



**15<sup>TH</sup> JUDGES' CONFERENCE 2013**

**AT**

**HOTEL AFRICANA, KAMPALA AS FROM 14<sup>TH</sup> -17<sup>TH</sup>  
JANUARY, 2013**

**A REPORT BY THE HIGH COURT LAND DIVISION,  
KAMPALA**

**JANUARY 2013**

## 1. Introduction

The High Court Land Division (herein after called “the Land Division”) as indicated during the last Judges’ Conference remains committed to timely delivery of quality justice, within the available resources. And like last year, the Land Division is still manned by 3 Judges, that is, Hon Justice Ruby Opio Aweri the Head, Hon. Justice Joseph Murangira the Dep. Head, and Hon. Justice Percy Tuhaise.

However, Hon. Justice Owiny Dollo of the International Crimes Division was late last year seconded to the Land Division, while H/W Ajiji Alex was transferred to the Division to assist the Ag. Deputy Registrar H/W Festo Nsenga. Similarly, a Data Analyst Mr Mboyo Steven and a Data Entry Officer Mr. Kinkumu Michael were received, bringing the number of Support Staff to 35, as shown by the annexed Staff List.

Further, as alluded to in the last conference, the Land Division has since shifted to a new and more spacious home, *Twed Plaza, Nakasero* [2<sup>nd</sup> Floor]. We thank the Administration for these developments, while we again express our gratitude to the Commercial Division for accommodating us hitherto.

We also appreciate the assistance we were rendered by the Administration between February and June 2012 to carry out physical counting of all files, which enabled us to clean some 1026 inactive cases from CCAS. The struggle continues in that endeavour.

## 2. Case Status

As at the end of December 2012, we had a case load of 4709 assorted cases, as per Table 1 below:

**Table 1 - Case load as of December 2012**

CASE CATEGORY	-A- CASES B/F FROM YEAR 2011.	-B- REGISTERED CASES AS OF 31 <sup>ST</sup> DECEMBER 2012.	TOTAL OF CASES IN COLUMNS <u>-A- &amp; -B-</u>	-C- COMPLETED CASES AS OF 31 <sup>ST</sup> DECEMBER 2012.	-D- COMPLETED CASES BY TRANSFER AS OF 31 <sup>ST</sup> DECEMBER 2012.	TOTAL OF COMPLETED CASES IN COLUMNS <u>-C- &amp; -D-</u>	PENDING CASES CARRIED FORWARD TO JANUARY 2013.
CIVIL SUITS	1853	615	2468	246	53	299	2169
MISC. CAUSES	190	87	277	65	10	75	202
MISC. APPL.	1838	1162	3000	871	40	911	2089
CIVIL APPEALS	148	86	234	47	14	61	173
ORIGINATING SUMMONS	29	13	42	17	1	18	24
MISC. APPEALS	26	8	34	14	4	18	16
CIVIL REVISION	29	25	54	14	4	18	36
<b>TOTAL</b>	<b>4113</b>	<b>1996</b>	<b>6109</b>	<b>1274</b>	<b>126</b>	<b>1400</b>	<b>4709</b>

New case registration has steadily increased over the years, with 1563 cases registered in 2010, 1638 in 2011, and 1996 in 2012, as shown in Table 2 below:

**Table 2 - New cases registered in 2010, 2011, and 2012**

YEAR	CIVIL SUITS	MISC. CAUSES	MISC. APPL.	CIVIL APPEALS	ORIG. SUMMONS	MISC. APPEALS	CIVIL REV.	TOTAL
2010	432	94	940	72	9	9	7	1563
2011	521	88	950	52	12	5	10	1638
2012	615	87	1162	86	13	8	25	1996



Of the total 4709 cases, 51 are pending Judgment, 92 pending Ruling, 3496 pending hearing, while 1070 are to be scrutinised for possible weed out. Please refer to Table 3 below:

**Table 3 – Case stage status**

JUDICIAL OFFICER	-A- ONLY CASES PENDING HEARING/PH/UNDER HEARING							-B- CASES PENDING JUDGMENT & RULING				TOTAL
	C.S.	M.C.	M.A.	C.A.	O.S.	M.L.	C.R.	PENDING JUDGMENTS	PENDING RULINGS	PENDING RULING FOR PRELIMINARIES		
Hon. Mr. Justice R. Aweri Opio	746	73	504	36	3	6	10	6 (C.S.) 7 (C.A.) <u>1 (C.R.)</u> 14	8 (M.C.) 31(M.A.) 2 (M.L.) 3 (C.R.) <u>3 (O.S.)</u> 47	7 (C.S.)	<b>1446</b>	
Hon. Mr. Justice J. Murangira	596	42	303	30	3	3	6	9 (C.S.) <u>20 (C.A.)</u> 29	3 (C.S.) 4 (M.C.) 19 (M.A.) 2 (O.S.) <u>2 (C.R.)</u> 30	5 (C.S.)	<b>1046</b>	
Hon. Lady. Justice P.N. Tuhaise	565	40	364	34	11	5	8	2 (C.S.)	1 (M.A.)		<b>1030</b>	
Hon. Mr. Justice M. Mukiibi	5							5 (C.S.)			<b>10</b>	
Hon. Mr. Justice Owiny Dollo	74	4	18	6	1			1 (O.S.)	2 (M.A.)		<b>106</b>	
Earmarked for possible weeding out	146	31	847	40			6				<b>1070</b>	
<b>TOTAL</b>	<b>2132</b>	<b>190</b>	<b>2036</b>	<b>146</b>	<b>18</b>	<b>14</b>	<b>30</b>	<b>51</b>	<b>80</b>	<b>12</b>	<b>4709</b>	

### 3. Achievements

- Hon. Justice Percy Tuhaise successfully completed a Criminal Session in Iganga between April and May, while Hon Justice Joseph Murangira completed a Civil Session at Arua in November.
- Her Lordship Hon. Justice Percy Tuhaise received training on the Legal Framework of Sustaining Investment and Business at Livingstone, Zambia, while the Ag. Deputy Registrar H/W Festo Nsenga received training on Business Management at Arusha in Tanzania.

- Various sessions were held, with 1400 cases completed, doubling the case disposal rate last year, as compared to the previous year (2011). Please refer to Table 4 and Table 5 below:

**Table 4 – Total cases completed in 2012**

YEAR	CIVIL SUITS	MISC. CAUSES	MISC. APPL.	CIVIL APPEALS	ORIG. SUMMONS	MISC. APPEALS	CIVIL REV.	TOTAL
Hon. Mr. Justice R. Opio Aweri	47	11	106	1	3	1	1	170
Hon. Mr. Justice J. Murangira	61	22	190	16	6	8	10	313
Hon. Lady Justice P.N. Tuhaise	51	15	77	10	1	2	2	158
Hon. Mr. Justice Owiny Dollo (Assisting Judge)	3		28					31
Hon. Mr. Justice Akiiki Kiiza (Visiting Judge)	17			1	1			19
Hon. Lady Justice M. Mugenyi (Visiting Judge)	10	1	6	14				31
Hon. Lady Justice Nahamya E. (Visiting Judge)	18		1	2				21
Ag. Deputy Registrar H/W Nsenga F. (Including settlements/consent judgments, withdrawals, transfers, and dismissals)	88	24	458	17	8	7	5	606
Assistant Registrar H/W Ajiji Alex (Including settlements/consent judgments, withdrawals, transfers, and dismissals)	4	2	45					51
<b>TOTAL</b>	<b>299</b>	<b>75</b>	<b>911</b>	<b>61</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>1400</b>

**Table 5: Cases completed in 2010, 2011 AND 2012.**

YEAR	CIVIL SUITS	MISC. CAUSES	MISC. APPL.	CIVIL APPEALS	ORIG. SUMMONS	MISC. APPEALS	CIVIL REV.	TOTAL
YEAR 2010	394	118	646	28	9	6	5	1206
YEAR 2011	171	59	472	23	9	11	6	751
YEAR 2012	299	75	911	61	18	18	18	1400

We highly appreciate the assistance we received from the Administration, and from Hon. Justices Akiiki Kiiza, Elizabeth Nahamya, Owiny Dollo, and Monica Mugenyi.

#### 4. Challenges

- Insufficient number Judges remains a very constraining challenge. The Land Division needs at least 4 full time Judges.
- There is also need for at least another Research Assistant. Only 2 are available.
- Hon Justice Opio Aweri was taken ill and had to go abroad for specialised treatment. Fortunately, the Hon. Head is now recovering quite well, and the Division greatly thanks the Administration for facilitating his treatment.
- Just like the other courts, we continue to suffer inadequate funding.
- Lack of transcribers, and a functional transcribing system. The setting up of the system is yet to be completed.
- Insufficient furniture both in chambers and open Court.
- Lack of a library.
- There is need for a motor cycle for process serving.
- Twed Towers is out of town, necessitating a van for support staff.
- Twed Towers has other constraints, including incessant and rather embarrassing power cuts, threatened water dis-connections, and the now well known parking fee charges slapped on court users, including advocates.
- Numerous and endless applications remains another big challenge.

#### 5. Way forward

- We intend to pursue sessions further in accordance with our already submitted work plan, targeting a disposal of at least 1879 cases. This shall however require assistance from the Administration, by provision of funds and visiting Judges. In this regard, we look forward to the coming of **Hon. Justice Flavia Anglin** to handle a session scheduled before her last year.



- We intend to also carry out a comprehensive weed out exercise, targeting especially miscellaneous applications.
- The planned Mediation Committees reflected in our last year Report are yet to be functional due to lack of funds. We intend with the assistance of the administration to pursue mediation more aggressively.

## 6. Conclusion

- I thank the Judges and Staff of the Land Division for job well done in 2012.
- Land is a very vital asset, and due to the population pressure, land has become ever more valuable, with conflicts becoming ever rampant and aggressive. Yet it's well known that there is a huge national backlog of cases, caused among others by the failures of the now defunct Land Tribunals. This is to say the least, a time bomb.
- The Land Division therefore strongly proposes a concerted intervention in form of Sessions country wide, just like it was with Criminal Cases or as it is with Election Petitions. Indeed this is what is envisaged in the **JLOS 2011 – 2015 Strategic Plan**. There is equally need for rolling out of specialised Land Courts country wide, as it is with Family and Children Courts.
- Lastly, myself and the entire team of the Land Division takes this opportunity to again thank everyone that rendered it assistance last year, and to wish the whole Judicial fraternity a fruitful and prosperous 2013.

Thank you for listening to me.



Head Land Division

## A LIST OF SUPPORT STAFF FOR HIGH COURT LAND DIVISION

No.	NAME	TITLE
1.	Mrs. Stella Kwaga	<i>Researcher</i>
2.	Ms. Jeanie Namugga	<i>Researcher</i>
3.	Mr. M. Musoke Alex	<b>Office Supervisor</b>
4.	Mr. Mboyo Stephen Wangutusi	<i>IT</i>
5.	Mr. Kinkumu Micheal	<i>IT</i>
6.	Ms. Nanteza Damalie	<b>Cashier</b>
7.	Mr. Egesa-Odoki	<i>I/C Registry</i>
8.	Mr. Magala Sylvester	<b>Clerk for Judge Opio</b>
9.	Ms. Namusoke Justine	<b>Clerk for Judge Murangira</b>
10.	Ms. Akullu Keren	<b>Clerk for Judge Tuhaise</b>
11.	Ms. Mayobo Aidah	<b>Clerk for Deputy Registrar</b>
12.	Ms. Mubeezi R.	<i>Secretary for Deputy Registrar</i>
13.	Ms. Nabirye Betty	<b>Clerk attached to Registry</b>
14.	Ms. Kibirango Joyce	<b>Clerk for Judge Owiny Dollo</b>
15.	Ms. Eva Namutebi	<i>Ass. I/C Registry</i>
16.	Ms. Apollo Dillis	<b>Clerk for Ass. Registrar</b>
17.	Mr. Mayanja Abu	<i>Records Assistant Achieve/Process server</i>
18.	Ms. Atyanga Faith	<b>Process server</b>
19.	Ms. Nakazibwe Marble	<b>Process server</b>
20.	Mr. Iterera Daniel	<i>Secretary for Hon. Justice Murangira</i>
21.	Ms. Nattabi Robinah	<i>Secretary for Hon. Justice Tuhaise</i>
22.	Ms. Nambooze Mulundirawala Gladys	<i>Secretary for Hon. Justice Opio</i>
23.	Mr. Nalyongo Peter	<b>Body Gourd for Hon. Judge Opio</b>
24.	Mr. Byomuhangi Innocent	<b>Body Gourd for Hon. Judge Murangira</b>
25.	Mr. Mutungi Abias	<b>Body Gourd for Hon. Judge Tuhaise</b>
26.	Ms. Wanicinge Martha	<i>Attendant for the Deputy Registrar</i>
27.	Ms. Nambozo Sophie	<i>Attendant for Hon. Justice Murangira</i>
28.	Ms. Nadunga Patricia Sharon	<i>Attendant for Hon. Justice Opio</i>
29.	Ms. Kugumisiriza Agripin	<i>Attendant attached to the Registry</i>
30.	Ms. Atuhirwe Prim	<i>Attendant for Hon. Justice Tuhaise</i>
31.	Ms. Nassanga Ruth	<i>Attendant attached to the Registry</i>
32.	Mr. Bishuba Obadiah	<b>Driver for Hon. Justice Murangira</b>
33.	Mr. Akona Geoffrey	<b>Driver for Hon. Justice Opio</b>
34.	Mr. Ssempijja	<b>Driver for Hon. Justice Tuhaise</b>
35.	Mr. Kibwika Moses	<b>Driver for the Deputy Registrar</b>