



THE REPUBLIC OF UGANDA
JUDICIARY
STRATEGIC INVESTMENT PLAN

2011/12- 2015/16

FINAL

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LIST OF ACRONYMS

CSOs	Civil Society Organisations
DPP	Directorate of Public Prosecutions
EAC	East African Community
FY	Financial Year
GAL	Government Analytical Development
HRBA	Human Rights Based Approach
IEC	Information Education and Communication
IFMS	Integrated Financial Management System
JLOS	Justice Law and Order Sector
JSC	Judicial Service Commission
JSI	Judicial Studies Institute
JSIP	Judiciary Strategic Investment Plan
LC	Local Council
LCC	Local Council Courts
LCCA	Local Council Court Act
LDC	Law Development Centre
MIA	Ministry of Internal Affairs
MOGLSD	Ministry of Gender, Labor and Social Development
MOLG	Ministry of Local Government
NDP	National Development Plan
NSA	Non State Actors
PAS	Paralegal Advisory Services
PRDP	Peace, Recovery and Development Plan
RSA	Resident State Attorney
SWAp	Sector Wide Approach
TAT	Tax Appeal Tribunal
ToT	Training of Trainers
UHRC	Uganda Human Rights Commission
ULRC	Uganda Law Reform Commission
UPDF	Uganda Peoples Defence Force
UPF	Uganda Police Force
UPS	Uganda Prison Service
URSB	Uganda Registration Services Bureau

FOREWORD

I am pleased to present to you, the Third Strategic Investment plan for the Judiciary. The Judiciary, like all other JLOS institutions has just finalized the implementation of the Second Five Year Investment Plan (2005/06- 2010/11).

During this time, the overall development agenda for Uganda was guided by the Poverty Eradication Action Plan revised every three years, the Millennium Development Goals and other international and regional Legal treaties. Over this period, the Judiciary Strategic Investments in yielded modest successes including reduction in case backlog growth from 47% in 2008 to 13% in 2009. Despite these successes, the clog in the judicial systems and other challenges prevented the anticipated attainment of key National and International targets especially the eradication of case backlog and elimination of corruption (both real and perceived) which is in line with the Judiciary's core value of “ ***justice not only being done but seen to be done.***”

The National Development Plan (NDP) 2010/11 – 2014/15 was launched and set Uganda's medium term strategic direction, development priorities and implementation strategies. The NDP's theme is “***Growth, Employment and Socio-economic transformation for Prosperity***” and the thrust is to accelerate transformation of Uganda's society from a peasant to modern and prosperous country within 30 years. This will remain a dream if Justice continues to elude those who seek it.

I am therefore certain that the JSIP, besides addressing the key challenges facing Uganda's Justice system, most importantly sets out priorities and key areas on which to focus Justice enhancing investments in the medium term, for all stakeholders, in order to optimally contribute to the attainment of both the Justice Law and Order Sector goals and the National goals as outlined in the National Development Plan.

I wish to express my sincere gratitude to all individuals and organisations who worked tirelessly with the consultants to develop the JSIP on behalf of the people of Uganda. I look forward to the Dissemination and implementation of the JSIP interventions for attainment of our National and International goals of accessing Justice to all.

FOR GOD AND MY COUNTRY

B J Odoki
CHIEF JUSTICE OF UGANDA

Part A: Introduction

A.1 Background

1. The Judiciary, in the last five years, implemented administrative, legal and judicial reforms under the Judiciary Strategic Investment Plan (JSIP) II 2006/2007- 2010/2011. JSIP II aimed at enhancing access to justice; improving human rights observance and strengthening the rule of law in Uganda. Through JSIP II, the Judiciary embraced innovations including promotion of specialization in the High Court; explored Alternative Dispute Resolution(ADR) mechanisms to introduce speed and alternatives to litigation; pursued de-concentration of services through expansion of the Court Estate; and increased collaboration and strategic partnerships with other Justice agencies partly under the Justice, Law and Order Sector(JLOS) Framework; and through improved bi-lateral relationships with development partners; court users; civil society and the Private Sector.
2. These reforms have catapulted the services of the Judiciary forward with documented cases of improvements in multiple areas. These include the implementation of deliberate strategies to protect the independence of the Judiciary; a registered reduction in geographical distance between court users and court services particularly in the post conflict Northern Region; and reductions in case backlog from 133,451 in 2008/2009 to 128,477 in 2009/2010¹.
3. The JSIP II Strategic Review² of implementation attested to these achievements. JSIP II laid a firm ground for the Judiciary Strategic Investment Plan III and the potential for impact exists now with a higher likelihood of attaining change if the current interventions are groomed to the next level³. In addition the Review report recommends that the Judiciary SIP III accords priority to building public trust and confidence in the integrity of judicial services. JSIP III is therefore premised within the rights and results based approaches adopted by the Government of Uganda, and the lessons learned from implementation of JSIP II and JLOS SIP II. The Judiciary is confident that JSIP III will ensure speedy and affordable justice for all people in Uganda and will increase respect for and confidence in the entire

¹ Source- High Court Data Centre 23rd May 2011

² Conducted by the Centre for Justice Studies and Innovations(CJSI) Strategic Review of Performance under the Judiciary Strategic Investment Plan II 2006/7-2010/11, March 2011

³ Centre for Justice Studies and Innovations(CJSI) Strategic Review of Performance under the Judiciary Strategic Investment Plan II 2006/7-2010/11, March 2011

justice system. Below are the specific policy frameworks informing the development of JSIP III and the specific sector and national aspirations to which judicial services contribute.

A.2 The Policy Frameworks

4. The design of JSIP III is informed by three mutually re-enforcing frameworks. One is the Constitution of Uganda 1995 and the regional and international rights and legal frameworks⁴. These enjoin the Judiciary to administer justice in accordance with the wishes and aspirations of the people of Uganda. The second is the National Development Plan (NDP) 2010/2011- 2014/15 that promotes the national vision of a prosperous and democratic Uganda. The NDP five-year goal is to increase economic growth, promote employment and national prosperity. JSIP III creates an enabling environment for the attainment of all NDP goals. The theory of change here is that assurance of justice to the public by the Judiciary spurs investment; economic growth, employment, prosperity; and subsequently development. In articulating the connectivity between the assurance of justice and national development, JSIP III is designed to dovetail into another reform framework at sector level: the Justice, Law and Order Sector Strategy 2011/12-2015/16 that seeks to deliver “Justice for All.” The JLOS framework pursues three tracks; improvement in the legal, policy and regulatory frameworks; enhancing access to justice and promotion of human rights observance and accountability. A combination of the universal global rights and judicial practices⁵; the national development objectives under the National Development Plan; the Justice Law and Order Sector strategy and the Constitutional mandate of the Judiciary support the focus of JSIP III to improve court users’ experience through the justice system through the strategic intentions articulated in this Strategic Plan

A.3 JSIP III Development Process

5. This Strategic Investment Plan (SIP) covers a five-year period 2011/12 – 2015/16. It has been prepared in a highly participatory manner through workshops with staff members and stakeholders and interviews with key respondents. During those workshops staff members and stakeholders conducted an analysis of external and internal environments, a strategic review to identify priority areas, and examined factors that may hinder or facilitate the plan implementation.

⁴ Located in key human rights treaties including the Universal Declaration of Human Rights (UDHR); the International Convention of Civil and Political Rights (ICCPR) ; the International Convention on Economic, Social and Cultural Rights (ICESCR).

⁵ JSIP III is informed by the International Standards for Court Excellence against which court services in JSIP III will be benchmarked.

6. The Judiciary Research, Planning and Development Registry were at the forefront of the planning process. The Registry made extensive use of the draft JLOS result framework that served as a basis for the Judiciary's outcomes and outputs.
7. The plan document contains six sections and appendices. Section A describes the strategic planning process, the lessons learned from the evaluation of JSIP II, and a summary of legal and regulatory framework in which the Ugandan Judiciary operates; Section B contains vision, mission, values and result framework; Section C addresses organizational challenges while Section D contains risks and assumptions. The strategic alignment challenges are outlined in section E while M&E is included in section F. Appendices contain result framework matrix, risk management matrix, the TOR for decision making and coordination mechanisms, M&E framework and the operational plan 2011/ 2012.

A.4 Mandate of the Judiciary.

8. The Constitution of Uganda provides for the distribution of powers and functions as crucial elements in check and balance system. The separation of powers is applied to the three arms of government: the Executive; the Legislature; and the Judiciary.
9. The constitutional mandate of the Judiciary is given in the Article 126 of the Constitution of Uganda. "Judicial power is derived from the people and shall be exercised by the courts established under this constitution in the name of the people and in conformity with law and with the values, norms, and aspirations of the people. In adjudicating cases of both civil and criminal nature, the courts shall, subject to the law, apply the following principles:
 - Justice shall be done to all irrespective of their social or economic status;
 - Justice shall not be delayed;
 - Adequate compensation shall be awarded to victims of wrongs;
 - Reconciliation between parties shall be promoted;
 - Substantive justice shall be administered without undue regard for technicalities.
10. Article 127 asserts the independence of Judiciary: In the exercise of Judicial powers the courts shall be independent and shall not be subject to the control or direction of any person or authority. The Courts of Judicature comprise of Supreme Court, Court of Appeal/Constitutional Court, High Court, and subordinate courts (including Magistrate's Courts, Khadhi Courts, LC Courts) and are charged with the following roles or core functions:
 - Administer justice through resolving disputes between individual and between state and individual;
 - Interpret the constitution and the laws of Uganda;

- Promote the rule of law and contribute to the maintenance of order in society;
- Safeguard the constitution and uphold democratic principles;
- Protect human rights of individuals

A.5 Outstanding Challenges of JSIP II

11. The SWOT Analysis highlighted several outstanding gaps in the implementation of JSIP II with strategic implications for JSIP III. Those included inadequacies in the legal, policy and regulatory framework in which the Judiciary operates, inadequate performance standards across all levels, structural separation of administrative and judicial functions and often complex procedures that hinder the access to justice. In addition calls for mainstreaming of cross-cutting issues such as gender and people with disabilities are incorporated in JSIP III result framework.

12. Case backlogs remain a key hindrance in access to justice. Delivering justice for all is the core function of the Judiciary and therefore case backlog remains the major challenge for the next planning period. In March 2010, JLOS launched the Case Backlog Quick wins programme to clear 12,000 cases which were more than two years old but at the same time stemming the growth of new case backlog. Reports indicate that 28,000 cases were cleared through regular sessions and weeding out unmeritorious cases. Recent statistics⁶ show an average backlog growth rate of 8% across all courts and spheres of justice

Table 1: Backlog by Justice Sphere

Focus area	2008/09			2009/10			Half year 2010/11				
	Filed	Disposed	Disposal rate %	Filed	disposed	Disposal rate%	BBF	Filed	disposed	Disposal rate%	Pending
Criminal	57147	54065	48.6	59607	54525	45.7	63786	21579	21675	51	63690
Anti corruption								216	267		
Civil	8611	14527	36.3	19273	15608	28.4	39486	6597	4974	22	41109
Family	6905	7185	42.7	7307	6880	39.7	10445	6902	5113	59	12234
Land	3940	2162	15.8	4041	3412	21.7	12335	1943	1945	27	12333
Commercial	1161	920	34.2	1181	949	48.8	2005	678	409	30	2274
Total				91409	81374	38.9	128057	37915	34383	41	148012

⁶ JLOS Annual Report FY 2010/11

Table 2: Backlog by Level of Court

Court	2008/09			2009/10			Half year 2010/11					
	Filed	Disposed	Disposal rate %	Pending	Filed	disposed	Disposal rate%	BBF	registered	disposed	pending	Projected Disposal ⁷ rate %
Supreme Court	19	19	23.8	61	90	87	73.1	54	35	34	55	76.4
Court of Appeal	597	275	11.4	2136	469	348	13.9	2141	526	207	2638	15.5
High Court	9550	9068	24.4	28024	12468	12908	30.6	29231	6150	5969	35376	33.7
Chief Magistrates Court	49107	42843	38.7	67609	47332	40013	35	76346	20624	19255	84321	39.7
Magistrate GI Court	22278	21243	60	14093	24,031	21892	57.2	16358	8106	6925	1955	56.6
Magistrate GII	5732	5361	62.6	3198	6839	6126	60.8	3949	2474	1993	6367	62.0
Total	87,283	78,859	40.6	115071	91,409	81374	38.9	128057	37915	34383	148,012	41.4
Backlog growth%		7.9				8.5				8.2		

13. The issue of case backlog requires development/review of judicial quantitative and qualitative standards. Case backlog is alongside the inability of the Judiciary to keep up with creation of districts, inadequate enforcement of court judgments, slow roll out of innovations and inadequate mainstreaming of some programs funded by development partners into the overall strategic plan of the Judiciary.

14. Users of the Justice system have low levels of confidence in the Judiciary. The Judiciary and many of its LJOS partners have been consistently labeled as corrupt and inefficient. The increasing number of mob justice incidences may attest to this lack of trust and confidence in the system. The Judiciary often still operates in isolation, with inadequate mechanisms with consultations with stakeholders in place. Strengthening internal and external communication, coordination and consultation will therefore be an important objective in JSIP III.

15. In order to address these challenges, the Judiciary will strengthen its governance, leadership, management and technical structure, systems

⁷ Disposal rate is the percentage of cases disposed of the total number of cases divided by half since this is half year. i.e. cases brought forward and the new cases registered in that time period

and capacity, fully embrace Results Oriented Management (ROM) tailor its human resource management policies and systems to the requirement of ROM and good practices and institutionalize output oriented budgetary process during the JSIP III implementation.

A6 Lessons from JSIP II Strategic Review and JLOS SIP II Mid-Term Review

- 15 Two complementary studies are pertinent to JSIP III; the JLOS SIP II Mid Term Evaluation (MTE) and the JSIP II Strategic Review Report. Both made three pertinent recommendations that have informed JSIP III redesign; aspects of other recommendations:

16. **Groom JSIP II results to realize impact:** Both the JLOS MTE and the JSIP II Strategic Review recognize that pursuit of the Judiciary goals is on course though achievements were recorded at the lower levels of outputs and intermediary outcomes. Pockets of achievements existed alongside constraining factors. This was attributed to implementation asymmetries and poor linkages of interventions across Key Results Areas. The lesson learnt is to even out the imbalance and groom the results of JSIP II to the higher level of expected impact. Imbalances to be evened out require JSIP III to focus on software⁸ reforms; involved and accountable leadership at all levels; focus on Monitoring and Evaluation; effectiveness and efficiency and management of strategic partnerships. A number are further elaborated upon here below;

i. Focus on strategic thinking, leadership and management

The Judicial officers in today's Uganda should not only possess excellent up to date technical skills but should also appreciate and understand their role as leaders and managers. The higher up in the organizational ladder, the more of his or her time will be spent managing rather than doing.

The Principal Judge is accountable for the performance of judges. The Chief Registrar for the performance of all magistrates while the Chief Magistrate has a supervisory and oversight role over courts under her/his jurisdiction. The Resident Judges hold delegated authority and represent the Principal Judge in the respective circuits.

Being responsible for performance translates into performing management functions such as planning, organizing, leading, supervising and control. It means ensuring that standards of desired performance are understood by all employees under the unit, that people have skills and resources to perform, monitoring the performance, motivating staff, ensuring discipline and suggesting and implementing improvement interventions. It means effective communication within the department, with other departments and Judiciary

⁸ Particularly refers to the reform of systems, rules and procedures, leadership and staff attitudes to complement the hardware investments in physical structures; tools and equipment.

leadership and management. It also means effective communication with stakeholders including the public.

The Judiciary will therefore under JSIP III invest in strengthening the managerial and leadership capacity for the Judiciary staff. This will be done through training; involvement of officers in developing and implementing the performance management system; strengthening the Judicial Studies Institute(JSI) to align training programs to the strategic needs of the Judiciary Strategic Investment Plan III.

ii. Focus on M&E

JSIP II implementation was challenged by the inadequacy of the M&E system. As a result there was no provision of information related to progress and extent of attainment of intended outputs and outcomes. In conclusion it was noted that there no M&E system existed although some monitoring activities took place. Developing and institutionalizing such a system will be a priority in JSIP III.

iii. Focus on establishing and managing strategic partnerships

The Judiciary recognizes that in order to increase the access to justice for all, working with partners in JLOS, other government agencies, civil society and faith based organizations and private sector is essential. During JSIP III, the Judiciary will identify and manage strategic partners.

iv. Focus on improved public image

Access to justice is dependent upon a positive public perception of the Judiciary. If people have trust and confidence in the Judiciary, they will use their services. The challenge of improved public image of the Judiciary therefore has a direct effect on the achievement of vision and mission. There are several factors that are important in enhancing the public image such as increased independence of the Judiciary so that interference of the executive is minimized, more transparency and strict adherence to the code of conduct and zero tolerance to any corrupt tendencies within the ranks. The Judiciary will conduct occasional independent surveys to assess the performance of the Judiciary as perceived by the public and other partners. The Judiciary will also improve external communication with the public and other stakeholders.

v. Focus on effectiveness and efficiency

The Judiciary has been focusing on greater efficiency and effectiveness during the implementation of JSIP II, but major factors hindering the process have been identified, analyzed and will be addressed in JSIP III. Among others these include the absence of guidance on the optimal establishment (staffing norms) and most effective and efficient organizational structure; Inadequate unity of direction between judicial and administrative staff; Inadequate quantitative and qualitative performance standards for

judicial and administrative units and positions; Inadequate MIS for effective and efficient decision making; Not directly linking budget preparation and control to internal results and an inadequately developed performance management system.

vi. Focus on addressing vulnerability and integration of cross-cutting issues

JSIP II identified a range of cross-cutting issues, but was mostly silent on the mainstreaming of these issues in the Plan. Cross-cutting issues such as gender, people with disability, deliberate strategies to ensure access to judicial services for children, women, disabled and other disadvantaged groups needed to be not only reflected in the plans, but implemented and consistently monitored and performance accounted for. JSIP III will therefore include cross-cutting issues in the result framework and develop strategies to ensure that cross-cutting issues are mainstreamed.

The Judiciary will continue with its internal policy to recruit, train and promote women at all levels in order to achieve greater gender equality. In addition, the Judiciary will conduct a needs assessment exercise to identify and analyse the capacity of its officers to carry out gender work and train its judicial and administrative staff to fill the gaps identified. During the JSIP III implementation the Judiciary will also commission the development of gender manual to mainstream gender implications particularly at the LCC levels and provide supervisory support for LCC officials to use the manual.

PART B: JSIP III Values, Vision and Result Framework

B.1 Judiciary Core Values.

The Judiciary's strategic direction and result areas are based on its core values that form the basis for all its operations. Those values are:

- **Independence and impartiality.** The Judiciary will ensure that it operates freely in its own best judgment, without taking directives from, or being controlled by, any person or authority.
- **Transparency:** The Judiciary will be open at all times in dealing with all partners in the administration of Justice, document its operations and freely disseminate these. The Judiciary will Endeavour to win the confidence and trust of all Ugandans and the international community, through the quality of its services.
- **Professionalism:** The Judiciary will Endeavour to have well-trained, professionally competent and self-confident staff, that will administer justice to all.
- **Integrity:** The Judiciary will carry out its activities in an honest and truthful manner, and will take all reasonable measures to prevent willful wrongdoing by its officials.
- **Accountability:** The Judiciary will take full responsibility for its actions, and will always be answerable to the people of Uganda and to its partners.
- **Equality and respect:** The Judiciary will continue to uphold the principles of equality, equal opportunities and affirmative action in respect to gender and other disadvantaged groups.

B.2 JSIP III Vision

The vision of Judiciary is **“Justice for All”**.

B.3 JSIP III Mission

“ An independent, competent, trusted and accountable Judiciary that administers justice to all.”

In pursuit of its mission the Judiciary will work closely with all stakeholders, particularly the people of Uganda; promote an organisational culture of innovation, learning and continuous improvement, and lead the process of transformation among JLOS institutions.”

C: Result Framework 2011/12- 2015/16

C.1 JSIP III Results 2011/12- 2015/16

JSIP III pursues a comprehensive approach to promotion of Justice for all in the Justice, Law and Order Sector as a whole. The 5-year strategy is intended to address priority challenges and build upon JSIP II achievements. The Strategy presents a flexible design to allow (a) further development of the Annual Judiciary operational plans that the Judiciary SIP III management structures will agree upon according the JSIP III outcomes; and (b) the JSIP III to complement JLOS SIP III to ensure progress in access to justice, internal systems reform and external accountability reforms.

In short in order to achieve its mission, the Judiciary will deliver four strategic outcomes:

1. Legal, Policy and Regulatory Framework conducive for Judiciary Operations under JSIP III strengthened
2. Speedy and affordable Access to Justice particularly for children, poor men and women and other marginalized groups
3. Public trust and confidence in the Judiciary increased
4. A Judiciary that is efficient, effective, relevant, and responsive to the institutional and JSIP III needs

Outcome 1: Legislative and Regulatory Framework is conducive for Judicial Operations and in compliance with national, regional and international norms.

Situation Analysis

Legislative Environment supporting judicial operations, accountability and independence: A major challenge for Judicial administration of justice is to have in place a legal framework that furthers judicial independence while at the same time facilitating internal judicial operations.

Presently the intentions of the Constitution as they relate to administration of justice by the Judiciary are not operationalised by national legislation. Attempts to close this gap are evident in the Administration of Justice Bill- spearheaded by the Judiciary and that remains in draft with the Ministry of Justice and Constitutional Affairs. The bill puts into effect the Constitutional provisions on the role, governance, structure, administration, staffing and financing of the Judiciary and aligns all towards delivery of Judiciary objectives in a coordinated manner. In its absence, are practices of disunity of judicial and administrative staff; minimal control of staffing and discipline and financing- all of which have a negative impact on service delivery. The priority under Judiciary SIP III will be accorded to the revision of the draft bill in accordance with JSIP III and lobbying through the JLOS structure for its enactment into law.

Internal Policy and Regulatory Operating Framework: Laws, rules and orders of the court shape the Judiciary internal practice and procedures. Powers to augment internal procedures are vested in the Rule Committee constituted under Section 40 of the Judicature Act. The Rules committee consists of the Chief Justice as the Chairperson; the Attorney General, the Deputy Chief

Justice, the Principal Judge; two practicing advocates nominated by the Uganda Law Society and the Director of the Law Development Centre. The core function of the Rules committee is to regulate practice and procedures for all courts in their exercise of judicial functions. In addition to the Rules Committee, the Judicature (Amendment) Act, 2002 enjoins the High Court to exercise its inherent powers with regard to its own procedures and those of the Magistrate's Courts with particular reference to "prevent abuse of process of the court by curtailing delays, in trials and delivery of judgment including the power to limit and discontinue delayed prosecutions; to make orders for expeditious trials and to ensure that substantive justice shall be administered without undue regard to technicalities."⁹

The Rules Committee in JSIP II approved the procedural rules in the Small Claims Courts amongst other new practices and procedures. JSIP III targets advances in practices and procedures with regard to performance; internal management practices through operational rules and practice directions. JSIP III will seek internalization and full application of the law by all staff of the Judiciary and by so doing address challenges of minimal appreciation of the content and procedural law; complex procedures and rules contributing towards delay, heightened service cost and dissatisfaction by service users.

Dissemination of uniform and standardized laws; interpretations and enforcement guidelines: In addition JSIP III will promote and involve staff in the process of formulation of internal policies to increase ownership, integration in staff training and monitoring and evaluation systems.

Output 1.1: Legislative Environment conducive for judicial operations, accountability and independence: the Administration of Justice Bill

The Administration of Justice Act: The Judiciary is one of the three arms of the State. The Legislature, the Judiciary and the Executive all have distinct roles and are independent of one another. The role of the Judiciary is to uphold the rule of law and to deliver justice in disputes between citizens, business and the State fairly, efficiently and at the least cost. The principle of judicial independence underpins this. The democratic health and development of a nation requires that individual judges and the Judiciary as a whole are independent and impartial of all external pressures and of each other. To further underline the principle of Judicial Independence, the Judiciary will in the next five years lobby and demand for the enactment of the Administration of Justice bill into law. The Act will make significant changes in the administration of the Judiciary and also place an explicit statutory duty on all to respect the independence of the Judiciary. The Judiciary will invite stakeholder inputs aimed at strengthening the bill prior to representation to the Attorney General.

Other Priority Laws and Regulations: In order to achieve this output, the Judiciary will at the outset of JSIP III derive a list of priority laws, policies and internal rules and procedures for review and enactment into law, policy and regulations. With reference to the laws that are currently in draft, the Judiciary will engage the Attorney General; Ministry of Justice and Constitutional Affairs under the JLOS framework to fast track their enactment into law. In the same way emerging areas of practice that are not adequately covered by existing standards, rules and procedures will be identified and gaps filled. Priority laws targeted under JSIP III include witness protection; Amendment to the Children Statute; and other laws to be identified.

⁹ Section 4, Judicature(Amendment) Act 2002

Output 1.2 Regulatory Framework, Practices and Procedures contributing to Access to Justice developed, tested and rolled out.

JSIP III will lay emphasis on the review and updating its service practices and processes and integration of appropriate technology in all court processes.

Under this output, the Judiciary will identify and review all its rules and practices with particular reference to those presently negatively impacting on access to justice and public confidence and trust. Priority will be accorded to reform and/or development of rules and procedures that reduce the time taken to deal with cases in the system; provide a simpler and quicker service; encourage outside court resolution of issues by parties; give greater priority and urgency to public interest cases e.g. those involving children, poor people and other disadvantaged groups and also rules that allow for application of technology in court processes. A review of jurisdictions and division of labor across the court hierarchy will complement a review of priority systems including case filing, documentation, plea bargaining, court fees and fees administration systems; court trial systems; management of specific matters in courts for instance appeals, special categories of children, women and other groups, enforcement procedures, use of research assistants in case management, and related practices.

The intention is to introduce more proportionate procedures for the simplest cases and ensure diversion of cases that should not come to court to other methods of resolution. The Rules Committee, the office of the Principal Judge and the Chief Registrar will be supported by a full time technical assistant to fast track the review and reformulation of new rules and practices. Innovative practices tested in new divisions like Anti Corruption and Commercial division will be further reviewed by the Rules committee and good practices repackaged under Rules and nationally rolled out.

The Judiciary will ensure that developed procedures are gender and diversity sensitive and address specific concerns of women, people with disabilities and children. JSIP III will put in place practices and procedures that ease the access of children, women and people with disabilities interventions that will provide easy access to judicial services to Court premises, use of sign language and Braille during Court proceedings and strengthen the appreciation and capacity of staff on the special needs of people with disabilities.

Working with other relevant governmental and non-governmental partners, Judiciary will lead the process of reducing and/or removing obstacles that these special groups are facing, so that they may fully participate in the process. The strategy will be communicated to relevant organizations and their input sought.

The Judiciary is committed to ensuring that every effort is made for people with special needs, to be able to access the range of services and facilities available at the Judiciary. It is also committed to ensuring that people with special needs and organizations dealing with them, are given the opportunity to participate in a consultative process, which enables ongoing contributions to the identification of access barriers and the development of improved justice process.

Output 1.3 Laws, Policies and Procedures simplified and disseminated to all Judiciary Staff.

The Judiciary Planning and Development Committee will work with Divisions, the Technical Committee; the Monitoring committee and the Judicial Studies Institute (JSI) to improve the internal dissemination of standardized interpretation of laws and guidelines on enforcement. JSIP III will significantly improve staff involvement, ownership, internalization, application and compliance monitoring by implementing a holistic strategy to formulation and dissemination; embedding all rules and standards in Judiciary Training; closing the gap between individual levels of compliance and career growth and strengthening the Inspection function. The intention here is to ensure that the levels of services offered by all courts are consistently in accordance with Judiciary standards irrespective of location, division and hierarchy of court. The Judiciary will also ensure that gender and diversity concerns are integrated in judicial standards, policies, strategies, rules and internal procedures.

Priority policies to be formulated include Access to Justice Policy including access to justice in underserved areas; to disadvantaged groups; public interest cases; Human Resource policies; Legal Aid, Physical de-concentration of Judicial services police; Gender parity and a policy to fast track and ensure speedy access to justice in selected cases for example of sexual offences, children, corruption among others

Mainstreaming Gender and Diversity in Judicial Practices and Procedures

The Judiciary will develop and implement gender policy that will address internal and external gender issues. The policy will include the analysis of gender challenges within the Judiciary and specific targets and strategies for achieving greater gender equality. It will also include sexual harassment and exploitation component. In addition to targets in more equal gender representation at all levels, the policy will also examine other factors that may hinder the advancement of women within the Judiciary.

Strengthening gender capacity will be an important pre-condition for policy implementation. The Judiciary will conduct within year 1 an assessment of gender capacity and gaps and jointly with JSI develop and implement gender training for all staff.

Mainstreaming Children's justice needs into Judicial Policies, Regulations, Practices and Procedures. Children comprise approximately 60% of Uganda's 31 million population. Increasing demands are being made by a more youthful population to which the Judiciary must respond- Voices and needs of children will therefore be placed at the heart of the Judiciary planning and service delivery. In particular Children's justice needs are mainstreamed into this plan and the propriety of the response will continue to be monitored and tracked throughout the implementation. Of importance are total numbers of children seeking judicial services, speed and propriety of response. Working with the Justice, Law and Order Sector, children will be diverted from the judicial system, their cases fast tracked and strategic partnerships promoted to ensure propriety of outcomes for children. Internal capacity within the Judiciary will be developed through development and dissemination of child friendly judicial practice guidelines; specialized tracking and performance tracking.

Outcome 2: Speedy and affordable Access to Justice

B.6.1 Situation Analysis

A major challenge impeding access to justice is closing the gap between policy and practice. Presently, the JSIP II achievements of reduction of case backlog; functional specialist courts; increasing physical access through construction of courts; introduction of Alternative Dispute Resolution mechanisms need to be complemented by further deliberate strategies under JSIP III to increase the breadth of users including the poor and marginalized under the categories of those who access justice; and to exploit the latent potential introduced by JSIP II reforms.

Poor women and children constitute over 50% of Ugandan population and continue to be disadvantaged due to vulnerability, historical and cultural factors. While people have the right to practice their own culture, there are occasions that women may be disadvantaged and not be able to access their full rights. Examples include women's right to control and own land, forced marriages and gender based violence.

The challenge for JSIP III, therefore, will be to isolate JSIP II strengths and build upon current opportunities to improve the current working model and the Judiciary ways of working.

Output 2.1 Plans for continued physical de-concentration developed and implemented

In order to achieve this objective, the Judiciary will further de-concentrate its services and reduce the distance between the users and physical court houses. In JSIP III the physical de-concentration will be guided by the Judiciary Access to Justice Strategy with a clear blue print, road map and co-ordinated deployment of human and financial resources into the new areas. The intention is to lay out in the Access to Justice Strategy the long term estate demands upon the Judiciary in key aspects of chambers; court rooms; offices; ADR rooms; special needs requirements across geographical locations and by hierarchy of courts. In JSIP III the de-concentration of Court premises will continue in the JSIP III planning period.

The Judiciary will ensure that plans for physical de-concentration are children, gender and diversity sensitive. This would include physical facilities for people with disabilities, waiting rooms that are gender and diversity sensitive, priority services for children, pregnant women and nursing mothers, interpreters and front line staff that are gender and diversity sensitive.

Output 2.2 Time taken to deal with cases in the Court system significantly reduced

Under this output, the Judiciary will accord priority to the review and strengthening of its case management policy and practice across all divisions. The Judiciary will review and roll out the Case backlog reduction strategy; develop and replicate alternative models of dispute resolution; review, establish and roll out specialist courts; and adopt and roll out appropriate technology in case management to support case progression, performance measurement and information sharing. The disposal rate of criminal cases is projected to increase by 5 percentage points, family cases by over 10 percentage points and overall disposal by 2 percentage points. In addition to the mediation programme, the Judiciary will launch and pilot the Small Claims Procedure fast-track mechanism for

civil/commercial claims of not more than Shs.10,000,000/ in Mbarara, Arua, Fort Portal and Mengo Courts.

The intention is to support the work of courts through provision of the requisite resources – financial and human and in addition strengthen accountability for individual and institutional performance. In addition the Judiciary will conduct trainings and skills development to enhance internal technical supervisory capacity in the Judiciary.

During the JSIP III implementation the Judiciary will develop/ review and implement standards of performance for all judicial officers. This is a priority task that would address root causes of case backlog. Without well defined quantitative and qualitative standards of performance that are applied uniformly across levels and regions, case backlog is likely to persist. Review/development of judiciary performance standards will be part of the result oriented management process that Judiciary is implementing. Defined and accepted standards of Judiciary performance will also enhance the Judiciary performance evaluation system so that excellent performers can be rewarded and the ones performing below expectations trained and coached.

Output 2.3 Judicial support system for all court users particularly special needs groups reviewed and implemented

To attain this objective the Judiciary will improve its facilities and support services to court users through institutionalizing the operations of advice, information and support centers in all courts; easy to operate case tracking systems; Improved infrastructure designs to allow for waiting areas, customer service offices; access for all including disabled, children and accord priority and urgency to cases of women, children and vulnerable groups through analysis, mainstreaming and monitoring progress made in Judicial response to special needs of children, poor women and men, people with disabilities, victims, witnesses, prisoners and other marginalized groups. In addition, the Judiciary will simplify and implement a more robust State Briefs Scheme that will improve the legal services and information available to legal aid recipients; roll out Justice Centers; and implement a strategy to supervise and assure quality of judicial services in Local Council courts.

Addressing special groups- Gender Justice, Poverty, Disability and Child Friendly Judicial services

To enhance access to justice for all and particularly the poor men and women, the children and other disadvantaged groups the Judiciary will undertake the following by 2015/16: (i) analyse special gender and diversity; disability; poverty and children concerns in judicial service delivery; (ii) develop and implement appropriate manuals for mainstreaming the respective issues in the administration of justice; (iii) strengthen the capacity of the officers in all levels in gender and diversity; poverty, disability and child friendly procedures and protocols; (iv) monitor implementation and take appropriate remedial actions; (v) ensure that data and information is segregated by socio-economic status, age, gender and diversity.

In addition the Judiciary will also ensure the following:

- i. Provide clear guidelines to LCC on the administration of justice with regard to children and gender related cases
- ii. Strengthen the capacity for children related and gender work among the staff of Judiciary and oversight capacity over LCC
- iii. IEC materials that educate public on special gender and children related concerns in the administration of justice
- iv. Provide special assistance to poor women and men, children and other disadvantaged groups.
- v. Ensure that children, poverty, conflict and gender concerns are incorporated in Judiciary partnerships with law enforcement agencies, media and civil society.

Output 4: Strengthened enforcement services of judicial decisions.

Under this output, JSIP III will develop a strategy to strengthen the enforcement section of the court and will pilot the strategy in selected sites. The pilot strategy will be closely monitored and lessons learned included in rolling out the strategy nationwide.

Outcome 3: Public Trust and Confidence in Judicial Services Enhanced

Situation Analysis

National User Surveys continue to rate the Judiciary among the top ranking five corrupt institutions in the country. The National Service Delivery survey too rated access to judicial services as in need of improvement¹⁰. Anecdotal information by politicians and leadership of Uganda too disparage the Judiciary and the entire justice system as rife with corruption; riddled with inefficiency; and irresponsive to user needs. This is in spite of JSIP II reforms to improve judicial integrity aimed at building public confidence and trust in the last five years. To assuage this crisis of confidence evidenced in deferential public attitudes; increase in incidences of mob justice and that are compounded by delays in case disposal; the JSIP III will focus on strengthening the Judiciary-Court Users Information and information flow channels; user service standards and complaints management systems; Judicial Services User Surveys and strategic partnerships with user groups.

JSIP III Response

Output 3.1 Judiciary External Accountability enhanced

This strategic intention seeks to change the way the Judiciary interacts with its service users. The Judiciary will promote short route accountability (service provider to citizens) through the involvement of users and communities in collective and individual decision making on judicial policy. Such people participation is expected to improve decision making; increase the acceptance of

¹⁰ Government of Uganda; Uganda Bureau of Statistics, National Social Service Delivery Survey; 2004

such decisions and encourage the people to take responsibility for both individual and judicial decisions. The proposed strategy will focus on the following areas; disclosure of information; user complaint management system; participatory approach to judicial policy making and service provision and public oversight in the context of JSIP III.

JSIP III will develop and issue user service standards that will be simplified, translated and displayed in all courtroom notice boards. Service standards will outline in detail user rights and obligations within the court premises including use of the information desks; claims management; complaint handling and complaint handling standards; services rendered and costs payable. Court performance information including court cause lists; case progression and case status will also be integrated into the notice board standards, localized and disseminated to the public. It is envisaged to result into a positive Court-community relationship and promotion of a rights culture within the Judiciary. The Judiciary will strengthen its Information and Public Relations Office to effectively support this function in coordination with the Judicial Service Commission and the Uganda Human Rights Commission.

The Judiciary will ensure that all the information and information services provided are audited for gender and diversity concerns and that officers providing such information have been trained in gender and diversity issues.

Output 3.2 Strategic Partnerships and Collaborations with Stakeholders in the Justice system strengthened at all levels

This strategic intention here is for the Judiciary to mobilize and direct Justice System stakeholder to attain the Judiciary objectives. This is with recognition that administration of justice is precipitated not solely by the Judiciary but through a convergence of action by a whole range of State and Non State Actors. The Judiciary will conduct a stakeholder analysis at all levels; and develop mechanisms for collaboration for strategic partners. Priority initiatives that may feed into the strategy include to institutionalize the Bar-Bench initiative; develop standards for and roll out Court User Committees to all courts; institutionalize Court-Local Government sessions and provide space for public service; judicial service commission; Uganda Human Rights Commission; private sector and civil society organizations; Law Development Centre in judiciary planning and implementation processes.

3.2.1 Strategic Partnership with the Judicial Service Commission

The Judicial Service Commission (JSC) plays a very critical role in the administration of Justice. JSC is mandated to recruit, discipline, receive and review complaints against judicial officers, conduct public judicial education and advise Government on ways of improving the administration of justice. JSC therefore has a vital role to play to enhance the independence, operational autonomy, efficiency and effectiveness in the governance and management of the Judiciary. Under JSIP III, the Judiciary will provide to the JSC its position on criteria for the recruitment of judicial officers to ensure coherence, coordination, standardization and transparency in the recruitment and promotion processes, provide institutional input into the judicial education, disciplinary and complaint management processes to enhance the performance of the Judicial Service commission in pursuit of the JSIP III objectives.

3.2.2 Strategic Partnership with the Public Service Commission. The intention is to address all work related factors and other contextual issues that affect the recruitment, performance, discipline and retention of all staff of the Judiciary recruited by the Public Service Commission

3.2.3 Strategic Partnership with the Legal Profession: JSIP III will institutionalize Quarterly and Annual Bar-Bench events to give lawyers and judicial officers a chance to reflect on their experiences in the administration of justice.

3.2.4 Strategic Partnerships with other Justice agencies: All court stations will participate in the District Chain Linked committees to address inter-agency issues, facilitate improvements in the operations of the courts, and coordinate cohesive, efficient and effective administration of justice through strategic and operational planning, resource mobilization, review and monitoring. At the national level the Judiciary will continue to lead the Sector and ensure interaction among the agencies and stakeholders.

3.2.5 Strategic Partnership with Civil Society Organizations and Non state Actors. The role of civil society organizations and private sector as advocates for and monitors of judicial reform will be strengthened.

Output 3.3 Ethics and Integrity in the Judiciary Promoted

To promote ethical conduct and prevent corruption in the Judiciary, JSIP III will undertake a governance and accountability assessment to identify and take remedial measures on the high risk areas; develop and implement an integrated Ethics, Integrity and anti corruption Strategy at all levels of the Judiciary, review and disseminate to the public judicial Service codes of conduct; strengthen the inspectorate to monitor, investigate and take remedial action including referral to the Judicial Service commission and develop mechanisms for regular integrity testing and monitoring of the exercise of discretion by judicial officers. The policy of zero-tolerance to corruption will be strictly implemented.

Output 3.4 Public Oversight of Judicial Services Strengthened

The strategy proposes that user/client satisfaction surveys be conducted on a regular basis. As part of the Monitoring and Evaluation component under the JSIP III and JLOS SIP III Results Framework, an initial survey (User Score card) will be conducted to establish a baseline, after which additional surveys will be initiated to track progress.

Outcome 4: A Judiciary that is efficient, effective, relevant, and responsive to the institutional needs developed

JSIP III will lay emphasis on five areas. One is JSIP III leadership capacity enhancement. Two is creating and optimal staffing of a Judiciary structure responsive to JSIP III. Three is system development with particular emphasis on Results Orientation; Performance Management Systems; Training and Human Resource Development; ICT, M&E and Diversity management systems. Four

is efficiency in Resource acquisition and utilization. The fifth is addressed under Result 1 and related to efficiency and quality of judicial and administrative systems and processes.

Operationalizing Terms¹¹

Efficient Structure. At the level of *efficiency*, JSIP III expects to build a structure that provides 'value-for money' in terms of how human and financial resources are utilized to 'buy' results. In other words, we hope to have a structure that maximizes programme inputs in the attainment of objectives. Similarly, we expect this structure to offer timely, and reliable information on 'resource use and application'

Effective Structure. At the level of *effectiveness*, our interest is that of attribution. We will want to build a structure that is results-based; one that can show a **cause-effect relationship** between the results and the programme activities.

Relevant Structure. By relevance we mean a Judiciary structure that continues to 'make sense' in the context of the Judiciary realities. In this respect then, we assume that the Judiciary structure is also a 'living being' and shall have to adjust itself to changing dynamics on the ground.

Responsive Structure. In the area of *responsiveness*, we expect to create a Judiciary structure that responds to the peculiar challenges from the country environment with timely and appropriate action.

Leadership Capacity Development -Enhanced Stewardship of the Judiciary at all levels

The Chief Justice is responsible for the stewardship of the Judiciary. This office sets out the direction for the institutional development and guides the strategic management of the system, factoring in the broader social, political and economic environment within which the Judiciary operates. The stewardship function calls for the ability to formulate strategic policy direction to ensure good regulation and the capacity for implementing it (experience, tools). It also requires the necessary intelligence on judicial system performance in order to ensure accountability and transparency. Leadership cascades down to the Deputy Chief Justice; the Principal Judge; Justices and Judges and the Chief Magistrates. The Judicature Amendment Act of 2002 Act reiterates the inherent powers and leadership of the High Court. To strengthen the stewardship of the judicial system, this strategic plan proposes the following actions.

Leadership Capacity Enhancement: An important initial element of the JSIP III formulation process has been the development of an agreed vision. This included the identification of available options, and their potential benefit to people seeking judicial services and the critical challenges facing justice claimants and the Judiciary as an institution. The Vision will be complemented by the development of a Judiciary governance strategy to clearly articulate, identify and negotiate priorities and tradeoffs, harness multi-actor complementary skills through people-centered and poverty focused approaches, and increase skills in adaptive management. The proposed activities here include structured exchanges with a focus on justice sector leadership, regular regional face to face meetings, peer learning, and the formation of a local/sub-regional network for exchanges between judicial/justice reform programs in different landscapes. Implementation of these activities is

¹¹ Evaluations of the institutional strategy of JSIP III to be based on this conceptualization

proposed to be carried out in partnership with the Justice, Law and Order Sector. The leadership training envisaged here will lay emphasis on skills for managing change and managing for results, and offers customized support to high- and mid-level decision-makers who are implementing the JSIP III.

The outputs will be four- fold:

- (i) **Strengthened leadership, planning and implementation capacity** in all divisions, higher and lower courts. Strengthening of leadership capacity will focus on divisional and magistrates' courts while operational plans aligned to JSIP III will be used as a monitoring tool. In addition the Judiciary will strengthen its capacity through establishment of optimal staffing levels and implementation of organizational development strategy.
- (ii) **A credible and functional Performance Management System** with specific standards of performance at all levels developed and implemented.
- (iii) **Enforcement of Disciplinary Actions.** The Judiciary staff attendance to their work needs to be improved upon. Here JSIP III will act on two fronts and in parallel: improve incentives, working conditions, and morale while enforcing effective disciplinary sanctions against poor performance. The former has to be dealt with in the context of hard-to-reach policy under Outcome 1. The latter, however, can be achieved by increase the likelihood of severe disciplinary procedures to deal with serious misbehavior at the lowest level possible. JSIP III will activate the oversight role of circuit heads, Resident Judges and Chief Magistrates over Judiciary staff under their jurisdiction.
- (iv) **Annual national address by the Chief Justice on the State of the Judiciary and the administration of justice.** This will create public awareness on performance of the Judiciary and entrench a culture of performance excellence and judicial accountability in the Judiciary.

Creating and staffing of Judiciary Structure to respond to JSIP III

2. **Structure:** The Judiciary is currently operating an interim structure under an administrative arrangement with the Ministry of Public Service¹². The Judiciary structure needs to be urgently reviewed in light of the Administration of Justice Bill and JSIP III. JSIP III recommends a results-based design of the Judiciary Structure with attention to the results areas identified in JSIP III. There is need for a clear link between the centrally based divisions and the Judiciary structure upcountry. Secondly there is need for ensuring a proper fit between Resident Judges upcountry and the Centre. Within the first year of JSIP III, the Judiciary will conduct a study of its organizational structure and integrate recommended actions in JSIP III roll out plans.
3. **Human Resource: Staffing:** JSIP III results will be delivered by optimal numbers and skills among staff. JSIP III will be preceded by a study of optimal staffing levels and an audit of organizational, technical and managerial capacity among staff. The recommendations of

¹² Awaiting the enactment into law of the Administration of Justice Bill

these reports will guide the decisions to train; reorient, redeploy and reequip. In addition the following are complementary actions to be undertaken at the onset of JSIP III;

- i. Develop result areas and accountability for each position within the and developing comprehensive results-focused job descriptions, employee specifications and standards of performance
- ii. Develop and implement results-based performance evaluation system
- iii. Develop and implement an internal communication strategy, with clear information requirements for each department, position and level, channels of communication, frequency, quality standards and feedback mechanisms

Staff Training and Human Resource Development

4. Three types of training will be carried out by JSIP III. The strategic intention of both will be to strengthen capacity and sharpen the competencies of the Judiciary personnel to deliver the results of JSIP III.
5. Results Based Management Training. The following training will be conducted as a precondition to the rolling out of JSIP III by the Judicial Studies Institute(JSI) with the facilitation of JLOS and Judiciary actors and a competent Training Institution:
 - a. 'Skills acquisition' and 'knowledge imparting' training for new leadership and managers including Higher Court and division heads; resident judges; Chief Magistrates at all levels in the Judiciary.
 - b. 'Skills acquisition' training for existing managers to implement JSIP III
 - c. 'Competence sharpening' training for the Research and Planning Unit and members of the Technical committee and the Planning and Development Committee
 - d. Orientation of all Judiciary staff and strategic partners on JSIP III
 - e. Training of all Judiciary staff in the use of RBM results monitoring tool
 - f. Training of selected Judiciary staff on data collection, analysis and JSIP III reporting.
 - g. Training in ICT to facilitate digitization of records, automation of the recording of court proceedings and access to interactive data bases.
 - h. Specialized training in gender justice; child justice and poverty law.
6. Substantive/Procedural related Technical Training. This will constitute a larger component of the training aimed at exposing Judiciary staff to new laws and procedures, refresher training in technical and specialized areas and updates on procedures. The Judicial Studies Institute will review its strategy to ensure alignment with JSIP III, broaden its partnerships with national and international training institutions to match the Judiciary staff training needs and develop mechanism to evaluate and follow through training programmes. JSI will explore partnerships with exert CSOs in the training of Judiciary staff in the management of special groups including children, women, and other vulnerable groups.
7. Attachments and Exchange Visits. In order to share experiences and replicate good practices between divisions and implementation sites, attachments and exchange visits shall be conducted across divisions and implementation sites. The decision for the visits will be based on a noticed and demonstrable good practice, which should be shared across board.

Judicial Service Delivery Systems Development

8. **Results-Based Management** is an approach to improve programme and management effectiveness, efficiency and accountability, and is oriented towards achieving results. Only an independent, professionally managed, accountable, competent, results oriented and trustworthy organization can achieve the challenging results and targets developed in JSIP III. The Judiciary not only has to be competent and independent but has to be perceived as such. The public and stakeholders should trust the institution that administers justice for them. The Judiciary defines a result as a describable or measurable change in state that is derived from a cause and effect relationship. Results-based management is fundamental to the Judiciary approach and practice in fulfilling its mandate and effectively. The Judiciary will systematically focus on results to ensure that financial and human resources are strategically deployed to achieve the greatest impact. The Judiciary will take the lead in ensuring that RBM will guide all staff, bearing in mind the diversity of situations in which its work and the role played by partners in achieving results. The Judiciary will report on its results in order to inform partners and parliament on progress.
9. **Information Management system:** The Judiciary information management system needs strengthening to facilitate information sharing and coordination within and outside the Judiciary. JSIP III will lay emphasis on reengineering its business processes; adoption of appropriate technology and its integration in all court processes.
10. **Functional Communication Strategy.** It is expected that the Judiciary will strengthen and implement a functional communication strategy that conforms with the Access to Information Act and that is geared towards enhancing user access. Implementation of such a strategy will require that the Office of the Chief Justice and through the Registry of Planning and Development to be supported by professional communication officers and equipped with modern communication channels or mechanisms. Top leadership in the Judiciary will thus be able to articulate and share the strategic vision, enlist support for the implementation of the strategic plan, solicit inputs and comments, and inform on implementation progress and issues.

11. Managing Strategic Partnership Strategy

Judiciary will strengthen its partnership with strategic organisations within the public and private sectors. It will develop and implement an effective communications policy involving all aspects of the media. During JSIP planning period the Judiciary will:

- Set up national and district structures for effective and ongoing consultation with civil society institutions on aspects of the administration of justice.
- Promoting community outreach programmes to increase the public awareness on the role of the Judiciary.
- Evaluating existing public information processes within and outside the Judiciary and enter into partnerships with NGOs and other departments where possible.

- Set up information desks in courts at which literature in the different local languages (charts/pamphlet/stickers/booklets/calendars/etc) covering topics such as: access to justice, how courts and Judiciary function; civil procedure, human rights etc.
- Consult with NGOs and the public in general on information needs and preferred strategies to meet the identified needs and strengthening the role of civil society in the administration of justice.
- Develop and/or strengthen consultative mechanisms with the Ministry of Justice and Constitutional Affairs, the Attorney General's Chambers, the Uganda Police, Office of the President, and other relevant ministries.
- Participate in the planning and implementation of anti-corruption and anti-violence campaigns.
- Strengthen consultative mechanisms with the media.
- Strengthen consultative mechanisms with religious and non-governmental organisations.
- Develop/ strengthen mechanisms for East African regional cooperation

12. Information Technology Strategy

During this planning period Judiciary will make a greater use of ICT in the management of the justice process. Specifically, Judiciary will apply ICT in logistics management, budgeting and budgetary control, and case management technology, among others.

During JSIP III implementation the Judiciary will introduce e-Court system. Judges and magistrates will record their Court proceedings on laptops. Technology already exists but has to be strengthened at all levels. The Judiciary will make use of teleconferencing and other ICT capabilities to improve its overall effectiveness and efficiency.

The Judiciary will continue with the computerization for efficient storage of data, e.g. public representations, case law and other useful legal information for courts and related structures and linking all offices to the Internet.

13. Communication Strategy

During the JSIP III period the Judiciary will implement the communication strategy. The goal of the strategy is Effective dissemination of Information and communication to ensure a transparent and accountable Judiciary. The strategy is in line with the Access to Information Act. The purpose of the strategy is to increase, enhance and sustain information sharing/utilisation and communication on and about the Judiciary. The strategy has the following outcomes:

- Increased awareness about Judiciary services
- Increased levels of public trust of the Judiciary
- Effective and efficient service delivery system
- Improved image of the Judiciary

Judiciary will develop and implement the desired image of an independent, accountable and professional body, to all its important publics. These publics include the Government of Uganda, the media, civil society, religious organisations, development partners and Ugandans at large. Judiciary will develop special programmes targeting the poor and marginalised Ugandans to inform them about the Ugandan justice system. Some of the proposed actions will include:

- Judiciary Newsletter and Annual reports and other reports developed and widely disseminated
- Communication strategy with media that include media briefing, consultative forums, guidelines and procedures for operations, process for press releases, feature articles and information sheets, talk shows, interviews, among others; improvement of Judiciary website.
- Strengthening the communication capacity of staff through training

The responsibility for the strategy implementation lies with Public Relations and Communication section within the Registrar of Planning and Development. Judges and magistrates will be responsible for implementation of the strategy for units under their management. The Judiciary will also strengthen the communication capacity of all staff through training.

Resource Acquisition and Use

14. The Judiciary will lobby to strengthen its financial autonomy by receiving its funding from a consolidated fund. In addition, Judiciary will market the strategic plan to JLOS development partners, to acquire additional funding, to strengthen its capacity to deliver professionally managed, administration of justice. Fundraising and management of resources will be guided by the Judiciary's values of independence, transparency and accountability. The Judiciary will review its budget allocation system in consultation with JLOS in order to link it to the result areas. During the JSIP III the Judiciary will fully implement Output Oriented Budgeting. The M&E system will also reflect the allocation and utilization of funds in outcome areas.

The Judiciary will launch the plan with JLOS development partners and the Government of Uganda to ensure that adequate resources are available for plan implementation. In addition the Judiciary will, in consultation with JLOS develop proposals for specific projects such as establishment of optimal staffing norms, M&E system and performance management system, if adequate funds for those are not available in regular allocation.

15. **Strengthened Budget and JSIP III Alignment and Control.** The alignment of JSIP III to the budget and yearly expenditure is vital if JSIP III results are to be attained. The current situation can be improved upon if the role of the Registry of Planning and Development is strengthened to include budgeting under the oversight of the Technical committee and the Secretary to the Judiciary; a combination of bottom up/top down approach to planning and timely and accurate dissemination of budget information. Once managers and spending units have access to this information, budgets can be planned more effectively. Access to

information will yield greater transparency. Publication of budget information and related activities on the Judiciary intra net website and other information channels can further enhance planning and budgeting transparency. Progress in the alignment of the plans and budgets will be periodically informed and monitored. The use of IFMIS should improve the effectiveness of planning and budget oversight as the system will reinforce monitoring at various stages of the budget implementation practices.

16. **Implementation of recommendations of previous reports on budget planning, accounts control, internal and external auditing and financial management reforms in the Judiciary.** The Judiciary will develop a follow up action plan to enhance follow up of recommendations from audit reports, review, VFM studies among others.

JSIP III Implementation Arrangements

17. To ensure implementation and monitoring of the proposed JSIP III, the Strategy will be the one reference document for all operations in the Judiciary. For the strategy to have maximum impact at the national, regional and local levels, an appropriate governance structure is identified.
18. The Chief Justice with the support of the Planning and Development Committee will lead the implementation of the JSIP III. The Chief Justice will advocate and sell the JSIP III among stakeholders inside and outside the Judiciary, JLOS and at national level through an effective communication strategy to be developed and implemented as recommended by this strategy.
19. The Chief Justice shall steer the implementation of JSIP III aided by the JSIP III Steering Committee/ an expanded Planning and Development Committee. The constitution of the Committee is premised in the value addition and contribution to the results of the strategy. In particular Result 1 will be driven by the Rules Committee. Result 2 will be driven by the Deputy Chief Justice; the Principal Judge, Heads of Divisions; the Management Information System unit; and the Chief Registrar. Result 3 will be driven by the Inspectorate of Courts; Judicial Service Commission, Management Information System and the Communication Unit. Result 4 will be driven by the Secretary to the Judiciary, the Judicial Studies Institute and the Registry of Research, Planning and Development. It is therefore proposed that the PDC/JSIP III Steering Committee is comprised of the following members:
 - i. The Chief Justice
 - ii. The Deputy Chief Justice
 - iii. The Principal Judge
 - iv. Chief Registrar
 - v. Head Judicial Studies Institute

- vi. Head Judicial Service Commission
- vii. Head Inspectorate of Courts
- viii. President Uganda Law Society
- ix. Head JLOS Secretariat
- x. Head Registry of Research, Planning and Development

20. As noted in Part A of the Plan, this role is vital to the attainment of the JSIP III objectives and it needs to be supported. A specific set of TORs spelling out its mandate and scope, and working mechanism will be attached at **Annex V** of this Plan. Overall, however, it is expected that the Committee will play the following roles as identified during the design consultations:

- a. Drive the JSIP III Strategic Plan
- b. Develop the Policy, legal and regulatory framework;
- c. Monitor performance and provide the quality assurance of the JSIP III results
- d. Seek and engage outside the Judiciary to attain JSIP III results
- e. Backstop the implementing structures

21. **The Technical Committee.** Day-to-day implementation of JSIP III shall be under the responsibility of the Technical Committee supported by the Registry of Planning and Development. The Technical Committee shall be comprised of the following members:

- i. The Principal Judge
- ii. The Chief Registrar
- iii. Heads of HC Divisions and regional representatives of resident judges upcountry
- iv. The Secretary to the Judiciary
- v. Registrars of SC, CA and HC
- vi. Inspector of Courts
- vii. Managers of Support functions: Information Systems; Human Resources; Estates; Training, Communications and financial management.

22. External membership of civil society, legal profession, private sector as may be appropriate from the value added analysis may be co-opted at all levels . Once this is reconstituted, it will act as the axis around which JSIP III rotates. A specific set of TORs spelling out its mandate and scope, is attached at **Annex V** of the Plan. In a nutshell, it is expected that the Technical Committee will play the following roles:

- a. Actively participate in the Steering Committee through its representative
- b. Implement the intentions of the SC
- c. Drive the operational plans
- d. Provide technical support to JSIP III
- e. Assure the operational quality of JSIP III
- f. Allocate and Track management of the JSIP III funds
- g. Monitor and constantly evaluate JSIP III operations

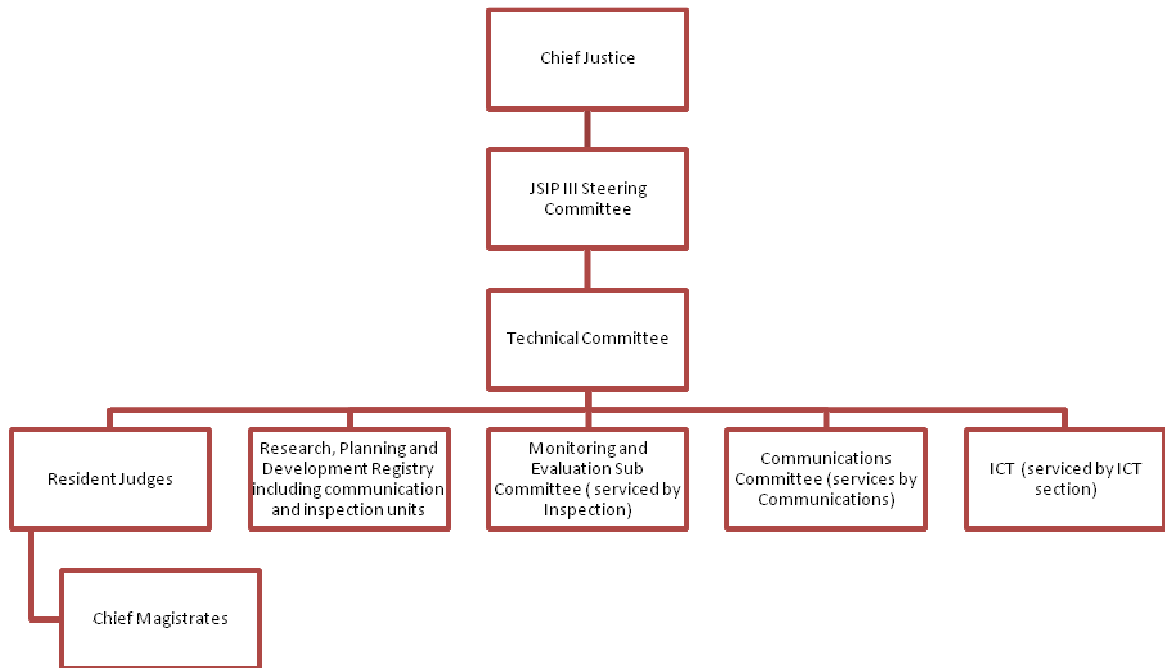
23. **The Research, Planning and Development Registry.** This is the central planning and management Unit of the Judiciary. It will be restructured and expanded. It will also be capacitated in Results Based Management to monitor and implement JSIP III using RBM tools. Its renewed role will include, but not be limited to the following¹³:
- a. Lead the process of JSIP III dissemination and internalization of roles for all Judiciary staff in collaboration with the Judicial Studies Institute;
 - b. Supervise and monitor the results rollout;
 - c. Supervise and monitor the performance of Judiciary staff in collaboration with JLOS and other partners on the ground;
 - d. Engage in legal, policy and practice advocacy with the JLOS institutions in the JLOS structures in line with the JSIP III objectives;
 - e. Drive the PDC and Technical Committee's targeted results;
 - f. Provide secretariat support to the PDC and the Technical Committees;
 - g. Link the judicial officers and users' experiences on the ground (demand) with the PDC and the Technical Committee;
 - h. Access other innovations from Judicial institutions worldwide and related actors to the Judiciary;
 - i. Facilitate intra-Judiciary dialogue regarding JSIP III.
24. **Higher Courts and Division Heads.** JSIP III will renegotiate its relationships and committees to include higher court¹⁴ heads; Heads of Divisions; and Resident judges in charge of circuits in the JSIP III Steering Committee. These have the leadership and oversight role to deliver the JSIP III results in the areas of their respective jurisdictions..
25. **Resident Judges.** The Resident Judges in charge of circuits will have an expanded role in the management of JSIP III. As patrons of the District Chain Linked Committees within their circuits and as overall representatives of the Judiciary in their jurisdictions; it is envisaged that the Resident Judges will take responsibility for rolling out JSIP III results in their areas of operation. Their scope and mandate is specified in an annex V. They include *inter alia*,
- a. Supervise; monitor and report against implementation of JSIP III in their circuits
 - b. Link court services to community stakeholders
 - c. Represent the Judiciary in the circuit
 - d. Roll out and operationalise the JSIP III in their areas of operation
 - e. Provide legal and judicial technical support to human resource under their jurisdiction.
26. **Chief Magistrates.** As required under the Judicature Act, the Chief Magistrates will take the lead in the operationalisation of the intentions of JSIP III as the lead in service delivery; assurer of quality and taking the lead to build relationships with the community and relevant

¹³ Detailed TORs for the Secretariat area also contained at Annex III of this paper.

¹⁴ Specific reference to the Court of Appeal/ Constitutional Court and Supreme Court.

stakeholders through the District Chain Linked Committees in their respective jurisdictions. Their scope and mandate is specified in an annex V. They include *inter alia*;

- a. Supervise; monitor and report against implementation of JSIP III in their areas of jurisdiction
- b. Link court services to community stakeholders
- c. Represent the Judiciary in the circuit
- d. Roll out and operationalise the JSIP III in their areas of operation
- e. Provide legal and judicial technical support to human resource under their jurisdiction.



Structure Identification and Formation

27. The proposed structure brings to the fore three lessons drawn from the implementation of JSIP II. One is involvement of the lower and middle level cadres in JSIP III implementation; broadening constitution of structures and positing leadership for results within the Judiciary technical leadership. Two is promotion of strategic partnerships and focus on results. Three is closing the gap between administrative and technical staff. A structure with four arms is envisaged here.

Capital Investment

28. In order to facilitate the rolling out of JSIP III, some capital investment will be necessary. A menu of the assets to be motivated for is offered in the Operational Plan.

Part D: Risks and Assumptions

D.1 Assumptions. The plan implementation is based on several assumptions that have to be closely monitored. The most important assumptions include:

- i. Judiciary mandate will be strengthened by passing Administration of Justice Bill
- ii. Judiciary has adequate funding to conduct its operations.
- iii. There will be strengthened goodwill and cooperation from development partners, civil society and religious organisations.
- iv. The Government will not interfere with the independence of Judiciary.
- v. Uganda will continue to practice democratic principles.

D.2 Risks

<i>Description of risk</i>	<i>Rating^a of risk</i>	<i>Mitigation measures</i>	<i>Rating^a of residual risk</i>
Country and Sectoral			
Inadequate legislative and regulatory framework threatening the independence of the Judiciary and eroding the potential to realize the rule of law in Uganda e.g proposed extension of pre-trial periods without bail in selected offences	H	The Government at the highest political level remains committed to the rule of law as documented in the Constitution and the National Development Plan. Judiciary will work under the framework of the Justice, Law and Order Sector for a collective voice against threats to rule of law.	
Inadequate performance of other JLOS institutions affecting the delivery of justice	H	Judiciary will activate performance of related institutions under the JLOS framework.	
Changing political circumstances that may affect allocation of resources to Judiciary and other JLOS institutions	S	Monitor political environment and take appropriate action.	

Changes in strategic leadership, with new leaders not having the same ownership and commitment to the Plan	H	Guidelines, manuals and information packages will reinforce Judiciary principles at all levels Communication and Public Relations Officer to relay sector position on rule of law	
Cross cutting issues of gender, conflict, poverty and environment do not receive adequate attention in JLOS SIP III implementation	M	Senior Technical Advisor portfolio with direct accountability for mainstreaming of cross cutting issues in JLOS SIP III implementation	
Overemphasis on brick and mortar reforms without adequate attention to soft and far reaching system reforms	M	Develop a plan that incorporates both hardware and software issues.	
Corruption or perceived corruption in other JLOS institutions. Even if Judiciary eliminates corruption, its performance is dependent upon other JLOS institutions.	M	Take lead in implementing JLOS anti-corruption strategy.	
Continued separation of judicial and administrative functions	H	Continue lobbying for the adoption of Administration of Justice Bill.	
Operational			
Inadequate good practice human resource management systems and practices by the Judicial Service Commission in liaison with the Judiciary	H	Two advisors premised within the Secretariat to facilitate and fast track institutional reforms in planning and broader institutional development i.e Planning and M&E specialist; Institutional Development expert.	
Weak implementation capacity in key institutions	M	Judiciary to provide leadership in JLOS capacity development strategies.	
Weak accountability culture at institutional and individual staff level	H	Introduction of result based management including result based performance evaluation system should strengthen the accountability culture at institutional and individual levels.	

Weak links between justice and law and order components of the sector	H	The Strategic Plan contains strategy for strengthened links between Judiciary and other law and order institutions.	
Negative attitudes of legal professionals towards ADR and other innovative approaches of informal justice system.	M	Engage with legal professionals, educate, provide information.	
Financial Management Risks			
Institutions and DCCs may fail to account for funds advanced and could delay in submitting relevant reports	L	Engage closely with DDCs; assist in developing their financial reporting capacity; improve supervision.	
JLOS SIP III has a multiplicity of actors and this makes it complex given the fact that it is implemented by independent institutions and may become difficult to monitor and supervise .	H	Hold regular review workshops with important actors; discuss implementation challenges and their role in the implementation of the JSIP III.	
Inadequate follow up VFM audit queries	L	Ensure that audit queries are addressed promptly	
Procurement delays	L	Ensure proactive procurement and regular follow up.	
Overall Risk:	M		

Judiciary will monitor these assumptions on a continuous basis. As part of the monitoring, Judiciary will fully participate in the on-going legal reform process to safeguard its interests.

The Judiciary will also put in place interventions to prevent the risks or minimize its adverse effects if they happen.

Part E: Strategic Alignment

The implementation of the plan will require internal alignment in terms of JUDICIARY values, results-based management, leadership and management styles, policies, systems and practices and people. The table below summarises key elements of this alignment:

Element	Strategic Challenge
NDP, MTEF, ROM	While the Judiciary Result Framework is fully aligned with NDP objectives and MTEF, the Judiciary will implement ROM during the JSIP III
JLOS result framework	The plan is fully aligned to the JLOS result framework. Relevant outputs of JLOS constituted a basis for JSIP IV outcomes
Judiciary Values	Judiciary core values have to be shared and translated into policies and practices. There is adequate alignment between written values and the mode of operations. Judiciary will need to invest in value clarifications and commitment among staff and partners.
Results-Based Management	Judiciary is currently not a result-based organization. Introducing result-based management will require significant shift among Judiciary staff. Judiciary will need to invest in training and capacity strengthening, to facilitate this change.
Policies, Systems and Practices	Judiciary has adequate policies and systems in place except for M&E, ROM and OOB. It will need to invest in reviewing and documenting policies and systems for management of human resources, quality and quantity standards, communication and administration. Judiciary should also audit all its practices to ensure that they conform to acceptable standards. More emphasis should be put on effective coordination and teamwork.
Management and Leadership Styles	The management style is consultative. The leadership style of the Chief Justice is visionary. The Chief Justice will need to share this leadership not only with his senior team but also with middle level judicial and administrative officers.
People	The technical and managerial capacity has to be strengthened for Judiciary take up additional challenges. Judiciary should invest in staff training and development, and recruit the required additional staff. The role of JSI needs to be strengthened so that capacity building interventions reflect the requirements of JSIP III.
Organisational culture	The organizational culture is not fully conducive to the plan implementation. More emphasis should be placed on teamwork and open communication. Forums for learning should be encouraged. Emphasis should be on results.

D.1 System Logic

1. JSIP III Monitoring and Evaluation system adopts a results-based management approach. In this approach, focus is on *results* and not *activities*. It emphasises on what has been *achieved* over what was *done*.
2. The system will make a distinction between three sets of operating concepts. One, it will distinguish between *monitoring* and *evaluation*. Most systems of this type tend to mix the two, with the evaluation aspect being neglected. Two, it will separate *process monitoring* from *change monitoring*. More specifically, it will distinguish between process and change indicators. Three, it will separate *programme* monitoring from the monitoring of *institutional development*. For the most part, programme monitoring is emphasised over institutional development monitoring. Yet it is imperative to know how Judiciary structures are responding to programme challenges.
3. Engineering from the End. This system is built on the principle of reverse-engineering. This principle is about working with the end in mind. It is about engineering from the end and working backwards from the change objective to the activities. Once the change objective (the ‘what’) is identified, the ‘how’ (approach/methodology/activities) of achieving it is then put in place. This is critical because many programmes begin with the activities hoping that they will cumulatively add up to some desired good.
4. In designing this programme, the question we asked was ‘What do we want to change?’ After answering this question, we moved on to ask the following: ‘How shall we change it?’ Once the ‘what’ and the ‘how’ were identified, and then the activities/approaches to achieve the goal were rolled out and subjected to three tests.
5. The Three Tests¹⁵. The first is the *sufficiency test*. The question here is whether the activities are sufficient to attain the Judiciary objectives for change. The second is the *relevance test*. Here, we looked for the relevance of each activity in attaining the change objectives. This is important because when you engineer from the activities to the goal, some activities tend to be irrelevant. In this system, the irrelevant activities are teased out and abandoned. The third is *bankability*. How bankable are the activities in terms of providing ‘value for money’ and ‘returns to investment?’ This test also speaks to the question of efficiency. And in particular, whether resources are being applied to the most deserving cases at the best ‘price’.

¹⁵ Also used in auditing the logical framework

6. Important. Although the three tests were applied to the design process in a thoroughgoing way, the monitoring and evaluation system will constantly carry out the tests as JSIP III rolls out.

7. System characteristics: The system will differentiate between process and change indicators; indicators will be both quantitative and qualitative, should differentiate between various levels of results (impact, outcome and output), should be gender and diversity sensitive and can record changes over a period of time. The system should clearly separate monitoring from evaluation. Details of the System for monitoring and evaluation are included in the appendix 3.

5.

Table 3-Judiciary -Review of Past performance against JLOS targets

What has changed	What had JLOS/Agency Expected to change Planned output/outcome)	Deviations from the plan and lessons learnt	Actual Expenditure ('000)	2010/11 Approved Budget '000	Funding Source	Deviations from Budget and lessons learnt	Cum Expenditure
KRA 1: Promote Rule of Law and Due Process							
A Consultative workshop was conducted in September 2010. The Workshop drew a number of resolutions and recommendations to be implemented.	Develop guidelines; pass Court Bailiffs Bill into law; sensitize bailiffs/brokers; & monitor adherence to guidelines	The process to implement the recommendations of the workshop had been slow	60,000	90,000	JLOS	Implementation of the resolutions needs more resources.	60,000
KRA 3: Enhance Access to Justice for all Especially the Marginalized and the Poor							
Design and documentation done. Awaiting tendering.	Establish Model Children and Family Court (Makindye CM Court)	Behind schedule due to late release of funds	0	300,000		No deviations from the budget so far. However, procurement delays should be avoided in future	0
Advertisement made, evaluation done and at contract award stage for Kalangala.	Construct Magistrates Court in Kalangala and Ibanda	Tedious Procurement procedures. Resources not enough for Ibanda.	0	400,000	JLOS	No deviations from the budget so far. However, procurement delays should be avoided in future	0
At tendering stages	Furniture for Kalangala and Ibanda	Long Procurement procedures	0	50,000	JLOS	None	0
At finishing stages	Construct Courts in; Nakapiripirit, Manafwa, Budaka, Aduku, Oyam and Butaleja Districts	Started last financial year. Generally on schedule			Danida	No deviations from the budget so far. However, procurement delays should be avoided in future	
At advance stages of renovation	Renovate; Adjumani, Nakawa and Mbale Courts	Erratic release of capital development funds and long procurement procedures.			GOU	No deviations from the budget so far. However, procurement delays should be avoided in future	
Procurement process initiated	1 vehicle for Policy Planning Unit	Procurement process initiated	0	80,000		Procurement process initiated	0
The procurement process for vehicles for five Chief Magistrate	6 vehicles for Chief Magistrates	Five and not six vehicles will be procured with the available	0	350,000	JLOS	Five and not six vehicles will be procured, at	0

Courts has been started.		funds.				an average price of Shs 70m.	
Four Courts/Judicial Officers facilitated with transport	Procure Vehicles for Judicial Officers and Administrative staff	Procurement process delayed.			GOU	No deviations from the budget so far. However, procurement delays should be avoided in future	
150 vehicles were maintained/repaired. Fleet made to operate smoothly	Maintain/Repair vehicle fleet	Some vehicles have become old and need to be replaced			GOU	replacement delayed due to insufficient funds	
Determination of user specifications with the Commercial Court is ongoing.	Court recording equipment for Commercial Court	Agreement on way forward is expected by end of February 2011 and hence utilise the funds	0	120,000	JLOS	Funds paid but not yet executed.	0
Evaluation of Submitted bids from the bidders is ongoing.	Court recording equipment for Supreme Court	Award is expected by end of February 2011.	0	60,000	JLOS	Procurement is ongoing	0
Evaluation of Submitted bids from the bidders is ongoing.	Court recording equipment for Court of Appeal	Award is expected by end of February 2011.	0	30,000	JLOS	Procurement is ongoing	0
Evaluation of Submitted bids from the bidders is ongoing.	Court recording equipment for High Court and the High Court circuits.	Award is expected by end of February 2011.			GOU	Procurement is ongoing	
Work plan has been drawn to roll out best practices of the Commercial Court to other Divisions.	Roll out best practices of Commercial Court to all Courts, extend use of ADR in Commercial justice to Criminal, Land and Family	The process to start the roll out has delayed but now being expedited	0	100,000	JLOS	Process delayed. This will be avoided in future.	0
Disposed 15 Civil Applications, 13 Criminal Appeals and 6 Civil Appeals were disposed off.	Handle 31 Civil Appeals, 64 Criminal Appeals, 24 Constitutional Appeals, 27 Civil Applications, 18 Constitutional and 20 References in the Supreme Court.	Quorum affected performance of the Court	2,566,359		GOU	No deviation from the Budget.	2,566,359
Disposed 12 Civil Appeals, 107 Civil Applications, 1 Constitutional Petition, 1 Constitutional Petition Application,99	Handle 60 Civil Appeals, 165 Civil Applications, 16 Election Petitions, 28 Constitutional Petitions Applications, 173 Criminal Appeals,	Quick Wins Programme helped in the disposal of Criminal cases.	1,921,217		GOU	This court level still has a high number of pending cases. It requires more manpower	1,921,217

Mediation causes, 77 Criminal Appeals, and 50 Criminal Applications	and 184 Criminal Applications in Court of Appeal					and resources for sessions.	
Disposed 756 Civil Suits , 478 Commercial Suits, 840 Criminal Suits, 1,640 Family Suits, 1,064 Land Cases, 124 Anti Corruption Cases 640lection Petitions, 28 Constitutional Petitions Applications, 173 Criminal Appeals, and 184 Criminal Applications	Handle 996 Civil Suits, 684 Commercial Suits, 416 Criminal Suits, 1640 Election Petitions, 28 Constitutional Petitions in the High Court Applications, 173 Criminal Appeals, and 184 Criminal Applications in the High Court	Quick Wins Programme helped in the disposal of Criminal cases.	9,612,027		GOU	This court level still has a high number of pending cases It requires more manpower and resources for sessions.	9,612,027
Disposed 2,618 Civil cases; 13,052 criminal cases; 1,539 Family cases and; 546 Land cases	Handle 3,554 Civil cases; 9,436 criminal cases; 556 Family cases and; 450 Land cases in the Magistrate Courts	Quick Wind Programme helped in the disposal of Criminal cases.	6,216,340		GOU	This court level still has a high number of pending cases It requires more manpower and resources for sessions.	6,216,340
75 inspections conducted resulting to over 101 complaints handled to completion; Committees and Work Group meetings attended; Projects and Programs of the Judiciary monitored routinely	Conduct 72 inspections and investigate Complaints; Attend Committees and Work Group meetings, Popularize Communication Strategy developed; Routinely monitor and evaluate Projects and Programs of the Judiciary	No deviation from Plan. It's important to carry out inspection of courts and attend meetings to enhance performance.	1,706,222		GOU	No deviation from budget.	1,706,222
Conducted five Planning workshops for Judicial Officers on Preparation of Work plans and Budgets in; Mbale, Mbarara, Lira and Kampala x2.	Conduct five Planning workshops for Judicial Officers on Preparation of Work plans and Budgets in; Mbale, Mbarara, Lira and Kampala x2.	The Planning workshops were useful as they helped to enlighten Judicial Officers on the Budgeting Process.				No deviation from the Budget. However, More planning workshops are required at Regional Level, and for lower cadre of staff.	
Conducted 10 trainings/Workshops for Staff of the	Conduct 28 trainings/workshops for Staff of the	Insufficient funds hampered			GOU	The Training Curriculum by JSI	

Judiciary.	Judiciary.	conduction of all planned trainings.				requires more resources to adequately cover its programmes	
Sessions ongoing. Report is yet to be produced	Hold 2 sessions of the Supreme Court	Sessions ongoing. Report is yet to be produced	16,500	30,000	JLOS	Sessions ongoing. Report is yet to be produced	16,500
Two sessions, involving 100 cases, of which 75 were completed.	Hold 3 sessions of the Court of Appeal @ 50 cases	Sessions conducted according to plan	24,000	45,000	JLOS	Sessions successfully conducted. However, funds not enough to pay for state briefs.	21,000
One Session, involving 71 cases was conducted in August in Kampala, of which 68 were completed.	Hold Quick Wins Session involving 71 cases	Session conducted according to plan	45,000	45,000	JLOS/QW	Sessions successfully conducted.	45,000
Conducted one session in Mbarara involving 82 cases of which 79 were completed.	Hold three sessions for the Court of Appeal upcountry (Mbarara, Mbale and Fort portal)	Session conducted according to plan	241,000	241,000	GOU	Sessions successfully conducted.	241,000
Court operations including Court Process serving, Registry management etc carried out	General court operations and Registry management	Court operations and Registry management successfully carried out	128,000	252,000	GOU	Court operations and Registry managed with the available resources.	128,000
381 cases cause listed of which 88 cases were completed.	Hold 24 sessions of High Court - Civil Division	Land -Outside Station	89,700	162,000	JLOS	Long mandatory processes required in completion of a case for example visiting of loci.	89,700
		Land -Inside Station	49,500	90,000	JLOS		49,500
Twenty two (22) sessions involving 1,017 cases were conducted of which 13 sessions (324 cases) were completed, 5 sessions (207 cases) are ongoing, 6 sessions (293 cases) are pending	Hold 30 sessions of High Court - Criminal Division @ 50 cases per session	The increase in the number of Judges has enabled more sessions to be conducted and thus improved performance	580,000	1,120,000	JLOS	No deviation from the Budget	900,000
Data yet to be received from	Hold 40 sessions in 38 Chief	Outside Station	121,000	220,000	JLOS	Yet to get the update	143,000

	the field	Magistrates' Courts	Inside Station	55,000	100,000	JLOS	Yet to get the update	70,000
	Data yet to be received from the field	Hold 80 sessions in 66 Grade 1 Courts	Outside Station	99,000	180,000	JLOS	Yet to get the update	126,000
			Inside Station	42,000	75,000	JLOS	Yet to get the update	51,000
	Data yet to be received from the field	Hold 30 sessions - Magistrates Grade II	Outside Station	6,600	12,000	JLOS	Yet to get the update	8400
			Inside Station	88,000	160,000	JLOS	Yet to get the update	108,000
	51 cases have been settled. Backlog as at 31/12/2010 was 87 cases	Mediation-Settlement of 90 cases	Activity implemented according to plan	40,000	60,000	JLOS	Yet to get the update	35,000
	Committee is operational and has sat four times	Institutional Case Management Committee	Activity implemented according to plan	30,000	45,000	JLOS	No deviation from the Budget.	30,000
	Conducted 30 sessions involving 1,461 cases, of which 28 sessions involving 1,132 cases were completed. Two sessions, involving 36 cases are ongoing.	Hold 30 Criminal Sessions in the High Court	The programme was implemented according to plan.			JLOS/QW	No deviation from the Budget. However, there is a high caseload and still backlog in the system and thus need for more resources.	
	Sixteen (16) sessions involving 692 cases were conducted of which 15 sessions involving 418 cases were completed. One session, involving 40 cases is pending	Hold 30 Criminal Sessions in the Chief Magistrate Court	The programme was implemented according to plan.			JLOS/QW	No deviation from the Budget. However, there is a high caseload and still backlog in the system and thus need for more resources.	
	Thirty four sessions involving 1,126 cases were conducted of which 33 sessions involving 687 cases were completed. One session involving 57 cases is ongoing.	Hold 60 sessions in the Grade One Magistrate Court	The programme was implemented according to plan.			JLOS/QW	No deviation from the Budget. However, there is a high caseload and still backlog in the system and thus need for more resources.	
Ensure access to updated laws								
	User committee	Hold Court Users Committee	meetings not held within	12,000	24,000	JLOS	more funds will be	12,000

meetings conducted at a quarterly basis.	meetings-Land	slated period due to late release of funds				required to implement strategies agreed upon in the meetings	
User committee meetings conducted at a quarterly basis.	Hold Court Users Committee meetings-Family		12,000	24,000	JLOS	No deviation from Budget	12,000
User committee meetings conducted at a quarterly basis.	Hold Court Users Committee meetings-Commercial		12,000	24,000	JLOS	No deviation from Budget	12,000
5: JLOS Contribution to Economic Development							
Conducive strategies developed and implemented to support competitiveness and wealth creation							
Nine Mediators have been appointed and accredited	Commercial Court Mediation Project	Activity implemented according to plan	40,000	50,000	JLOS	Budget not adequate for the Mediation project	40,000
Funding yet to be released	Strengthen capacity of Judges (up-country courts) in commercial law	Funding yet to be released	50,000	100,000	JLOS	Funding yet to be released	50,000
Small Claims Procedure is to be launched then piloted in four Courts.	Pilot and roll out the small claims procedure	Launch delayed due to insufficient funds	45,000	100,000	JLOS	More funds will be required to roll out the Small Claims Procedure to various Courts.	45,000
Court summons served, stationery purchased, photocopier serviced.	Support to the Commercial Court (Process serving, stationery, visiting loci and purchase of small equipment)	Activity implemented according to plan	45,000	100,000	JLOS	No deviation from Budget	45,000
Court summons served, stationery purchased, photocopier serviced.	Support to the Family Division (Process serving, stationery, visiting loci and purchase of small equipment)	Activity implemented according to plan	27,000	60,000	JLOS	No deviation from Budget	27,000
Court summons served, stationery purchased, photocopier serviced, loci visited. 15 sessions held where 1,141 cases were	Support to the Land Division (Process serving, stationery, visiting loci and purchase of small equipment)	Activity implemented according to plan	27,000	60,000	JLOS	Activities implemented using the available resources	24,000

completed								
Received 133 Complaints and addressed them satisfactorily. Carried out inspections and corrective actions taken in Gulu and Ibanda Magisterial Areas. Carried out On-spot Inspections in Kiboga, Kitgum and Mbale Magisterial Areas.	Support to the Inspectorate of Courts (Complaints handling, Field Inspections, On-Spot Inspections, Facilitating Sub-Inspectors)	Activity implemented according to plan	45,000	100,000	JLOS	No deviation from Budget	45,000	
Funding yet to be released	Supervision/M&E-ongoing activities/Registry of Planning and Development	Activity implemented according to plan	0	80,000	JLOS	Funding yet to be released	0	

Table 4: JSIP III Results Framework

Results Logic	Indicators (OVI)	Means of verification	Critical assumptions
<p>Vision: Justice for All:</p> <p>Mission: Independent, competent, accountable and trusted Judiciary that delivers justice to all Ugandans. In pursuit of its vision, the Judiciary will work closely with all stakeholders particularly the people of Uganda and further strengthen the culture of continuous improvement, learning and innovation</p>	<p>a) Public confidence in the judicial system increased from ...in 2011 to ...in 2016</p> <p>b) % of population satisfied with Judicial Services by 2016</p>	User surveys	<p>Continued political stability</p> <p>Increased literacy of the public.</p>
<p>Outcome :1</p> <p>Strengthen legal, policy and regulatory environment conducive for the operations of the Judiciary</p>	<p>Number and quality of laws, policies and regulations reviewed/ developed/ passed/ implemented</p> <p>Standards and procedures applied uniformly across levels and regions.</p> <p>Application of child friendly and gender responsive procedures or standards of practice.</p> <p>Functional internal system for dissemination of information and enforcement of standards</p> <p>Changes to judicial policy arising out of inspections and MTR processes</p> <p>100% increase in number of judiciary staff with access to updated laws; internal policies and practice directions.</p> <p>% reduction in procedural bottlenecks by sphere of justice</p>	<p>Reports from consultative forums; policies, strategy and procedures/ rules documents; training reports; minutes of meetings; Judiciary annual and quarterly reports</p> <p>Reports from annual participatory plan reviews</p>	<p>Continuation of the sector wide approach</p> <p>Political stability</p>

<p>Outcome 2: Deliver speedy and affordable access to Justice particularly for children, poor men and women and other marginalized groups</p>	<p>% increase in users of Judicial services segregated by gender, age, socio-economic status</p> <p>% compliance to standard time between filing and case disposition by nature of claim, court and location</p> <p>% reduction in cost of access to judicial services</p> <p>% reduction in distance between the users and physical court houses;</p> <p>% increase in case disposal rate</p> <p>% increase in compliance rate with delivery of judgment standards</p> <p>% of children in conflict with the law receiving a non-custodial sentence</p> <p>Use of ADR increased from 26% in 2008 to 50% by 2015.</p> <p>% reduction in case backlog by court, claim</p>	<p>JLOS surveys; mid-term evaluation; end evaluation, Reports from consultative forums; policies, strategy documents; training reports; minutes of meetings; Judiciary annual and quarterly reports</p> <p>Reports from annual participatory plan reviews</p>	
<p>Improve Public Trust and Confidence in Judicial Services</p>	<p>% increase in number of Ugandans using court services disaggregated by gender, claim , service and outcome</p> <p># of children served by the judiciary disaggregated by age, sex, location, rights violation/offence, service and outcome</p>	<p>Users' surveys; Ministry of Local Government reports, press coverage; mid-term evaluation; end evaluation, Reports from consultative forums; policies, strategy documents; training reports; minutes of meetings; Judiciary annual and quarterly reports</p> <p>Reports from annual participatory plan reviews; reports from stakeholders</p>	

<p>Judiciary that is effective, efficient, relevant and responsive</p>	<p>Functional Judiciary with optimal staffing norms, ROM, OOB, and other policies and adequate capacity</p>	<p>Human Resource Manual; performance appraisal instruments; training reports, Judiciary reports; Users' surveys; Ministry of Local Government reports, press coverage; mid-term evaluation; end evaluation, Reports from consultative forums; policies, strategy documents; training reports; minutes of meetings; Judiciary annual and quarterly reports</p> <p>Reports from annual participatory plan reviews; reports from stakeholders</p>	<p>Proper sequencing of interventions</p> <p>Functional SIP III steering committee supported by the Registry of Planning and Development</p> <p>Resources to match demands of the plan</p>
<p>a) Lobbying interventions developed and implemented in terms of priority legal, policy and regulatory reforms</p> <p>b) Innovative procedures, rules and mechanisms contributing to the increased access to justice developed, tested and rolled out.</p> <p>c) Judiciary standards, policies, strategies, rules and internal procedures reviewed/ developed and tested on a pilot basis and compliance with the same disseminated, internalized and monitored.</p>	<p>a) Enactment and operationalisation of the Administration of Justice law</p> <p>b) Appointment of Court Administrator</p> <p>c) Practice direction issued relating to justice for children</p> <p>d) Practice direction relating to judicial management of gender and diversity</p> <p>e) Studies for reform and simplification of internal rules of procedure completed</p> <p>f) 100% access of all judiciary staff to performance standards</p>	<p>Reports from consultative forums; policies, strategy and procedures/ rules documents; training reports; minutes of meetings; Judiciary annual and quarterly reports</p> <p>Reports from annual participatory plan reviews</p>	

<p>Plans for continued physical de-concentration developed and implemented</p> <p>Time taken to deal with cases in the Court system reduced significantly</p> <p>Judicial support system for all court users particularly special needs groups reviewed and implemented</p> <p>Strengthened enforcement services of judicial decisions</p>	<p>Long term plan for de-concentration of judicial services developed</p> <p>No of children served by the Judiciary disaggregated by claim, age and sphere of justice</p> <p>No of special courts established</p> <p>Proportion of users accessing legal aid services disaggregated by age, gender and location</p> <p>No of children cases fast tracked through the judicial system</p> <p>Proportion of cases resolved through ADR</p> <p>No of cases of children diverted from formal judicial proceedings</p> <p>Time spent in detention by children before sentencing</p>	<p>JLOS surveys; mid-term evaluation; end evaluation, Reports from consultative forums; policies, strategy documents; training reports; minutes of meetings; Judiciary annual and quarterly reports</p> <p>Reports from annual participatory plan reviews</p>	<p>D</p>
<p>Links between the Judiciary and Judicial Service Users - Information and Information display standards established and managed</p> <p>Strategic Partnerships and Collaborations with Stakeholders in the Justice system strengthened at all levels</p> <p>User satisfaction monitored and corrective action taken</p>	<p>Client charters developed and implemented; user service standard simplified, translated, displayed; functional PR office; CCC with JSC and UHRC strengthened; Stakeholder analysis at all levels conducted; mechanisms for CCC reviewed/ developed/ implemented; Bar-Bench initiative implemented; functional Court Users committees; Court – Local Government sessions institutionalized; user satisfaction surveys conducted and recommendations implemented; functional media relations mechanisms; gender and diversity manual developed and implemented: State of the Judiciary Annual Report disseminated</p>	<p>Users’ surveys; Ministry of Local Government reports, press coverage; mid-term evaluation; end evaluation, Reports from consultative forums; policies, strategy documents; training reports; minutes of meetings; Judiciary annual and quarterly reports</p> <p>Reports from annual participatory plan reviews; reports from stakeholders</p>	

<p>Effective, efficient, relevant and response organisational structure</p> <p>Functioning leadership, management and technical committees at all levels</p> <p>Optimal staffing establishment</p> <p>ROM institutiolased</p> <p>Human resource management policies aligned to ROM and JSIP III</p> <p>Training aligned to needs and ROM planned, implemented and followed up</p> <p>Support to inspection function</p>	<p>Training needs conducted; needs based training planned, conducted and follow up; staffing norms exercise conducted in year one and implemented;</p> <p>performance management implemented at all levels;</p> <p>communication policy implemented; performance management system reviewed/ developed and implemented</p> <p>Registry of Planning and Development functional</p> <p>Strengthened leadership capacity; Gender and diversity mainstreamed</p> <p>Optimal staff establishment in place</p> <p>No of staff aware and taking action on JSIP III</p> <p>Inspections and quality measures in place</p>	<p>Human Resource Manual; performance appraisal instruments; training reports, Judiciary reports; Users' surveys; Ministry of Local Government reports, press coverage; mid-term evaluation; end evaluation, Reports from consultative forums; policies, strategy documents; training reports; minutes of meetings;</p> <p>Judiciary annual and quarterly reports</p> <p>Reports from annual participatory plan reviews; reports from stakeholders</p>	<p>Restructuring is conducted at the outset of JSIP III implementation</p> <p>Sufficiency of budget to match JSIP III needs</p>
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