



Press Release

THE JUDICIARY

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IN ANY CORRESPONDENCE ON
THIS SUBJECT PLEASE QUOTE NO.

Court vacation is not leave for judicial officers

KAMPALA - 20 July 2017: The Judiciary has noted with concern an Editorial in the Wednesday 19 July 2017 issue of *Daily Monitor* newspaper, page 16 titled: “*Judiciary should abolish vacation for its officers*”.

The Editorial is not only misleading, but it is devoid of basic facts about the workings of the Ugandan courts. It, in fact, paints a very disgraceful impression that our judicial officers do not work for nearly 200 days in a year.

We wish to clarify as follows:

1. A court vacation is the time between the end of one term of court and the beginning of another. In Uganda, this is provided for under *Rule 4 of The Judicature (Court Vacation) Rules (Statutory Instrument 13-20)*.
2. Contrary to Daily Monitor’s interpretation, a court vacation is not a form of leave for the judicial officers. It is a period intended to give judicial officers time to complete unfinished business that does not require engagement with the public.
3. During vacation, judicial officers concentrate mainly on deskwork like judgment writing; weeding out inactive cases from the system; review of the work in the previous period; planning for the next period.
4. In Uganda, there are two mandatory court vacations for every court annually and they are part and parcel of the judicial calendar – a Civil Vacation between July and August every year and a general vacation between December and January. The **Supreme Court** and **Court of Appeal’s** civil vacation is between August 1 and 31, whereas the **High Court** and **Magistrates Courts** vacations run between July 15 and August 15. All courts take a general vacation between December 23 and January 7.
5. During the two vacation periods, the **courts do not handle civil cases**, except where a party obtains a Certificate of Urgency through an application. There is always a judicial officer on duty to handle the civil case matters of an urgent nature.
6. The courts remain open and **continue with the hearing of all criminal matters**. The court registries continue registering new cases and conducting other registry activities. Courts normally complete more criminal cases in during vacation.

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It is therefore, erroneous for anyone to suggest that court vacations are “wasteful and unjustifiably delay the delivery of justice”. Equally, it is certainly inaccurate for a national paper to write in its pages that Uganda judicial officers are exempted from work for a period between 170 to 200 days.

The Judiciary is seriously concerned about the 37,000 cases backlogged in its system and has in the recent past put in place mechanisms to eliminate the inordinate delays in justice delivery as a way of restoring public confidence in the administration of justice.

Ordinarily, judicial officers actually work overtime – sometimes carry some of their work home and visit locus on weekends – all in the name of meeting deadlines.

Among other things, the Judiciary has since 2016 set performance targets for judicial officers at all levels. According to the targets, Supreme Court is tasked to conclude 80 cases a year; Court of Appeal (600), a High Court Judge (300); a Registrar (400); a Chief Magistrates (600); a Magistrate Grade I of over two years in service (400) and a new Magistrate Grade I and Grade II (300).

In April this year, the Chief Justice, Bart Katureebe, also put in place a Case Backlog Monitoring Committee chaired by Court of Appeal’s Justice Richard Buteera with a task of monitoring the implementation of Judiciary’s 18 case backlog reduction recommendations. The recommendations include tackling unethical conduct by lawyers and judicial officers; elimination of unnecessary delays and the promotion of alternative dispute mechanisms like mediation, plea bargaining and small claims procedure.

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ENQUIRIES

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