



**18TH ANNUAL JUDGES
CONFERENCE 2016**

REPORT ON PERFORMANCE OF HIGH COURT
BY

HON. JUSTICE DR. YOROKAMU BAMWINE,
THE PRINCIPAL JUDGE OF THE
HIGH COURT OF UGANDA

AT

COMMONWEALTH RESORT HOTEL, MUNYONYO

19TH – 21ST JANUARY 2016

*THEME: "Promoting the Rule of Law in Uganda through Judicial
Accountability and Excellence"*

- **My Lords**
- **Your Worships**
- **Distinguished Guests**
- **Fellow participants**

I salute you all and welcome you to the New Year 2016. I have the honour to present to you the performance of the High Court of Uganda for the year 2015.

The performance information in this report is generated from the analysis of the data statistics submitted monthly from the courts to my office and Judiciary Data Centre. It was of recent enriched by the case census carried out all over the country in December last year (2015).

I therefore have no doubt that the statistics we have now are a lot more improved and realistic.

This report is presented in table form showing the total number of cases per each circuit and division. All categories of cases are combined for avoidance of bulkiness. For comparison purposes statistics of 2014 are also reflected along side those of 2015. Table 3.1 shows the overall

performance combining circuits and divisions. Committals are also presented at page 9.

I conclude the report with information on plea bargaining and highlights on the way forward.

Table showing Performance of 2014 and 2015

1.0: DIVISIONS

1.1 ANTI- CORRUPTION COURT

	2014	2015
B/F	305	359
REG.	318	321
COMP.	364	399
PENDING	359	281

(Difference in Disposals: 35 Cases)

1.2 COMMERCIAL COURT

	2014	2015
B/F	2,554	3,080
REG.	2,732	2,617
COMP.	2,206	2,124
PENDING	3,080	3,573

(Difference in Disposals: - 82 Cases)

1.3 CRIMINAL DIVISION

	2014	2015
B/F	1,076	1,284
REG.	542	610
COMP.	334	434
PENDING	1,284	1,460

(Difference in Disposals: 100 Cases)

1.4 CIVIL DIVISION

	2014	2015
B/F	2,415	2,104
REG.	1,324	1,389
COMP.	1,635	1,757
PENDING	2,104	1,736

(Difference in Disposals: 122 Cases)

1.5 EXECUTION & BAILIFFS DIVISION

	2014	2015
B/F	4,063	5,394
REG.	3,353	2,820
COMP.	2,022	2,217
PENDING	5,394	5,997

(Difference in Disposals: 195 Cases)

1.6 FAMILY DIVISION

	2014	2015
B/F	3,532	4,127
REG.	1,909	1,969
COMP.	1,314	1,277
PENDING	4,127	4,819

(Difference in Disposals: - 37 Cases)

1.7 LAND DIVISION

	2014	2015
B/F	5,216	5,654
REG.	2,828	2,354
COMP.	2,390	2,719
PENDING	5,654	5,289

(Difference in Disposals: 329 Cases)

1.8 WAR CRIMES DIVISION

	2014	2015
B/F	09	15
REG.	12	22
COMP.	06	15
PENDING	15	22

(Difference in Disposals: 9 Cases)

The total number of cases pending in all the Divisions by 31/12/2015 all categories considered is **23,177**

2.0: CIRCUITS

2.1 ARUA CIRCUIT

	2014	2015
B/F	1,296	1,674
REG.	490	481
COMP.	112	288
PENDING	1,674	1,867

(Difference in Disposals: 176 Cases)

2.2 FORT PORTAL

	2014	2015
B/F	1,390	1,584
REG.	644	714
COMP.	449	497
PENDING	1,584	1,802

(Difference in Disposals: 48Cases)

2.3 GULU CIRCUIT

	2014	2015
B/F	882	1,157
REG.	912	875
COMP.	637	836
PENDING	1,157	1,196

(Difference in Disposals: 199 Cases)

2.4 JINJA CIRCUIT

	2014	2015
B/F	3,247	3,594
REG.	1,726	1,559
COMP.	1,379	1918
PENDING	3,594	3235

(Difference in Disposals: 539 Cases)

2.5 KABALE CIRCUIT

	2014	2015
B/F	903	774
REG.	374	471
COMP.	503	475
PENDING	774	770

(Difference in Disposals: - 28 Cases)

2.6 LIRA CIRCUIT

	2014	2015
B/F	1,211	1,331
REG.	424	614
COMP.	304	473
PENDING	1,331	1,472

(Difference in Disposals: 169 Cases)

2.7 MASAKA CIRCUIT

	2014	2015
B/F	1,836	1,750
REG.	742	877
COMP.	828	610
PENDING	1,750	2,019

(Difference in Disposals: - 218 Cases)

2.8 MASINDI CIRCUIT

	2014	2015
B/F	1,042	1,281
REG.	683	592
COMP.	444	594
PENDING	1,281	1,279

(Difference in Disposals: 150 Cases)

2.9 MBALE CIRCUIT

	2014	2015
B/F	2,587	2,913
REG.	1,080	1,217
COMP.	754	1,027
PENDING	2,913	3,044

(Difference in Disposals: 273 Cases)

2.10 MBARARA CIRCUIT

	2014	2015
B/F	3,672	4,402
REG.	1,215	109
COMP.	485	1,477
PENDING	4,402	3,035

(Difference in Disposals: 992 Cases)

2.11 CENTRAL CIRCUIT (NAKAWA)

	2014	2015
B/F	5,902	6,034
REG.	3,388	5,649
COMP.	3,256	2,880
PENDING	6,034	8,910

(Difference in Disposals: - 376 Cases)

2.12 SOROTI CIRCUIT

	2014	2015
B/F	1,144	1,123
REG.	461	508
COMP.	482	460
PENDING	1,123	1,171

(Difference in Disposals: - 22 Cases)

The total number of cases pending in all Circuits all categories considered is 29800.

3.1 OVERALL HIGH COURT PERFORMANCE (DIVISIONS&CIRCUITS)

YEAR	BF	REG.	COMP.	PEND.
2014	44,282	25,157	19,804	49,635
2015	49,635	25,768	22,477	52,977

3.2: COMMITTALS:

	<u>2014</u>	<u>2015</u>
Criminal Division -	586	691
Nakawa -	1,044	1,000
Jinja -	845	950
Lira -	218	405
Mbarara -	920	895
Arua -	344	500
Fort Portal -	377	613
Masindi -	432	458
Gulu -	364	458
Mbale -	379	524
Soroti -	281	301
Masaka -	478	432
Kabale -	<u>379</u>	<u>325</u>
TOTAL	<u>6,061</u>	<u>7,556</u>

3.3: PLEA BARGAINING

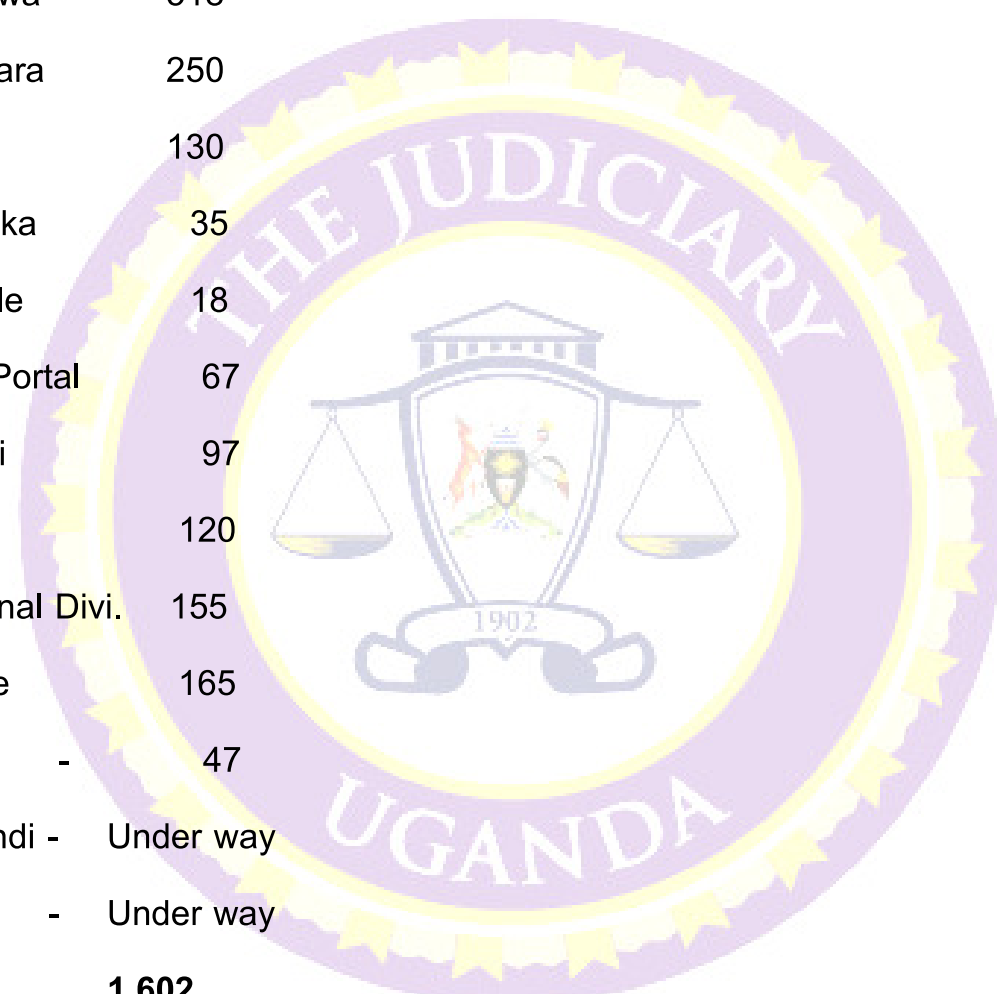
Last time, I reported that we had a lot of hope that innovations like plea bargaining were going to make our performance better in 2015. We have performed beyond expectation. Plea bargaining has been rolled out almost

to all circuits and a total of 1602 cases were completed in the year under review.

Performance under Plea Bargaining was as

Follows:

Nakawa	518
Mbarara	250
Jinja	130
Masaka	35
Kabale	18
Fort Portal	67
Soroti	97
Gulu	120
Criminal Divi.	155
Mbale	165
Lira -	47
Masindi -	Under way
Arua -	Under way
Total	1,602



Over 1000 cases are now cause listed for plea bargaining. Given resources, these cases can be completed in a period of one month. Plea bargaining does not take a lot of time and also costs less. Only 300,000/= is spent on each case plea bargained compared to 1,000,000/= in ordinary session.

3.4 CHALLENGES

Notwithstanding the impressive performance, we still face challenges:

- ❖ Pre – trial delays for civil and criminal cases
- ❖ Congested prisons
- ❖ Increased number of committed suspects: 7,556
- ❖ Unpredictable Facilitation

3.5: WAY FORWARD

As I conclude, there is need to:

- *Recruit more High Court Judges*
- *Do away with committal process and eventually session system (starting with Kampala on pilot basis)*
- *Regular adequate facilitation to hold enough sessions*
- *Dissolving Central Circuit (Nakawa) so that workload is shared out by Divisions.*
- *Mukono, Mpigi, Luwero and Mubende to be fully fledged circuits, since they are already gazetted; and possibility of creating more after adequate consultations.*
- *Strengthen data collection function of Data Centre after deployment of a Registrar in charge of Data Collection.*

CONCLUSION

From the statistics, I am happy to report that there was an improvement in case disposal by High Court in 2015 compared to that of 2014. Completed cases in 2015 were **22,477 compared to 19,804 in 2014**. The difference is an impressive **2,673**.

As I reported to you last time, new Judges had just been appointed and they had worked for only 6 months. We have managed to register a higher score thanks to the additional new Judges. As the Head of the High Court, I congratulate their Lordships for a task well accomplished.

Some of the High Court Judges have since been elevated to Court of Appeal and the number has reduced again. This will have a direct impact on the performance of the High Court if they are not replaced soon. We now have only 42 Judges in active service. The appointing authority has to do the needful if we are to perform better in 2016.

May God bless you.