



**REMARKS OF THE ACTING HON. MINISTER OF JUSTICE AND
CONSTITUTIONAL AFFAIRS**

AT

THE 23RD ANNUAL JUDGES CONFERENCE, 2022

PRESENTED ON MONDAY 31ST JANUARY, 2022

AT

MESTIL HOTEL, KAMPALA

Your Excellency, the President of the Republic of Uganda,
The Rt. Hon. Speaker of Parliament,
My Lord the Chief Justice,
My Lords the Retired Chief Justices,
My Lord the Deputy Chief Justice,
My Lords the Retired Deputy Chief Justices,
The Learned Attorney General of Uganda,
My Lord the Principal Judge,
My Lords the Retired Principal Judges,
My Lords the Justices and Judges,
My Lord, the Executive Director JTI,
My Lords the Retired Justices and Judges,
Your Excellences the Heads of diplomatic Missions,
The Hon. Members of Parliament,
My Lord the Chairperson of the Judicial Service Commission,
The Director of Public Prosecutions,
The Head of the Civil Service,
The Hon. Members of the Judicial Service Commission,
The Hon. Members of the Judiciary Council,
Heads of Government Departments and Institutions,
The Permanent Secretary/Secretary to the Judiciary,
Your Worship, the Chief Registrar,

Your Worships the Registrars,
Members of the media,
Our Esteemed Guests,
Ladies and Gentlemen.

Your Excellency, my Lordships and Invited guests, I take this opportunity to welcome you to this 23rd Annual Judges Conference, 2022 at Mestil Hotel Kampala. This is the twenty third (23rd) event of this nature organized by the Judiciary organized under the theme “**The Administration of the Judiciary Act and Sustainable Transformation of the Judiciary.**”

Your Excellency, I am greatly honored to be to be here today attending my first Judges Conference following the assignment bestowed unto me by you the fountain of Honor, the President of the Republic Uganda and Command in Chief of the Uganda Peoples’ Defense Forces. My Lordships, Ladies and Gentlemen, please join me in welcoming His Excellency the President of the Republic of Uganda to this years’ Judges conference.

Your Excellency, I am grateful to you for the opportunity and the additional responsibilities to serve as Ag. Ag. Minister of Justice and Constitutional Affairs, of the Republic of Uganda in addition to my portfolio of Minister of Public Service.

I pledge before you that I will be loyal and will serve diligently to the best of my ability in steering an effective, efficient and accountable justice system in Uganda anchored on Constitutionalism, the rule of law and good governance.

Your Excellency, the Annual Judges Conference (the Conference) is an occasion intended to enable the Judiciary as an arm of Government to reflect on its performance in regards to Judicial Service Delivery in the previous calendar year. It is an occasion primarily meant for the Judiciary’s self-appraisal in dispensing justice to the people of Uganda amidst the COVID-19 Pandemic that has constrained service delivery across all sectors of the economy.

This subject could not have been discussed at any time better than today. The Administration of the Judiciary Act, 2020 was passed at a time after the World Health Organization had declared COVID-19 a world pandemic.

We have since then lived in this new normal but with a number of challenges. Discussing this piece of legislation with its possible impact on the Judiciary is therefore a welcome idea at this point in time.

Your Excellency, the topics chosen for deliberation at this meeting are in tandem with the current challenges that face the Judiciary as well as the people of Uganda whom the Judiciary has a constitutional mandate to serve. The topics for discussion in this year's Judges Conference were carefully selected and the discussions and ensuing resolutions if well implemented, shall go a long way in advancing the cause of justice to the people we serve.

Your Excellency, I wish to salute the Judiciary for being steadfast and taking on innovative ways of dispensing justice to the people of Uganda under the new normal.

Your Excellency, this year's Annual Judges Conference is intended to improve the Judiciary's efficiency and effectiveness in dispensing justice in view of Article 126 of the Constitution of the Republic of Uganda. It is also intended to attract public trust and confidence in the operations of the Judiciary as an arm of Government in fulfilment of its mandate.

Your Excellency, I wish to applaud the Judicial Development Partner and the Judicial Training Institute in particular and the Judiciary of Uganda for continuously organizing this annual event which continue to shape the dispensation of justice to the people of Uganda.

Your Excellency, in this regard, Article 126(1) of the Constitution of the Republic of Uganda which provides that-

“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.”

The theme for this year's Annual Judges Conference is therefore in line with what the people of Uganda expect from the Judiciary.

Your Excellency, I wish to applaud you for your commitment to the dispensation of justice and the subsequent assenting to the Administration of the Judiciary Act 2020 that is indeed to strengthen the administration of justice in Uganda. I wish to note this has since taken effect.

This is in line with Article 128 (3) of 1995 Constitution provides as follows-

“All organs and agencies of the State shall accord the Courts such assistance as may be required to ensure the effectiveness of the Courts.”

Your Excellency, it is imperative to note that for the Judiciary to implement the Administration of the Judiciary Act fully, it requires the support and goodwill of other organs and institutions of Government. The Executive and the Legislature as the other two arms of Government play key roles in the realisation and implantation of the Administration of the Judiciary Act.

The Judiciary should also be in position to coordinate and cooperate with relevant Government Ministries, Departments and Agencies to realise its full potential and effectiveness in the execution of its Constitutional mandate of adjudicating cases.

Your Excellency, the Executive, which I am part of, is committed to supporting initiatives by the Judiciary geared towards improving the administration of justice in Uganda as provided under the different legal instruments.

Your Excellency, Government under your wise and visionary leadership is well known for the restoration of the Rule of Law and Human Rights observance in Uganda. It is our belief and conviction as Government that a strong and independent Judiciary is a bedrock for economic and social transformation of our citizens.

The discussions and resolutions of this years' Annual Judges Conference will come up with implementable Action Plans that will be tailored to addressing the challenges that the Judicial Service continues to grapple with especially in dispensing justice under the new normal as well as increasing the staffing levels for the bench at all levels. This will enable the Judiciary to perform better and meet the expectations of Ugandans.

Your Excellency, Government of Uganda remains committed to providing adequate resources to ensure that the Judiciary plays its role of timely administration of justice. It is true that for quite some time, the Government has had competing priorities in budgetary allocation of resources. A lot has been achieved in this regard. A lot is yet to be achieved.

We wish to thank the Judiciary for having been accommodative to the Government's financial challenges in the past and with the ongoing rationalization of Government Ministries, Departments and Agencies, it is my sincere hope that more resources will be realized and committed to service delivery. We as the Judicial fraternity, we are grateful to the coming into effect the Administration of Justice Act 2020.

Your Excellency, we are confident that the resource envelope improves, more resources will be allocated to the Judiciary to enable it perform its roles to full capacity. The budgetary allocations to the Judiciary for the Financial Year 2021/2022 as compared to the Financial Year 2020/2021; the Cabinet approval of the expanded structure of Judicial Officers and Salary Enhancement for the lower bench in August, 2021 attests to the Government's goodwill to improve funding for the Judiciary. I thank His Excellency the President for making this happen.

Your Excellency, we are happy to learn that there is a systematic plan to improve the human resource in the Judiciary. We are happier that the increment in numbers of Judicial Officers is coming along with their improved Terms and Conditions of Service. As the Terms and Conditions of Service for Judicial Officers improve, we need to be cautious that these judicial officers do not work in isolation. In fact, they may not perform their judicial obligations at all without the support of other staff of the Judiciary. The staff Establishment/structure for other staff of the Judiciary is due for submission to Cabinet for its approval.

Your Excellency, the terms and conditions of work for other staff of the Judiciary including Administrative Staff, Clerks, Process Servers, Office Attendants, Drivers, Secretaries, Transcribers, Interpreters, Researchers among others are being considered for improvement under the wider Public Service. We are also glad that the Judiciary has a wider plan to provide structures to be

used as court premises and accommodation for Judicial Officers especially those operating in hard to reach areas.

We are hopeful that with the opening up of the economy, we shall have adequate resources to cater for all the needs of the various sectors of Government. Mindful of the central role the Judiciary plays in socio-economic development and transformation, the resources apportioned to the Judiciary will be consistently increased, the national resource envelope permitting.

Your Excellency, my call to My Lords in the Judiciary is that, as you perform your roles at the higher bench, the members of the lower bench expect you to be their role models. I call upon all of you Lords that the exercise judicial power needs to be in conformity with the law and with the values, norms and aspirations of the people as you are enjoined to administer justice impartially and expeditiously.

It is therefore expected that the bench needs to uphold the principles laid down in the Constitution as well as regional and international conventions to which Uganda subscribes.

Your Excellency, the actions of my Lords inside and outside court need to be in line with the established code of conduct so as to attract respect and acceptance from the public as it has been the case. Respect, confidence and honour to the judicial office are derived from the way you conduct yourself in the process of administering justice. It is my humble prayer that the principles of independence, impartiality, integrity, propriety, equality, competence and diligence in the execution of your judicial duties should always prevail.

Every Judge is a role model to the society to which he or she belongs. As early as the fourth (4th) century BC, Socrates a Greek philosopher stated that there are four (4) qualities required of a Judge. These are “(a) to hear courteously; (b) to answer wisely; (c) to consider soberly; and (d) to decide impartially.” The social service which a Judge renders to the community is the removal of a sense of injustice. The doors of court are always open to all court users that knock on it. The most onerous task the Judge performs is to render fair decisions. The judges repeatedly do what other people seek to avoid; they make decisions.

My Lords and Your Worships, the image of the Judiciary is an important representation of the Judiciary as an Institution. As you do your best to protect

the image of the Judiciary, my promise is that we will cooperate with you to build public confidence in the Judiciary and for proper, effective, fair, speedy and timely delivery of justice to the people of Uganda by the transformed new Judiciary.

Your Excellency, one of the critical areas the Judiciary needs to address is delay in delivery of justice. I implore you My Lords and Your Worships to design institutional and personal strategies aimed at reducing delays in the administration of justice during the year 2022 aware of the continued call to be innovative in dispensing justice to the people. The use of the Electronic Court Case Management Information System in fighting case backlog needs to be fully embraced and sister Government Agencies should fully support this process by having the Courts connected to the National Fiber.

I wish the Hon. Chief Justice for inviting me to come and interact with you Honorable Justices, Judges and Your Worships in attendance.

Your Excellency, I wish to thank you for honoring the invitation and gracing this year's Judges Conference. I thank the Judicial Training Institute for their efforts in organising this Conference.

It is now my honour and privilege to invite the Hon. Chief Justice to address your Lordships and Worships.

Wilson Muruli Mukasa

Ag. MINISTER OF JUSTICE AND CONSTITUTIONAL AFFAIRS