



# THE JUDICIARY

## NEW LAW YEAR ADDRESS

BY

## HON. JUSTICE ALFONSE C. OWINY – DOLLO CHIEF JUSTICE OF UGANDA

DELIVERED AT THE HIGH COURT GROUNDS - KAMPALA

**FRIDAY 4TH FEBRUARY, 2022**





# THE JUDICIARY

## VISION

**Justice for All**

## MISSION

**To efficiently and effectively  
administer justice**

### TALK TO US

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**Hon. Justice Alfonse Chigamoy  
Owiny-Dollo  
CHIEF JUSTICE**



**Hon. Justice Richard Buteera  
DEPUTY CHIEF JUSTICE**



**Hon. Justice Dr. Flavian Zeija  
PRINCIPAL JUDGE**



**Dr. Pius Bigirimana  
PERMANENT SECRETARY/  
SECRETARY TO JUDICIARY**



**HW Sarah Langa Siu  
CHIEF REGISTRAR**



## THE JUDICIARY

# CORE VALUES

### INDEPENDENCE

The Judiciary will ensure that it operates freely in its own best judgement, without taking directives from, or being controlled by, any person or authority. We will uphold and exemplify the independence of the Judiciary in its individual and institutional aspects.

### IMPARTIALITY

We uphold that justice must not merely be done but must also be seen to be done. Judicial Officers shall perform judicial duties without fear, favour, ill-will, bias, or prejudice.

### TRANSPARENCY

The Judiciary will be open at all times in dealing with all partners in the administration of justice, documenting its operations and freely disseminating information. 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 wilful wrongdoing by its officials. Our behaviour and conduct will re-affirm the people's faith in the integrity of the Judiciary.

### 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

The Judiciary will uphold the principles of equality, equal opportunities and affirmative action in respect to gender and other disadvantaged groups. We shall accord equal treatment to all persons who appear in court, without distinction on unjust discrimination based on the grounds of sex, colour, race, ethnicity, religion, age, social or economic status, political opinion, or disability.

# OPENING OF THE NEW LAW YEAR 2022: PROGRAMME

Programme Manager: H/W Sarah Langa Siu, Chief Registrar, Judiciary

TIME	ACTIVITY
09: 00 AM	Motorcycle escort report to the High Court, proceed with the Chief Registrar to the Chief Justice's Residence.
09: 10 AM	President Uganda Law Society, Advocates, Registrars, Chief Magistrates and Magistrates arrive at High Court and take their seats.
09: 15 AM	Commissioner General of Prisons arrives and takes salute.
09: 20 AM	Inspector General of Police arrives and takes salute.
09: 25 AM	Permanent Secretary/Secretary to the Judiciary arrives and takes his seat.
09: 30 AM	Director of Public Prosecutions, Solicitor General and the Attorney General arrive at High Court and take their seats.
09: 40 AM	Invited Guests including Ministers, Diplomats and Religious Leaders arrive at High Court and take their seats.
09: 45 AM	The Hon. Deputy Chief Justice, The Hon. Principal Judge, Justices of the Supreme Court, Justices of the Court of Appeal and Judges of the High Court assemble at the High Court robed and take their seats.
09: 50 AM	The Attorney General, Solicitor General, Director of Public Prosecutions, President Uganda Law Society, Senior Counsel, Registrars, Chief Magistrates, Magistrates, Advocates, assemble robed on the High Court tarmac.
10: 00 AM	The Hon. Chief Justice arrives at the High Court through the main gate. Fanfare of trumpet sounded. The Chief Justice is then received by the Attorney General, Registrars, Magistrates and Advocates.
10: 05 AM	The Hon. Chief Justice receives a drumroll sound and takes his seat.
10: 10 AM	Arrival of the Rt. Hon. Speaker of Parliament
10: 20 AM	<ul style="list-style-type: none"> <li>■ Arrival of His Excellency the President of the Republic of Uganda</li> <li>■ His Excellency The President inspects the Guard of Honor.</li> </ul>
10: 25 AM	<ul style="list-style-type: none"> <li>■ Anthem</li> <li>■ Joint Prayers by the Religious Leaders.</li> </ul>
10: 40 AM	<p><b>ORATION</b></p> <p>The President Uganda Law Society            Ceremonial tune by Uganda Police Force Band            The Hon. Attorney General            Interlude            Remarks by Hon. Ag Minister of Justice &amp; Constitutional Affairs and Minister of Public Service            Address by The Hon. The Chief Justice            Address by His Excellency the President of the Republic of Uganda            Anthems in reverse order</p> <p><b>END OF ORATION</b></p> <p>Entertainment            Sherry Party for Guests            Guests leave at Leisure</p>

# NEW LAW YEAR ADDRESS BY THE CHIEF JUSTICE OF THE REPUBLIC OF UGANDA

**HON. JUSTICE ALFONSE CHIGAMOY OWINY-DOLLO**



Your Excellency, the President of the Republic of Uganda,  
The Hon. The Deputy Chief Justice,  
The Honorable Ag. Minister of Justice & Constitutional Affairs and Minister of Public Service,  
The Hon. The Attorney General,  
The Hon. The Principal Judge,  
The Justices and Judges of Courts of Judicature,  
Your Excellencies, the Ambassadors and High Commissioners,  
Hon. Members of Parliament,  
Your Grace, the Archbishop of the Church of Uganda,  
The Director of Public Prosecutions,  
The Inspector General of Government,  
The Chairperson, Judicial Service Commission,  
The Chairpersons of Constitutional Commissions,  
The Head of the Civil Service and Secretary to Cabinet  
Heads of JLO Institutions,  
Members of Constitutional Commissions,  
The Permanent Secretary/Secretary to the Judiciary,  
The Solicitor General,  
Your Worship, the Chief Registrar,  
The Inspector General of Police,  
The Commissioner General of Prisons,  
Your Worships, The Registrars and Magistrates,  
The President East African Law Society  
The President Uganda Law Society, Senior Counsel and distinguished Members of the Bar,  
The Senior Administrators and staff of the Judiciary,  
Members of the Fourth Estate,  
Distinguished guests,  
Ladies and Gentlemen.

## A: INTRODUCTION

Your Excellency, on behalf of the Judiciary of Uganda, which I am privileged to head, I warmly welcome you to the launch of the Law Year, 2022. I also extend our profuse welcome to each of our distinguished guests who have honoured us with their presence on this important occasion in the Calendar of the Judiciary. We thank God that we who are here today have, by His grace, survived the ravages of the Covid-19 pandemic, and other challenges. We commiserate with those who have lost their loved ones. We continue to beseech The Lord God to continue showering us with His favour this year 2022, and beyond.

Your Excellency, we take cognizance of the fact that despite other equally pressing and competing national demands for your attention, you have consistently given priority to the Judiciary, joined us and engaged with us in our several crucial functions. Such Judiciary functions include the Annual Judges Conference, the Launch of the New Law Year and the Benedicto Kiwanuka Memorial Day. Similarly, you always easily and promptly grant us audience whenever we have issues to share with you. This is laudable, as it is clear demonstration of your appreciation of the pivotal place and role of the Judiciary as an indispensable factor in the promotion and sustenance of peace and development in our country.

The New Law Year Launch is an annual function at which the Judiciary accounts to the people of Uganda, in whom judicial authority vests, for our activities in the immediate previous calendar year. We take stock of our performances during the previous calendar year, point out the achievements registered, as well as impediments and challenges faced. We then chart the way forward and lay down the roadmap for the current year.

## B: MANDATE OF THE JUDICIARY

The mandate of the Judiciary is spelt out under Article 126 of the Constitution of the Republic of Uganda, 1995 in the following authoritative terms:

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 a 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; and
- e. Substantive justice shall be administered without undue regard to technicalities.

Article 128 of the Constitution asserts the independence of the Judiciary providing that 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 Uganda Judicial Code of Conduct enjoins all judicial officers to uphold safeguards for the discharge of judicial duties in order to maintain and enhance the institutional and operational independence of the Judiciary.

The Administration of Judiciary Act, 2020 further strengthens the independence of the Judiciary by streamlining the provision and management of funds for the Judiciary and establishing structures within the Judiciary to improve the performance of the Judiciary.



## C: THE SHORT TERM PLAN OF THE JUDICIARY

The activities of the Judiciary for the year 2021, were carried out within the context of, and pursuant to, the 5-year Strategic Plan (Judiciary Strategic Plan VI) covering the period from FY 2020/2021 to FY 2024/2025. The core goal of the plan is **“to improve business processes for improved efficiency and effectiveness in the administration of justice”**. This goal is in line with the NDP III aspiration of strengthening adherence to the rule of law and safety of persons and property. This will be realized through the following Strategic Objectives:

- a. To enhance equitable access to Judiciary Services;
- b. To improve Court processes and case management;
- c. To strengthen the use of ICT in the administration of justice;
- d. To develop and support the Judiciary workforce and institutional capacity;
- e. To improve coordination, partnerships and accountability;
- f. To improve public awareness and the image of the Judiciary;
- g. To enhance resource mobilization and management.

Last year, 2021, the Judiciary embarked on a grand agenda to transform the Judiciary landscape in Uganda, by provision of meaningful access of justice to the people of Uganda, in fulfilment of their aspirations and desire, for which there is an unrelenting deafening outcry from the people. This mission can only be realised when there is equitable visible presence of a functional Judiciary within reach of our people throughout the country. More importantly, the Judiciary must be true to its duty to do justice to all manner of persons. A Judiciary that is guided by, and lays emphasis on the principles of integrity, impartiality, and zero tolerance to any vice that negates the requisite principles for rendering justice. A Judiciary, to which **“Corruption”** in all its forms is anathema. A Judiciary that renders justice on the principle that **“Justice Is Not For Sale”**. It is only then that we will have, truly afforded the people the much-cherished access to justice.

Your Excellency, I take the opportunity of this occasion to laud you for your intervention and taking ownership of this transformation agenda. You ensured that the provision of robust budgetary allocations to the Judiciary, which is the most important and game-changing tool for the realisation of the agenda, is put at the disposal of the Judiciary. With the meaningful enhancement of the Judiciary budget in the FY 2020/2021, following your direct intervention and directions, we have already commenced and registered unprecedented achievements in the pursuit of the fulfilment of the undertakings and promises we made to the people of Uganda last year here on this very ground.

In this commitment, we have, foremost, dedicated our energies to fight delay in rendering justice; notoriously known as **“case backlog”**. This we are confronting through the following measures:

- a. Bringing Courts nearer to the people, by beginning on the process of deploying a Magistrate Grade I Court at constituency level; a Chief Magistrates Court at district level; new High Court Circuits in Moroto, Tororo, Iganga, Luwero, Hoima, and Rukungiri, to commence operation this FY upon the recruitment of additional judges, which is underway. We have also acquired land at Gulu and Mbarara cities for the construction of the first two Courts of Appeal Circuits.
- b. Advancing ICT and other technologies at all stages in the delivery of Justice. In that regard, on 19<sup>th</sup> October, 2021, we commissioned the Electronic Court Case Management and Information System (ECCMIS), which will ease access to justice by all Court users. This innovation will commence operation on the 1<sup>st</sup> March 2022, in selected pilot Courts.

- c. Enhancing human resource capacity in terms of numbers, skills, motivation and commitment.
- d. Revising Court rules of procedure and case management processes, by simplifying them; hence making them more user friendly and less time consuming.
- e. Improving Court processes and procedures by securing and providing Court recording equipment, deploying relevant interpreters, and improving audio visual systems in Court halls.
- f. Continuing to support and implement existing case management reforms such as Mediation, Plea Bargaining, Small Claims Procedure, Case Backlog Reduction Strategy, Child Friendly processes, among others.

## D: ACHIEVEMENTS OF THE JUDICIARY DURING THE YEAR 2021

During the year 2021, in spite of the Covid-19 challenges, the Judiciary registered remarkable scores that are worth hailing. All these strides were all geared towards the full implementation of the Administration of the Judiciary Act, 2020.

### 1. ENHANCED BUDGET AND FUNDING LEVELS

Your Excellency, you directed that the Judiciary budget be progressively enhanced to **UGX 800 Billion**, and this should be achieved in the medium term of three Financial Years, beginning from the current Financial Year. Pursuant to this, the Judiciary received a leap in our budget allocation from **UGX 199 Billion** for the FY 2020/2021 to **UGX 376 Billion** for the FY 2021/2022. This increment has bolstered us to begin the process of affording the people of Uganda the access to justice, which is our sworn undertaking. With continued funding, I am confident that our vision of redefining case backlog from 2 years to 1 year, and eventually further to only a few months, will be achieved; and then we can rightly congratulate our people for the realisation of their aspirations and desire.

### 2. INAUGURATION OF THE JUDICIARY COUNCIL

The Judiciary Council is a new oversight organ established by the Administration of the Judiciary Act, 2020. The Council was inaugurated on 30<sup>th</sup> March 2021 and has since registered tremendous progress in its work. The Council deliberated and passed the **Administration of the Judiciary (Judiciary Council) (Practice and Procedure) Rules SI No. 43 of 2021**. It also studied and approved the structure and establishment of the Judiciary Service as well as recommended the enhanced salaries and allowances of the Judiciary Service. The Council has since held several advisory meetings with the Judiciary management and provided crucial information and guidance.

### 3. IMPROVED COURT PERFORMANCE

#### a. Court Performance for the Year 2021

Overall, the Courts disposed of **158,423** cases in the year 2021 compared to 126,265 cases disposed of in the year 2020. This was a **25%** improvement. This rise in case disposal was mainly attributed to the adoption of strategies and measures that made it possible to further the court work during the COVID-19 Pandemic, including more reliance on technology in case management, writing and delivering judgment and rulings virtually, increase of manpower especially in the rank of Magistrates Grade One, use of alternative dispute resolution mechanisms such as plea bargaining, Mediation and Small Claims Procedure.

**Table 1: Summary of Court performance for the year 2021**

<b>COURT PERFORMANCE FOR THE YEAR 2021</b>					
<b>Court Level</b>	<b>Bought-Forward</b>	<b>Registered</b>	<b>Completed</b>	<b>Pending</b>	<b>Backlog</b>
Supreme Court	540	225	82	683	319
Court of Appeal/ Constitutional Court	7,276	1,542	931	7,887	4,658
High Court (Divisions & Circuits)	52,325	35,946	27,558	69,713	29,118
Chief Magistrate Courts	50,308	111,572	89,685	72,195	11,781
Magistrate Grade I Courts	14,810	46,953	38,393	23,380	2,875
Magistrate Grade II Courts	249	2,591	1,784	1,056	85
<b>Grand Total</b>	<b>125,508</b>	<b>198,829</b>	<b>158,423</b>	<b>165,914</b>	<b>48,836</b>

The above performance was against a thin human resource of only 2,361 (Judicial Officers, Administrative and support staff) categorized as below:

- a. Justices and Judges **83**
- b. Registrars and Magistrates **380**
- c. General Staff on Permanent Terms **1,424**
- d. General Staff on Contract Terms **474**

#### **4. SPECIAL COURT SESSIONS**

The Judiciary conducted special court sessions across the country with budgetary support from both the Government of Uganda and Development Partners.

- a. Special sessions for Sexual and Gender Based Violence (SGBV) cases were successfully conducted with the support from United Nations Population Fund (UNPFII) and UN Women. 682 cases out of the 700 cause listed were completed in the following High Court Circuits and Chief Magisterial areas:
  - i. High Court GBV sessions: Tororo, Iganga, Mbarara, Luwero, Gulu, Moroto, Kasese, Otuke, Adjumani and Masaka.
  - ii. Chief Magistrates Court Sessions: Tororo, Busia, Apac and Nakapiripiri.
- c. The High Court successfully managed a total number of 182 Election Petitions while 81 Election Petition Appeals and 24 Applications (totalling 105) at the Court of Appeal are also being managed with 13 matters already disposed of. We promise to handle all election matters expeditiously.
- d. Criminal and civil sessions were also conducted across all the courts of judicature
- e. In line with the people's aspirations and the constant guidance by His Excellency the President, we have prioritized, the quick and qualitative resolution of commercial and land cases which have a direct impact on investment and on the entire economy.

## 5. PROMOTING ALTERNATIVE DISPUTE RESOLUTION INTERVENTIONS

### a. Plea-Bargain

**Plea-Bargain** process involves the prisoner accepting to admit his guilt in exchange for a fair sentence. The advantage of this system is that it saves state resources and the limited judicial time that would otherwise be spent in hearing witnesses and proving cases. It is also a sign of remorse and often promotes reconciliation between the offenders' and the victims' families.

This innovation has played a commendable role in delivering quick and acceptable justice to the parties and has undoubtedly helped in reducing case backlog and decongesting prisons. During the year 2021, 13 plea bargaining sessions were conducted by the High Court resulting in a total disposal of 579 out of 592 cases cause listed under the scheme. The High Court Circuits and Divisions that participated in these sessions were Mbarara, Mukono, Masindi, Mbale, Kabale (at Rukungiri), Jinja, Mubende, Mukono and Criminal Division (at Entebbe and Kitaleya Prison.)

This intervention was very pertinent during the lockdown where some Judicial Officers had to conduct sessions in prisons to address congestion. I commend all the Judicial Officers, prosecutors and defence counsel who braved the pandemic to ensure the ends of justice were met.

### b. Small Claims Procedure

Under the Small Claims Procedure Court handles specified civil matters whose value does not exceed ten million shillings. The Court controls much of the processes (including availing case forms and serving of the summons) and excludes involvement of the advocates, thus affording quicker and cheaper justice. The Small Claims procedure therefore quickly releases capital that would be otherwise locked up in unresolved commercial disputes.

In spite of the challenges to the Small Claims Courts arising from the Constitutional decision in **Ssejamba Israel V Attorney General CP. 37/2014**, by the close of the year 2021 the Small Claims Procedure had reached **144 Courts**, the latest lot being Butega/Bukomansimbi, Namungaliwe, Kiyunga and Kangulumira.

During the year 2021, **6,579 cases** were disposed of unlocking and releasing into the economy a total sum of **UGX 12,566,802,130** (Twelve billion, five hundred sixty-six million, eight hundred and two thousand, and one hundred thirty only) from the litigation process back into commerce.

**Table II: Summary of Court Performance under Small Claims Procedure**

SMALL CLAIMS PROCEDURE COURT PERFORMANCE FOR THE YEAR 2021						
S/N	Procedural Level	Brought Forward	Registered	Completed	Pending	Value of Claims Recovered
1	Small Claims	1,098	5,554	5,372	1,278	10,253,828,593
2	Demand Notices	585	1,004	1,207	382	1,812,975,537
<b>Grand Total</b>		<b>1,681</b>	<b>6,558</b>	<b>6,579</b>	<b>1,660</b>	<b>12,566,802,130</b>

### c. Mediation

Mediation as an alternative to protracted and antagonistic litigation has also taken root across all court levels, with **741 cases** completed during the year 2021.

**Table III: Summary of matters completed through Mediation**

Court Level	Completed Matters
Court of Appeal	23
High Court Divisions and Circuits	400
Chief Magistrate Courts	172
Magistrate Grade I Courts	146
<b>Total</b>	<b>741</b>

## 6. BRIDGING THE MANPOWER GAPS

The enhanced budget has enabled us commence on the task of bridging the manpower gaps in the Judiciary. We have achieved remarkable milestones with regard to staffing establishment and terms of employment, as follows:

### a. Expanded structure of judicial officers and improved remuneration for the lower bench

Cabinet has approved an expanded structure for **New Judiciary** from the Magisterial Court level up to the Supreme Court. This includes improved remuneration for members of the lower bench. This will enable the Judiciary more effectively execute its mandate to the people of this country. We hail Your Excellency, and Cabinet for this timely action.

**Table IV: The old and the recently approved structure of Judicial Officers**

S/N	Category	Filled	Old structure	Approved Structure
<b>Supreme Court</b>				
(i)	Chief Justice	1	1	1
(ii)	Justices of the Supreme Court	9	10	20
	<b>Subtotal</b>	<b>10</b>	<b>11</b>	<b>21</b>
<b>Court of Appeal</b>				
(i)	Deputy Chief Justice	1	1	1
(ii)	Justices of Court of Appeal/Constitutional Court	13	14	55
	<b>Subtotal</b>	<b>14</b>	<b>15</b>	<b>56</b>
<b>High Court</b>				
(i)	Principal Judge	1	1	1
(ii)	High Court Judge	55	82	150
	<b>Subtotal</b>	<b>56</b>	<b>83</b>	<b>151</b>
	<b>Total</b>	<b>81</b>	<b>108</b>	<b>228</b>

## Lower Bench

S/N	Category	Filled	Old Structure	Approved Structure
1	Chief Registrar	1	1	1
2	Registrar	9	9	12
3	Deputy Registrar	29	47	80
4	Assistant Registrar	13	32	40
5	Chief Magistrate	47	100	160
6	Senior Principal Magistrate Grade I	-	10	40
7	Principal Magistrate Grade I	01	20	50
8	Senior Magistrate Grade I	03	30	70
9	Magistrate Grade I	250	386	514
10	Magistrate Grade Two	26	26	-
<b>SUB TOTAL</b>		<b>464</b>	<b>661</b>	<b>927</b>
<b>TOTAL (Lower Bench plus Upper Bench)</b>				<b>1155</b>

Once implemented, this expansion will register a significant reduction in the ratio of judicial officers to the population by about 50%. For example, in the Supreme Court, the ratio drops from 1: 4,090,949 to 1: 2,142,857 and for Chief Magistrates 1: 450,000 to 1: 281,250 respectively.

**Table V: Comparison between ratio of judicial officers to population under old structure**

S/N	Category	Old Structure	Ratio to the population
1	Justices of Supreme Court	11	4,090,949
2	Justices of Court of Appeal/Constitutional Court	15	3,000,000
3	High Court Judge	82	548,780
4	Registrars	89	505,618
5	Chief Magistrates	100	450,000
6	Magistrates Grade I	446	100,897

## b. Appointments and promotions

During the year 2021 the Judiciary was happy to receive **152** new appointments and promotions of some of its deserving staff as follows:

**Table VI: Summary of appointments & promotions in the year 2021**

S/N	Court Level	New Appointments
1	Justices of Court of Appeal	02
2	Judges of the High court	05
3	Registrars	03
4	Deputy Registrars	14
5	Assistant Registrars	07
6	Chief Magistrates	25
7	Principal Magistrate Grade One	01
8	Senior Magistrates Grade One	02
9	Magistrates Grade One	91

The above recruitments enabled us to beef up some Registries like Family and Land Division, operationalize 8 Magisterial areas of Kyenjojo, Kamuli, Isingiro, Kira, Kotido, Kumi, LUGAZI and Bubulo and Grade One Courts of Kyotera, Kyanika, Kole, Lamwo, Kyazanga, Kalungu, Amuria, Nyarushanje, Atanga, Kalongo, Kangulumira and a number of Municipal Courts like Masaka that were previously circuted.

I congratulate the appointed and promoted officers and wish them the best of luck as we rededicate ourselves to steering the Judiciary to greater heights. We thank your Excellency, the Parliament of Uganda, the Judicial Service Commission, and all the other stakeholders for filling up these very important offices.

## c. Upcoming recruitments

The Judicial Service Commission is in the process of recruiting more Judicial officers this FY 2021/2022, beginning with the following:

- i. Justices of Supreme Court **03**
- ii. Judges of High Court: **16**
- iii. Deputy Registrars **04**
- iv. Assistant Registrars **05**
- v. Chief Magistrates: **40**
- vi. Senior Principal Mag. Grade One **10**
- vii. Principal Magistrates Grade One **18**
- viii. Senior Magistrates Grade One **26**
- ix. Magistrates Grade One **51**

## 7. INITIATION OF STAFF ON THE HEALTH INSURANCE SCHEME

In order to enhance staff welfare and ameliorate on their health care challenges – especially the bulk of the support staff and the lower bench who have no provision for medical allowance – the Judiciary has introduced the Health Insurance Scheme for all the staff of the Judiciary. Three Medical Service Insurance providers have been identified, from which the staff are required to make their choice. There is an impressive response from the staff regarding the scheme; because it has greatly enabled them access affordable medical services. We are grateful to the Government for sanctioning funds for this scheme and we look forward to your continued support.

## 8. INFORMATION AND COMMUNICATION TECHNOLOGY IN THE COURTS

Information and Communication Technology (ICT) has proved to be the game changer in the world today, and the Judiciary is steadily progressing in embracing this through the following: –

### a. Electronic Court Case Management Information System (ECCMIS)

ECCMIS Software design and User Acceptance Testing (UAT) was carried out with the different stake holders both internal (including: Justices, Judges, Registrars, Magistrates, Court Clerks, Records Officers, Processor Servers, Systems Administrators, Mediators) and external stakeholders including the Office of the Director of Public Prosecution, the Inspectorate of Government, Law Firms, Legal Aid Service Providers network (LASPNET), Justice Centers Uganda, among others!

Hands-on trainings of Judicial officers, court staff and the various users of the system were also successfully conducted across all the Phase One Courts.



*The Hon. Chief Justice, Justice Egonda Ntende, DPP and other members of the Judiciary Council receive training on ECCMIS.*

The ECCMIS was commissioned on Wednesday 19<sup>th</sup> October, 2021 and is ready for effective use in the Pilot Courts starting on 01/03/2022. The other Courts will be enrolled onto ECCMIS in a phased manner. The stations that will pilot ECCMIS are the following:

- a. The **Supreme Court**, the **Court of Appeal** and Jinja High Court Circuit.
- b. All the 07 **High Court Divisions**, being Land Division, Civil Division, Commercial Division, Criminal Division, Family Division, Anticorruption Division and International Crimes Division.
- c. **Chief Magistrates Courts** of: Jinja, Mengo, Nakawa, Makindye and Buganda Road.
- d. **Magistrate Grade I Courts** of: LDC, Kakira and Bugembe.





*The Hon. Chief Justice, the Hon. Minister of Finance, the Solicitor General and members of the ECCMIS Steering & Technical Committees at the launch of ECCMIS at the High Court on 19/10/2021.*

ECCMIS will offer the following and other benefits to the Court users:

- a. The ability to electronically FILE a case in Court from the comfort of ones Chambers/ home/voyage/ or anywhere;
- b. A 24/7 access to the entire digital case file;
- c. The ability to receive notifications about any process or action on one's case through SMS on mobile phone and email;
- d. The ability to assess court fees and pay them electronically;
- e. The ability to integrate with other Stakeholders in the administration of Justice.

### **b. Video Conferencing System**

In a bid to embrace online hearing of cases, the Judiciary installed Video Conferencing Systems in Commercial Division, Mbarara High Court, Arua High Court, Masindi High Court and Masaka High Court. Court cases can be handled remotely with parties submitting on-line. The Video Conferencing System has been very vital in the handling of cases during the period of COVID-19 Pandemic; during which social distancing has had to be enforced. With this Video Conferencing System, the Judiciary will continue to enhance its capacity to handle cases online hence reducing case backlog.

### **c. Extension and Upgrade of the Judiciary ICT Backbone Infrastructure**

In preparation for the implementation of the Electronic Court Case Management Information System (ECCMIS), the Judiciary has continued to extend its Local Area Network Infrastructure including internet to its Court Stations.

The Judiciary further extended its LAN/WAN infrastructure to four (4) Court Stations (Bugembe, Kakira, Mitooma and Kitgum) and upgraded seventeen (17) LAN/WANs at the Supreme Court, Court of Appeal, High Court Circuits of: Mpigi, Jinja, Mbale, Soroti, Arua, High Court Divisions of: Land, Criminal, Commercial and the Chief Magistrates Courts of: - Mpigi, Jinja, Mbale, Soroti, Arua and Nakawa.

### **d. Subscription to the On-Line Legal Research Database (LEXISNEXIS)**

As a source of reference in the execution of judicial work, the Judiciary has maintained its subscription to the On-Line Legal Research Database (LEXISNEXIS).

## e. Digital Court Recording and Transcription Systems

To speed up the effort of case hearing and production of the Court transcripts, the Judiciary rolled out five (5) sets of Digital Court Recording and Transcription Systems in Land and Civil Divisions of the High Court. With this system the Judicial Officers will be able to free themselves from the vigorous writing in their Court Rooms, hence saving time and labour, and enabling them to focus on the hearing of the case before them.

## f. Enhancement of Internet services

The National Information Technology Authority – Uganda (NITA-U) supported the Judiciary digital transformation (through the provision of Internet Services by extending National Backbone/E-Government Infrastructure to twenty-four (24) Courts. Of these, seven (7) are High Courts namely: Gulu, Lira, Arua, Fort Portal, Mubende, Mpigi and Family Division. The other seventeen (17) are Magistrates Courts of: Koboko, Katakwi, Masindi, Kasese, Mbarara, Masindi, Adjumani, Bushenyi, Busia, Hoima, Kiryandongo, Ibanda, Mityana, Kyerigo, Nakasongola, Kumi and Rubirizi.

## 9. THE ADMINISTRATION OF JUSTICE PROGRAMME

Following the change in the Government planning system from the Sector wide planning Approach to the Programmatic Planning System, I am pleased to report that the Judiciary has already complied with the new system. The Chapter on the Administration of Justice Program and the corresponding Program Implementation Action (PIA) were validated by the Program Working Group on 01/10/2021 and were subsequently submitted by National Planning Authority to Ministry of Finance, Planning and Economic Development as required.

The Judiciary has already aligned its budget structure to the Administration of Justice Program and the Budget Framework Paper for FY 2022/2023 was prepared in line with the new system.

The Members under the **Administration of Justice Programme** include:

- a. The Judiciary – Lead Institution
- b. Judicial Service Commission
- c. Office of the Director of Public Prosecution
- d. Uganda Police Force
- e. Uganda Prisons Service
- f. Ministry of Gender, Labour and Social Development
- g. Law Development Centre
- h. Ministry of Finance Planning and Economic Development. (Tax Appeals Tribunal)

We look forward to continued support from the Executive in the implementation of this program.

## 10. JUDICIARY PHYSICAL INFRASTRUCTURE

### a. Construction of Appellate Courts

The seven-storied twin tower building is expected to be occupied early next year. It is anticipated that it will adequately cater for the office accommodation needs of the Court of Appeal and Supreme Court in addition to offering conference facilities. This will save the Judiciary approximately UGX 6 billion which is currently being spent annually on rent for the said Courts. I wish to commend the Government of Uganda for committing funds in a timely manner and consistently to have this project implemented.



*Supreme Court and Court of Appeal buildings under construction at the Judiciary Headquarters*

## **b. Construction of Courts and Justice Centers**

During the year 2021, with Government and donor support, we embarked on construction and renovation of a number of Justice Centers. The ongoing construction projects at various stages include; Mukono High Court, Justice Centres at; Kola, Sembabule, Sheema, Buhwaju, Chief Magistrates Courts of; Butambala, Kamwenge and Mayuge which are in advanced stages. Construction works are expected to commence soon at Kibale, Maracha and Namayingo Justice Centers as well as Mpigi, Soroti and Rukungiri High Court Circuits. These fundamental developments have undoubtedly brought justice nearer to the people hence fulfilling our Vision 2040 and the United Nations Sustainable Development Goal No. 16.

## **c. Improvement in Court Infrastructure**

In addition to the ongoing construction projects, a number of renovations were conducted. Renovations were carried out at the Judiciary Headquarters, the official residence of the Chief Justice, Lira High Court, Commercial Division, and Chief Magistrates Courts of Kotido, Lira, Makindye and Nebbi, among others:



*Judiciary Headquarters (High Court) Lobby and Corridors after the facelift*

## **11. CONFRONTING THE VICE OF CORRUPTION**

The Judiciary has continued to further the fight against corruption and abuse of office. We are working closely with the Judicial Service Commission to ensure that errant officers are appropriately disciplined. Pursuant to this, the following categories of judicial officers have so far been interdicted; and are pending disciplinary process by the Judicial Service Commission:

- a. 01 Deputy Registrar
- b. 02 Chief Magistrates
- c. 05 Magistrates Grade One
- d. 01 Magistrate Grade Two

We call upon the Judicial Service Commission to expedite the disciplinary processes. We reiterate our resolve to strictly enforce our Zero Tolerance to Corruption Policy, and undertake to strengthen the Judiciary Inspectorate to enable it be more effective in the performance of its mandate. I am happy to report that in the course of this year, we will launch the Judiciary Anti-Corruption Strategy.

## 12. REFORM OF LAWS AND PROCEDURAL RULES

On 3<sup>rd</sup> November 2020 I constituted the Judiciary Law Reform Committee, chaired by the Hon. Principal Judge to study the various laws and make necessary recommendations for reforms. Reforms in procedural rules are continuously being undertaken geared towards greater efficiency and effectiveness in justice delivery. The gist of the reforms is intended for enhancing access to justice through accommodating the use of ICT and providing for flexible and more friendly practices in case management.

I am pleased to report that in January 2022 the Rules Committee approved the following Rules/ Practice Directions which are now being finalized for gazetting:

- a. The Judicature (Court Fees) Rules, 2022
- b. The Judicature (Court Bailiffs) Rules, 2022
- c. The Judicature (Amicus Curiae) Rules, 2022
- d. The Judicature (Legal Representation at the Expense of the State) Rules, 2022
- e. The Constitution (Sentencing Guidelines for the High Court) (Practice) Directions, 2022
- f. The Constitution (Bail Guidelines for Courts of Judicature) (Practice) Directions, 2022

More legal and procedural reforms are underway in the following areas: reviewing of Magisterial Areas; Court of Appeal Rules, rules on management of exhibits, appellate mediation, Registry Operations Manual, enhancement of the jurisdiction of Magistrates Courts, among others. These reforms will go a long way in enhancing access to justice services by the people of Uganda.

## 13. HUMAN CAPITAL DEVELOPMENT

The Judiciary has launched a number of programs and trainings aimed at improving the human capital. At the close of the year 2021, the Judiciary successfully and timely conducted the induction training of the newly appointed Justices, Judges, Registrars and Magistrates.

A series of refresher trainings for Judiciary support staff were conducted by the Judicial Training Institute on Life Planning Skills, managing HIV and Covid-19 pandemic, coping with retirement, defensive driving and managing election disputes, among others.

At the close of the year, **28** judicial and support staff retired. Those who retired included:

## Judicial Officers

1. Hon. Justice Kahaibale Mugamba Paul
2. Hon. Justice Remegius Kyononeka Kasule
3. Hon. Justice Kwesiga John Wilson
4. Hon. Justice Wangututsi David Kutosi
5. Hon. Lady Justice Flawa Senoga Anglin
6. Hon. Justice Wilson Masalu Musene
7. His Worship Anguandia Godfrey Opifani
8. His Worship Luwagga Godfrey Darlington
9. His Worship Sayekwo Godfrey Kintu
10. His Worship Yeteisa Charles
11. Her Worship Najuuko Bena Mutebi

## Support Staff

1. Ms. Nairuba Joy
2. Mr. Ssendawula David
3. Mr. Semakula Simon
4. Ms. Kyomugisha Edith
5. Ms. Nakibuuka Mary
6. Ms. Nanteza Damalie
7. Mr. Barongo Jonathan
8. Ms. Aketch Sarah Okoro
9. Mr. Nikinze Adam
10. Mr. Kato Scott Ssonko
11. Mr. Wamalwa Moses
12. Ms. Kawala Annet
13. Mr. Kibabu Willy Muryanja
14. Mr. Kisaame Jolly Vally
15. Mr. Gingo Alamanzani
16. Ikaaba Mariam Mutibwa (Early Retirement)
17. Nasuuna Olive (Early Retirement)

I pay tribute to the Judiciary staff who retired from Service in the course of last year. We are greatly indebted to them for their hard work and commitment to the Judiciary Service. We wish you God's Grace in your retirement.

## 14. INSPECTIONS AND FIELD VISITS

The Inspectorate of Courts has conducted regular field inspections throughout the year. In addition to the inspections made by the Inspectorate of Courts, the Hon the Principal Judge, the Chief Registrar and the Secretary to the Judiciary, have conducted Countrywide inspections of all the Courts. The overall objective of field inspections and familiarization tours was for the Top Management to be appraised with a firsthand assessment of the infrastructural and operational status and challenges of all Courts in Uganda.

During these visits, it was established that:

- a. Some Courts are housed in appalling structures especially in district and sub county structures without basic facilities.
- b. Challenges with space for archives exists in almost all the Courts visited.
- c. The need for official transportation for Magistrates covering expansive territories is urgent.
- d. The need for construction of more Courts to reduce distances to be travelled for Ugandans to access justice is apparent.
- e. Courts situate in islands need to have alternative means of transport other than commercial boats and ferries.
- f. There is urgent need for alternative power sources at the Courts.
- g. The need for up-to-date ICT equipment and reliable internet services is apparent for most courts.
- h. Staffing gaps in most courts were noted (both judicial and support staff).

During these visits, the staff share good practices to improve justice service delivery; and extend advice and counselling services to the staff against identified bad vices that may hamper service delivery. In addition, all management issues are noted and presented before the Judiciary Top Management Committee for redress.

## 15. PROVISION OF OFFICIAL TRANSPORT

The Government of Uganda provided all new Justices and Judges with new motor vehicles to ease transport for locus visits and for official business. In addition, more vehicles were acquired for Registrars and Magistrates across the courts and especially in hard to reach places, to facilitate locus visits and other adjudication functions of the Judiciary. Process Servers and Office Attendants were also provided with Motorcycles to ease the service of court process.

In total 56 Motor vehicles (Station wagons and pickups) were bought and delivered as well as 50 Motorcycles. These facilities are going to be put to proper use and will certainly change the face of justice.

## 16. THE INAUGURAL ANNUAL PERFORMANCE REPORT

The year 2021 was crowned with the launch of our maiden **Annual Performance Report, 2020/2021** on 15<sup>th</sup> November 2021 as a positive step in the path of implementing the Administration of the Judiciary Act, 2020. Under section 39(1) of the Act, the Chief Justice is required to publish an Annual Performance Report for every concluded financial year, and distribute copies of the same to the President, the Speaker and any other stakeholder. Your Excellency, I am pleased to report that this key milestone has been accomplished.



*The Hon. Chief Justice launches the Annual Performance Report for FY 2020/2021 on 15/11/2021.*

## E. BOTTLENECKS IN THE JUSTICE CHAIN IN THE YEAR 2021

Your Excellency, in 2021, I did inform you of the challenges the Judiciary was facing and with your much appreciated support, strides have been made to ameliorate some of the issues. While we record the achievements highlighted above, we are still faced with a number of challenges which include the following:

### a. Manpower gaps

The number of judicial officers is still very small. When the pending recruitment of 40 Chief Magistrates is done, areas such as Rakai, Kalangala, Sembabule and Kanoni, Amuria, Katakwi and Kaberamaido among others, should now have their own Chief Magistrates. In addition, the structure and establishment of non-judicial officers is still pending Cabinet approval. For the judicial officers to execute their duties they need the support of administrative staff including clerks, process servers, secretaries etc. We appeal to Your Excellency for an urgent approval of the Judiciary Structure for the indispensable non-judicial members of staff to enable a complete picture of the Courts throughout the country.

### b. Case Backlog

At the close of the year 2021, case backlog stood at **48,836 Cases** (29.43%) against caseload of **165,914** pending cases. In the Superior Courts we registered a reduction from **36,431 Cases** in 2020 to **34,095 Cases** in 2021. This improvement is attributed to use of ICT and other innovations in the delivery of Justice, in spite of the Covid 19 lockdown. Below is a projection of the trend for the last 4 years in the superior Courts.

**Table VII: Backlog trends for the Supreme Court, Court of Appeal/ Constitutional Court and the High Court for the years 2018-2021**

S/N	Court Level	Calendar year				Backlog percentage
		2018	2019	2020	2021	
1	Supreme Court	90	204	225	319	46.71
2	Court of Appeal/ Constitutional Court	5,367	5,382	4,926	4,658	59.06
3	High Court Divisions	11,474	15,718	11,685	11,584	
4	High Court Circuits	23,320	20,872	19,595	17,534	47.96

- a. The Court of Appeal and the High Court Circuits and Divisions recorded the highest reduction in case backlog over the 4-year period. This progress is attributed to use of ICT and other innovations in the delivery of Justice, during the Covid 19 lockdown.
- b. The Supreme Court experienced an increase of more than 3 times in Case backlog over the 4-year period from 90 backlog cases in the year 2018 to 319 backlog cases in 2021. This was mainly caused by the reduction in the number of justices due to retirement, and the redirection of energies towards the Presidential Election petitions and applications, during the reporting period.

**Table VIII: Backlog Trends for Chief Magistrates, Magistrates Grade I and Magistrates Grade II courts for the years 2020 and 2021**

S/N	Court Level	Calendar year		
		2020	2021	Backlog Percentage
1	Chief Magistrates Courts	10,359	11,781	16.32
2	Magistrates Grade One Courts	1,893	2,875	12.30
3	Magistrates Grade Two Courts	13	85	8.05
<b>Total Backlog for All Courts</b>		<b>12,265</b>	<b>14,741</b>	<b>29.43</b>

The Magistrate Courts recorded an increase in case backlog from 12,265 cases in the year 2020 to 14,741 cases in the year 2021. This rise in case backlog is attributed to unavailability of adequate ICT facilities and lack of internet services at most of the Magistrates Court stations countrywide which made it very difficult to keep them adequately operational during the lockdown.

### Interventions by the Case Backlog Monitoring Committee

The Case Backlog Monitoring Committee chaired by the Hon. Deputy Chief Justice conducted monitoring visits to a number of Court stations, including High Court Circuits and Chief Magistrates Courts of Kabale, Mbarara, Masaka, Mubende, Fort Portal, Hoima and Masindi.

During these visits the Committee established some of the challenges giving rise to case backlog which we are paying utmost attention to. These include:

1. Inadequate funding
2. Inadequate human resources
3. Fewer sessions conducted due to limited funds
4. Lack of transportation for locus visits
5. Poor internet services affecting e-justice and data management
6. Insufficient archival space
7. Poor condition of court premises
8. Lack of refresher training to match the changing demands
9. Inadequate funds for locus visits

In consequence, a Taskforce has since been established to study the peculiar needs of the Courts and advise on appropriate funds needed for locus visits and to guide on proper allocation and alignment of Magisterial Areas.

Furthermore, we are piloting daily hearing of criminal trials at the High Court Criminal Division as a strategy to address case backlog.

### c. The Covid-19 pandemic

We lost a Magistrate Grade One and a number of support staff to the pandemic. We closed operations in some Courts, and also scaled down operations to mitigate the spread. A number of members of staff were infected by the virus; but by the grace of God, they recovered. Due to this, we have had to innovate by adopting scientific mode of operation, so as to continue rendering justice during this scourge.



In order to cope with this challenge, the Judiciary has been at the forefront of promoting and enforcing of the SCIPs throughout our offices and Courts; and we have adopted the use of technological interventions in case management. Virtual hearings, e-service of court process and virtual delivery of judgments have become the new norm.

#### **d. Strengthening of other members of the JLOS fraternity**

For the desired access to justice to be achieved, it is imperative that other Justice, Law and Order institutions whose performances greatly impact on the performance of the Judiciary, are equally and robustly strengthened.

- a. The quality of police investigations has been wanting in many cases, leading to frustration of justice, as many cases collapse due to lack of persuasive evidence. Thus the need for targeted training of Police personnel.
- b. The human resource deficiency in the Office of the Directorate of Public Prosecutions is grave. The ODP is currently operating at 37% of its approved Prosecutors' structure. As at the end of the year 2021, prosecutors were unavailable in 102 Courts throughout the country where we have Magistrates ready to render justice. This has continued to cause the frustration of timely prosecutions in most Courts, hence causing and escalating case backlog. A holistic approach in funding across the justice value chain is urgently required in order for the Judiciary to achieve its vision of administering justice to all.

### **F: PLANS FOR THE FINANCIAL YEAR 2022/23**

Your Excellency, you have directed that the desired Judiciary budget of UGX 800bn/= should be realised through a progressive annual enhancement over the medium term of three FYs. Knowing that there is an unwavering commitment from the highest office in the land to radically overhaul the Judiciary landscape in this country is exceedingly reassuring. We intend to implement the following undertakings next FY 2022/2023; and thereafter. These include:

- a. The further recruitment of judicial, as well as support staff, to fill the approved expanded Judiciary Service Structure; this will enable us to:
  - i. Commence on the deployment of Chief Magistrates at the District level, and Magistrates Grade One at the Constituency level.
  - ii. Recruit a minimum of 30 High Court Judges for the existing High Court Circuits, as well as manning the new High Court Circuits to be opened during the FY 2022/2023 in Nebbi, Kitgum, Apac, Kumi, Kamuli, Lyantonde, Bushenyi, and Kasese; to alleviate the severe inhibitions to access to justice in these areas.
  - iii. Further implementation of existing case management reforms such as Mediation, Plea Bargain, Small Claims Procedure, Case Backlog Reduction Strategy, child friendly procedures, automation of Courts, daily hearings of criminal cases in the High Court among others.
  - iv. Ensuring the operations of a robust Inspectorate of Courts to enable it execute its mandate to ensure strict adherence to maintenance of staff discipline, zealously fighting corruption and abuse of office, and ensuring that judicial officers abide by their oaths of service and the Judicial Code of Conduct.

- v. Commencing the construction of the Regional Court of Appeal in Gulu and Mbarara, as well as Magistrates Courts across the country.
- vi. Improving stakeholder engagement through improved public relations, easing of communication, strengthening of complaint handling and customer care facilities to the public as well as continuing to support existing structures and practices such as the Chain Linked Committees, the Court Open Days, the Bar-Bench forum and the Court Users Committees, among others.
- vii. Strengthening coordination linkages between the Judiciary, the Judicial Service Commission, the other Arms of Government, the Justice Law and Order institutions, Development Partners and all the other Justice service providers.
- viii. Ensuring sound accountability; as well as strengthening the monitoring and evaluation of performance of Judiciary staff, including the implementation of the Performance Management Tool.
- ix. Championing and implementing more reforms in case management practices and use of ICT in managing Court hearings.

## G: CONCLUSION

Your Excellency, we look forward to a progressive realization of our revolutionary agenda of providing timely and meaningful justice that fulfils the aspiration of our people. We will act as one when, as you have manifestly done, we proceed from the appreciation that the Judiciary is a critical factor in our quest to achieve socio economic stability, development, and harmony in the country; and propel ourselves to achieve a middle-income status.

Finally, I would like to appreciate all of you here for your cooperation and support to the Judiciary. I thank my colleagues in the Top Management of the Judiciary for our dedication, and the harmony with which we have continued to operate in concert. I thank all Judicial Officers, the Administrative and the support staff of the Judiciary for your dedication and industry in running the Judiciary. May the Almighty God save us from the deadly Covid-19 pandemic.

It is now my singular honour to officially launch the New Law Year, 2022.

**FOR GOD AND MY COUNTRY.**



Alfonse Chigamoy Owiny – Dollo  
**CHIEF JUSTICE**





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