Hon. Justice Mugenyi Byabakama	Judge of the High Court, Fort Portal
Hon. Justice J.W Kwesiga	Judge of the High Court, Kabale
Hon. Justice Irene Mulyagonja	Judge of the High Court
Hon. Justice Jane Kigundu	Judge of the High Court
Hon. Justice Ibanda Nahamya	Judge of the High Court
Hon. Justice Dr. Andrew Bashaija	Judge of the High Court, Mbarara
Hon. Justice Catherine Bamugemereire	Judge of the High Court
Hon. Justice Mike Chibiita	Judge of the High Court, Masaka
Hon. Justice Christopher Madrama	Judge of the High Court
Hon. Lady Justice Monica Mugenyi	Judge of the High Court
Hon. Justice Billy Keinamura	Judge of the High Court
Hon. Justice Wilson Masalu Musene	Judge of the High Court, Lira
Hon. Justice Yasin Nyanzi	Judge of the High Court, Arua
Hon. Lady Justice Percy Night Tuhaise	Judge of the High Court
Hon. Lady Justice Hellen Abulu Obura	Judge of the High Court
Hon. Lady Justice Flavia Senoga Anglin	Judge of the High Court
Registrars	
H/W. Wolayo Henrietta	Reg. Inspector of Courts
H/W. Godfrey Namundi	Reg. Planning and Development
H/W. Henry Peter Adonyo	Reg. HCT
H/W. Byaruhanga Roy Martin	Reg. Research and Training
H/W. Asaph Ruhinda	Reg. COA
H/W. Kisawuzi Omari	Public Relations Officer
H/W. Opesen Thadeus	Ass Reg. IOC
H/W. Segirinya J.B	Reg. Masaka
H/W. Jane Elizabeth Alividza	Dep. Reg. IOC
H/W. Nakibule Kisekka Gladys	Dep. Reg. Commercial Court
H/W. Gadenya Paul Wolimbwa	JLOS

H/W. Keitirima John Eudes	Dep Reg. ACD
H/W Kabanda Elizabeth	Dep Reg. SC
H/W. Batema N.D.A	Dep Reg. Family
H/W. Ochepea John Arutu	Deputy Reg. Commercial Court
H/W. Muse Musimbi	Ass Reg. Jinja
H/W. Opifeni G	Ass Reg. Lands
H/W Cissy Mudhasi	Ag. Ass. Reg. Supreme Court
H/W. Muwata Isaac	Deputy Reg. Civil
H/W. Tadeo Asiimwe	Ass. Reg. Gulu
H/W Margaret Mafabi	Deputy Reg. Masindi
H/W Onyer Robert	Deputy Reg. Soroti
H/W Maragaret Tibulya	Deputy Reg. Criminal
H/W Lillian Mondha	Ass. Reg. Mbale
H/W. Deo Nizeyimana	Ass. Reg. Court of Appeal
H/W. Muhumuza Didas	Ass. Reg. Arua
H/W. P.P Okello	Deputy Reg. Lira
H/W. Chemutai Tom	Deputy Reg. Mbarara
H/W. Festo Nsenga	Ass. Reg. Nakawa
H/W. Waninda K	Ass. Reg. F/ Portal
H/W Harriet Salli Harriet	Ass Reg. Family
H/W. Twinomuhwezi J	Ass. Reg. Kabale
H/W. Emokor Samuel	PA CJ
H/W Nkonge Agnes	PA DCJ
H/W. Ajiji Alex	PA PJ
H/W Mugala Jane	Law Reporting Officer
Administrators	
Mrs. Dorcas W. Okalany	Secretary to Judiciary
Mr. Muhindo E.	Under Secretary
Mrs. Byaruhanga Eve Kabasindi	PAS
Mr. Kikabi David	Senior Information Technology Officer
Mr. Wajambuka G	Principal Personnel Officer
Eng. Ebal Christopher	Estates Manager
Mr. Tuhimbise Valerian	Training Officer
Mr. Eceret James	Senior Economist
Mr. Juuko Richard	Transport Officer
Mr. Okurut Felix	Research Officer
Mr. Mutamba Joseph	SPO
Mr. Senyonjo Herbert	Senior Librarian

Mr. Semwogerere Robert	SAS
Nahabwe Linard	AS
Mr. Yeka Emmanuel	SAD ICTT
Mr. Hirya Lazarus Steven	AA
Others	
Mr. Butera Richard	DPP
Mr. John Mary Mugisha	JTC
Mr. Kyerere Bruce	JTC
Mr. Araali Muhirwa	JTC
Dr. Kyemba Henry	JTC
Amos Ngolobe	DPP
Official Opening / Guests	
Attorney General	
The Chairperson, Law Reform Commission	
The Secretary JSC Mr. Kawesa	
The Director, FHR	
The Technical Advisor HUGGO	
The RDC Mbale	
The CAO Mbale	

20.0 CONFERENCE PROGRAMME

DAY 1 SUNDAY 16TH JANUARY 2011	
5.00 p.m.	Judges and Registrars check in at Mbale Resort Hotel ,Mbale
DAY 2 MONDAY 17TH JANUARY 2011	
8.00 – 8.30 a.m.	SESSION ONE Registration of Participants
8.30- 8.50 a.m.	Administrative Announcements
8.50- 9.20 a.m.	Remarks by the Executive Director , JSI
9.20 am - 9.50 a.m.	Remarks from the Chairman, JTC
9.50 – 10.30 a.m.	Address by the Honourable the Chief Justice
10.30 – 11.10 a.m.	Key Note Address by the Rt. Hon Prime Minister Prof. Apollo Nsibambi, Guest of Honor Group Photograph
11.10 – 11.50 a.m.	HEALTH BREAK

11.50 – 12.30 p.m	<p>SESSION TWO</p> <p>Resources, Finance and Administration in the Judiciary: Performance for 2010/2011</p> <p>Speaker: Mrs. Okalany W. Dorcas, Secretary to the Judiciary</p> <p>Chair: Hon Justice E. Mwangusya</p> <p>Session Objective :</p> <p>To enable the Secretary to the Judiciary to inform the participants about Administration and Finance management in the Judiciary.</p>
12.30 – 1.00 p.m.	Discussions Leading to Recommendations
1.00 – 2.00 p.m.	LUNCH
2.00 - 5.00 p.m.	<p>SESSION THREE</p> <p>Judges meeting</p> <p>Chair : The Hon the Chief Justice</p> <p>Session Objective :</p> <p>To raise and discuss issues impacting on Judicial services as a means to improve service delivery and terms and conditions of service</p>
6.00 p.m.	Cocktail
DAY 3 TUESDAY 18TH JANUARY 2011	
09.00 - 9.40 a.m.	<p>SESSION FOUR</p> <p>Impact of Reforms on overall performance in the High Court and Magistrates Courts 2010 and Way Forward</p> <p>Session Objective :</p> <p>To give the participants an overview of the performance of High Court for the year 2010 in the context of the JLOS quick wins strategy.</p> <p>Speaker: The Hon. The Principal Judge</p> <p>Chair: Hon Justice Amos Twinomujuni, JA</p>
9.40 – 10.10 a.m.	Discussion leading to recommendations and best practices.
10.10 – 10.50 a.m.	<p>Court of Appeal/Constitutional Court: Performance, Successes, Challenges, Reforms and Way Forward.</p> <p>Session Objective :</p> <p>To enable the presenter to inform the participants about the performance of the court as a first Appellate Court and a Constitutional Court.</p> <p>Speaker: The Hon the Deputy Chief Justice.</p> <p>Chair: Hon Lady Justice C.B.N. Kitumba, JSC</p>
10.50 – 11.20 a.m.	Discussion leading to recommendations and best practices
11.20 - 11.50 a.m.	HEALTH BREAK
11.50 - 12.30 p.m	<p>SESSION FIVE</p> <p>Supreme Court: Performance, Successes, Challenges, Reforms and Way Forward.</p> <p>Session Objective :</p> <p>To enable the presenter to inform the participants about the performance of the final appellate court.</p> <p>Speaker: Hon Justice J.W.N. Tsekooko, JSC</p> <p>Chair: To be Announced</p>
12.30 – 1.00 p.m.	Discussion leading to recommendations and best practices

1.00 – 2.00 p.m.	LUNCH
2.00 - 5.00 p.m.	<p>SESSION SIX</p> <p>Resident Judges meeting</p> <p>Chair : The Hon the Principal Judge</p> <p>Session Objective :</p> <p>To raise and discuss issues affecting performance in High Court Circuits as a means to improve service delivery.</p>
DAY 4 WEDNESDAY 19TH JANUARY 2011	
8.30. - 1.00 p.m.	<p>SESSION SEVEN</p> <p>Performance of High Court Divisions 2010 and Way Forward (Successes, Challenges, and plans for Divisions/Circuits).</p> <p>Session Objective :</p> <p>To enable Heads of Divisions and Resident Judges report on the performance of High Court Divisions /Circuits and plans for improvement. (Presentations to be supported by statistics, which should include status of cases).</p> <p>Chair: Hon Justice Y. Bamwine, The Hon the Principal Judge</p>
8.30 - 8.50 a.m.	<p>Anti Corruption Division: Performance, Successes, Challenges, Reforms and Way Forward.</p> <p>Presenter : Head of Division</p>
8.50 - 9.10 a.m.	<p>Criminal Division: Performance, Successes, Challenges, Reforms and Way Forward.</p> <p>Presenter : Head of Division</p>
9.10 - 9.30 a.m.	<p>War Crimes Division: Current Status, War Crimes Act, Performance, Successes, Challenges, and Way Forward.</p> <p>Presenter : Head of Division</p>
9.30 – 10.00 a.m.	Discussion leading to recommendations and best practices.
10.00 – 10.30 a.m.	HEALTH BREAK
10.30 – 11.10 a.m.	<p>SESSION EIGHT</p> <p>Information Technology: Current trends and Developments in the Judiciary</p> <p>Session objective</p> <p>To update the participants on the current ICT initiatives in the Judiciary.</p> <p>Presenter: Mr. David Sunday Kikabi, Ag. PITO</p> <p>Chair :Hon Justice G. Kiryabwire</p>
11.10 – 11.40 p.m.	Discussion/Recommendations
11.40 – 12.00 p.m.	<p>SESSION NINE</p> <p>Commercial Division: Performance, Successes, Challenges, Reforms and Way Forward.(A glimpse at the Contracts Act 2010)</p> <p>Presenter: Head of Division.</p>
12.00 - 12.20 p.m.	<p>Civil Division: Performance, Successes, Challenges, Reforms and Way Forward.</p> <p>Presenter : Head of Division</p>
12.20 - 12.40 p.m.	<p>Family Division: Performance, Successes, Challenges, Reforms and Way Forward.</p> <p>Presenter : Head of Division</p>

12.40 – 1.00 p.m.	Land Division: Performance, Successes, Challenges, Reforms and Way Forward. Presenter : Head of Division
1.00 - 1.30 p.m.	Discussions Leading to Recommendations
1.30- 2.30 p.m.	LUNCH
2.30 – 3.10 p.m.	Managing a High Court Circuit - Performance, Successes, Challenges, Reforms and Way Forward. Presenter: Hon Justice Lawrence Gidudu, Executive Director, JSI
3.10 – 3.50 p.m.	Reflections of a newly posted Resident Judge Presenter: Hon Justice Mike Chibita, Resident Judge Masaka.
3.50 – 4.20 p.m.	Discussion leading to recommendations and best practices.
4.20 – 5.00 p.m.	SESSION TEN Managing Stress Session Objective : To sensitize the participants on the latest developments on the causes of stress, and how to manage stress. Presenter : Dr Basangwa, Chair : Hon Lady Justice Irene Mulyagonja
5.00 – 5.30 p.m.	Discussions
DAY 5 THURSDAY 20TH JANUARY 2011	
8.30 - 09.0 a.m.	SESSION ELEVEN Managing retirement Session Objectives : To sensitize Judges on life after retirement. Presenter: IFE Consultants Chair: Hon Justice P.K. Mugamba
9.00 – 9.30 a.m.	Discussion
9.30 – 10.00 a.m.	SESSION TWELVE Judicial Performance Evaluation Session Objectives To sensitize the participants on the importance of evaluating performance. Speaker: Mr. Turyasingura Wilberforce, Consultant- Uganda Management Institute Chair: Hon Justice Jotham Tumwesigye, JSC
10.00 - 10.30 a.m	Discussion
10.30 - 11.00 a.m.	HEALTH BREAK
11.00 – 11.40 a.m.	SESSION THIRTEEN East African Community Common Market Protocol Session objective: To update participants on the objectives and developments in respect to the East African Community Common Market Protocol Speaker: Rep. East African Community Chair: Hon Justice. J.W.N Tsekooko, JSC / Chair JTC

11.40 – 12.00 p.m.	Discussion and recommendations for best practices
12.00 - 12:30 p.m.	SESSION FOURTEEN Report of the Judicial Integrity Committee. Session objective: To update the participants on the report and findings of the Judicial Integrity Committee. Speaker : Hon Justice G.M. Okello, JSC, Chairperson, JIC Chair :Hon Lady Justice E.M. Kisaakye, JSC
12.30 – 1.00 p.m.	Discussion
1.00 – 2.00 p.m.	LUNCH BREAK
2.00 - 2.30 p.m.	SESSION FIFTEEN Nutrition and Healthy Living Session Objectives To sensitize the participants on issues of nutrition and Health. Speaker: Dr. David Ssali Chair: Hon Justice Byabakama Mugenyi
2.30 - 3.00 p.m.	Discussion
3.00 - 3.30 p.m	SESSION SIXTEEN OFFICIAL CLOSING Status of action taken on the 12th Annual Judges Conference resolutions. Resolutions and Recommendations Closure by the Hon the Chief Justice

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