

**SPEECH OF THE PRESIDENT OF UJOA AT THE OPENING OF THE NEW
LAW YEAR 16TH JANUARY 2015 AT HIGH COURT**

INTRODUCTION

The Hon. Ag Chief Justice
The Hon. Minister of Justice and Constitutional Affairs
The Hon. Attorney General
The Hon. Principal Judge
The Hon, the Justices of the Supreme Court
The Hon, the Justices of the Court of Appeal
The Hon, the Judges of the High Court
The Solicitor General
The Heads of Diplomatic Missions
His Grace Dr. Cyprian Kizito Lwanga, the Archbishop of Kampala Diocese
The Chairperson of Constitutional Bodies
The Head of Civil Service
The Secretary to Judiciary
The Permanent Secretaries and Other officials from JLOS Institutions
The Hon Chief Registrar
The Inspector General of Police
The Commissioner of Prisons
The President NAWJU
Your Worships
Members of the Bar Present
Distinguished invited guests
Ladies and Gentlemen

I wish on behalf of Uganda Judicial Officers Association (UJOA) and on my own behalf to welcome you all to this annual event which marks the New Law Year 2015. I congratulate you upon successfully completing the year 2014 and welcome you all to 2015.

The Association was formed in 1970 to, among other things:

- Advocate for better welfare of Judicial Officers especially terms and conditions of service.
- To maintain and promote the independence of the Judiciary as enshrined in the Constitution of the Republic of Uganda.
- To promote better co-operation and understanding among Judicial Officers and to network with other sister judicial and Legal associations in promoting the rule of law.
- To promote legal studies and undertake publication of the Uganda Judicial Journal and other publications.

1. THE FIFTH MAGISTRATES CONFERENCE

My Lord, with the support of the Secretary to the Judiciary and her team, we were able to hold the 5th Magistrates Conference on the theme *“Enhancing Public Confidence In The Judiciary”* at Colline Hotel Mukono between 4th-5th September 2014 where we committed ourselves individually and collectively towards reforming and transforming the Judiciary into a trusted and respected institution. We agreed to embrace reforms to make the judicial system user friendly and made commitments to act as good ambassadors towards enhancing public confidence in the Judiciary.

2. UJOA AGM

Subsequent to the Conference, the Association held its Annual General Meeting on 6th September 2014 at Colline Hotel.

Thereafter, members bonded through extracurricular activities which my Lord you graced. We plan to have this activity as an annual event. As an association we intend to participate in more corporate social events to support vulnerable communities in our society.

3. APPOINTMENTS

During the course of the year we got the following appointments

Hon. Justice Ruhinda Asaph as Chief Judge Industrial Court

Hon. Lady Justice Mutonyi Margaret, Judge of the High Court

Hon. Justice David Matovu, Judge of the High Court

Hon. Lady Justice Basaza Wasswa, Judge of the High Court

Hon. Lady Justice Linda Lillian Tumusiime, Judge Industrial Court

Hon. Lady Justice Jessica Naiga Ayebazibwe, Judge High Court

We congratulate HW Paul Gadenya on his appointment as Chief Registrar, HW Muwata Isaac and HW Tom Chemutai who were elevated to the positions of Registrars.

In the course of last year, we received 30 newly appointed Magistrates GI. We welcome them to the Association and congratulate them upon joining the bench.

We continue to lobby for elevation of career judicial officers to all current vacant posts.

4. OBITUARY

On a sad note, I report the passing away of

- HW Charles Tasika Kisakye R.I.P formerly CM Busia
- HW Alioni Marcello R.I.P Mag GII Zeu/ Atiak, Zombo

Some of our colleagues also lost their beloved ones.

May the souls of the departed rest in eternal peace.

5. INDEPENDENCE OF THE JUDICIARY

The Association was formed with several objectives one of which is to maintain the Independence of the Judiciary as enshrined in the Constitution.

We note that since 1995, no solid effort has been made to operationalize the fundamental provisions of the Constitution of Uganda relating to the Judiciary.

The Independence of the Judiciary cannot be effectively realized if the Judiciary

is not autonomous in respect of its finances and personnel. The Judiciary Administration of Justice Bill has been in limbo for too long which we believe has hindered the effective administration of justice in Uganda. The Monitor Newspaper of April 20, 2014 at page 15 described the Judiciary as ill staffed, stressed and sluggish to effectively enforce the rule of law. The same article reported that the head of Judicial Service Commission Hon. Justice James Ogoola called the Judiciary a disabled institution which has struggled along without a leader for more than a year, leading to an unacceptable situation where the third arm of government is unable to effectively function.

It is high time we called upon the Government to act. We would like to see the Judiciary prioritized, recognised and facilitated as a third arm of government. We have engaged the Judiciary administration on our priorities. We now propose to engage external stakeholders like H.E. The President, Parliament, Ministry of Justice and Constitutional Affairs and Civil Society Organisations in line with our mandate of maintaining the Independence of the Judiciary. All avenues available in this will be explored with your support.

6. NETWORKING

My Lord, as an Association we have continued to network with our sister organizations at the National and International levels.

a) Commonwealth Magistrates and Judges Association

A delegation of Judicial Officers participated in the CMJA Annual Conference in Livingstone Zambia between 7-11th September 2014 on the theme *“Judicial Independence: The Challenges of the Modern Era.”* The next CMJA 17th Triennial Conference will be taking place in Wellington, New Zealand from 13th -18th September 2015. The theme will be *“Independent Judiciaries, Diverse societies.”*

b) EAMJA

Last year, the 12th East African Magistrates and Judges Association (EAMJA) Conference was held in Nairobi between 13-18th October 2014 on the theme “*Administration of Justice: The East African Experience.*”

7. CHALLENGES

My Lord, we continue to face the following challenges;

- Our terms and conditions of service in the East African Community region are the lowest especially the lower bench.
- Poor physical infrastructure and accommodation.
- Inadequate human resource coupled with large magisterial areas. Most of our colleagues are on assignment as Assistant Registrars while expected to supervise large magisterial areas as Chief Magistrates.
- Inappropriate technology.
- Inadequate operational funds to run our courts.
- Facilitation at deployment and transfer is lacking.
- There is lack of transport to visit locus and supervise magisterial areas.
- The support to the Judiciary from the National budget is 0.6% while the legislature gets 4.4% and the entire JLOS sector gets 5.5%.
- Judicial officers and staff on retirement after diligently serving the nation are not able to access their due pensions in time.

WAY FORWARD

- Judiciary should be prioritized. Budget allocations should at least be equivalent to Parliament at 4.4% which we believe will be able to tackle the perennial concerns.
- The Judiciary Administration of Justice Bill should be passed into law.
- Vacant offices in the Judiciary should be filled to enable the Judiciary perform adequately.

8. PUBLICATIONS

The Association published the 20th edition of the Uganda Judicial Officers Association Journal with educative articles especially on recent reforms and case law. I call upon everyone to submit articles early for the next edition.

9. APPRECIATION

Despite the overwhelming challenges we appreciate the Judiciary Administration for steering and guiding us. We appreciate the work of the Ag Chief Justice, the Principal Judge, the Secretary to the Judiciary and the Chief Registrar and their respective teams.

10. CONCLUSION

My Lord, the Association members pledge to continue to promote, protect and uphold the independence of the Judiciary.

I thank you for listening to me.

GOD BLESS YOU

Vincent Emmy Mugabo, President UJOA