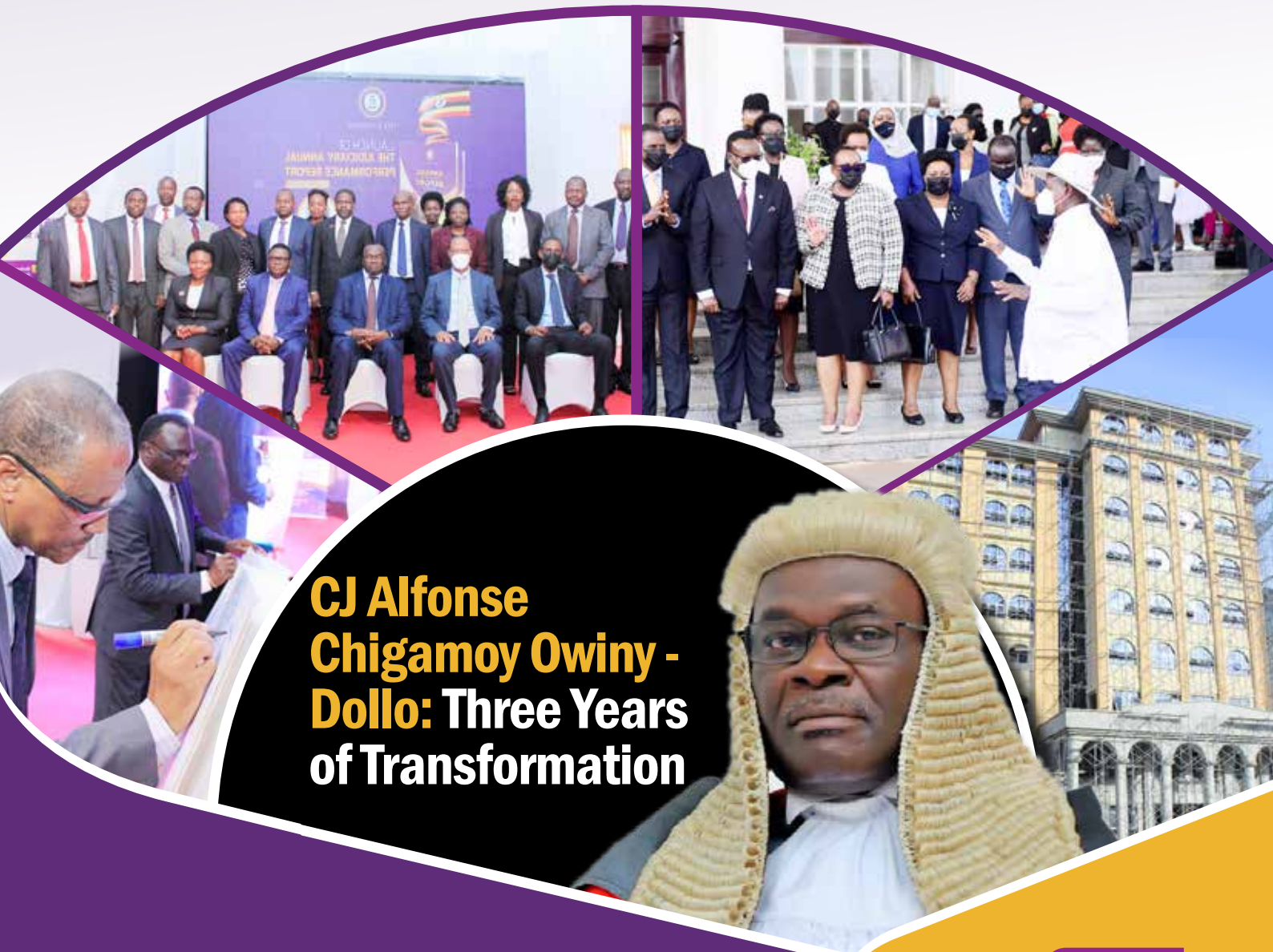




THE JUDICIARY

INSIDER



CJ Alfonse Chigamoy Owiny - Dollo: Three Years of Transformation

- » **PS/SJ on the Judiciary performance**
- » **On course to eliminate case backlog**
- » **When Uganda hosted international women judges in Kampala**

INTERVIEW

**Meet Justice
Keitirima, the new
EAMJA President**

PICTORIAL



H.E Yoweri Kaguta Museveni (in white shirt) arriving at the opening of the International Association of Women Judges Conference, received by Chief Justice, Alfonse Chigamoy Owiny - Dollo (L), Kenyan Chief Justice, Martha K Koome (C) and Deputy Chief Justice, Richard Buteera (R) at Commonwealth Resort Munyonyo, on October 26, 2022.



The Permanent Secretary/Secretary to Judiciary, Dr. Pius Bigirimana and the International Development Law Organisation (IDLO) Country Manager, Ms Barbara Kilei after signing the IDLO-Judiciary partnership Workplan at the Judiciary headquarters on November 24, 2022.



The Deputy Chief Justice, Richard Buteera launched a five year Strengthening Crime Prevention and Criminal Justice Programme (2022-2027) at Imperial Royale Hotel, Kampala on November 25, 2022.



Chief Justice Alfonse Chigamoy Owiny - Dollo addressing guests at a dinner hosted at his official Residence in Nakasero in honour of the East African Court Justices on October 27, 2022.



Opening of the Annual Registrars and Magistrates Conference at Méstil Hotel and Residences, Kampala on November 28, 2022.



The Judiciary that we all want!

The year 2023 is here and we delight in the Lord who has enabled us to cross over successfully, with great achievements as a Judiciary. In 2022, the Judiciary embarked on the implementation of its transformative agenda and I can gladly say that we are on course to attaining a new Judiciary that meets the needs of the people we serve.

As an independent arm of Government whose mandate is derived from the people, the Judiciary has taken deliberate efforts intended to re-engineer its processes to ease access to justice by the population. This would not have been realised without the able leadership of the Hon. the Chief Justice. He engaged all stakeholders to see to it that a new Judiciary is birthed. The fruitful engagements resulted in an enhanced budget of the Judiciary from the initial UGX 199bn in the FY 2020/21 to the current UGX 382bn.

The financial boost to the Judiciary facilitated the journey of the implementation of the Administration of the Judiciary Act- a game-changer legislation. The enhanced budget resulted in improved staffing levels through recruitment of new Judicial Officers, a step in addressing the human resource gap that had been glaring over the years.

The new recruitments have had a cursory effect of reduced case backlog. At the higher bench, new High court Judges were appointed that led to the operationalisation of Six High Court circuits of Moroto, Hoima, Tororo, Iganga, Luwero and Rukungiri. At the lower bench, 40 Chief Magistrates were recruited in the FY 2021/22 which led to the operationalisation of 15 new Magisterial Areas. At the Grade One Magistracy, 142 Magistrates were recruited bringing the total number of judicial officers at that level to 298 which has enabled the operationalisation of several Grade One courts. I can proudly say that the people of Uganda have started to experience this expanded structure in terms of the quick delivery of judicial services.

In this 18th Edition of the Judiciary Insider, we take a deeper look at some of the aspects that have enabled the Judiciary to live up to its mission and vision of being an effective and efficient institution that administers justice to all. Needless to say, the desire to expand our cooperation and draw best practices for enhanced access to justice resulted in a benchmarking tour of the Judiciary of Ghana, the journey taken thus far in the implementation of the Judiciary Act, and highlights of the International Women Judges Conference are some of the highlights in this edition.

Ours is to wish you a nice read ahead as you equally enjoy the proceedings of the 24th Annual Judges Conference and New Law Year.

Sarah Langa Siu
CHIEF REGISTRAR

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Opening of the 24th Annual Judges' Conference at Méstil Hotel and Residences, Kampala, on January 30, 2023.

What you need to know about the 24th AJC

At every beginning of the every year, Judges gather to take stock of the work done during the previous year, the challenges faced in executing their judicial activities; and make resolutions and recommendations on the way forward for the new year.

And this year, it is not any different. Justice Mike Chibita, the Chairperson of the Governing Council Judicial Training Institute stressed the importance for the Judicial Officers of the Higher bench to periodically meet to review their performance, share experiences and views, and come up with recommendations to address any shortcomings that are identified.

The 24th Annual Judges' Conference is being held under the theme: **"The Judiciary Transformation Agenda: Enhanced Access to Justice."**

About the theme

The conference theme is in line with the operationalisation of The Administration of the Judiciary Act, 2020 which can be described as a paradigm shift with regard to the Constitutionally enshrined tenet providing for an independent Judiciary in the execution of its Constitutional functions.

It is also in line with Article 126 (1) and

“

The conference theme is in line with the operationalisation of The Administration of the Judiciary Act, 2020 which can be described as a paradigm shift with regard to the Constitutionally enshrined tenet providing for an independent Judiciary in the execution of its Constitutional functions.

(2) of the Constitution of the Republic of Uganda 1995, which provide that Judicial Power must be exercised in conformity with the values, norms and aspirations of the people; and that in so doing the Judicial Officers must ensure

that justice is administered without delay. Independence of Judicial Officers and their accountability which reflects proper exercise of their mandate are tenets that will help in realisation of a transformed Judiciary, leading to enhanced access to justice.

The Administration of the Judiciary Act, 2020 lays emphasis on Administration of the Judiciary, the Inspectorate of Courts, the Judiciary Service, Performance Management System, Retirement Benefits for Judicial Officers, Finances, and Training. Implementation of the Act has started and is expected to lead to full realisation of enhanced access to Justice.

The Conference is intended to review the performance of the Higher Bench (Justices and Judges) for the year 2022, re-emphasise the role of the Justices and Judges in dispensing Justice, and also to discuss any concerns that they may have in execution of their duties.



Justice Mike Chibita, the Chairperson of the Governing Council, Judicial Training Institute

Specific Objectives

The Specific objectives of the Conference among others include:

- To enable the participants appreciate the impact that the independence of the Judiciary has on access to justice.
- To review the performance of each of the courts of the higher bench.
- To share experiences on performance assessment and ways of monitoring and mentoring Judicial Officers.
- To enlighten the participants on the importance of Accountability in the Judiciary Service and on how they can build trust through Openness and Transparency
- To enable the Judicial Officers appreciate the features of the 2021 Edition of the Laws of Uganda.
- To expose participants to financial literacy.
- To enable participants understand and appreciate the transition from Manual to Digitalised Court Processes.
- To provide a platform by way of the Judges' meeting where the Judicial Officers can share experiences and identify areas of concern that need to be addressed
- To enable the participants understand their role in financial management in the Judiciary.
- To empower the participants

Topics at the Conference

The Conference will handle a vast number of topics all geared at equipping the Judges for the year ahead. Among the topics to be handled are;

- The Independence of the Judiciary: An Impetus to Meaningful Access to Justice
- Performance of the Courts in 2022
- Performance Assessment, Monitoring and Mentoring of Judicial Officers: The Ghana Experience
- Accountability in Judiciary Service: Building Trust through Openness and Transparency
- Features of the 2021 Edition of the Laws of Uganda
- The current status of the Judiciary Transformation Journey: Achievements and Challenges
- The Transition from Manual to Digitalised Court Processes
- The Role of a Judge in Financial Management in the Judiciary
- Non- Communicable Diseases: Prevention and Management
- Communication and Customer care for Judicial Officers



A cross-section participants at the 24th Annual Judges' Conference at Méstil Hotel and Residences.

with knowledge on healthy living specifically in the area of prevention and management of non-communicable diseases.

- To equip the participants with communication and customer care skills for Judicial Officers.

Special Guests

At this year's Conference, South African Chief Justice, Raymond Mnyamezeli

Mlungisi "Ray" Zondo delivered the keynote address titled **"The Independence of the Judiciary: An Impetus to meaningful Access to Justice."**

Hon. Justice Angelina Mensah-Homiah of the Court of Appeal Ghana and Hon. Justice Afia Serwah Asare-Botwe of the High Court of Ghana delivered presentations on the Ghana Judiciary experience.



Annual Judges' Conference envisaged as a reflective Mirror of the Judiciary Performance

On 3rd January 1997, the first Annual Judges' Conference was born and it changed the Judiciary calendar as we know it. The chairperson of the Judicial Training Committee as it was then known, Court of Appeal Justice Fredrick Martin Stephen Egonda-Ntende's remarks at the conference held at Crested Crane Hotel in Jinja on what was envisioned.

He spoke of what the World Bank-sponsored two-day Conference could achieve.

"It is our hope that it will become an annual event on our (Judiciary) calendar. It provides an opportunity for the judges and some of the other stakeholders in the administration of the justice system

to be appraised of the performance of the Judiciary in various areas for the previous or current year," he said.

This was surely foreboding when he said that "this inevitably provides a mirror by which we (Judiciary) can look at our own performance." Twenty six years later, the Conference is not only part of the

Judiciary's annual calendar but a Judicial tradition to assess performance of the courts and strategise for the New Year.

As Justice Egonda-Ntende highlighted in his inaugural speech, the Judiciary is able to give an account of itself as an institution to court users and the public. It facilitates the planning and budgetary

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In the last two Financial Years since the enactment of the Administration of Judiciary Act 2020, the Judiciary budget has almost doubled with a 90% increase from Shs 199Bn in FY2020/21 to Shs 382Bn in FY2022/23.



The Chief Justice (right) hands over a copy of the first Annual Performance Report to Judicial Service Commission Chairperson, Justice Benjamin Kabiito.



Video conferencing facilities have been set up in different courts.

process, training needs assessment and information sharing needed for the effective and efficient dispensation of justice.

It is for those reasons that the Judge expressed his hope that it would become “an annual event, looked at, not as a training activity, but as a stakeholders meeting organised by the administration to account to the Nation for the resources, trust, and privilege entrusted to the Judiciary.”

Anticipating that there could be some who would doubt the very modest objectives of this event and the efforts towards cutting delays as well as costs in courts, he paused to recite Edgar Albert Guest’s poem entitled “*It Couldn’t be done.*”

“There are thousands to tell you it cannot be done, There are thousands to prophesy failure; There are thousands to point out to you one by one, The dangers that wait to assist you.

***But just buckle in with a bit of a grin,
Just take off your coat and go to it; Just
start in to sing as you tackle the thing
that “cannot be done” and you’ll do it,***
The poem states.



**The Annual Judges’
Conference was a
performance review
mechanism that provided
an opportunity to plan for
the next 12 months. “It
gives us an opportunity to
rededicate ourselves to
our function so that justice
can become a reality
instead of a mirage.”**

In Albert Guest’s words, the thing (the Conference and its objectives) has been done.

Similarly, within the same remarks, Justice Egonda-Ntende stressed the need to respect the Independence of the Judiciary and cautioned the dangers that may arise as a result of any external impositions or influence.

In reference to the loopholes in the April 1995 “*Restructuring Report -Judiciary*” that had been issued by the Ministry of

Public Service which set out a reform programme for the organisational and administrative structure of the Judiciary, he cautioned, “it illustrates the danger of attempting to restructure the administrative and support services in the Judiciary from outside.”

Adding, “this is a function which in my humble view is within the province of the Judiciary for it is an independent arm of Government, not just rhetorically, but Constitutionally so. Imposition from outside, however well-intentioned, may be counterproductive and harmful as well as unconstitutional.”

What better time to recall the wisdom conceived in the words of the learned Judge than now as we host the 24th Annual Judges’ Conference organised by the Judicial Training Institute, which is the second after the Administration of Judiciary Act came into effect.

What has been achieved?

Tracing the transformation of the Judiciary since the first Annual Judges’ conference, Justice Egonda-Ntende who is now serving as a Court of Appeal Justice shares the journey so far.

Objectives of the Conference

About his task, Justice Egonda-Ntende said “*Our task was to develop not only just a curriculum but a program that would ensure that the Judiciary’s training needs were met. And we decided to introduce the whole idea of Annual Judges’ Conference as well as annual workshops for Chief Magistrates and Magistrates Grade 1,*” he said.

This was inspired by the findings of the (1994) report made by Professor Reed from the University of London on the state of the administration of justice in Uganda whose focus was particularly on the question of continuing judicial education as one of the needed ingredients to enhance the performance of the Judiciary.



Opening of the Hoima High Court Circuit which was presided over by the Principal Judge, Dr. Flavien Zeija. Currently, there are 20 operational High Court Circuits.

“Our idea was that this was not necessarily just about the training function but it was an accountability exercise by the administration to the other members of the Judiciary and the general public.”

According to the Judge, by then the High Court was composed of 25 Judges and nine Judges of the Supreme Court that would be joined by Registrars and *senior advocates as participants. In the first Conference whose focus was on the High Court due to its evident backlog*, Judges got an opportunity to assess their performance in 1996 and discussed ways of ensuring better performance in 1997.

“So there were open sessions, we broke out into groups and plenary resolutions were made,” Justice Egonda-Ntende observed, adding that the fact that 25 years later they are still running, indicates that it did succeed.

He however noted that it was envisaged that the Judicial Training Committee should just help in getting the idea established and running, then the Judiciary administration would take over to own it as its event so that it is not

regarded as a training activity.

“Unfortunately, throughout the years, it has remained as an activity organised by the training arm of the Judiciary. So perhaps to that extent, it has not lived up to the original vision. But there is no problem with that because visions change, they get clarified, so maybe in one sense we failed and in another, we have succeeded exceedingly,” he noted.

Annual Performance Report

The Annual Judges’ Conference was a performance review mechanism and provided an opportunity to plan for the next 12 months. “It gives us an opportunity to rededicate ourselves to our function so that justice can become a reality instead of a mirage.”

“Now there is the Administration of the Judiciary Act in place which requires the Judiciary to issue an annual report. Initially, there was no legal requirement for this. It was simply a question of good practice.”

Currently, in compliance with provisions of the Act, the Chief Justice publishes and circulates an Annual Performance



In the last two Financial Years following the enactment of the Administration of Judiciary Act 2020, the Judiciary budget has almost doubled with a 90% increment from Shs 199Bn in FY2020/21 to Shs 382Bn in FY2022/23.

Report at the end of every financial year *summarizing the activities in the Judiciary for the period under review. This according to Justice Egonda-Ntende “makes it much easier for judges to be able to consider where we are at and where we should be going so the conference has remained true and it still continues to be focused.”*

Technological Transformation

“When I joined the Judiciary in 1991, there were three computers in the



institution. They were basically used by their secretaries as word-processing tools. The Chief Registrar had an electronic typewriter and the rest of our secretaries had manual typewriters,” he recalled.

Later the Judiciary introduced the Computerized Case Administration System that computerized the processing of cases and processing of case data. Subsequently, in March 2022, the Judiciary launched a new system called the Electronic Court Case Management Information System (ECCMIS) that has introduced among other functionalities the electronic filing of cases and online auctions to facilitate transparency of court processes throughout a case life cycle.

“ECCMIS is a work in progress, there are issues we are dealing with but definitely, we are in a different position from where we started in 1991 when I joined,” said the Judge who currently chairs the ECCMIS Steering Committee.

Data management and Records keeping

“Again, with the use of technology, we have worked on the area of law reporting. The Judiciary created the Uganda Legal Information Institute

(ULII), a web-based portal that provides access to the decisions of the courts as well as legislation Acts of Parliament and subsidiary legislation,” he noted.

With digital tools at its disposal, the Judiciary is able to ensure the proper storage of information, data and computation of statistics which facilitates decision-making in terms of allocation of resources, deployments and partitioning of the jurisdiction of courts. LexisNexis is another tool available for Judicial officers to carry out online legal research.

Case Backlog Reduction Progress

With the passing of years and an increase in population, an increase in disputes has been evident which ultimately affects the volume of cases filed in courts.

Instancing the caseload at the Court of Appeal, Justice Egonda-Ntende who also serves as the Deputy Chairperson of the Case Backlog Reduction Committee, illustrated the enormity against the timely delivery of Justice. “There are 8,000 cases pending in this court we are only 15 Judges we can only at most handle not more than 1000 cases at most, so that means at the present rate

it would take us 10 years to complete the pending cases, he noted.

Expansion of the Judicial Officers Structure

He noted the need for expanding the Judiciary structure to deal with the fast-growing caseload,

In the last two Financial Years following the enactment of the Administration of Judiciary Act 2020, the Judiciary budget has almost doubled with a 90% increment from Shs 199Bn in FY2020/21 to Shs 382Bn in FY2022/23. In the same period, the Judiciary received 590 new promotions and appointments. 218 were Judicial Officers across the board and 372 non-Judicial Officers at different levels. This resulted in the operationalisation of six High court circuits and a number of magisterial areas.

Final Appeal

“The Constitution has assured the people of this nation that they are entitled to speedy justice. That should not simply be rhetoric words, the duty of the Judiciary is to breathe life into those words. It is my hope that the Annual Judges’ conference will continue to focus on the realisation of Constitutional dictates,” he said.



New Justices of the Supreme Court and Court of Appeal, their families and justice actors in a group photo with President Museveni at State House on January 25, 2023.



Chief Justice Alfonse Chigamoy Owiny - Dollo: Three Years of Transformation

Improved case management systems, drumming support for increased budget allocation, increased number of Judicial Officers, infrastructural development and extensive ICT infrastructure have been registered.

At the delivery of the first Judiciary Annual Performance Report in 2021, Chief Justice Alfonse Chigamoy Owiny - Dollo emphasised the role of the Judiciary in transforming the economy as far as pacifying society by way of resolution of disputes. To this end, he implored the relevant stakeholders, but with specific emphasis on the other arms of government, the Executive and Parliament to radically change how they perceive the Judiciary.

In the view of the Chief Justice, a paradigm shift is needed so that appropriate focus and attention is accorded to the Judiciary as an independent arm of government considering its Constitutional mandate and the peculiar challenges it faces as this would ensure that the institution gets the necessary funding for effective delivery of judicial services to the population.

Highlighting some of the challenges the institution faces, CJ Owiny- Dollo observed that the Judiciary is short of manpower, which handicaps it from effectively delivering meaningful justice to Ugandans. He emphasised the need for adequate manpower and tools to effectively live up to the dictates of Articles 28(1) and 126(2)(b) of the Constitution, where the Judiciary is required to administer justice without delay.

The boost

In terms of financing the Judiciary under the leadership of CJ Owiny- Dollo, the Judiciary received a leap in its budget allocation from Shs. 199,077,590,548 Financial Year 2020/2021 to Shs. 376,956,526,179 for the Financial Year 2021/2022. During budget execution for the period under



“

The reign of Justice Owiny - Dollo has also seen deliberate efforts put in place to deal with the cancer of case backlog though the same remains a challenge. As per the current statistics, case backlog stands at 30.11%.



The Supreme Court building is nearing completion.



What others say about Judiciary's transformational journey



Well done in reaching the common man

The Judiciary has put in place what I will call a step down transformer to reduce the voltage of legal processes so that ordinary people can understand legal processes. These include initiatives such as Plea Bargaining where criminal cases have been settled through negotiation thereby saving Government billions of shillings in trials.

Hon. Nobert Mao, Minister of Justice and Constitutional Affairs



The case disposal rate for cases has improved

Back in 1997 when the first Annual Judges' Conference was held, the financial resource allocation to the Judiciary was really meagre. Fast forward to 2023, there is improved financial allocation to the Judiciary and the human resource has increased, many infrastructural projects have come up, look at the Judiciary headquarters and in the different places of the country. The case disposal rate is much higher than ever before...surely the sky is the limit.

Dr. Yorokamu Bamwine, Principal Judge Emeritus,



Recruitments, more justice centres stand out

There have been more appointments of Judges, establishment of justice centres thus taking services closer to the people and a better financial allocation to the Judiciary. The Chief Justice has drummed up support for the institution.

Elison Karuhanga, Advocate

review (2021/2022), a supplementary budget of Shs. 3,767,787,323 was received leading to a revised budget of Sh. 380,724,313,502. The supplementary budget was earmarked for retirement benefits of judicial officers of the lower bench given the adjustments that were necessitated by the newly approved salaries. Out of the released budget of Shs. 378,244,218,317, records show that the Judiciary spent Shs. 337,173,161,201 contributing to an absorption rate of 89.1 percent with 10.9 percent that was not absorbed comprising the wage budget

of Shs. 40,632,824,169 which arose from a planned wage enhancement for non-judicial officers that was not approved, delayed recruitment of staff, retirement and late replacement of staff.

Relatedly, in the financial year 2021/2022, the tax collecting body - Uganda Revenue Authority (URA) - collected **Shs. 12,577,981,675** on behalf of the Judiciary of which **Shs. 7,847,275,760** was Non-Tax Revenue (NTR) remitted to the Consolidated Fund. The balance of Shs. 4,730,705,915 was bail deposits

which are refundable to the litigants after the conclusion of their cases. The NTR remitted to the Consolidated Fund increased by 37.75 percent from the previous year's collections.

Increased court sessions

Owing to the enhanced budget allocation, more court sessions were conducted in the Financial Year 2021/22 leading to the disposal of 205,967 cases out of the total caseload of 373,974. This accounted for 55 percent of all cases registered in the system, a significant improvement in caseload management from 49% disposal rate in the 2020/21 Financial Year. This was largely attributed to recruitment of more judicial officers across the judicial strata, operationalisation of new courts both Magistrates and High Courts, increased automation of court processes through the procurement of court recording, transcription equipment and video conferencing, increased use of alternative mechanisms of dispute resolution like Plea Bargaining, Small Claims Procedure and Mediation, procurement of vehicles for conducting locus visits and support supervision, increased monitoring and supervision by the Judiciary administration as well as public participation in Court Open Days.

Staffing levels

Apart from the recruitment of new Judicial officers, a number existing judicial officers were promoted which saw staffing levels at the judicial level increase from 37 percent in financial year 2020/21 to 45 percent in financial year 2021/22.

Overall, 288 judicial officers were newly recruited and promoted in the Judiciary Service to bridge the staffing gaps and improve service delivery in the financial year 2021/22. These included two Justices of the Court of Appeal appointed on promotion, 21 High Court Judges (5 substantive and 16 in an acting capacity), 3 Registrars on promotion, 11 Deputy Registrars (6 substantive and 5 in acting capacity) and 6 Assistant Registrars (2

**The new Mukono High Court.**

substantive and 4 in acting capacity). Others were 47 Chief Magistrates (7 substantives and 40 in acting capacity), 10 Senior Principal Magistrates Grade I, 19 Principal Magistrates Grade I, 26 Senior Magistrates Grade I and 143 Magistrates Grade I.

The increment in staffing enabled the Judiciary to increase the coverage of operational courts from 238 to 300 across the country in order to address the demand for Judicial services and as a result of the improved coverage, more cases were disposed of reducing case backlog to 30% from 32% in financial year 2020/21. In order to maintain the momentum, the Judiciary has plans to operationalise more High Court Circuits, namely: Nebbi, Kitgum, Apac, Kumi, Kamuli, Lyantonde, Bushenyi and Kasese as well as more Chief Magistrates Courts and Magistrate Grade One Courts in the Financial Year 2022/23.

Improved infrastructure

The last three years have also seen a revamp in the ICT sector with specific emphasis on digitalising court processes through the Electronic Court Case Management Information System (ECCMIS) that was launched and now operational in seven pilot courts. The same is set to be launched in the second cluster of courts. To ensure that the Electronic Court Case Management Information



In terms of financing the Judiciary under the leadership of CJ Owiny - Dollo, the Judiciary received a leap in its budget allocation from Shs. 199,077,590,548 Financial Year 2020/2021 to Shs. 376,956,526,179 for the Financial Year 2021/2022.

System is effective, ECCMIS Kiosks have been set up to provide free services to court users that are unable to e-file cases from elsewhere.

Still under ICT sector, the Judiciary with the support of the United Nations Children's Fund (UNICEF) installed and commissioned sets of audio-visual systems in Kabale High Court and Iganga Chief Magistrates Court. Similar systems were launched at the High Courts in Jinja, Mbarara, Gulu, Arua and Family Division. With the already operational sets at the Judiciary headquarters, Mbale and Fort Portal, this brought the number of installed and operational audio-visual

sets to 10. The Judiciary also installed four sets of the video conferencing system in Soroti High Court and Soroti Main Prison, Lira High Court and Lira Main Prison, Fort-Portal High Court and Fort-Portal Main Prison, Kabale High Court and Kabale Main Prison.

Boosting investors' confidence

In the view of the Hon. the Chief Justice, though the Judiciary is not seen as a money making entity, he opines that a functional Judiciary will undoubtedly enable the State to regulate the economy and empower institutions and individuals to contribute to economic development by confidently engaging in business, investments, and other economic ventures. To illustrate his point, the Chief Justice observed that the monetary value of cases in courts as at January 31, 2022, stood at Shs. 7.4 trillion with the Commercial Court alone having over 6,849 unresolved cases worth Shs. 7 trillion. It is thus the position of the Judiciary that timely intervention and enforcement of property rights as well as the effective resolution of disputes arising from commercial transactions will serve to strengthen investors' confidence in the country.

Increased justice centres

Not to be overlooked, there has been an increase in Justice Centres (JC)



What others say about Judiciary's transformational journey



Access to justice has improved

During the tenure of Chief Justice Alfonse Owiny – Dollo, we have seen a great improvement in areas of access to justice. There has been an increment in the number of courts and Judicial Officers. The Chief Justice is passionate about having courts at every sub-county which is a very good thing. He has also succeeded in terms of welfare of Judicial Officers, .

Caleb Alaka, Advocate



The Chief Justice has done a great job in leading the transformation agenda

I want to congratulate the Chief Justice for successfully completing three years in office. Let me start with the transformations so far under his leadership which are many but one of them is the putting in implementation of the Administration of the Judiciary Act that has seen so far two Judiciary Annual Performance reports being issued.

Recruitment of more judicial officers and ensuring that their logistical provisions like cars to the Chief Magistrates, has also been done. Their remuneration has also been increased under his three years' reign and we commend him for the lobbying skills that he uses to engage other stakeholders like the Executive and Legislature. We also appreciate the team he works with such as the Permanent Secretary, Dr. Pius Bigirimana, who helps him in resource mobilisation.

We have also seen the infrastructural development as seen with the ongoing construction of the Supreme Court and the Court of Appeal/Constitutional Court. There are of course, the ongoing construction of Justice Centers throughout the country. Still under his regime, we have seen the increased use of Alternative Dispute Resolution Mechanisms Plea Bargaining, Small Claims Procedure among others to tackle case backlog. There is also the expansion of the High Court circuits.

Of course, there can never be leadership without challenges. For example, we see systematic challenges and some shouldn't be tagged onto his leadership like the issue of case backlog where many cases remain untried for a long time. But by and large, we have seen more achievements in his first three years than the challenges registered. We commend him and appreciate him for the work he is doing, **Dr. Sylvia Namubiru, Chief Executive Director, Legal Aid Service Providers Network**

during the reign of Justice Owiny - Dollo all over the country. Justice Centres are critical because they are used to sensitise vulnerable communities and duty bearers about legal rights and procedures with specific communication. The twelve Justice Centres are located in the Districts of Kampala, Fort Portal, Hoima, Jinja, Masaka, Mubende, Mukono, Mbale, Tororo, Lira, Bundibugyo and Kasese. These have in a way contributed to public trust in the justice system which, according to statistics stood at 69% up from 59% in the financial year 2017/18. Overall, public trust and satisfaction are assessment parameters of the citizens' experience and serve as feedback on the performance of the justice system.

Handling case backlog

The reign of Justice Owiny - Dollo has also seen deliberate efforts put in place to deal with the cancer of case backlog though the same remains a challenge. As per the current statistics, case backlog stands at 30.11%. It is however the belief of the CJ that in leveraging the current political and technical leadership, and development partnerships in the Justice chain, the challenge of case backlog shall be overcome.

Infrastructural projects

In regards to infrastructural development, the Judiciary has taken deliberate efforts in revamping its infrastructure by ensuring that all courts across the country operate in their own premises. This is envisaged in the construction of the Supreme Court and Court of Appeal towers that are in their final stages whilst the Justice Law and Order Sector [JLOS] house construction launched on June 10, 2022, is now at 24% with the first phase expected to be completed in 2024. Besides providing decent working spaces for justice actors, having its own court houses shall afford efficiency and saving in terms of rent of Shs 9.6bn per annum for the appellate courts and USD 12 million for the JLOS House.



Judiciary Council registers remarkable success two years later

Barely two years after its operationalization, the Judiciary Council an organ established under the Administration of the Judiciary Act, 2020 to provide strategic advice to the Chief Justice on matters of policy and administration of the Judiciary, has registered great strides to improve administration of justice

The Chief Registrar, HW Sarah Langa Siu who is the Secretary of the Council noted that the Administration of the Judiciary Act, 2020 deemed as a game changer legislation for the Judiciary not only operationalized Chapter 8 of the Constitution but also birthed the Judiciary Council.

She said the pioneer Council chaired by the Chief Justice, Alfonse Chigamoy Owiny – Dollo, is mandated to advise on policies for planning and development; ethics and integrity; financial matters; staff welfare and development; administration of justice and such other matters relating to the general administration and operations of the Judiciary.

Improved physical access to justice

Inaugurated on 30th March 2021, the Council sanctioned the Judiciary expanded structure for Judicial Officers which was approved by Cabinet on 8th August 2021.

Some of the highlights of the expanded structure included the increase in the number of Justices of the Supreme Court from 10 to 20; the Court of Appeal Justices from 14 to 55 and the High Court Judges from 82 to 150. Also expanded was the number of Chief Magistrates from 100 to 160 and Magistrates Grade I from 386 to 514. The implication of this expanded structure is that there will be regional Courts of Appeal, more High Court Circuits, a Chief Magistrate in every district and a Magistrate Grade One in every constituency. The Judiciary is progressively filling these vacancies with High Court now having 72 Judges. For the first time



Members of the Judiciary Council after a meeting at Méstil Hotel and Residences, Kampala, on December 1, 2022.

the Judiciary has 77 Chief Magistrates and 301 Magistrates Grade One.

As a result of these recruitments, the Judiciary's coverage has improved with operationalization of six High Court Circuits of Hoima, Rukungiri, Iganga, Tororo, Luwero and Moroto operationalized bring the total number of circuits to 20. Sixteen Chief Magistrates Courts of Isingiro, Sironko, Mayuge, Kiryandongo, Dokolo, Oyam, Bubulo, Lugazi, Kyenjojo,

Kamwenge, Pader, Katakwi, Rakai, Kumi, Kira and Kotido were equally operationalized. Prior to these recruitments and deployments, the Judiciary only had 42 Chief Magistrates most of whom were circuiting between two to five Magisterial areas. For example, in 2020 the Chief Magistrate of Fort Portal

was caretaking Kyenjojo, Bundibugyo, Ntoroko Kamwenge and Kasese Magisterial areas. But this has since changed as all these with exception of Ntoroko have resident Chief Magistrates. The Magistrate Grade One Courts of Kyotera, Kyanika, Kole, Lamwo, Kyazanga, Kagulumira, Namung'alwe, Kibito and Nyarushanje were also operationalized.

The increased deployment registered a significant reduction of case backlog at the Magistrate Grade One level from 5,085 in November 2021 to 2,687 at the close of June 2022.

Improved terms and conditions

The Council also sanctioned the improved terms and conditions of service for the lower bench making the Judiciary a very attractive employer for lawyers.



Regulations for efficiency in the administration of justice

In giving effect to the Administration of the Judiciary Act, the Council has recently approved the Regulations on Committees and the Inspectorate of Courts.

The objectives of the Inspectorate of Courts are to promote good governance in the Judiciary Service; promote the highest standards of integrity among the staff of the Judiciary Service; ensure compliance with constitutional and statutory standards on the administration of justice; and promote compliance with the Uganda Judicial Code of Conduct and the Judiciary Service Code of Conduct; ensure compliance with service delivery standards and the charter of the Judiciary; and promote quality assurance in the administration of justice.

The Inspectorate Regulations institutionalize Peer Committees as a soft tool to promote adherence to the code of conduct and revive the Judiciary Integrity Committee that will coordinate the Peer Committees.

The Judiciary plans to put in place a robust Inspectorate of Courts decentralized to the different regions.

According to the Chief Registrar, the expansion and decentralization of the Inspectorate of Courts is very critical and the same is planned for the current Financial year. "We await the recruitment of more judicial officers especially in the ranks of Deputy and Assistant Registrars to be deployed as Inspectors. This will tackle the vice of absenteeism and unethical conduct seriously by ensuring the presence of Inspectors across the Courts in the country," she said.

The Chief Justice is mandated to establish Committees in the Judiciary to assist in the administration of justice. The Committees provided for under the Administration of the Judiciary Act include the Planning, Development and Finance; the Audit Committee, the



As a result of these recruitments, the Judiciary's coverage has improved with operationalization of six High Court Circuits of Hoima, Rukungiri, Iganga, Tororo, Luwero and Moroto operationalized bring the total number of circuits to 20.

Human Capital, Development, Gender and Equity Mainstreaming Committee and the Information, Communications Technology and Documentation Committee. Other Committees provided for are the Anti-Sexual Harassment Committee, the Case Management Committee and the Performance Management and Awards Committee. Guidelines for these Committees have been approved by Council.

Infrastructural development

On infrastructural development, the Council was instrumental in the formulation of the Guidelines for Architectural Designs (Standardization of Courthouses) that provide the minimum standards to be considered while designing and constructing Court houses. The guidelines aim at providing a safe, conducive and uniform working environment for all Courts and will resultantly give a common outlook and identity of the Judiciary. Court designs will be anchored in the current development and management strategy of the Judiciary to include enhanced staffing, facilities for persons with disabilities, modern technological systems, purposive functional interior designs to mention but a few. An Infrastructure subcommittee has been appointed by the Chief Justice that will oversee the implementation of these guidelines.

As a measure to improve infrastructural development in the institution, the Council shall periodically conduct ad hoc inspections on construction works, and companies that undertake shoddy works, shall be blacklisted. The Council resolved that where necessary audits on the structures shall be done and appropriate action taken.

Quality assurance, feedback mechanisms

HW Langa said the Council has underscored the importance of capacity building, effective induction and continuous on job training plus close supervision in the improvement of staff or the software who form the most critical resource of the Judiciary. In August and September, two weeks' induction trainings were conducted for newly appointed Chief Magistrates and Magistrates Grade One. The 16 recently appointed Judges of the High Court were inducted and mentorship programmes have commenced.

Composition of the Council

The members of the Council are the Chief Justice, Deputy Chief Justice, Attorney General, Principal Judge, Chief Inspector of Courts, one Justice representing the Superior Courts, the Chairperson of the Uganda Law Council, the Director of Public Prosecutions, the Solicitor General, the

Chief Registrar, the Secretary to the Treasury, Secretary to the Judiciary, one representative of the Justice Law and Order Institutions, one representative of the lower bench, the President of the Law Society and two members of the public nominated by the Judicial Service Commission.

The procedure of the Council that meets at least once every quarter are governed by the Administration of the Judiciary (Judiciary Council) (Practice and Procedure) Rules, 2021.



The Judiciary team led by the Permanent Secretary/Secretary to the Judiciary, Dr. Pius Bigirimana, appearing before the Committee of Legal and Parliamentary Affairs.

PS/SJ on the Judiciary performance

When the Judiciary Permanent Secretary/Secretary to the Judiciary, Dr. Pius Bigirimana appeared before the Committee on Legal and Parliamentary Affairs, to update them on what the Judiciary has achieved and the institution's targets for the next Financial Year, the legislators were awestruck by the progress that has been made. The Permanent Secretary, flanked by senior managers in the Judiciary, was commended by the Committee for the great strides taken.

Performance of Year 2021/ 2022

Finances

89% Overall budget absorption of released funds

62.6%

Percentage of wage underperformed

The performance under wage is at 71.17 percent as a result of ongoing recruitment and salary enhancement of the Non-Judicial Officers which cabinet did not approve.

The unspent Wage was for pending recruitment of staff and salary enhancement for non-Judicial officers which the Cabinet did not approve.

The performance for Non-wage and Development is at 92.40% and 44.15% respectively due to pending completion of procurement processes



Disposal of cases

The Court concentrated on the disposal of Election Petitions in line with the Parliamentary Elections Act 2005

205,967

Number of cases disposed of at different Court levels



Vehicles for Judicial Officers

78
14

Vehicles procured for Judicial Officers

Vehicles procured for fieldwork, inspection and M&E

50

50 Motor cycles procured for process service





Logistics

- Equipment for breast feeding mothers procured for Mbale High Court & Chief Magistrates Court, Fort Portal High Court & Chief Magistrates Court and Mayuge Chief Magistrate's Court
- Solar System procured and installed in 16 Courts of Nwoya, Apac, Amolator, Nakapiripirit, Katakwi, Kumi, Kamuli, Isingiro, Kasese and Kiboga, Apala, Butaleja, Nakasongola, Kyenjojo, Sembabule and Kayunga
- Generators procured for Courts of Mubende, Mukono, Soroti, Mbale, Gulu, Lira, Buganda Road, Bushenyi, Entebbe, Rukungiri, Kisoro & Anti-Corruption Division
- Furniture procured for Supreme Court, Court of Appeal, High Court, Kasangati, Tororo, Kisoro, Lugazi, Mbale, Rubindi, Mpigi High court, Nyimbwa, Jinja and Judicial Training Institute



Renovation of courts

- 09** Number of courts renovated to completion. These include; Mbale, Makindye, Hoima, Luwero, Ntungamo, Masaka, Kisoro, Tororo and Masindi Chief Magistrate's Courts

ICT improvements

Established ECCMIS service desks for the country (Hardware, Software & Training)



- 60** Heavy Duty Duplex Scanners procured and distributed
- Court Recording and Transcription Equipment procured for the Criminal and Family Divisions
- 03** Video Conferencing Systems procured for Fort portal, Soroti and Lira High Court and their respective prisons
- 107 High-End Laptops procured (Justices of Supreme Court and Court of Appeal and High Court (30), Registrars (29), CJs (3), and Administrators (10); Members of the Judiciary Council (21), None Judicial Officers (8), Registrars (5) and PA to PJ (1)
- 92** Laptops procured for Magistrates (30), Research Officers (50) and Law Reporting Officers (12)
- 06** CZUR Scanners procured for the Law Reporting Function (5) and the Chair - Technology Committee
- 92** 100 Electronic Signature Pads for Judicial Officers procured in the ECCMIS Phase 1 Court Stations: - Jinja High Court, Family Court, Buganda Road, Bugembe G1 and Kagoma G1 Court.



Performance for 2022/2023

Finances

71.17%

Percentage of the performance under wage as a result of ongoing recruitment and salary enhancement of the Non-Judicial Officers which cabinet did not approve

The performance for Non-wage and Development is at 92.40% and 44.15% respectively due to pending completion of procurement processes and submission of certificates for payment

Disposal of cases

Case management: 123,070 cases were disposed of at different Court levels against planned target of 114,370 cases



17,322 Cases were disposed of by the High courts

105,373 105,373 cases were disposed by Magistrate Courts

Technology

- Paid ECCMIS Consultancy fees
- Procurement of Video Conferencing System for Court of Appeal and High Court (Criminal Division) at evaluation stage
- Procurement for the scanning and upload of current physical Court files to ECCMIS for Supreme Court and Court of Appeal/Constitutional at approval stage
- ECCMIS Change Management sessions conducted for 32 Magistrates and 9 Justices appointed and posted to ECCMIS implementing Court stations
- 2 Court recording and transcription systems for Luwero and Rukungiri were delivered; and 2 Court recording and transcription system for Tororo and Moroto are at evaluation stage
- 110 desktop computers were procured and dispatched to Courts
- Procurement of 50 digital voice recording machines for Chamber Court Hearings by the Judicial Officers is at evaluation stage



Human resources

71

Magistrates Grade One Officers inducted (30 Males, 41 Females)

17

Judges of the High Court inducted (8 Males, 09 Females)

40

Acting Chief Magistrates inducted (20 Males, 20 Females)

390

Training Needs Assessment conducted. 390 (183 Males, 207 Females) participants attended

Logistics for judicial officers

42 vehicles procured for Judges of the High Court (31), Justice of Court of Appeal (1) and Magistrates (10)

Vehicles procured for field supervision

Procurement of a Minibus (14-Seater) was concluded awaiting release of funds

The procurement process for the Ambulance is ongoing at evaluation stage

52 Motor cycles procured for process service.

The procurement process of solar systems for eight Courts (Kaberamaido CM, Bundibugyo CM, Nwoya CM, Mitooma CM, Ntungamo CM, Kole G1, Aduku G1, Paidha G1, M) is ongoing at contract award stage

Procurement of a generator for Judicial Training Institute is ongoing at bid submission stage

A generator procured for Kabale HC, procurement of two generators for Arua HC and Masindi HC ongoing at contract award stage

Renovations

Renovations of Mbale High Court, Tororo CM, Pader CM, Oyam CM, Katakwi CM & Mbale CM are at finishing stage; Gulu High Court at painting stage

Procurement for renovation of Mubende CM, Apac CM, Nakasongola CM Mukono CM is at contract award stage

Installation of aluminum partitions at Plot 5-Lordel Road is at finishing stage

Construction

Construction of Chief Magistrates Courts is ongoing as follows: Alebtong and Lyantonde at roofing stage while Budaka at plastering level.

Construction of Magistrate Grade 1 Courts is ongoing as follows: Abim at ground floor slab casting; Patongo at plastering level; and Karenga at super structure walling;

The rehabilitation of Nabilatuk Magistrate Grade 1 Court is ongoing at finishing stage.

Expansion of Moroto Chief Magistrate Court building is ongoing

The construction of Supreme Court building is at finishing stage (85%) completion with furnishing, plumbing, electrical installations, air conditioning and IT fittings ongoing while Court of Appeal building is at finishing stage (75%) completion with window fitting and tiling ongoing

Construction of Soroti High Court is at first floor slab casting, Rukungiri High Court is at substructure construction while Tororo High Court is at procurement level.

The outcome

Following the sharing of the progress report, the Deputy Chairperson of the Committee on Legal and Parliamentary Affairs, Hon. Mutembuli Yusuf, committed to supporting the Judiciary team to ensure that more resources are allocated to the institution and ensure that next Financial Year adequate funds are allocated to identify underfunded priorities.

Based on the presentation, these

include; the provision of transport equipment, construction of court buildings, acquisition of assorted ICT equipment, and furniture, renovation of dilapidated courthouses, court sessions, and implementation of innovations such as Plea Bargaining, Small Claims Procedure, among others.

"I give you 98% based on your progress report and pledge to give you all the necessary support," Hon. Mutembuli said.



L-R: Inspector of Courts, HW Amos Kwizera, Judiciary Principal Economist, Mr. Simon Peter Opolot and Permanent Secretary/Secretary to the Judiciary, Dr. Pius Bigirimana during their presentation before the Committee on Legal and Parliamentary Affairs.



On course to eliminate case backlog

Judges strategies to combat case backlog

Case backlog in the Judiciary still remains a big challenge with statistics indicating that there are now 50,592 cases in that category. This state of affairs prompted members of the Case Backlog Monitoring Committee to continue meeting from time to time to come up with strategies intended to ultimately deal with the challenge that has bedevilled the Judiciary for decades.

Superintended by the Deputy Chief Justice Richard Buteera, the Backlog Committee in October (last year) held a meeting with heads of Divisions and Circuits for a quarterly performance review meeting. The discussions centred around capturing case workload vis-à-vis case backlog, that's to say, indicating both current caseload and case backlog. This was necessary because it would speak to the Judiciary's current dual approach on case workload and case backlog management and monitoring. Relatedly, the Committee also took the approach that is intended to capture case workload vs case backlog per quarter as compared with previous quarterly approach that captured numbers and percentages.

The game plan

During the meeting, it was proposed that an approach that would capture pending cases in the court system that do not fall in the backlog category and pending cases in the backlog category, a process that would guide in the assessment of the state of growth/decline in caseload or case backlog and, in effect give a preview of quarterly performance. The Judges proposed to capture case workload vs case backlog in terms of category, for example criminal, civil, appeals, rulings and judgments; current case backlog, in terms of numbers and percentages and also capture case workload distribution among judicial officers i.e. Judges, Registrars and Magistrates.

Among the outcomes was the suggestion to catalogue best practices that the Judiciary should adopt in handling caseload and case backlog management.

Use of innovations

It was, therefore, suggested that designing



Stakeholders during a meeting on Criminal Division daily hearings.

and utilising Judiciary innovations to ensure expeditious hearing and disposal of cases – for instance daily hearing of cases piloted at the Criminal Division and now being embraced by other divisions and circuits, plea bargain in criminal matters (including on fast-track basis). It was also proposed that courts should deal with applications based on strategic objective.

Best practices

Additionally, the Judges were encouraged to emulate Gulu High Court that adopted the method of rolling out Alternative Dispute Resolution (ADR) through land camps which takes into consideration the role of traditional leaders. The Judges were encouraged to rollout ADR, oral submissions accompanied by skeleton submissions, incorporating ICT in the adjudication process that will see virtual hearing of cases embraced as a means of eliminating case backlog.

To ensure reduction of cases in the system, it

was agreed to shift the approach from case backlog to case management which would entail continuous and regular weeding out exercises, eliminate non-starter civil cases and non-meritorious criminal cases. It was agreed to routinely do a case census in terms of digital records vis-à-vis manual files to establish the exact case workload, continuous monitoring and supervision to ensure update of records. This, it was said, should be made part and parcel of the judges and magistrates supervisory role on entry of data, rigorous pre-trial case management system, effective management of Advocates through limiting and or minimising adjournments, advocates holding brief to proceed and not adjourn, checking of practicing certificates; bar-bench meetings to lay the vision of the court to Advocates and the standards expected of them.

The Judges resolved on a case management-based cause listing system which would include quarterly cause-listing, an approach



already embraced by the Criminal Division. Justifying quarterly cause listing, it was noted that the approach affords sufficient time for required actions to be taken by criminal justice chain actors. Other strategies under case management-based cause -listing include cause listing a manageable number of cases; and summary disposal of applications if necessary, on the same day; consolidation of suits and applications where necessary.

Teamwork and accountability

Lastly, the Judges recommended team work and accountability in case workload/backlog efforts. These would include- regular meetings, weekly or monthly to report on performance and progress on handling of the existing case load; Monitoring of judges' docket and performance, close monitoring of CCAS and ECCMIS records; regular case management reports/charts. Tracking case registration trends and setting monthly goals in terms of workload, i.e. disposal rate in terms of agreed average number of cases per month to match or exceed registration rate, timelines for disposal of matters be set, for example, daily, weekly and monthly. Encourage team building activities, e.g. health runs, ensure staff motivation, periodically hold stakeholders'/court users' management engagements which should include court user committees, quarterly hold RCC meetings, hold open days, embrace public opinions which should be cross checked with court users' perceptions.

Assessing court performance

At the meeting, the Chief Registrar, HW Sarah Langa Siu, noted that between the months of July and September 2022, the Courts had concluded a total of 68,075 cases. This was detailed in the performance report of the Courts of Judicature for the first quarter of Financial Year 2021/2022. The Chief Registrar further informed the committee that as of 14th October, 2022, a total of 68,075 cases had been completed across all Court levels from the Supreme Court to the Magistrates Courts while 167,594 cases were pending. This on average meant that



At the meeting, the Chief Registrar, HW Sarah Langa Siu, noted that between the months of July and September 2022, the Courts had concluded a total of 68,075 cases.

the courts surpassed their quarterly case disposal target of 44,295 cases by 65%.

The Judges were informed that the Judiciary has taken the approach of quarterly reporting on the performance of the courts as it is necessary to account to the people from whom judicial power is derived. Overall, many of the Courts met and or surpassed their quarterly targets. For example, the High Court, both at Circuit and Division level completed 11,804 cases against the set target of 7,295 cases. The completed cases accounted for 14.29% of the cases at the High Court which stood at 64,052 at the start of the quarter. In effect, the High Court surpassed its quarterly disposal target by 43%. The Family Division had the highest case disposal among the Divisions with a performance of 1,944 cases while Mukono High Court topped the circuits with 1,084 cases.

At the Magisterial level, the Chief Magistrates' Courts had 65,610 cases brought forward from the last Financial Year with 39,864 cases newly registered. The Chief Magistrates' courts disposed of 37,795 cases representing 33.94% of the disposal rate exceeding its quarterly disposal target of 25,000 cases. It therefore meant that the Chief Magistrates' Court met its quarterly target and surpassed the same by 43%. The top performing Chief Magistrates Courts were Makindye Chief Magistrate's Court with 1,654 cases followed by Mbarara Chief Magistrate's Court with 1,416 cases and Fort Portal Chief Magistrate's Court having concluded 1,398 cases.

In regard to Magistrate Grade One Courts, 17,706 cases were completed during the first quarter as against the set target of 11,250 representing 43.32% of the total cases disposed of. The Magistrates Grade One surpassed their quarterly disposal rate by 57%. 22,325 cases were brought forward from Financial year 2020/2021 with 18,544 cases newly registered at this Court level. The top performing Courts in this category were Kampala City Hall Court with 1,424 cases, followed by Ngora Court with 615 cases and Law Development Centre with 528 cases.

The Magistrates Grade Two had 752 cases brought forward from Financial Year 2020/2021 and 734 cases were registered during the first quarter. They were able to dispose of 556 cases representing 37.19% of the cases completed during the quarter minimally falling short of their quarterly set target of 750 cases.

Results of transformation efforts

In terms of re-engineering processes and improve performance, the committee was informed that the Judiciary was taking all efforts to transform its operations with the emphasis being a shift from case backlog management to caseload management. Consequently, a number of cases were disposed of during the quarter through the various innovations being undertaken by the Judiciary that include Plea Bargaining in Criminal Matters, Small Claims Procedure and Mediation in Civil Matters. As a result, during the quarter under review (first quarter 2021/2022 FY), 2,960 cases were completed through Small Claims Procedure while 184 cases were completed through Mediation. 17 cases were completed through Appellate Mediation.

Case backlog at the end of the quarter stood at 49,512 out of the 167,594 pending cases in the Courts accounting for 29.54% of all the cases. This was an indication that there was a decline in case backlog. At the beginning of the quarter, backlog stood at 30.11% and by the end of September, there was a 0.57 drop of the cases under this category. ■



Braving Lake Victoria Waters for Justice to Buvuma Islanders

Stereotypes are commonplace in society, yet most are rooted in ignorance. Take the example of Uganda's islands; daily discourse within public spaces such as mainstream and social media presents them as wasted places synonymous with immorality, arrested development, and a general sense of slumber.

These stereotypes jolted me into worry as soon as news of my transfer to Buvuma Magistrate's Court reached my desk. The sheer thought of leaving my well-furnished, curtained chambers at Jinja's sprawling High Court building made me wonder what the future portended.

And, neither did the people I talked to help the situation; going by the looks on their faces, it felt like I had been condemned to an abysmal unknown. *"Are you sure it is the right choice, Joel?"* my wife inquired, worryingly adding: *"Travelling on the water you know is unsafe, and accessing your new place of work for lack of a good transport system will be hard for you."*

However, having worked among Buvuma islanders as a Magistrate Grade I for the last six months, I now know better.

My zeal was rekindled

Despite disheartening sentiments from many others, the judicial oath and the Public Standing Orders constantly chimed in my head with the call to serve in any part of the country.

When the transfer fog cleared up, I came to terms with my superiors' decision and reported to Lugazi Chief Magistrates Court, which has magisterial jurisdiction over Buvuma.

The then Chief Magistrate allayed my



By Joel Wegoye
Ag Senior Magistrate, Buvuma

unfounded worries about the islands; a candid narration of her first-hand experience of working on the islands rekindled my zeal.

She then shared with me the phone numbers of key contact persons, that

is, the police officers, prison officers, political leaders, and court staff, in Buvuma. I set off for the district the following day at 4:00 am to be in time for the ferry from Kiyindi Landing Site to the islands.

It was a smooth ride until I turned off Kiyindi Trading Centre along the Kampala-Nyenga-Jinja Highway, and drove for about 5km on a bumpy-gullied road to the landing site, leaving me worried about the cost of repairs likely to arise from subjecting my saloon car to such a road.

Boot exit experience

Public transport in Uganda is such a memorable experience; it brings the powerful and the lowly to the same humbling footing. Upon arriving at the landing site, I queued up to book a place on the ferry, which had limited space for cars. The ferry was such an expansive piece of scientific innovation propelled by engines far more enormous than what we see in ordinary boats.

Drama ensued, however, when for lack of enough space to open my car door, which was nestled between two other cars, I exited through my car's rear door to the watching eyes of the public my suit notwithstanding.

Shortly after, more passengers boarded



The Principal Judge and Chief Registrar during the inspection of the Court at Buvuma Island



Court proceeding with accused persons seated on the ground while the complainants and people of the accused share the limited benches.

a the ferry's twin engines revved on even louder as we set off; sailing for about an hour and 20 minutes. Just as I had exited the vehicle, I re-entered the same way and drove it off the ferry.

A loose wooden chair in the Chambers

Having caretaken the Buvuma Grade One Magistrates Court before, the direction to the court building was familiar to me; I drove to Nairambi sub-county, from where I was directed to the archeological sub-county hall.

A few steps into the hall was a collection of cooking stoves and steamy saucepans overseen by a woman who attended to the local council officials' culinary needs. The aroma of whatever they cooked was inescapable as it wafted across the now older and more dilapidated hall going by the peeling paint on its aged walls and dirt-layered floor.

Still concerned by the situation at hand,



The Principal Judge and Chief Registrar during the inspection of the Court at Buvuma Island

the then-visiting clerk informed me that the hall did not have Chambers. But, 300 metres away was what was shown to be the chambers; a room comprising mattresses covered with mosquito nets and a front desk.

I was informed that the tiny building housed Nairambi Police Post and the mattresses belonged to police officers assigned to the post.

"Your Worship," one police officer called me, *"the chambers are in the next room."* He directed me to an adjacent small room that also acted as the registry, archive, and exhibit store. In it stood a depressing chair; it felt loose upon sitting on it so much that doing so without the risk of a fatal fall was a matter of skill I instantly learnt.

The chamber and the whole island for that matter lacked a printer, copier, and secretarial services. This reality was conversely different from the carpeted chambers I had left in Jinja!

The accused sit on the ground

Realising that people were gathering outside the hall, I instructed the clerk to organise files; we proceeded to court on time to avoid keeping court users waiting. After the opening prayer and introductory remarks, I realised one side of the court was seated on benches and the other half on the floor.

This rose from the court's lack of adequate furniture, and that even the little available in the hall belonged to the sub-county, resulting in that



dehumanising condemnation of the accused to sit on the floor.

No Resident State Attorney

Additionally, the district has no resident state attorney, and files have to be taken to Lugazi District for sanctioning, which is prohibitive to the timely dispensation of justice to accused persons. Besides files, the district has inadequate prison holding capacity, making it difficult to keep new remandees.

Five-acre land for Court

Appreciating the court's importance in the community, the district leaders, the Resident District Commissioner, Chief Administrative Officer, and Local Council V allocated a five-acre piece of land for permanent court construction, challenging the Judiciary to play its part. Similarly, the people are peaceful and take time to listen; for example, for lack of sensitisation, most islanders did not know court mediated/ reconciliation in criminal matters existed as a means to justice. But, with constant sensitisation, many have opted for it, lessening the possibility of case backlog.

Now comfortably anchored in Buvuma

Lastly, my daily journey to Buvuma cannot be complete without the amiable involvement of the ferry staff of MV Buvuma. The sense of care with which they treat me and handle my vehicle has been humbling; they epitomise dedicated public servants unreservedly doing their work regardless of the circumstances.

Considering the adage that time is the best healer, surely with time my worries about the island have been swept under the rug (have been healed); I have found the people to be honest, loving, friendly, and cooperative. I have inextricably got anchored into the island; given chance to choose between a horizontal movement to another duty station and remaining in Buvuma, the latter would suffice. ■

My experience from working in Karamoja

On December 15, 2019, after a year or so of service at Hoima Chief Magistrates Court, a sudden reality dawned on me, my next tour of duty would be to Karamoja.

Fortunately, I was prepared beforehand by the then Chief Registrar, Justice Esta Nambayo. I pledged to diligently serve my uncles and Aunties in Kotido/Abim Courts come January 01, 2020.

To date, I salute Justice Esta Nambayo for the opportunity to serve what has turned out to be the whole of the Karamoja sub-region. Among other roles, I'm the Chairperson of Karamoja Regional Protection Meetings (KRPM), an arrangement championed by the UN Office of the High Commissioner for Human Rights which brings all Justice, Law and Order stakeholders together to fight human rights violations through mainstreaming human rights-based approaches.

Karamoja, here I come...

My new Supervisor, HW Imalingat Robert, Chief Magistrate Moroto/Kotido (now retired) was elated with the addition to his team. On January 03, I braved the dusty and bumpy road from Soroti off Moroto road via Amuria to Abim. On arrival, I was guided to the Court hosted in an old asbestos-roofed colonial structure which used to house the Chief of Jabwor where I met with three eager court staff. Thereafter, I proceeded to Kotido through the lonely and sun-hit rough terrain given that in January the heat in the area is wild, scorching hot and skin-penetrating.

With satisfaction, I have so far worked in Kotido, Abim, Kaabong and Karenga with a lot of satisfaction. On two occasions, I acted as a Court Session



By Aisu Nicholas
Ag. Principal Magistrate Grade One, Abim

Registrar working with Justice Wilson Masalu Musene on Phase III SGBV Criminal Session of 2020 and Justice Vincent Wagana on Phase IV SGBV in 2021.

Kotido...

Three gigantic structures coated with dust housed the court where I was received by staff led by HW Lotyang Paolinus Abunyila, Magistrate Grade Two. I was mesmerised by the court building, in addition, to the five self-contained staff Units, in one of which I would reside. However, unlike at Hoima court where I had 300 files before me, this Court only had a workload of about 50 ongoing files divided between the Chief Magistrate, the Magistrate Grade Two and definitely, myself now.

Here I recalled the instructions from the Chief Registrar, "go and reactivate that Court."



Action and results...

In my first meeting with my Supervisor, we streamlined the work processes and methods. Being a resident in Kotido and caretaking Abim, my work was clear-cut at this point. Resonating with facts at hand, an urgent need for a District Chain-linked Committee meeting to solicit the input of other stakeholders. All was set in motion until the sudden termination of contracts of all the support staff in Kotido.

My supervisor took up the matter with the Headquarters leading to an extension of the contract for the only Karamojong-speaking staff, Mr. Lodon Ferruccio, a Court Clerk/Interpreter and the eventual posting of three more staff.

Retirement of Chief Magistrate, HW Imalingat Robert

Despite the steady progress, on July 2020, HW Imalingat Robert clocked the mandatory retirement age after two years in Karamoja as the sole Chief Magistrate managing all the nine districts of Karamoja which included Moroto, Napak, Amudat, Nakapiripirit, Nabilatuk, Kotido, Abim, Kaabong and Karenga. Subsequently, this was resolved by the deployment of HW Sayekwo Emmy Godfrey as Chief Magistrate Moroto/Kotido.

Justice in Karamoja then...

Comparatively, Before 2020, there was one Magistrate Grade one, HW Otim Moses in Kaabong who would also caretake Abim Court, while HW Lotyang, Magistrate Grade Two was stationed in Kotido with the Chief Magistrate. Later, with my transfer to Kotido/Abim, HW Otim Moses was transferred, so I was assigned additional work to circuit Kaabong Court thereby being the only Magistrate Grade One in the whole of Kidepo region.

In South Karamoja that covered Moroto Chief Magisterial Area, there was a Chief Magistrate in Moroto, a Magistrate Grade One in Moroto (Hw Opiio James, now Chief Magistrate) and another in Nakapiripirit



The Principal Judge during inspection of Moroto Chief Magistrate's Court.



In terms of Court infrastructure, Moroto, Kotido and Nakapiripirit Courts have been renovated. Equally, both Kotido and Kaabong Courts were connected to the national grid, running internet services and Kotido was furnished with a strong backup solar system. While the construction of Abim and Karenga Court House is ongoing.

(HW Longoli Mathew, now in Namutumba Court) who was also in charge Amudat and Nabilatuk districts.

Karamoja region was grouped under Soroti High Court Circuit headed by Justice Wilson Masalu Musene at the time. All files from as far as Kaabong would to be transferred to Soroti, for example, after committal proceedings, for confirmation of sentences or for appeal purposes. In

Criminal cases, the inmates remained either in the district prisons or in Moroto Government Prison for those committed to the High Court. Justice Masalu was replaced by Justice Dr. Henry Peter Adonyo who to date is the Soroti resident Judge.

Principal Judge's Maiden visit to Karamoja

Memorable is the 31st day of August 2020 when the Principal Judge, Dr. Flavian Zeija visited the Karamoja region, commencing his visit in the North Karamoja districts of Abim, Kaabong and finishing the day in Kotido. According to the stakeholders, the elders and the locals of Kotido this visit was the first of a kind which made it historical.

Evident was the impact of this visit till today. Although the locals did not get a chance to interact with the Principal Judge, the sight of his convoy alone elated their confidence in the Judiciary. Unfortunately, due to the poor road network, he could not visit the Karenga district but the effects were still felt there.

The following day, the Principal Judge concluded his tour of Karamoja with the Courts in South Karamoja in the districts of Amudat, Nakapiripirit, Nabilatuk and Napak.



Justice in Karamoja now

For three years in the region, I have witnessed the realisation of the Judiciary transformation agenda in countless ways. Owing to the milestones so far achieved I'm now proud to introduce myself as a judicial officer.

Additionally, the yearning for justice amongst the communities has since skyrocketed. No wonder, all of the nine districts have allocated land to the Judiciary for the construction of the Courts. Some of the sub-counties and recently gazetted Town Councils have also identified premises to host Courts.

The operationalisation of the Moroto High Court circuit has been a game changer in the administration of justice in the region. With an up-to-the-task Resident Judge, Justice Mary Ikit, the people of Karamoja no longer have to trek long distances to access justice from Soroti. Her zeal and motivation have equally motivated other justice actors to ensure the effective and efficient delivery of services.

In terms of Court infrastructure, Moroto, Kotido and Nakapiripirit Courts have been renovated. Equally, both Kotido and Kaabong Courts were connected to the national grid, running internet

services and Kotido was furnished with a strong backup solar system. While the construction of Abim and Karenga Court House is ongoing.

In terms of transport for the Judicial Officers, brand new double cabin pick-ups were availed to the Chief Magistrates of Moroto and Kotido as well as the Grade One Magistrate in Abim. What we are hoping for now, is to receive the vehicles for the Grade One Courts of Kaabong and Nakapiripirit.

Hardship allowance is received by all the Judicial Officers in the Karamoja region which strongly applauds the Judiciary administration for. Our prayer is that the same be extended to the support staff to atone for their dedicated service.

Unlike before when the region had only one Chief Magistrate, three Magistrates Grade One and One Magistrate Grade Two, it now has a resident Judge, two Chief Magistrates, One Principal Magistrate Grade One and five Magistrates Grade One

Recommendations

- There is a need to operationalise Nakapiripirit Chief Magistrates Court since Amudat and Nabilatuk districts that are under Nakapiripirit

Magisterial area are far distant from Moroto.

- Gazette and operationalise Abim as a Chief Magistrate Court so as to reduce the distance travelled by litigants to Kotido for court services.
- Deploy Magistrates Grade One in Karenga, Amudat, Nabilatuk and Napak districts so that at least each district in Karamoja will have a Judicial Officer as well as to effectively feed Moroto High Court.
- In the same vein, a substantial Assistant Registrar for the High Court is necessary.

The delicate security situation in the region

Although the Security situation in Karamoja is ever fragile due to a combination of factors, I commend the Chief Justice for the initiative taken to suspend locus in quo visits in Karamoja at a time when insecurity was at its peak in the region. Day or night, roads, Courts, and residences of Judicial officers are not safe in Karamoja.

However, in my experience, in addition to divine protection, the first line of security for every judicial officer is one's conduct. Avoiding all sorts of acts or omissions that compromise the Code of conduct for a Judicial Officer enhances one's security.

Similarly, cooperating with the Security apparatus, and adhering to their warnings and guidance is a must for all Judicial officers working here. For instance, travelling only between specific hours of the day is advisable. Lastly, if one can, travel only by bus since despite the shortcomings of this option, one is guaranteed to reach their destination without attacks from the warriors.

In addition to the above, I would recommend that the Judiciary Administration avail transport means for all Judicial officers, enhanced fuel allocations, provide security for all and construct residential houses. ■



Chief Registrar inspects Courts

In December, the Chief Registrar, HW Sarah Langa Siu, embarked on inspection of different courts to assess compliance of best practices and also get feedback on the challenges in the courts.

The inspections kicked off at Buyende Magistrates Court where she was received by HW Ronald Nsoby. He took her on a guided tour of the Court. This was followed by an engagement with court users who appreciated such engagements. The Chief Registrar commended HW Nsoby for the good ambience at the Court.

From Buyende Court, she proceeded to Kamuli Chief Magistrates Court where she was received by the Acting Chief Magistrate, HW Aisha Nabukeera. The Court was pointed out as being dilapidated and in queue for renovation. The Chief Registrar met several Court users and stakeholders and took time to sensitize them about court processes and respond to their questions. The public applauded HW Nabukeera and HW Joy Kebirungi for being available at the Court and being diligent officers.

HW Langa proceeded to Kagoma Magistrates Court, where she commended the organization of the archives. The archives are placed in acidic boxes for preservation and chronologically numbered to enable easy retrieval.

The Chief Registrar equally inspected Nakisunga/Ntenjeru Court.

The Chief Registrar routinely inspects of different courts in the Country to assess the state of administration of Justice on the ground, ensure compliance with circulars and directives of Top Management and assess responsiveness of Courts to the needs of their users.

At all these inspections, she was accompanied by her Private Legal Secretary, HW Patricia Amoko. ■



During her inspections, HW Sarah Langa Siu interacted with different stakeholders including members of the public



The Chief Registrar commended Kagoma Court for having well-organized archives.



Chief Magistrates Come Up with key Resolutions to Improve Operations

On Friday October 7, 2022, the Chief Registrar, HW Sarah Langa Siu, held a meeting with Chief Magistrates at the Judiciary headquarters in Kampala.

The meeting was geared at sharing ideas on how to improve performance, tackle backlog as well as get updates on what is happening within the Judiciary.

At the meeting, different strategies were adopted to improve performance of the courts.

1. Operation Backlog Clearance

Key among these were for Chief Magistrates to embrace and implement “OBC” (Operation Backlog Clearance) with immediate effect and demolish the 11,000 backlogged cases in their docket.

2. Categorization

It was also agreed that Chief Magistrates with capital cases categorized as backlog should compile lists of the cases and forward them to the Registrar, Magistrates’ Affairs & Data Management.

3. Lists of those due for bail

For those with capital cases in which accused persons have clocked the period on remand warranting mandatory bail, lists of those cases should be compiled and forwarded to the Assistant/Deputy Registrar of the circuit or Division under which they fall, to be placed before a Judge.

4. Input on regazettement

The Chief Magistrates committed to study the draft instrument re-gazetting Courts and communicate to the Private Legal Secretary to the Chief Registrar, on the correctness of the proposed Magisterial areas.

5. Data on value of cases

It was agreed that the Chief Magistrates



would submit data on the value of cases in Courts each month to the Registrar, Planning, Research & Development.

6. Work plans

The Chief Magistrates were informed that they are required to submit clear and exhaustive work plans (for their entire Magisterial area) to the Registrar, Magistrates’ Affairs & Data

Management, copied to the Registrar, Planning, Research & Development between the 5th and 20th of October each year in time for the budgeting cycle of the next Financial Year.

7. Appraisal forms

The meeting agreed that Chief Magistrates who are yet to submit appraisal forms for the FY 2021/22 to comply.

The Registrar, Planning, Research & Development, HW Flavia Nabakooza undertook to share a template of a work plan with Chief Magistrates.

Following a concern raised by the Inspector of Courts, HW Amos Kwizera, on handling of execution of execution matters, it was agreed that the Judicial Training Institute be notified to include training on executions in its training calendar. ■





Delegation Benchmarks the Ghana Judiciary for Best Practices

A delegation from Uganda Judiciary led by the Deputy Chief Justice Richard Buteera undertook a benchmark tour of the Ghana Judiciary which was intended to acquire best practices in the administration of Justice. The benchmark tour took place between the month of October and November, 2022. We highlight the take aways from the tour.

Why Ghana?

Found in West Africa, Ghana was carefully and strategically selected for the visit due to similarities in history and its advancement and use of technology in the administration of justice.

Choosing Ghana was pragmatic because of the measures and progress in designing programmes, initiatives, and projects that aim at ensuring ease of access to justice. As a common law country just like Uganda, the principles and concepts in the administration of justice in Ghana are more or less similar to those embraced in Uganda. Ghana's history is quite critical because it was the first Sub-Saharan African country to gain independence in 1957. As a consequence, it has taken drastic steps in developing its judicial system in terms of strategies, systems, infrastructure, and practices that have seen tremendous strides that has seen an effective mechanism in the delivery and administration of justice to its population.

The hierarchy of Ghana's Judiciary

Akin to Uganda, Ghana has a Judicial Council established by its Constitution whose composition is similar to that of the Judiciary Council of Uganda. It is headed by the Chief Justice and is charged with making all policy decisions governing the Judiciary, but also with the mandate to appoint and discipline its Judicial Officers. Distinct from Uganda, Ghana does not have a Judicial Service Commission. The roles of the Judiciary Council and the Judicial Service Commission as we know them in Uganda, are, in Ghana fused into their Judicial Council. The roles of the Ghana



The visiting delegation after a tour of the Court of Appeal, the 2nd highest court in the hierarchy of the superior courts in Ghana.

Judiciary Council are mainly advisory. More specifically, it has the duty to propose to Government judicial reforms necessary for the improvement of the Judicial services. The Council also serves as a body for consideration and discussion of matters that impinge on the efficient functioning of the Judiciary, thereby assisting the Chief Justice in the performance of his duties. Just like Uganda, Ghana's Court of Appeal has only appellate jurisdiction, over matters arising from the High Court.

However, the Court of Appeal in Ghana's setting has separate Court halls for hearing criminal and civil appeals. The registration of criminal appeals is quite low. Unlike in Uganda where cases can be commenced in the magistrate courts, Ghana's High Court has unlimited original jurisdiction in civil and criminal matters. The cases are presided over by a single Judge with the exception of terrorism and treason

cases which are heard by a panel of three Judges constituted by the Chief Justice. The Ghana Judicial Service does not have Chief Magistrates courts but has Circuit Judges located in the regions and some district capitals of Ghana. A Circuit Court has jurisdiction over all civil matters with pecuniary and geographical restrictions within their area of operation. It also has jurisdiction in all criminal matters other than treason and offenses punishable by death.

Alternative Dispute Resolution

In a bid to curb case backlog, Uganda has for years adopted a number of Alternative Dispute Resolution Mechanisms (ADR) such as Mediation, Small Claims Procedure and Plea Bargaining, similar mechanisms embraced by the Ghana Judiciary though with a slight difference, in that Ghana introduced what they termed the Court



Connected Alternative Dispute Resolution (CCADR) concept into its adjudication system.

The main objective of this intervention was to augment the traditional court with a system that is faster and more efficient. Like in Uganda, ADR is meant to serve as a tool under the management of a judicial officer to manage his/her case load. In Ghana's Judicial system, ADR has been extended to one hundred thirty-one (131) courts with Six Hundred Thirty-five (635) trained mediators countrywide. In terms of case disposal, ADR contributes 13 percent of completed cases of the annual performance, which are complete disposals without the possibility of appeal. ADR thus comes in handy as it saves Judicial Officers time in terms of managing other cases. Ghana has adopted what has come to be commonly known as an ADR week in its law year which is rolled out to various courts. During the ADR week, several matters are settled, and sensitisation on ADR is done rigorously throughout the country.

Case backlog

Case backlog, backlog in Ghana is defined as a case that has spent more than twelve (12) months in the court system and the average cycle for case disposal is five months for criminal cases and twelve (12) months for civil cases. In Ghana, judicial officers have a timeframe of four weeks from the closure of submissions within which to deliver judgment or ruling for the trial courts while superior courts have six weeks to do so. In terms of case management in courts, witness statements are also used in criminal trials as distinct from Uganda where these are only used in civil proceedings.

Use of technology to deliver justice

Ghana's superior courts (Supreme Court, Court of Appeal, and the High Court) are fully automated and equipped with computers and the internet. Ghana uses the Direct Transcription System (DTS). The Court proceedings are visible on the computers of the Judge, the advocates,



The Chief Justice of Ghana Hon. Kwasi Anin-Yeboah (right) and the Deputy Chief Justice of Uganda Hon. Richard Buteera (left).



The visiting delegation admires the heavy-duty state of art office equipment to process Appeal Records.

and the prosecutor who are able to monitor proceedings in real-time. The transcript is produced within twenty-four (24) hours of the rising of the Court, a feature quite distinct from the 'Digital Transcription System' used in Uganda, whose machinery and usage differ as the production of records in real-time is not possible. The e-Justice System in Ghana is still being rolled out of the courts in Accra. Consequently, the Judiciary in Ghana is still running both the manual and electronic case management systems concurrently with a cut-off period for the manual system scheduled for December 2022 in Courts that are fully automated.

The Ghana Judicial Service (GJS) houses its server equipment in the National Data Centre that is provided by the National Information Technology Authority (NITA), the Government IT Authority.

However, the equipment is a property of the

GJS. Other ICT innovations in the Judiciary service include video conferencing that enables hearing of cases while prisoners are on remand and the two-way CCTV Audio systems to separate victims of crimes from their perpetrators.

Recommendations

The Ugandan delegation recommended that the Ugandan Judiciary should adopt the Ghana ICT system as a priority in assessing the appropriateness and applicability of the Direct Transcription System for its usage in the courts.

The delegation also recommended that the Ugandan Judiciary should make a case for the use of alternative Internet links other than those from the National Information Technology Authority (NITA) to ensure 99 percent ICT availability to run the Electronic Court Case Management Information System (ECCMIS) efficiently.

Still under technology, the Committee also recommended that all old case files be digitised as a matter of urgency; microphones be procured for Court users including use by accused persons while in the dock and witnesses in the witness stand.

The delegation emphasised that deployments more especially for ICT staff be done in consultation with the Head ICT.

To motivate staff, the delegation recommended that salaries for all staff in the Uganda Judiciary be reviewed every four (4) to five (5) years.

The delegation further recommended that the Judiciary undertake the construction and full furnishing of houses for its officers starting with upcountry stations as a form of motivation for staff to work there.

Due to the big role and expanding nature of the Ugandan Judiciary, it was recommended that there is a need to elevate the support functions of ICT, Planning, Budgeting, Monitoring and Evaluation to Directorates. ■



Meet Justice Keitirima, the new EAMJA President

Uganda's Justice John Eudes Keitirima, is the newly elected President of the East Africa Magistrates and Judges Association. He spoke to Rose Namanya about his election to the regional Judicial Officers body and what it means for Uganda as whole.

Tell us about yourself

I am a Judge of the High Court, currently heading the Family Division. I am also the President of the East African Magistrates and Judges Association (EAMJA).

Tell us about your journey to the regional Judicial Officers body

From the time I joined the Judiciary as a Judicial Officer, I have participated in national and East African, and Commonwealth associations. Actually, between 2003 and 2007, I served as the President for the Uganda Judicial Officers Association. So I have been actively involved in association matters of Judicial Officers.

Now that you are the EAMJA President,

what does this mean for you, the Judiciary and Uganda as a whole?

The Presidency means a lot to me and it comes at a time when we are talking about integration of the East African countries. The Executive is trying to integrate, the Legislature is following suit so as Judiciaries we are looking at best practices to benchmark within the region.

This will help us to promote measures that contribute to the improvement and efficiency of the administration of justice, adherence to the rule of law, good governance and independence of the Judiciary.

Do you have specific reforms you

intend to bring on board?

We (the association) have a Constitution that sets out objectives and these are the ones we shall try to implement during our term of Office.

What will be your area of focus?

A lot has got to be done and learned from our Judiciaries and good practices to emulate. The ultimate goal is improved access to justice for our people within the region.

We could also use this opportunity to contribute resources to boost some of the courts that are expensive to run. For example, the International Crimes Division, if run as a regional court, would mitigate some of the costs.



“

We (the Association) have a Constitution that sets out objectives and these are the ones we shall try to implement during our term of Office.

And how long is your term of office?

It will be two years.

Is it the first time Uganda is taking on this position?

No. We have had previous presidents from Uganda I recall vividly retired Justice David Kutosi Wangutusi and Justice Lawrence Gidudu have served as presidents of this Association. So you could say I'm the third from Uganda since its inception in 2001.

So as we look at this position, does it have any perks that come with it?

Absolutely. It gives me leverage to articulate issues about our associations within the region. And it also gives me the opportunity to try and coordinate activities of the national associations within the East African region. It is also a platform to arrange for trainings that we think are relevant to our membership. It assists us to promote collegiality within judicial officers in the region. It gives us a platform to propose methods and ways to harmonise judicial practices within the region. So yes, it is a very big advantage for us (Uganda) to hold this position. Part of the benefits is that we shall be hosting the East African Magistrates and Judges Conference later this year, probably in November. It is therefore a privilege for Uganda to host Judicial Officers from around East Africa.

Any parting shots?

We believe that as Judicial Officers, we



EAMJA and UJOA Executive led by their respective presidents in a group photo with the Chief Justice at the Judiciary headquarters.



Justice Keitirima handing over a gift to the Chief Justice.

should not be left behind. Often, the Judiciary is referred to as a third arm of Government because the other arms lead and then it's as if the Judiciary comes last. So, we need to interact as judicial officers and propose reforms in the laws that are being made. This is because we are the ones that implement those laws.

And I think associations of this nature

will be very handy in that regard. First, we need to cooperate with all regional Judiciary administrations, to support these associations to carry out their mandate.

This is a complementary role which will ultimately benefit the people we serve. We are delighted to have the full support of the Chief Justice, which gesture we appreciate. ■



When public awareness campaigns were taken to refugee camps

According to statistics, Uganda hosts nearly two million refugees in different parts of the country mainly from neighboring war-torn South Sudan and the Democratic Republic of Congo, who are prone to crime as they get accustomed to the foreign law.

As such, these forced immigrants pressure the already inadequate judicial resources, yet the courthouses are far from the settlements. Thus, beyond refugees' food and other protection needs, accessibility to justice is another hurdle for refugees and the host communities.

It is against this backdrop, that the Judiciary decided to engage the refugees as a means of enlightening them on different court processes in various public awareness programmes that culminated in court open days. The campaigns were led by the Principal Judge, Dr. Flavian Zeija and the Chief Registrar, HW Sarah Langa Siu.

Funded by the Government of Uganda, the programmes were taken to Alere Refugee Settlement Camp in Adjumani and Kyaka Settlement in Kyegegwa District. This was described by different stakeholders as a first by the Courts to engage forced immigrants on issues to do with court processes. The Judiciary officials provided a platform for free interaction with the refugees as they sensitise them about their rights, duties and obligations.

Alere Camp Open Day

After days of open interaction with both refugees and host communities in Alere, the climax was an open day, presided over by the Principal Judge, Dr. Flavian Zeija.

The Open Day was held under the theme; **Embracing Reforms to Ensure Access to Justice for All.**

The Principal Judge explained that the Judiciary is past the era where Judicial Officers don't interact with the public. "We must know people and we must know the problems they are facing," he said.

He noted that the Judiciary is alive to the challenges facing by refugees in the quest of justice including language barrier, identification to get bail and access to court services, among others.

He, however, pointed out that the Judiciary is attempting to address these issues by strengthening its innovations, training judicial officers on how to handle refugees, and using technology to improve service delivery. He also informed the participants who included the refugees, their leadership, local leaders and representatives of international agencies that refugees can now be granted bail by presenting authentic documents and that more judicial officers are to be recruited to handle case backlog.

In response to a request by one of the refugees for a permanent court, the Principal Judge noted the necessity of establishing courts in refugee camps.

The Chief Registrar commended



The Principal Judge, Dr. Flavian Zeija (r), interacting with different stakeholders at Alere Refugee Settlement.

Adjumani Magistrate Grade I, HW Nantaawo Agnes Sheilagh, and the Chief Magistrate caretaking Adjumani, HW Kayizzi Ronald for their efforts to reduce backlog.

The Chief Registrar further asked the justice actors to develop a strong legal literacy campaign to combat legal ignorance among refugees.

She took the refugees and court users through court procedures and processes such as Court bail and bond.

Noting that there is a procedure of investigating complaints against judicial officers and court staff, this was in response to concerns regarding court officials.

HW Kayizzi thanked the Principal Judge and Chief Registrar for reaching out to the people in Adjumani.

The Adjumani Vice Chairperson LCV, Mr Aijuka Richard Aurther, thanked the Magistrate Grade I for the work well done. He requested for the deployment of a resident Chief Magistrate to lessen the workload of the Moyo Chief Magistrate.

Mr Ssentamu John Bosco, from the



During the public awareness campaigns and Court Open Days, stakeholders including members of the public were able to freely interact with Judicial Officers.

Office of the Prime Minister appreciated the host community and justice actors for their support towards refugees. He commended the Judiciary for reaching out to the forced immigrants, noting that such engagements need to be held more often.

Kyaka II Refugee Settlement Open Day

By 11:00am, the seven tents pitched at Swenswe Youth Centre in Kyaka II Refugee Settlement, Kyegegwa District were swelling with huge numbers of people who had turned up for an open interaction with Judicial Officers.

The Open Day was presided over by the Registrar of High Court, HW Rosemary Bareebe, who represented the Chief Registrar.

Activities handled during the Open day included sensitising members of the public about court reforms, procedures, and initiatives and how the law operates. Litigants were further sensitised about how courts and police operate in handling files and cases. There was also an interaction period with the refugee community where feedback was given to the members of the public aired air out their requests, questions, and

Activities handled during the Open day included sensitising members of the public about court reforms, procedures, and initiatives and how the law operates. Litigants were further sensitised about how courts and police operate in handling files and cases.

challenges.

Some of the people's concerns raised include loan defaulting issues, which they claim has led to fights between refugees, delays in the transfer of documents from the Police to Court, attacks on refugees by the host community, and problems with paying court fees. This arises out of the fact that Kyegegwa has no commercial bank outlet.

The litigants asked the Judiciary to establish a permanent court in Kyaka

to make it easier for refugees to access justice as well as educating them about Ugandan laws. They further requested the Judiciary to provide alternative means of depositing court fees rather than having to travel miles to access a bank. They called for a criminal session for detained refugees, among other.

Speaking at the Open Day, the host Magistrate Grade One, HW Martha Taremwa, observed that court users often travel long distances to access courts. As a tremendous step to bring judicial services closer to the people of Kyegegwa, she recommended the operationalisation and establishment of new courts in Kyegegwa.

The Chief Magistrate for Kyenjojo, HW Ociba Gloria, who caretakes Kyegegwa Court, pledged to address the challenges within her means that the Refugees are facing.

The Resident District Commissioner (RDC) Kyegegwa, Kalungi Monica, praised the Judiciary for organising a day where forced immigrants can voice their opinions.

She pointed out that the Kyaka Refugee Settlement has a high crime rate and urged them to use their creativity to work hard and ensure that they earn money and stay away from criminality.

In her remarks, HW Bareebe urged both the forced immigrants and the host community to embrace court initiatives such as Mediation, Plea bargaining and Small Claims Procedure due to their immense benefits. She also reassured the litigants that their complaints, requests, and challenges had been taken note of for action.

She urged the court users who hadn't forwarded their complaints and requests to send them through their resident Judicial Officers to aid in improved service delivery. ■



When Uganda hosted international women judges in Kampala

In October last year, it was Uganda's turn to host the International Association of Women judges (IAWJ) African Regional Conference. This culminated in the National Association of Women Judges Uganda (NAWJU) rebranding itself to become the International Association of Women judges (IAWJ) - Ugandan Chapter.

Hosted at the Common Wealth Resort Hotel Munyonyo under the theme, *"Women Judges Breaking the Barriers, Strengthening Institutions"*, the conference saw the Chief Justice of Uganda Alfonse Chigamoy Owiny-Dollo, Kenya's Chief Justice Martha Koome and President Museveni, the chief guest, make a case for women's inclusion in judicial institutions.

Takeaways

The President who officially opened the Conference observed that his government has always promoted women's rights through affirmative action, especially in education and leadership, from the grass root level to the top most positions of leadership in the country. He gave examples of women in leadership positions to include Resident District Commissioners (RDCs) but with the most prominent being the Vice President, H.E. Jessica Alupo.

Other prominent women cited as examples in top leadership positions included the Speaker of Parliament Anita Annet Among, the Prime Minister Robinah Nabbanja and several cabinet ministers. To the President, this is a demonstration that women and girls can excel in positions of leadership.

The President further noted that the notion of looking at women as being less human traces its origin from traditional societies which in his view should not be upheld in a modern society. He thus observed that there is need to overhaul the system since it is not possible to put



Lady Justices and the Chief Registrar, HW Sarah Langa Siu (extreme right) pose with for a photo with the Chief Guest, H.E. Yoweri Kaguta Museveni (Centre in white shirt), the Chief Justice of Uganda, Alfonse Chigamoy Owiny - Dollo (on his left) and the Chief Justice of Kenya, Martha Koome (on his right). This was during the opening of the 17th International Association of Women Judges Africa Region Conference on October 26, 2022.

new wine in old bottles as there is urgent need to transform society from peasantry ideas to those of the working class.

The call

H.E the President also observed that the party that he leads, the National Resistance Movement (NRM), had brought about change in two ways, i.e. providing education to all and business opportunities. He implored NAWJU and other women movement organisations to support all women initiatives that the government has put in place. He particularly asked the Ugandan delegates to support the free education program as the girl child is the biggest beneficiary.

On his part, the Chief Justice took time to thank his counterpart, Chief Justice Koome of the Republic of Kenya for

accepting to give a keynote address at the Conference but most importantly recognised her achievement as the first female Chief Justice of Kenya. Justice Owiny - Dollo also thanked Justice Koome for the big role she played in the recent elections in Kenya that were successfully concluded when the Supreme Court of Kenya confirmed the election of President William Ruto. Justice Owiny - Dollo added, "Chief Justice Koome gives fellow Chief Justices and colleagues in other jurisdictions across the continent much enthusiasm to hear and learn from her esteemed accomplishments".

Highlighting the theme of the conference, *"Women Judges, Breaking Barriers to Justice, Strengthening Institutions"*, Justice Dollo observed that the theme is hinged on the United



Nations Sustainable Development Goal No.16 and appealed to everyone, both men and women judges, to promote peace and justice but further build peaceful institutions through adjudication.

The conference, according to Justice Owiny-Dollo, was timely since Uganda was grappling with an upsurge of gender-based violence plus women and child trafficking cases. He further observed that in many instances, several cases related to gender-based violence, are cause listed but are dismissed for want of prosecution, while others, cannot be successfully prosecuted due to the reluctance of key witnesses. He expressed his pleasure to NAWJU for being cognisant of the role of male judges and specifically highlighted Justice David Batema's contribution to gender parity in Uganda.

Takeaways from the keynote address

In her key note address, Justice Koome observed that she was honoured to attend the Conference as the same was historical because it evokes her memories of the 1990's when she visited Uganda as a young lawyer to benchmark from the Federation of Women Lawyers Uganda (FIDA-U).

Justice Koome gave a comparative analysis of the Kenyan Judiciary in the early 1970s which she observed did not effectively cater for women rights and that the times have since changed as the current Kenyan Judiciary is more accommodative and is cognisant of the rights of both gender equally. Justice Koome further observed that it is now evident that women are breaking barriers and occupying leadership positions with the Kenyan Judiciary currently boasting of 49% women judicial officers as compared to 51% for men.

Highlighting how women have increasingly broken barriers all over Africa, Justice

Women Judges make nine resolutions

At the end of the conference, the delegates made a number of resolutions to wit; -

1. Advancing rights based strategies in achieving development goals and the interests of women;
2. Engaging with informal systems, including, religious and cultural institutions to support women's access to justice;
3. Enhance partnerships with institutions undertaking community awareness in order to enhance knowledge of the law and human rights;
4. Build a research base and agenda to generate concrete information on various customary laws and practices;
5. Train and engage with community paralegals and legal aid clinics on access to justice for all;
6. Empower women and girls through education, gender sensitivity and responsive judicial processes by instituting special procedures and mechanisms, such as, specialised SGBV courts;
7. Build the capacity of informal justice structures on the impact of SGBV on access to justice;
8. Recognising male children as victims and survivors of SGBV;
9. Expedite the resolution of SGBV cases in recognition of the physical barriers to justice and long distances travelled by victims; and Train justice sector actors, such as, police, prosecution and judicial officers on handling vulnerable witnesses.

Koome gave the example of Tanzanian President Samia Suluhu Hassan, who, she noted, had broken the glass ceiling for female politicians in the East African region. She, however, warned that there is need to support women at the top because they are alone and isolated and under increasing pressure from male dominance. Justice Koome noted thus, "I encourage all women leaders to be unapologetic about themselves. Women should not sell themselves short and lower standards to fit in".

The focus, according to the Kenyan Chief Justice, should be put on having good policies that govern the institution, like the sexual harassment policy for everyone to thrive in the Judiciary. She informed participants that Kenya has shifted its leadership orientation and adopted a shared leadership agenda where everybody can be a leader. Justice Koome concluded her address by observing that leadership needs to be operational and not transactional.

Crimes against humanity

Justice Solomy Balungi Bossa of the International Criminal Court (ICC), made a virtual presentation where she informed participants that the ICC is a victim-centred court thus an improvement of the justice system. To buttress this line of argument, Justice Bossa observed that Sexual and Gender-Based Violence is codified in the Rome statute and viewed as a crime against humanity.

Justice Bossa also noted that the ICC is the only court that requires fair representation of both gender, as victims of crime have the courage to testify in court and return to their communities without any fear of persecution. The learned justice made a case for technological advancement which she noted allows recorded testimonies which in turn are good for most victims because the courtroom atmosphere sometimes hinders victims from accessing justice. ■



Why we need to prioritise training in gender-related issues

Colonial and Post-independence Uganda mainly witnessed men as the incumbents of judicial positions, let alone the legal profession. The only way women were able to interact with the legal industry was majorly either as accused persons, litigants, complainants, witnesses, interpreters, and other roles. This would only change in 1965, when Princess Elizabeth Bagaya of the Tooro Kingdom qualified as a Barrister at law, having completed a degree at the University of Cambridge in 1962. It is telling that her 1965 qualification was a first for a woman not just in Uganda but also in the East African region as a whole.

In 1971, Uganda got her first female judicial officer, Lady Justice Laetitia Mukasa Kikonyongo. Sixty years after independence, 49.07% of judicial officers are women, and 16.16% serve as judges and justices on the high bench. Such a profound demographic change is the direct result of the transition to democracy and the concomitant aspiration of transforming the Judiciary from one that collaborated, mainly by omission, silence, and inaction, to discriminate to one that is an inclusive and representative institution.

It is a fact that there is discrimination against women in all areas of life in Uganda, and it has been asserted that bringing them on board will help them address their issues and bring about diverse ideas in society. For the Judiciary, this presupposes that getting more women onto the bench would mean that women judges by the fact that they are women would help address often forgotten gender-related cases. However, even with the increased number of female judicial officers, similar judgments to those of men have continued to be channeled out. This narrative does not also explain feminist decisions written by men.

Take, for example, a gender-focused jurisprudence of maternal and infant mortality as an emerging issue in Ugandan courts. The Ugandan court system has not traditionally litigated maternal and infant



By Naigaga Winfred
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health rights. Nevertheless, cases of this nature have slowly found their way into Ugandan courts and have successfully been determined by both male and female judges. *Joyce Nakacwa v. Attorney-General & Others Constitutional Petition No. 2 of 2001* was one of Uganda's first cases that sought to advance maternal and infant health. Unfortunately, the court did not handle the petition on its merits since the petitioner died before hearing it.

Centre for Health and Human Rights and Development (CEHURD) v. Attorney General. Constitutional Petition No. 16 of 2011 is a landmark case in Uganda's Constitutional Court jurisprudence on maternal and infant health. The justices on the court consisted of two women and three men.¹ They

unanimously agreed that the distressing numbers of maternal deaths in Uganda that were a result of the government's failure to provide primary minimum maternal health care and the unethical behaviour of health workers were issues that involved determining political questions which in effect interferes with political discretion, a preserve of the executive and the legislative branches.

The Supreme Court unanimously overturned the ruling of the Constitutional Court on appeal (*CEHURD v. Attorney General, Supreme Court Constitutional Appeal No. 01 of 2013*). The appeal was presided over by a quorum of two women and five men justices.² In her lead judgment, Lady Justice Kisaakye stated that the political question doctrine only protects the executive arm of Government and parliament from judicial scrutiny where either institution is [appropriately] exercising its mandate. Former Chief Justice Bart Katureebe wrote in his concurring judgment that the petition before the Constitutional Court had created a significant opportunity to determine the content and application of the right to life and health in Uganda.

The Constitutional Court heard *CEHURD v. Attorney General* on its merits and decided it in 2020 after nine years of waiting. This time, an all-male quorum³ listened to the case, and with an international human rights law lens

1 Honorable Lady Justice C.K. Byamugisha; Honorable Lady Justice A.E.N. Mpagi-Bahigeine; Honorable Justice S.B.K. Kavuma; Honorable Justice A.S. Nshimye; and Honorable Justice Remmy Kasule.

2 Honorable Lady Justice Esther Kisaakye; Honorable Lady Justice C.N.B. Kitumba; Honorable Justice G.M. Okello; Honorable Justice J.W.N. Tsekooko; Honorable Justice B.J. Odoki (former Chief Justice); Honorable Justice Jotham Tumwesigye; and Honorable Justice Bart M. Katureebe (former Chief Justice)

3 Honourable Justice Barishaki Cheborion (lead judge), Honourable Justice Alfonse Owiny-Dollo (current Chief Justice), Honourable Justice Kenneth Kakuru, Honourable Justice F.M.S. Egonda Ntende, and Honourable Justice Christopher Madrama



that mandates a state to protect its citizens, the court found for the petitioners. The lead judge, Justice Barishaki Cheborion, noted that the omission to adequately provide [essential] maternal health care services in public health facilities violates women's rights. He declared that the government's failure to provide emergency obstetric care in public health facilities adequately violates the right to health and life and women's rights. He also found that the government's conduct subjects "women to inhuman and degrading treatment and is inconsistent with and in contravention. Justice Barishaki called upon the state to prioritise and provide sufficient funds to improve the country's maternal and infant health services when making financial budgets.

Before *CEHURD v. Attorney General* was filed and determined, the High Court filed, heard, and determined cases concerning infant and maternal health. It is praiseworthy to note that even without the decisions of the superior courts, the High Court was forging a path in uncharted waters and building its independent positive jurisprudence on maternal and infant health.

In 2015, Lady Justice Elizabeth Musoke (JHC as she then was) in *Watsemwa and anor v. Attorney General High Court Civil Suit No. 675 of 2006* and in *Kanyamugule and Another v. Attorney-General and 3 Others High Court Civil Suit No. 285 of 2011* and Honorable Justice Benjamin Kabiito in *CEHURD v. Nakaseke District Local Administration High Court Civil Suit No. 111 of 2012* and in *Hon. Bernard Mulengani v. Attorney General and 2 others High Court Civil Suit No. 29 of 2011* found hospital staff negligent for the deaths of mothers and babies.

2017 came with a landmark High Court decision on maternal and infant health with the decision of *CEHURD v. The Executive Director, Mulago National Referral Hospital High Court Civil Suit No. 212 of 2013*. Lady Justice Lydia Mugambe found negligence on the hospital's part when a baby died but went a step further in situating her decision in the international and the regional human rights legal framework. She cited instruments such

as General Comment 14 of the Committee on Economic, Social and Cultural Rights; General Comment No. 20 of the Committee on Civil and Political Rights; the African Commission on Human and Peoples' Rights Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples Rights; and the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa. Justice Mugambe also called out on the state to address the failed health system with a particular emphasis on the failure to address the needs of rural women.

The maternal and infant health jurisprudence continued with the 2019 decision of Justice Masalu Musene in *Kabiito Telesphorus v. Attorney General & 2 Others High Court Civil Suit No. 26 of 2012*, where he also found for the plaintiff when he held that the negligence of the medical staff and a failed health system caused the death of a mother.

As identified above, the evidence found in maternal and infant health jurisprudence in Uganda suggests that there is no direct relationship between the increased number of women on the bench and the increase in maternal and infant health jurisprudence. The court cases have demonstrated that the gender of a judge does not fully explain the type of decision a judge will make concerning gender-related issues. One can safely assume that gender is not the only factor that affects a person's decisions. In the Judiciary, Judicial decisions result from a judge's lived experience, including experiences shaped by sex, gender, class, education, and other cutting axes of difference that ultimately create a person's identity. This was emphasised in an interview with Lady Justice Mugambe. She stated that she sees herself as a human rights judge who objectively uses human rights lenses to give a balancing act to the law (L. Mugambe, personal communication, May 24, 2019). Judge Mugambe opined that it is not only gender that dictates one's inclination to bring about social justice but also education and training that contribute to an individual's appreciation of social wrongs. Another particular feminist, Justice N.D.A.

Batema (a male judge), in a 2019 interview with Sheila Wamboga in the *Daily Monitor's* Saturday magazine, argued that even if men are not naturally inclined to advance gender issues, they could be educated to do so. He confessed that as a young judicial officer, he never considered gender issues while adjudicating, and it was not until his training on human rights issues that his perspective changed, and he began to analyse his cases from a gender perspective.

As discussed in this article, there is no discernable pattern to neatly categorise the voices of women and men judges. The difficulty in categorising does not mean that women should not be on the bench or that they are redundant additions. Women should be on the bench because they deserve to be there in their own right based on their merit. However, to increase positive jurisprudence on gender-related issues, there is a need to focus on the education and training of both men and women. As the Judiciary plans and budgets its resources, the Judicial Training Institute (JTI) needs to be adequately catered for, and the JTI must prioritise themes around gender-related issues in its training activities.

Maternal and infant health jurisprudence is an emerging gender-related issue that this article has only been able to trace from the early 2000s. Because this study focuses on the jurisprudence on infant and maternal health in Uganda, the findings are limited to a particular subject, the number of cases, and the time period. Therefore, the findings are limited and may change with more jurisprudence and research on the same subject matter or considering other gender-related issues.

Ps. The article is inspired by the author's contribution chapter titled *Judging beyond gender Maternal and infant mortality as an emerging gender-related issue in Ugandan courts*. In: J. Dawuni, ed., *Gender, Judging and the Courts in Africa: Selected Studies*, 1st ed. [online] New York: Routledge, pp.99 – 122. Available at <https://doi.org/10.4324/9780429327865> ■



Judiciary's Legal Mind who served with an Impeccable Record goes to sleep!

On December 7, 2022, Supreme Court Justice, Rubby Opio Aweri breathed his last following a stroke. Since then, there have been outpouring messages of admiration and love of the career judicial officer who served the Judiciary with utmost dedication for nearly 40 years.

The Judiciary family is saddened with the passing of Justice Rubby Opio Aweri... a great towering legal mind who served the bench with boundless dedication, utmost humility and commitment for nearly four decades. No doubt that the Nation at large will miss his noble service. He was the first Judicial Officer in the history of the Judiciary to be accorded a state funeral.

Chief Justice, Alfonso Chigamoy Owiny – Dollo

Oh no. This is very, very sad. Rest well the humblest soul. May God give the family the courage and strength to withstand this terrible loss.

Mr Bernard Oundo, Uganda Law Society President

His record of 40 years is clean with no disciplinary proceedings against him at the Judicial Service Commission. He equally wrote well-

reasoned quality judgments which are increasingly becoming rare

Justice Benjamin Kabiito, Chairperson Judicial Service Commission

Justice Rubby Opio Aweri was soft spoken but firm in his views.

Canon Dr. Alfred Olwa, Bishop Lango Diocese

He had no scandal and was incorruptible as a Judicial Officer. In the Executive, we honour his service of nurturing and guiding young Judicial Officers.

Hon. Betty Amongi, Minister of Gender, Labour and Social Development

We have lost a gallant son, an icon of justice. He was a defender of the rule of law who rose through the ranks to become a Justice of the Supreme Court, the highest Court in the land.

Deputy Chief Justice, Richard Buteera

Please God No!!! This death is a calamity of calamities. May the Lord have mercy on the Justice Opio Aweri's family. May the Lord have mercy on us all as a judicial family. He's truly a fallen hero who still had so much to offer. Remember mercy Lord.

Justice Catherine Bamugemereire

We have lost him on earth but his legacy will remain. He nurtured many of us when we joined the bench. Service with humility was his virtue. May his soul rest in eternal peace.

In Memoriam

Justice Elizabeth Ibanda Nahamya

February 16th 1952 – January 5th 2023



In the death of Justice Elizabeth Nahamya, the Judiciary family lost an important member who served in different capacities. She will be sorely missed in the Ugandan Judiciary, by friends and family and all those who knew her.

May her memory continue shining in the legacy that she has left behind.

May her soul rest in peace

Chief Registrar, HW Sarah Langa Siu

The Lango Judiciary Community mourns the death of Hon. Justice Rubby Aweri Opio who has been an outstanding inspiration to all of us. We will always cherish the wonderful memories we shared with him. Rest in Eternal Grace my mentor and friend Hon. Justice Aweri. Your friendly and supportive words and actions will be forever missed. ■



PICTORIAL



Launch of the 27th Access to Justice Annual Report which was held at Commonwealth Resort Munyonyo on December 6, 2022.



The Chief Justice Alfonse Chigamoy Owiny - Dollo (L) and his Kenyan counterpart Chief Justice Martha K Koome (R) during a benchmarking visit to the Kenyan Judiciary.



Supreme Court Justices conducting the first court session while using the Electronic Court Case Management Information System.



Principal Judge, Dr. Flavian Zeija (front) flanked by the Chief Registrar, HW Sarah Langa Siu (with handbag) with stakeholders during the Court Open Day held at Alere Refugee Camp in Adjumani on September 28, 2022.



Special Parliament seating in honour of the late Supreme Court Justice, Rubby Opio Aweri on December 13, 2022.



THE JUDICIARY



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