



# THE JUDICIARY

## INSIDER

## 23<sup>rd</sup> Annual Judges' Conference shapes the transformation of the Judiciary



**Big milestone as judicial services go digital**

Justice for all took centre stage at the opening of the New Law Year 2022

**Unpacking the myths on bail amendments**



**Bar/Bench Relationship: A view from the Bench**



## PICTORIAL



The Chief Justice, Alfonse Chigamoy Owiny - Dollo, addressing stakeholders in the criminal justice system during the Mbarara Plea Bargaining Camp on March 7, 2022.



The Deputy Chief Justice, Richard Buteera, inspects stalls during the Jinja Court Open Day on March 14, 2022.



Judges and Judicial Officers from Masaka High Court Circuit interact with members of the HIV/AIDS Committee during the Masaka Health Camp on March 31, 2022.



Some of the Judiciary records staff during a refresher training on March 25, 2022.



The archives section at Kagoma Magistrates Court.



Members of the Law Reform Committee during a retreat with members of the Rules Committee to discuss new guidelines.



## This far we have come..

**A**s an independent arm of Government, the Judiciary has in the recent past undertaken a number of reforms intended to improve the quality of Judicial service, but most importantly the administration of justice in the country. Key among these innovations is the automation of case management which has seen a shift from the manual case registration to electronic case management and maintenance in selected courts. The other reform worth highlighting is the amendment of Several Statutory enactments and coming up with a number of Practice Directions to match the changing trends in the law.

To fully harness the benefits of the several reforms, the Judiciary has brought on board key stakeholders to supplement its efforts. Prominent among these are the Administration of Justice Programme Institutions, the Ministry of Information and Communications Technology and National Guidance (ICT & NG) whose main role has enabled case automation.

With the enactment of the Administration of the Judiciary Act (AJA), 2020, the Judiciary is now a self-accounting Institution with a firm bargaining power which has seen a drastic increase in its budgetary allocation from UGX 199 billion in the Financial Year 2020/2021 to UGX 376 billion in the Financial Year 2021/2022. The increase in the budgetary allocation has enabled the institution to increase its Human Resource capacity by recruiting more Judicial Officers and administrative staff.

As a way of accounting to the people from whom judicial power emanates and in line with the dictates of the AJA, the Hon. the Chief Justice presents an annual report in which an account of the Judiciary is embedded for the calendar year, in addition to holding the Annual Judges' Conference where the institution takes stock of what was achieved in the previous year, which conference however, also serves as a fora at which the institution lays strategies on what is to be achieved in the following calendar year.

In this issue of the *Judiciary Insider*, we share in detail some of the above aspects, in addition to giving you a pictorial preview of major events that took place in the Financial Year 2021/2022.

A nice read ahead!

**HW Sarah Langa Siu**  
**Chief Registrar/Editor in Chief**

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## EDITORIAL TEAM

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L-R: Court of Appeal Justice, Fredrick Martin Egonda-Ntende, the Chief Justice, Alfonse Chigamoy Owiny - Dollo and Justice Musa Ssekaana during the launch of the ECCMIS Go-Live date on March 1.

# Big milestone as judicial services go digital

Like many countries, Uganda has adopted the use of ICT in most of its sectors through innovative platforms that have advanced the provision of those services ranging from banking, transportation and service delivery.

**T**he Judiciary hasn't been spared either with the boom and dependence of technology in advancing its constitutional mandate of dispensing justice.

At one point, Chief Justice Alfonse Owiny-Dollo remarked that ICT was the way to go for a modern Judiciary.

It is upon that conviction that on March 1, 2022, a new chapter was opened in the history of the Judiciary when the Electronic Court Case Management Information System (ECCMIS) that facilitates the filing of cases electronically was launched.

ECCMIS is not only a departure from manual to electronic filing of cases but

it is also part of the interventions to

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**ECCMIS has 14 functionalities and features meant to enhance quick access to justice and also minimise interaction between users and the Judiciary staff, thereby minimising corrupt tendencies that frustrate access to justice among others**

strengthen access to justice.

## The features

ECCMIS has 14 functionalities and features meant to enhance quick access to justice and also minimise interaction between users and the Judiciary staff, thereby minimising corrupt tendencies that frustrate access to justice among others.

This means carrying piles of paperwork to the court registry that are hard to reference and harder for the parties to access, which has now been solved.

Indeed, ECCMIS is a digital game changer for Uganda's Judiciary because it is a fully-featured system that automates and tracks all aspects of a case life cycle from



**The Chief Justice registers the first case on the ECCMIS System on March 1, 2022.**

initial filing through disposition and appeal as to each party for any case type.

### Aiding transformation

Because of its enormous benefits on judicial service, the Chief Registrar of the Courts of Judicature Sarah Langa Siu describes ECCMIS as a game changer in transformation of the Judiciary.

Because of the internet challenges and the technical issues involved, ECCMIS kiosks have been set up at every pilot court to facilitate litigants with the filing of their cases.



**To ease operations, ECCMIS kiosks have been set up at various courts.**

According to the chairperson of the ECCMIS Steering Committee, Justice Fredrick Egonda-Ntende, the Judiciary's journey to go digital commenced in 1997 with now an outdated system of Court Case Administration System for management of cases internally. Justice Egonda-Ntende ranks the system as one of the best in Africa.

ECCMIS is now effective in seven courts across Kampala which include the Supreme Court, Court of Appeal, Anti Corruption Division, Civil Division, Land Division, Commercial Division and Mengo Chief Magistrates Court.

On September 16, 2019, the Judiciary signed a five-year contract with synergy International, an American firm in a joint venture with Sybyl, a Ugandan company to design, develop, deploy and maintain ECCMIS at about UGX 9.2b.

In November 2019, the Judiciary Permanent Secretary Pius Bigirimana led a team of technical officers to The United States of America for consultation and benchmarking culminating in the final implementation of the system. ■

### Key features of ECCMIS

- Case workflow management
- E-filing of cases 24X7
- Intelligent case Allocation
- Calendaring
- Role-Base Access
- E-Notifications
- E-Payment Integration
- Online Auction
- Integration with other Gov't Entities
- Creation of Case Docket
- Queue Management



# Judiciary undergoing transformation - Chief Justice

**The Chief Justice Alfonse Chigamoy Owiny - Dollo says that the Judiciary is undergoing transformation to improve business processes for improved efficiency and effectiveness in the administration of justice. This was contained in his address at the Opening of the New Law Year 2022.**

According to the Chief Justice, this is in line with the NDP III aspiration of strengthening adherence to the rule of law and safety of persons and property.

The Chief Justice observed that transformation of the Judiciary is guided by the Administration of the Judiciary Act, 2020, which has led to the enhancement of the Judiciary budget from UGX 199 billion for the FY 2020/2021 to UGX 376 billion for the FY 2021/2022.

He noted that the increment in the Judiciary budget has bolstered the institution to begin the process of affording the people of Uganda access to justice, which is "Judiciary's paramount undertaking".

"With continued funding, I am confident that our vision of redefining case backlog from 2 years to 1 year and eventually to only a few months will be achieved; and then we can rightly congratulate our people for the realization of their aspirations and desire," he observed.

The Chief Justice further observed that the Judiciary intends to prioritize the quick and qualitative resolution of commercial and land cases which have a direct impact on investment and the economy.

According to the Chief Justice, the Judiciary budget will be progressively enhanced to UGX 800 billion in the medium term of three Financial Years and this will ensure justice for all within a walkable distance.

In his address at the opening of the New Law Year, 2022, the Chief Justice confidently indicated that the transformation of the Judiciary will be realized through the strategic objectives of equitable access to Judicial Services; improved Court processes and case management.

Other mechanisms highlighted are strengthening the use of ICT in the administration of justice: developing and supporting the Judiciary workforce and institutional capacity; improving coordination; partnerships and accountability; improving public awareness and the image of the

Judiciary; and, enhancement of resource mobilization and management.

The Chief Justice further explained that in 2021, the institution embarked on a grand agenda to transform Judicial services in Uganda, by providing meaningful access to justice to the people in fulfillment of their aspirations and desire, for which there is an unrelenting deafening outcry from the people.

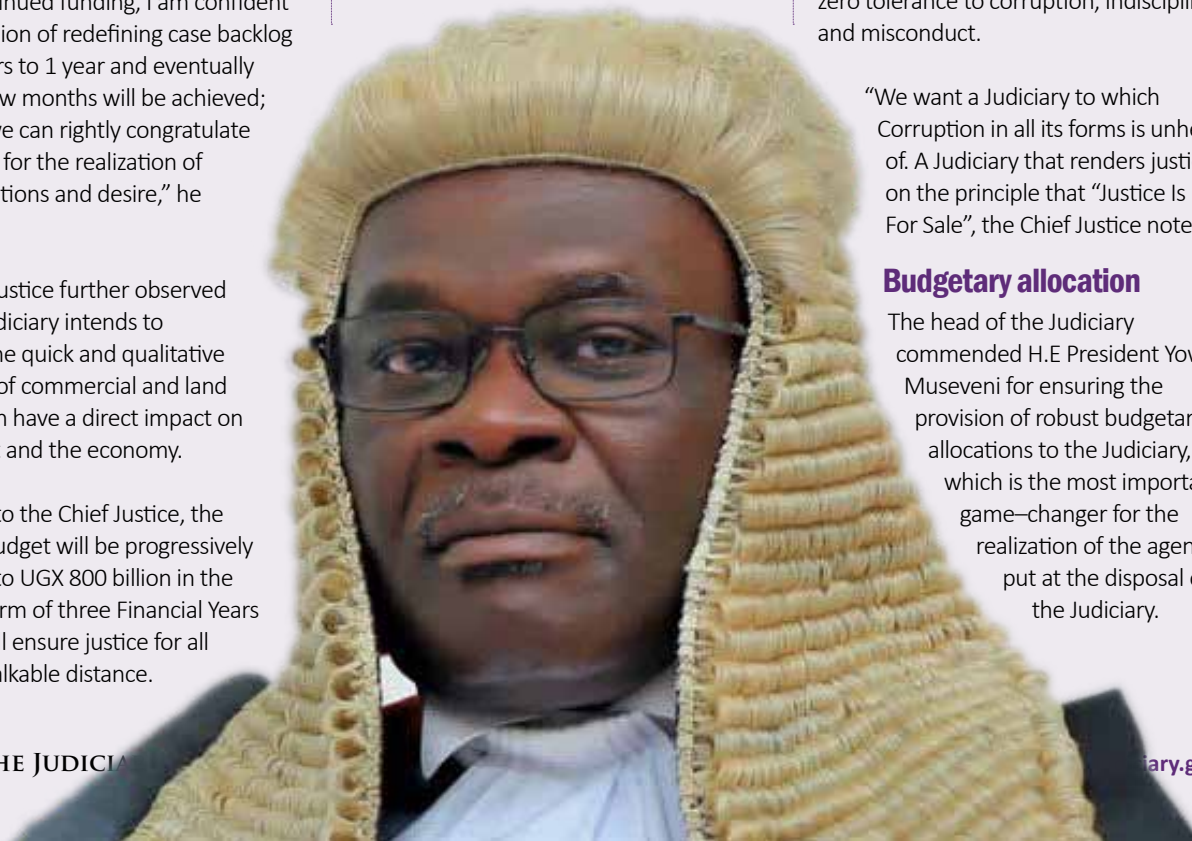
"This mission can only be realized when there is an equitable visible presence of a functional Judiciary within the reach of our people throughout the country," noted the Chief Justice.

He further re-emphasised his goal of having a Judiciary that is guided by the principles of integrity, impartiality, and zero tolerance to corruption, indiscipline and misconduct.

"We want a Judiciary to which Corruption in all its forms is unheard of. A Judiciary that renders justice on the principle that "Justice Is Not For Sale", the Chief Justice noted.

## Budgetary allocation

The head of the Judiciary commended H.E President Yoweri Museveni for ensuring the provision of robust budgetary allocations to the Judiciary, which is the most important game-changer for the realization of the agenda put at the disposal of the Judiciary.







The Chief Justice, Alfonse Chigamoy Owiny - Dollo, at the launch the first Annual Performance Report, 2020/2021 on November 15, 2021.

## Fighting backlog

The Chief Justice observed that the institution has dedicated its efforts to fighting delays in rendering justice, notoriously known as “case backlog” by bringing courts nearer to the people through deployment of magistrates at district level.

Others include creation of new High Court circuits, advancing ICT, enhancing human resource capacity, improving court processes, revising court rules and strengthening existing case management reforms such as Mediation, Plea Bargaining, Small Claims Procedure, Case Backlog Reduction Strategy and Child Friendly processes among others.

## Improved access to courts

The Chief Justice revealed that the Judiciary’s plans for the financial year 2022/23 are focused on people centered justice within a walkable distance.

He pointed out that with the progressive growth in the Judiciary budget, Chief Magistrates will be deployed at district

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**ECCMIS has 14 functionalities and features meant to enhance quick access to justice and also minimise interaction between users and the Judiciary staff, thereby minimising corrupt.**

level and Grade One Magistrates at Constituency level so that litigants do not have to trek long distances for judicial service.

“Knowing that there is an unwavering commitment from the highest office in the land to radically overhaul the Judiciary landscape in this country is exceedingly reassuring that we intend to recruit more

Judicial Officers as well as support staff, to fill the approved expanded Judiciary Service Structure,” the Chief Justice explained.

Furthermore, the Chief Justice noted that they intend to recruit a minimum of 30 High Court Judges for the existing High Court circuits as well as manning the new High Court Circuits to be opened during the FY 2022/2023 in Nebbi, Kitgum, Apac, Kumi, Kamuli, Lyantonde, Bushenyi, and Kasese to alleviate the severe inhibitions to access to justice in these areas.

In order to reduce the distance in pursuit of justice, the Chief Justice observed that construction of the regional Court of Appeal in Gulu and Mbarara is set to kick off to cut on the distance. Masaka, Mbale are also planned to have a regional Court of Appeal.

## Strengthening innovations

In regard to ongoing innovations in the institution, the Chief Justice revealed that implementation of existing case management reforms such as mediation, Plea Bargain, Small Claims Procedure, Case Backlog Reduction Strategy, child friendly procedures, automation of Courts, and daily hearings of criminal cases in the High Court among others will be strengthened.

The Chief Justice further noted that he will ensure a robust Inspectorate of Courts to enable it execute its mandate to ensure strict adherence to maintenance of staff discipline, zealously fighting corruption and abuse of office, and ensuring that Judicial Officers abide by their oath of service and the Judicial Code of Conduct.

He noted that he also intends to improve stakeholder engagement through improved public relations, easing communication, strengthening of complaint handling and customer care facilities to the public as well as continuing to support existing structures and practices such as the Chain Linked Committees, the Court Open Days, the



**Stakeholders during the validation meeting to discuss the proposals for reform of Court Rules of Procedures and Guidelines.**

Bar-Bench forum and the Court Users Committees, among others.

Strengthening coordination linkages between the Judiciary, the Judicial Service Commission, and the other Arms of Government, the Justice Law and Order Sector institutions, Development Partners and all the other Justice Service providers is another target for the Judiciary, according to the Chief Justice.

Outlining his strategies for the institution, the Chief Justice further states that he intends to ensure sound accountability, as well as strengthening monitoring and evaluation of the performance of staff of the Judiciary, including the implementation of the Performance Management Tool.

The Chief Justice notes that championing and implementing more reforms in case management practices and use of ICT in managing Court hearings shall be emphasised for effective administration of Justice.

### Key achievements in 2021

The Hon. Chief Justice revealed that during the year 2021, in spite of the COVID-19 challenges, the Judiciary registered remarkable scores that are worth noting geared towards the full



**At the close of the year 2021, the Chief Justice said case backlog stood at 48,836 Cases (29.43%) against a caseload of 165,914 pending cases**

implementation of the Administration of the Judiciary Act, 2020.

Specifically, On October, 19, 2021, the Chief Justice commissioned the Electronic Court Case Management System (ECCMIS) to facilitate the efficient and reliable collection, organization, distribution and retrieval of significant amounts of case specific data as well as the processing of payment of relevant court fees and fines by the Citizens.

The Chief Justice revealed that in the year 2021, over 152 Judicial Officers were recruited to boost the human resource capacity and thus the judicial service.

In a bid to embrace online hearing of

cases, the Judiciary also installed Video Conferencing Systems in the Commercial Division, Mbarara High Court, Arua High Court, Masindi High Court and Masaka High Court.

The National Information Technology Authority – Uganda (NITA-U) also supported the Judiciary digital transformation through the provision of Internet Services by extending National Backbone/EGovernment Infrastructure to twenty-four (24) Courts.

Of these, seven (7) are High Courts namely; Gulu, Lira, Arua, Fort Portal, Mubende, Mpigi and the Family Division.

The other seventeen (17) courts include; Magistrates Courts of Koboko, Katakwi, Masindi, Kasese, Mbarara, Masindi, Adjumani, Bushenyi, Busia, Hoima, Kiryandongo, Ibanda, Mityana, Kyenjojo, Nakasongola, Kumi and Rubirizi.

On November 15, 2021, the maiden Annual Performance Report, 2020/2021 was launched which according to the Chief Justice's view, is a positive step in the path of implementing the Administration of the Judiciary Act, 2020.

At the close of the year 2021, Chief Justice observed that case backlog stood at 48,836 Cases (29.43%) against a caseload of 165,914 pending cases

Overall, the Courts disposed of 158,423 cases in the year 2021 compared to 126,265 cases disposed of in the year 2020.

The Chief Justice attributed the improved performance to use of ICT and other innovations in the delivery of Justice, in spite of the COVID-19 challenges.

In order to enhance staff welfare and ameliorate their health care challenges, the Judiciary introduced the Health Insurance Scheme for all the staff of the Judiciary. ■





# New recruitment of Judicial Officers to boost judicial service

Uganda's population is estimated at 45 million as per the last census carried out by the Uganda Bureau of Statistics in 2014 while the latest United Nations data projection puts it at 47 million.

As the population grows, the more demand for the judicial services shall be desired. This explains why the Judiciary is flooded with justified incessant demands from the population all over the country for access to judicial services reminiscent of a democratic society.

This means that a sufficient number of Judicial Officers and support staff should be progressively recruited for the effective delivery of judicial services. The Judiciary was inadequately staffed at 37% of the Approved Staff Structure of 2009.

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**The Judiciary's target is to have at least a Chief Magistrate in every district and a Grade One Magistrate in every political constituency and establish regional courts of appeal.**

The total number of 378 Judicial Officers as per last FY was expected to serve a population of 45 million people. Out of the 386 Magistrates Grade One Courts, only 126 had Magistrates.

A total of 27 Chief Magistrates were caretaking between two to six Chief Magistrates Courts, with the Fort Portal Chief Magistrate caretaking six magisterial areas while the ones of Soroti and Lira were each running five Chief Magisterial Areas.

For instance, the Ankole sub-region which suffers some of the worst-case



Judiciary Top Management and led by the Chief Justice in group photo with some of the newly sworn-in Magistrates Grade One on November 24, 2021



backlog situations would have been better served by three High Court Circuits to be able to meaningfully deliver justice to the population. Busoga sub-Region with its huge population equally needed a minimum of three High Court Circuits.

The Acholi sub-Region, which is a huge geographical area where some litigants have to travel as far as 200 kilometres to reach the High Court in Gulu in search of justice, would be better served by three High Court Circuits.

The litigants from Kaabong in the Karamoja sub-region must travel to Soroti to access the High Court. Such glaring infrastructure gaps were bound to adversely affect people's access to justice.

Considering that by end of 2021, 161,054 cases were pending in the courts, the Judicial Officers were overstretched and could not dispose of the cases in time.

This is explained by the ratio of Judicial Officers to the population that stood as follows; by the end of the last Financial Year: Supreme Court 1:5,111,111, Court of Appeal 1:3,538,461, High Court and 1:793,103 Magistrates' Courts 1:158,075.

With the recruitment of new Judicial Officers, access to judicial service in all



**Some of the new Magistrate Grade One.**



**HW Atono Willy, the first visually impaired Magistrate takes his oath.**

corners of the country is taking shape.

The unprecedented recruitment of 91

Grade One Magistrates in this financial year and the planned recruitment of more than 174 Judicial Officers in the next financial year has boosted access to justice and judicial service will be accessible in all corners of the country.

The Judiciary's target is to have at least a Chief Magistrate in every district and a Magistrate Grade One in every political constituency and establish regional courts of appeal.

Therefore, the recruitment of more Judicial Officers will not only take the judicial services closer to the citizens but will also reduce the escalating case backlog. ■

## Recommendations

The recruitment plan for the Financial Year 2021/2022 which provides for 697 Judicial Officers and 958 Support Staff should be effectively and timely implemented.

The Judiciary should be accorded the necessary resources to establish more justice centres to bring services nearer to the people and afford them effective access to justice.

Each district should be made a Magisterial Area, with a Chief Magistrate to run it. Therefore, there is need to recruit at least 146 Chief Magistrates to match the number of districts in Uganda.

There is also need to have at least one Magistrate Grade One in each of the 353 constituencies in Uganda.

The High Court establishment must be commensurate with the area population and the unique geographical challenges.

There is need to enhance the size of the Court of Appeal by establishing it in the various Regions at Mbale, Mbarara, Arua, Gulu, and Fort Portal.





# The 23rd Annual Judges' Conference shapes the transformation of the Judiciary

Since the enactment of the Administration of the Judiciary Act, 2020, Judges had never met to discuss it in detail because of the COVID-19 pandemic protocols on gatherings.

**P**assed into law in June 2020, the Act among others provides for the efficient and effective administration of the Judiciary and further strengthens the independence of the Judiciary.

Accordingly, the theme of the 23rd Annual Judges' Conference was pegged on the Administration of the Judiciary Act and Sustainable Transformation of the Judiciary.

The choice of this theme was determined by the need to transform the Judiciary landscape by ensuring it's robust and equitable presence all over Uganda so that it affords all justice seekers, the much-cherished dependable ease of access to justice.

Following the passing of the Act, the budget of the Judiciary has since been enhanced from sh199b to over sh376b

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**The Judicial Officers shall embrace a new paradigm focusing on process control as a reliable tool in case backlog reduction and for expeditious disposal of cases.**

and it is projected to progressively increase to sh800 billion in the next three financial years.

Drawing from the theme of the four-day retreat pegged on the Administration

of the Judiciary Act and sustainable transformation of the Judiciary, the Hon. the Chief Justice Alfonse Chigamoy Owiny - Dollo tasked the Judges to ensure a robust and equitable presence to afford all justice seekers dependable ease of access to justice.

In his further observation, the Chief Justice said the Administration of the Judiciary Act has not only transformed the Judiciary but it has also enhanced access to justice in the country.

Because of increased funding to the Judiciary, the Chief Justice observed that several courts have been renovated in addition to the construction of Twin Tower building at the High Court in Kampala which is to house the Supreme Court and the Court of Appeal respectively.

**The opening of the 23rd Annual Judges' Conference**

The Chief Justice further tasked their Lordships to ensure regular hearing of cases, timely delivery of Judgements and rulings, effective supervision of lower courts and embracing technology in the administration of justice.

“The current challenges affecting our operations are gradually being addressed. Upon achieving the targeted manpower recruitment, more courts across the country will have Judicial Officers deployed and this will enable speedy trials and timely justice,” he noted.

The Chief Justice also reassured the general public that the Judiciary is committed to upholding the rule of law and good governance, which are key for sustainable peace and national stability.

In his maiden address to the Judicial Officers, the Acting Minister of Justice and Constitutional Affairs Wilson Muruli Mukasa implored Judicial Officers to adopt the four principles laid down by Greek philosopher Socrates of listening, answering wisely, soberly considering issues, deciding impartially and serving to remove the sense of injustice to enhance public confidence in the courts of judicature.

Supreme Court Justice Mike Chibita who also doubles as the chairperson

### Resolutions Passed at the AJC

- The Judicial Training Institute shall take necessary steps to seek accreditation with the National Council of Higher education (NCHE) as an academic awarding institution for continuous professional education.
- The Judiciary shall develop a clear and costed roadmap for implementation of the Administration of the Judiciary Act, 2020.
- The Judiciary shall expedite migration from the manual case management system to ECCMIS.
- The Judiciary shall ensure that there are adequate transcribers including retraining secretaries to undertake transcription.
- Resident Judges in circuits shall assist the Principal Judge in the supervision of the lower courts.
- The Judiciary shall in consultation with the minister responsible for justice re-organise magisterial areas to ensure equity, efficiency and effectiveness in the administration of justice.
- The Judiciary shall establish mobile courts to enhance access to justice in underserved areas in Uganda.
- The Judiciary shall advocate for the enhancement of jurisdiction of magistrate's courts and amendment of the Judicature Act to increase the number of justices in the Court of Appeal and Supreme Court.
- The Judiciary shall put in place standards to regulate and guide the provision of services in the Judiciary. These include infrastructural standards, standards for equipment and tools, reference materials, health standards and human resources.
- The Judicial Officers shall embrace a new paradigm focusing on process control as a reliable tool in case backlog reduction and for expeditious disposal of cases.
- Each division/circuit/ court shall prepare a properly costed case clearance plan with defined targets and time schedules to be integrated into a Judiciary wide case clearance plan for the year to be financed.

of the Governing Council Judicial Training Institute noted that the general objective of the Conference focused on the performance of the Judiciary in the previous

year, identifying gaps hindering performance and making proposals to modernise and improve the efficiency and effectiveness of courts in the administration of justice. ■





# Justice for all took centre stage at the opening of the New Law Year 2022

**The New Law Year is a statement of accountability by the Judiciary according to Article 126 of the Constitution, which enjoins courts in this country to exercise judicial power in conformity with the law, and with the values, norms and aspirations of the people.**

**T**he opening of New Law Year was marked on February 4th, 2022. H.E President Yoweri Kaguta Museveni graced the occasion that took place at the Judiciary headquarters in Kampala.

A handful of guests including members of the legal fraternity headed by their President Pheona Wall Nabasa were present.

Ensuring justice for all took a centre stage during the event. In his address, the Chief Justice, Alfonse Chigamoy Owiny-Dollo noted that for the desired access to justice to be achieved, other Justice Law and Order Sector

institutions whose performance greatly impact the performance of the Judiciary must be equally and robustly strengthened.

The Chief Justice pointed out that the quality of police investigations has been wanting in many cases leading to frustration of justice as many cases collapse due to lack of persuasive evidence.

Another area that the Chief Justice wants the government to fix is the human resource deficiency at the Office of the Director of Public Prosecutions which is currently operating at 37 per cent of the approved structure.

As of the end of the year 2021, prosecutors were unavailable in 102 courts throughout the country where there are magisterial areas yet it is prosecutors that are supposed to present the cases before the court.

On his part, President Museveni tasked the Judiciary to ensure justice for all saying it is part of the National Resistance Movement manifesto.

## Key pillars of the administration of justice

The president outlined key pillars for the effective administration of Justice by the Judiciary.



He outlined the pillars that include protection of life, people's property, protection of women and girls from rapists and defilers.

The president also tasked the Judiciary to expedite cases involving embezzlement of Government funds and those insulting people without a legitimate purpose of communication for peace and tranquillity to prevail in society.

The President also observed that the transformation of the Judiciary should not only be focused on administration but must also reflect the substance of the judicial service.

"The justice you are giving should be in line with our culture and aspiration of the people because the judicial service you are rendering is not for Europeans or Indians but Africans of the Great Lakes region. We have our traditional jurisprudence though some are outdated while some are still relevant and you must keep it in mind," President Museveni noted.

He also welcomed the Judiciary's move to streamline bail guidelines saying some of the Judicial Officers abused their discretion. ■



**H.E President Yoweri Kaguta Museveni during the opening of the New Law Year 2022.**



**The Chief Justice delivering his New Law Year address.**

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**"The justice you are giving should be in line with our culture and aspiration of the people because the judicial service you are rendering is not for Europeans or Indians but Africans of the Great Lakes region. We have our traditional jurisprudence though some are outdated while some are still relevant and you must keep it in mind," President Museveni noted.**



**The Attorney General, Mr Kiryowa Kiwanuka and a cross-section of Justices and Judges follow proceedings at the opening of the New Law Year.**





# CJ flags off 2022 Plea Bargaining prison camp at Mbarara Main Prison

**The Chief Justice, Alfonse Chigamoy Owiny – Dollo described Plea Bargaining as a good intervention that will help the Judiciary to shift from case backlog to caseload management. “During the Annual Judges’ Conference, we agreed to a paradigm shift from case backlog to case load management and Plea Bargaining is a good intervention in facilitating the shift.”**

**H**e made these remarks on March 7 while flagging off a week-long Plea Bargaining Sensitization and Prison Camp at Mbarara Main Prison. This was the first Plea Bargaining Camp he was presiding over as Chief Justice. At the Camp, 700 cases had been lined to be concluded within the week using the quick access to justice initiative.

The call to utilize Plea Bargaining in the Criminal Justice System was reiterated by the Chief Registrar, HW Sarah Langa Siu, who noted that the fast access to justice initiative was a game-changer. “Plea Bargaining is one of our strategies in caseload management and if well-



**The Chief Justice speaking at the Camp.**

managed, it is cheap, faster and meets the ends of justice for both the victims and accused persons,” she said.

The Chief Justice reassured the stakeholders who included Judicial Officers, heads of diplomatic missions, representatives of criminal justice institutions and the inmates, that the Initiative, the Courts were ready to handle cases that may not necessarily be backlog but are ready for trial. “Therefore, at this camp, we are ready to handle a case that was even committed yesterday provided the accused person is willing to plea bargain,” he said.



**A group photo during the opening of the 2022 Plea Bargaining Camp at Mbarara Main Prison on March 7, 2022.**



Plea bargaining is a negotiated agreement between the prosecution and an accused person to plead guilty to the charges in exchange for a more lenient sentence.

The Chief Justice also cautioned the accused persons not enroll on the programme just for the sake it unless they are certain that they are guilty of the offences they are accused of.

The Chief Registrar noted that the 2022 Camp would handle both capital and petty offences simultaneously. "...we have two Judges that will handle the capital cases and two magistrates to handle non-capital cases," she said.

The Officer in Charge of Mbarara Main Prison, SP Innocent Draville, in his brief to the Chief Justice decried the congestion at the facility. He noted that while the Prison's capacity is 324 inmates, it currently accommodates 2,581 inmates. It was observed that the South-Western prisons have a prison population of 8,329 inmates which is 400 per cent above their capacity of 2,064 inmates. Due to this congestion, it was reported that inmates sleep in turns since eight inmates occupy the space ideally meant for one person.

The Principal Judge, Dr Flavian Zeija, expressed his optimism that with the Camp on course, caseload will have significantly reduced. He added that he was "looking forward to a time where we shall be able to realize that 50 per cent of criminal matters plea bargained. If we attain this goal, case backlog will be dealt with and delayed trials will be a thing of the past."

On her part, the Director of Public Prosecutions, Justice Jane Frances Abodo, recognized the efforts of prosecutors to ensure that the Camp is a success. "Prosecutors have for the last three weeks been looking through files of those interested in doing Plea Bargaining and I encourage them to bargain fairly," she said.



**Mr Scott Lest looks on as the Principal Judge, Dr Flavian Zeija, shows off his photo scoring the winning goal at the 2020 friendly match with inmates.**



**During the year 2021,  
13 Plea bargaining  
sessions were  
conducted by the High  
Court resulting in a  
total disposal of 579  
out of 592 cases listed  
under the scheme.**

Speaking on behalf of the co-organizers of the Camp, Pepperdine University, Mr Cameron McCollum commended the efforts of all criminal justice actors to gather on prison grounds to take justice services to accused persons. "I have never seen, what I see this week, remandees, Judges, Prosecutors, defence counsel, Police all gathered with a common goal to move justice forward. And this is not in the courtroom, or an office but in a prison courtyard," he noted.

Mr Scott Lest also from Pepperdine

University, went on to hand over to the Principal Judge, a portrait of him at Bushenyi prison in 2020 where he scored the winning goal that saw criminal justice actors win a friendly football match with inmates.

The Camp was witnessed by the Chairperson of Judicial Training Institute Governing Council, Justice Mike Chibita; the Judicial Training Institute Executive Director, Lady Justice Damalie N. Lwanga, Mbarara Resident Judges; Lady Justice Joyce Kavuma and Lady Justice Jane Kiggundu. The Plea Bargaining focal Judge, Jane Okuo, the German Ambassador to Uganda, Mr Matthias Schauer, Dr Katja Kerschbaumer, representing the Head of Office of the Austrian Development Cooperation in Uganda, were in attendance.

The Permanent Secretary/Secretary to the Judiciary, Dr Pius Bigirimana, Judiciary Technical Advisor, Mr Andrew Khaukha, Commissioner of Prisons, Baker Asingya, equally took part.

The Camp was organized by the Judiciary in partnership with the Pepperdine University. ■





# Unpacking the myths on bail amendments

**For a long time, the issue of bail has been handled depending purely on the wisdom of the presiding judicial officer without proper guidelines followed.**

Judging from the different rulings on bail delivered by Judges from time immemorial, it is quite evident that there is no uniformity as regards the grant of bail.

This has caused a lot of inconsistency as far as bail is concerned. The inconsistencies relating to bail has not only muzzled the growth of the jurisprudence but it has also greatly impacted the image of the Judiciary and the credibility of Judicial Officers based on unfounded grounds.

As part of the efforts to resolve the issue, the Judiciary has decided to come up with guidelines for courts when dealing with bail applications.

The Chief Justice, Alfonse Chigamoy Owiny – Dollo clarified that the Constitution (Bail Guidelines for Courts of Judicature) (Practice) Directions 2022 are meant to ensure uniformity as regards to grant of bail.

The Chief Justice explained that the guidelines are not meant to restrict bail as some critics claim but to streamline the same in line with the Constitution, Trial on Indictments Act, Case law among others to avoid inconsistencies.

Dispelling the fears on the intention of the bail guidelines which were in the offing, the Chief Registrar, HW Sarah Langa Siu, pointed out that the amendments are informed by extensive research and the rules are intended to address several inefficiencies which exist within our justice system and aim to improve efficiency and effectiveness in the Administration of Justice.

HW Langa further elaborated that the guidelines were meant to streamline refund of bail money noting that currently getting back bail money is akin to walking on water.

The Principal Judge, Dr Flavian Zeija, who heads the Judiciary's Law Reform Committee noted that the guidelines are meant to complement the existing legal provisions on bail to promote uniformity and consistency by courts when considering bail applications with a view of enabling fair administration of bail measures.

## Other proposed reforms

Regarding amicus curiae guidelines, Dr Christopher Mbaziira from Makerere University law school informed the gathering that the same were long overdue because currently there were no principles and procedures followed.

Other reforms highlighted related to the Judicature (Representation at the expense of the State) Rules 2022, the Constitution (Sentencing Guidelines for The High Court) (Practice) Directions 2022, the Judicature (Court fees) Rules 2022, the Judicature (Court Bailiffs) Rules 2022 and the Judicature (Amicus Curiae) Rules 2022.

Since its inception in 2018, the Committee made several proposals that have informed change of various rules of procedure such as the Civil Procedure Rules, Judicial Review Rules, Electronic Justice, Rules on Recusal of Judicial Officers and Land Eviction Rules among others.

It is therefore incumbent that the members of the legal fraternity join efforts with the Judiciary to strengthen the guidelines rather than politicise the process. ■





# Ridiculing Judicial Officers unproductive

**Of late, it has become routine by some lawyers and some members of the public to ridicule Judicial Officers because of their decisions despite their constitutional right to appeal in case of an erroneous decision.**

**O**ne of the issues highlighted at the opening of the New Law Year related to the ridicule and abuse of Judiciary officers by some sections of society.

This is unproductive because attacking a judicial officer cannot reverse the decision but the appellate court can do so.

Besides, Judicial Officers are permitted to be wrong under the law and that is why the constitution allows an aggrieved party to appeal up to the Supreme Court.

The Chief Justice, Alfonse Chigamoy Owiny-Dollo, observed that such behaviour is not only unbecoming of lawyers but is not productive.

The Chief Justice further observed that although the Judiciary welcomes positive criticism, the institution shall not tolerate insults more so laced with vulgar language.

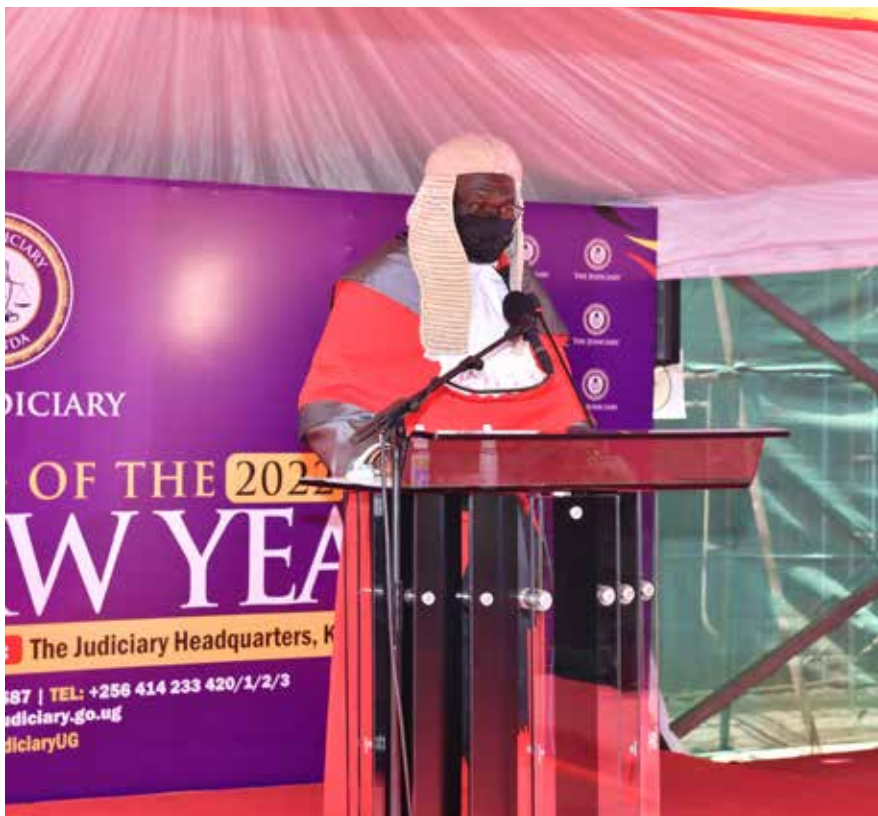
The Chief Justice advised aggrieved parties to exercise their constitutional right of appeal instead of trading insults.

According to the Hon. Chief Justice, the

Judiciary serves as a forest where all people can hide and if the Judges go naked, darkness will reign.

The Attorney General, Mr Kiryowa Kiwanuka, who is the head of the bar equally condemned gross misconduct among members of the legal fraternity which he noted could hinder the transformation of the Judiciary.

According to him, It is important that lawyers do their role while Judicial Officers exercise judicial power fairly for the betterment of society thereby upholding the rule of law. ■



**The Chief Justice, Alfonse Chigamoy Owiny - Dollo.**



**The Attorney General, Mr Kiryowa Kiwanuka at the opening of the New Law Year Event.**





# Bar/Bench Relationship: A view from the Bench

**The delivery of the judicial service involves different actors who largely include Judicial Officers and advocates, thus the description of the two, as the Bar and the Bench. The Bar and the Bench are two elements of the same system, and without them, justice cannot be efficiently administered in the courts.**

**T**he Bar and the Bench are considered as the two wheels of a chariot that play a role in administering the law. Both are subordinate to and interrelated to one another in their respective roles. In law, the term “BarBench relationship” pertains to the cordial or friendly relationship that advocates have with Judges.

The Bar (advocates) and the Bench (Judges) both play critical roles in the administration of justice. Maintaining cordial relations between the Bench and the Bar requires respect and understanding on both sides of the Bench and bar.

## Role of Bar-Bench in the administration of justice

The practice of law and the administration of justice are concepts that are interrelated. There is no other office in the state that possesses the same level of authority as that of the Judge. Judges carry enormous power, far exceeding than that of any other official in the government or military.

The common people’s lives and liberty, individual domestic happiness, property, and public image are subordinate to the Judges’ wisdom, and citizens are held accountable for their judgments. If judicial power is corrupted, there is no longer any assurance of life, liberty is forfeited, and there is no longer any guarantee of personal or domestic happiness.

A strong Judiciary that is active, unbiased, and competent is the most important thing a state can have. Judges must carry out their responsibilities judiciously as it



**By Justice Musa Ssekaana**

**Judge of the High Court of Uganda and  
Head, Civil Division**

is vital in the maintenance of civility and orderliness of society.

The administration of justice is not limited to the courtroom. It also has significance for the Bar. The preservation of cordial relations between the Bar and the Bench necessitates respect and understanding on both sides. The role of lawyers and Judges is supplementary to one another.

The primary source of Judges’ recruitment is the legal profession. As a result, they are both members of the same community. The Bar and Bench need to sustain cordial relations with one another. However, because of the nature of the responsibilities that lawyers and Judges must fulfill, they may engage in dialogues that are sometimes amusing, sometimes heated, and sometimes tough.

## Overview

When it comes to democratic institutions, the independent Judiciary is a pillar of stability, and the bar is the cornerstone of that stability.

The Bench reflects the appearance, character, and behavior of the Judges as the bench is considered to be a mother and a bright mirror for the Judicial Officers.

Those who practice law are just as much a part of the justice delivery system as the Judges themselves, and it is the closest possible harmony between the Bar and the Bench that will produce the best results in accomplishing the targets embodied in our Constitution.

The Bar and the Bench are two opposing sides of the same coin, as the saying goes. The administration of justice cannot be successful unless there is unity between the Bar and the Bench. Otherwise, the required outcomes to maintain the grandeur of the institution will not be achieved.

An advocate’s scandalizing of the court is truly ransacking the very foundations of justice, and such behavior by an advocate tends to bring disrepute to the entire administration of justice. The behavior of an advocate towards the court is always one of uniform reverence, regardless of the status of the court in which the case is being heard.

The advocate’s personal view of the Judge must not be shown in his conduct because he has a responsibility to maintain the respect of the Judiciary as a professional



organization. At the same time, it is the responsibility of the Judiciary not only to be courteous to members of the Bar but also to do everything in their power to progress the high traditions of the profession.

Contempt of court can be imposed on a lawyer or a Judge for their discourteous behavior or misbehavior. There are two types of contempt of court: civil contempt and criminal contempt. Consider the following examples: using derogatory language against an individual Judge, harassing him with transfer or removal from office, casually addressing the Judge, questioning his authority to ask questions, or making disgraceful accusations against an individual Judge. All these aspects amount to contempt of court. Anybody engaged in any of the above is responsible for his discourteous behavior and may be prosecuted for contempt of court.

### Role of the Bar in strengthening the Bar-Bench relation

Advocates are officers of the court, and they are required to aid the court in the administration of justice on behalf of the court. Advocates gather resources relevant to the case to aid the court in reaching an (outcome) in the case. An advocate works in collaboration with the Judiciary to ensure that justice is administered properly. Advocates, like Judges, play a significant role in the administration of justice. An advocate has to practice the following steps to preserve and strengthen the relation between the Bar and Bench:

- They should show reverence to the Judges and refrain from disparaging the Judges or the Judiciary in any way whatsoever.
- They should assist the Judges in the court hearing of the cases by conveying the relevant law accurately and understandably during the trial. They should never behave in a way that would displease the Judges.
- If the Judges make a mistake in their



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decision, they should not be criticized. They should attempt to correct the error in the order by filing an appeal.

- They should not exert stress or control on the Judges to obtain a favorable order. An advocate should refrain from seeking to manipulate the verdict of the court through the use of illegal or inappropriate means.
- If the Judge's conduct is annoying and disrespectful to the advocates, they should refrain from engaging in violent talks with the Judge in question. The issue should be addressed with the Judge in his chambers, and the Bar Association should make a formal request that such misbehavior should not be repeated.
- It is the responsibility of an advocate to make every effort to constrain and avert his or her client from engaging in unfair practices with the court.

### Role of the Bench in strengthening the Bar-Bench relation

A Judge is a public servant who hears and decides cases in the court of law, thereby resolving a legal dispute. Judges wield enormous power, far exceeding than that of any other official in the government or military. A Judge has to practice the following steps to preserve and strengthen the relation between the Bar and Bench:

- In the same way that the advocates

respect the Judges, the Judges should respect the advocates as well.

- It is important for Judges to approach the case with an open mind and to do so without bias or prejudice, as appropriate. They have to act in a manner that is beneficial to the interests of justice. They should give the advocates sufficient time to present their case in its entirety.
- Judges are expected to act in a fair and unbiased manner. They are not permitted to act in the interests of any prosecutor or party to the dispute.
- When required, Judges should refrain from interfering with the lawyer's presentation of witnesses and presentation of the argument.

A lawyer's professional reputation may be harmed by undue intrusion and disparaging messages from the Judges, and he may be unable to effectively present the case. In most cases, a Judge's intervention is confined to the following factors: avoiding reiteration and time-wasting, checking for pertinence, providing clarification, sharing an opinion of the courts on a particular point, and promoting the expeditious disposition of the case.

- In the course of administering justice, the courts are frequently called upon to decipher the law's rules, directives, regulations, codes, bylaws, circulars, notices, and other documents to determine the true significance of the statutes or to clear up confusion or incoherence in the legislation. In these instances, a proper explanation should be availed to provide full justice to the parties involved in the situation.
- Adjournments are granted to allow the parties a reasonable amount of time to present their arguments. Cases will not be adjourned where possible unless there are reasonable and appropriate grounds to do so.





Excessive postponement of cases, which causes the parties to suffer financial difficulties is the most common cause of mounting backlogs in the court system.

- The case of 'justice delayed is justice denied' will also be resolved as soon as possible as well. When older cases are given priority over new cases, new cases should not fall behind in their disposition.
- Judges should refrain from making unjustified public remarks about a lawyer's lack of legal insight in open court. They should not ask any lawyer to leave the trial unless they have a compelling reason to do so. Likewise, they should not request that any advocate not to appear in his or her court in the future.
- Judges should have a thorough understanding of the law. They should be able to apply the appropriate legislation to the evidence available and come to the best possible conclusion on the matter.
- The foremost duty of ensuring and preserving judicial independence relies upon the Judges who preside over the courts.
- A Judge's moral responsibility and honesty should be unquestionable. He should be treated with respect, both personally and intellectually. There should be something to commend about the character and the action.
- This entails a lot of hard work and extensive research done on a regular and comprehensive basis. A Judge's knowledge should be kept up to date with the most recent advancements and transformations in legislation by continuously reviewing it.
- Briefings of Judges and advocates should be scheduled at regular intervals to strengthen the relationship

between the Bar and the Bench. During these sessions, the problems of the opposing sides can be discussed, and the differences can be resolved through discussion.

### Suggestions on the relation between Bar and Bench

In the administration of justice, the Bar and the Bench play a vital role in being the two most important organs; they share a common duty in ensuring that justice is administered properly and effectively. Given the fact that both are national assets of our nation, they must therefore coordinate and work cooperatively with one another, as well as stay cautious together, in order to safeguard judicial independence.

A reputed and unbiased Judiciary, as well as a powerful bar, are required to maintain the system of democracy and independence under the rule of law in the country. Furthermore, the lawyers must have the impression that they were given a fair court hearing and that their issues would be addressed by an unbiased and credible Judge, among other things.

It is critical for the productive discharge of the court's duties that the high level of optimism, prestige, and dignity that they have admired throughout their careers be sustained and not weakened in any manner. Whether it is Judges or lawyers, they bear the main duty of administering and maintaining the public's trust in the courts.

### Conclusion

The citizenry have faith and confidence in the country's judicial system. It is the responsibility of both the Bench and the Bar to uphold and strengthen the rule of law through their dedication and behavior. To ensure the independence of the bar, an independent Judiciary must be in place, which can be used to defend that independence if required. One of the most effective methods of guaranteeing Judges' independence is to have a responsible, well-behaved, sophisticated, and learned Bar. In the end, the mutual adjustment of behavior by the Bench and the Bar is the cornerstone of the polished operation of courts in the overall interest of society. ■



Justice Musa Ssekaana making a presentation.



Participants at the 10th Annual Taxation Training.

## URA meets Judiciary to tighten legal loopholes in revenue mobilization

**More than 50 of Uganda's leading legal practitioners joined URA's senior management team in a two-day training to tighten loopholes in revenue mobilisation. In focus, the discussion centred on the use of Alternative Dispute Resolution as a major mechanism to solve tax disputes and off-set backlog cases to generate revenue.**

**T**his was during the 10th Annual Taxation Training for the Justices of the courts of Judicature and Members of the Tax Appeals Tribunal at the Kampala Serena Hotel in Kigo. The training was organised by the Authority and the Judicial Training Institute under the theme: "Developments in tax law, policy and administration; delivering Uganda to economic independence."

The range of topics in the line-up included; taxation and transparency, Alternative Dispute Resolution, prosecution as a tool for the enhancement of tax compliance, innovations in customs procedures and the role of the Judiciary in the support

of domestic resource mobilization in Uganda. Other issues discussed included developments in Uganda's oil and gas sector, appeals and appellate practice in tax litigation, the taxation of intangibles and the digitalized economy.

Speaking at the opening of the event, URA Commissioner General-John Rujoki Musinguzi said, "These trainings are designed to ensure that Uganda's legal fraternity is fully appraised of all the latest developments in the tax field. As the economy moves on in this Post-Covid era, and particularly as we look to developments in the oil and gas sector, URA is keen to engage all

stakeholders and listen keenly to their ideas, views and comments."

"The Judiciary and the Tax Appeals Tribunal are amongst our biggest stakeholders and I pay tribute to everyone present today for their fine work in contributing to the development of our country."

Also speaking at the opening of the training, the Principal Judge Dr Flavian Zeija said that as things evolve it is crucial that Judicial Officers and other stakeholders keep in step with the changes and developments in taxation laws and policies.





“It is imperative that all stakeholders are continuously trained and equipped with information, knowledge and an understanding of Uganda’s taxation laws, policies and tax administration practices both nationally and internationally,” Justice Zeija said.

“There is a wide range of tax disputes that end up in the Tax Appeals Tribunal and the High Court. These range from disputes arising from income tax assessments; unlawful tax avoidance schemes; tax evasion tactics; errors in URA audits resulting in wrongful assessments; foreign companies operating in covert; re-characterizing of transactions; illegalities, irrationalities and irregularities by the taxing body,” he said.

Justice Zeija explained that the training programme had created an opportunity for the Justices to acquire skills and knowledge pertinent to solving conflict.

“This training creates an opportunity for experts to share information, experiences and learning points with stakeholders on the current

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developments and challenges in tax law, policy and administration. I’m grateful that Judges of the High Court have been considered for this training. This is because the skills that Judicial Officers employ to resolve tax related conflicts are critical for either providing lasting solutions or escalating the conflicts,” he said.

When developing tax laws and economic policy he noted the importance of considering: how and

from what sources those taxes will be paid as well as the taxpayers’ financial capacity.

In her presentation, Patience T. Rubagumya, URA’s Commissioner for Legal Services and Board Affairs outlined the importance of the arbiters of tax justice to receive assistance from URA in how they dispense tax justice to all Ugandans.

“Our tax to GDP is currently at 13% which is lower than the Sub-Saharan average of 16%. A lot of effort must therefore be devoted to changing the way we work at URA and rolling out initiatives geared towards improving our collections.”

Rubagumya also said that URA’s focus will be to equip revenue administrators with knowledge and tools to raise revenues in hard to tax sectors, expand the tax net to include the digital economy, increase the fight against tax evasion through early detection, smarter auditing and becoming more effective in estimation and prosecution. ■



**The URA Commissioner General, Mr John Rujoki Musinguzi hands over a gift hamper to the Principal Judge, Dr Flavien Zeija.**



# Judiciary conducts public awareness campaigns

**In its efforts to enhance access to justice and build public trust, the Judiciary through its Communications and Public Relations Registry led by the Public Relations Officer, HW Jamson Karemani, conducted public awareness campaigns in different parts of the country.**

## About the campaigns

**T**he awareness campaigns were carried out in Kayunga, Lugazi, Njeru, Jinja, Adjumani and Moyo Chief Magistrates Court. During these campaigns, court users were sensitized about the various court initiatives which included Plea bargaining, Small Claims Procedure, Mediation and bail refund procedure. The public was also sensitized about the Judiciary toll free line helplines.

HW Karemani observed that the campaigns were part of the efforts to take services closer to the people they serve.

Different stakeholders in the justice Sector including Judicial Officers, representatives from the Office of the Director of Public Prosecutions, Probation and Social Welfare Officers,

Resident District Commissioners, Police, Prisons and Local Council Committee members took part in the campaigns.

## Question and answer sessions

In Kayunga Chief Magistrates Court, there was a question-and-answer session where the Court's Magistrates; HW Muggaga John Kavuma and HW Kyoshabire Caroline gave responses on different issues raised. These Included matters to do with execution, role of bailiffs, administration of estates among others. At Lugazi Court, the Chief Magistrate Amabilis Stella Maris held the campaign alongside a stakeholder meeting to discuss matters affecting administration of justice in that jurisdiction.

HW Bridget Acidri, the Njeru Magistrate Grade One enlightened the public on various court procedural issues and

legal matters that were raised. She also cautioned litigants against imposters at court and the habit of attempting to bribe their way to accessing court services which she stressed were free.

In Adjumani, the campaigns were taken to prison where inmates were sensitized about bail refund and Plea Bargaining. As a result, many accused persons enrolled on this fast access to justice initiative.

## Court Open days

Members from Top Management who included the Deputy Chief Justice Richard Buteera, the Principal Judge Dr Flavian Zeija and Chief Registrar HW Sarah Langa Siu presided over the Jinja and Moyo court open days respectively. Other participants included Judicial Officers from the areas where awareness campaigns were conducted.



**The Deputy Chief Justice, flanked by Justice Dr Winifred Nabisinde and Justice Tom Chemutai during the Jinja High Court Open Day.**





**The Principal Judge, Arua Resident Judge, Isah Serunkuma and Chief Registrar during a stakeholders meeting at Moyo Chief Magistrate's Court.**



**Moyo Chief Magistrate, Ronald Kayizi (C) joined by Senior Communications Officer, Apuuli Babigumira at Radio Pacis.**

of the ways to ease access to court services. He also emphasized the need for court users to always pay prescribed court fees in the bank, especially for bail refunds for easy repayment after their cases are concluded.

The Arua Resident Judge, Isah Serunkuma noted the need for a Chief Magistrates Court in Obongi district and appealed to the Judiciary administration to consider holding a Court Open Day at Arua High Court.

The Chief Registrar HW Sarah Langa Siu pointed out that part of the Judiciary's transformation agenda is to have services closer to the people through platforms such as open days. She emphasized zero tolerance to corruption and Judiciary's commitment to ensuring justice for all. "Justice is not for sale, we have all got a role to play in having corrupt-free courts," she said.

### Radio Talk shows

As part of the awareness campaigns, radio talk shows were conducted on NBS Radio, **89.4 FM Jinja** and Radio Pacis (**99.7 FM Moyo**) ahead of the court open days and the team used this opportunity to sensitize the public about the various court initiatives.

HW Waninda Fred (Deputy Registrar, Jinja), HW Okumu Jude Muwone (Chief Magistrate, Jinja) HW Joel Wegoye, Ms Nyanzi Macrina Gladys (Assistant DPP) and Judiciary Senior Communications Officers, Sheila Wamboga and Apuuli Babigumira appeared on NBS Radio while HW Kayizzi Ronald, the Chief Magistrate Moyo appeared on Radio Parcis.

HW Karemani observed that sensitizations can only be increased to ensure there are bigger outreach campaigns so that people who need these services hear firsthand what the new Judiciary has in store for them. ■

In Jinja, the Deputy Chief Justice called for the coordination and cooperation of justice actors if service delivery is to improve. "We are all answerable to the public, we need to look at how we can coordinate our activities, make sure our institutions are working together to achieve coordination, communication and to see that we progress together," observed the Deputy Chief Justice. He inspected stalls that had been set up by different justice actors as a way of bringing up justice services closer to the people they serve.

The Jinja Senior Resident Judge, Lady Justice Dr Winfred Nabisinde shared her plans of fighting case backlog in

the Circuit. "We are embarking on a serious weeding out session for all cases which have delayed in the system. We have also set plans to make sure we reduce case backlog to the bare minimum," noted the Senior Resident Judge.

The District Deputy Speaker, Moses Lwochaza, reported that the district council had identified and allocated two acres of land to the Judiciary for the construction of new courts in Jinja.

In Moyo, the Principal Judge, Dr Flavian Zeija, who presided over the Court Open Day advised the Judicial Officers to have an open-door policy as one



Lady Justice Joyce Kavuma addresses participants during the health camp at the Mbarara High Court Grounds on April 1.

## Judges hail Judiciary on health initiatives

**Judges from Masaka and Mbarara High Court Circuits applauded the Judiciary administration for the various initiatives it has put in place to promote healthy living amongst the staff of the Judiciary.**

**A**s a way of getting the best output from its foot soldiers, the Judiciary has prioritized its efforts in ensuring that its staff keep healthy. These efforts have been welcomed by most Senior Judicial Officers in the Judiciary who have hailed the Health initiatives. This was during the health awareness camps held at Masaka and Mbarara High Court grounds on Thursday March 31, 2022 and Friday April 1, 2022 respectively.

The camps whose emphasis was on the fight against HIV/AIDS and stigmatization in the Judiciary were held under the

theme; “End Stigma, End Discrimination, My Responsibility.”

Ms Maureen Kasande, the Under Secretary and Chairperson of the Judiciary HIV/AIDS Committee noted that the health camps are organized quarterly to sensitize, avail upgraded information and encourage staff to live a healthy life despite their status.

“HIV is Still a threat although, in a different way, the Government came up with the Presidential Initiative in 2017, to promote the fight against the virus and disease at the workplace. The Judiciary has not

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shifted its mandate from adjudication rather it is cognizant of the effect of HIV in the workplace,” she said.

The Masaka Senior Resident Judge, Hon. Lady Justice Katamba Victoria Nakintu commended the Judiciary’s efforts in supporting the health of staff living positively with HIV. “I thank the administration of Judiciary for supporting their staff to steer through and navigate this adversity when it hits them,” the Judge said.

Hon. Lady Justice Katamba, however, expressed the need for inclusivity on the HIV/AIDS Committee “I realized there’s no Judge on the committee, the committee should be representative both demographically, the young, the old and all other constituents of the Judiciary.”

Relatedly, Hon. Justice Lawrence Tweyanze stressed the importance of empowering employees socially, economically, physically and psychologically, especially by educating vulnerable persons about HIV, investing in health, ensuring a work-life balance, eating well and exercising regularly. This, he said, is what the new

Judiciary is doing for its staff by introducing initiatives like Health Insurance, weekly health runs and health camps.

On the other hand, Lady Justice Joyce Kavuma, Head of Mbarara High Court Circuit, highlighted the benefits of having healthy teams in a workplace as it contributes to productivity, boosts morale and creates a conducive environment free from stigmatization.

Adding, “the right to health is a fundamental right in the Ugandan Constitution. It’s through camps such as these that we will be able to achieve this right. I, therefore, encourage all of us to participate. It’s never too early or too late to work towards a healthy living.”

Activities carried out during the camps included sensitization and dissemination of the Judiciary HIV/AIDS Workplace Policy, body-weight measurements, voluntary counseling, handing over HIV/AIDS prevention items and screening diseases such as HIV/AIDS, Diabetes, Syphilis, Hepatitis B, and Blood Pressure.

The Commissioner Human Resource

Management, Ms Apophia Tumwine elaborated on the main objective of the Judiciary HIV/AIDS Workplace Policy which she said is to provide an enabling framework for the management of HIV in the Judiciary. She reassured staff of her undertaking to uphold confidentiality when handling personnel files in the workplace.

On her part, the Director Partnership at Uganda AIDS Commission, Ms. Enid Wamani urged participants to join the fight against AIDS and its stigma. “Stigma and Discrimination is one of the key barriers in the fight against HIV/AIDS in this country,” she said adding that “Stigma is a feeling or attitude that someone holds as less worthy leading to isolation in Society while discrimination is treating an individual differently because of the perception you have towards them.”

According to Ms Enid, districts of Mbarara and Masaka have a high HIV prevalence rate at 13.7% for Mbarara and 11.7% for Masaka vis-a-vis the national prevalence rate that currently stands at 5.5%. This, she said, calls for cautiousness from those living and working in the region.



**Health screening at Masaka Chief Magistrate’s Court.**





Notably present were members of the HIV/AIDS Committee; HW Nassuna Flavia Matovu, HW Festo Nsenga, HW Patricia Amoko, Ms Suzan Akello, Ms Dorcas Natukunda and Ms Irene Namasinga. Judicial Officers from courts under the Circuit led by HW Julius Borore, the Deputy Registrar (Masaka), HW Nvanungi Sylvia (Chief Magistrate Masaka) and HW Twakyire Samuel (Mbarara) also participated in the camp.

Dr Watiti Stephen, a leading Activist against the Stigmatization of People Living with HIV, also rallied the staff of the Judiciary to support the national goal to have zero new HIV infections, zero discrimination and zero AIDS-related deaths in Uganda.

While Dr John Omagino (Director Uganda Heart Institute) and Dr Elizabeth K Omagino (Ministry of Health) tipped the participants on the good practices for maintaining a healthy heart and other body organs.

### Radio campaigns

The Committee also conducted radio talk shows on Radio Buddu in Masaka and Radio West in Mbarara where HIV and the law was discussed and the Judiciary HIV Workplace Policy. There were experts on hand to share statistics on the impact of



**Radio talk shows were held as part of the activities to sensitize staff and host communities on the Judiciary health initiatives.**

HIV in the country.

These quarterly camps are organized by the Judiciary in partnership with the Ministry of Health, Uganda AIDS Commission and Uganda Cares who carry out the screening.

Notably present were members of the HIV/AIDS Committee; HW Nassuna Flavia Matovu, HW Festo Nsenga, HW Patricia Amoko, Ms Suzan Akello, Ms Dorcas Natukunda and Ms Irene Namasinga. Judicial Officers from courts

under the Circuit led by HW Julius Borore, the Deputy Registrar (Masaka), HW Nvanungi Sylvia (Chief Magistrate Masaka) and HW Twakyire Samuel (Mbarara) also participated in the camp.

Other dignitaries in attendance included Mr Ahmed Katerega, Tumwesigye (Masaka Deputy Regional City Commissioner), Didas Tabaro (Mbarara LC V Chairperson) and other members of the Regional Chain Linked Committees. ■



# Health Run gains momentum

**All work and no play makes Jack a dull boy is a proverb that means, without time off from work, a person becomes both bored and boring.**

**A**fter a two-year break to observe COVID-19 protocols, on January 28, the Judiciary Health Run was relaunched by the Chief Justice, in a move that has seen the Runs being held twice a week.

The Runs are part of the efforts by the Judiciary administration to promote healthy living. This decision was as a result of a Judiciary Top Management decision on August 7, 2019.

Chief Justice Alfonse Owiny-Dollo stated that the health run is meant to ensure that all staff of the Judiciary are healthy for effective delivery of justice.

The Permanent Secretary/Secretary to the Judiciary, Dr Pius Bigirimana, encouraged the staff of the Judiciary to engage in the health run every Friday to help in their effectiveness at work. "Do it for fitness every Friday, it's for your health," he noted.

In his presentation at the 23rd Annual Judges' Conference, Dr Sameul Kiwanuka Lubega emphasized the need for Judges to engage in fitness exercises since their work involved longtime sessions.

On his part, Dr Paul Kasenene advised



**The Chief Justice and Permanent Secretary/Secretary to the Judiciary have been at the forefront of the health runs.**

Judicial Officers to keep their immunity strong and boost their health by ensuring that 50 per cent of the food they eat comes from vegetables and fruits.

Court of Appeal Justice, Hellen Obura recommended that besides the health run and gym facilities, the Permanent Secretary should initiate a Judiciary sports day where all Judicial Officers gather in a designated field and engage in different sports and games like table and long tennis, basketball, volleyball and netball among others as well as indoor games like scrabble, and dart

In the long term, the Judiciary should plan to have a judicial club with all the amenities that can help reduce stress, Justice Obura emphasised.

For purposes of facilitating a judicial officer to have proper rest without any temptation to write judgments, there should be full or partial funding of a holiday abroad for every Judicial Officer on the upper bench with a spouse at least for 7 days once in every 3 years. This can be done in a phased manner as it is being done in Tanzania. ■



**The Health Runs have been embraced by both Judicial and non-Judicial Officers**





The super structure of the Appellate Courts.

## Appellate Courts construction works now at 70%

**The Chief Justice, Alfonse Chigamoy Owiny - Dollo has commended the progress of the ongoing construction of the seven-storied Appellate Courts at the Judiciary Headquarters in Kampala.**

**H**e expressed his optimism that by the end of the year, the buildings will be ready to host the Supreme Court and the Court of Appeal.

This he said, during a guided tour of the twin-court buildings where he and the Deputy Chief Justice, Richard Buteera were inspecting the progress of the construction works.

At the moment, tiling, electrical and plumbing installation, window installation, and painting works are ongoing.

Dr Pius Bigirimana, the Permanent Secretary/Secretary to the Judiciary, said the construction project which he closely supervises will be complete by December. Adding that the Contractor is on schedule and will be ready to hand over the building before the year ends.

“This will be a milestone in the history of the Judiciary. We shall save Government close to UGX 6billion per year which is being paid in rent... above all, it will reflect the dignity of the Judiciary at the highest level,” the Judiciary Accounting Officer said.

The Government-funded project whose groundbreaking was in December 2019 is estimated to cost UGX 63.9 billion. It will have a parking lot for 226 vehicles, offices, registries, Chambers, a cafeteria, and a gym among others.

The Commissioner of Engineering and Technical Services, Dr Eng. Christopher Ebal, the Commissioner Human Resource Management, Ms Apophia N. Tumwine, and the Assistant Commissioner of Accounts, Mr Stephen Emitu were in attendance. ■



## PICTORIAL



The Principal Judge, Dr Flavian Zeija, receives an assortment of ICT equipment from UN Women with support from Austrian Development Cooperation.



On February 29, the Commercial Court held a Bar-Bench committee meeting as a way to foster relations between the Court and advocates practicing there.



A skit being performed at Apala Magistrate's Court as part of the activities to mark the launch of Small Claims Procedure at the Court



Tororo Chief Magistrate, HW Doreen Ajuna, at the newly set-up child-friendly centre at the Court.



The Public Relations Officer, HW Jamson Karemani with court reporters during the first Judiciary media breakfast on March 29, 2022.



# THE JUDICIARY

**VISION: Justice for All**

**MISSION: To efficiently and effectively administer justice**

## CORE VALUES

### INDEPENDENCE

The Judiciary will ensure that it operates freely in its own best Judgement, without taking directives from, or being controlled by, any person or authority. We will uphold and exemplify the independence of the Judiciary in its individual and institutional aspects.

### IMPARTIALITY

We uphold that justice must not merely be done but must also be seen to be done. Judicial Officers shall perform judicial duties without fear, favour, ill-will, bias, or prejudice.

### TRANSPARENCY

The Judiciary will be open at all times in dealing with all partners in the administration of justice, documenting its operations and freely disseminating information. The Judiciary will endeavour to win the confidence and trust of all Ugandans and the international community through the quality of its services.

### PROFESSIONALISM

The Judiciary will endeavour to have well-trained, professionally competent and self-confident staff that will administer justice to all.

### INTEGRITY

The Judiciary will carry out its activities in an honest and truthful manner, and will take all reasonable measures to prevent wilful wrongdoing by its officials. Our behaviour and conduct will re-affirm the people's faith in the integrity of the Judiciary.

### ACCOUNTABILITY

The Judiciary will take full responsibility for its actions, and will always be answerable to the people of Uganda and to its partners.

### EQUALITY

The Judiciary will uphold the principles of equality, equal opportunities and affirmative action in respect to gender and other disadvantaged groups. We shall accord equal treatment to all persons who appear in court, without distinction on unjust discrimination based on the grounds of sex, colour, race, ethnicity, religion, age, social or economic status, political opinion, or disability.

### TALK TO US:

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