

Courts of Judicature



THE REPUBLIC OF UGANDA

STRATEGIC PLAN AND DEVELOPMENT PROGRAMME

REGISTRY PLANNING AND DEVELOPMENT

2010/11

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Annexes

JLOS SIP II – Results and Activities Relevant for the Judiciary

Strategic Framework

Logical Framework

Indicative Budget Details

Acronyms and Abbreviations

ADR	alternative dispute resolution
CCAS	court case administration system
CMC	case management committee
CR	court recording
EAMJA	East Africa Magistrates and Judges Association
ICT	information and communication technology
JDP	Judiciary development programme
JLOS	justice law and order sector
JSC	Judicial Service Commission
LC	local council
MIS	management information system
MTEF	medium term expenditure framework
OPM	Office of the Prime Minister
PEAP	poverty eradication action plan
PSC	Public Service Commission
SIP	strategic investment plan
SPDP	strategic plan and development programme
SWAP	sector-wide approach
SWOT	strengths, weaknesses, opportunities, threats
UJOA	Uganda Judicial Officers Association

Summary

All power belongs to the people – so states the present Constitution of the Republic of Uganda – and all power and authority of Government and its organs derive from the Constitution. The courts of judicature exercise their judicial power on behalf of the people, and their independence is protected. In accordance with its constitutional mandate, the Judiciary’s mission is to dispense justice to all people in Uganda, through timely adjudication of disputes without discrimination. The vision is a strong and independent Judiciary that delivers and is seen by the people to deliver justice to all, and that contributes to the economic, social, and political transformation of society based on the rule of law.

The Judiciary, in its present situation, possesses distinctive strengths and weaknesses that have been identified and analyzed. The strengths should be built upon; the weaknesses must be mitigated. At the same time, the environment in which the Judiciary operates presents opportunities to be exploited and threats to be averted.

The Judiciary is held to be part of a justice law and order sector (JLOS) that includes agencies and institutions concerned with safety, security, and access to justice. Sectoral plans and budgets are drawn up in a JLOS strategic investment plan (SIP), the current version of which (SIP II) covers the period 2006/7-2010/11. SIP II provides an overall framework within which JLOS agencies and institutions are expected to form their own strategies and development programmes. SIP II is itself constrained by budget ceilings imposed by the Government’s medium term expenditure framework (MTEF).

In the light development programme (JDP) is proposed that will pursue these priorities, subject to budgetary constraints. In developing the JDP it was noted that an estimated US\$ 32 billion may be available for Judiciary development over the next five years.

The JDP objectives are as follows:

GOAL	Improved safety of the person, security of property, and access to justice for all people in Uganda
PURPOSE	Improved performance of the Judiciary in carrying out its core functions and fulfilling its constitutional mandate
RESULTS	<ol style="list-style-type: none">1. Independence of the Judiciary reinforced2. Mechanisms for delivery of justice development and enhanced3. Managerial efficiency of the Judiciary improved4. Ethic and Integrity of the Judiciary enhanced

Preliminary performance indicators have been established for each objective, and key actions required to achieve each objective have been identified. Indicators will be developed and refined in preparation of a performance monitoring plan; key actions will be elaborated in successive operational work plans.

Risk analysis led to a number of assumptions concerning factors external to the JDP, including: continued Government commitment to the rule of law; minimal political interference in judicial matters; respect for the independence of the Judiciary; effective coordination, cooperation, and communication between key actors within and without JLOS; sufficient resources, human and financial; relative peace and stability.

Responsibility for managing implementation of the JDP will rest with the Registry of Planning and Development, reporting through a Planning Team (or Technical Committee) to the Planning and Development Committee.

An indicative budget for full implementation of the JDP covering the first three years (corresponding to the MTEF) has been prepared. It totals just over US\$ 45 billion. Current estimates of funds likely to be available amount to US\$ 18 billion. The funding gap is therefore some US\$ 27 billion. Strenuous efforts will be required to bridge that gap; and presently foreseen levels of activity, however desirable, may have to be scaled down.

Introduction

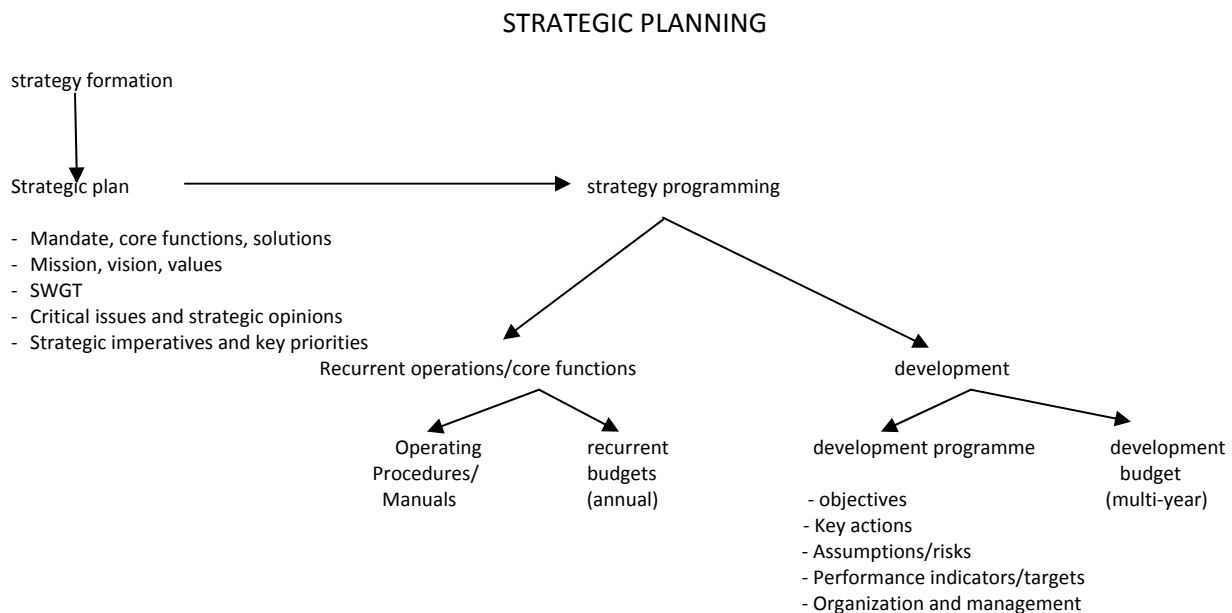
The Judiciary is currently implementing a strategic plan that was prepared in 2001-2 and covers the financial years 2002/3-2006/7. Following the government's introduction in 1999 of the sector-wide approach (SWAP) to planning and budgeting, the Judiciary, in common with other institutions considered to fall into a justice, law and order sector (JLOS), developed a five-year strategic plan, taking into account the identified focus areas related to ongoing reforms in the sector, and aiming to contribute to achieving the sector's mission 'to provide and maintain an enabling environment in which laws are administered in a just manner for the orderly management of society'.

In the second half of 2005, the process of preparing a second JLOS sector investment plan (SIP) was initiated and a final draft was produced in April 2006. SIP II covers the financial years 2006/7-2010/11. In order to be in synchrony across the sector, JLOS institutions are expected to develop institutional strategic (investment) plans covering the same period, hence the Judiciary's decision to bring forward its strategic planning period by one year, even though this means curtailing the current strategic plan.

A review of the current strategic plan was conducted at a meeting of judicial officers and other judiciary staff on 14 October 2005. Participants looked critically at implementation of the strategic plan – achievements, strengths, opportunities on the one hand; and setbacks, weaknesses, problems on the other – and considered implications, recommendations, and possible action. They outlined a way forward by reviewing objectives and proposing key activities.

A planning workshop was held in April 2006 with the aim of preparing in outline a strategic plan and development programme for the Judiciary, taking into account, as an overall framework, the JLOS SIP II. The workshop was attended by members of the Judiciary planning team.

At the outset of the workshop it was suggested that 'strategic planning' for the Judiciary be interpreted as illustrated in the following diagram:



The findings of the meeting are documented in Review of the Judiciary Strategic Plan conducted at a meeting held at Hotel Equatorial Kampala 14 October 2005 – report October 2005.

Mandate, Core Functions, and Structure

The present Constitution of the Republic of Uganda asserts the primacy of the people:

Article 1

(1) All power belongs to the people who shall exercise their sovereignty in accordance with this Constitution

(2) Without limiting the effect of clause (1) of this article, all authority in the State emanates from the people of Uganda, and the people shall be governed through their will and consent.

(3) All power and authority of Government and its organs derive from the Constitution, which in turn derives its authority from the people who consent to be governed in accordance with this Constitution

The Constitution then provides for the distribution of powers and functions to maintain separation and effective checks and balances. Above all, separation of powers is applied to the three main arms of state: the Executive; the Legislature; and the Judiciary.

The constitutional mandate of the Judiciary is as follows:

Article 126

(1) 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.

(2) In adjudicating cases of both civil and criminal nature, the courts shall, subject to the law, apply the following principles:

- a) Justice shall be done to all irrespective of their social or economic status
- b) Justice shall not be delayed
- c) Adequate compensation shall be awarded to victims of wrongs
- d) Reconciliation between parties shall be promoted
- e) Substantive justice shall be administered without undue regard for technicalities.

The independence of the Judiciary is asserted:

Article 127

(1) In the exercise of judiciary power, 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, Qadhi's 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 and groups

It should be added that the Government of Uganda's current long-standing and over-arching policy is poverty eradication, as expressed in its poverty eradication action plan (PEAP). The implication for the Judiciary is that it is necessary that, in efforts to apply the first principle in Article 126 (126(2)(a)), special consideration is afforded to the poor and vulnerable.

The Judiciary's day-to-day work – its recurrent operations – is to perform its core functions. But at the same time it strives to improve its performance through development.

Vision, Mission, and Values

A vision is a conceptual model of a future state of affairs that people and organizations may bring into being through their commitment and actions. Mission describes what an organization seeks to accomplish. Core values refer to the principles or beliefs that guide organizations members as they pursue the mission.

The Uganda Judiciary's Vision is

A strong and independent judiciary that delivers and is seen by the people to deliver justice to all, and that contributes to the economic, social, and political transformation of society based on the rule of law.

The Judiciary shares the national vision of society transformed, of poverty eradicated, and of quality of life enhanced. It believes that safety, security, and access to justice are not only important in themselves, but are also necessary means to achieving the national vision. Without the enabling environment that guaranteed high levels of safety, security, and access to justice provides, without confidence that the rule of law prevails, economic, social, and political development is seriously hampered.

The Uganda Judiciary mission is:

To dispense justice to all people in Uganda, through timely adjudication of disputes without discrimination

In accordance with its constitutional mandate, the Judiciary exists to provide justice for all. There can be no degrees of justice, but the judicial process employed to arrive at judicial decisions can be strong or weak, effective or ineffective, efficient or inefficient, timely or time-consuming, impartial or prejudiced ... And as mentioned in the previous section, dispensing justice to ALL people necessitates special consideration of the poor and vulnerable.

The Judiciary is committed to improving the judicial process, which it acknowledges to be both possible and desirable, as expeditiously as possible.

- Respect for the rule of law
 - which implies
 - Independence of the Judiciary
 - which rests upon the exercise of judicial power
 - Integrity, impartiality, and credibility
-

- Assurance of justice
 - which necessitates:
 - Speedy and fair trial
 - Competence
 - Effectiveness and efficiency
 - Accountability
-

- Access to justice
 - Which implies
 - Equal access for all people
 - Respect for individuals
 - Loyalty and respect
-

Situation Analysis

In order to ensure a good understanding of the Judiciary's present situation, a SWOT analysis was carried out – see table on following page. Internal analysis reveals Strengths and Weaknesses possessed by the Judiciary: distinctive competence (and incompetence!); external analysis identifies Opportunities and Threats presented by the operating environment.

In designing the Judiciary's development programme for the five years 2006/7-2010/11, reference was made to this analysis in an attempt to build on strengths, mitigate weaknesses, exploit opportunities, and avert threats.

INTERNAL ANALYSIS: DISTINCTIVE COMPETENCE		EXTERNAL ANALYSIS: OPERATING ENVIRONMENT	
STRENGTHS	WEAKNESSES	OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> • Constitutional mandate • Independence of the Judiciary • Institutional Identity • Integrity • Codes of conduct • Good leadership • Learn spirit • Well-trained and dedicated staff • Competence • Organized for a for staff • Physical presence: court accommodation • Physical accessibility • Partial computerization of court operations • Resource centres • Organized training • Statutory funding • Donor attention/support • Danida support • Strategic plan 	<ul style="list-style-type: none"> • Rigid, cumbersome, outdated procedures • Corruption • Weak compliance with codes of conduct • Continuing case backlog • Weak management • Inadequate staffing • No clear career path • Poor motivation • demotivation • Lack of incentives for staff posted up-country • Low pay-leading to corruption • Human resource exodus/high turnover • Inadequacy of resources • Low level of computerization • Infrastructural inadequacy • Renting court premises • Inadequate resource provisions • Insufficient tools for judicial officers (laws, statute books, case law, etc) • Mismanagement of available resources • ineffective resource utilization • Donor dependency • Poor public relations • Lack of public relations post • Inadequate implementation of plans and resolutions 	<ul style="list-style-type: none"> • The law • Government respect for the rule of law • Delinking • Training of staff • Judicial associations (e.g. UJOA, EAMJA) • A strong public image • Public support • Public confidence • External confidence in the judiciary • External support • Donor support • Development partnerships • Part of JLOS 	<ul style="list-style-type: none"> • Weak and outdated laws • Cumbersome procedures • Lack of statute formalizing Judiciary as arm of state • Lack of political will • Courts deciding political questions • Executive interference • Political interference • Military interference • Parallel jurisdiction – court martial • Proliferation of adjudicating mechanisms • Negative public image • Poor corporate image • Corruption • Perception of corruption • Lack of reconstituted JSC functioning as per constitution • Political control of

			<p>judicial appointments</p> <ul style="list-style-type: none"> • Lack of control in appointment of non-judicial staff • Dual loyalty of non-judicial Judiciary staff • Different pay structure for judicial and non-judicial Judiciary staff • Poor structural arrangement • Inadequate funding • Lack of financial autonomy • Weakness of other JLOS partners • External interference • Internal conflicts/insurgency
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The SWOT grid – see below – is a way of relating strengths and opportunities (top left quadrant), strengths and threats (top right quadrant). Weaknesses and opportunities (bottom left quadrant), and weaknesses and threats (bottom right quadrant) to prompt consideration of appropriate (strategic) actions or directions, under the guideline headings invest; defend; decide; damage control. It's a way of moving ahead to identifying critical issues, and then strategic objectives and key actions. Key strengths, weaknesses, opportunities, and threats have been selected and derived from the lists above.

	OPPORTUNITIES	THREATS
	<ul style="list-style-type: none"> • Government respect for rule of law • United judicial service • Judicial Studies Institute/staff training • Public confidence and support • External confidence and support • Sector-wide approach 	<ul style="list-style-type: none"> • Weak and outdated laws • Lack of political will • Interference(executive,political,military) • Poor corporate image • Lack of control in appointing non-judicial staff • Perceptions of corruption • Inadequate funding • External interference
STRENGTHS <ul style="list-style-type: none"> • Constitutional mandate • Integrity • Leadership • Well trained dedicated staff • Physical accessibility • (partial) computerization • Strategic plan • Donor attention and support 	Invest opportunities matched by strengths constitute distinctive advantage to the exploited <ul style="list-style-type: none"> ⇒ Reinforce judicial independence ⇒ Enhance effectiveness and efficiency of justice delivery ⇒ Pursue de-linking from Ministry of Public Service ⇒ Continuously upgrade staff knowledge and skills ⇒ Strengthen cases management and management information systems 	Defend: threats matched by strengths indicate need to mobilize resources <ul style="list-style-type: none"> ⇒ Review/reform structure of Judiciary ⇒ Establish and enforce performance standards ⇒ Pursue law reform where necessary ⇒ Maintain continuous review/reform of policy and strategy ⇒ Seek funding adequate to provide required levels of judicial services
WEAKNESSES <ul style="list-style-type: none"> • Outdated cumbersome rules and procedures • Continuing case backlog • Weak management • Inadequate staffing • Inadequate infrastructure/equipment • Inefficient resource utilization • Corruption • Poor public relations • Donor dependency 	Decide: opportunities matched by weaknesses require decision: invest/collaborate <ul style="list-style-type: none"> ⇒ Integrate norms; values, and aspirations of the people into justice system ⇒ Ensure staff establishment corresponds to demand/need ⇒ Review/reform rules and procedures ⇒ Improve accessibility of judicial services (infrastructure, amenities, etc) ⇒ Improve working relationships with other JLOS institutions ⇒ Maintain efforts to reduce case backlog levels below target maxima 	Damage control: threats matched by weaknesses imply remedial action <ul style="list-style-type: none"> ⇒ Secure financial autonomy of Judiciary ⇒ Maintain optimum staff compensation package levels ⇒ Implement means of enhancing ethics and integrity ⇒ Introduce and enforce zero-tolerance policy on corruption ⇒ Maintain proactive public relations strategy

Critical Issues

Critical issues – i.e. important questions – concerning the immediate future direction and focus of the Judiciary's strategy and development programme were identified as a prelude to considering development priorities and formulating programme objectives. Critical issues are listed in the following table:

How can the Judiciary as an arm of the state be organized to achieve its mandate?

How can we modernize the Judiciary?

How does the Judiciary engage users and other stakeholders in ensuring independence and autonomy?

How can the Judiciary coordinate with the Executive and Parliament without compromising its independence?

How can the Judiciary effectively and efficiently execute its role?

What can the Judiciary do to deliver quality justice?

How can the management structure in the Judiciary be improved?

How can the Judiciary better manage and utilize its existing resources?

How can the Judiciary fully utilize her registrars?

How can the land tribunals be incorporated into the Judiciary without foregoing the spirit of their establishment?

How can the Judiciary best make use of the family and juvenile justice system?

How can the inspectorate of courts be strengthened in order to supervise effectively?

What strategies can be applied in order to reduce the case backlog?

How can the Judiciary become financially autonomous?

How will resources be mobilized and shared at different court levels, given increasing number of courts and overall coverage?

How can the Judiciary become financially autonomous?

How will resources be mobilized and shared at different court levels, given increasing number of courts and overall coverage?

How can the Judiciary coordinate and work with other JLOS Institutions?

What can be done to motivate human resources?

How can we increase productivity of judicial officers?

How can the Judiciary improve its training, especially of lower cadres?

How can the numbers of judges and other Judiciary staff be increased?

How do we find accommodation for the Judiciary headquarters and appellate courts?

How can corruption be eradicated in the Judiciary?

What role can the judicial associations play in the strategic plan?

What strategy should the Judiciary use to enhance its public image?

Key Development Priorities

Key priorities for development of the Judiciary over the next five years were identified as follows:

INDEPENDENCE OF THE JUDICIARY <ul style="list-style-type: none">• Legislative frame work to operationalise the Judiciary's constitutional mandate• Law reform and simplification of procedures
ACCESS TO JUSTICE <ul style="list-style-type: none">• Enhancing access to justice for all• Public participation in the judicial process• Alternative dispute resolution (ADR)
HUMAN RESOURCE DEVELOPMENT <ul style="list-style-type: none">• training
INFRASTRUCTURE AND FACILITIES <ul style="list-style-type: none">• Development of infrastructure• Provision of machinery, equipment, furniture
EFFECTIVENESS AND EFFICIENCY <ul style="list-style-type: none">• Increasing managerial efficiency• Strengthening inspectorate, planning, monitoring and evaluation• Improving computerization• Promoting integrity and best practice
ETHICS AND INTEGRITY <ul style="list-style-type: none">• Strengthening inspectorate, planning, monitoring and evaluation• Promoting integrity and best practice

Development Programme

The period covered by the SPDP is synchronized with the JLOS SIP II: the five financial years 2006/7-2010/11.

The budget ceiling for the development programme is determined by the government's medium term expenditure framework (MTEF), which is prepared on a three-year rolling basis. Estimates of funds likely on present (September 2006) knowledge to be available for Judiciary development are as follows:

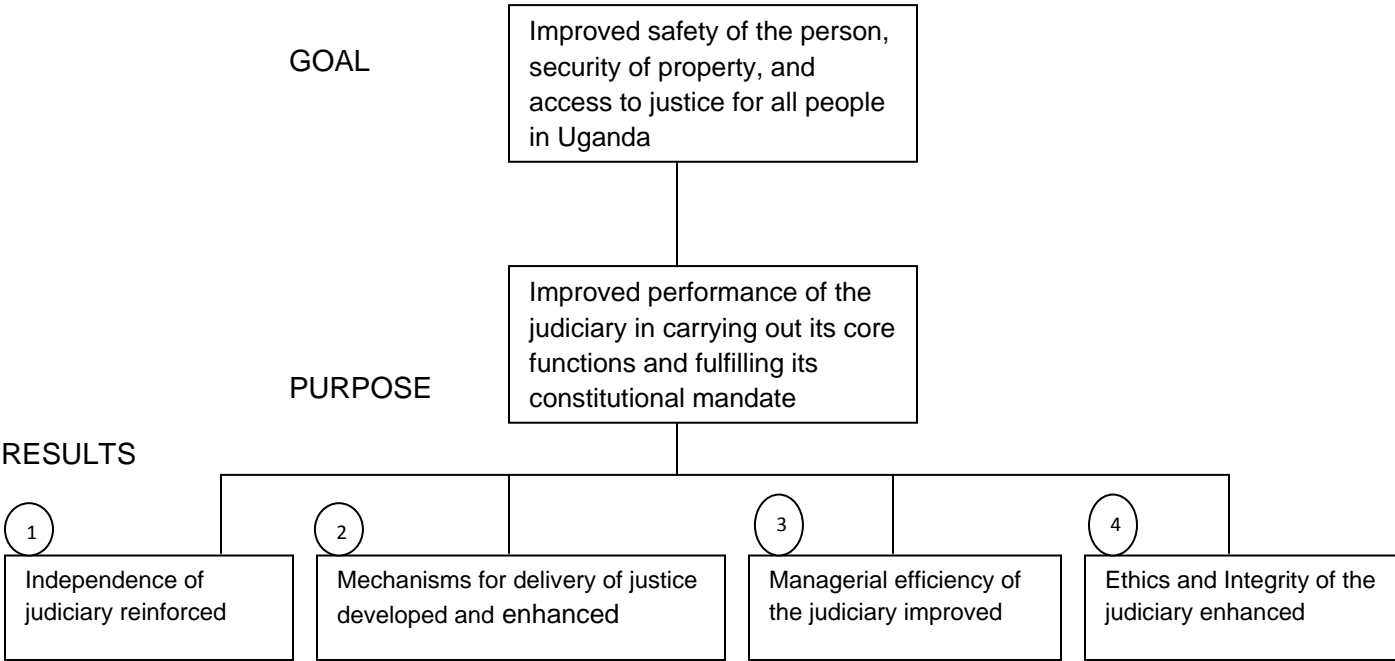
	2006/07	2006/07-2010/11
Government of Uganda	2.7 bn	13.5 bn
JLOS	2.4 bn	12.0 bn
Total	8.4 bn	32.1 bn

NB Danida's contribution is currently projected to be Ush3.3 bn for two years: 2006/7 and 2007/8

A further constraint upon Judiciary development is, as mentioned earlier, SIP II, in that activities planned for in SIP II are those that will receive priority in funding, having been included in the SIP II budget. The expectation is that JLOS institutions will propose prioritized programmes, including those that can be implemented at no or low cost, within the overall JLOS priorities. The sector-wide approach (SWAP) requires focus which promotes and facilitates institutions, working collectively to achieve common goals. The JLOS SIP should aim to plan, though there is scope for institutional (as opposed to sectoral) priorities to be included in institutional strategic plans and development programmes. Special pleading will be required for priority actions not included in SIP II, and for use of funds, from whatever source, exceeding MTEF ceilings.

In designing its five-year development programme, the Uganda Judiciary has therefore borne in mind probable budgetary constraints, but has nevertheless based its planning on what is perceived to be the imperative of achieving worthwhile impact in terms of improved performance. Planned actions are therefore, in nature and scale, what it is believed is required to achieve objectives to a meaningful degree.

DEVELOPMENT OBJECTIVES



GOAL

- Important safety of the person, security of property, and access to justice for all people in Uganda

The goal is the overall objective to which the JDP aspires to make a significant contribution and which provides the ultimate justification for the programme; it reflects the desired impact of the programme in terms of beneficial change in circumstances of members of the general public using the services of the courts of judicature.

It is appropriate that the Judiciary's development goal should correspond, as it does, to the purpose of SIP II.

PURPOSE

- Improved performance of the Judiciary in carrying out its core functions and fulfilling its constitutional mandate

The purpose is the immediate objective of the JDP, reflecting its intended effect and the instrumental means by which it aims to achieve impact.

The results are a set of specific objectives that must be realized in order to attain the purpose:

Result 1

- Independence of the Judiciary reinforced

As already noted, Uganda's present constitution incorporates the concept of separation of powers and the system of checks and balances as essential means of ensuring effective democracy and the ultimate sovereignty of the people. The Judiciary, as one of the key arms of state, must remain vigilant against inroads into its independence, and be proactive in developing and maintaining the capacity to honor the obligations and fulfill the responsibilities that independence imposes.

Result 2

- Mechanisms for delivery of justice development and enhanced

Justice must be delivered, case by case and whatever the nature of the case, in a fair and timely manner – otherwise it is not justice. There are still unacceptably high backlogs of cases, especially criminal, in the High Court and the Magistrates Courts. The quality of the judicial process is compromised by frequent adjournments, lack of reference materials, poor recording of proceedings, etc. Standards of performance need to be set, monitored, and enforced. The framework of law needs to be appropriate and relevant. Court systems and procedures for all forms of justice – criminal, civil, commercial, family, land – need to be effective and efficient.

Result 3

- Managerial efficiency of the Judiciary improved

Key to the performance of the Judiciary is the efficiency with which it is managed. Managerial efficiency depends upon appropriate organization structure, sufficient qualified and motivated human resources, effective systems and procedures, and adequate infrastructure and equipment.

Result 4

- Ethics and integrity of the Judiciary enhanced

As with other public service institutions, there have been complaints from time to time against the Judiciary concerning unethical conduct and lack of integrity – in a word, corruption. While many complaints have been found on investigation to be unfounded, individual instances of corrupt practice have been acknowledged and dealt with. The aim will be to improve the transparency of the institution whilst making it more user-friendly. Corruption will not be tolerated, and effective measures will be taken to ensure its eradication.

KEY ACTIONS

In order to achieve each of its strategic objectives, the Judiciary will need to plan and implement a complex of activities. At this planning level, the key actions required are spelled out. They will be elaborated in greater and greater detail at successive stages or programme planning. The present JDP plan serves as a framework to guide such planning.

Key Actions to achieve Result 1 Independence of the Judiciary reinforced

- 1.1 develop strategy to safeguard independence of the Judiciary
- 1.2 carry out continuous sensitization of judicial officers on principle of judicial independence
- 1.3 lobby for legislation operationalising Judiciary's constitutional mandate
- 1.4 lobby for legislation for financial autonomy of the Judiciary
- 1.5 develop policy on use of media to publicize relevant issues concerning the Judiciary

Key Actions to achieve Result 2 Mechanisms for delivery of justice developed and enhanced

- 2.1 integrate norms, values, and aspirations of the people into the justice system
- 2.2 set performance standards for all courts
- 2.3 conduct supplementary criminal and civil sessions to reduce backlog
- 2.4 conduct mini-sessions in all courts

- 2.5 establish small claims procedures
- 2.6 investigate and implement means of reducing cost of litigation
- 2.7 establish commissioners of assize system
- 2.8 review mechanisms for execution of court decisions/orders
- 2.9 promote alternative dispute resolution (ADR) wherever appropriate
- 2.10 enhance court recording
- 2.11 improve internal law reporting
- 2.12 strengthen resource centres/libraries

Key Actions to achieve Result 3: Managerial efficiency of the Judiciary improved

STRUCTURE

- 3.1 adopt and implement structural reforms
- 3.2 increase number of posts in the structure
- 3.3 review/revise jurisdiction of courts

HUMANA RESOURCES

- 3.4 review HR policy and standing orders
- 3.5 develop and implement training programme
- 3.6 strengthen benchmark-based staff performance appraisal
- 3.7 strengthen supervision and monitoring
- 3.8 streamline promotion avenues to provide for career development
- 3.9 develop and implement performance-related incentive schemes
- 3.10 strengthen staff recruitment and disciplining procedures

SYSTEMS AND PROCEDURES

- 3.11 strengthen use of administrative instructions
- 3.12 review/revise existing procedures
- 3.13 develop new ICT strategy linked to OPM
- 3.14 implement agreed recommendations from ICT, CR, and MIS study
- 3.15 develop equipment acquisition and maintenance policy

INFRASTRUCTURE AND EQUIPMENT

- 3.16 develop a priority plan for court premises to be built in next five years
- 3.17 acquire/construct Judiciary headquarters (as and when resources available)
- 3.18 construct and equip (19 proposed) magistrates/district courts (as and when resources available)
- 3.19 cost maintenance plan for existing structures and integrate in Judiciary budget
- 3.20 procure furniture and equipment for courts
- 3.21 procure vehicles as necessary for judicial officers and administrative staff

Key Actions to achieve Result 4 Ethics and integrity of the Judiciary enhanced

- 4.1 review/revise ethics and integrity plan of action
- 4.2 complete implementation of plan of action
- 4.3 conduct consultative workshops with non-judicial officers/support staff on draft code of conduct

- 4.4 incorporate ethics and integrity component on all training modules
- 4.5 promote observance of code of conduct
- 4.6 devise and implement anti-corruption measures
- 4.7 enhance role and authority of inspectorate of courts
- 4.8 establish customer care desks
- 4.9 conduct national tours to canvass public opinion
- 4.10 establish/strengthen public relations function
- 4.11 engage consultants to carry out survey on ethics and integrity

* * *

The overall strategic framework of the JDP is shown in diagrammatic form in annex 2, and as a logical framework (with important assumptions and performance indicators) in annex 3.

RISK ASSESSMENT: IMPORTANT ASSUMPTIONS

Assumptions need to be made explicit concerning conditions that are crucial to the programme's success, that must be met if actions are to be effectively implemented and objectives achieved. They reflect the risk of failure. The assumptions listed below refer to factors that are outside the control of the programme, that are important to the success of the programme, and that have a significant chance of not being met. Factors within the control of the programme are not made the subject of assumptions, or rather there is an over-riding assumption that factors that can be controlled will be controlled and will not constitute risk of project failure. In other words, there is justified confidence that planned actions can be effectively implemented, subject to any assumptions concerning external factors being met; and there is similar confidence in the intervention logic of the programme design. Only assumptions that could significantly affect the programme's chances of success are included – there is no need to worry about trivial risks. And similarly, there is no need to worry about risks that are very unlikely to occur.

The following assumptions are considered important enough and uncertain enough to warrant being made explicit in the design of the development programme. They will be monitored, and, when and where necessary, efforts will be made to influence outcomes.

The Government of Uganda remains committed to upholding the rule of law

Respect for the rule of law is acknowledged to be fundamental to good governance and socio-economic development. The Judiciary is the arm of state charged with the responsibility of maintaining its primacy. But it cannot carry out this responsibility without the consistent support and commitment of the government of the day. It is likely, but not certain, that future Ugandan governments will remain committed to upholding the rule of law.

Political interference in judicial matters is minimal

Attempts to bring undue influence to bear upon, or even to intervene in, the affairs of the Judiciary compromise judicial independence, and lead to loss of public confidence in the impartiality of the Judiciary. Incentives to interfere – political advantage to be gained – can be high. But political interference is always likely to be prejudicial to the Judiciary's ability to perform its core functions and fulfill its constitutional mandate. The risk is ever-present and needs to be continuously monitored.

Key actors (including the public, government institutions, civil society organizations, private sector) maintain satisfactory levels of coordination, cooperation, and communication.

Key actors in the justice, law and order sector are diverse and wide-spread. The sector-wide approach implies effective coordination, cooperation, and communication amongst the actors. The Judiciary is committed to doing its part, and is confident that this commitment will be reciprocated.

The principle of independence of the Judiciary is respected and assured by all parties.

The independence of the Judiciary is enshrined in the Constitution, but vigilance is required to ensure that it is not compromised in practice.

JLOS institutions remain committed to improved collaboration and coordination in case management.

The sector-wide approach and initiatives such as the Chain Link have improved coordination and collaboration amongst JLOS institutions. Case management, especially in criminal justice, is one area where benefits have accrued. But such initiatives need constant renewal, and there are signs that the Chain Link is weakening through lack of renewed commitment, exacerbated by failures in financial support.

Resources (human and financial) sufficient to implement the development programme are made available.

The Judiciary development programme has been designed with funding constraints made explicit in the government's medium-term expenditure framework in mind. Funds are expected from the government, from development partners through JLOS, and from development partners – specifically Danida – as project funding. No source can be considered certain. The situation will be kept under review and measures to influence it will be taken as required.

Conflict and insecurity do not unduly hamper implementation of development programme activities

Delivery of justice in parts of northern Uganda has for some years been compromised by war and insecurity. Current peace initiatives provide hope that the situation may be about to improve. If it does not, then the effectiveness and coverage of the development programme is likely to be adversely affected.

PERFORMANCE INDICATORS

GOAL Improved safety of the person, security, and access to justice for all people in Uganda	
INDICATORS	MEANS OF VERIFICATION
G.a. By end 2010/11 – at least 70% of the public (up from 62% in 2005) feel assured of safety of the person and security of property	<ul style="list-style-type: none"> • Uganda National Service Delivery Survey • Uganda National Household survey • JLOS surveys
G.b. By end 2010/11 – at least 70% of the public have effective knowledge of their rights and duties regarding the courts of judicature	<ul style="list-style-type: none"> • Uganda National Service Delivery Survey • Uganda National Household Survey • User focus group discussions • JLOS surveys
G.c. By end 2010/11 – public confidence in the justice system has increased to at least 70% from 34%(commercial justice only) in 2005	<ul style="list-style-type: none"> • Uganda National Service Delivery Survey • User focus group discussions • Private sector investment surveys • JLOS surveys

As already noted, the JDP goal is overall objective to which the JDP aspires to make a significant contribution. In the JLOS SIP II, it is the plan purpose, which will be achieved through the contributions of all JLOS institutions, including the Judiciary. The indicators quoted above are JLOS indicators, to be included in the overall JLOS monitoring and evaluation systems.

PURPOSE Improved performance of the Judiciary in carrying out its core functions and fulfilling its constitutional mandate	
INDICATORS	MEANS OF VERIFICATION
P.a By end 2010/11 – at least 80% of courts are achieving established performance standards	<ul style="list-style-type: none"> • Performance standards • Annual court performance reports
P.b By end 2010/11 – at least 70% of key stakeholders feel that the Judiciary’s performance has improved substantially since 2006/7	<ul style="list-style-type: none"> • Stakeholder surveys • JLOS surveys

RESULT 1 Independence of the Judiciary reinforced	
INDICATORS	MEANS OF VERIFICATION
R1.a By end 2007/08–the Judiciary’s constitutional mandate And financial autonomy have been legally Operationalised	<ul style="list-style-type: none"> • Relevant legal Instruments • Financial records
R1.b By end 2010/11- no events, intended or otherwise, Likely to compromise the Judiciary’s independence have occurred in the previous twelve months	<ul style="list-style-type: none"> • Judiciary annual report • Objective external assessment Of judicial independence

RESULT 2 Mechanisms for delivery of justice developed and enhanced	
INDICATORS	MEANS OF VERIFICATION
R2.a By end 2010/11 – the case backlogs of at least 80% of all Courts have been reduced to below established Maximum operational levels	<ul style="list-style-type: none"> • Maximum operational backlog levels for all courts • Court backlog records
R2.b By end 2010/11 – coordination, cooperation, and Communication meetings of justice agencies (e.g. case management committees; JLOS monitoring committees) are held regularly at all levels.	<ul style="list-style-type: none"> • Notices of meetings • Minutes of meetings • CMC inspection reports
R2.c By end 2010/11 – at least 80% of judicial officers report improved access to relevant data and information for research and decision – making	<ul style="list-style-type: none"> • Judicial officers survey • Annual reviews

RESULT 3 Managerial efficiency of the Judiciary improved	
INDICATORS	MEANS OF VERIFICATION
P3.a By end 2007/8 – detailed implementation and monitoring plans for agreed policies have been established	<ul style="list-style-type: none"> • Policy implementation and monitoring plans
R3.b By end 2010/11 - a unified judicial service has been established by transfer of administrative functions from PSC to JSC	<ul style="list-style-type: none"> • Relevant legal instruments
R3.c By end 2010/11 – at least 95% of established Judiciary posts (judicial and non-judicial) are filled in headquarters and all courts	<ul style="list-style-type: none"> • Authorized establishment records • Annual court reports • Personnel records
R3.d By end 2010/11 – CCAS and MIS are functioning to performance specifications and are covering all magisterial areas	<ul style="list-style-type: none"> • CCAS/MIS performance specifications • CCAS/MIS progress and evaluation reports • CCAS/MIS outputs
R3.e By end 2010/11 – construction and rehabilitation of court premises have been completed as specified in the priority infrastructure plan developed in 2006	<ul style="list-style-type: none"> • Priority infrastructure plan • Construction and rehabilitation records
R3.f By end 2010/11 – at least 80% of all courts are furnished and equipped in accordance with current authorized inventories	<ul style="list-style-type: none"> • Authorized inventory of furniture and equipment • Actual inventory of furniture and equipment
R3.g By end 2010/11 – ICT is implemented in accordance with ICT strategy	<ul style="list-style-type: none"> • ICT strategy • ICT progress reports

RESULT 4 Ethics and Integrity of the Judiciary enhanced	
INDICATORS	MEANS OF VERIFICATIONS
R4.a By end 2010/11 – the index of perceived corruption in the Judiciary has decreased by x% since 2006/7	<ul style="list-style-type: none"> • Transparency International Corruption perception Index • JLOS surveys • IGG reports • Judiciary integrity surveys
R4.b By end 2010/11 – number of reported cases of judicial officers failing to observe code of conduct has decreased by x% since 2006/7	<ul style="list-style-type: none"> • Judiciary integrity surveys • JLOS surveys

PERFORMANCE MONITORING

Indicator-based objectives monitoring will be used as the primary means of assessing progress of the Judiciary development programme. Indicators of successful achievement of objectives will be established. A preliminary set is suggested above, but further work will be done in year 1 (2006/7) to augment and refine the indicators. Indicators will be kept under constant review and adjusted to reflect any desirable changes in performance targets. An 'audit trail' of adjustments to indicators will be maintained to assist reviewers and evaluators in their assessment of programme performance. Indicators will be monitored systematically in accordance with the performance monitoring plan that will be prepared within the first six months (by end 2006).

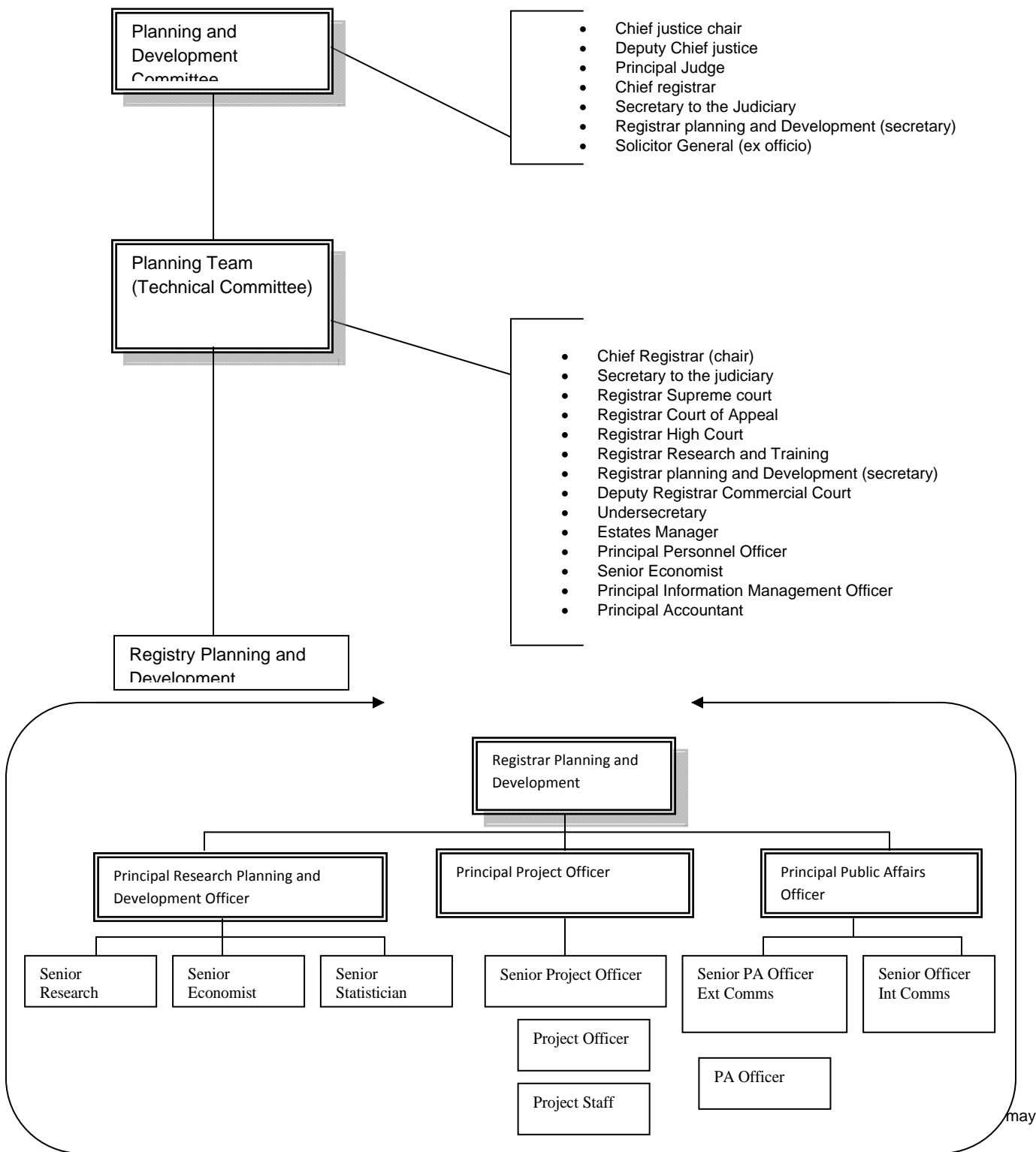
In addition to indicator-based objectives monitoring, conventional progress monitoring will be done by Judiciary management, using regular reporting from courts and departments. Performance will also be assessed in annual review meetings for judges and magistrates.

Formal mid-term reviews and a final evaluation towards the end of the fifth year will be conducted and may involve external evaluators.

Organization and Management

ORGANIZATION STRUCTURE

An organization structure appropriate for managing implementation of the five year JDP is shown in the following chart:



Indicative Budget

Table 1 shows an indicative budget of the Judiciary Development Programme for the years covered by the current MTEF (2006/7-2008/9). The budget estimate columns show the estimated cost of implementing the JDP in full. The available resource columns show funds presently known to be available under the MTEF. The funding gap columns show the difference. As has already been mentioned, the basis of the Judiciary's planning is the imperative of substantial impact in terms of performance improvement (the programme purpose). Actions have been planned and budgeted accordingly. If the gaps cannot be bridged, adjustments to the programme will have to be made and/ or the scale of key actions cut back.

TABLE COSTING OF JUDICIARY DEVELOPMENT PROGRAMME 2006/7 – 2010/11 IN USHS.000									
Objective/Activity	FY 2006/7			FY 2007/8			FY 2008/9		
	Budget Estimate	Available Resource	Funding Gap	Budget Estimate	Available Resource	Funding Gap	Budget Estimate	Available Resource	Funding Gap
1.0 Independence of the Judiciary Reinforced	580,000	140,000	440,000	560,000	0	560,000	400,000	0	400,000
2.0 Mechanisms for delivery of justice developed and enhanced	6,230,000	955,000	5,275,000	6,410,000	944,000	5,466,000	6,280,000	1,044,000	5,236,000
3.0 Managerial efficiency of the Judiciary improved	9,191,000	7,291,560	1,899,440	7,690,012	4,622,560	6,020,000	6,020,000	2,676,000	3,344,000
4.0 Ethics and Integrity of the Judiciary enhanced	555,000	97,000	458,000	785,000	97,000	805,000	805,000	97,000	708,000
TOTAL	16,556,000	8,483,560	8,072,440	15,445,012	5,668,560	9,781,452	13,505,000	3,505,000	9,688,000

Detailed costing underlying the above summary is shown in annex 4.

Annexes

JLOS SIP II

Results and Activities Relevant for the Judiciary

KEY RESULT AREA	1 Rule of law and due process promoted
RESULTS AND ACTIVITIES	<p>1.1 Certainty of the law and procedures ensured</p> <ul style="list-style-type: none">• strengthen laws where necessary• lobby cabinet and parliament for enactment of key laws• enhance access to updated laws and case precedents <p>1.2 Independence of the Judiciary fostered</p> <ul style="list-style-type: none">• build confidence and capacity of judicial officers<ul style="list-style-type: none">○ provide training○ expose to legal materials from other jurisdictions○ strengthen law reporting and production of journals• monitor and develop strategies to address threats to independence of Judiciary <p>1.3 Due process enhanced</p> <ul style="list-style-type: none">• strengthen enforcement of judgments<ul style="list-style-type: none">○ ensure timely delivery of judgments○ improve supervision of court brokers/bailiffs• implement and enforce constitutional time limits and standards• review and strengthen systems for investigation and handling of complaints <p>1.4 Accountability and ethics enhanced across JLOS institutions</p> <ul style="list-style-type: none">• promote consciousness of professional responsibility to work at all staff levels• lobby for pay reform• provide training• ensure minimum packages across the board – e.g basic equipment to enable officers to operate• increase transparency and staff accountability<ul style="list-style-type: none">○ strengthen institutional disciplinary mechanisms○ develop procedures manuals○ enhance public awareness○ develop and disseminate user guides

KEY RESULT AREA	2 Human rights culture fostered across JLOS
RESULTS AND ACTIVITIES	<p>2.1 Human rights awareness and practice enhanced at both institutional and sectoral levels</p> <ul style="list-style-type: none"> • integrate human rights principals in all staff induction and training programmes and in operational procedures • inculcate positive approach of social responsibility among staff • improve customer service • monitor compliance with human rights principles in practice and enforcement of codes of conduct <p>2.2 incidence of specific human rights violations reduced</p> <ul style="list-style-type: none"> • improve conditions in detention facilities (court cells) • institutionalize complaints mechanisms • develop systems of strengthening institutional and individual accountability <p>2.3 Conducive environment for human rights CSOs and the private sector to effectively participate in JLOS fostered</p> <ul style="list-style-type: none"> • participate in developing and implementing mechanism for engaging with CSOs and the private sector • engage with CSOs at working group level and through other structured mechanisms – e.g. court user committees, biannual reviews

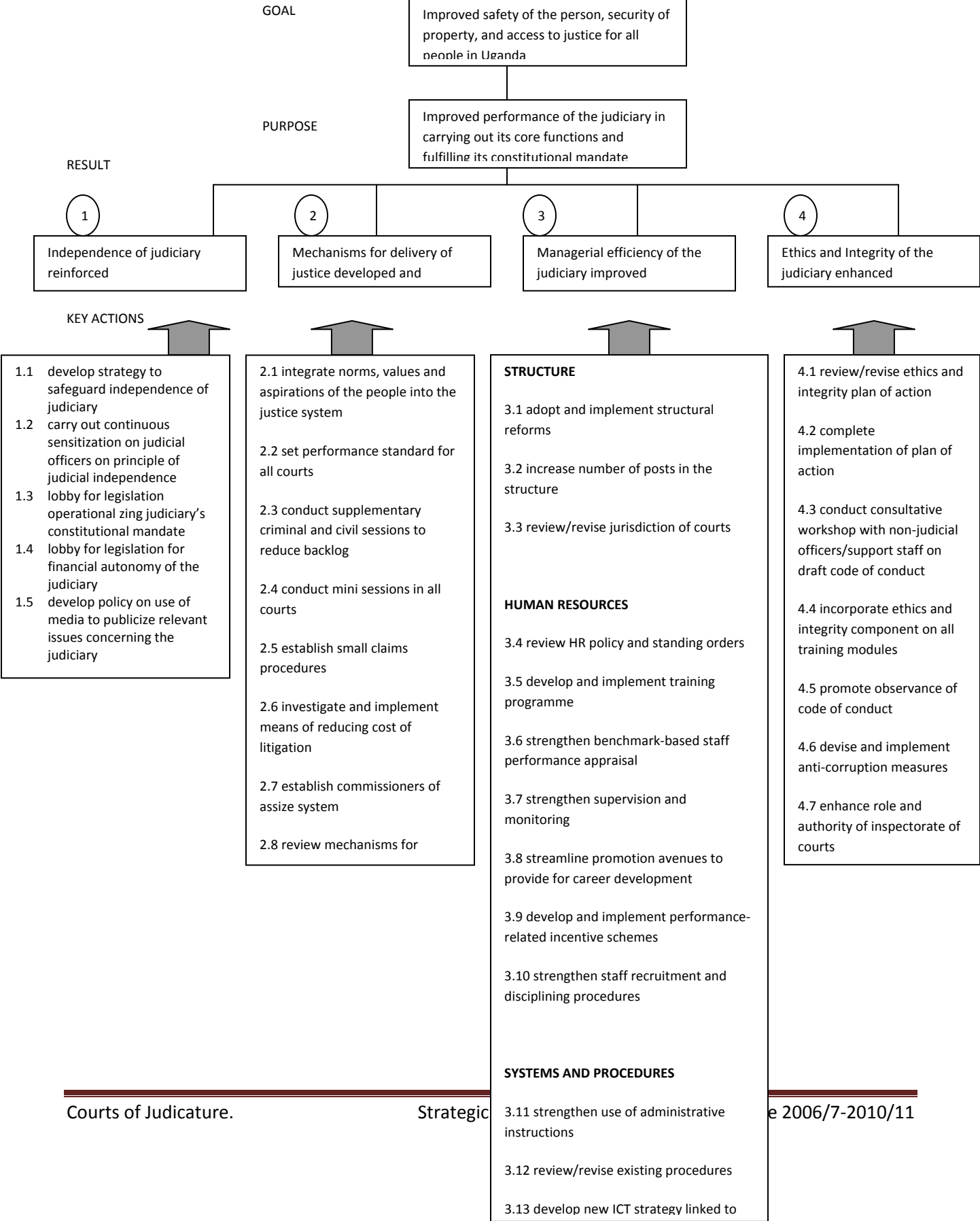
KEY RESULT AREA	3 Enhanced access to justice for all, especially the marginalized and the poor
RESULTS AND ACTIVITIES	<p>3.1 Rationalized physical access and availability of JLOS institutions and functions ensured</p> <ul style="list-style-type: none"> • achieve the required physical presence of the Judiciary • construct and renovate offices according to priority • equip offices with basic tools • recruit and train staff in a phased manner <p>3.2 Financial bottlenecks hampering access to justice minimized</p> <ul style="list-style-type: none"> • develop costed plan and national framework for provision of legal aid country wide • support use of ADR mechanisms • strengthen lower level local courts • undertake deregulation of judicial and other procedures • evaluate state brief scheme • review and reform ball practices <p>3.3 Use of ADR mechanisms and innovative approaches to enhance justice (promoted)</p> <ul style="list-style-type: none"> • evaluate existing mediation pilots in the Commercial Court, strengthen them, and extend them to other areas • develop and implement a regulatory framework and standards for ADR • train staff and enhance awareness of public and users on benefits of ADR • identify and promote other innovative approaches aimed at enhancing access to justice – e.g. non-custodial measures such as community service orders <p>3.4 Capacity and role of LC courts in easing access to justice strengthened</p> <ul style="list-style-type: none"> • carry out capacity building for LC courts • undertake baseline survey of LC courts • strengthen mechanisms for supervision of LC courts • lobby for enactment of LC Court Bill 2003 <p>3.5 Quality of justice delivered enhanced</p> <ul style="list-style-type: none"> • improve quality of outputs of judicial decisions and other processes • develop and improve time standards and targets • review mention and session systems to identify ways of speeding up justice • adopt a wider definition of case backlog • evaluate the Chain Linked Initiative and Case Backlog Project <p>3.6 Technicalities that hamper access to justice minimized</p> <ul style="list-style-type: none"> • assist in developing a comprehensive (sector-wide) information dissemination strategy to increase information available to the public • expend dialogue between communities and JLOS agencies • increase public knowledge about complaints procedures • improve complaint process case management • strengthen staff capacity to respond to gender, poverty, and inter-gender issues • eliminate language barriers <ul style="list-style-type: none"> ○ recruit, train, deploy interpreters/translation services ○ translate, publish, and disseminate key laws and documentation (e.g. user

	guides) in at least four regional languages
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KEY RESULT AREA	4 Incidence of crime reduced and safety of the person and security of property promoted
RESULTS AND ACTIVITIES	<p>4.1 JLOS response to crime enhanced</p> <p>4.2 Recidivism rates reduced</p> <ul style="list-style-type: none"> • improve collection of data on adult and juvenile offenders • analyse data on adult and juvenile offenders to determine and monitor recidivism rates <p>4.3 Crime prevention strategies developed and implemented</p> <ul style="list-style-type: none"> • implement juvenile justice pre-trial diversion programme <p>4.4 Safety of the person and security of property promoted</p> <ul style="list-style-type: none"> • assist in enhancing civilian administration of justice in conflict-affected areas (northern Uganda, Karamoja)

KEY RESULT AREA	5 JLOS contribution to economic development enhanced
RESULTS AND ACTIVITIES	<p>5.1 Conducive strategies developed and implemented to support production, competitiveness, and wealth creation</p> <ul style="list-style-type: none"> • develop and implement policies and strategies for fostering institutional commitment and enhancing services delivery • participate in integrated study of land dispute resolution mechanisms • Streamline land sector policy • Review land laws • Review management structures of land tribunals • Review and revise key processes with a view to minimizing costs of doing business (e.g trial, appeals) • Pilot fast tracking mechanisms aimed at resolving disputes faster • Develop and implement structured linkages at institutional level to other key players in promotion of economic development <p>5.2 Non tax revenues (NTR) increased</p> <p>5.3 JLOS contribution to creating an environment that enables Uganda to comply with and take advantage of regional, bilateral, and international trade agreements strengthened</p> <ul style="list-style-type: none"> • Develop skills and create awareness among JLOS staff about direct linkage between public sector performance and economic development, through

Judiciary Development Programme 2006/7-2010/11



Logical Framework

Programme: Judiciary Development Programme

Planning Period: 2006/07-2010/11

Budget Ceiling: estimate Sept 2006 based on MTEF: approx U.Sh 32 billion

SUMMARY OF OBJECTIVES AND ACTIVITIES	OBJECTIVELY VERIFIABLE INDICATORS	MEANS OF VERIFICATION	IMPORTANT ASSUMPTIONS: EXTERNAL FACTORS
<p>Goal</p> <p>Improved safety of the persons, security of property, and access to justice for all people in Uganda</p>	<p>.....that measure achievement of Goal</p> <p>G.a By end 2010/11-at least 70% of the public (up from 62% in 2005) feel assured of safety of the person and security of property</p> <p>G.b By end 2010/11-at least 70% of the public have effective knowledge of their rights and duties regarding the courts of judicature</p> <p>G.c By end 2010/11-public confidence in the justice system has increased to at least 70% from 34% (commercial justice only) in 2005</p>	<ul style="list-style-type: none"> • Uganda National Service Delivery Survey • Uganda National Household Survey • JLOS surveys • Uganda National Service Delivery Survey • Uganda National Household Survey • User focus group discussions • JLOS surveys • Uganda National Service Delivery Survey • User focus group discussions • Private sector investment surveys • JLOS surveys 	<p>... to ensure sustainability of Goal</p>
<p>Purpose</p> <p>Improved performance of the Judiciary in carrying out its core functions and fulfilling its</p>	<p>... that measure achievement of Purpose</p> <p>P.a By end 2010/11-at least 80% of courts are achieving established performance standards</p>	<ul style="list-style-type: none"> • Performance standards • Annual court performance reports 	<p>... to achieve Goal</p> <ul style="list-style-type: none"> • GoU remains committed to upholding the rule of law

constitutional mandate	P.b By end 2010/11-at least 70% of key stakeholders feel that the Judiciary's performance has improved substantially since 2006/7	<ul style="list-style-type: none"> • Stakeholder surveys • JLOS surveys 	
Results 1 Independence of the Judiciary reinforced	<p>... that measure achievement of Results</p> <p>R1.a By end 2010/11-the Judiciary's constitutional mandate and financial autonomy has been legally operationalised</p> <p>R1.b By end 2010/11-no events, intended or otherwise, likely to compromise the Judiciary's independence have occurred in the previous twelve months</p>	<ul style="list-style-type: none"> • Relevant legal institutions • Financial records • Judiciary annual report • Objective external assessment of Judicial Independence 	<p>... to achieve Purpose</p> <ul style="list-style-type: none"> • Political interference in judicial matters is minimal • Key actors (including the public, government institutions, civil society organizations, private sector) maintain satisfactory levels of coordination, cooperation, and communication
2 Mechanisms for delivery of justice developed and enhanced 3 Managerial efficiency of the Judiciary improved	<p>R2.a By end 2010/11-the case backlogs of at least 80% of all courts have been reduced to below established maximum operational levels</p> <p>R2.b By end 2010/11-coordination, cooperation, and communication meetings of justice agencies (e.g. case management committees; JLOS monitoring committees) are held regularly at all levels</p> <p>R2.c By end 2010/11-at least 80% of Judicial officers report improved access to relevant data and</p>	<ul style="list-style-type: none"> • Maximum operational backlog levels for all courts • Court backlog records • Notices of meetings • Minutes of meetings • CMC inspection reports 	

	<p>information for research and decision making</p> <p>R3.a By end 2007/8-detailed implementation and monitoring plans for agreed policies have been established</p> <p>R3.b By end 2010/11-a unified judicial service has been established by transfer of administrative functions from PSC to JSC</p> <p>R3.c By end 2010/11-at least 95% of established judiciary posts (judicial and non-judicial) are filled in headquarters and all courts</p> <p>R3.d By end 2010/11-CCAS and MIS are funding to performance specifications and are covering all magisterial areas</p> <p>R3.e By end 2010/11-construction and rehabilitation of court premises have been completed as specified in the priority infrastructure plan developed in 2006</p> <p>R3.f By end 2010/11-at least 80% of all courts are furnished and equipped in accordance with current authorized inventories</p> <p>R3.g By end 2010/11-ICT is implemented in accordance with ICT strategy</p> <p>R4.a By end 2010/11-the index of perceived corruption in the Judiciary has decreased by x% since 2006/7</p> <p>R4.b By end 2010/11-the</p>	<ul style="list-style-type: none"> • Judicial officers survey • policy implementation and monitoring plans • Relevant legal instruments • Authorized establishment records • Annual Court reports • Personnel records • CCAS/MIS performance specifications • CCAS/MIS progress and evaluation reports • CCAS/MIS outputs • Priority infrastructure plan • Construction and rehabilitation records 	
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<p>4 Ethics and integrity of the Judiciary enhanced</p>	<p>index of reported cases of judicial officers failing to observe code of conduct has decreased by x% since 2006/7</p>	<ul style="list-style-type: none"> • Authorized inventory of furniture and equipment • Actual inventory of furniture and equipment • ICT strategy • ICT progress reports • Transparency international Corruption perception Index • JLOS surveys • IGG reports • Judiciary integrity surveys • Judiciary integrity surveys • JLOS surveys 	
<p>Key Actions</p> <p>1.1 develop strategy to safeguard independence of the Judiciary</p> <p>1.2 carry out continuous sensitization of judicial officers on principle of judicial independence</p> <p>1.3 lobby for legislation operationalising Judiciary’s constitutional mandate</p> <p>1.4 lobby for legislation for financial autonomy of the Judiciary</p> <p>1.5 develop policy on use of media to publicize relevant issues concerning the Judiciary</p>		<p>..... to achieve Results</p> <ul style="list-style-type: none"> • The principle of independence of the Judiciary is respected and assured by all parties • JLOS institutions remain committed to improved collaboration and coordination by case management 	

<p>2.1 integrate norms, values, and aspirations of the people into the justice system</p> <p>2.2 set performance standards for all courts</p> <p>2.3 conduct supplementary criminal and civil sessions to reduce backlog</p> <p>2.4 conduct mini-sessions in all courts</p> <p>2.5 establish small claims procedures</p> <p>2.6 investigate and implement means of reducing cost of litigation</p> <p>2.7 establish commissioners of assize system</p> <p>2.8 review mechanisms for execution of court decisions/orders</p> <p>2.9 promote alternative dispute resolution (ADR) whatever appropriate</p> <p>2.10 enhance court recording</p> <p>2.11 improve internal law reporting</p> <p>2.12 strengthen resource centres/libraries</p> <p>STRUCTURE</p> <p>3.1 adopt and implement structural reforms</p> <p>3.2 increase number of posts in the structure</p> <p>3.3 review/revise jurisdiction of courts</p> <p>HUMAN RSOURCES</p> <p>3.4 review HR policy and standing orders</p> <p>3.5 develop and implement training programme</p> <p>3.6 strengthen benchmark-based staff performance appraisal</p> <p>3.7 strengthen supervision and monitoring</p> <p>3.8 streamline promotion avenues to provide for career development</p> <p>3.9 develop and implement performance-related incentive schemes</p> <p>3.10 strengthen staff recruitment and disciplining procedures</p> <p>SYSTEMS AND PROCEDURES</p> <p>3.11 Strengthen use of administrative instructions</p> <p>3.12 review/revise existing procedures</p> <p>3.13 develop new ICT strategy linked to OPM</p> <p>3.14 Implement agreed recommendations from ICT, CR, and MIS study</p> <p>3.15 develop equipment acquisition and maintenance policy</p> <p>INFRASTRUCTURE AND EQUIPMENT</p> <p>3.16 develop a priority plan for court premises to be built in next five years</p> <p>3.17 acquire/construct Judiciary Headquarters (as and when resources available)</p> <p>3.18 construct and equip (19 proposed) magistrates/district courts (as and when resources available)</p> <p>3.19 cost maintenance plan for existing structures and integrate in Judiciary budget</p> <p>3.20 procure furniture and equipment for courts</p> <p>3.21 procure vehicles as necessary for Judicial officers and administrative staff</p> <p>4.1 review/revise ethics and integrity plan of action</p> <p>4.2 complete implementation of plan of action</p>	<p><i>Preconditions for carrying out key Actions</i></p> <ul style="list-style-type: none"> • Resources (human
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<p>4.3 conduct consultative workshops with non-judicial officers/support staff on draft code of conduct</p> <p>4.4 incorporate ethics and integrity component on all training modules</p> <p>4.5 promote observance of code of conduct</p> <p>4.6 devise and implement anti-corruption measures</p> <p>4.7 enhance role and authority of inspectorate</p> <p>4.8 establish customer care desks</p> <p>4.9 conduct national tours to canvass public opinion</p> <p>4.10 engage consultants to carry out survey on ethics and integrity</p>	<p>and financial) sufficient to implement the development programme are made available</p> <ul style="list-style-type: none"> • conflict and insecurity do not unduly hamper implementation of development programme activities
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Indicative Budget

Judiciary Development Programme

Objective/Activity	FY 2006/7			FY 2007/8			FY 2008/9		
	Budget Estimate	Available Resource	Funding Gap	Budget Estimate	Available Resource	Funding Gap	Budget Estimate	Available Resource	Funding Gap
1.0 Independence of the Judiciary Reinforced	580,000	140,000	440,000	560,000	0	560,000	400,000	0	400,000
2.0 Mechanisms for delivery of justice developed and enhanced	6,230,000	955,000	5,275,000	6,410,000	944,000	5,466,000	6,280,000	1,044,000	5,236,000
3.0 Managerial efficiency of the Judiciary improved	9,191,000	7,291,560	1,899,440	7,690,012	4,622,560	3,067,452	6,020,000	2,676,000	3,344,000
4.0 Ethics and Integrity of the Judiciary enhanced	555,000	97,000	458,000	785,000	97,000	688,000	805,000	97,000	708,000
TOTAL	16,556,000	6,483,560	8,072,440	15,445,012	5,663,560	9,781,452	13,505,000	3,817,800	9,588,000

	Budget FY 06/07	% Share		Budget FY 07/8	% Share			Budget FY 08/9	% Share
	1.0 Independence of the Judiciary Reinforced	580,000		4				560,000	4
2.0 Mechanisms for delivery of justice developed and enhanced	6,230,000	38		6,410,000	42			6,280,000	47
3.0 Managerial efficiency of the Judiciary improved	9,191,000	56		7,690,012	50			6,020,000	45
4.0 Ethics and Integrity of the Judiciary enhanced	555,000	3		785,000	5			805,000	6
TOTAL	16,556,000	100		15,445,012	100			13,505,000	100