

Vote:101 Judiciary

V1: Vote Overview

I. Vote Mission Statement

To administer Justice to all people in Uganda in an independent, impartial, accountable, efficient and effective manner

II. Strategic Objective

To Enhance Adjudication of Court Cases

III. Major Achievements in 2017/18

PHYSICAL PERFORMANCE

RECURRENT BUDGET COMPONENT

1. Case Disposal.

The Courts registered a cumulative (Quarter 1 & 2) case disposal of 69,129 cases.

The Courts registered a decline in total case disposal of 30,489 from 38,636 Cases the previous Quarter. There was a decline Q2 case disposal where 30,489 cases were disposed of compared to Q1 where 38,636 cases were disposed of. The total case disposal declined because the average submission status for the lower bench decreased from 89% to 81%. There was 50% (25,153 in Q2 to 12,721 in Q1) decline in the disposal of Criminal Cases at the High Court and Magistrate Court level due to the industrial action by the State Attorneys in the Office of the Directorate of Public Prosecution (ODPP) Despite this, there was generally a good performance in other categories which can be attributed to;

- a) The use of Sessions to dispose of cases;
- b) The adoption of Alternative Dispute Resolution (ADR) Mechanism such as Plea Bargaining in criminal cases, Small Claims Procedure (SCP) and Mediation in Civil Cases; and
- c) Concentration on Judgment writing at the Supreme Court.

The cases disposed of are broken down per court level as below;

i) Supreme Court Performance: The court had a target of 24 cases and disposed of 30 cases.

At the beginning of the Quarter, the Court had 97 cases Brought Forward and 16 were registered. Of these cases, 30 were completed and this left a total of 94 pending cases. This performance represents a reduction in case backlog by 14 cases. Despite the slowdown in performance in the criminal Case category due to the strike by the State prosecutors the Supreme Court was able exceed its target of cases in other Case categories because of the following reasons;

- a) There has been a focus on achievement of set targets.
- b) Concentration on judgment writing and delivery.
- c) An additional Ushs 100 million to facilitate court sessions.

ii) Court of Appeal (CoA) Performance: The court had a target of 310 cases and disposed of 776 cases.

At the beginning of the Quarter, the Court had 7,836 cases Brought Forward and 818 Registered. Of these cases, 776 were completed with a total of 7,696 pending cases. This performance represents an increase in case backlog by 42 cases. Despite the slowdown in performance in the Criminal Case category due to the strike by the State Prosecutors, the Court of Appeal was able exceed its target of 310 cases because of the following reasons;

- a) There has been a focus on achievement of set targets.
- b) The Session approach to handling cases has enabled them to complete a number of cases in Gulu and Mbale
- c) Adoption of Appellate Mediation as an alternative Dispute Resolution mechanism.
- d) An additional Ushs 640 million to facilitate court sessions.

Proposal for improvement: The Court now has 6 vacancies which need to be filled. There is also need to separate the constitutional Court from the Court of Appeal.

iii) High Court Performance: the court had a target of 8,050 cases and disposed of 11,030 cases.

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At the beginning of the Quarter, the Court had 60,587 cases Brought Forward and 15,763 Registered. Of these cases, 11,030 were completed with a total of 63,030 pending cases. This performance represents a growth in case backlog by 4733 cases. Despite the increase in Case backlog and the strike by the State prosecutors that affected the Criminal Case category, the High Court was able to exceed its target of 8,050 cases because of the following reasons;

- a) Adoption of adoption of Plea Bargaining and Mediation as an Alternative Dispute Resolution mechanism.
- b) An additional Ushs 2.8 billion to facilitate court sessions.
- c) Funds amounting to Ushs 966 million spent on Mediation (Mediation sessions, training and equipping of mediators, regional sensitization in Mediation)

Proposal for improvement: There is need to fast track the resolution of parliament to increase the number of Judges from 51 to 82 so as to fully operationalize the 20 High Court Circuits.

iv) Magistrates Court Performance: The court had a target of 64,918 cases and disposed of 57,289 cases.

At the beginning of the Quarter, the Court had 80,495 cases Brought Forward and 59,157 Registered. Of these cases, 57,289 were completed with a total of 79,868 pending cases. This performance represents an increase in case backlog by 1868 cases. The Magistrates' Courts did not exceed its target of 64,918 cases because of the following reasons

- a) The strike by the Attorneys in the Office of the Director of Public Prosecution which greatly affected the disposal for the criminal case category which form the bulk of Cases handled at this level.
- b) The submission status of the lower bench decreased from 89% to 81%. This is due to limited automation for Courts at this level.

Proposal for improvement:

- a) There is need to improve the disposal rate by operationalizing, adequately staffing and equipping all the newly gazetted courts.
- b) The roll out of Small Claims Procedure should be expedited since most Civil Cases in these Courts are below Ushs. 10M which is the target for Small Claims Procedure.
- c) The Registry of Magistrate's Affairs and Data should put up mechanisms in order to improve the submission status of Cases.

2. Capacity Building of staff in the Judiciary

- a) 1 Registrar trained on Managing the Training and Development Function at ESAMI, Mombasa, 14th Aug - 1st Sep, 2017;
- b) 27 Participants including members of the Sentencing Guidelines Committee in Community Impact Statement Workshop;
- c) 19 High Court Judges trained/inducted in Judgment Writing;
- d) 1 Judge of the High Court sponsored for a Diploma in Arbitration.
- e) 24 participants in Training of trainers on Gender Equality and Violence against women with funding from UN Women
- f) 18 Judicial officers were trained in Judgment Writing

3. Judiciary Support Services.

- a) 206 vehicles & 141 Buildings maintained;
- b) The contract for the procurement of 226 Laptops & 63 Desktop Computers was awarded and delivery is awaited.
- c) The System Study Phase was completed on the 30/12/2017. Procurement of the Consultant for the Design and Development of the Robust Court Case Management System has started;
- d) LAN/WAN Installation works commenced for the High Courts of Kabale, Mpigi & Mukono and completion is expected end of January 2018.
- e) 7 sets of the East African Law Reports were procured and distributed
- f) Procurement of the Laws of Uganda was commenced and is at contract award level

4. Human Resource Management Services

- a) Wage Bill and Payroll, Staff recruitment & deployment, Staff welfare & Exit of Staff managed;
 - Payroll reconciled with staff list
 - All newly deployed staff were paid within the month of assumption of duty
 - 26 Court Clerks were appointed on probation and have been deployed 3 employees were appointed on Permanent and Pensionable terms ; 21 Drivers were appointed on PSC Contract; 24 local contract renewed; 49 Judicial Officers have been confirmed ; Disturbance allowance paid for 46 employees who have been transferred; 109 Support staff were appointed on temporary Local Contract
 - 30 employees accessed the payroll within the quarter; 78 Officers on probation submitted to PSC for confirmation
- b) Performance management enhanced;
- c) Quarter1 medical allowances to 57 staff living with HIV/AIDS effected in July.

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d) 202 staff sensitized on HIV/AIDS in Mubende (47), Masaka (75) and Fort Portal (90) High Courts.

DEVELOPMENT BUDGET COMPONENT

1. Purchase of Office and Residential Furniture and Fittings

- a) Furniture was supplied to Mukono High Court and the High Court Registry of Planning and Development, 2 Judges of the High Court and two Justices of the Court of Appeal.
- b) Curtains for the Buganda Road CM was procured.

2. Construction and Rehabilitation.

- a) The High Court Building Kampala was painted.

3. Other (Civil Maintenance)

- a) Partitioning at the Supreme Court and Mukono High Court.
- b) Repair works at Tororo, Bushenyi, Entebbe, Kotido and LDC Court

IV. Medium Term Plans

1. Implementation of the ICT Strategy
2. Piloting of the Judiciary Performance Enhancement Tool
3. Expand and operationalize Magisterial areas and High Court Circuits
4. Implement the new Staff Structure
5. Implement the Case Backlog Reduction Strategy
6. Integrate Gender in monthly case reporting system

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V. Summary of Past Performance and Medium Term Budget Allocations

Table 5.1: Overview of Vote Expenditures (US\$ Billion)

	2016/17 Outturn	2017/18		2018/19	MTEF Budget Projections				
		Approved Budget	Expenditure by End Dec		2019/20	2020/21	2021/22	2022/23	
Recurrent									
Wage	29.494	30.628	14.622	32.157	35.373	37.142	38.999	40.949	
Non Wage	83.680	97.511	46.330	91.571	111.716	128.474	154.169	185.002	
Devt.									
GoU	2.601	4.070	1.645	4.070	4.965	5.958	5.958	5.958	
Ext. Fin.	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
GoU Total	115.775	132.208	62.597	127.798	152.054	171.573	199.125	231.909	
Total GoU+Ext Fin (MTEF)	115.775	132.208	62.597	127.798	152.054	171.573	199.125	231.909	
Arrears	8.229	2.756	2.754	0.298	0.000	0.000	0.000	0.000	
Total Budget	124.004	134.965	65.350	128.095	152.054	171.573	199.125	231.909	
A.I.A Total	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Grand Total	124.004	134.965	65.350	128.095	152.054	171.573	199.125	231.909	
Total Vote Budget Excluding Arrears	115.775	132.208	62.597	127.798	152.054	171.573	199.125	231.909	

VI. Budget By Economic Classification

Table V6.1 2017/18 and 2018/19 Budget Allocations by Item

<i>Billion Uganda Shillings</i>	2017/18 Approved Budget				2018/19 Draft Estimates			
	GoU	Ext. Fin	AIA	Total	GoU	Ext. Fin	AIA	Total
Output Class : Outputs Provided	128.139	0.000	0.000	128.139	123.728	0.000	0.000	123.728
211 Wages and Salaries	50.244	0.000	0.000	50.244	50.019	0.000	0.000	50.019
212 Social Contributions	6.853	0.000	0.000	6.853	6.894	0.000	0.000	6.894
213 Other Employee Costs	2.678	0.000	0.000	2.678	2.817	0.000	0.000	2.817
221 General Expenses	38.570	0.000	0.000	38.570	33.970	0.000	0.000	33.970
222 Communications	0.299	0.000	0.000	0.299	0.326	0.000	0.000	0.326
223 Utility and Property Expenses	11.384	0.000	0.000	11.384	14.320	0.000	0.000	14.320
224 Supplies and Services	4.051	0.000	0.000	4.051	4.051	0.000	0.000	4.051
225 Professional Services	0.294	0.000	0.000	0.294	0.144	0.000	0.000	0.144
227 Travel and Transport	8.323	0.000	0.000	8.323	6.073	0.000	0.000	6.073
228 Maintenance	5.333	0.000	0.000	5.333	5.006	0.000	0.000	5.006
282 Miscellaneous Other Expenses	0.108	0.000	0.000	0.108	0.108	0.000	0.000	0.108
Output Class : Capital Purchases	4.070	0.000	0.000	4.070	4.070	0.000	0.000	4.070
312 FIXED ASSETS	4.070	0.000	0.000	4.070	4.070	0.000	0.000	4.070
Output Class : Arrears	2.756	0.000	0.000	2.756	0.298	0.000	0.000	0.298

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321 DOMESTIC	2.756	0.000	0.000	2.756	0.298	0.000	0.000	0.298
Grand Total :	134.965	0.000	0.000	134.965	128.095	0.000	0.000	128.095
Total excluding Arrears	132.208	0.000	0.000	132.208	127.798	0.000	0.000	127.798

VII. Budget By Programme And Subprogramme

Table V7.1: Past Expenditure Outturns and Medium Term Projections by Programme and SubProgramme

<i>Billion Uganda shillings</i>	FY 2016/17 Outturn	FY 2017/18		2018-19 Proposed Budget	Medium Term Projections			
		Approved Budget	Spent By End Dec		2019-20	2020-21	2021-22	2022-23
51 Judicial services	124.004	134.965	65.350	128.095	152.054	171.573	199.125	231.909
01 Judiciary	121.403	130.895	63.706	124.026	147.090	165.616	193.168	225.951
0352 Assistance to Judiciary System	2.601	4.070	1.645	4.070	4.965	5.958	5.958	5.958
Total for the Vote	124.004	134.965	65.350	128.095	152.054	171.573	199.125	231.909
Total Excluding Arrears	115.775	132.208	62.597	127.798	152.054	171.573	199.125	231.909

VIII. Programme Performance and Medium Term Plans

Table V8.1: Programme Outcome and Outcome Indicators (Only applicable for FY 2018/19)

Programme :	51 Judicial services		
Programme Objective :	Enhancing Administration of Court Cases		
Responsible Officer:	Kagole Expedito Kivumbi - Permanent Secretary		
Programme Outcome:	Enhanced access to judicial services		
<i>Sector Outcomes contributed to by the Programme Outcome</i>			
1. Infrastructure and access to JLOS services enhanced			
Outcome Indicators	Performance Targets		
	2018/19	2019/20	2020/21
	Target	Projection	Projection

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• Disposal rate of cases by court level and case category	47%	50%	53%
SubProgramme: 01 Judiciary			
Output: 01 Disposal of Appeals in the Supreme Court			
Average time taken to dispose of cases in the Supreme Court (days)	1200	1200	1200
No. of Criminal Appeals in the Supreme Court timely disposed off.	20	20	20
No. of Civil Appeals in the Supreme Court timely disposed	15	15	15
Output: 02 Disposal of Appeals and Constitutional Matters in the Court of Appeal			
Average time taken to dispose of cases in the Court of Appeal (days)	1400	1400	1400
No. of Civil Appeals in the Court of Appeal Disposed off	230	230	230
No. of Criminal Appeals in the Court of Appeal Disposed off	440	440	440
Output: 03 Disposal of Appeals and Suits in the High Court			
% of persons accused of capital offences accessing state briefs	100%	100%	100%
Average time (days) taken to dispose of cases in the High court	500	500	500
No. of Civil and Criminal Appeals in the High Court disposed off	600	600	600
No. of Civil and Criminal Suits in the High Court disposed off	14400	14400	14400
No. of indigent persons accessing legal aid	500	500	500
Output: 04 Disposal of Suits and Appeals in the Magistrate Courts			
Average time taken to dispose of cases in the Magistrates Courts	325	325	325
No. of Suits (Family, Criminal, Civil, Land and Anti- Corruption) in the Magistrates Courts disposed off	92400	92400	92400
SubProgramme: 0352 Assistance to Judiciary System			
Output: 80 Construction and Rehabilitation of Judicial Courts			
% of courts operating from own buildings	75%	85%	90%
% of districts with Grade 1 courts	75%	85%	100%

IX. Major Capital Investments And Changes In Resource Allocation

Table 9.1: Major Capital Investment (Capital Purchases outputs over 0.5Billion)

FY 2017/18		FY 2018/19
Appr. Budget and Planned Outputs	Expenditures and Achievements by end Dec	Proposed Budget and Planned Outputs
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<i>Program : 12 51 Judicial services</i>		
Development Project : 0352 Assistance to Judiciary System		
Output: 12 51 75 Purchase of Motor Vehicles and Other Transport Equipment		

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a) One Cabin Pickup for admin	1. Payment and supply of 1 Toyota Landcruiser	1) 2 Station Wagons for the Court of Appeal	
b) 4 double Cabin vehicles for Magistrates			
c) Two Station wagons for Court of Appeal and High Court	2. Part payment for supply and delivery of 7 Station Wagons for Justices and Judges;	2) 10 Station Wagons for the High Court	
d) One Lorry			
e) One Saloon car	3. Payment of 1 Station Wagon for Supreme Court.		
Total Output Cost(Ushs Thousand)	1,879,500	1,582,485	4,069,500
Gou Dev't:	1,879,500	1,582,485	4,069,500
Ext Fin:	0	0	0
A.I.A:	0	0	0
Output: 12 51 77 Purchase of Specialised Machinery & Equipment			
4 sets of Court Recording and Transcription Equipment;	A photocopier was purchased for High Court, Kampala		
Photocopiers for 4 High Court Circuits;			
Photocopiers for 11 Chief Magistrates Courts;			
Solar Panels for 4 selected Courts.			
Total Output Cost(Ushs Thousand)	760,000	10,378	0
Gou Dev't:	760,000	10,378	0
Ext Fin:	0	0	0
A.I.A:	0	0	0
Output: 12 51 80 Construction and Rehabilitation of Judicial Courts			
Makindye, Nebbi, Mubende, Kitgum and Buganda road Chief Magistrate Courts rehabilitated	The High Court, Kampala was painted.		
Total Output Cost(Ushs Thousand)	635,000	8,018	0
Gou Dev't:	635,000	8,018	0
Ext Fin:	0	0	0
A.I.A:	0	0	0

X. Vote Challenges and Plans To Improve Performance

Vote Challenges

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1. Inadequate Man Power; The Staff levels of the Judiciary are at 55% This has put a lot of workload and caseload to Non Judicial and Judicial Staff respectively.
2. Lack of an enabling Law; The Judiciary Administration Bill has not yet been passed in to an act in order to guarantee Chapter 8 of The Constitution operationalized.
3. Limited use of Courtroom Technology; The current provision of Ushs 6 billion is short of the Ushs 12 billion required annually and this leads to slow Case disposal and Case backlog.
4. Inadequate Court infrastructure; The Judiciary rents most of the structure leading to increased reliance on the private sector for rented premises. This having a first call on Non-Wage clouds out other Key Vote expenditures. Out of the 145 Court facilities, 56 are rented premises.
5. Lack of funds for the operationalisation of new magisterial areas and High Court Circuits.; There are no funds to funds to run the gazetted Magisterial area and High Court Circuits This has led to increased Caseload and lead times.
6. Delayed Roll out of new Innovation of Case disposal which majorly target the poor such as Plea Bargaining and Small Claims Procedure.

Plans to improve Vote Performance

1. Increased use of Innovative case management- This will involve the gradual affordable roll out of Plea bargaining in criminal matters and Small claims for civil matters at Magistrates Courts while Mediation will be embraced at all Court levels for Civil matters. The focus on the poor and most vulnerable persons will be achieved through the small claims procedure for expeditious resolution of cases with a value of less than 1 million.
2. Implementation of the Case backlog strategy- The Case backlog committee emphasised the need for clear focus on cases that are more than two years in the system. This will help reduce case backlog and improve efficiency in the Justice system as well as decongesting prisons. There will be positive discrimination towards cases involving pregnant mothers, children , Physically challenged persons and the elderly
3. Enhance support supervision for adherence to achievement of set performance targets- The inspectorate of Courts will work other departments in the Judiciary to ensure that Judicial Officers achieve the set individual targets for enhance performance. There will also be increased focus on expeditious handling of cases involving children, pregnant mothers and the physically challenged.
4. Pilot the performance enhancement tool- This will aid tracking of case disposal at all court levels for improved performance.
5. The available Judicial Officers will be given modest facilitation to manage more than one Court, pending filling of the vacant posts.

XI. Vote Cross Cutting Policy And Other Budgetary Issues

Table 11.1: Cross- Cutting Policy Issues

Issue Type:	HIV/AIDS
Objective :	Staff sensitized on HIV AIDS
Issue of Concern :	Limited awareness of the government efforts to support HIV/AIDS Victims and reduce on its spread at the Workplace
Planned Interventions :	Sensitization Workshops carried out on HIV/AIDS;Promote condom distribution in all washrooms at Court premises;promote Psychosocial support for staff especially those living with HIV and address stigma
Budget Allocation (Billion) :	0.240
Performance Indicators:	Number of Staff sensitized on HIV/AIDS

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Issue Type: Gender

Objective :	Review of the Judiciary Gender Policy
Issue of Concern :	Limited appreciation of the existing Gender gaps in the Judiciary Administration.
Planned Interventions :	Consultancy on reviewing the Judiciary Gender Policy.
Budget Allocation (Billion) :	0.180
Performance Indicators:	Reviewed Judiciary Gender Policy validated.
Objective :	Develop the Sexual Harrasment Policy
Issue of Concern :	Limited knowledge on the Government policy on Sexual Harassment.
Planned Interventions :	Consultancy on developing a Sexual Harassment Policy
Budget Allocation (Billion) :	0.180
Performance Indicators:	Sexual Harrasment Policy in place.

Issue Type: Enviroment

Objective :	Tree planting Exercise for all 20 High Court Circuits and 82 Cheif Magistrate Courts .Total =102 Courts
Issue of Concern :	Lack of efforts to conserve the enviroment at Courts
Planned Interventions :	Distribute seedlings to Heads of Stations at 20 High Court Circuits and 82 Chief Magistrate Courts
Budget Allocation (Billion) :	0.102
Performance Indicators:	Number of Staff benefited from the tree planting exercise

XII. Personnel Information

Table 12.1 Staff Recruitment Plan

Post Title	Salary Scale	No. Of Approved Posts	No Of Filled Posts	Vacant Posts	No. of Posts Cleared for Filling FY2018/19	Gross Salary Per Month (UGX)	Total Annual Salary (UGX)
ASSISTANT REGISTRAR	U1SE	32	12	20	1	3,237,000	38,844,000
CHIEF MAGISTRATE	U1SE	100	37	63	13	42,081,000	504,972,000
CHIEF REGISTRAR	U1E	1	0	1	1	5,005,000	60,060,000
COURT CLERK/INTERPRETER	U7 (UPPER)	720	63	657	19	9,436,540	113,238,480
DEPUTY REGISTRAR	U1SE	47	28	19	4	15,651,200	187,814,400
DRIVER	U8 (UPPER)	316	143	173	14	3,866,016	46,392,192
High Court Judge	SPECIFIED OFFICERS	82	54	28	2	31,423,486	377,081,832
Justice of the Court of Appeal	SPECIFIED OFFICERS	15	14	1	1	15,943,216	191,318,592
MAGISTRATE GR.I	U4	386	172	214	6	8,923,200	107,078,400
PROCESS SERVER	N/A	654	323	331	7	1,443,183	17,318,196
Records Officer	U4 L	2	1	1	1	798,534	9,582,408
REGISTRAR	U1SE	9	3	6	5	21,170,500	254,046,000
SENIOR HUMAN RESOURCE OFFICER	U3 LOWER	2	0	2	1	1,035,615	12,427,380

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SENIOR PERSONAL SECRETARY	U3 LOWER	28	5	23	1	1,035,615	12,427,380
Total		2394	855	1539	76	161,050,105	1,932,601,260