

JUSTICE, LAW AND ORDER SECTOR (JLOS) INSPECTION FORUM

JLOS INSPECTORS FORUM

JUDICIARY (*Inspectorate of Courts*)
UGANDA POLICE FORCE (*Professional Standards Unit*)
UGANDA PRISONS FORCE (*Inspectorate*)
JUDICIAL SERVICE COMMISSION
DIRECTORATE OF PUBLIC PROSECUTIONS (*Inspectorate*)
MINISTRY OF GENDER, LABOUR AND SOCIAL DEVELOPMENT (*Probation Office and Remand Homes*)
MINISTRY OF JUSTICE AND CONSTITUTIONAL AFFAIRS
MINISTRY OF INTERNAL AFFAIRS (*Community Service Programme*)
DIRECTORATE OF CITIZENSHIP AND IMMIGRATION CONTROL
MINISTRY OF LOCAL GOVERNMENT (*Local Council Courts*)
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JLOS INSPECTION MANUAL

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FOREWORD

Justice, Law and Order Sector acknowledges the founding members of the JLOS inspectors forum and Lantern Consult International for conceiving and developing the JLOS inspection manual and checklist; and the JLOS complaints handling system.

JLOS is eternally grateful to the DANIDA-Judiciary programme for funding this key undertaking.

The purpose of the guide and check list is to give clear guidance for inspectors during inspections which will ultimately improve service delivery among JLOS institutions.

The JLOS inspection guide is a reference document for all JLOS institutions as they undertake respective institutional inspections. Each institution is expected to customize this framework to formulate an institutional inspection system applicable to the respective mandate.

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EXECUTIVE SUMMARY

The Justice, Law and Order Sector (JLOS) was born upon the adoption of the Sector Wide Approach (SWAP) to public service delivery by the Government of Uganda in the late 1990s. The JLOS currently brings together seventeen justice centered institutions of Government. Through the SWAP, Government sought to shift to a more coherent and coordinated public service delivery orientation through rationalized public service planning, resource allocation, programme implementation and performance tracking.

Since inception, the JLOS has registered significant achievements in improving access to justice, institutional cooperation for better planning, budgeting, and delivery of justice services. The sector has also fostered a deepened culture of respect and observance of human rights among most of the member institutions.

JLOS recognizes that there is real and perceived corruption, low adherence to statutory and constitutional standards, late coming and absenteeism, poor attitude, laxity in delivery of services, laxity in the supervision of staff, poor public complaints handling systems and failure to follow up recommendations of inspectors and disciplinary bodies.

To overcome the above challenges, the JLOS has focused on strengthening the inspection function as one of the key strategies to improve service delivery and control corruption through comprehensive and purpose-driven inspections both at institutional and sectoral level.

The sector has also moved to strengthen institutional systems and procedures for public complaints handling and feedback so as to enhance public participation in service delivery processes and satisfaction of the service users.

In order to strengthen inspection and complaints management functions across the sector, JLOS has developed the guiding frameworks for sectoral/joint and institutional inspections and complaints and feedback management. These frameworks underpin the principles and operational guidelines for institutions to carry out inspections and handle complaints and feedback for improved service delivery.

This report presents the documents that formed the key deliverables of a consultancy assignment commissioned by the Danida-Judiciary Programme and supervised and by the JLOS Inspectors' Forum, related to the development of JLOS - sectoral and institutional inspection and complaint management framework. The documents are:

1. The Process Report
2. Comprehensive Institutional and Sectoral Inspection Guidelines
3. Comprehensive Checklist for Institutional And Sectoral Inspections
4. Complaints Handling, Referral and Management System
5. Outreach and Feedback Strategy
6. Implementation Framework for Recommendations Arising Out of Inspections.

7. Capacity Building Program for Inspectors and Complaint Management Personnel
8. Format for Reporting on Inspections
9. Annual Work Plan

Whereas these documents are presented together, the report is not necessarily a consolidation of the documents. Each of the documents is independent of the others, except where there are such indicated Annexes to the specific document. The pagination of this combined report has been made in such a mode to maintain the documents in their separate forms. This is to enable the convenience of extraction and printing of each of the documents in their original formats.

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2. Background

The Justice, Law and Order Sector (JLOS) was born out of the necessity to stem underlying constraints in the justice delivery system relating to among others: chronic systemic constraints that delayed and hampered access to justice and service delivery; ineffective planning and budgeting; obsolete methods and tools of investigations and prosecution, the high cost of justice due to corrupt practices and limited proximity to the justice delivery agencies by end-users; case backlogs and high prison populations; inefficiencies and lack of effective procedural guidelines and performance standards in justice delivery institutions as well as significant gender-based discrimination.

JLOS is thus a sector-wide approach adopted by Government bringing together institutions with closely linked mandates of administering justice and maintaining law and order and human rights, into developing a common vision, policy framework, unified on objectives and plans over the medium term. It focuses on a holistic approach to improving access to and administration of justice through the sector wide approach to planning, budgeting, programme implementation, monitoring and evaluation.

The sector comprises of mainstream and associate members that include: Ministry of Justice and Constitutional Affairs (MOJCA); Ministry of Internal Affairs (MIA); The Judiciary; Uganda Police Force (UPF); Uganda Prison Service (UPS); Directorate of Public Prosecutions (DPP); Judicial Service Commission (JSC); The Ministry of Local Government (Local Council Courts); The Ministry of Gender, Labor and Social Development (Probation and Juvenile Justice); The Uganda Law Reform Commission (ULRC); The Uganda Human Rights Commission (UHRC); The Law Development Centre (LDC); The Tax Appeals Tribunal (TAT); The Uganda Law Society (ULS); Centre for Arbitration and Dispute Resolution (CADER) and The Uganda Registration Services Bureau (URSB).

JLOS recognizes that there is real and perceived corruption, low adherence to statutory and constitutional standards, late coming and absenteeism, poor attitude, laxity in delivery of services, laxity in the supervision of staff, poor public complaints handling systems and failure to follow up recommendations of inspectors and disciplinary bodies. This is eminent especially at the lower levels of the justice system. JLOS is therefore committed to strengthening the inspection function as one of the key strategies to improve service delivery and control corruption in the chain of justice. Inspectors will be required to carry out comprehensive and purpose-driven inspections both at institutional and sectoral level on both regular and ad hoc basis. Furthermore, inspectors and JLOS institutions will ensure that recommendations arising out of these inspections will be implemented with feedback to the complainants and the public.

The distinction between monitoring and evaluation from Inspection¹

The Inspection function is an oversight activity and has a distinct focus and role and should not be confused with monitoring and evaluation. Inspection is a general examination of an organizational unit, issue or practice to ascertain the extent it adheres to normative standards, good practices or other criteria and to make recommendations for improvement or corrective action. It is often performed when there is a perceived risk of non-compliance.

Monitoring is the ongoing process by which stakeholders obtain regular feedback on the progress being made towards achieving set goals and objectives. In other words, monitoring is not only concerned with asking “Are we taking the actions we said we would take?” but also “Are we making progress on achieving the results that we said we wanted to achieve?” In the more limited approach, monitoring may focus on tracking projects and the use of the agency’s resources. In the broader approach, monitoring also involves tracking strategies and actions being taken by partners and non-partners, and figuring out what new strategies and actions need to be taken to ensure progress towards the most important results.

Evaluation is a rigorous and independent assessment of either completed or ongoing activities to determine the extent to which they are achieving stated objectives and contributing to decision-making. Evaluations, like monitoring, can apply to many things, including an activity, project, programme, strategy, policy, topic, theme, sector or organization. The key distinction between the two is that evaluations are done independently to provide managers and staff with an objective assessment of whether or not they are on track. They are also more rigorous in their procedures, design and methodology, and generally involve more extensive analysis. However, the aims of both monitoring and evaluation are very similar: to provide information that can help inform decisions, improve performance and achieve planned results.

The purpose of inspection within the JLOS institutions is to contribute to the improvement of the justice delivery system. This guides the focus, method, reporting and follow-up of inspection. In framing recommendations, an inspector should recognize good performance and address any failure appropriately. Inspection should aim to generate data and intelligence that enable institutions more quickly to calibrate the progress of reform in the sector and make appropriate adjustments.

An inspection gives inspectors a better picture of the typical state of the justice delivery system and enhances external confidence in the inspection process. Working together produces a more rounded examination of issues that cut across the justice system and enables us to achieve more than if just one inspectorate acted alone. This improves democratic accountability, local transparency and the drive to reduce bureaucracy. Joint inspection particularly provides a unique focus on systemic issues within the justice system as a whole; addressing risks; looking at the

¹ UNDP (2009): Handbook on Planning, Monitoring and Evaluating for Development Results

system end-to-end and the role individual institutions play; universal issues, standards and constraints within the justice system; and public reassurance and confidence.

It is therefore important for JLOS to develop a comprehensive system to strengthen the inspection function both at sectoral and institutional level for efficient and effective service delivery.

3. Objective of the consultancy

The overall objective was to develop a comprehensive system for strengthening the inspectorate function for efficient and effective service delivery in the Justice, Law and Order Sector.

4. Scope of work

The Consultant was specifically to;

- (i) Develop comprehensive institutional and sectoral inspection guidelines for The Judiciary; Ministry of Justice and Constitutional Affairs (MOJCA); Directorate of Public Prosecutions (DPP); The Uganda Police Force (UPF); Uganda Prison Service (UPS); The Directorate of Citizenship and Immigration Control; Judicial Service Commission (JSC); The Uganda Human Rights Commission (UHRC); The Ministry of Local Government (Local Council Courts); The Tax Appeals Tribunal (TAT); The Ministry of Gender, Labor and Social Development (Probation Services); and The Uganda Registration Services Bureau (URSB).
- (ii) Develop a comprehensive checklist for institutional and sectoral inspections.
- (iii) Develop, design and document an effective complaints handling, referral and management system for each JLOS institution.
- (iv) Develop a strategy for outreach and feedback system to the public.
- (v) Recommend strategies for implementation of the recommendations arising out of inspections.
- (vi) Carry out a capacity needs assessment and develop a capacity building program for the inspectors.
- (vii) Design a format for reporting on inspections.
- (viii) In consultation with inspectors draw an annual work plan.
- (ix) Carry out any other tasks related to the above terms of reference.

5. Methodology

Literature Review

To execute the assignment, relevant documents from respective institutions were collected, reviewed and this informed the development of inspection and complaint handling guidelines.

The major documents that were reviewed include;

- a) Inspection guidelines / manuals
- b) Joint Inspection reports
- c) Institutional Inspection reports

- d) Policy, legal, and regulatory related documents relevant to inspections
- e) Complaint handling guidelines
- f) Reports on capacity assessment or existing capacity building plans, if any
- g) Inspection work plans / schedules
- h) Inspection checklists
- i) Inspectorate Framework Guide

Consultations

Consultations with the various stakeholders in the JLOS institutions were held. These informed the preparation process and content of the inspection guidelines, implementation strategy, complaints handling system, capacity building and work plan for inspectors.

The consultations were done as follows;

- a) *Key informant interviews* were conducted at institutional level with key personnel. The interviews focused on;
 - i) Appreciation of institutional mandates on inspections
 - ii) Institutional alignment of the inspection function and strategies
 - iii) Support / resources for inspection
 - iv) Vision (value attachment to the inspection function and how inspection adds value to service delivery)
 - v) The nexus and operational relationships among the JLOS institutions on inspections
 - vi) Institutional obligations to and performance of inspections
 - vii) The systems and standards in place
 - viii) Capacity needs, such as the human and financial resources, knowledge and skills
 - ix) Complaint Management Processes;
 - The complaints environment: grievance/complaints reception, handling and adjudication processes, action taken and feedback mechanisms
 - Accessibility by complainants - geographical and knowledge/awareness access
 - x) Performance on inspections (what the institutions have been doing independently and jointly)
 - xi) The lessons learned, and looking ahead

- b) *Validation meeting with Inspectors Forum and the Technical Committee*

The draft inspection guidelines and complaint handling guidelines were prepared and presented to inspectors and JLOS team for validation and ownership.

The Drafting Phase

After document review and key informant interviews, the consultant drafted the institutional and sectoral inspection guidelines, together with the detailed checklists for joint inspections and for

specific institutions with established inspectorate units; the Complaint handling Guidelines; the capacity building programme for inspection; and the inspection work plan.



Republic of Uganda

JLOS Joint Inspection Guidelines 2012



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1. Introduction

The purpose of the Justice, Law and Order Sector (JLOS) Joint Inspection Guidelines is to provide detailed information and serve as a reference for all joint inspections. It has the following objectives:

1. To provide clear guidance for Inspectors and harmonize inspection practices and approaches within JLOS;
2. To provide an operational framework for inspection in JLOS;
3. To outline and standardize work processes in JLOS institutions ;
4. Enhance predictability in processes and operations within institutions for service providers and users.

1.1 Distinguishing Inspection, Monitoring and Evaluation

Inspection is an oversight activity and is a general examination of an organizational unit, issue or practice to ascertain the extent to which it adheres to normative standards, good practices or other criteria and to make recommendations for improvement or corrective action. It is often performed when there is a perceived risk of non-compliance. Inspection has a distinct focus and role and should not be confused with monitoring and evaluation. The Inspection function is an oversight activity that aims to ensure adherence to set standards, policies, laws, regulations and procedures.

On the other hand, **Monitoring** is the ongoing process by which stakeholders obtain regular feedback on the progress being made towards achieving set goals and objectives. Monitoring may focus on tracking projects and the use of the institution's resources. Monitoring also involves tracking strategies and actions being taken by partners and non-partners and figuring out what new strategies and actions need to be taken to ensure progress towards the most important results.

Meanwhile, **Evaluation** is a rigorous and independent assessment of either completed or ongoing activities to determine the extent to which they are achieving stated objectives and contributing to decision-making. Evaluations, like monitoring, can apply to many things, including an activity, project, programme, strategy, policy, topic, theme, sector or organization.

The key distinction between the two is that evaluations are done independently to provide managers and staff with an objective assessment of whether or not they are on track. Evaluations are also more rigorous in their procedures, design and methodology, and generally involve more extensive analysis. However, the aims of both monitoring and evaluation are very similar: to provide information that can help inform decisions, improve performance and achieve planned results. The purpose of inspection is to ascertain adherence to set standards, policies and procedures.

Inspections are meant to improve compliance with clear rules in order to achieve desired policy results. But compliance alone is not a sufficient standard of quality. This guide proposes four quality criteria:-

1. *Maximize compliance with clear government laws, regulations, policies, processes and procedures;*
2. *Minimize uncertainty for services and service delivery processes;*
3. *To fight corruption;*
4. *Minimize costs to processes and optimize costs to government.*

The purpose of inspections within the JLOS institutions is to contribute to the improvement of the justice delivery system. The inspections are to determine whether institutions adhere to standards set in the laws, policies, regulations and procedures for the administration of justice with a view of ensuring compliance and improving the delivery of justice across the sector.

This framework guides the focus, method, reporting and follow-up of inspection. In framing recommendations, an inspector should recognize good performance and address any failure appropriately. Inspection should aim to generate data and intelligence that enable institutions to quickly calibrate the progress of reforms in the sector and make appropriate adjustments.

Under JLOS SIP III, the Sector focuses on developing clear guidelines and deploying proactive mechanisms to encourage public participation in the administration of justice and enforcement of law and order. The Sector aims at crafting, documenting and broadly disseminating its management policies, systems and structures as a mechanism of stimulating internal action particularly at sub-national points of service delivery; broadening public participation; reinforcing institutional efficiency and accountability; and paying due attention to sector wide institutional capacity development including affirmative action for weak institutions.

Working together produces a more rounded examination of issues that cut across the justice system and enables us to achieve more than if just one inspectorate acted alone. A joint inspection gives inspectors a better picture of the typical state of the justice delivery system and enhances external confidence in the inspection process. This improves democratic accountability, local transparency and the drive to reduce bureaucracy.

Joint inspection particularly provides a unique focus on systemic issues within the justice system as a whole; addressing risks; looking at the system end-to-end and the role individual institutions play; universal issues, standards and constraints within the justice system; and public reassurance and confidence.

It is therefore important for JLOS to develop a comprehensive system to strengthen the inspection function both at sectoral and institutional level for efficient and effective service delivery.

2. JLOS mandate on Inspections

The Justice, Law and Order Sector (JLOS) currently brings together 17 institutions is an innovative and holistic Government approach focused on improving the administration of justice, maintenance of law and order as well as the promotion, protection and respect of human rights now in operation since 1999. Member institutions to JLOS are those whose mandate is critical in the justice chain and therefore play a critical role in the administration of justice and as such, the delivery of justice. The JLOS institutions are established under various laws and administrative decisions and hold diverse but complementary mandates.

Effective administration of justice strongly builds on effective enforcement of laws, policies, regulations and procedures as well as the proper alignment and functioning of institutions that deliver justice. The JLOS institutions therefore shoulder respective responsibilities to ensure that set standards are complied with for justice to be delivered to all people of Uganda. Over time, numerous achievements have been registered by JLOS; however, there are still challenges. JLOS

services remain largely inaccessible in most rural settings and particularly for socially and economically disadvantaged groups. There are also profound concerns of transparency and institutional and individual performance accountability in most of the institutions in the sector with corruption and limited professionalism threatening equitable access to justice by all.

2.1 Situational Analysis and Emerging Issues

Access to justice is a critical human right for all. The Government of Uganda has for many years prioritized the enhancement of the administration of justice by strengthening the capacity of the justice delivery machinery, including the legal, policy and institutional framework for administration of justice. The quest for stronger institutional efficiency saw the consolidation of justice delivery institutions and the formation of JLOS through the Sector Wide Approach (SWAP) in 1999. By this transformation, the Government intended to ensure improved access and quality of justice through more effective and efficient resource deployment, harmonized programming, investment and performance standards.

Although several achievements have been registered across the service delivery domains of member institutions in relation to access to justice and human rights for all, there are many notable challenges that still constrain the effective administration of justice in the JLOS. Key of these challenges relate to limited professionalism, human rights observance and corruption. Procedures of access and mechanisms to obtain redress remain largely unknown to users and this restrains the power of the users to assert and claim their due entitlements from the JLOS system.

For JLOS service delivery to improve, it is clear that a holistic approach will be required: one that accounts for a comprehensive understanding of the challenges that confront it and a wide-ranging set of initiatives to address them. The gaps are most evident within the Probation and Social Welfare Services where policy, staffing and structural challenges have to be addressed in a systematic manner as a matter of urgency. The Sector needs to upscale and harmonize the implementation of good practices. The need for more effective and better institutionalized linkages at all levels was identified in JLOS SIP II Mid Term Evaluation (MTE) as a weakness affecting the field level impact and implementation.

There are several other constraints to the adoption of the results orientation and service focus in JLOS institutions. These include: - i) static and/or adverse institutional culture, ii) lack of basic skills in the sector and iii) weak linkages between implementers and higher level managers and policy makers within the institutions. There are also instances of non compliance to laws, policies and set standards while in other cases, the standards are either none harmonized or lacking. These interacting factors keep Sector performance below the desired level.

JLOS SIP III outlines the following priority areas: leadership capacity; structures and systems; staffing and staff capabilities; tools and infrastructure; integration of cross cutting issues; rights based approach and results oriented management.

The sector through its Anti- Corruption Strategy mainstreams the National Policy on Zero Tolerance to corruption and improved accountability in management of public services. This includes the utilization of ICT for greater disclosure and transparency and effective inspections and complaints mechanisms. All institutions are obliged to review and strengthen their service delivery standards in line with the JLOS SIP III objectives.

It is clear that JLOS procedures and processes are not sufficiently known by users; the services are largely inaccessible and there is limited demand by users for accountability from JLOS institutions. Increased involvement of the users in the JLOS service delivery processes is therefore key coupled with enhanced institutional adherence to service delivery standards and effective enforcement of the legal, policy and regulatory regimes.

3. Joint Inspections by JLOS Institutions

The JLOS institutions are part of the chain of justice. There is therefore need for the institutions to effectively communicate, coordinate and cooperate in order to learn from best practices across the institutions and beyond. The Sector has moved to strengthen joint inspections to ensure improved compliance to standards so as to enhance the administration of justice.

JLOS institutions work together to;

- a) Address issues that involve more than one JLOS institution and have a direct impact on the public.
- b) Promote institutional and individual accountability in the sector.
- c) Improve transparency in service delivery in the sector.

Joint inspection particularly provides a unique focus on:

- a) Systemic issues within the justice system as a whole;
- b) Addressing risks and public safety;
- c) Looking at the system end-to-end and the role individual agencies play;
- d) Universal issues, standards and constraints within the justice system; and
- e) Public reassurance and confidence.

3.1 Objectives of JLOS Inspections

The JLOS inspections are intended to:

1. To check compliance with standards set out in laws, policies, regulations and practices;
2. Promote equity and impartiality;
3. Enhance integrity and zero tolerance to corruption in service delivery;
4. To enhance efficiency and effectiveness in service delivery, hence public confidence.

4. JLOS Inspection Principles

The JLOS institutions have over the years evolved a culture of working together for a more coordinated, harmonized and cohesive administration of justice. This cooperation has seen the Sector define and adopt shared performance standards to which institutional commitments and performance targets are hinged. Through joint inspections, the Sector seeks to consolidate the gains so far made, by ensuring sustained compliance to set standards to promote institutional delivery on the commitments made. Effective cooperation arrangements usually impose on the parties involved a duty to set and adhere to collaboration principles in order to realize the aspirations of the cooperation. It follows therefore that effective joint inspections in the JLOS must be grounded on shared principles which inspectors have to conform to so that the inspections yield the best results.

The principles of inspection place the following expectations on inspection providers and JLOS:

- i) **Continuous Improvement:** There should be an explicit concern on the part of JLOS inspectors to contribute to the improvement of the institutions being inspected. This should guide the focus, method, reporting and follow-up of inspection. In framing recommendations, an inspector should recognize good performance and address any failure appropriately. Inspection should aim to generate data and intelligence that enable institutions quickly reform and make appropriate changes.
- ii) **Focus on outcomes and impact to end users:** Service delivery should consider the end users of the justice system. Inspections aim to pick the mind of the users on strengthening the rule of law, observance of human rights, security of person and property and accountability in order to maximize access to justice.
- iii) **User perspective:** Inspection should be delivered with a clear focus on the perception and experience of those for whom the service is provided, and internal management standards.
- iv) **Innovation and diversity:** Inspection should encourage innovation and diversity among inspectors to cope with dynamics of change. JLOS institutions seek to adopt and promote best practices through regular information sharing among institutions. This will further promote learning and improving service processes and quality across the JLOS institutions.
- v) **Human resource development:** Inspectors should use inspection to carry out on-spot training and counseling of inspected officers where necessary.
- vi) **Prioritizing risk:** Over time, inspections should pay more emphasis and concentrate resources on areas that are vulnerable or prone to greatest risk.
- vii) **Participatory assessment:** Inspectors should encourage rigorous self-assessment by managers and other staff, and take their feedback into account in the inspection process. Humane or friendly and healthy engagement approach should be used.
- viii) **Impartial evidence:** Inspectors should use credible evidence, whether quantitative or qualitative, and should be validated. Inspectors should gather as much credible information as possible to support any actions as necessary.
- ix) **Judgment criteria:** Inspectors should disclose the due process and criteria they use to form judgments.
- x) **Openness:** Inspectors should be open about their processes, communicate inspections, be willing to take any complaints seriously, and able to demonstrate a robust quality assurance process.
- xi) **Best practice:** Inspectors should continually learn from various JLOS institutional experience, in order to become increasingly effective. This can be done by assessing their own impact on the institution's ability to improve and by sharing best practice with other inspectors.

5. Inspection Focus and Scope

The focus and scope of inspections undertaken by JLOS institutions are determined by whether such inspections are joint or singly handled by individual institutions.

5.1 Institutional inspections

It should be noted that some JLOS institutions including: the Judiciary, Judicial Service Commission (JSC), Uganda Police Force (UPF), Uganda Prisons Service (UPS), Directorate of Public Prosecutions (DPP), and Uganda Human Rights Commission (UHRC) have established inspectorates which carry out routine inspections either as part of their constitutional mandates or operational procedures. JLOS is committed to ensure that all member institutions have, at the best, institutionalized the inspection function in order to increase internal checks and oversight to ensure effective compliance to standards for improved service delivery. In the mean time, the institutions which do not have inspectorates yet are gaining from the sectoral joint inspections, although such institutions have not fully participated and leveraged the joint inspection arrangements in a number of aspects.

The institutional inspections are more routine and look up to more detail of the institutions' mandate and operations. They focus on the low-end issues and processes specific to the respective institutions and their conduct is an arrangement based on the institution's purpose, strategy and outcomes.

5.2 The Focus of JLOS Joint Inspections

The sector inspectorates increasingly collaborate to focus on end-to-end and cross-cutting justice processes. To reflect this, joint inspections shall focus their activities around high level service delivery processes and issues. At the sectoral level, JLOS focuses on shared, broader-end issues whereas individual institutions focus their institutional inspections on respective service mandates with much more detail. Through strengthening the joint inspections, JLOS seeks to partly ensure the achievement of SIP III outcomes which are to: strengthen the legal, policy and institutional framework, enhance access to justice and promote human rights observance and accountability.

5.2.1 Performance in Service Delivery

The joint inspections focus on the qualitative and quantitative assessment and tracking of core performance parameters for each JLOS institution. This in turn provides an indication of the performance of the sector. The issues that should be probed include among others: existence of approved development/strategic plans, compliance to set professional; technical and procedural standards for service delivery; physical and structural access to services; timeliness of services; documentation and dissemination of services and participation/appreciation by users; efficacy of cost of services; work load; and institutional performance self assessment.

5.2.2 Human Resource Practices

Inspectors shall examine aspects of human resources (HR) such as recruitment, staffing levels, adequacy and disparity in remuneration, incentives, deployment, training and career progression.

Inspectors should also examine in detail issues such as treatment and fairness at work, equity in conditions of service and supervision and discipline.

5.2.3 Communication and Client Care Issues

Inspectors are expected to observe, determine and identify whether institutions have readily available information to service users including first contact points, client charters, sensitization materials about services offered or any public outreach programmes about the mandate and functions of the JLOS institutions. They should look out for institutional established mechanisms and standards for providing reception/client care, feedback to users of JLOS services and level of implementation of such mechanisms. Inspectors should also probe the standards for ensuring effective timekeeping and management. Inspectors should also establish the existence and functioning of a public Complaints Handling System including; presence of options for channelling complaints, accessibility to such a system, designation of complain officers, complaint handling procedures and effective feedback provision.

5.2.4 Human Rights Issues

The inspections should focus on the institutional mechanisms and systems that ensure that constitutionally guaranteed rights of clients, workers, and the public are protected. Inspectors should endeavour to assess measures in place that guarantee access to services by all, but especially the most vulnerable groups such as children, persons with disability, women and the poor. Inspections look out for existence of clear and documented human rights standards and principles and compliance to such standards – notably the visibility, information about, cost, distance, timelines for prompt service delivery, and whether these standards are enforced or not and the existing staff reprimand procedures. Good practices are noted as well the gaps and challenges faced.

5.2.5 Child / Juvenile Justice Issues

Inspectors probe issues critical in achieving justice for children in conflict with the law and child victims of injustice. Key issues include: treatment of children in detention; the availability of diversions that could be used at the pre-trial stage; the ways in which children are treated in court; the alternatives to punishment; and the rebuilding and preserving of the family; provision of child friendly facilities; and mechanisms for protection of juvenile victims from further abuse; and existence of post traumatic treatment facilities.

5.2.6 Gender Issues, Equality and Diversity

Inspections focus on issues that promote gender equality at the work place. The key interest is in tracking the progress of JLOS institutions in mainstreaming gender in their operational and service delivery processes. Inspectors should look out for the existence of and compliance to institution-specific gender policies; staffing level of male and female employees at the workplace/institution inspected; gender balance in institutional leadership; the systems and policies in place to mainstream gender issues and any gender-focused capacity building; maternity and paternity protection; the challenges faced when handling cases involving women;

reporting and documentation mechanisms for gender based violence cases and actions taken; the challenges generally faced when dealing with gender issues.

5.2.7 Anti-Corruption Issues

A corruption free justice sector is a prerequisite for the rule of law and good governance. For the public to develop trust in the justice system, all actors must demonstrate behavior that is irreproachable from the point of view of ethics and integrity. International literature suggests that anti-corruptions measures have to look at the three “I”s: Impartiality, Independence and Integrity. The Inspections should focus on these three areas especially on bribery and transparency in the management of public funds (i.e. operational costs).

All work in this area should be guided by the objective to prevent and fight corruption which is defined as follows: *An act done with intent to give some advantages inconsistent with official duty and the rights of others. The act of an official or fiduciary person who unlawfully and wrongfully uses his station of character to procure some benefit for himself or for another person, contrary to the duty and rights of others.*²

Inspectors shall establish whether the public is required to pay bribes to institutions so as to meaningfully access services. Inspectors should also examine whether and how sector-wide and institutional anti-corruption strategies and policies are being implemented. In particular, Inspectors shall establish institutional mechanisms for combating and handling reported cases on the ground.

5.2.8 Public Perception of Performance of JLOS Institutions

Inspectors should determine the opinion of stakeholders on the performance of the institutions inspected. As much as possible, they should interact with key stakeholders such as political and civic leaders, justice centred Civil Society Organisations (CSO) and members of the public to probe the perceptions/opinions.

5.2.9 Inter-relations Between JLOS Institutions

JLOS joint inspections are intended to assess the management and administration practices of JLOS institutions to identify good practices and gaps in harmonized service delivery. The inspectors should also assess the degree of coordination, communication, collaboration, synergies and relations within and among institutions at the district level, in particular attention should be given to the District Chain Linked Committees (DCC) and the community service program.

5.2.10 Physical Infrastructure for Justice Delivery

The inspection focuses on examining the different aspects of the working environment. Inspectors should observe and identify the following; availability and adequacy of staff housing, office space and working tools including transport and communication facilities.

² Black’s Law Dictionary.

Inspectors should also consider the availability, adequacy and suitability of the facilities from the perspective of clients such as inmates/detainees, juveniles, persons with disabilities, people living with HIV/AIDS, women and children.

5.2.11 Information, Communications & Technology (ICT)

The inspections should focus on the availability of ICT and the role it plays in effective and efficient service delivery. Special attention should be placed on the capacity of staff to use the ICT facilities. Inspectors should also find out how the institutions as well as the clients benefit from the use of ICT.

5.2.12 Records Management Systems and Practices

The inspection should determine the efficiency and effectiveness of records management systems and practices. The focus should be on ease of access, retrieval time, adequate storage in terms of security and backup systems.

5.2.13 Effectiveness of Institutional Inspectors/Supervisors

The joint inspections should focus on the effectiveness of institutional inspectors and/or supervisors. Information should be gathered on how regularly institutional inspections are carried out, whether there is regular feedback on pertinent issues of concern and whether recommendations are implemented.

5.2.14 Innovative and Creative Practices or Negatives Identified

Inspectors should document innovative and creative good practices that can be replicated or shared among the JLOS institutions. The negative practices identified during inspections should also be highlighted for purposes of eliminating them.

5.2.15 Recommendations for the final report

Inspectors should note and list initial recommendations for inclusion in the final report.

6 Planning an Inspection

6.1 An inspection can be seen as a process that focuses on reducing non-compliance, and ends with the resolution of any compliance challenges. Doing this well requires a fairly consistent sequence of tasks, each of which requires conditions and capacities in the inspectorate as detailed in the table below:

Inspection task (in sequence)	Conditions and capacities needed to carry out the task
1. Set the mandate of the inspection	<ul style="list-style-type: none"> • Clear guidance that sets the limits of inspections • Training and equipping of inspectors in the mandate of institutions to be inspected • Coordination with other institutions to avoid duplication
2. Supply competent inspectors	<ul style="list-style-type: none"> • Recruit and deploy inspectors so that professional skills are maintained in the inspectorate • Train inspectors in the legal, procedural, and technical skills needed to carry out the inspection • Provide specific information so that the inspector knows the history and conditions of the site to be inspected
3. Set the goals of the inspection	<ul style="list-style-type: none"> • Provide a framework of clear goals and targets for the performance of the inspectorate as a whole • Show how this inspection relates to the performance goals • Relate these goals and targets to the specific actions of the inspector
4. Select the institution / service to be inspected	<ul style="list-style-type: none"> • Use available data that identifies the locations and activities of the regulated institution • Select the specific department or site to be inspected using clear and consistent criteria; prioritize the most vulnerable areas. •
5. Establish the authority of the inspector and the purpose of the inspection to the Institutions	<ul style="list-style-type: none"> • The Inspectors should identify themselves before commencing inspections • Provide a contact address to verify inspector credentials. • Explain in an opening meeting the authority, purpose, and scope of the inspection • Provide copies of regulations and any other tools to be used in the inspection, or explain where copies can be found
6. Carry out inspection using transparent procedures	<ul style="list-style-type: none"> • Permit the officer in charge and other employees to accompany the inspector • Make a written record of all findings and observations • Hold entry and exit meetings
7. Explain what was found and next steps	<ul style="list-style-type: none"> • Explain in a closing/ exit meeting what was found, the conclusions of the inspection, and the process of finalizing the inspection
8. Prepare and submit inspection report	<ul style="list-style-type: none"> • The inspectors finalize the report of the inspection and submit to the JLOS Technical Committee.
9. Action by responsible authorities	<ul style="list-style-type: none"> • Review the report and discuss with the inspectors • JLOS Technical Committee communicates the findings and recommendations to JLOS Steering Committee and copy to

	<p>respective institutions</p> <ul style="list-style-type: none"> • Steering Committee discusses the report and sanction respective actions. • Institutions implement report recommendations. • Institutions give feedback on the reports. • Authorities make available appeals and due process
10. Follow-up inspections to ensure that identified problems are corrected	<ul style="list-style-type: none"> • Use management system to schedule limited follow-up inspections with the goal of quickly assessing compliance in problem areas
11. Monitor results of inspections	<ul style="list-style-type: none"> • Track incidence of non-compliance to determine effects of inspections

6.2 Inspection Design

An inspection design should include the following components:

- (i) Inspection objective
- (ii) Mandate for the inspection
- (iii) Relevant background
- (iv) Scope (what is in and what is out of the assessment, considering mandate, resources and time constraints)
- (v) Inspection issues (the questions)
- (vi) Methodology
- (vii) Inspection schedule,
- (viii) Detailed plan of work
- (ix) Anticipated travel
- (x) Estimated costs
- (xi) Plan for dissemination of report

7 Risk assessment and prioritizing action

- 7.1 **Risk assessment** - risk assessment is informed by environmental scanning, emerging results from customer or user feedback and mapping of outcomes against the activities undertaken by the inspectorates, singularly and jointly.
- 7.2 A key factor in deciding the final balance of the joint inspection program is a comprehensive assessment of the risk posed by elements competing for attention. A substantial part of the risk assessment is informed from data and intelligence gathered during the consultation process. Other sources include:
- a) Data on targets and outcomes - joint and single-agency;
 - b) Knowledge held within the JLOS institutions;
 - c) Knowledge from other agencies - e.g. Government oversight agencies and civil society organizations
 - d) Organizational self-assessments;
 - e) Performance assessments - including from institutions.
- 7.3 It should be noted, however, that some subject areas - such as juvenile justice, gender justice - have an intrinsically high risk element and will always be considered within program planning, regardless of their profile within the above information sources.

- 7.4 **Prioritization** - With the overall scope and focus agreed, and the results of individual and joint consultation collated, a long-list of potential areas for inspection activity are required to be subject to a process of prioritization, to reach an achievable but relevant short-list of projects. In achieving this, two categories of criteria are applied, namely:
- *Qualifying criteria*: to be included in the joint inspection program proposed activity needs to meet basic requirements; and
 - *Prioritizing criteria*: to rank the qualifying joint projects, to inform program compilation and validate decisions on inclusion or exclusion.
- 7.5 The **qualifying criteria** applied are that joint inspection projects to be included on the long-list should:
- + Relate to cross-cutting work that involves two or more of the justice system institutions;
 - + Have an identified lead justice system inspectorate;
 - + Have a clearly defined scope and purpose; and
 - + Meet the key principles for public sector inspection, in particular:
 - a) contribute to service improvement;
 - b) be outcome focused; and
 - c) have a user perspective.
- 7.6 Those candidate projects which pass the first stage enter the long-list for **prioritization**, being assessed against the following qualifying elements:

Current priority factors

- a) Support to Government priorities for the justice system;
- b) Balance of impact versus resource: the degree of impact or value added in proportion to the effort required to implement the inspection activity;
- c) Practicality, deliverability and risk: having regard to the availability of staff, specialist skills or expertise in the relevant timetable for implementation;
- d) Incompatibility with other programmes: the potential to clash or adversely affect other activity in the same or similar subject area;
- e) Additional value gained through joining up inspectorate working: the ability to shed greater light or achieve greater insight through joint working than by the sum of individual efforts; and
- f) Proportionate coverage of relevant high level justice system processes: contributing in areas of scrutiny otherwise under-represented in the overall program.

Additional considerations

- a) Individual projects may particularly complement or support single-agency inspection outside of the joint justice systems program;
- b) High profile inspection may be afforded by events to particular topics which would not otherwise be expected to feature in a risk-assessed or prioritized list.

While the above criteria are applied with a degree of formality, the key determinant in finalizing a long-list of potential areas for inspection remains the professional judgment of the Inspectors Forum.

8 Inspection methodology

- 8.1 **Planning:** There are two basic rules to follow when planning for data collection. First, only collect the data needed. Collecting additional data is wasteful. The data needed should be determined by the questions/checklist. Second, use existing data whenever possible. This is becoming even more important as the web allows potential access to an increasing number of data sources. During the planning stage, a meeting/debriefing of the inspection team is held to provide an overview of major issues, challenges, etc. of the inspection. In preparing for a field visit, the following general steps should be taken:
- Coordinate with the designated focal point regarding the timing of the field (the focal point can also often assist with the logistics of accommodation).
 - Identify the relevant stakeholder groups that should be interviewed.
 - Identify any documents that should be reviewed while on site.
 - Work with the focal point to establish a schedule for meetings.
 - Develop discussion guides to be used during interviews.
 - Develop a plan for compiling the field data collected.
- 8.2 **Pre-inspection:** The purpose of the pre-inspection visit is to meet the managers to:
- ensure they fully understand the inspection process and offer reassurance
 - answer any queries that have a bearing on the forthcoming inspection
 - explain the role of the manager during the inspection
 - tour the establishment and speak to key staff and gather key information for inclusion in the pre-inspection report
 - make arrangements for the inspection, such as what documentation will be requested and when it will be required. Note that key documents and policies can be requested electronically in advance of the inspection for forwarding on to individual inspectors, rather than having it all available on the first day of inspection. Stress that all documentation provided should be copies as inspectors will wish to take them away with them. Ask for any originals to be clearly identified.
 - allow the manager to discuss any relevant issues
- 8.3 **Data collection:** Data collection begins with a good data collection plan that sets out exactly what data are needed, where these data are located and how best to retrieve them.
- 8.4 **Actual Inspection:** Conduct an entry meeting upon arrival to go over the inspection objective, schedule, conduct of the inspection, and any other logistical or substantive matters.
- 8.5 **Data analysis:** When analyzing qualitative data, the general goal is to summarize what has seen or heard in terms of common words, phrases, themes or patterns. Quantitative methods are used when the data are in the form of numbers. Quantitative analysis typically involves the application of statistical techniques. All field data / evidence collected must be:
- Sufficient** – There are enough data to support the inspection findings and recommendations.
 - Competent** – The data are valid and reliable.

- c) **Relevant** – The data have a logical, sensible relationship to the issues they seeks to prove or disprove.
- d) **Reliable** – The information and data gathered is dependable and consistent.
- e) **Valid** – There is reasonable confidence in the information and data measurement and analysis.
- f) **Significant** – The data will go beyond what is apparent from direct observation and should be of such scope and selected in such ways as to address pertinent questions about the objectives of the inspection and be responsive to specific informational needs of the Sector.
- g) **Efficient** – The data is being collected in a manner that reflects the most economical use of resources and makes a unique contribution to improving concrete aspects of operations under inspection.
- h) **Timely** – The data will be available in a timely manner to be responsive to specific informational needs of the Sector.

8.6 Report preparation: When preparing a report, it is important to keep a few basic communication points in mind. These should provide a general guide for report preparation:

- a. Remember that the goal is to communicate your message clearly, not to impress the reader with your command of language or knowledge of technical terms;
- b. Make it easy for your audience to follow and to understand the main points of your report;
- c. Consider the objective of your study, what it is intended to do and how it will be used;
- d. Write with your audience in mind, so that they can understand the report with minimal effort.

With these basic communications ideas in mind, the following guidelines are useful when writing a report:

- a) Keep it simple and easy to understand by avoiding complex language and acronyms;
- b) Provide sufficient information about inspection methods so that the strengths and weakness of the inspection can be judged;
- c) Note the limitations of the inspection and always consider these when reporting findings and conclusions;
- d) Provide enough background information so that the context within which the inspection operated can be understood, but do not be excessive;
- e) Organize the report around a clear and logical “story line”;
- f) Do not load the main body of the report with detailed, technical information and/or data;
- g) Always support conclusions and recommendations with strong and compelling evidence;
- h) Use tables, charts and graphics to help summarize and communicate important points and information.

8.7 Report dissemination: All final joint inspection reports should be shared with the JLOS and its Committees, Inspectors, and JLOS institutions. All inspection reports should be placed on the institutional intranet and websites. When requested, a final briefing on the

main findings and recommendations of joint inspections should be held with JLOS committees once the report is final. These briefings should be clear and concise, and cover the key points of the inspection, including findings and recommendations.

8.8 Post-inspection / follow up: At the conclusion of each inspection, the team should have a lessons learned session to discuss what went well and what did not go well in the conduct of the inspection. The results of the lessons learned debriefs should be briefly summarized in a lessons learned document, and shared for future reference.

8.9 The Summation Conference

This is one of the most important functions of the inspection. It is a mechanism for the Inspection team to summarize their findings and to report to the appropriate JLOS structure. Enough time should be allowed to present findings, answer questions, address discrepancies, and handle unresolved differences and/or deficiencies. Offer suggestions for improvement.

There should be no surprises on the final report. Everything should be raised at the summation conference, identifying any deficiencies or areas for improvement. Accolades should also be extended. This will reflect what the final report will state.

9 Governance and management arrangements for Joint Inspection

Joint Inspections shall be undertaken under the general framework and coordination mechanisms of the Justice Law and Order sector.

9.1 The Inspectors' Forum (IF):

The Inspectors' Forum of the Justice Law and Order Sector established and composed of the senior inspectors and focal persons from all JLOs institutions shall be responsible for the management of the joint Inspections. The Inspectors' Forum shall remain a unique cross-cutting arrangement to operate much like the other JLOS forums such as the Human Resource Managers Forum, Auditors Forum and the Budget, Policy and Planning Forum. With time, the continuous support of JLOS should ensure that all JLOS institutions have established functional inspectorates with the requisite financial and human resource capacities. At the moment, the IF is constrained by an inadequate number of inspectors and inconsistent institutional representation which limits institutional participation and opportunities for adequate learning and service transformation.

The functions of the IF are to:

- a) plan for the broad sectoral inspections,
- b) budget for inspections,
- c) execute the inspections,
- d) report to the relevant stakeholders, and
- e) develop capacity of the Inspectors in the sector.

9.2 Leadership and coordination of the IF

The forum shall be guided by a chairperson and an alternate chairperson elected from among the Inspectors on rotation every after two years.

9.3 Reporting Arrangements

The IF shall report to the JLOS Technical Committee for further management in the quest to overcome frontiers that would delay the more timely consideration, decision and action on inspection reports. The IF shall also give copies of inspection reports to the Steering and Leadership Committees of JLOS for accountability and action.

9.4 The IF Secretariat

The Secretariat of the IF shall reside with the Chair of the Forum at a given time taking charge of the coordination of the activities of the Forum. The Inspectors' Forum may determine the resource needs for proper and effective coordination and accordingly lobby JLOS to render such requisite resource support.

9.5 Qualities of Inspectors

Inspectors must consistently carry out their duties in an efficient and professional manner. A professional inspector possesses certain qualities that enable him/her to perform his/her job effectively. These qualities include:

- a. **Objectivity** - A good inspector evaluates facilities and information logically and consistently. The evaluation is based on set standards, regulations, and the inspector's knowledge and professionalism.
- b. **Thoroughness / paying attention to detail** - A good inspector checks each facility/information completely and does not overlook seemingly small points.
- c. **Fairness** - This relates to the quality of being objective. A good inspector rates facilities and information according to objective standards. S/he should not be swayed by personal feelings towards facilities or toward personnel working at the facility.
- d. **Knowledge of Standards and Regulations** - A good inspector must know thoroughly many standards and regulations. It is imperative that inspectors take pre-inspection reading and orientation into issues and standards of areas of inspection. They should be mindful that it is usually easy to forget certain standards or confuse certain requirements for different facilities or institutions.
- e. **Problem-solving Skills** – although it is the job of the institutions, not the inspector, to correct issues unearthed in inspections, inspectors may offer suggestions for solving these problems. To prepare effective suggestions, inspectors must possess problem-solving skills. These skills will help them effectively develop and present plans for overcoming problems found during their inspections.

10 Inspection reports

The inspection reports will be prepared quarterly by the inspectors and submitted to the JLOS Technical Committee for further discussion and implementation.

Refer to Annex 2 for the formal structure of an Inspection Report.

11 Communication strategy

While each of the inspectorates has an individual communication strategy, there is also a need for an agreed approach across all institutions in respect of the communication and marketing of the joint justice systems working. This includes such issues as:

- a) *Consistent ‘corporate’ styling for joint reports and communications;*
- b) *Standard arrangements for publication and information releases;*
- c) *Joint bulletin for staff updates and awareness;*
- d) *Exit surveys/debrief meetings - to provide and obtain feedback from inspected bodies; and*
- e) *Shared website items – inter-institutional and sector website links.*

The lead inspectorate for each work stream has responsibility for consideration of the above issues and the Secretariat can advise on issues of consistency.

12 Recommendations and follow-up

Across JLOS, there are a number of differing approaches to making recommendations and taking specific action to ensure their implementation. In discussions, the differences in approach were highlighted and some core standard elements proposed, which include:

- a) Any recommendations should be ‘SMARTer’ - specific; measurable; achievable; realistic; and time-limited - and capable of evaluation;
- b) Inspected bodies and associated authorities must take responsibility for implementation and have clear action plans to do so;
- c) Any follow-up activity will be standardized and risk-assessed; Such follow-up would include independent assurance of any claimed progress or improvement; and

Clearly, where inspection and subsequent recommendations are cross-cutting, responsibility for implementation and follow-up are equally likely to be shared between agencies and inspectorates, respectively. The Inspectors Forum will be seeking to establish processes and protocols to ensure that such recommendations are fully implemented.

13 Benefits realization and value for money

A key element in the underpinning principles of inspection is that *“Inspection itself should be able to demonstrate it delivers benefits commensurate with its cost, including the cost to those inspected.”*

The Inspectors Forum should examine the costs and benefits of inspection. It is proposed a number of ways to assess costs, benefits and value for money, including through questionnaire surveys. The Forum report will help to assess continued relevance.

Annex 1C

FORMAT OF THE FORMAL INSPECTION REPORT

The report is accompanied by a number of components as highlighted below;

a) Transmittal Letter

Generally, the first component of a formal report is the transmittal letter to the intended reader. The letter will often contain the summary or at least the highlights of the report, as well as any details about completing and sending the report that are relevant to the receiver.

b) Cover

The formal report generally has a cover. The cover usually has the title of the report and name(s) of the person(s) who completed the report. Often the date the report was completed is placed on the cover as well.

c) Title Page

The title page generally has four main pieces of information:

- the title of the report
- the name of the person or organization receiving the report
- the person(s) or organization who authored the report
- the date the report was submitted

The title of the report takes precedence on the title page, with the other information neatly arranged on the page.

d) Table of Contents

The Table of Contents is an accurate and comprehensive table of the information located in the report with a corresponding page reference to easily locate each section.

e) List of Illustrations

If there are visuals, a listing, with page numbers, can be made at the bottom of the Table of Contents, or immediately following it.

f) Summary

The Summary or Executive Summary is separated from the main body of the report and placed as far forward in the report as possible on its own page. Generally it is located after the Table of Contents, but it could appear beforehand in some reports.

g) Page Numbering

The first section of the report is not usually numbered as part of the report, but given introductory page numbers in the form of lowercase Roman numerals.

h) Body

The body of the report contains the Background, Details and Conclusions (and recommendations, if there are any). With formal reports, there are generally a number of visuals and a variety of headings and subheadings contained in the report. The page numbers for the report usually start with the Background section.

i) Appendices

The appendices include all supplementary material related to the report. Generally, it includes material that provides additional information that would be excessive within the body of the report. The appendices should be well labelled (Appendix A, Appendix B, etc), appropriately titled and explained, referred to in the text of the report, and appear in the same order as they do within the body of the report.

ACKNOWLEDGEMENT OF INSPECTION

This is to confirm that this station has been inspected by -----

On behalf of the Force Inspectorate Department on the Day of

And the following officers have been found at the station at the time of Inspection: (*where number of officers is big, please attach the list*)

Name of Officer	Rank	Phone No.	Signature

Dated at ----- this ----- day of -----

Officer in Charge of the Station

OUTREACH AND FEEDBACK STRATEGY

For communication to be effective in developing the widest awareness and support for any activity, it is essential that thought is given to developing a strategy for outreach from the beginning. Outreach refers generally to **efforts to increase the availability and utilization of services, especially through direct intervention and interaction with the target population.** Community justice is about two essential things - partnerships and problem-solving – and that no single institution can solve community problems without investing significant time and energy in engaging the community. To produce a coherent outreach strategy, there should be collaboration from all the institutions involved.

As institutions seek to improve performance, feedback helps in making required adjustments. Feedback serves as motivation for many people. When one receives either negative or positive feedback, they decide how they will apply it to their tasks. To find the greatest level of success in an organization, working with other people, a person should learn how to accept any kind of feedback, analyze it in the most positive manner possible, and use it to further impact future decision making

JLOS institutions thus need to consistently reach out, share and exchange information with all the stakeholders at all levels and promote a concerted approach to participation in the administration of justice through sharing, exchange and engagement. The stakeholders include the following:

Category	Audience	Channels of communication
Government Institutions <ul style="list-style-type: none"> • Ministries • Departments • Agencies 	<ol style="list-style-type: none"> 1. Ministry of Justice and Constitutional Affairs (MOJCA); 2. Ministry of Internal Affairs (MIA); 3. Directorate of Citizenship and Immigration Control (DCIC) 4. Uganda Police Force (UPF); 5. Uganda Prison Service (UPS); 6. The Judiciary; 7. Directorate of Public Prosecutions (DPP); 8. Judicial Service Commission (JSC); 9. The Ministry of Local Government (Local Council Courts); 10. The Ministry of Gender, Labor and Social Development (Probation and Juvenile Justice); 11. The Uganda Law Reform Commission (ULRC); 12. The Uganda Human Rights Commission (UHRC); 13. The Law Development Centre (LDC); 	<ul style="list-style-type: none"> • Posters • Letters • E-mail • circulars • Telephone • Newsletters • Meetings • Seminars • Training workshops • Newspaper articles and supplements • Media briefings • Website information • Radio and TV programmes • Reports

	14. The Tax Appeals Tribunal (TAT); 15. The Uganda Law Society (ULS); 16. Centre for Arbitration and Dispute Resolution (CADER) 17. The Uganda Registration Services Bureau (URSB) 18. JLOS Secretariat	
The general public	Users of justice system, the public and the media	<ul style="list-style-type: none"> ● Community meetings ● Seminars ● Workshops ● Letters ● E-mail ● IEC materials ● Newsletters ● Newspaper articles and supplements ● Radio programmes and announcements ● TV programmes and announcements ● Interpersonal contacts ● Posters and fliers ● Website information

Effective outreach

1. Be professional

The audience is not waiting in a vacuum to be told about the undertaking – the people to be reached are already overloaded with information. If an outreach activity is to make an impact, it must compete for attention. This means it must look and feel high-quality and must be attractive.

2. Allocate an appropriate budget

Allocate a sensible budget to outreach activities. It is equally important to allocate sufficient time for planning and developing an activity and the work should be done by an experienced person. When planning an activity, ensure that the distribution channels are identified and included in the costing.

3. Think about the audience

Never overestimate the knowledge or underestimate the intelligence of the audience! Effective communication means giving the audience the information that interests them, not telling them what one thinks they should know. Materials and activities will need to be targeted for specific audiences. Language should be kept simple.

4. Build links between institutions

Co-ordination and co-operation between institutions have wider benefits. The more people get involved in developing the outreach programme, the wider the range of ideas, expertise, resources, contacts, established distribution channels and manpower drawn upon.

5. Make use of outreach training courses

Media and public engagement training is extremely useful. Training gives practitioners experience in putting their ideas across to different audiences, confidence in communicating their work and knowledge of how to deal with difficult situations.

6. Don't re-invent the wheel and don't be possessive about ideas

Don't replicate resources that are already available. Before undertaking any outreach activity, find out what resources have already been produced, or are in production, on similar topics and see how your ideas can complement rather than compete with what already exists.

7. Plan ahead

Work out a timeline of all the milestones and plan the outreach strategy around them. Ensure that the responsible officers are aware of these dates well ahead of time so that they can plan media activities. Plan outreach activities to be released ahead of milestones to build up anticipation and interest in what happens.

8. Have clear priorities and clear messages

Outreach can take many forms and include many different audiences, and thus the need to decide which of these are most important and prioritize them accordingly. It is also helpful to decide on the main messages that you are trying to communicate and order them in terms of importance.

9. Evaluate

Evaluation is essential in developing a good outreach programme. There are two types: formative evaluation, or the research and evaluation that you do when designing the activity to assess the most effective ways to reach your audience, and summative evaluation, which compares the outcomes of the activity and attempts to assess its success.

Feedback mechanisms

It will be important to ensure that there is regular and comprehensive feedback for the implementers to track the reactions of key stakeholders. Avenues for feedback include:

1. Suggestion boxes in regional offices.
2. Call-ins during radio and TV programmes.
3. Question and answer sessions during meetings.
4. Internet chats.
5. Toll free line
6. Registry book for generated information and queries

Feedback improvement

In the administration of justice, the following are suggested for the establishment or improvement of feedback system.

1. Develop comprehensive induction programmes for staff

Induction needs to be improved to include more detail on the basics of accountability and steps to address staff fears about the feedback system. Refresher training is needed to keep staff current. It is important to make induction sessions creative, and to use practical examples to

build enthusiasm behind accountability. Having dedicated capacity to focus on staff induction, training and follow-up will strengthen the overall effectiveness of the feedback system. This has cost implications, unless the extra responsibilities can be undertaken within existing roles.

2. Emphasize accountability within line management

Line managers need to reinforce the importance of accountability systems alongside their other responsibilities, and to lead by example. This can be done through existing performance management and appraisal systems, for example by including the establishment and promotion of the accountability system as part of a staff member's objectives. It may be useful to introduce a checklist for managers to review levels of compliance with the requirements of feedback system.

3. Ensure adequate capacity to manage the feedback system

Ensure that roles and responsibilities are clear and that there are sufficient staff. Develop community reference groups so that representatives can be fully involved in reviewing and responding to feedback.

4. Ensure an equivalent feedback system for staff

An effective staff feedback mechanism should be in place. Such a move will match the institution's commitment to listening to and responding to community feedback with a commitment to listening to its own staff. This will reinforce consistency in good practice across the institution's policies and procedures.

5. Ensure timely responses are provided to the feedback received

There is a general recognition that the more effectively the institution responds to feedback the more community members will be encouraged to use the system and any initial reservations or suspicion will be reduced. Little or no negative comment should not be interpreted as a community being completely happy with a project, but rather that the mechanisms in place to facilitate their feedback are not yet fully functioning.

6. Provide clarity on the scope of feedback

Clarify that feedback is encouraged on poor behaviour, poor quality and poor delivery. Whilst this is an enormous challenge, it is vital to manage expectations so that communities understand what constitutes a complaint and what response they can expect from the institution. This should be part of a broader commitment to providing clear information on the institution, its mandate and its goals. It is also vital that the message is reinforced that communities are free to give their honest opinions, and that they will not be penalized or assistance withheld as a result of negative feedback.

CAPACITY BUILDING PROGRAM FOR INSPECTION AND COMPLAINT MANAGEMENT

1. INTRODUCTION

This Capacity Building Program (CBP) for Inspections and Complaints Management has been developed by JLOS as part of the minimum standards for the effective implementation of the inspections and complaints management at the joint/sectoral and institutional levels.

To drive the impact of JLOS services across the entire justice delivery arena, the sector has moved to strengthen institutional and sectoral inspections as well as public participation in JLOS service delivery processes. The sector has developed Inspection Guidelines to strengthen and harmonize the inspection approaches, underpin common principles and optimize the benefits joint inspections within the sector. While promoting the joint inspections at sectoral level, JLOS is also committed to strengthening the individual institutional inspections, recognizing that effective joint inspections build on properly functioning inspectorates at the institutional level.

In addition, JLOS has developed a Complaints Management Framework (CMF) to guide the institutions in their complaints handling processes. The framework plugs the hitherto existing challenge of the absence of comprehensive and effective complaints management procedures that inspire and enhance public confidence and participation. It provides clear procedures for the receipt and handling of complaints from service users and the feedback mechanisms.

The two cross cutting service delivery strategies are well established within the JLOS SIP III (2012/13-16/17) currently being implemented, and their effective implementation requires adequate human and material resource capacity. This program aims to guide JLOS in the development of such required capacity to adequately carry out inspections and implement effective complaint and feedback handling processes.

a. Rationale of Inspections and Complaints Management

Inspections: Through inspections, JLOS seeks to ensure existence of effective legal, regulatory, procedural and operational standards that enable and ensure the delivery of quality justice services. The inspections are also an oversight function that checks and promotes compliance to the set standards and advance options for improving or sustaining the better practices or correcting the gaps identified.

Complaints Management: By strengthening the complaints and feedback management procedures and practice across the JLOS institutions, the sector intends to continuously improve the quality of services through providing adequate and effective mechanisms for public participation in and contribution to the service delivery processes of JLOS.

b. The Essence of Capacity Building for Inspections and Complaints Management

Conducting effective and value-adding inspections requires a keen orientation to professionalism, knowledge and appreciation of the field of inspection, personal commitment to contributing to

improvement and the constructive attitude of the inspector not to find fault but to correct fault and other challenges – systemic or structural. Inspections require that institutions establish the human, physical and systemic infrastructure for inspections. Building the skills and caliber of inspectors is key, and equally are the other capacity considerations. In the JLOS, inspections are carried out at two levels; the institutional and sectoral / joint level. At the sectoral level, the inspectors are pooled from the inspectorates of member institutions. It is recognized therefore that the strength of institutional inspectorates fundamentally determines the effectiveness of sectoral joint inspections. However, it is essential for the inspectors to fully understand and appreciate the philosophy, purpose and operational mode of the sector-wide justice service delivery for them to undertake joint inspections with a purpose.

In respect to complaints management practices and processes capacity is needed in terms of: establishing viable, innovative and effective options for receiving and processing complaints as well as rendering prompt client feedback; providing proper structures within institutions for complaints management and appropriately skilling and equipping staff to effectively execute complaint management tasks.

This CBP hence articulates the multi-faceted mechanisms for building the capacity of inspectors and complaint managers across the JLOS institutions to appreciate and effectively carry out inspections and handle complaints. The program also considers other relevant areas of institutional capacity building including a range of respective physical and systemic infrastructure that enables inspections and complaints management.

c. JLOS's Approach to Capacity Building

The evolution of JLOS has consistently drawn from the appreciation and commitment of justice-centered institutions to cooperate and work together for the delivery of quality justice for all. With the current membership at seventeen institutions, the sector has registered tremendous achievements in increasing access to justice services and deepened observance of human rights by the justice institutions.

From inception, the JLOS macro programming has prioritized continuous capacity strengthening of member institutions individually and jointly, intended to ensure effective institutional linkages and strong, shared focus on delivering quality justice services. The sector has over the years taken an all-round approach to institutional and sector capacity building focusing on: Governance; Physical and Systemic infrastructure for justice service delivery; Technical Expertise; Resource Mobilization and Technical Assistance all geared towards improving the access to, quality of, certainty about and affordability of justice services. In line with the established approaches, capacity building for inspections and complaints management is part of the processes for strengthening service delivery across all justice areas.

d. The Link to the JLOS Development Agenda

Building on the successes registered and lessons learnt over the time, the Justice Law and Order Sector seeks to sustain this growth and its dividends. Within the Sector's strategic investment plan, JLOS has set out to enhance institutional commitment to transform the justice and law enforcement system into one that respects, promotes, protects and fulfills the fundamental rights

stipulated in the Uganda Constitution of 1995. The JLOS SIP III (2012/13-16/17) is based more on the need to achieve clear results and impact aiming at the promotion of the rule of law and access to justice for all through the key strategic outcomes entrenched in the SIP. These outcomes are: strengthened legal, policy and institutional framework; enhanced access to justice; and strengthened observance of human rights and accountability.

The sector has recognized that weak institutional inspections and the absence of effective complaint and feedback management mechanisms at institutional level are some of the key bottlenecks that constrain the effective administration of justice. To overcome these constraints, the sector has focused on ensuring that adequate service standards are in place; enhancing institutional compliance to the set standards, and establishing adequate mechanisms for people participation, voice and contribution to improvement of the administration of justice. Through the transformation of service delivery processes and strengthening the linkages with the service users which are critical hallmarks of the JLOS SIP III, the inspections and effective complaints management will increase public confidence, trust and utilization of the justice system, enhancement of user satisfaction in the services offered by the sector and improvement of the quality of administration of justice in Uganda.

2. CAPACITY BUILDING

JLOS will pursue a range of capacity building options to realize the purposes of institutional and joint inspections as well as complaint management systems in member institutions. These options take into consideration the overall development agenda of JLOS, its programme implementation framework, uniqueness, linkages and complementarities of institutional mandates, existing opportunities and challenges. This programme is not re-inventing the wheel but building on the existing potentials while recognizing and going round the existing and anticipated challenges. The programme centres on equipping the inspectors and complaint management personnel across JLOS institutions with skills and facilities.

2.1 Training Programme for Inspectors

A training programme for skilling Inspectors has been developed, with specific modules that aim to expose inspectors to the rigors, principles and practice of inspections, and to equip them with skills to undertake effective inspections. The programme is tailored to the specific service delivery focus of JLOS – the administration of justice. It centers on the provision of sufficient contextual knowledge on the sector, the institutions and the conduct of inspections. It also looks at essential support skills such as reporting, information gathering and analysis.

The key topics within the training Programme are:

SESSION ONE – INSPECTIONS

1. Understanding the JLOS Framework and Institutions
2. Understanding Joint and Institutional Inspections
3. Inspections distinguished from M&E
4. Conducting Inspections (Data collection methods)
5. Interviewing skills
6. Analysis of inspection data
7. Reporting inspection findings

8. Follow up of inspection recommendations

2.2 Training Programme for Complaint Management Personnel

SESSION TWO – COMPLAINTS MANAGEMENT

1. Understanding the JLOS Framework and Institutions
2. Basics and Guiding Principles of Complaint Management
3. Nature and Category of Complaints
4. Complaint Receipt and Investigation
5. Decisions, Remedies and Disposal of Complaints
6. Feedback Mechanisms
7. Follow up mechanisms

2.3 Equipping /Tooling

Inspections require physical and technological facilities to enable inspectors carry out their tasks effectively. JLOS recognises that some member institutions have established inspectorates which have such facilities although they may be inadequate in some institutions. A number of institutions have not yet established institutional inspection units to effectively undertake inspection tasks at the institutional and sectoral level.

The JLOS commitment is to ensure that all member institutions have functional and well equipped inspection units which will take charge of the institutional inspections, and contribute personnel to joint inspections at the sectoral level.

Such facilities include funds, transport and communication means, information management equipment like computers, internet and investigation devices.

2.4 Complaints Management Infrastructure

The institutions' value attachment and commitment to complaints management is a key service delivery area. The major orientation of justice system institutions is to handle complaints and dispense justice in a proper manner. Effective complaints management requires strong institutional support, streamlined complaints management procedures, as well as physical and technological facilities that favour the timely handling and disposal of complaints.

JLOS recognises that some member institutions have established Complaints Management Systems and enabling facilities although these remain inadequate. The sector has developed a Complaints Management Framework for all institutions to customise and apply in accordance with their respective mandates, structure and operational contexts.

The JLOS commitment is to ensure that all member institutions have functional and well equipped complaint management units, systems and infrastructure.

PROGRAMME IMPLEMENTATION ARRANGEMENTS

a. Institutional Structure and Roles

Each institution should have functional and equipped inspection and complaint management units that will implement the inspection and complaint management tasks.

For joint inspections, the Inspectors' Forum will draw representatives from all JLOS institutions and these will elect the Inspectors' Forum leadership and determine its management modalities. The role of the Inspectors' Forum will be to plan, execute and report on sectoral inspections.

b. Funding arrangements

Funding for the institutional inspections and complaints management will be channeled directly to the institutions following the established financing framework. For the joint inspections, the JLOS Secretariat will directly process funds requisitioned by the Inspectors' Forum leadership.

c. Reporting and Information Sharing

Institutional inspection and complaint management reports shall be managed following the established institutional procedures and reporting lines.

The JLOS Secretariat will access and consolidate complaint management reports from the institutions into coherent sectoral report that can be shared amongst stakeholders.

At the sectoral level, the IF shall report to the JLOS Technical Committee for further management of the reports. The IF shall also give copies of inspection reports to the Steering and Leadership Committees of JLOS for accountability and action.


ANNUAL WORK SCHEDULE FOR JOINT INSPECTIONS

Activity	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
1. Formalization of Inspection units in all JLOS institutions												
2. Election of Inspectors' Forum leaders												
3. Training of Inspectors	1 st Session	2 nd Session										
4. Conducting of Joint Inspections			1 st Qtr			2 nd Qtr			3 rd Qtr			4 th Qtr
5. Report preparation & submission				Qtr 1 report			Qtr 2 report			Qtr 3 report		Qtr 4 report

Quarterly Joint Inspection

Quarter	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Institutions	1. Ministry of Justice and Constitutional Affairs (MOJCA) 2. Directorate of Public Prosecutions (DPP) 3. The Law Development Centre (LDC) 4. The Uganda Law Society (ULS);	1. The Judiciary 2. Judicial Service Commission (JSC); 3. The Ministry of Local Government (Local Council Courts) 4. The Tax Appeals Tribunal (TAT)	1. Uganda Police Force (UPF) 2. The Ministry of Gender, Labor and Social Development (Probation and Juvenile Justice) 3. The Uganda Human Rights Commission (UHRC) 4. Centre for Arbitration and Dispute Resolution (CADER)	1. Uganda Prison Service (UPS) 2. Ministry of Internal Affairs (MIA) 3. The Uganda Law Reform Commission (ULRC) 4. The Uganda Registration Services Bureau (URSB)

CONCLUSIONS / GENERAL OBSERVATIONS

1. Joint Inspections in JLOS are very necessary and useful in improving service delivery in the justice system since it enhances compliance to set performance standards.
 2. It is generally noted that the Inspection function is not fully developed in some JLOS Institutions. Thus, there is need to formalize the inspection units in all institutions.
 3. There is need to continue building capacity of inspectors to improve on their skills and knowledge on inspections
 4. It is further noted that the complaints management framework in JLOS institutions is not harmonized and some institutions have no formal complaint handling mechanisms. This function should be quickly institutionalized such that the public is guided and the employees are equipped with skills on complaints management.
 5. The Inspectors' Forum requires strengthening in terms of funding, organization, structure, leadership and mandate.
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ANNEX 13

INDIVIDUALS THAT WERE INTERVIEWED

Date	Interviewee	Designation
4/10/2012	H/W Wolayo Henrietta	Inspector of Courts Judiciary
11/10/2012	Julius Mwebembezi	Deputy Registrar PRI JSC -
11/10/2012	Kagole Kivumbi	Secretary JSC-
11-12/10/2012	Katutsi Vincent	Manager Compliance & Enforcement URSB
12/10/2012	Bemanya Twebaze	Registrar General URSB
15/10/2012	Rachael Odoi	TA JLOS
15/10/2012	Frank Nigel Othembi	Director LDC
15/10/2012	Florence Nakacwa Dollo	Deputy Director LDC
30/10/2012	Inspectors Forum members***	
21/11/2012	Michael Wamasebu	Asst. DPP Inspections & Quality Assurance
	Badru Mulindwa	Principal State Attorney, DPP Inspections
21/11/2012	Alividza Jane Elizabeth	Deputy Inspector of Courts Judiciary
	Opesen Thadeus	Asst. Inspector of Courts Judiciary
21/11/2012	Adonyo Henry Peter	Ag. Chief Registrar courts of Judicature

***** JLOS INSPECTORS FORUM MEMBERS**

	Name	E-mail address	Tel. No.
1.	HW. H. Wolayo Inspector of Courts Judiciary	hwolayo@judicature.go.ug wolayoh@yahoo.com	0772-515495 0414-347312
2.	HW. Elizabeth Jane Alividza D/Inspector of Courts Judiciary	jalividza@judicature.go.ug ealividza@yahoo.com	0774-034347 0704-169410
3.	HW. Opesen Thadeus A/Inspector of Courts Judiciary	topesen@judicature.go.ug	0772-455076 0414251264
4.	Asiimwe Tadeo Judiciary	tasiimwe@judicature.go.ug Tadeo-asiimwe@yahoo.co.uk	0772-423715
5.	Mr. Kururagyire Jack Wycliff Prisons	wjkuru@gmail.com	0752-647012 0776-647012 0718-495557 0414-233959
6.	Ms. Nanfuka Elizabeth Prisons	enanfuka2006@yahoo.com	0772-554265
7.	Mr. Aioka Victor Prisons	aiokavictor@yahoo.com	0772-664953 0414-236560
8.	Kebirungi Sally Sandra Prisons	Sa2k1ndra@yahoo.com	0772-302650

9.	Mr. Wamasebu Michael DPP	wamasebu@yahoo.com	0772-457315 0414-332513
10.	Ms. Nabisenke Vicky DPP	vnabisenke@hotmail.com	0782-868838 0772-502874
11.	Mr. Mulindwa Badru DPP	Mulindwabadru2001@yahoo.com	0772-501709
12.	Nambozo Hanifa Police	nkasifer@yahoo.com	0772556640 0701126289
13.	Kasimo Thomas Police (PSU)	t.kasimo@yahoo.com	0774-782081 0718-300763
14.	F. A. Ogwal Police		0782507608
15.	Mr. Byarugaba John Police	Samsonkigombo@Gmail.com	0782-303819
16.	Ms. Grace Katusiime MGLSD	gracekat2@yahoo.com	0782-367564 0706-805898 0414-258304
17.	Mr. Masiga Samson MGLSD	saugmkyombo@gmail.com	0772510981
18.	Mr. Julius Mwebembezi JSC	bennonjulius@yahoo.com	0782-558948 0701125343 0718-322638
19.	Ms. Roselyn Karugonjo Segawa UHRC	rosekarugonjo@yahoo.co.uk	0712-811133 0414-3445082
20.	Ms. Norah Wandera MIA - Immigration		
21.	Wanyenya Mechtilde Judiciary (Inspectorate)	mwanyenya@judicature.go.ug mmwanyenya@yahoo.co.uk	0782955755
22.	Mr. Paul Gadenya Wolimbwa JLOS	pgadenya@jlos.go.ug	0772-633828
23.	Ms. Rachel Odoi Musoke JLOS	rodoi@hotmail.com radio@jlos.go.ug	0772-552416 0414-234118
24.	Mr. Sam Wairagala JLOS	wairagala@yahoo.com sam.wairagala@jlos.go.ug	0772-503593