



**THE ROLE OF THE JUDICIAL TRAINING INSTITUTE IN CONTRIBUTING TO BETTER
PERFORMANCE OF THE JUDICIARY**

**A PAPER PRESENTED AT THE 20TH ANNUAL JUDGES CONFERENCE BY HON.
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24TH JANUARY, 2018

Introduction:

The Judicial Training Institute was established in 2004 by the Hon. the Chief Justice through an administrative direction to provide on job training for judicial and non-judicial officers of the Uganda Judiciary. On request, the Institute conducts training to officers of the Justice Law and Order Sector (JLOS) Institutions. The Institute also houses the Research and Law Reporting Department of the Uganda Judiciary which are pivotal in facilitating the administration of Justice in Uganda. With time however, it was found necessary to have the Institute attain a legal status and consequently, the Hon. the Chief Justice through his administrative powers under article 133 of the Constitution granted the Institute a semi-autonomous status under Office Instruction No.02 of 2017.

The Institute is overseen by the Governing Council chaired by a Justice of the Supreme Court and managed by an Executive Director who is a Judge of the High Court assisted by a Registrar and Deputy Registrars.

Functions of the Institute

Office Instruction No.2 of 2017, section 7 thereof enlists the functions of the Institute which include:

- i) Provide training to Judiciary staff and staff of the Justice Law and Order Sector (JLOS) Institutions.
- ii) Provide professional training to Governmental, Non-Governmental Institutions and other Institutions within and outside Uganda.
- iii) Carry out research on the improvement of the administration of justice
- iv) Serve as a repository for all official training materials
- v) Develop a curriculum for the Institute
- vi) Carry out training needs assessment for the judiciary staff
- vii) Carry out faculty development, and
- viii) Carry out any other functions that may be assigned to it by the Chief Justice

From the above, the Institute has over time conducted and continues to conduct training activities, organize conferences, workshops and seminars that are intended to improve the capacity of Judicial Officers in the administration of Justice. This is in line with the Judiciary Training Policy 2007 which emphasizes Human Resource Development encompassing training related to the immediate needs of the work place and activities which enable workforce develop their potential and be prepared for future career opportunities which ultimately supports the Judiciary's mission, vision, core values and strategic objectives by improving organizational performance at all levels.

Overall, training by the Judicial Training Institute is intended to:

- a) Improve the Judiciary employee's current job performance
- b) Allow for expansion or enhancement of the Judiciary employee's current job
- c) Enable Judiciary employees to perform needed or potentially needed duties outside the current job at the same level of responsibility, or

- d) Meet the Judiciary's needs in response to human resource management and development plans as well as any changes that may take place.

The Judiciary as established under article 126(2) of the 1995 Constitution is mandated to administer justice to all irrespective of social and economic status. This Constitutional provision summarizes the Judiciary's core competences derived from judicial activities and responsibilities which can only be visible when there is demonstrated knowledge, skills, attitudes and behaviors required to perform various judicial tasks, duties and responsibilities. The core competences can be described as comprising technical skills involving methods, processes and procedures of dispensing justice, judicial and court management skills as well as case flow management.

Therefore, for the Judiciary to ensure quality judicial service to the public, there is need to develop the skills and abilities of its employees through competency based training activities which are economical, effective and consistent with the strategic mission, vision and objectives of the Judiciary. These interests are served by having competent employees capable of maintaining productivity, able to adjust to changes in service requirements and prepared to assume increased responsibilities.

The Judicial Training Institute has to a large extent lived to its expectations as per its functions enlisted under section 7 of Office Instruction No.2 of 2017 by ensuring that all Judiciary staff both Judicial and non-judicial attain the above competences through continuous training. Several trainings aimed at improving the capacity of Judicial Officers have been conducted by the Institute including induction trainings which is a sine non qua for any newly appointed officer before assuming office. However, induction of newly appointed staff has had its own challenges in the Judiciary as shall be espoused at a later stage.

Research and Law Reporting

The Institute has among its departments the department of Research and Law reporting intended to increase the knowledge of judicial practice by conducting

research intended to provide the underpinnings for the formulation and implementation of effective judicial policies and disseminating information and knowledge to promote the strategic objectives of the Judiciary. The department of research conducts relevant research into specific problems regarding the administration of justice intended to:

- i) Lead to findings that have widespread implications in a particular area of Judicial administration
- ii) Challenge some commonly held judicial truism
- iii) Review the inadequacies of existing laws and or policies

The research department at the Institute is at the disposal of all caliber of Judicial Officers in the judicial strata. It's therefore my call that research officers under the research department are made use of for purposes of improving justice delivery.

Relatedly, the department of law reporting at the Institute has a full time Officer manning ULII, a judiciary search engine for relevant legal material. Several cases of courts of record and other authorities have been uploaded on to ULII for use by Judicial Officers and other legal practitioners. It's my appeal that we all embrace and make use of ULII which will ultimately improve the quality of decisions that we shall deliver in our respective courts.

Achievements of the Institute

Since inception, the Judicial Training Institute has made the following achievements:

- a) **Acquisition of training Premises:** The Institute has its own premises at Mbuya Hill through the assistance of JLOS as it was previously housed in rented premises for over ten years. The JTI premises has two fully furnished training rooms, a Resource Centre, Offices and other ancillary rooms.
- b) **Cooperation:** The JTI has worked and continues to work with other organizations and institutions both local and International to achieve its primary objective of providing excellent training opportunities to both judicial and non-judicial staff.

- c) **Training Curriculum and Manuals:** The Institute has developed a training curriculum and training manuals using its internal human resource under the guidance of two experts Dr. Namubiru Proscovia from UMI and Dr. Jet Tichla from the University of Utrecht, Netherlands.
- d) **Funds:** The source of funding for the Institute includes the government of Uganda thoroughly quarterly releases, JLOS and partners.
- e) **Training Calendar:** The Institute annually develops a training calendar which guides in carrying out streamlined training activities.

Challenges

- a) **Funding:** Despite quarterly releases by the government, the funds released are too meagre to enable continuous training in order to achieve the Institute's objectives and functions despite supplements from donors and other partners.
- b) **Uncoordinated training activities:** There continues to be uncoordinated training activities in the Judiciary not sanctioned by the Governing Council of JTI making it difficult to ensure coordinated and well planned activities, at times resulting into unnecessary disruption of court work. Such uncoordinated training activities have raised questions regarding the relevancy of the Institute if any department or division can conduct training activities.
- c) **Staffing:** The Institute is not fully staffed and despite the understaffing, the small staff is subject to constant transfer at will by the Judiciary administration creating constant loss of expertise.
- d) **Lack of alternative Power source:** The Institute has occasionally had power fluctuations and this has caused disruptions during trainings as the institute does not have a standby generator to serve as an alternative source of power.

Way forward:

- a) A deliberate action by the Judiciary administration to fund the Institute's training activities should be encouraged to avoid reliance on donors. Where funds are earmarked for training activities, it should be wired into the Institute's account in time for proper management. In that vain, the training fund should be increased.
- b) **Financial Independence:** The Institute recently acquired its own account but still lacks the autonomy to independently manage/transact its own account.
- c) The Institute should have the autonomy to manage training activities in the Judiciary and uncoordinated and half hazard trainings should be discouraged.
- d) Improve on the staffing structure of the Institute.
- e) Provision of an alternative source of power should be seen as of utmost urgency.