

Chief Justice's  
promises inside



# THE JUDICIARY INSIDER

Issue 08 | Special Edition - 2017

## Judiciary gets brand identity



**State function: VP,  
Speaker grace New  
Law Year 2017**



**PS Kagole Kivumbi's  
first 100 days as  
Secretary to Judiciary**

**Full list of newly  
gazetted Magisterial  
Courts inside**



## President Museveni opens 19th AJC

**The deal:** 19th Annual Judges Conference

**Where:** Commonwealth Resort Munyonyo

**When:** Thursday 26th January – Sunday 29th, 2017

**Who attended?** President Yoweri Museveni, Chief Justice, President of Guyana Courts, all judges, Prof. Hugh Minister of Justice and Constitutional Affairs, Prof. Hugh Corder

The Conference which ran under the theme: **“The Uganda Judiciary as the Guarantor of the Rule of Law”** doubled as the launch of Judiciary’s Brand Identity as well as the Criminal Bench Book. The Criminal Bench Book is a handbook for very quick and easy reference in the process of handling criminal cases.

The three-day conference was a platform for judicial officers to take stock of the courts’ performance of the previous year as well as to discuss contemporary issues affecting justice.





## Reforms, here we come

**W**e are pleased to bring to you the Judiciary Insider Issue 8, a special edition packaged with special information you may need to keep closer to you for most of 2017.

In this issue, you will find highlights and momentous images from the 19th Annual Judges Conference, a special Judiciary event, which was this time around held on a weekend at the Speke Resort Munyonyo in Kampala between January 27 and 29, 2017. Its opening ceremony was graced by President Yoweri Museveni. The president also launched the Criminal Bench Book, a product from the retired Supreme Court's Justice Wilson Tsekooko's Bench Book Committee; and Judiciary's long awaited Brand Identity.

The brand identity is one of the key deliverables from the Judiciary Editorial Board under the leadership of High Court's Lady Justice Lydia Mugambe-Ssali. It is particularly important for because, for the first time, the institution will have a unifying identity and platform for both internal and external communication. The brand identity will inspire the Judiciary staff to meet the expectations of the general public, get the public to reappraise the Judiciary and also boost Judiciary's public visibility and public awareness initiatives.

But most importantly, Issue 8 brings you the highlights of the January 30, 2017 opening of the New Law Year event, which was equally held at the Kampala High Court grounds in a special way. Unlike before, the three arms of the state were ably represented at this event and the attendance by members of Bench and the Bar, as well as the public was quite encouraging. Management also organised enough food to feed the multitudes of staff and visitors at the event. The Insider brings you the Hon. Chief Justice New Law Year's promises in full and all the important moments at the event.

We have also featured the first 100 days of the new Permanent Secretary/Secretary to the Judiciary, Mr. Kagole E. Kivumbi. He took office on November 15, but already there are key reforms and the Insider walks you through his performance so far.

We hope you enjoy reading Issue 8 till early April 2017 when we publish the next Issue of the Insider!

**Solomon Muyita,**  
Editor/Senior Communications Officer, Judiciary

## INSIDE...

- 2 | State function: VP, Speaker grace New Law Year 2017**
- 4 | Chief Justice's New Law Year 2017 speech**
- 12 | Principal Judge spearheads Plea Bargaining review exercise**
- 14 | PS Kagole Kivumbi's first 100 days in the Judiciary**
- 16 | Judiciary events in the first quarter of 2017**
- 18 | Judiciary's brand identity**
- 20 | Executive interfering with Judiciary independence- Report**
- 22 | New JSC Members start work**
- 23 | Hon. Justice Simon Mugenyi Byabakama New EC Chairman**
- 24 | Uganda nominates Justice Bossa for ICC judgeship**
- 25 | Magisterial Areas increased from 38 to 82**

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The Chief Justice welcomes the Vice President, Hon. Edward Kiwanuka Ssekandi to the New Law Year ceremony. Looking on is the Speaker of Parliament, Hon. Rebecca Kadaga.

# State function: VP, Speaker grace opening of the New Law Year 2017

Celebrations to mark this year's opening of the New Law Year, for the first time in many years, attracted the heads of the three arms of the State.

The Vice President, Hon. Edward Kiwanuka Ssekandi of the Executive arm of the State, presided over the event; whereas the Speaker, Hon. Rebecca Kadaga, Deputy Speaker, Hon. Jacob Oulanyah, appeared for Parliament; and the host, the Chief Justice, Hon. Bart M. Katureebe for the Judiciary.

For the very first time, the Judiciary administration organised a luncheon for all invited VIPs, staff members, members of the Uganda Law Society (lawyers) and other invited guests.

"From today onwards, the opening of the

New Law Year will be handled as a State function, with all the three arms of government being represented," declared the Chief Justice Bart Katureebe.

Justice Katureebe called upon the government to consider increasing the budget of the Judiciary so as to have more criminal sessions and tackle case backlog saying failure will impact on the citizens especially those who have spent many years on remand in prison without their cases being heard in a long time.

He also castigated the Uganda Police Force arrest of suspects in the precincts of the

court under the pretext of charging them with additional cases, saying it is a sign that the police and other security agencies are not obeying court orders, adding that it is a sign that state agencies do not uphold rule of law. "...this is a sad reminder that more still needs to be done to instill the rule of law in the institution charged with keeping law and order. I call upon the Uganda Police Force to refrain from flagrant abuse of the law," said the Chief Justice

The Chief Justice called for the fast-tracking of the proposal to hire retired judges to boost the few judges available. He also proposed that government could consider



appointing retired judges to head various commissions and leave the existing judges to do judicial work.

In a speech the Vice President, Hon. Ssekandi, read on behalf of President Museveni, indicated that there were efforts to upgrade the status of the Judiciary to equal terms with the other two arms of the state – the Executive and the Legislature.

He said the Government is however, concerned about the increasing reports of corruption in the courts as well as congestion in the Prisons, which he said has now increased from 26.9 per cent to 45 per cent.

The President also complained about the increasing unprofessional conduct of lawyers – called upon the Uganda Law Society ensure that lawyers offer more legal aid services to the citizenry, and the errant characters are weeded out. Among other things, he promised to support the planned decentralization of the Court of Appeal, Commercial Court and the Anti Corruption Court.

Speaker Kadaga said she has been waiting since she was deputy speaker for the presentation of the Administration of the Judiciary Bill – she promised to quickly handle the Bill once tabled before Parliament.

“

**From today onwards, the opening of the New Law Year will be handled as a State function, with all the three arms of government being represented.**

**Chief Justice Bart Katureebe**

”

Hon. Kadaga said Parliament had earlier on passed a resolution to increase the number of High Court judges from 50 to 82. “All that is required is for someone to come and pick up the resolution for implementation,” she said.

She also said she would soon discuss with the Parliament Rules Committee the option of having to vet presidential appointees in the open, as many people have been demanding, a matter she said she has no big issue with once she gets a nod from her colleagues.

The President Uganda Law Society (ULS), Mr. Francis Gimara, thanked the Judiciary for coming up with new innovations such

as Plea Bargaining, Sentencing Guidelines, among others, aimed at tackling the “monster of case backlog”.

Mr. Gimara also decried of underfunding of the Judiciary despite being the third arm of government, and warned that if the underfunding continues, then the citizens will get a raw deal in return for justice.

In response to the ULS President’s concern, the Justice and Constitutional Affairs Minister, Kahinda Otafiire, said the government funding capacity was at its lowest. He was however, quick to add that remuneration for the judges had been increased for senior leadership, and would gradually be increased for the other cadres in due course.

Maj. Gen. (Rtd) Otafiire promised to table the long awaited Administration of the Judiciary Bill before Parliament within February, 2017.

The Attorney General, Hon. Mr. William Byaruhanga, the head of the Bar, equally stressed the need to tackle the elephant of corruption in the Judiciary – a call which had earlier on been emphasised by His Eminence the Archbishop of Kampala Archdiocese, Cyprian Kizito Lwanga, while leading the opening prayers.



**The Chief Justice, Principal Judge and other invited guests after the opening of the New Law Year ceremony at the High Court.**



# Chief Justice's New Law Year 2017 speech

This is a departure from the previous occasions where, the Chief Justice has presided over the functions. Today and in the future, the Law Year will be celebrated as a State function, where the three arms of the State will be represented to mark the unity and diversity of the State.

## Progress on 2016 commitments

In 2016, I committed to strengthen the Judiciary through a five point programme. I pledged to strengthen integrity; innovate the administration of justice; institutionalize a culture of accountability; improve remuneration and terms and conditions of Judiciary staff; promote public and stakeholder engagement as well as maintaining good relations between the arms of the state, to turn around the Judiciary.

At an operational level, we committed ourselves to reform the law; enhance the use of Alternative Dispute Resolution (ADR) ; introduce electronic filing; use mobile money to pay court fees; continuous professional training of Judiciary staff; strengthen the inspectorate; fight case backlog, by increasing access points for the administration of Justice; the number of court sessions; and have continuous sitting of the Court of Appeal. We also pledged to re-engineer business processes of the Judiciary and promote uniformity and consistency in sentencing.

I am happy to report, that we registered progress on many of the commitments that we set out following the introduction of many reforms, hard work and support we received from JLOS partners, Development partners; the public and Government.

As a result of our interventions, Uganda's index of judicial independence improved from 2.8 to 3.41 on a scale of 5. Uganda was ranked 1<sup>st</sup> in accessibility to civil justice in East Africa and 9<sup>th</sup> in Africa. Uganda, was also ranked 12<sup>th</sup> in Africa in the effectiveness of criminal investigation, prosecution and correctional services.



At the level of court performance, we reduced pending cases by 20% and increased the clearance rate for cases to 125%, all resulting into a significant drop in case backlog. The High Court disposed of 2010 cases through plea bargaining the period January to December 2016.

In terms of physical access, 53.7% of the population have access to a court within 5Kms while 95% of the people can access court within a radius of 20KMs. 13% of Magistrates have access to official transport; 11% of the courts have access to court recording and transcription services; and we have 45% computer coverage across the Judiciary.

With regard to reform of the law, I constituted a committee chaired by the Hon. Justice JWN Tsekooko (Rtd JSC) to make proposals for reforming procedural and substantive laws. The Committee will soon submit its recommendations for consideration by the Rules Committee and responsible government agencies.

Alternative Dispute Resolution (ADR) has been rolled out through countrywide sensitization and posting of mediators at the courts. The success rate for cases that go through ADR is 55%. I want to commend the Court of Appeal, for resolving 100 Appeals through appellate mediation. I must appreciate the support of our friends in the USA,



particularly Pepperdine University and Justice Clifford Wallace, who have assisted us in mediation training. Judge Timothy Tower, Rtd Judge from San Diego California USA is training Judicial Officers and advocates on mediation at the level of a trial court and the appellate level, to institutionalize ADR.

- With financial and technical support from Strengthening Uganda's Anti-Corruption Response Technical Advisory Facility (SUGAR TAF) Programme, the Judiciary will in the course of this year understudy the existing case management system and pilot a new case management system in the Anti-Corruption Division of the High Court, the results will inform a roll out to other courts in the country.

- We have increased judicial access points to deepen access to justice and improve the administration of justice in Uganda. In this regard under **The Judicature (Designation of High Court Circuits) Instrument No. 55/2016**, we increased High Court circuits from 12 to 20 with the new ones being Mukono, Mpigi, Luwero, Iganga, Moroto, Tororo, Hoima and Rukungiri; Mubende, Mpigi and Mukono High Court circuits are now fully operational. Magisterial Areas were increased from 38 to 81 to bring services to the people.

- Today it is important to acknowledge that the advent of information technology is fundamentally changing the way people work and interact. ICT is being adopted in all aspects of society to facilitate online service delivery.

- In this regard, child witness and victim protection systems were installed at the main High Court and in its circuits in Mbale, Fort Portal, Mbarara, Arua and Gulu. The rest of the High Courts will be covered in the coming years. The Rules Committee issued the **Judicature (Visual-Audio Link) Rules SI No. 26/2016** to make provision for the taking of evidence by use of audio visual means.

- The Judiciary installed CCTV Cameras in the 7 registries of the High Court – Civil, Anti-Corruption, Criminal, Execution, Family and the Commercial Court, the Chief Magistrates Courts of Entebbe, Makindye, Nabweru, Nakawa, Buganda Road Mengo and LDC Courts to monitor court registries and operations with the view to improving service delivery and curtailing corruption.

- The mobile money interface for payment of court fees and deposits has been completed by URA and soon, will enable payment of court fees and bail deposits through mobile money platforms thus enhance value for money, save time and eliminate loss of funds.

- The Judiciary has 429 gazetted courts but only 200 of these are operational. With the support of development partners, the Judiciary constructed a Justice Centre at Kiruhura, the Family Division of the High Court at Makindye and a Magistrate Grade I Court at Bukwo.

- Contracts were awarded for the construction of Justice Centers at Buyende and Mitooma. The Justice Centers will be completed this year.

- Construction of Justice Centers at Nwoya and Limo is on course. The High Court in Masindi has just taken off. I actually visited the site last week and saw materials already on site.

- The Judiciary headquarters, the Supreme Court, Court of Appeal and the High Court are to be constructed through the Public Private Partnership model. We are almost reaching financial closure before the government contracts the investor to start construction. Construction will take two years.

### Judiciary Performance in 2016

The principal business of the Judiciary is to administer justice through the timely, efficient, effective and fair disposal of cases. In 2016, the Judiciary entered the year with

115,809 cases. 137,814 cases were registered. The courts disposed of 121,820 cases and left 131,803 cases pending. Cases pending should not be confused with backlog cases. Backlog cases refer to cases that have stayed in the system for more than two years. Pending cases include all those in the system at the time of reporting.

### 2016 Financial Performance

In 2016/17, the Judiciary received Shs116.55 billion for recurrent and capital expenditure. This compares favorably well to Shs93.2 Billion received in 2015/16; 83.06 billion for 2014/15; and 84.493 for 2013/14. However, the Judiciary's budget for 2017/2018 Financial Year, has been cut by Shs6.8 Billion, despite expansion of the structure and commitments by Government to automate courts, construct more court houses and institutional houses, increase the operational expenses and pay emoluments to the increased number of Judicial Officers and staff. I am therefore calling upon government to restore and better still, increase the Judiciary budget to meet its needs. I call upon Government to weigh very carefully what such cuts mean for the administration of justice to the people of Uganda, and the impact this has on other aspects such as attraction of investment.

### Relations between the three Arms of the State in 2016

The Judiciary has enjoyed a cordial and constructive working relationship with the Legislature and Executive. We are grateful for the resources and facilities that Government and Parliament is so far providing to the Judiciary. I am particularly grateful to the Executive and Parliament for giving the Judiciary an additional Shs20 billion this financial year for court operations and enhancement of the allowances for Judiciary staff. I thank the Chairperson and members of the Parliamentary Budget Committee for saving this Shs20 billion, which had been cut during the rationalisation of the budget.

I am confident that the three arms of the State shall continue to work well through



dialogue and engagement. We shall continue to strengthen our relations through collective identification of solutions to the challenges facing Uganda. At an institutional level, we shall ensure value for money for public resources because good budget outcomes occur when the other branches of government and public have confidence and trust in the judicial branch. But we must always bear in mind that this dialogue and engagement must never result in the undue interference in the work of each branch – particularly the Judiciary. This must be and must remain principled engagement on issues.

### Relations with the Bar

Lord Alexander of the Weedons’ Bar Standards, says: **“the touchstone for the survival and success of the bar will be its excellence”**. This statement applies equally to the Uganda Law Society, which recently celebrated 60 years of faithful service to Uganda under the theme “Rekindling ethical legal practice”, I am told that the members of the bar committed themselves to ethical legal practice and I congratulate them for that step because the Bar like the courts, is under pressure to rein in on its errant members.

I encourage the Bar to intensify efforts to raise professional standards and integrity of its members, through training, mentoring, discipline and peer review mechanisms. I invite members of the Bar, to join the Judiciary in eradicating case backlog through rigorous preparation and presentation of cases in court. The Court is short on time and the Bar should take center stage in saving judicial time and resources to maximize efficiency. As advised by Lord Bingham, **“a good advocate should not ask a question too many. Not a question too few. Every question pertinent, well thought out, and clear. Questions firmly and politely put, with no hint of intimidation or condescension. Argument succinctly and cogently put”**. I should also hasten to add, that a good advocate should put justice first before others. Courts are better advised not to grant

unnecessary adjournments. Where a lawyer holds a brief for another, the brief must include readiness to proceed. Too many cases are adjourned because either the lawyer or the parties have not turned up. This will not be tolerated.

### Cooperation with Development Partners

We have enjoyed two decades of cooperation and support with Denmark through Danida. Denmark has built most of the courts in Uganda, trained hundreds of judicial officers, and supported capacity building of the Judiciary including ICT and the Inspectorate of Court. Denmark has also provided transport and resources to introduce performance management and case backlog reduction activities, which has left a conspicuous footprint of the rule of law in Uganda.

Denmark is however leaving us to go into other areas that need more urgent support. I would like on behalf of the Judiciary, and my own behalf, to thank Denmark for the support it extended to Uganda and the many achievements we registered. As your partners, we shall continue to value the ideals of creating a fair and egalitarian society that Denmark values so dearly.

Secondly, I would like to acknowledge JLOS Development Partners for their continued support to the Judiciary. We appreciate your support and look forward to deepening our relationship with results and compliance with the law.

I am grateful to UNICEF for promoting child justice, which had taken a back seat. Children and the youth constitute about 62% of the country and it is important that the administration of justice is tailored to meet their needs. With UNICEF support we have capacitated magistrates and High Court to handle child justice cases

I am equally grateful to DFID, through the Strengthening Uganda’s Anti- Corruption Response (SUGAR) Project for the support it

has given the Anti-Corruption Division of the High Court, and for the earmarked support towards building an e-justice system and strengthening the Inspectorate of Courts.

### International collaboration

In 2016, we continued to work closely with the University of Pepperdine to extend the plea bargaining programme, strength the research capacity of the courts through externship, strengthen ADR through deployment of Norte bar fellows at the Family Division for a period of one year. 12 students were attached to Judges in Kampala and one in Mbale. In June 2016, a series of trainings were conducted by trainers from the Pepperdine Straus Institute of Dispute Resolution. 140 participants were trained, including Justices of the Supreme Court and Court of Appeal, Judges of the High Court, Magistrates and advocates. Justice Timothy Tower, who came under this arrangement, is actively working with the Head of the Commercial Court, Judiciary Technical Advisor and the Judicial Studies Institute to develop training in ADR and appellate mediation. The trainings are scheduled to commence in February to end of March this year and will cover both the bar and the bench.

In addition Pepperdine University conducted hands on training for judicial officers, prisons warders, paralegals, probation officers, prosecutors and Advocates on plea bargaining in Fortportal, Mbarara and Bushenyi. The University of Pepperdine has also this year offered to conduct a monitoring and evaluation of the exercise in the same places in June 2017 and also conduct conferences on plea bargaining, women in leadership, anti-human trafficking and sending more interns to be attached to our courts for 10 weeks.

### Judiciary challenges in 2016

Despite the successes we registered in 2016, the Judiciary faced the following challenges in administering justice expeditiously.

**Delay of cases:** The rate of Case disposal





in 2016 was slightly below last year. Notable delays were registered in land and civil cases which had a lead time of four years. In the Court of Appeal, more than 2,000 criminal appeals could not be heard due to lack of records from the High Court. All efforts are being made to trace these files and I am told a good number have already been traced. Constitutional Petitions, took a nose dive as the Court concentrated on Election Appeals and reorganization of its business process and registry. In Magistrates courts, there were remarkable delays in the adjudication of land cases, with only less than 10% of the cases disposed of. Magistrates did not have transport facilities to visit locus in quo and poor case management.

**Limited Infrastructure:** Only 202 of the 310 courts in Uganda are housed in either Judiciary owned building or rented premises, leaving one third of the courts as squatters in Local Administration Buildings, which are also used by the authorities for their meetings. The Court of Appeal for most of the year, was not able to find suitable office accommodation for two justices and sufficient space for registries. New High Court circuits of Iganga, Tororo, Rukungiri, Moroto and Luwero could not take off due to absence of suitable court premises to house the courts. The same fate is expected to confront the expanded Magisterial Areas, in 2017, if new courts are not built or rented. This is where the Executive and Legislature must come in. Demands are made for Magistrates. They are appointed, only to be told there are no funds to facilitate them do their work.

**Limited access to justice:** The Hiil report and JLOS reports indicated the Judiciary for not being accessible to the majority of the public due to physical and functional constraints. The poor and vulnerable especially those with land and family cases, were unable to access courts due to absence of a credible legal aid regime, unfair procedural process, poor case management, corruption and inefficiencies that resulted in protracted trials and high cost of litigation. According to

the Hiil report, the Judiciary remained marginal to the administration of justice with only 5% of people with a justice need are able to access the courts. We should, therefore, simplify the legal system and establish a legal aid regime for the indigent to absorb 95% of Ugandans, who use the informal sector. In the alternative, we should streamline the informal justice system by recognizing their decisions and infusing human rights standards in them to ease the pressure on the courts. This is where the Local Council Courts should be strengthened to support the formal judicial system.

**High pretrial remand and congestion in the Prison:** The prison population has increased from 30,000 three years ago to 52,000 inmates per day and congestion has increased from 192% to 269%. The ratio of convicts to remands remains high at 51:49 below the international best practice of 55:45. The need for more court sessions, Plea bargains, cannot be over emphasised. We simply must have more Judges of the High Court appointed.

**Corruption:** The presence of real and perceived corruption in the administration of justice at various court levels continued to undermine the due process and equal protection of the law. According to the Inspectorate of Courts most of the complaints against judicial officers related to corruption, bias, improper conduct of court proceedings, loss of judicial records and delays to dispose of cases, which are indicative of underhand methods in the administration of justice and corruption. As an institution, we have taken a zero tolerance policy towards corruption through the robust application of the Judiciary's Anti-Corruption Strategy, which emphasizes early detection of corruption, investigation, prosecution and punishment of the corrupt.

**Interference in the administration of justice:** Over the last year, we had increased cases of interference in the administration of justice. The Uganda Police Force,

continued to vet court orders for execution and in most cases acting as an appellate court and adding to the cost of litigation through charging illegal fees and administrative costs of clearing warrants. The actions of the Uganda Police Force are an unwarranted direct affront on the independence of the Judiciary, which is protected under Article 128 of the Constitution. Furthermore, the recent rearrests of suspects in the precincts of the court, yet again by the Uganda Police Force, under the pretext of charging suspects with additional cases is a sad reminder that more still needs to be done to instill the rule of law in the institution charged with keeping law and order. I call upon the Uganda Police Force to refrain from flagrant abuse of the law. As observed by H.E The President last week at the opening of the Annual Judges Conference, there is more need for training of the Police in these matters. We hope this will be followed up and there must be no repeat of such incidents.

**Delays to recruit Judicial Officers:** The delay to increase and recruit additional judicial officers impacted on the performance of the Judiciary. The Supreme Court had two vacancies, the Court of Appeal one vacancy, and the High Court two vacancies. On the lower bench, there are six vacancies for Registrars, and 15 vacancies for the other judicial officers. The delay by Parliament to pass a resolution increasing High Court Judges from 51 to 82, hampered the Judiciary's efforts to deal with case backlog.

**Underfunding:** The Judiciary had a budget deficit of Shs162 billion to finance recurrent and capital items to run the courts. Court operations where the Judiciary pays for criminal sessions in the Chief Magistrates, High Court, Court of Appeal and the Supreme Court were most affected. For example the High Court had planned to hold 104 criminal sessions but due to limited funds, they held 60 sessions. The Court of Appeal which had planned to hold four sessions upcountry to decongest prisons, could only hold two sessions. Chief Magis-



trates, could barely hold criminal sessions for life imprisonment cases, with 1,000,000/= per month to pay witnesses, service of court processes and state brief. Land cases suffered severely, because Magistrates could not visit locus in quo.

## Planned Interventions in 2017

**Implementation of the 4TH Strategic Investment Plan:** The Judiciary will soon launch its fourth strategic investment plan whose overall goal is to have an excellent Judiciary that delivers justice for all. Our mission is to administer justice to all people in Uganda in an independent, impartial, accountable, efficient and effective manner.

The transformation of the Judiciary will be guided by four strategic objectives namely: Rehabilitation of judicial infrastructure, strengthening information communication technology; strengthening the legal and regulatory process for the Judiciary and building the institutional and human resource capacity of the Judiciary. At the end of the plan, we hope to increase public confidence in the Judiciary from 45% to 65% and to enhance the adjudication of cases. This plan is to be incorporated into the National Development Plan.

The plan is ambitious both in commitments and cost. The plan will cost Shs920 billion over the next four years with annual requirements of Shs230 billion, which is less than 50% of the current budget of the Judiciary. Our immediate challenge is to mobilise resources from Government and Development Partners to fund the ambitious plan.

Today it is accepted that Courts play an active role in governing a nation, beyond resolving disputes. It is submitted that justice is the purpose of government and that therefore funding the administration of justice is the obligation of a state. I therefore urge and request the Government to fund the 4<sup>th</sup> Strategic Investment Plan of the Judiciary, which has an impact on the achievement of the National Development Plan II.

## Increasing the efficiency of the courts:

There is no doubt that the rate of litigation and enforcement of the law is increasing faster than the courts can process the cases. The increase in the workload of the court and our urgent desire to clear for case backlog calls for interventions to speed up disposal of cases in a just and fair manner. To achieve this objectives, we shall implement the following measures to increase the throughput of the courts.

**Appointment of acting Justices and Judges:** We shall prioritize recruitment of 100 Magistrates Grade I, 10 Senior Magistrates Grade I, 10 Principal Magistrates Grade I, 32 Chief Magistrates, 10 Assistant Registrars, 14 Deputy Registrars, 6 Registrars, 14 High Court Judges, and have full complement for the Court of Appeal and the Supreme Court.

Even if appointed, these justices and judges are going to be a drop in the ocean in view of the high case load and backlog. I will therefore petition H.E The President and the Judicial Service Commission to appoint acting judges under article 142 (2) (c) of the Constitution, on short term contracts to help us clear backlog. For emphasis,

Article 142 (2) (c) provides that ...Where the Chief Justice advises the Judicial Service Commission that the state of business in the Supreme Court, Court of Appeal or the High Court so requires the President may, acting on the advice of the Judicial Service Commission, appoint a person qualified for appointment as a justice of the Supreme Court or a justice of Appeal or a judge of the High Court to act as such justice or judge even though that person has attained the age prescribed for retirement in respect of that office.

I shall also propose that whenever judges are given other assignments that take them away from the bench, suitable replacement should be appointed in an acting capacity so that the work of the court does not stall. I do not expect to be told that there is no money for them.

## Elimination of Case Backlog:

Upon my appointment, I committed to finding a solution to the problem of case backlog. But it was necessary to establish the extent of the problem. We had a Committee headed by Justice Dr. Henry Adonyo which dug into the problem and gave us a report detailing exactly how many cases were in the backlog category and in which court they are. That formed the basis for planning on how to solve the problem. I then appointed another Committee headed by Justice Richard Butera to study the earlier report and recommend solutions to the problem. This Committee is due to present its report next month. Armed with these two carefully compiled reports, we shall then embark on the journey to look for resources, human and financial, to deal with case backlog. The target is not to reduce it but to eliminate it altogether.

## Piloting Performance Management :

Last year, I informed the country that we were developing a tool to institutionalize performance management in the Judiciary. The tool is ready for piloting in the Supreme Court, Court of Appeal, the High Court and selected Magistrates Courts.

The performance tool that we are going to implement will assist us in sound planning, monitoring of the performance of the judiciary, increasing the capacity of the courts and ensuring that we meet the needs of the people. Our ultimate objective is establish world class Judiciary that is accessible, efficient, transparent, independent and professional in discharging its functions.

The performance enhancement system is IT based and therefore, requires a robust case management system to work effectively. Your Excellency, the Judiciary last year launched its ICT strategy for the next five years to automate the Judiciary. The ICT strategy requires Shs42 billion over five years. Government has been supportive (albeit in words) in encouraging the Judiciary to automate. However, no budgetary provision has been made for implementing the Strategy. I call upon the Government to



fund the Judiciary's ICT strategy not for the sake of having ICT systems in the Judiciary, but to improve Uganda's competitiveness to do business, which is critical to the transformation of Uganda into a middle income and even a first class country. The *"Doing Business Index"* rated Uganda poorly in attracting foreign and domestic investment among others for lacking a robust case management system and delays in adjudication and enforcement of decisions. We therefore have an opportunity to hit two birds with one stone. Namely that ICT will improve the efficiency of the courts and that for the country at large. ICT in the Judiciary will boost Uganda's business competitive to attract FDI, which is critical to the transformation of Uganda. Things like lost files, paper files on the floor because of lack of funds to buy cabinets, should be a thing of the past.

I want to acknowledge so far the support that UNDP and SUGAR has promised to give the Judiciary to automate. The UNDP has earmarked one million dollars towards automating the courts and DFID, through the SUGAR project, has earmarked five hundred thousand dollars to develop a case management system for the Anti-Corruption Court among others.

**Fighting Corruption:** An efficient and corruption free Judiciary is fundamental to the sound administration of justice and enjoyment of the rule of law in an open and democratic society like ours in Uganda, where each Ugandan has equal access and opportunity to participate in the governance of society and enjoy the equal application of the law. In 2017, we shall continue to enforce a zero tolerance campaign against corruption, though I must emphasize that fighting corruption needs the commitment and willingness of every one to report cases of corruption.

We shall therefore, work with the people, civil society organizations and the government at large as our touch light for flashing out this cancer of corruption are the people. I want to encourage and assure victims of

corruption, that we shall protect and assist them to report cases against Judiciary staff at the various points in the country and that no stone, however, high or low, will be spared until the Judiciary is free from this cancer.

I appeal to members of the Uganda Law Society as well as members of the Public to desist from offering bribes to judicial officers and staff. Bribes undermine the administration of justice, as decisions arrived at through corrupt methods erode legitimacy of the courts and lawyers and instead perpetuate conflicts in society. It is therefore in the interest of justice that the Bar must take center stage in fighting corruption and holding the Bench to the highest professional standards of propriety and integrity. Campaigns such as *"Bell the Cat"* must be carried out with vigour. Recognition of the best performing judicial officers, should be rolled out to inspire and retain judicial officers of integrity on the bench while at the same time, kicking out the rotten apples.

Internally, I have established the Inspectorate of Courts primarily to deal with corruption. We shall continue to strengthen the Inspectorate to have a deeper reach, visibility and access to the most vulnerable who are affected most by corruption. The Inspectorate, must get out of the comfort of their offices to confront corruption in its various forms through on spot visits, open meetings (*Barazas*), thorough evaluation of judicial records, visits to prisons and engagements with JLOS institutions and Local Authorities. Resources permitting, we shall establish Inspectorate Offices and Public Relations Offices at Regional levels with fulltime officers to ease reporting and solving of corruption cases.

I have further instructed the Secretary to the Judiciary to introduce and provide a name and title tag for every staff of the Judiciary for identification purposes. This will help in complaints handling by identifying personnel involved in particular misconduct on the one hand and verifying which complaints are malicious or baseless on the other.

### **Reform of the Law and business processes:**

As I informed you, I appointed a Committee chaired by Justice Tsekooko (JSC retired) to make proposals for reforming laws that were impacting negatively on the administration of justice causing unnecessary delay. The objective of the Civil Justice Reforms are among others, to maximize cost effectiveness, expeditious disposal of cases, reasonable proportionality between economy, fairness between the parties, facilitation of settlement of disputes and proper use of scarce resources for the courts (human and financial and otherwise).

The Committee has made wide ranging proposals to reform the Trial on Indictment Act, the Magistrates Courts Act, the Civil Procedure Act and Rules to introduce Skelton arguments, limit interim applications, limit interlocutory appeals, and concentrate on hearing of the main cases. I am also considering a proposal to limit influx of appeals to maximize judges' time and resources of the court.

We shall simplify the current system of pleadings which is too technical and adopt the common sense approach where pleadings are a short and plain statement of the claim showing that the plaintiff is entitled to the relief sought. The Supreme Court of California says that **the plaintiff should only set forth the essential facts of his case with reasonable precision and with particularity sufficient to acquaint a defendant with the nature, source and extent of the cause of action.** It is argued that drafting pleadings in this way helps the defendant to know the potential exposure in the litigation and prepares him for settlement negotiations.

**Increased use of ADR:** Alternative Dispute Resolution (ADR) will continue to play an increasing role in the settlement of civil disputes. The mediation registry has over the last few years trained and sensitized judicial officers and members of the legal fraternity on how to use ADR. The University of Pepperdine through the Strauss Institute in the USA, has also trained judicial officers



in ADR. To move ADR, forward, we need to build a professional cadre of mediators and house and pay them in the courts to handle mediation on a fulltime basis. Judges and Registrars will only supplement mediators. Our goal is to have ADR in the Court of Appeal, High Court and Magistrates Court to help these courts deal with matters.

**Institutionalisation of targets:** Last year, we introduced targets for judicial officers to improve the performance of the Judiciary. Targets are beginning to take root and inspiring competitiveness among judicial officers. Many judicial officers are keen to achieve their monthly and annual targets. In this coming year, we shall establish an information management system to collect real time statistics on the performance of judicial officers. This will help us to measure compliance with targets and most importantly, take corrective measures, to improve compliance and raise productivity. We shall put in place a good quality assurance programme to ensure that judicial officers do not simply dismiss or rush through cases to meet targets. Additionally, we shall continue to support Judicial Officers to do their work with ease by providing tools, equipment and favorable working environment for them to work. The recent launch and publication of the Criminal Bench book and the Civil Bench book, are among the many interventions, we intend to put in place to boost judicial performance.

**Checking absenteeism:** Absenteeism costs the Judiciary one day per week. Losing one fifth of the working time not only escalates case backlog but it is moral corruption, where officers earn a salary without working. I have, therefore, introduced attendance registers to ensure regularity of attendance at the courts. This year, I intend to intensify adhoc visits to courts, to ensure that judicial officers are at their stations. Judicial officers must be away from the stations after getting permission from their superiors. And where any Judicial Officer intends to be away from the Station and has had cases fixed, that Officer must ensure that the parties and/ or

their Counsel are informed in advance of the intended absence. That saves everybody's time and resources.

**Tailored Training for Judiciary Staff:** Tailored training to enhance adjudication skills and conflict resolution abilities of judicial officers will be prioritized by the Judicial Studies Institute. Trainings must however be done in an organised manner so that they do not interfere with the day to day running of the courts. JSI should explore options of training staff after work and using electronic/web based training of judicial staff to reduce unnecessary movement, expenditure on training and disruption of the court calendar. Much as we must have the training, we must endeavor to spend more time on our core activity i.e. adjudication of cases.

**Strict application to justice standards:** Through the Justice Law and Order Sector, we have developed and agreed on justice standards with other JLOS stakeholders. These standards are extracts from the law and the Bill of Rights and are intended to ensure that courts observe the right to fair trial. For example, the standards provide that:

- Cases shall be heard on day to day basis
- Courts shall ensure that the entire criminal proceedings of a non-capital nature take less than four months.
- Courts shall priorities cases of children.
- After committal, a capital case shall take a maximum of 12 months.
- The court shall minimize frequent adjournments of the cases.
- The court shall ensure that hearing of minor offences commence on the day of plea and police shall summon witnesses promptly.

I am directing Magistrates, to whom these standards apply to religiously enforce them to eliminate opportunist case backlog, which is created by inefficiencies in the arrest and prosecution of cases.



**Plea bargaining in criminal cases:** Plea bargaining has been instrumental in reducing case backlog in the High Court. Last year, the High Court completed 2,010 capital cases through plea bargaining within a short time and at less than one third of the cost of trying cases through the normal system, and 1124 inmates have registered to plea bargain. In 2017, the Judiciary, will commit considerable resources to sensitize the public and the inmates about the benefits of plea bargaining and carry out more sessions in the High Court.

Magistrates, who handle more than 70% of the criminal cases, but hardly use plea bargaining will benefit from customized training by the Judicial Studies Institute, Pepperdine University and International Justice Mission of Uganda.

Let me take this opportunity to thank the Hon. the Principal Judge Hon. Dr. Justice Yorokamu Bamwine for a job well done in having plea bargaining take root in our criminal Justice system.

**Improving Governance in the Judiciary:** Governance in the Judiciaries world over has not been a major preoccupation of Judiciaries. However, with the demands for improved service delivery, accountability and heightened customer demands against reducing budgets for Judiciaries, improving governance is tak-



**A cross-section of invited guests at the opening of the New Law Year ceremony.**

ing center stage in the administration of justice, where more is being demanded of courts.

Good governance is celebrated for improved transparency resulting in higher value for money; accountability resulting respect for and meeting customer needs; fairness; probity or ethical conduct of court business; corporate social responsibility and improved performance of the Judiciary.

I note that the Judiciary has not performed optimally due to inadequacies in managing our human resources, unclear reporting lines, poor accounting, uncompetitive employee remuneration, poor communication and corruption.

Therefore, in 2017, the Judiciary will focus on strengthening governance by running the administration of justice with integrity, transparency, accountability and respect for the law, procedures and policies governing the management of public institutions. The Judiciary will commit to open government (transparent government), consultative leadership, and stakeholder engagement; zero tolerance to corruption and gender mainstreaming to ensure that the courts meet their objectives. Judicial officers and Judiciary staff, who fail to meet

the values of the institutions will be helped to change or punished if their conduct violates the law. Courts will have more Open Days and closer interaction with the public. I have encouraged the public to directly contact my office and I have learned a lot about the problems people face with our justice system.

**Innovations in the administration of Justice:** In the last year we experimented innovations, more specifically plea bargaining, appellate mediation and small claims procedure to deal with the most pressing problems of delay. These innovations will continue to be rolled out in new areas and act as a source of catalyst for new innovation to address the challenges of uncertainty, cost and inequality common in the administration of justice today.

We shall not innovate for the sake of innovation but we shall be guided by innovations that will help our users to deal with their problems. We shall also use innovations to solve problems that have formerly had only inadequate solutions or no solution at all, particularly as we transit into a middle income country that calls for efficiency and effectiveness in the way the State conducts its business including the administration of justice. In this regard, we shall borrow a leaf from the broad appeal of smart phones.

The Harvard Business Review says that the broad appeal of smart phones **stems from how they deliver multiple elements, including reducing effort, saves time, connects, integrates, variety, fun, entertainment, provides access and organises.** We too, should develop products that can address our litigants' needs from a multiple perspective.

The utility of the Law Year lies in our commitment to implement and carry out the commitments that we have made to the public, our stakeholders and the country at large.

I therefore appeal to judicial officers and staff to approach the administration of justice with patriotism- the love for our country; professionalism – doing our work to meet the highest standard in the administration of justice; impartiality – to give each litigant their day in court protected by equal application of the law; integrity – to banish the ghost of corruption and impropriety in the administration of justice; efficiency – to deliver justice at the least cost and inconvenience to the public and effectiveness – to meet and be prepared to meet the changing needs our customers with anticipation and readiness.

In the sum total, I want each judicial officer to commit themselves to clearing case backlog through enhanced efficiency, integrity and professionalism.

## Conclusion

In conclusion, I would like to once again thank Your Excellency the Vice President for accepting to grace the occasion on behalf of His Excellency the President. In the same vein, I would like to thank the Rt. Hon. Speaker for honouring us with your presence.

But I must also note that both of you are Officers of Court as well as very senior members of the Bar. So you are at home. Your presence here today is yet another step in realizing the democratic ideals in the Constitution of having an effective State that is capable of serving people living in Uganda. I look forward to more dialogues of this kind and the inclusion of the Law Year celebrations as a State function.

I thank all of you for turning up in big numbers to mark the Law Year. I wish you a prosperous 2017.

For God and My Country.

Bart M. Katureebe  
**CHIEF JUSTICE**



Principal Judge Dr. Justice Yorokamu Bamwine (R) leads a delegation of JLOS stakeholders at Jinja Main Prison recently.

## Principal Judge spearheads Plea Bargaining review exercise

**O**n February 13, a Justice, Law and Order Sector (JLOS) delegation led by Principal Judge Dr. Justice Yorokamu Bamwine in the company of Judiciary Technical advisor Mr. Andrew Khaukha and the Director of Public Prosecutions (DPP) Mike Chibita, set out on a tour of selected prisons facilities across the country.

The core reason of the tour was to monitor and evaluate the plea bargaining programme, a joint justice programme initiated by the Judiciary and the DPP’s office about three years ago on how its fairing and how the inmates view it.

The selected prisons visited included; Masaka, Jinja, Luzira maximum, Luzira Women, Murchison Bay and Kampala Remand.

Reading of joint memos by the inmates in those selected prison facilities formed part of the programme of the tour by the delegation.

### At Masaka Prison

In Masaka Prison, which was the first prison to be evaluated by the delegation, the inmates who appreciated the initiative of introducing plea bargaining to them, complained of how the judicial officers and prosecutors were deviating from the original agreements and instead hand them a tougher sentence when they appear in court.

“My lord, we thank you for this programme (Plea Bargaining) because some of us have benefited from it. However, we have had scenarios where we agree on a given period of years but upon

reaching court, one is given more years than the earlier ones agreed upon,” Reuben Asiiimwe, a prisoner on defilement charge read out their memo to Justice Bamwine.

He continued: “This makes us lose trust in the state and its lawyers mainly because they breach the initial contract.”

Mr. Asiiimwe named some of his colleagues who embraced plea bargains but were handed more years than they had agreed upon with the prosecution.

Speaking on the sidelines of the consultative meeting to journalists, the PJ said the change of sentences will not happen again.

He added that the courts will be going



with what had been agreed upon during the Plea bargaining session between the prosecutor and the suspect.

DPP Chibita was in agreement with Justice Bamwine's way forward.

Plea bargaining is an agreement in a criminal case between the prosecutor and the accused person whereby the latter agrees to plead guilty to the charges in return for a lenient sentence lessening of the charges.

This programme is aimed at reducing on the over congested prison population and also tackling of the huge case backlog that the Judiciary is battling with.

The Masaka inmates also in their memo asked Justice Bamwine to prevail over the judicial officers at Masaka to hand inmates lenient sentences if they plead guilty to the charges they are facing for having not wasted court's time and resources by not going through a protracted long trial.

### At Kirinya (Jinja Prison)

Justice Bamwine in his remarks to Kirinya Prison, explained to inmates that much as he has encouraged them to embrace the Plea bargaining programme, they should expect to get very lenient sentences.

The Principal Judge went on to justify his statement by saying that some of the inmates murdered people, some defiled young girls and took away their treasured virginity and others robbed people of their valuable items at gun point whose punishment once convicted attracts a maximum of death by hanging.

He further explained that despite the inmates committing such heinous crimes, they want to receive a hand shake in return and that the same would be a mockery of justice.

"Justice is not a one way affair. You deserve it and the person you wronged deserves it too. For those who killed, you are lucky to still be alive. You killed a human being, not an animal or insect," Justice Bamwine said.

He continued: "The sentence you get must reflect the blood that was shed, the young girl whose treasure (virginity) you robbed; the trauma you caused to the victim of robbery, etc."

"Remember if convicted on merits you face a death penalty, imprisonment for life, a long period of imprisonment.

"So if you committed a serious offence, don't expect a handshake or smile of a sentence. Expect a deserving punishment, depending on aggravating or mitigating factors."

### At Luzira Upper Prison

Justice Bamwine advised the inmates to embrace plea bargaining programme saying ordinary trials are expensive and time wasting before warning that the outcome is unpredictable.

"Try out plea bargaining, you will not be disappointed." Justice Bamwine wooed the inmates.

Also what stood out at Luzira Maximum Security Prison and Women Remand was how inmates praised Mukono High Court judge Margaret Mutonyi for her role in sensitising them to embrace the plea bargaining programme.

Justice Wilson Masalu Musene, then High Court judge and Elizabeth Nahamya were equally praised by the inmates for their great work in encouraging them to embrace Plea Bargaining.

"When Lady Justice Mutonyi Margaret visited Upper prison early 2016 and sensitised the inmates about the significance of plea bargaining, about 200 inmates registered at a go for the same. Even prisoners whose conscience are clear and are innocent opted to pursue plea bargain in order to mitigate unprecedented long remand period after committal," the inmates said.

The inmates added, "We appreciate Justice Mutonyi who has heard and disposed off 177 plea bargaining cases. Justice Elizabeth Nahamya and Wilson Masalu Musene who also disposed off 90 cases during the same plea bargaining sessions."

Justice Wilson Kwesiga, the current head of the Criminal Division of the High Court who was part of the visiting delegation to Luzira Upper Prison cautioned inmates who are innocent, not to embrace Plea Bargains but rather be patient and wait for their time to prove their innocence in court.

Besides looking through the benefits and challenges of Plea Bargaining programme, the inmates raised other issues such as lost court files, favouritism, and demand for more judges, ambiguous prison sentences, and issue of mentally sick inmates waiting upon ministers orders.

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**So if you committed a serious offence, don't expect a handshake or smile of a sentence. Expect a deserving punishment, depending on aggravating or mitigating factors.**

**Hon. Justice Bamwine**

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# PS Kagole Kivumbi's first 100 days in the Judiciary

More than three months ago, President Yoweri Museveni reshuffled a number of permanent secretaries, including Judiciary's long-serving Secretary to the Judiciary (SJ), Mrs. Dorcas W. Okalany, who was transferred to the Ministry of Lands, Housing and Urban Development.

The in-coming Permanent Secretary, Mr. Kagole Expedito Kivumbi, equally served in the Justice Sector for over seven years as secretary to the Judicial Service Commission (JSC).

At the office hand-over ceremony on November 15, 2016, it was clear that the two accounting officers knew each other as they extensively exchanged pleasantries.

When he took on the reins he promised to build on the existing teamwork to have the job done. "Teamwork is one of the things I cherish because I believe no one can work alone...I look forward to having an active working relationship with you to do what we are required to do," he said at the handover.

On February 24, Mr. Kagole made 100 days as the accounting officer of the 3<sup>rd</sup> Arm of the State. Contacted for an interview in this regard, he indeed confirmed there were notable initiatives, but said it was too early for him to discuss in detail. "I should be able to talk about what we are trying to do may be after 12 months," he said.

However, the *Judiciary Insider* has been closely following the developments and hereby highlights the new SJ's performance – the key measures he is putting in place to ensure availability of resources and efficient systems for the smooth running of the institution:

**Revamped physical facilities:** In the recent past, we have seen a number of idle spaces transformed into functional office space. At the High Court in Kampala, for instance, Court Room No. 4 which was for many years used for as storage space for junk office equipment and furniture, was by February cleaned up to accommodate the Criminal Registry. The Registrar, Criminal Division was originally sharing his small office with the registry's support staff.

Similarly, the large rented open office space on the floor of Twed Towers that went unutilised for almost a year, has since been partitioned to accommodate the busy and suffocated Court of Appeal Registry. The Registry has been housed in a smaller office which has been in a dire state for quite some time – with large volumes of court files piled all over the place – contributing to the bad image of the Judiciary.

**Financial discipline:** There is increased streamlining of accounting and financial systems. Systems have been put in place to ensure prudent ways of handling finances. For instance, all units were tasked to develop work plans and strictly adhere to them. At the moment, it is almost impossible for any unit to secure funds for activities outside work plans. This has enabled many activities to take place in the institution without suffocating the core activities of the Judiciary.







**Mr. Kagole Kivumbi inspected the congested Court of Appeal registry in December 2016. Right is the court's newly set up registry.**

The new SJ agreed to continue paying the staff operational funds (OP) once every three months (Quarter), as a way of supporting proper planning and easy execution of core activities without unnecessary delays.

However, no payments are made before the officers' submission of accountabilities for the previous requisitions. An acknowledgement slip with the open registry stamp issued to confirm that the officer indeed submitted their accountabilities as required.

Where requisitions have to be done centrally, like in the case of all magistrates whose OP requisitions are coordinated in Kampala by the Registrar, Magistrates' Affairs, the beneficiaries' bank account details are provided for the advances to be paid directly there.

Accountability for funds used in meetings and field activities have to be accompanied with the activity reports as further evidence that the activity indeed took place.

**Fleet Management:** Officers entitled to official transport have already noticed major changes in the Transport/Fleet section. The Unit was upgraded, not to be under the direct supervision of the Under Secretary, with the Transport Officer only assisting with the day-to-day coordination of operations. The pre-paid fuel vouchers are for emergencies.

Fuel is no longer drawn on credit, as it were in the previous arrangement with Total Uganda. The Total Plus fuel cards have

been replaced with pre-paid UBA Bank Visa Cards in accordance with Government policy to give the entitled officers the flexibility to draw fuel from multiple filling stations, including the major suppliers like Total and Shell, across the country.

The biggest headache in the Fleet section has been with the garages handling the mechanical works. Mechanical bills in the five months preceding the new SJ's takeover of office stood at over Shs1.6 billion. With the change of approach and enhancement of discipline in the fleet management system, the Judiciary has luckily no outstanding bills related to mechanical works – none at least the new SJ's first 100 days.

The Under Secretary, Mr. Muhindo Ngene, confirmed that vehicle maintenance and garage bills are managed within set financial limits. "So far we are able to save some money and vehicles can now be fixed without getting into debt. Servicing of vehicles is

also prepaid as well as fuel for the vehicles," he said.

Besides, the institution is so far, in position to plug wastage the monies it was incurring on vehicle hires for judges and other entitled officers when their official ones breakdown. The specifics of how entitled officers are facilitated with transport, in the event of unavailability of a government vehicle are clearly set out in the respective appointment letters.

**Payroll Clean-up:** By November 2016 when the new SJ took office, the Judiciary payroll was over 2,100 staff, excluding judges and the contract staff payroll had 520 staff. In the past 100 days, a major payroll clean-up exercise was conducted – the permanent and pensionable staff payroll combining administrative staff, magistrates and registrars (only excludes judges) has less than 1,700. The contract staff payroll is equally shy by almost 200 members, as it stands slightly above 300 staff.

A similar clean-up exercise has been done on the Pension Staff payroll, which has since come down from above 450 persons to less than 400.

The weeding-out exercise discovered that some staff members who left the institution on transfer or otherwise and contract staff who left the institution continued to receive salary and allowances. An audit is

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**Teamwork is one of the things I cherish because I believe no one can work alone...I look forward to having an active working relationship with you to do what we are required to do.**

**Mr. Kagole Expedito Kivumbi**



still ongoing in respect of permanent staff to confirm those who are still in service.

As a result, millions of shillings have been freed-up through this exercise and it is being directed towards Judiciary's core activities.

**Reporting structures:** Incidents of insubordination will definitely get minimised in this period. Whereas the new SJ partly believes in an open door policy – he practically leaves his office door open even when conducting important meetings – he does not encourage dealing with staff issues where unit heads are not involved/consulted. Many think this measure will promote harmony and teamwork amongst staff.

**Tax compliance:** It is important for every accounting officer to ensure that there is maximum tax collection for the government from all the eligible staff and service providers of the institution. The new SJ announced that it is his job to ensure that all non Judicial staff comply with their income tax obligations as well as the National Social Security Fund remittances by the staff on contracts.

By December 2016, Mr. Kagole made it a requirement for all contract staff to first obtain and submit their NSSF numbers before accessing further monthly salary and allowance payments from the Judiciary.

Similarly, Framework Contracts have been enhanced in the institution to ensure that there is no tax evasion by service providers.

**Records management:** Life is not the same again for anyone working in the Human Resources Section, the Judiciary Open Registry and the Accounts Section of the Judiciary – the units that heavily deal with a lot of paperwork and records in the Administrative arm of the Judiciary.

Shortly after his arrival, the new SJ discouraged the movement from one office to another, of loose documents like internal memos, official letters, requisitions, loose minutes and the like. Such correspondences

are centrally handled and processed through the Open Registry and feedback finds its way back to the originator through the same office.

Documents are carefully attached to the official subject files and moved to the relevant offices for appropriate action, a practice that has not only enhanced records management but drastically lessened queues of people seeking to meet the permanent secretary over routine and obvious matters.

The procedure has been found quite useful, especially by the staff from countryside offices who simply courier their correspondences and requisitions to relevant offices through the Open Registry and there is no need for them to physically follow documents.

**Human Resources Management:** In a bid to boost efficiency in administration staff, there were a number of staff movements at all levels both internally and externally.

Within the first 100 days of Mr. Kagole, some of the notable staff changes were in the offices of the Principal Accountant, Principal Assistant Secretary, Senior Assistant Secretary (Transport), Senior Internal Auditor, Senior Human Resource Officer, Accounts Assistants, Clerks and Process Servers, among others.

The new SJ has also announced that there will be strict adherence to staff performance targets and appraisals. Like never before, staff members are also closely monitored in terms of arrival and departure times – they are required to sign attendance registers as well as wear their staff Identity Cards at all times. Wearing staff ID is partly intended to curb the increasing cancer of people masquerading as court staff and conning unsuspecting court users.

There is no doubt that the Judiciary has seen a revolution since the new PS assumed office and the future looks brighter with the goal of improved service delivery.

## Judiciary events in the first quarter of 2017

### Kabale High Court gets new home


Since its inception, Kabale High Court has been operating from Makanga in Kabale municipality where it shared space with the Chief Magistrates Court. However, not anymore, after the High Court got its own premises at Kikungiri Hill.

Justice Moses Kawumi Kazibwe, the Kabale High Court Judge, says the structure will help reduce on the congestion at the Chief Magistrates Court.

“Electricity was not installed in this structure but we have written to Rural Electrification Agency to consider us as soon as possible. We shall use a generator in the meantime,” Justice Kazibwe said.

He further expressed the need of a library at the court premises to enable the officers study while there.

The new High Court structure was constructed by the Justice Law and Order Sector – JLOS.

At the commissioning of the building, Justice Kazibwe called upon government to also construct premises for the lower courts at Kikungiri to ease work between the courts. 



The Chief Justice (Front row centre) in a group photo with staff at Mbarara High Court.

## Chief Justice on tour

Chief Justice Bart Katureebe also in the first quarter, had a guided tour of courts in the central and Western regions of the country.

The purpose of the guided tour was to have a feel of what goes on in those courts. During his guided tour, the CJ interacted with judicial staff and non judicial staff on issues that affect their day-to-day operations.

Matters arising from the CJ's guided tour, saw some of the court users suggesting that

courts increase monetary jurisdiction of judicial officers.

Lawyers appealed to the chief justice to appoint a caretaker for Bushenyi Chief Magistrates Court as opposed to having the Mbarara Chief Magistrate oversee operations there. While addressing their issues to CJ Katureebe, resident Judge of

Mbarara Duncan Gaswaga told him that court business is being interfered by political actors who intimidate officers.

The Chief Justice in his address to staff reassured them the Judiciary will protect its officers who are victims of baseless allegations. He urged officers to be guided by the law and not to be swayed.

## Criminal Division streamlines sessions

Instances of court sessions being unpredictable will be relegated to the past. A court session is when a given category and a number of cases are handled. Justice Wilson Kwesiga (pictured), the head of the Criminal Division of the High Court, has said criminal sessions will now become more predictable.

"We have generated a system where the cause list can be known in advance which will reduce anxiety for accused persons."

To ensure that the court sessions go uninterrupted, there has been a meeting between the Criminal Division and the prisons authorities together with the Directorate of Public



Prosecutions.

According to acting Registrar Criminal Division, the number of committals from Luzira Prisons stands at 1,077 with the oldest cases being those of 2011. He added that each cause list, which has 40 cases, will follow the principle of first in first out.

## Annual Judges' conference

Chief Justice Bart Katureebe used this year's 19th annual judges conference to re-echo that judicial officers should be well remunerated. President Museveni who was the chief guest at the annual judges' conference asked the judges that courts should not be barriers to trade by taking so long to deliver decisions involving movement of goods and services.

In order to continue boosting trade, Museveni also promised to work to strengthen regional organisations such as the Common Market for Eastern and Southern Africa (COMESA), the Inter-Governmental Authority on Development (IGAD), the Southern Africa Development Co-operation (SADC) and the EAC, SADC and COMESA tripartite agreement.



# Judiciary's brand identity

One of the highlights at the 19<sup>th</sup> Annual Judges Conference was the formal launch of Judiciary's brand identity by President Yoweri Museveni. The launch was the product of work which began two years ago. According to Justice Lydia Mugambe, the chairperson of the Judiciary Editorial Board, a consultancy firm, coordinated the process.

"Fireworks Advertising, a specialised consultancy firm, coordinated the re-branding process." She said there were wide consultations with key internal and external stakeholders. "Broad benchmarking was done with various government organisations and other judiciaries/international justice institutions," before adding that the process was carefully reviewed by Judiciary Technical Committee, Editorial Board and the 18th Annual Judges Conference.

The Judiciary will be using purple and gold as its primary colours. Purple because it is a colour of justice and gold which is a symbol of prestige.

Branding the Judiciary is aimed at:

- 1 Providing the Judiciary with a unifying corporate identity and platform for both internal and external communication
- 2 To get the public to reappraise the Judiciary
- 3 To inspire the Judiciary staff to meet the expectations of the general public
- 4 To boost Judiciary's public visibility and public awareness initiatives

The Uganda Coat of Arms



Symbol representing the Kampala High Court building



The Scale of Justice



The official colours: Purple & yellow





### THE NEW JUDICIARY IDENTITY CARDS



### THE NEW JUDICIARY IDENTITY CARDS



### DIRECTIONAL SIGNS



### THE ROLL-UP STAND BANNERS



### THE ROLL-UP STAND BANNERS





# Executive interfering with Judiciary independence - Report

A 2016 State of the Judiciary report has unearthed rot, believed to be stifling the administration of justice and the rule of law in the Judiciary. Although the Judiciary has strived to measure up to the expected standards, this study reveals that it has often fallen short on account of a myriad of challenges.

In the report titled, *'In Dire Traits? The State of the Judiciary Report 2016'*, the executive arm of government is on the spot as the major inhibitor in the administration of justice and in comparison to the other arms of government, it ranks number one as the abuser of constitutionalism.

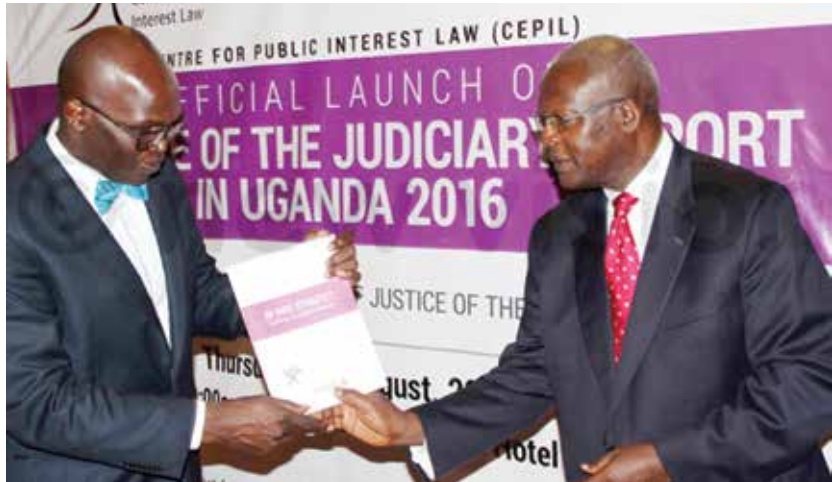
The head of the executive arm, President Yoweri Museveni, is mentioned in the report to have, in several instances, disregarded court orders and criticised the institution for exercising its mandate.

The report cites remarks, criticising judicial officers for failing to convict government officers believed to be stealing government drugs from hospitals, and his move in October 2005, when he overturned a court order evicting bonafide and lawful land tenants across the country.

Other instances the report cites are, the 2005 siege at High Court when former presidential candidate, Kizza Besigye and 14 other people on treason charges were released on bail by High Court only to be re-arrested.

It also makes mention of the recent siege of the Makindye Chief Magistrates court of people protesting against the criminal trial of police boss, Kale Kayihura.

The report which was compiled by Centre for Public Interest Law (CEPIL) with support from the Open Society Initiative for Eastern Africa (OSIEA) was launched last year in Kampala by the Chief Justice, Bart Katureebe.



**The Chief Justice (Right) hands over a copy of the report to Uganda Law Society President Mr. Francis Gimara.**

CEPIL programmes manager, David Okello said that these constant attacks have made judicial officers shy away and resort to the use of the Political Question Doctrine (PQD) to avoid making pronouncements that they feel may negatively affect the executive.

In the report, the Judicial Service Commission (JSC) was pinned for relinquishing its constitutional role sourcing qualified personnel to head the institutions topmost offices, to the Executive.

JSC was also blamed for failing to expeditiously resolve the over 886 cases brought to it for disciplinary action, which has slowed the administration of justice.

The report findings also indicate that the institution is marred by corruption, discrimination in the administration of justice and under performance which has made

the public lose its interest in the institution.

However, speaking at the launch, the Chief Justice defended the institution saying that unlike the report findings that people have lost interest in the institution, there has been a recent influx of people going to the courts of law to seek justice.

"It appears to me that people still go to the Judiciary despite the shortcomings," he said, adding that High Court judges have disposed of more cases than never before.

Justice Katureebe said that the institution needs more manpower to handle the case backlog and that they have severally begged the executive to come to their aid and increase the number of judges from 50 to at least 80, but it has not heeded.

He stated the Judiciary has so far come



up with several programmes which are all aimed at face-lifting the image of the institution.

These include, the amendment in the sentencing guidelines, the introduction of plea bargaining, small claims procedure and audio-visual link for evidence taking, Alternative Dispute Resolution. In addition, the establishment

of Justice Centres and the introduction of the performance enhancement tool which seeks to comprehensively monitor performance of judicial officials were identified as great prospects for reform.

The Chief Justice stated that they are aiming at having a judicial system that is automated and has an e-filing and e-payment systems to

avoid instances of corruption.

Mr. Francis Gimara, the president Uganda Law Society said all Ugandans must be subjected to the rule of law on equal basis.

He warned the judiciary against going defensive on the attacks and instead face the brutal facts and work towards redeeming its glory.

## Report recommendations

The report made several recommendations for the Judiciary to effectively realise its constitutional mandate;

**1** That Government increase the financial and operational support rendered to the Judiciary.

**2** That the judicial appointments processes be made more transparent and the Judicial Service Commission should only forward the names of successful candidates.

**3** That the Judicial Service Commission (JSC) thoroughly and effectively investigate complaints of judicial misconduct and involve the public in the disciplinary processes of judicial officers.

**4** The Judicial appointment processes be rationalized in such a way that serving and career judicial officers who are competent be given priority in order of seniority and experience. This way, the system would not only reward its long serving staff but also encourage a more organic process of individuals serving right from the grassroots and magisterial areas.

**5** That the Judicial Service Commission be composed of at least six full time members to ensure that quorum is more easily met and the Commission performs its role more efficiently and expeditiously.

**6** That Parliament should increase funding to the Judicial Service Commission to enable them perform their functions.

**7** That the heads of the respective courts in particular Chief Justice, Deputy Chief Justice and Principal Judge be included as ex-officio members of the Judicial Service Commission.

**8** That the Judiciary be accountable to the public and mechanisms that increase access to information by the public be encouraged.

**9** The use of the judicial score card to monitor case disposal and the actual performance of judicial officers be encouraged.

**10** That a performance tool be prepared, launched and operationalized to ensure the uniform and standard monitoring of performance across the Judiciary. All members of the Judiciary be formally sensitized and educated about the use, indicators and implications of said tool before its operationalization.

**11** That the Administration of Justice Bill be enacted into law to give the Judiciary a measure of financial autonomy and independence

**12** That the Legal Aid Bill be enacted into law to facilitate the right to access justice.

**13** That the Judiciary strengthens the capacity and effectiveness of the Judicial Studies Institute (JSI) as well


as facilitates the growth of electronic library information systems.

**14** That the Judiciary embraces judicial activism and develops new principles in Ugandan jurisprudence that will align our legal system to the constitutional aspirations and globally established international legal standards.

**15** That the Judiciary provides due processes and equal protection of the law to all who have business before them. It ought to develop a clear and precise yardstick to schedule cases with the earlier filed matters given priority over the later filed matters.

**16** That the Constitution be amended to allow the Chief Justice be part of the disciplinary processes of the Judiciary.

**17** That all persons, departments and organs of state are called upon to respect and implement the decisions of the Judiciary and that the Judiciary uses the legal resources available within its disposal to clamp down on defaulting persons and entities.

**19** That courthouse facility' guidelines be prepared and adopted to ensure that responsible entities design, build, maintain and rent courts facilities that are suitable, safe, secure and accessible. 



The new Judicial Service commissioners shortly after swearing in at the High Court building in Kampala on December 5, 2016.

## New JSC Members start work

The new Judicial Service Commission (JSC) members were sworn in by the Chief Justice. The nine member team was led by Hon. Justice Kabiito Benjamin Isingoma as chairperson and Hon. Lady Justice Faith Mwendha as deputy. They will serve for a four-year term.

The other members include; Hon. Justice Jotham Tumwesigye, former Uganda Law Society president Ms. Ruth Sebatindira, Ms. Norah Matovu Winyi, Dr. Laban Nnini Kirya, former Sheema woman MP, Hon. Rose Nyakikongoro, former Teso State minister Hon. Amongin Aporu and Ms. Justin A. Mugabi.

They took their oaths of office before the Chief Justice, Hon. Bart Katureebe at the High Court in Kampala on December 5, 2016.

Shortly after taking oath, Hon. Justice Kabiito pledged on behalf of his team to build from what the old commission left, and confront the challenges that the commission faces.

He disclosed that the Judicial Service Commission will work tirelessly to clear a backlog of more than 300 unfinished cases to restore public confidence in the Judiciary.

“Your lordship, we shall ensure that criminal

cases against errant officers are conducted in a swift and fair manner because the complainants and the affected judicial officers expect a quick resolution of these complaints



**We shall ensure that criminal cases against errant officers are conducted in a swift and fair manner because the complainants and the affected judicial officers expect a quick resolution of these complaints such that confidence entrusted in us is not in vain.**

**Hon. Justice Kabiito**



such that confidence entrusted in us is not in vain,” said Hon. Justice Kabiito.

Hon. Justice Katureebe called on the newly sworn in members of the JSC to take time and scrutinise all lawyers before recommending them as judges and judicial officers.

He stressed that it was important to preserve the public’s confidence in the Judiciary because the Judiciary is under scrutiny, on accusations of incompetence and corruption.

President Yoweri Museveni named High Court Judge, Hon. Justice Kabiito to replace Hon. Justice James Ogoola who retired in February after clocking the retirement age of 70.

The Chairperson, Deputy Chairperson, and the Members of JSC are all appointed by the President with approval of Parliament. Its main mandate is to recruit judicial officers and regulate their conduct.





# Hon. Justice Simon Mugenyi Byabakama New EC Chairman

President Museveni appointed a new Electoral Commission chairperson replacing Dr. Badru Kiggundu, whose term ended on November 17, 2016.

In a letter to Speaker of Parliament Rebecca Kadaga, HE President Museveni appointed Court of Appeal Justice, Hon. Justice Simon Mugenyi Byabakama to replace Mr. Kiggundu who spent 14 years as EC chair.

“By the authority given to the president by Article 60 (1) of the constitution of the republic of Uganda, I have nominated the following persons to be members of the

electoral commission,” the letter by the President states.

On January 17, Justice Byamukama took oath of office as the new Chairperson of the Electoral Commission alongside six other commissioners. They were sworn-in by a function presided over by the Chief Justice, Hon. Bart M. Katureebe. He urged them to ensure total independence of the Electoral

Commission in order to ensure free and fair elections in the country.

On his part, the new Chairperson of the Commission promised to critically look into the Supreme Court recommendations that were made in the post 2016 presidential election court ruling. 

## PROFILE

### Hon. Justice Simon Mugenyi Byabakama

*Chairperson Electoral Commission*

The new Electoral Commission chairperson, Justice Simon Byabakama, was born in Hoima district on January 31, 1957. He joined the Bench as High Court Judge in May 2008.

He is a holder of a Bachelor of Laws Degree (Makerere University-1980) and a Diploma in Legal Practice (LDC-1980). Before that, he went through Kabalega Secondary School in Masindi for both his Ordinary and Advanced Level studies between 1971 and 1976.

His first Judiciary deployment was in June 2008 at the High Court Circuit in Lira as Resident Judge; served as Resident Judge at the Soroti High Court Circuit March 2010, and was re-deployed to the High Court Circuit in Masindi in June 2013.


In October 2015, Judge Byabakama was one of the six High Court Judges appointed by President Yoweri Museveni to the Court of Appeal/Constitutional Court on promotion.

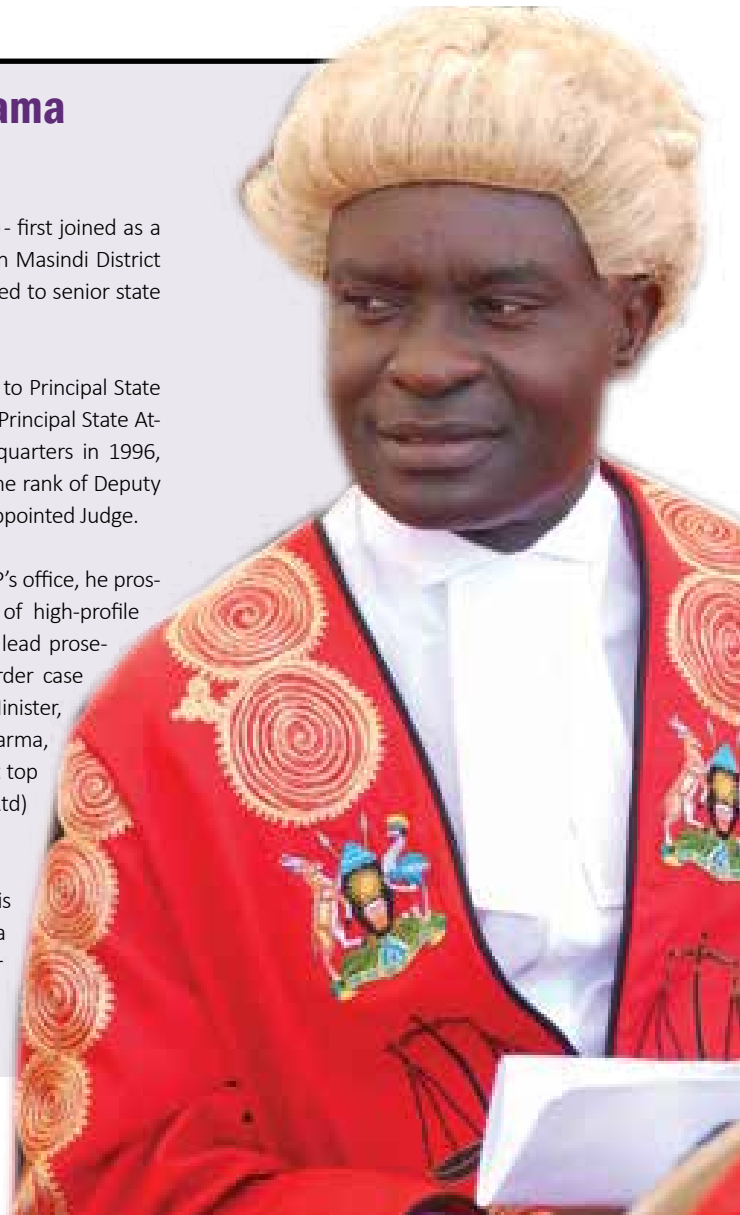
Before joining the Bench, Hon. Justice Byabakama, worked in the Directorate of

Public Prosecutions (DPP) - first joined as a Resident State Attorney in Masindi District in 1981, and was promoted to senior state attorney in 1987.

In 1992, he was elevated to Principal State Attorney, became Senior Principal State Attorney at the DPP Headquarters in 1996, and he was elevated to the rank of Deputy DPP at the time he was appointed Judge.

For the many years in DPP's office, he prosecuted quite a number of high-profile trials, including being the lead prosecutor in the famous murder case against the Tooro Prime Minister, John Katuramu; Kooky Sharma, and the rape case against top opposition figure, Col. (Rtd) Dr. Kizza Besigye.

Hon. Justice Byabakama is married to Dorothy Kasaija Mugenyi and he is a father of six. 





# Uganda nominates Justice Bossa for ICC judgeship

Uganda has nominated Court of Appeal Justice Solome Balungi Bossa as its candidate for the post of judge of the International Criminal Court (ICC) whose elections will be held in December 2017. The nomination took place in Addis Ababa during the 28th Ordinary Session of the Assembly of Heads of State and Government of the African Union.

Justice Bossa, who is competing against two other candidates from Benin and Lesotho, is a highly accomplished judge with over 27 years of legal and judicial work experience at national, regional and international level. She has considerable exposure and experience in international judicial practice, international human rights, international humanitarian law, international criminal law and constitutional law.

Her name was submitted to the African Union Commission (AUC) for early consideration by President Yoweri Museveni to allow her adequate time to campaign.

Bossa was elected as the Judge of the African Court on Human and Peoples' Rights in June 2014, for a term of six years.

She has served as Judge with the High Court of Uganda for 16 years (1997-2013), the East African Court of Justice for five years (2001-2006), United Nations International Criminal Tribunal for Rwanda (UNICTR) for nine and half years (2003-2013), and currently serves as Judge on the Court of Appeal/Constitutional Court for Uganda.

Before joining the Bench, she was a Lecturer/Law Reporter at the Law Development Centre of Uganda for 17 years (1981-1997). She has, been a human rights activist since 1980 and has founded/chaired non-profit organisations in human rights like the East African Law Society. The East African Centre for Constitutional Development, the Uganda Network on HIV, AIDS, Ethics and



**Justice Solome Balungi Bossa**

the Law, the Uganda Law Society, among others. She has also chaired government bodies like the Law Council and the National Steering Committee on Community Service,

On the international scene, she is a member of the International Commission of Jurists, the international Association of Women Judges, the African Centre for Democracy and Human Rights and the East African Judges and Magistrates' Association, among others. At national level, she is a member of International Federation of Women Lawyers (FIDA) Uganda Chapter, the National Association of Women Judges, and the Uganda Association of Judges and Magistrates.

Justice Bbosa is well trained on improving access to justice, constitutional and democratic governance, leadership skills, among

others. She contributed significantly towards the establishment of the East African Law Society, the East African Centre for Constitutional Development (*Kituo cha Katiba*), and the Uganda Network on Law, Ethics, HIV and the Law. She also participated through the aegis of the International Commission for Jurists, in the initial stages of drafting of the Additional Protocol on Women to the African Charter.

She holds a Bachelor of Laws Degree (LL.B) Honors from Makerere University. She is a candidate for a Master of Laws Degree (LL.M) from the University of London. She has received various national, regional and inter-national awards in recognition of her distinguished services as a legal practitioner, judge and human rights activist.

## Making of a judge at ICC

The International Criminal Court consist of 18 judges, organised into three chambers—the Pre-Trial Chamber, Trial Chamber and Appeals Chamber—which carry out the judicial functions of the Court. Judges are elected to the Court by the Assembly of States Parties. They serve nine-year terms and are not generally eligible for re-election.

All judges must be nationals of states parties to the Rome Statute, and no two judges may be nationals of the same state. They must be “persons of high moral character, impartiality and integrity who possess the qualifications required in their respective States for appointment to the highest judicial offices”



# Magisterial Areas increased from 38 to 82

In a move to bring judicial services closer to the Ugandans, the government through the Justice and Constitutional Affairs minister Rtd Maj Gen. Kahinda Otafiire has issued a statutory instrument that has seen the creation of about 70 more magistrate courts and magisterial areas throughout the country.

In the statutory instrument 2017 issued by justice minister, magistrates courts have risen to slightly over 430 magistrates courts across the country from about 368 courts.

“In exercise of the powers conferred upon the minister by Section 2 and 3 of the Magistrates Court Act and in consultation with the Chief Justice, this Instrument is made on the 13th day of September 2016,” reads

Otafiire’s Instrument in part. The magisterial areas have been mainly designated into districts, have also been increased to 82 from 38.

Kampala metropolitan area has had seven more magistrate courts created at Kabalagala, Ggaba, Namuwongo, Zaana, Kasubi, Nateete, Ndeeba and Rubaga.

H/W Erias Kisawuzi, the Public Relations Of-

ficer of the Judiciary said the idea is to have a Chief Magistrate in every district and a Grade One Magistrate in every sub county of the country in a bid to bring justice services closer to the people.

“The magisterial areas are now 82 and the total districts are 112. Our target is to have a magistrate Grade One in every sub County and a Chief Magistrate in every district,” H/W Kisawuzi said.

## Magisterial Areas and Magistrates Courts

### Existing Magisterial Areas

No.	Extent of Magisterial Area	Magistrates courts
1	<b>Alebtong</b> Alebtong and Otuke Districts	Chief Magistrate- Alebtong Magistrate Grade I- Abako Magistrate Grade I- Adwari Magistrate Grade I- Alebtong Magistrate Grade I- Alooi Magistrate Grade I- Amugo Magistrate Grade I- Apala Magistrate Grade I- Okwang Magistrate Grade I- Olilim Magistrate Grade I- Omoro Magistrate Grade I- Orumu Magistrate Grade I- Otuke
2	<b>Anaka</b> Nwoya and Amuru Districts	Chief Magistrate- Nwoya Magistrate Grade I- Amuru Magistrate Grade I- Anaka Magistrate Grade I- Atiak Magistrate Grade I- Kilak Magistrate Grade I- Koch-Goma Magistrate Grade I- Lamogi Magistrate Grade I- Nwoya
3	<b>Apac</b> Apac District	Chief Magistrate- Apac Magistrate Grade I- Aduku Magistrate Grade I- Apac Magistrate Grade I- Chawente Magistrate Grade I- Chegere Magistrate Grade I- Ibuje Magistrate Grade I- Inomo Magistrate Grade I- Nambieso
4	<b>Arua</b> Arua District	Chief Magistrate- Arua Magistrate Grade I- Adumi Magistrate Grade I- Arivu Magistrate Grade I- Arua Magistrate Grade I- Logiri Magistrate Grade I- Madi- Okolo Magistrate Grade I- Okolo Magistrate Grade I- Rhino Camp Magistrate Grade I- Odruvu
5	<b>Bubulo</b> Manafwa and Bududa Districts	Chief Magistrate- Bubulo Magistrate Grade I- Bubulo Magistrate Grade I- Bududa Magistrate Grade I- Bupoto
6	<b>Budaka</b> Budaka and Kibuku Districts	Chief Magistrate- Budaka Magistrate Grade I- Budaka Magistrate Grade I- Iki Iki Magistrate Grade I- Kibuku
7	<b>Buganda Road</b> Central Division of Kampala	Chief Magistrate- Buganda Road Magistrate Grade I- Buganda Road Magistrate Grade I- City Hall Magistrate Grade I- Law Development Centre (LDC)
8	<b>Bugiri</b> Bugiri District	Chief Magistrate- Bugiri Magistrate Grade I- Bugiri Magistrate Grade I- Lugala Magistrate Grade I- Namayingo Magistrate Grade I- Sigulu Island Magisterial Courts
9	<b>Buhweju</b> Buhweju District	Chief Magistrate- Buhweju Magistrate Grade I- Nsiika
10	<b>Buliisa</b> Buliisa District	Chief Magistrate- Buliisa Magistrate Grade I- Biiso Magistrate Grade I- Buliisa Magistrate Grade I- Butyaba Magistrate Grade I- Wanseko
11	<b>Bundibugyo</b> Bundibugyo District	Chief Magistrate- Bundibugyo Magistrate Grade I- Bubandi Magistrate Grade I- Bundibugyo
12	<b>Bushenyi</b> Bushenyi Town Council, Rubirizi, Sheema Districts	Chief Magistrate- Bushenyi Magistrate Grade I- Bushenyi Magistrate Grade I- Kagango Magistrate Grade I- Kibingo Magistrate Grade I- Kitagata Magistrate Grade I- Rubirizi Magistrate Grade I- Mitooma
13	<b>Busia</b> Busia District	Chief Magistrate- Busia Magistrate Grade I- Busia Magistrate Grade I- Lumino Magistrate Grade I- Majanji
14	<b>Butambala</b> Butambala District	Chief Magistrate- Gombe Magistrate Grade I- Bulu Magistrate Grade I- Gombe Magistrate Grade I- Kibibi



<b>15. Dokolo</b>	Dokolo and Amolatar Districts	Chief Magistrate- Dokolo Magistrate Grade I- Agwata Magistrate Grade I- Amolatar Magistrate Grade I- Aputi Magistrate Grade I- Awelo Magistrate Grade I- Bata Magistrate Grade I- Dokolo Magistrate Grade I- Kangai Magistrate Grade I- Kwera Magistrate Grade I- Namasale Magistrate Grade I- Muntu	
<b>16. Entebbe</b>	Entebbe Mun. and Katabi SC, Wakiso District	Chief Magistrate- Entebbe Magistrate Grade I- Entebbe Magistrate Grade I- Nkumba	
<b>17. Fort Portal</b>	Kabarole District	Chief Magistrate- Fort Portal Magistrate Grade I- Fort Portal Magistrate Grade I- Hakibaale Magistrate Grade I- Kibiito Magistrate Grade I- Rwimi	
<b>18. Gomba</b>	Gomba District	Chief Magistrate- Kanoni Magistrate Grade I- Kabulasoke Magistrate Grade I- Kanoni Magistrate Grade I- Kiriri Magistrate Grade I- Maddu	
<b>19. Gulu</b>	Gulu District	Chief Magistrate- Gulu Magistrate Grade I- Aswa Magistrate Grade I- Bobi Magistrate Grade I- Gulu Magistrate Grade I- Omoro	
<b>20. Hoima</b>	Hoima District	Chief Magistrate- Hoima Magistrate Grade I- Buseruka Magistrate Grade I- Hoima Magistrate Grade I- Kabwoya Magistrate Grade I- Kigorobya Magistrate Grade I- Kyangwali	
<b>21. Ibanda</b>	Ibanda District	Chief Magistrate- Ibanda Magistrate Grade I- Ibanda Magistrate Grade I- Ishongororo	
<b>22. Iganga</b>	Iganga and Luuka Districts	Chief Magistrate- Iganga Magistrate Grade I- Busembatia Magistrate Grade I- Iganga Magistrate Grade I- Kaliro Magistrate Grade I- Kiyunga Magistrate Grade I- Makutu Magistrate Grade I- Namungalwe Magistrate Grade I- Namutumba	
<b>23. Isingiro</b>	Isingiro District	Chief Magistrate- Isingiro Magistrate Grade I- Bukanga Magistrate Grade I- Isingiro Magistrate Grade I- Kabingo Magistrate Grade I- Kikagate Magistrate Grade I- Rugaga	
<b>24. Jinja</b>	Jinja District	Chief Magistrate- Jinja Magistrate Grade I- Budondo Magistrate Grade I- Bugembe Magistrate Grade I- Busedde Magistrate Grade I- Butagaya Magistrate Grade I- Jinja Magistrate Grade I- Kagoma Magistrate Grade I- Kakira	
<b>25. Kabale</b>	Kabale District	Chief Magistrate- Kabale	
<b>26. Kaberamaido</b>	Kaberamaido District	Chief Magistrate- Kaberamaido Magistrate Grade I- Kaberamaido Magistrate Grade I- Kalaki Magistrate Grade I- Ochero Magistrate Grade I- Otuboi	
<b>27. Kajjansi</b>	Ssisa and Kasanje, sub-counties of Wakiso District	Chief Magistrate- Kajjansi Magistrate Grade I- Kajjansi Magistrate Grade I- Kasanje	
<b>28. Kalangala</b>	Kalangala District	Chief Magistrate- Kalangala Magistrate Grade I- Bukasa Magistrate Grade I- Kalangala	
<b>29. Kamuli</b>	Kamuli and Buyende Districts	Chief Magistrate- Kamuli Magistrate Grade I- Bugaya Magistrate Grade I- Buyende Magistrate Grade I- Kagulu Magistrate Grade I- Mbulamuti Magistrate Grade I- Namasagali Magistrate Grade I- Namwendwa Magistrate Grade I- Nawanyago Magistrate Grade I- Kamuli	
<b>30. Kamwenge</b>	Kamwenge District	Chief Magistrate- Kamwenge Magistrate Grade I- Kamwenge Magistrate Grade I- Kahunge Magistrate Grade I- Nkoma Magistrate Grade I- Kicheche	
<b>31. Kanungu</b>	Kanungu District	Chief Magistrate- Kanungu Magistrate Grade I- Kanungu Magistrate Grade I- Kihihi	
<b>32. Kapchorwa</b>	Kapchorwa, Bukwa Sub-county and Kween Districts	Chief Magistrate- Kapchorwa Magistrate Grade I- Bukwo Magistrate Grade I- Kapchorwa Magistrate Grade I- Kapraron Magistrate Grade I- Ngenge	
<b>33. Kasangati</b>	Nangabo Sub-county, Kyadondo and Busukuma of Kyadondo, Wakiso District	Chief Magistrate- Kasangati Magistrate Grade I- Kasangati	
<b>34. Kasese</b>	Kasese District	Chief Magistrate- Kasese Magistrate Grade I- Bwera Magistrate Grade I- Kasese Magistrate Grade I- Lake Katwe	
<b>35. Katakwi</b>	Katakwi and Amuria Districts	Chief Magistrate- Katakwi Magistrate Grade I- Acowo Magistrate Grade I- Amuria Magistrate Grade I- Kapelebyong Magistrate Grade I- Katakwi Magistrate Grade I- Obalanga Magistrate Grade I- Orongo Magistrate Grade I- Wera Magistrate Grade I- Toroma	
<b>36. Kayunga</b>	Kayunga District	Chief Magistrate- Kayunga Magistrate Grade I- Bbaale Magistrate Grade I- Busaana Magistrate Grade I- Galilaya Magistrate Grade I- Kangulumira Magistrate Grade I- Kayunga	
<b>37. Kibaale</b>	Kibaale District	Chief Magistrate- Kibaale Magistrate Grade I- Kagadi Magistrate Grade I- Kakumiro Magistrate Grade I- Kibaale Magistrate Grade I- Muhoro Magistrate Grade I- Nyalweyo Magistrate Grade I- Mabaale	
<b>38. Kiboga</b>	Kiboga and Kyankwanzi Districts	Chief Magistrate- Kiboga Magistrate Grade I- Bukomero Magistrate Grade I- Bukwiri Magistrate Grade I- Busunju Magistrate Grade I- Butemba Magistrate Grade I- Kiboga Magistrate Grade I- Kyankwanzi Mulusozi Magistrate Grade I- Ntwetwe	
<b>39. Kira</b>	Kira Town Council, Kyadondo and Wakiso District	Chief Magistrate- Kira Magistrate Grade I- Bweyogerere Magistrate Grade I- Kira	



40	<b>Kiruhura</b> Kiruhura District	Chief Magistrate- Kiruhura Magistrate Grade I- Buremba Magistrate Grade I- Burunga Magistrate Grade I- Kashongi Magistrate Grade I- Kazo Magistrate Grade I- Kinoni Magistrate Grade I- Kiruhura Magistrate Grade I- Sanga	50.	<b>Luwero</b> Luwero and Nakaseke Districts	Chief Magistrate- Luwero Magistrate Grade I- Bombo Magistrate Grade I- Luwero Magistrate Grade I- Nakaseke Magistrate Grade I- Ngoma Magistrate Grade I- Semuto Magistrate Grade I- Wobulenzi Magistrate Grade I- Zirobwe
41	<b>Kiryandongo</b> Kiryandongo District	Chief Magistrate- Kiryandongo Magistrate Grade I- Bweyale Magistrate Grade I- Karuma Magistrate Grade I- Kigumba Magistrate Grade I- Kiryandongo	51.	<b>Makindye</b> Makindye Division of Kampa- la; and Makindye Ssabagabo Sub- county of Kyadondo, Wakiso District	Chief Magistrate- Makindye Magistrate Grade I- Ggaba Magistrate Grade I- Kabalagala Magistrate Grade I- Makindye Magistrate Grade I- Namuwongo Magistrate Grade I- Zaana
42	<b>Kisoro</b> Kisoro District	Chief Magistrate- Kisoro Magistrate Grade I- Bunagana Magistrate Grade I- Kisoro Magistrate Grade I- Kyanika	52.	<b>Masaka</b> Masaka District	Chief Magistrate- Masaka Magistrate Grade I- Bukomansimbi Magistrate Grade I- Kalungu Magistrate Grade I- Kyanamukaka Magistrate Grade I- Kyazanga Magistrate Grade I- Lukaya Magistrate Grade I- Lwengo Magistrate Grade I- Masaka Magistrate Grade I- Mbirizi
43	<b>Kitgum</b> Kitgum and Lamwo Districts	Chief Magistrate- Kitgum Magistrate Grade I- Atanga Magistrate Grade I- Kitgum Magistrate Grade I- Kitgum Matid Magistrate Grade I- Lamwo Magistrate Grade I- Madi Opei Magistrate Grade I- Namokora Magistrate Grade I- Padibe Magistrate Grade I- Pajule Magistrate Grade I- Palabek	53.	<b>Masindi</b> Masindi District	Chief Magistrate- Masindi Magistrate Grade I- Budongo Magistrate Grade I- Bwijjanga Magistrate Grade I- Kafu River Magistrate Grade I- Masindi
44	<b>Koboko</b> Koboko and Maracha Districts	Chief Magistrate- Koboko Magistrate Grade I- Koboko Magistrate Grade I- Lodonga Magistrate Grade I- Maracha Magistrate Grade I- Nyadri Magistrate Grade I- Oleba	54.	<b>Mayuge</b> Mayuge District	Chief Magistrate- Mayuge Magistrate Grade I- Baitambogwe Magistrate Grade I- Kigandalo Magistrate Grade I- Kityerera Magistrate Grade I- Mayuge
45	<b>Kotido</b> Kotido, Abim and Kabong Districts	Chief Magistrate- Kotido Magistrate Grade I- Abim Magistrate Grade I- Kabong Magistrate Grade I- Kotido	55.	<b>Mbale</b> Mbale District	Chief Magistrate- Mbale Magistrate Grade I- Mbale Mun. Magistrate Grade I- Bungokho Magistrate Grade I- Busiu Magistrate Grade I- Mbale Magistrate Grade I- Nakaloke Magistrate Grade I- Wanale
46	<b>Kumi</b> Kumi, Ngora and Bukedea Districts	Chief Magistrate- Kumi Magistrate Grade I- Bukedea Magistrate Grade I- Kachumbala Magistrate Grade I- Kanyum Magistrate Grade I- Kumi Magistrate Grade I- Mukura Magistrate Grade I- Ngora	56.	<b>Mbarara</b> Mbarara District	Chief Magistrate- Mbarara Magistrate Grade I- Bwizibwera Magistrate Grade I- Mbarara Magistrate Grade I- Mbarara Mun. Magistrate Grade I- Ndajja
47.	<b>Kyenjojo</b> Kyenjojo and Kyegegwa Districts	Chief Magistrate- Kyenjojo Magistrate Grade I- Bufunjo Magistrate Grade I- Butiti Magistrate Grade I- Kyarusozzi Magistrate Grade I- Kyegegwa Magistrate Grade I- Kyenjojo Magistrate Grade I- Mpara	57.	<b>Mengo</b> Rubaga Division of Kampala	Chief Magistrate- Mengo Magistrate Grade I- Kasubi Magistrate Grade I- Mengo Magistrate Grade I- Nateete Magistrate Grade I- Ndeeba Magistrate Grade I- Rubaga
48	<b>Lira</b> Lira and Kole Districts	Chief Magistrate- Lira Magistrate Grade I- Barr Magistrate Grade I- Aboke Magistrate Grade I- Adekokwok Magistrate Grade I- Alito Magistrate Grade I- Amach Magistrate Grade I- Bala Magistrate Grade I- Kole Magistrate Grade I- Lira Magistrate Grade I- Ayer Magistrate Grade I- Ogur	58.	<b>Mitoma</b> Mitoma District	Chief Magistrate- Mitoma Magistrate Grade I- Mitoma
49.	<b>Lugazi</b> Buikwe District and Buvuma Islands	Chief Magistrate- Lugazi Magistrate Grade I- Buikwe Magistrate Grade I- Buvuma Magistrate Grade I- Lugazi Magistrate Grade I- Njeru	59.	<b>Mityana</b> Mityana District	Chief Magistrate- Mityana Magistrate Grade I- Bulera Magistrate Grade I- Butayunja Magistrate Grade I- Kakindu Magistrate Grade I- Mityana
			60.	<b>Moroto</b> Moroto and Napaka Districts	Chief Magistrate- Moroto Magistrate Grade I- Moroto Magistrate Grade I- Moroto Mun. Magistrate Grade I- Napak
			61.	<b>Moyo</b> Moyo and Adjumani Districts	Chief Magistrate- Moyo Magistrate Grade I- Adjumani Magistrate Grade I- Aliba Magistrate Grade I- Alur Magistrate Grade I- Moyo Magistrate Grade I- Pakele
			62.	<b>Mpigi</b> Mpigi District	Chief Magistrate- Mpigi Magistrate Grade I- Bujuuko Magistrate Grade I- Buwama Magistrate Grade I- Kayabwe Magistrate Grade I- Mpigi Magistrate Grade I- Nsangi



<b>63. Mubende</b>	Chief Magistrate-Mubende Magistrate Grade I- Bukumira Magistrate Grade I- Kasambya Magistrate Grade I- Kassanda Magistrate Grade I- Kiganda Magistrate Grade I- Mubende Magistrate Grade I- Myanzi	
<b>64. Mukono</b>	Chief Magistrate- Mukono Magistrate Grade I- Goma Magistrate Grade I- Kasawo Magistrate Grade I- Koome Islands Magistrate Grade I- Mukono Magistrate Grade I- Nakifuma Magistrate Grade I- Nakisunga	
<b>65. Nabweru</b>	Chief Magistrate- Nabweru Magistrate Grade I- Kawempe Magistrate Grade I- Matugga Magistrate Grade I- Nabweru	
<b>66. Nakapiripirit</b>	Chief Magistrate- Nakapiripirit Magistrate Grade I- Amudat Magistrate Grade I- Nakapiripirit Magistrate Grade I- Namalu	
<b>67. Nakasongola</b>	Chief Magistrate- Nakasongola Magistrate Grade I- Kakooge Magistrate Grade I- Lwampanga Magistrate Grade I- Migyera Magistrate Grade I- Nakasongola	
<b>68. Nakawa</b>	Chief Magistrate- Nakawa Magistrate Grade I- Kyambogo Magistrate Grade I- Luzira Magistrate Grade I- Nakawa Magistrate Grade I- Ntinda	
<b>69. Nebbi</b>	Chief Magistrate- Nebbi Magistrate Grade I- Nebbi Magistrate Grade I- Pakwach Magistrate Grade I- Parombo Magistrate Grade I- Phaidha Magistrate Grade I- Zeu Magistrate Grade I- Zombo	
<b>70. Ntoroko</b>	Chief Magistrate- Ntoroko Magistrate Grade I- Karugutu Magistrate Grade I- Ntoroko Magistrate Grade I- Rwebisengo	
<b>71. Ntungamo</b>	Chief Magistrate- Ntungamo Magistrate Grade I- Rwashamire Magistrate Grade I- Bwongyera Magistrate Grade I- Ntungamo Magistrate Grade I- Rubaare Magistrate Grade I- Ruhama	
<b>72. Oyam</b>	Chief Magistrate- Oyam Magistrate Grade I- Aber Magistrate Grade I- Acaba Magistrate Grade I- Anyeke Magistrate Grade I- Icheme Magistrate Grade I- Ngai Magistrate Grade I- Otwal Magistrate Grade I- Oyam	
<b>73. Pader</b>	Chief Magistrate- Pader Magistrate Grade I- Adilang Magistrate Grade I- Agago Magistrate Grade I- Corner Kilak Magistrate Grade I- Kalongo Magistrate Grade I- Pader Magistrate Grade I- Parabong Magistrate Grade I- Patongo	
<b>74. Pallisa</b>	Chief Magistrate-Pallisa Magistrate Grade I- Butebo Magistrate Grade I- Pallisa	
<b>75. Rakai</b>	Chief Magistrate- Rakai Magistrate Grade I- Kakuuto Magistrate Grade I- Kasagama Magistrate Grade I- Kifamba Magistrate Grade I- Kyotera Magistrate Grade I- Lyantonde Magistrate Grade I- Mutuukula Magistrate Grade I- Kaliilo Magistrate Grade I- Kalisizo Magistrate Grade I- Rakai	
<b>76. Rukungiri</b>	Chief Magistrate- Rukungiri Magistrate Grade I- Nyarushanje Magistrate Grade I- Kebisoni Magistrate Grade I- Rukungiri	
<b>77. Sembabule</b>	Chief Magistrate- Sembabule Magistrate Grade I- Lwebitakuli Magistrate Grade I- Mateete Magistrate Grade I- Ntuusi Magistrate Grade I- Sembabule	
<b>78. Sironko</b>	Chief Magistrate- Sironko Magistrate Grade I- Bulambuli Magistrate Grade I- Buwalasi Magistrate Grade I- Kamu Magistrate Grade I- Mutufu Magistrate Grade I- Sironko	
<b>79. Soroti</b>	Chief Magistrate- Soroti Magistrate Grade I- Bugondo Magistrate Grade I- Kyere Magistrate Grade I- Serere Magistrate Grade I- Soroti	
<b>80. Tororo</b>	Chief Magistrate- Tororo Magistrate Grade I- Butalejja Magistrate Grade I- Buteba Magistrate Grade I- Malaba Magistrate Grade I- Mukuju Magistrate Grade I- Mulanda Magistrate Grade I- Nagongera Magistrate Grade I- Tororo	
<b>81. Wakiso</b>	Chief Magistrate- Wakiso Town Council, Masulita and Namayumba sub- counties, Wakiso District Magistrate Grade I- Kakiri Magistrate Grade I- Nansana Magistrate Grade I- Wakiso	
<b>82. Yumbe</b>	Chief Magistrate- Yumbe Magistrate Grade I- Omugo Magistrate Grade I- Yumbe	

## Summary

Courts	Operational Courts	Additional Courts	Total
Supreme Court	1	0	1
Court of Appeal/Constitutional Court	1	0	1
High Court Division	8	0	8
High Court Circuits	14	6	20
Chief Magistrates' Court	38	44	82
Independent Magistrate Grade One Courts	112	272	384
<b>TOTALS</b>	<b>174</b>	<b>322</b>	<b>496</b>



1

## Highlights of the New Law Year



2

**The deal:** Celebrations to mark this year's opening of the New Law Year, for the first time in many years, attracted the heads of the three arms of the state.

**Who attended:** The Vice President, Hon. Edward Kiwanuka Ssekandi of the Executive arm of the State, presided over the event; whereas the Speaker, Hon. Rebecca Kadaga, Deputy Speaker, Hon. Jacob Oulanyah, appeared for Parliament; and the host, the Chief Justice, Hon. Bart M. Katureebe for the Judiciary.



3

**A first:** For the very first time, the Judiciary administration organised a luncheon for all invited VIPs, staff members, members of the Uganda Law Society (lawyers) and other invited guests.

**Appeal:** Hon. Justice Katureebe called upon the government to consider increasing the budget of the Judiciary so as to have more criminal sessions and tackle case backlog saying failure will impact on the citizens especially those who have spent many years on remand in prison without their cases being heard in a long time.



4



5

1 A cross-section of government leaders after the opening of the New Law Year at the High Court in Kampala on January 30<sup>th</sup>.

2 Chief Justice Hon. Bart Katureebe has a light moment with the Speaker of Parliament, Rt. Hon. Rebecca Kadaga during the event. Looking on is Deputy Speaker, Hon. Jacob Oulanyah.

3 L-R: The Chief Justice(L) Vice President Hon. Edward Kiwanuka Ssekandi and the Principal Judge shortly after the opening of the New Law Year ceremony.

4 Hon. Bart Katureebe and Guyana's Head of the Judiciary, Justice Carl Singh.

5 L-R: The Speaker of Parliament, Rt. Hon. Rebecca Kadaga, Chief Justice, Hon. Bart M. Katureebe, Commissioner General of Prisons, Dr. Johnson Byabashaija and Deputy Inspector General of Police John Martin Okoth-Ochola.



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