

Vote:101 Judiciary

VI: Vote Overview

(i) Snapshot of Medium Term Budget Allocations

Table V1.1: Overview of Vote Expenditures

| Billion Uganda Shillings | FY2016/17 Outturn | FY2017/18 | | FY2018/19 Proposed Budget | MTEF Budget Projections | | | |
|-------------------------------------|----------------------|--------------------|---------------------|---------------------------------|-------------------------|----------------|----------------|----------------|
| | | Approved Budget | Spent by End Sep | | 2019/20 | 2020/21 | 2021/22 | 2022/23 |
| Recurrent Wage | 29.494 | 30.628 | 7.418 | 30.628 | 33.691 | 35.375 | 37.144 | 39.001 |
| Non Wage | 83.680 | 97.511 | 21.761 | 95.783 | 116.855 | 134.383 | 161.259 | 193.511 |
| Devt. GoU | 2.601 | 4.070 | 0.469 | 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 | 29.648 | 130.480 | 155.510 | 175.716 | 204.361 | 238.470 |
| Total GoU+Ext Fin (MTEF) | 115.775 | 132.208 | 29.648 | 130.480 | 155.510 | 175.716 | 204.361 | 238.470 |
| <i>A.I.A Total</i> | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 |
| Grand Total | 115.775 | 132.208 | 29.648 | 130.480 | 155.510 | 175.716 | 204.361 | 238.470 |

(ii) Vote Strategic Objective

To Enhance Adjudication of Court Cases

V2: Past Vote Performance and Medium Term Plans

Performance for Previous Year FY 2016/17

PHYSICAL PERFORMANCE

Recurrent Budget component

1. Case Disposal

The Courts registered a total case disposal of **44,751** cases broken down by court level as below;

i) Supreme Court Performance: At the beginning of the Quarter, the Court had 117 cases Brought Forward and 22 were registered. Of these cases, 26 were completed and this left a total of 113 pending cases. This performance represents a **reduction in case backlog by 4 cases**. The Court gave priority to Civil and Constitutional matters. It was able to hit its target of disposing 35 civil cases.

Proposal for improvement: The Court now has only 7 Justices which leaves a staffing gap of 4 Justices that need to be filled.

ii) Court of Appeal (CoA) Performance: At the beginning of the Quarter, the Court had 7,476 cases Brought Forward and 325 Registered. Of these cases, 87 were completed with a total of 7,714 pending cases. This performance represents a **growth in case backlog by 298 cases**. The failure to hit the target in criminal cases was attributed to the fact that the Court was occupied with Election Petitions Appeals which are time-bound.

Proposal for improvement: The Court now has 2 vacancies which need to be filled. There is also need to separate the constitutional Court from the Court of Appeal.

iii) High Court Performance: At the beginning of the Quarter, the Court had 50,983 cases Brought Forward and 7684 Registered. Of these cases, 7,603 were completed with a total of 51,693 pending cases. This performance represents a **growth in case backlog by 81 cases**.

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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 operationalise the twenty high court Circuits.

iv) Magistrates Court Performance: At the beginning of the Quarter, the Court had 85,041 cases Brought Forward and 40,516 Registered. Of these cases, 37,880 were completed with a total of 85,531 pending cases. This performance represents **a growth in case backlog by 2,636 cases.**

However, while the total target for the quarter was 32,459 , the above higher disposal was attributed to;

- a) The efficiency of the Registry for Magistrates Affairs and Data Management in ensuring complete, accurate and timely submission of Court Performance data.
- b) The newly appointed Chief Magistrates and Magistrates Grade One have improved Case disposal.
- c) The adoption of Mediation and Small Claims Procedure has further expedited the disposal of cases.

However, the growth in case backlog was due increased number of cases filled.

Proposal for improvement:

There is need to improve the disposal rate by operationalizing, adequately staffing and equipping all the newly gazetted courts.

2. Capacity Building of staff in the Judiciary

The Judicial studies Institute in liaison with the Human Resource department organised induction trainings for the newly recruited non Judicial staff. Top management realized that while Judicial Officers had been inducted, several non Judicial staff had missed out and thus prioritized the activity.

Development Budget Component

1. Purchase of Motor Vehicles and Other Transport Equipment;

One (1) Motorcycle supplied to the Judiciary.

1. Purchase of Specialised Machinery & Equipment

Photocopies procured for Mbarara, Fort Portal, Arua, Mbale and Lira courts.

1. Purchase of Office and Residential Furniture and Fittings

Furniture for Kiruhura, Ibanda and Kanungu procured.

1. Civil Maintenance

The parking lot for the High Court Headquarters was rehabilitated and 4 pit lanes were constructed in Makindye, Tororo, Soroti and Patongo.

Financial performance

The major execution challenge for the judiciary was inadequate release in the Development Budget (48%); existence of staffing gaps, emerging spending pressures under the recurrent budget such as the need for induction for new non Judicial staff in as well as the time bound disposal of election petitions and this affected execution of the planned outputs.

Performance as of BFP FY 2017/18 (Performance as of BFP)

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Physical performance

Recurrent Budget Component

1. Case Disposal

The Courts registered a total case disposal of 38,636 cases. Despite the industrial action by the State Attorneys in July,2017 and that of the Judicial Officers in August,2017 all the Court levels were able to perform higher than what they had targeted. The good performance is attributed to;

- a) The Ushs 2.5bn funding injected in Courts for Quarter 1 which increased focus on achievement of set targets and better reporting due to automation of courts;
- b. The use of Sessions to dispose of cases;
- c. The use of Plea Bargaining in criminal cases, Small Claims Procedure (SCP) and Mediation where 265 new mediators were trained in Gulu, Arua & Lira;
- d. Concentration on Judgment writing at the Supreme Court.

It should, however, be noted that with the exception of the Supreme Court,none of the Courts was able to clear more Cases than those registered. There is need to operationalise the newly gazetted Courts with adequate equipment and Staffing.

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

i) Supreme Court Performance: the court had a target of 7 cases and disposed of 19 cases.

At the beginning of the Quarter, the Court had 113 cases Brought Forward and 8 were registered. Of these cases, 19 were completed and this left a total of 102 pending cases. An additional Ush 50 M of the 2.5 bn was injected in to Court Sessions hence putting focus on achievement of set targets and better reporting due to automation

ii) Court of Appeal (CoA) Performance: the court had a target of 155 cases and disposed of 215 cases. (Including 21 Election Petition Appeals and 13 Election Petition Applications).

At the beginning of the Quarter, the Court had 7,714 cases Brought Forward and 397 Registered. Of these cases, 215 were completed with a total of 7,896 pending cases. An additional Ush 320 M of the 2.5 bn was injected in to Court Sessions hence putting focus on achievement of set targets and better reporting due to automation.

There is need to consider the decentralization of Court of Appeal. In line with the need for increased staffing, the Court of Appeal should be separated from the Constitutional Court.

iii) High Court Performance: the court had a target of 4,025 cases and disposed of 5,894 cases.

At the beginning of the Quarter, the Court had 59,055 cases Brought Forward and 7,819 Registered. Of these cases 5,894 were completed with a total of 61,345 pending cases. An additional Ush 1.4 bn of the 2.5 bn was injected in to Court Sessions hence putting focus on achievement of set targets and better reporting due to automation 483 M of the 2.5 bn was spent on training of Mediators

There is need to fast track the resolution of parliament to increase the number of Judges from 50 to 82 so as to fully operationalize the twenty (20) High Court Circuits.

At the High Court level, a resolution of Parliament increasing the number of Judges from 50 to 82 is pending.

iv) Magistrates Court Performance: the court had a target of 32,459 cases and disposed of 32,873 cases.

At the beginning of the Quarter, the Court had 85,531 cases Brought Forward and 35,368 Registered. Of these cases, 32,873 were completed with a total of 88,026 pending cases.

At the Chief Magistrates' level, the number of Chief Magistrate Courts should be increased from 47 to 100. At the Magistrate Gr.1 level, the number of Magistrates should be increased from 215 to 587 as per the approved structure. The implementation of the structure is pending additional funding of Ush. 19 bn.

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2. Capacity Building of staff in the Judiciary

The Judicial Training Institute (JTI) had 1 Judge of the High Court sponsored for a Diploma in Arbitration, 1 Registrar trained on Managing the Training and Development Function at ESAMI, Mombasa from 14th Aug - 1st Sep, 2017, 19 High Court Judges trained in Judgment Writing and a Workshop on Community Impact Statement which had 27 Participants including members of the Sentencing Guidelines Committee.

In addition, the Human Resource department carried out sensitization workshops in Mubende and Fort Portal High Courts where 137 staff participated.

Development Budget Component

i) Purchase of Motor Vehicles and Other Transport Equipment;

The target was to purchase 4 double cabin vehicles for Magistrates and 2 station wagons for Court of Appeal and High Court. However, the vehicles were not purchased because bidders requested for an extension on the bid submission date to 24th October 2017. Procurement expected to be complete by end of November, 2017.

ii) Purchase of Specialised Machinery & Equipment;

Photocopiers were procured for Mbarara, Fort Portal, Arua, Mbale and Lira courts.

iii) Purchase of Office and Residential Furniture and Fittings;

The procurement process was undertaken and the Furniture for Mukono High Court is pending delivery. The reason for variance is that priority had to be given to a new High Court Circuit.

iv) Purchase of Office and ICT Equipment including Software;

The purchase of Computers was not done because of inadequate funds under development.

v) Other (Civil Maintenance);

-Renovation and paving of the High Court Building was completed;

-Registries for Civil and Criminal Divisions were reorganized and files put in to Acid boxes;

-Container for Exhibits was purchased, old structure demolished and a Water borne toilet constructed at Entebbe CM Court;

-Pit-latrines at Kabale High Court and Bududa Chief Magistrate Court was constructed.

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FY 2018/19 Planned Outputs

1. The Judiciary plans on disposing an annual total of 110,401 cases broken down as below;
 1. 43 cases at the Supreme Court
 2. 620 cases at the Court of Appeal
 3. 17,338 cases at the High Court
 4. 92,400 cases at the Magistrates' Courts
2. The institution will also carry out various trainings of staff in order to build their capacity such as training in judgment writing, Alternative Dispute Resolution, ICT, specialized training for court staff.
3. Continue the implementation of the ICT Strategy which will include completion of the Design and Development of the Court Case Administration System including E-Filing, Install a Video Conferencing System between the Buganda Road Chief Magistrates Court & the Luzira Maximum Prison Facility - Female Wing - Phase 2.
4. Piloting of the Judiciary Performance Enhancement Tool whose purpose is to assess and improve performance of the Judiciary staff.
5. Procurement of transport Equipment; 1 double cabin for administrative staff (1), 4 double cabin vehicles for magistrates, 2 station wagons for Supreme Court, 1 lorry and 1 Saloon car.
6. Procurement of 94 desktop computers
7. Procurement of 45 photocopiers (4 for High Court Circuits and 41 for Magistrates Courts); Procurement of 10 solar panels for 4 selected courts.
8. Renovation of 4 magistrates' courts (Hoima, Mubende and Bushenyi Chief Magistrates' Courts and Pader and Kamuli Grade 1 Courts).

Medium Term Plans

Implementation of the ICT Strategy

Piloting of the Judiciary Performance Enhancement Tool

Expand and operationalize Magisterial areas and High Court Circuits

Implement the new Staff Structure

Implement the Case Backlog Reduction Strategy

Efficiency of Vote Budget Allocations

1. Automation of Courts will increase Case disposal, reduce backlog and decongest prison.
2. Use of Mediation to reduce Cases that go for litigation which will reduce the Case load on Judicial Officers and thus improving efficiency in Case disposal.
3. Gradually and affordably operationalise the new Courts. This will take Judicial Services closer to people, reduce caseload and increase efficiency in provision of Judicial Services.

Vote Investment Plans

1. Transport Equipment = 1.8 bn
 2. Machinery and Equipment = 0.760 bn
 3. Furniture & Fixtures = 0.334 bn
 4. Non-Residential Buildings = 0.635 bn
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Major Expenditure Allocations in the Vote for FY 2018/19

1. ICT = 8 bn
2. Rent = 10 bn
3. Support to Court Operations and Sessions (Commissions and Related Charges)= 17.3 bn

V3: PROGRAMME OUTCOMES, OUTCOME INDICATORS AND PROPOSED BUDGET ALLOCATION

Table V3.1: Programme Outcome and Outcome Indicators

| | | | | | | | |
|---|---|-----------------------|------------------|-----------------|-----------------------|-----------------------|-----------------------|
| Vote Controller : | | | | | | | |
| 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. Enhance JLOS infrastructure and access to JLOS services | | | | | | | |
| Programme Performance Indicators (Output) | Performance Targets | | | | | | |
| | 2016/17 Actual | 2017/18 Target | Base year | Baseline | 2018/19 Target | 2019/20 Target | 2020/21 Target |
| • Disposal rate of cases by court level and case category | 0 | 47% | | | 47% | 50% | 53% |

Table V3.2: Past Expenditure Outturns and Medium Term Projections by Programme

| <i>Billion Uganda shillings</i> | 2016/17 | 2017/18 | | 2018-19 | MTEF Budget Projections | | | |
|---------------------------------|----------------|-----------------|-----------------|-----------------|-------------------------|----------------|----------------|----------------|
| | Outturn | Approved Budget | Spent By End Q1 | Proposed Budget | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
| Vote :101 Judiciary | | | | | | | | |
| 51 Judicial services | 115.554 | 132.208 | 29.629 | 130.480 | 155.510 | 175.716 | 204.361 | 238.470 |
| Total for the Vote | 115.554 | 132.208 | 29.629 | 130.480 | 155.510 | 175.716 | 204.361 | 238.470 |

V4: SUBPROGRAMME PAST EXPENDITURE OUTTURNS AND PROPOSED BUDGET ALLOCATIONS

Table V4.1: Past Expenditure Outturns and Medium Term Projections by SubProgramme

| <i>Billion Uganda shillings</i> | 2016/17 | FY 2017/18 | | 2018-19 | Medium Term Projections | | | |
|--|---------|-----------------|------------------|-----------------|-------------------------|---------|---------|---------|
| | Outturn | Approved Budget | Spent By End Sep | Proposed Budget | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
| <i>Programme: 51 Judicial services</i> | | | | | | | | |
| 01 Judiciary | 121.059 | 128.139 | 31.933 | 126.411 | 150.546 | 169.758 | 37.144 | 39.001 |
| 02 Case Disposal by Jurisdiction and category | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 161.259 | 193.511 |
| 03 General Administration, Planning and Support Services | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 |
| 0352 Assistance to Judiciary System | 2.601 | 4.070 | 0.469 | 4.070 | 4.965 | 5.958 | 5.958 | 5.958 |

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| | | | | | | | | |
|-------------------------------------|----------------|----------------|---------------|----------------|----------------|----------------|----------------|----------------|
| 04 Infrastructure and ICT Developed | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 |
| Total For the Programme : 51 | 123.660 | 132.208 | 32.402 | 130.480 | 155.510 | 175.716 | 204.361 | 238.470 |
| Total for the Vote :101 | 123.660 | 132.208 | 32.402 | 130.480 | 155.510 | 175.716 | 204.361 | 238.470 |

N / A

Table V4.3: 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 Sep | Proposed Budget and Planned Outputs | |
| Vote 101 Judiciary | | | |
| Programme : 51 Judicial services | | | |
| Project : 0352 Assistance to Judiciary System | | | |
| Output: 75 Purchase of Motor Vehicles and Other Transport Equipment | | | |
| a) One Cabin Pickup for admin | No progress. | Procure; | |
| b) 4 double Cabin vehicles for Magistrates | | a) One Cabin Pickup for admin; | |
| c) Two Station wagons for Court of Appeal and High Court | | b) 4 double Cabin vehicles for Magistrates; | |
| d) One Lorry | | c) Two Station wagons for Supreme Court; | |
| e) One Saloon car | | d) One Lorry; | |
| | | e) One Saloon car. | |
| Total Output Cost(Ushs Thousand): | 1.880 | 0.469 | 1.880 |
| Gou Dev't: | 1.880 | 0.469 | 1.880 |
| Ext Fin: | 0.000 | 0.000 | 0.000 |
| A.I.A: | 0.000 | 0.000 | 0.000 |
| Output: 77 Purchase of Specialised Machinery & Equipment | | | |
| 4 sets of Court Recording and Transcription Equipment; | a) Photocopiers for 4 High Court Circuits | Procure; | |
| Photocopiers for 4 High Court Circuits; | b) 2 sets of Court Recording and Transcription Equipment not procured | a) Photocopiers for 4 High Court Circuits; | |
| Photocopiers for 11 Chief Magistrates Courts; | | b) Photocopiers for 41 Magistrates Courts; | |
| Solar Panels for 4 selected Courts. | | c) 10 Solar Panels for 4 selected Courts | |
| Total Output Cost(Ushs Thousand): | 0.760 | 0.000 | 0.760 |
| Gou Dev't: | 0.760 | 0.000 | 0.760 |
| Ext Fin: | 0.000 | 0.000 | 0.000 |
| A.I.A: | 0.000 | 0.000 | 0.000 |

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Output: 80 Construction and Rehabilitation of Judicial Courts

Makindye, Nebbi, Mubende, Kitgum and Buganda No progress
road Chief Magistrate Courts rehabilitated

Renovation of;

a) Hoima CM;

b) Mubende CM

c) Bushenyi CM;

d) Kamuli G.1; and

e) Pader G.1

| | | | |
|--|--------------|--------------|--------------|
| Total Output Cost(Ushs Thousand): | 0.635 | 0.000 | 0.635 |
| Gou Dev't: | 0.635 | 0.000 | 0.635 |
| Ext Fin: | 0.000 | 0.000 | 0.000 |
| A.I.A: | 0.000 | 0.000 | 0.000 |

V5: VOTE CHALLENGES FOR 2018/19 AND ADDITIONAL FUNDING REQUESTS

Vote Challenges for FY 2018/19

- 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 the independence of the Judiciary.
- 3. Limited use of Courtroom Technology;** This leads to slow Case disposal and Case backlog.
- 4. Inadequate Court Structure;** 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.
- 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.

Table V5.1: Additional Funding Requests

| Additional requirements for funding and outputs in 2018/19 | Justification of requirement for additional outputs and funding |
|--|---|
| Vote : 101 Judiciary | |
| Programme : 51 Judicial services | |
| OutPut : 06 Judiciary Support Services | |
| Funding requirement UShs Bn : 18.234 | One of the key objectives under enhancement of access to Justice in the NDP is to develop JLOS infrastructure to facilitate service delivery. Among the three key targets therein is that of increasing Case Disposal from 42.7% to 60% in 2020. The secured Judicial Officers at the lower bench will be vital in enhancing access to Justice. |

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Judiciary

OutPut : 19 Human Resource Management Services

Funding requirement US\$ Bn : **18.300**

One of the key objectives under enhancement of access to Justice in the NDP is to develop JLOS infrastructure to facilitate service delivery. Among the three key targets therein is that of increasing Case Disposal from 42.7% to 60% in 2020. This will require adequate Human Resource with the above additional Wage provisions.

OutPut : 75 Purchase of Motor Vehicles and Other Transport Equipment

Funding requirement US\$ Bn : **62.000**

One of the key objectives under enhancement of access to Justice in the NDP is to develop JLOS infrastructure to facilitate service delivery. Among the three key targets therein is that of increasing Case Disposal from 42.7% to 60% in 2020. The position of the law is that no land matter shall be disposed of without the Trial Judicial Officer visiting the disputed land which requires sound transport Equipment.

OutPut : 76 Purchase of Office and ICT Equipment, including Software

Funding requirement US\$ Bn : **6.000**

One of the key objectives under enhancement of access to Justice in the NDP is to develop JLOS infrastructure to facilitate service delivery. Among the three key targets therein is that of increasing Case Disposal from 42.7% to 60% in 2020. The automation of Courts will eliminate the tedious manual work that hinders people from accessing Justice in timely manner. It will also contribute to increased disposal of Cases for people to access justice.

OutPut : 77 Purchase of Specialised Machinery & Equipment

Funding requirement US\$ Bn : **68.936**

One of the key objectives under enhancement of access to Justice in the NDP is to develop JLOS infrastructure to facilitate service delivery. Among the three key targets therein is that of increasing Case Disposal from 42.7% to 60% in 2020. This will require existence of Specialised Office Equipment such the Real Time Court Recording Equipment among others