



THE REPUBLIC OF UGANDA

JUDICIAL SERVICE COMMISSION

ANNUAL REPORT

ANNUAL REPORT 2011/12

JUDICIAL SERVICE COMMISSION

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2011/2012

JSC Annual Report 2011/2012

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LIST OF ACRONYMS

AAPAM	African Association for Public Administration and Management
AAPComs	Association of African Public Service Commissions
EPA	Education and Public Affairs
ESAAG	East and Southern African Association of Accountants Generals
F&A	Finance and Administration
FY	Financial Year
GoU	Government of Uganda
ICT	Information, Communication and Technology
IEC	Information, Education and Communication
IFMS	Integrated Financial Management System
JLO	Justice, Law and Order Sector
JSC	Judicial Service Commission
MoFPED	Ministry of Finance, Planning and Economic Development
MTEF	Medium Term Expenditure Framework
NDP	National Development Plan
PAS	Principal Assistant Secretary
PCS	Public Complaints System
PLO	Principal Legal Officer
PPO	Principal Personnel Officer
PRI	Planning, Research and Inspectorate
SPO	Senior Personnel Officer
SARO	Senior Assistant Records Officer

FOREWORD

I have the honour to present to you, our esteemed clients, the Annual Report for the Financial Year 2011/2012. At the beginning of the period under review, the Judicial Service Commission set out to deliver on its mandate in line with the relevant laws of the land. In the previous Annual Report, we spelt out among others things, what we had then hoped to achieve in the subsequent year 2011/2012. The time has now come for us to report on what we have been able to achieve.

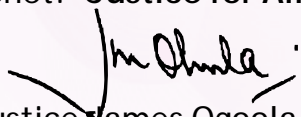
We were able to execute our mandate and attain results despite the many challenges elaborated in this report. This was possible especially because of the support we received from various quarters. I would like therefore to use this opportunity to recognize and appreciate the critical support we received from all including, in particular, the following:

- i. The Government of the Republic of Uganda
- ii. The Parliament of the Republic of Uganda
- iii. All partners in the Justice, Law and Order Sector
- iv. The Media- both print and electronic
- v. The Development Partners; and
- vi. Members of the general public

I would like to thank in a special way the Members of the Commission who, despite assuming office in the third quarter of the financial year, embarked on their work with single minded determination and who have, as a consequence, been able to record impressive achievements within so short a time. This spirit, if maintained, will ensure steady progress in realizing the full vision of the Judicial Service Commission.

The staff members of the Commission exhibited dedication and selflessness in carrying out their duties. It is therefore no wonder that we have been able to meet deadlines with relative ease.

Whatever we do in the Commission, is aimed ultimately at making life a little better for members of the public in whose trust we hold our offices. This report is specifically aimed at accounting to this body of people. It is my sincere hope that all stakeholders will find this report useful. It is my prayer that the report will be of value in helping the reader to understand the role of the Judicial Service Commission in the realization of that elusive but desirable tenet: 'Justice for All!'



Justice James Ogoola

Chairperson, Judicial Service Commission

EXECUTIVE SUMMARY

The JSC Annual Report is a structured document which reviews activities of the Commission during the past year with focus on the planned vis a vis actual achievements. It also highlights the major challenges encountered during the year in the course of implementation of planned activities. The report is divided into four chapters - Introduction, Overview of Performance in the 2011/2012 Financial Year, Planned activities for the Financial Year 2012/2013 and Challenges.

The first chapter gives a background to Judicial Service Commission by highlighting its legal foundation and purpose for which it exists. It lays bare the vision, mission, mandate, functions and the core values that underpin the operations of the Commission and defines its character. This chapter also presents the structure and composition of the Commission as well as its functional departments and the various decision making fora available within the Commission.

The second chapter deals with the performance of the Commission during the year under review. The actual financial and physical performance is presented in comparison with the planned as in the budget and set targets.

The major achievements include;

- Appointment of 43 Grade I Magistrates.
- Interviewing candidates for Justice of the Supreme Court.
- Processing of applications for vacancies in the Court of Appeal and High Court as well as for Deputy Registrars.
- Conducting 20 Sub County workshops.
- Conducting 4 Prison workshops.
- Printing various IEC materials.
- Reduction of the backlog of disciplinary cases by 50%.
- Receiving complaints through the suggestion boxes and the newly installed toll free telephone line.
- Investigation of complaints and inspection of courts continued as had been planned.

The third chapter forecasts into the Financial Year 2012/2013 giving the planned activities that are informed by the experiences undergone and the wisdom gained during the past year.

The fourth chapter looks at the challenges that were encountered during the past year which may need to be addressed to allow better performance in the subsequent years. The key challenges encountered included but were not limited to; absence of the Commission members, poor terms and condition of service for Commissioners, insufficient means of transport and limited funds.

SECTION ONE

INTRODUCTION

1.1 Background

The JSC is an independent Agency of the State established under section 146 of the Constitution of the Republic of Uganda. It is a specialized appointing Commission enjoying broad oversight functions in relation to services delivered to the people by the Judiciary. The functions of the Commission are set out in Articles 147 of the Constitution.

1.2 Vision Statement

An effective and efficient Judiciary in Uganda, contributing to the promotion of law and order.

1.3 Mission, Mandate and Functions

The Mission

To establish and maintain an independent and efficient machinery for administering justice for all in Uganda through recruiting, training and disciplining Judicial Officers; and promotion of public awareness and access to justice.

Mandate and Functions

To advise His Excellency the President in the exercise of his powers to appoint persons to hold or act in any of the specified offices below:

- The Chief Justice, the Deputy Chief Justice and the Principal Judge,
- The Justices of the Supreme Court, Justices of the Court of Appeal and the Judges of the High Court.
- The Chief Registrar and Registrars

In addition, subject to the provisions of the Constitution, to:

- Appoint, confirm and promote Judicial Officers into various positions.
- Review and make recommendations on the terms and conditions of service of Judges and Judicial Officers.
- Prepare and implement programmes for education and dissemination of information to Judicial Officers and the public about the law and administration of Justice in Uganda.
- Receive and process peoples' complaints and recommendations concerning the Judiciary and the administration of justice and there by acting as a link between the people and the Judiciary.
- Advise Government on improving the administration of justice and to perform any other functions prescribed by the Constitution or Parliament.

The Commission may carry out other functions that Parliament may prescribe under article 147 (1) (f). Parliament has already prescribed additional functions including those under the Land Act (revised 2004 and 2007) where the Judicial Service Commission is required to:

- Advise the Chief Justice on the appointment of Chairpersons and Members of the District Land Tribunals;
- To appoint Land Tribunal Members for each town, division and gazetted urban area and each sub-county; and
- Make recommendations to the Public Service Commission on the salaries and allowances for Members of Land Tribunals.

Under the Electricity Act 1999, (Section 94 and 112) the responsible Minister is required to consult the Commission in respect of the appointment of the Chairperson, Vice Chairperson and Registrar of the Electricity Disputes Tribunal.

The Uganda Communications Act 1997 bestows upon the Commission powers to recommend to the President persons for appointment as Chairperson and Members of the Uganda Communications Tribunal.

The Tax Appeals Tribunal Act requires the Minister responsible for Finance to consult with the Judicial Service Commission in appointing the Chairperson of the Tax Appeals Tribunal.

The Labour Disputes (Arbitration and Settlement) Act, 2006 under section 10 (2) provides for the Chief Judge and the Judge of the Industrial Court to be appointed by the President on the recommendation of the Judicial Service Commission.

1.4 Core Values

- **Independence:** Article 147 empowers the JSC to act independently without any direction or control of any person or authority. The Commission continues taking decisions that are free from external influences, inducements, pressures and threats.
- **Impartiality:** The JSC serves all persons without fear, favour, ill-will, or prejudice. It refrains itself from participating in actions or proceedings that compromise the confidence of the court users and stakeholders in the justice system.
- **Integrity:** The Commission provides services that are reflective of the best practices that adhere to high moral and ethical principles of the legal profession. Thus, the behaviour and conduct of the JSC staff exhibits and promotes high standards of confidentiality, judicial and personal integrity.
- **Propriety:** The JSC staffs conduct themselves in manners consistent with public offices and as such freely and willingly accept appropriate

personal restrictions. The JSC also serves all persons with openness and promotes sincerity while dealing with them.

- **Equity:** The Commission ensures that all persons receive equal protection before the law. The JSC therefore, accords equal treatment to all persons without discrimination based on color, race, ethnicity, religion, age, social or economic status, political opinion, or disability.
- **Competence and Diligence:** The Commission prides itself in producing work outputs that are of high quality necessary for the proper and competent discharge of judicial duties. It strives to observe professional ethics and practices while carrying out its obligations and functions in order to offer maximum satisfaction to concerned persons.

1.5 Statement of Objectives

Overall objective

Ensuring that all persons in Uganda have access to improved Judicial Services through recruitment and disciplining of Judges, Registrars and Magistrates; conducting Civic Education; investigating and effectively handling public complaints and suggestions in the judicial system.

Long Term Objectives

- Ensuring that justice is impartial, within people's means, and easy to access for all persons.
- Strengthening the Judicial Integrity.
- Achieving a high level of motivation by advocating for better working conditions and career development for Judicial Officers.

Medium Term Objectives

- Ensuring that the terms and conditions of service for the Judicial Officers are commensurate with their status and are fair enough to attract and retain high caliber Judicial Officers.
- Professionalizing the Lower Bench by upgrading all the positions of Magistrate Grade Two to Magistrate Grade One.
- Increasing public awareness and participation in the administration of justice.
- Ensuring strong discipline amongst judicial officials.

Short Term Objectives

- Filling all vacant positions declared by the Judiciary with competent, ethically proven, disciplined officers;

- Interfacing with Judicial Officers to promote good governance;
- Establishing a coordinated public awareness programme to sensitize the public about the administration of justice and their fundamental human rights;
- Establishing an accessible public complaints mechanism through which the public can easily and cheaply channel their concerns and recommendations about the administration of justice;
- Researching into the delivery of services within the judiciary with the aim of improving the administration of justice.

1.6 Composition and Structure of the Commission

The Membership of the Commission is spelt out under Article 146 of the Constitution. It provides for a nine-member Commission. The Chairperson, Deputy Chairperson, and the members are appointed by the President with the approval of Parliament.

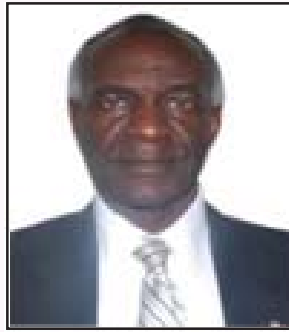
After the expiry of the term of office of the 3rd Commission, eight new members of the 4th Commission (after the 1995 Constitution) were sworn in office on the 2nd February 2012. The ninth member was sworn in on 30th March 2012. They were sworn in at the High Court in Kampala by the Hon. Chief Justice Benjamin Odoki. These members take up the following offices;

- A full time Chairperson who is a person qualified to be appointed as a Justice of the Supreme Court;
- A Deputy Chairperson (part time) who is a person qualified to be appointed as a Justice of the Supreme Court;
- Six members (part time) whose respective nomination is directly linked to specified stakeholder institutions, that is, one member from the Public Service Commission, two Advocates nominated by the Uganda Law Society, one representative of the Judiciary, and two members of the Public (not lawyers) nominated by the President;
- The Attorney General is an ex-officio member of the Commission;

The Membership of the Commission as at June 30, 2012:

◆ Hon. Justice James Ogoola	Chairperson
◆ Hon. Justice Dr. Esther Kisaakye	Deputy Chairperson
◆ Hon. Justice Bart M. Katureebe	Member
◆ Prof. Frederick E. Ssempebwa	Member
◆ Dr. Laban Nnini Kirya	Member
◆ Mr. Charles Okoth Owor	Member
◆ Mr. Henry K. M. Kyemba	Member
◆ Mrs. Grace Oburu	Member
◆ Hon. Peter Nyombi	Attorney -General
	<i>(Ex-officio Member)</i>

MEMBERS OF THE JUDICIAL SERVICE COMMISSION



Hon. Justice James Ogoola
Chairperson



Hon. Justice Dr. Esther Kisaakye
Deputy Chairperson



Hon. Peter Nyombi
Attorney General
(Ex-Officio Member)



Hon. Justice Bart M Katureebe
Member



Prof. Fredrick Ssempebwa
Member



Mr. Charles Okoth Owor
Member



Dr. Laban Nnini Kirya
Member



Mrs. Grace Oburu
Member



Mr. Henry Kyemba
Member



Mr. Kagole E. Kivumbi
Secretary

1.7 The Judicial Service Commission Secretariat

The overall responsibility of the Secretariat is to facilitate the Commission in delivering its constitutional mandate. It is headed by a Secretary who is a Permanent Secretary. The Secretary is responsible for:

- Organization and operation of the Commission;
- Tendering advice to the Chairperson in respect of the business of the Commission;
- Implementing the policies of the Government of Uganda;
- Ensuring proper expenditure of public funds by or in connection with the Commission;
- Carrying out policy decisions of the Commission and the day-to-day administration and management of the affairs of the Commission and the control of all staff of the Commission.
- Arranging the business for, the recording and keeping of minutes of all decisions and proceedings of the Commission and its meetings.
- Performing any other function assigned to him/her by the Commission

The Secretariat is composed of two Directorates and one department (F&A) namely: Education and Public Affairs (EPA); Planning, Research and Inspectorate (PRI); Finance and Administration (F&A).

1.7.1 The Directorate of Education and Public Affairs (EPA):

EPA is headed by a Registrar and deputized by a Deputy Registrar. Other staff includes two Principal Legal Officers, one Information Officer, one Legal Clerk and support staff. However, presently, there is no substantive Deputy Registrar and this negatively impacts on its operations. The department is responsible for: -

- Carrying out Civic Education
- Publishing Civic Education Materials on law and administration of justice i.e. books, brochures, news supplements, etc.
- Handling the public relations functions of the Commission
- Performing any other duties assigned by the Commission.

1.7.2 The Directorate of Planning, Research and Inspectorate (PRI):

Structurally, PRI is headed by a Registrar and is deputized by two Deputy Registrars. The other staff include four Principal Legal Officers, four Legal Clerks and support staff. However, the positions of Registrar, Deputy Registrar, two Principal Legal Officers and two legal Clerks are still vacant. The department performs the following functions:

- Receiving and processing peoples' recommendations and complaints concerning the Judiciary and the administration of justice
- Subject to the provisions of the Constitution, reviewing and making recommendations on the terms and conditions of service of Judges and other Judicial Officers including Chairpersons, Members and Registrars of Tribunals.
- Researching on and monitoring the administration of justice.
- Preparing proposals for the improvement in the administration of justice.
- Planning and coordinating programs of the Commission in liaison with other organizations.
- Performing any other duties assigned by the Commission.

1.7.3 The Department of Finance and Administration (F&A):

The Department is headed by the Under Secretary who is responsible for the provision of all support services to the Commission. This department is charged with the responsibility of creating an enabling environment for the Commission activities to run smoothly and its general administration. Its functions are listed below:

- Secretariat to the Top Management meetings
- Monitoring the implementation of activities within the JSC
- Maintaining an Inventory of Assets and Stores
- Planning and Budgeting for the Commission
- Ensuring the existence of good financial management practices
- Human resource management
- Provision of utilities- water, electricity and communication services
- Purchasing goods and services
- Providing adequate and habitable office space

1.8 Committees of the Commission

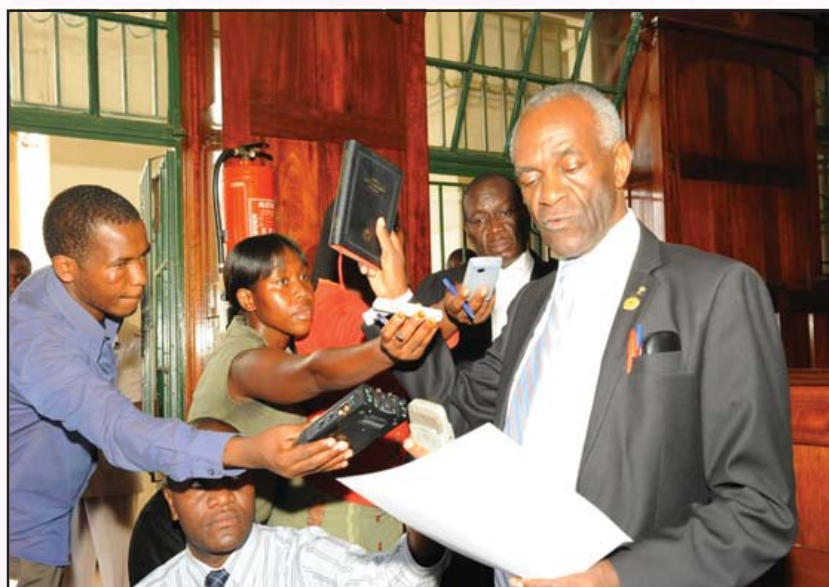
A number of committees are in place to perform tasks that address specific core business of the Commission. They include:-

- ***Top Management Committee:*** The Chairperson of the Commission chairs this committee and the other members include all the departmental and section heads. The Committee sits quarterly to develop work plans and other policies for submission to the Commission for approval.
- ***The Disciplinary Committee:*** This Committee is charged with hearing the disciplinary cases brought against errant Judicial Officers and

accordingly recommending to the full Commission for the final action. The PRI department is responsible for the receipt, collection and management of all complaints from the public. Complaints are investigated and deserving cases are forwarded to the Disciplinary Committee for trial. This committee sits at least twice a month. The members are:

i. Prof. Frederick E. Ssempebwa	Chairperson
ii. Dr. Laban Nnini Kirya	Member
iii. Mr. Charles Okoth Owor	Member
iv. Mr. Henry K. M. Kyemba	Member
v. Mrs. Grace Oburu	Member

- **Senior Management Committee:** This is chaired by the Secretary to the Commission. It consists of all Heads of Departments and Sections as members; it sits once a month to deliberate on the implementation of the workplan.
- **Legal Affairs Committee:** This is composed of all lawyers in the Commission and its function is to analyze and advise the Commission on legal issues that arise during the performance of its mandate. It is chaired by the Registrar/PRI and the other members include the Registrar/EPA, all Deputies Registrars and Principal Legal Officers (PLOs) within the JSC.
- **Heads of Department Committee:** This Committee is chaired by the Secretary of the Commission and is composed of all the heads of departments. It sits every Monday to review the activities of the Commission on a weekly basis.



Justice Ogoola at the Swearing in Ceremony of the New Commission in February 2012

1.9 Staffing Changes

During the period under review, the Commission experienced a number staff changes regarding transfers and new appointments as highlighted in the tables below:

Table 1: Transfers on Promotion

Name	Title	Replacement	Remarks
Mr. Isabirye Kaweesa Henry	Registrar Planning, Research and Inspectorate	None	Mr. Isabirye was Promoted and transferred the to Uganda Land Commission as Secretary
Ms. Kiwanuka Dianah	Internal Auditor	Kawooya Jaffer	Ms. Kiwanuka was transferred to the Ministry of Defence on promotion as a Senior Internal Auditor
Ms. Kainza Beatrice	Legal Clerk	None	Ms. Kainza transferred to the Judiciary, on promotion as a Magistrate Grade One
Mr. Munyole Moses	Assistant Procurement Officer	Bithum Micheal	Mr. Munyole was transferred to the Ministry of Health, on promotion as a Procurement Officer



Group photo of Swearing in Ceremony of new Commissioners on 2nd February 2012

Table 2: Routine Transfers in service

Name	Title	Replacement	Remark
Mr. Ogene Fred	Under Secretary	Mr. Olaunah Emmanuel	Mr. Ogene was transferred to the Ministry of Trade, Industry and Cooperatives
Mr. Twebanze Benon	Principal Personnel Officer	Mungoma Nelson	Mr. Twebanze was transferred to the Ministry of East African Community Affairs
Mr. Magala John	Senior Accountant	None	Mr. Magala was Transferred back to the Ministry of Finance, Planning and Economic Development
Mr. Kizza Badru	Senior Accountant	Magala John	Mr. Kiiza was Transferred to the Uganda Cancer Institute
Ms. Margaret Kakungulu	Office Supervisor	Pastor Kiizah	Ms. Margaret Kakungulu was transferred to the Ministry of Energy
Mr. Mubiru Fred	Office Supervisor	Mugerwa Sali	Mr. Mubiru was transferred to the Ministry of Gender, Labour and Social Development,
Mr. Okello Charles	Records Assistant	Higaya Abdallah	Mr. Okello was transferred back to the Ministry of Public Service
Mr. Musoke Asuman	Driver	None	Mr. Musoke was transferred to the Ministry of Trade, Industry and Cooperatives

Table 3: Officers who left Service for other reasons

Name	Title	Replacement	Remark
Ms. Nakagwa Florence	Personal Secretary	Ms. Jessica Namubiru	Resigned from Service to join the private sector
Ms. Luwedde Margret	Office Typist	None	Retired, upon attainment of the mandatory retirement age

Table 4: New staff in Financial Year (FY) 2011/12

Name	Title
Mr. Daniel Nickie Otulu	Principal Assistant Secretary
Mr. Kuriigamba Geoffrey	Information Technology Officer
Ms. Nabulya Maria Teresa	Information Officer (Public Relations Officer)
Ms. Namubiru Jessica	Personal Secretary
Mr. Mawanda Martin	Office Attendant

1.10 Staffing Challenges

Low levels of staffing; a number of posts in the Commission have remained vacant for a long time. The posts of Registrar, Deputy Registrar, Principal Legal Officers and Senior Accountant have remained unfilled for over a year. This negatively impacts on the performance of the Commission. This scenario is partly due to the fact that it is not easy to attract lawyers from either the private sector or other Government departments given the different pay structures for the legal professionals.

1.11 JSC Budget Structure

In Financial Year 2011/2012, the JSC operated under three key Programmes with five contributing Outputs as outlined below:

- i. Programme 01 - Finance and Administration. It has two contributing outputs;
 - a) Recruitment of Judicial Officers
 - b) Administrative and Human Resource Support

ii. Programme 02 - Education and Public Affairs. It has one contributing output;

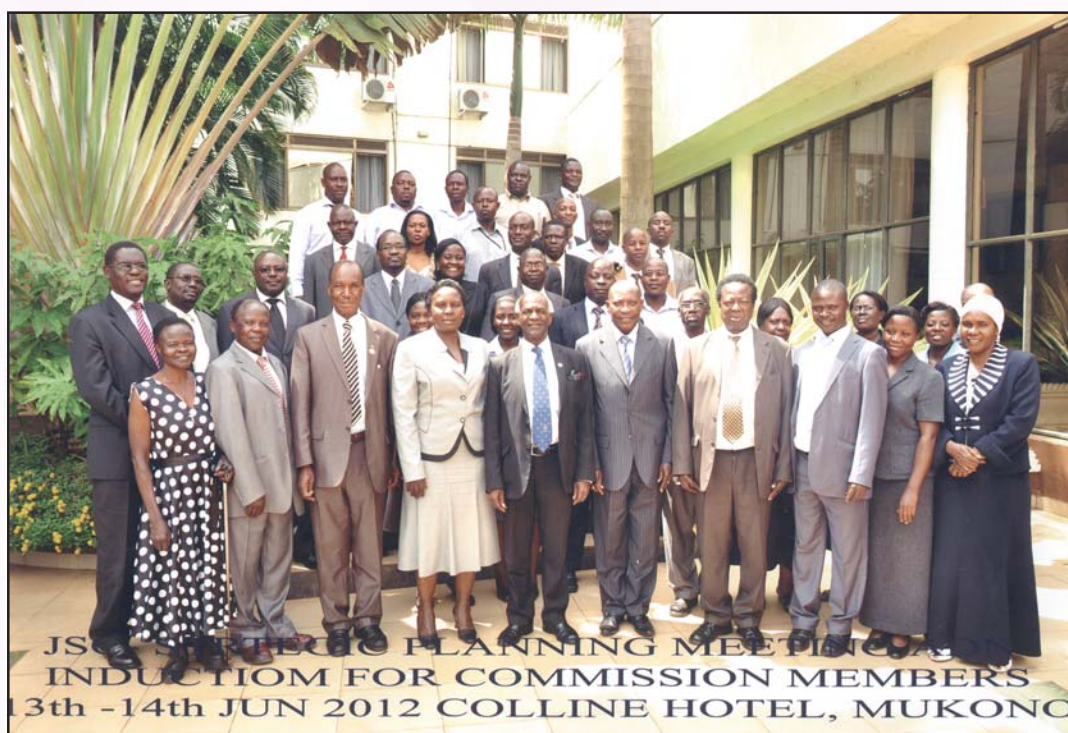
a) Public awareness and Participation in Justice Administration.

iii. Programme 03 - Planning, Research and Inspection. It has two contributing outputs;

a) Public Complaints System.

b) Research and Planning for Administration of Justice.

The bulk of these Outputs contribute towards the second Justice, Law and Order Sector Outcome of “enhancing access to JLOS services particularly for the vulnerable persons” .



SECTION TWO:

OVERVIEW OF PAST PERFORMANCE FOR FY 2011/2012 AND PLANNED ACTIVITIES FOR FY 2012/13

2.1 Financial and Physical Performance for FY 2011/12

The funds appropriated, released and spent for the FY 2011/2012 from both GoU and JLOS were as follows:-

Table 4: Funds Appropriated to JSC under GoU

Detail	Budget UGX (millions)	Realease UGX (Millions)	Amount Spent UGX (millions)
Non-wage Recurrent	1,514,691	1,514,691	1,514,691
Wage	651,968	488,603	488,603
Development (Capital activities) - Taxes	96,799	72,599	72,599
Total	2,263,457	2,075,892	2,075,892

The table above shows a shortfall in funds released for wages and development budget. The shortfall in the wages was due to unfilled posts in JSC and that of the development budget was due to the fact that 25% of the budgeted funds were not released.

Table 5: Appropriation of funds per output for FY 2011/2012 (GOU)

Output	Budget UGX'000	Percentage of Budget (%)	Spent
Recruitment of Judicial Officers	307,740	20.32	308,614
Administrative & Human Resource Support	502,791	33.29	501,483
Public awareness and Participation in Justice Administration	281,023	18.55	281,023
Public Complaints System	325,959	21.52	325,959
Research and Planning for Administration of Justice	97,178	6.42	97,178
Total	1,514,690	100	1,514,690

From the above table, it can be seen that the biggest proportion of nonwage recurrent funds is allocated to Administration and Human Resource Support and the least proportion to Research and Planning for Administration of Justice. All the funds were spent in the course of the financial year.

It is also important to note that JSC receives financial support through the JLOS SWAP arrangement. In FY 2011/2012, under this arrangement, JSC had an initial budget of UGX 1,099,700,000/=. However, in the course of the financial year, more funds were received as off budget support for recruitment of judicial officers, disciplinary committee and policy, planning unit amounting to shs 120 million.

Nevertheless, the Commission did not receive all the budgeted for funds under the JLOS SWAP arrangement since UGX 504,200,000/= that was planned for a number of activities was not released as detailed in the table below;

Table 6: Financial Performance for FY 2011/2012 per Programme (JLOS)

Output	Budget UGX	Off-Budget Support	Release	Spent	Deviation
Recruitment of Judicial Officers	72,700,000	70,000,000	140,000,000	140,000,000	2,700,000
Administrative & Human Resource Support	-	20,000,000	20,000,000	20,000,000	-
Public awareness and Participation in Justice Administration	605,000,000	-	202,250,000	202,250,000	402,750,000
Case backlog clearing	300,000,000	30,000,000	255,000,000	255,000,000	75,000,000
Capital Development (Public Complaints System)	122,000,000	-	98,250,000	98,250,000	23,750,000
Total	1,099,700,000	120,000,000	715,500,000	715,500,000	504,200,000

The table above reveals that under JLOS, a greater percentage of the funds were budgeted for the programme of Public awareness and Participation in Justice Administration followed by the Public Complaints System especially clearing the case backlog of disciplinary cases that had accumulated with the absence of the Commission. The least budget allocation was for Administrative and Human Resource Support. This is due to the fact that the SWAP funds cater for development activities and not activities related to administration. However, in the course of the financial year, the case backlog clearing programme received more releases than the rest of the programmes.

2.2 Snapshot of Medium Term Budget Allocations

The table below summarizes the Medium Term Budget allocations for the Judicial Service Commission. These figures exclude JLOS projections.

Table 7: MTEF Projections

		2011/12 Approved budget	MTEF Budget projections		
			2012/13	2013/14	2014/15
Recurrent Budget	Wage	0.652	0.750	0.810	0.952
	Non wage	1.515	1.515	1.553	1.708
Development Budget	GOU	0.097	0.028	0.028	0.033
	Donor	0.000	0.000	0.000	0.000
GOU Total		2.264	2.293	2.391	2.693
Arrears and Taxes	Taxes	0.043	0.043	N/A	N/A
	Arrears	0.000	0.000	N/A	N/A
TOTAL BUDGET		2.307	2.336	N/A	N/A

Source: Ministerial Policy Statement, Ministry of Justice and Constitutional Affairs FY 2012/13.

Fig 1:

MTEF Projections 2011/12 - 2014/15

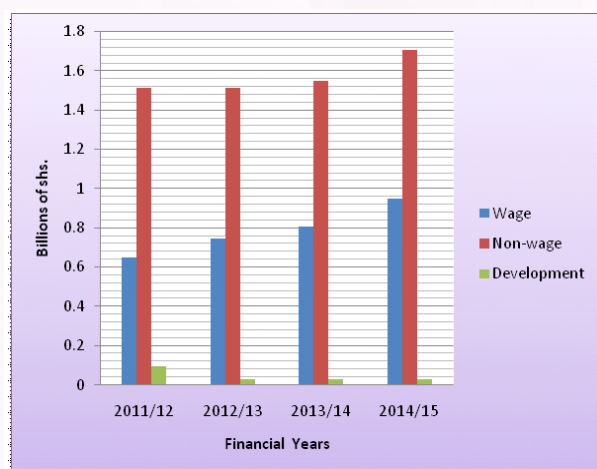
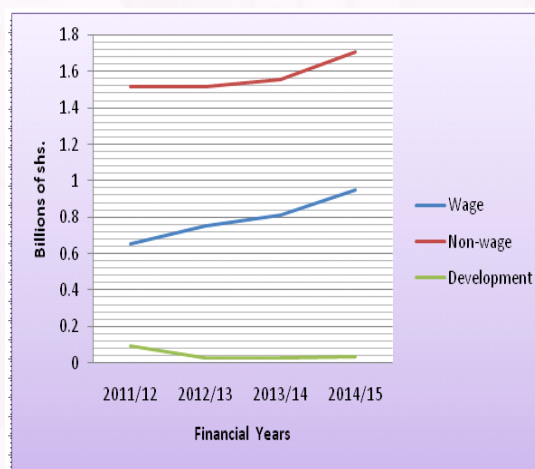


Fig 2:

MTEF Trends for FY 2011/12 -2014/15



The graphs above reveal minimal increases in the amounts appropriated to JSC. There will be some changes in next FY 2012/13 for wage (will increase by approximately 100million) to cater for the government wide increment in wages. The non-wage recurrent will remain unchanged while development will reduce by 70%. This reduction is also a government wide reduction across all institutions. For the next two financial years, there is an expected moderate increase in the budget items. It should however be noted that the Medium Term Expenditure Framework (MTEF) projections are subject to change depending on the availability of resources by Ministry of Finance, Planning and Economic Development (MoFPED).

Table 8: Projected Budget Allocations per Output for the FY 2012/2013 (GOU)

Output	Budget (millions)	Percentages (%)
Recruitment of Judicial Officers	267,140	17.64
Administrative & Human Resource Support	533,791	35.24
Public awareness and Participation in Justice Administration	295,773	19.53
Public Complaints System	305,209	20.15
Research and Planning for Administration of Justice	97,178	6.42
Internal Audit	15,600	1.03
Total	1,514,691	100

From the table above the highest proportion of funds for the FY 2012/2013 is to be allocated to Administration and Human Resource Support and the least funds are to go to Internal Audit. Internal Audit is a newly created output area in the budget. This explains its least budgetary allocation since there was no increment in the over-all non-wage allocation.

Table 9: Projected Budget Allocations per Output for the FY 2012/2013 (JLOS)

Output	Budget ('000)	Percentages (%)
Recruitment of Judicial Officers	87,000	10.76
Administrative & Human Resource Support	76,000	9.40
Public awareness and Participation in Justice Administration	491,000	60.73
Public Complaints System	69,432	8.59
Anti-Corruption	85,000	10.51
Total	808,432	100

In FY 2012/2013, it is envisaged that JSC will receive shs. 808,432,000 UGX from the JLOS SWAP arrangement. Of this, approximately 61% will go to public awareness programmes while only 9% will go to the public complaints system. The rationale for this allocation is the fact that 50% of the backlog of disciplinary cases was addressed in FY 11/12. However, need may arise to lobby for more funds to cater for the extra backlog of pending disciplinary cases as off-budget support.

2.3 Major achievements for the Judicial Service Commission (JSC) during the Financial Year (FY) 2011/12

2.3.1 Recruitment of Judicial Officers (Judges, Registrars and Magistrates)

JSC has a core mandate in the recruitment of Judges, Magistrates, Registrars and other Judicial Officers. In this regard, 43 vacancies for Magistrates Grade 1 were filled, adverts for Registrars and Justices for Court of Appeal were run and their shortlisting finalized, interviews to fill vacancies of justices in the Supreme Court were concluded.

This performance is attributed to the fact that the new Commission put in extra effort to ensure that the backlogs of unfilled posts in the Judiciary are filled.

2.3.2 Civic Education

The JSC is mandated to prepare and implement programmes for education and dissemination of information to judicial officers and the public about the law and administration of justice in Uganda. In this regard, 62 radio talkshows were held in Tororo, Mbale, Soroti, Lira, Gulu, Hoima, Nebbi, Mityana, Arua, Masaka, Mbarara, Ibanda, Kabale, Jinja, Soroti, Masindi, Moyo and Adjumani. Further still, spot messages were produced and run on different local radio stations in Moroto, Fort portal, Kisoro and Moyo. These talk shows aim at creation of awareness among the masses on issues relating to administration of justice.

Spot messages carried out in Masindi, Kasese, Kanungu, Pader, Kampala, Moroto and Fort Portal.

The Communication Strategy was finalised and submitted to JLOS structures.

Impact assessment was done in Kapchorwa, Sironko, Kabarole, Kyenjonjo, Pallisa, Iganga, Bushenyi, Ntungamo, Soroti, Kaberamaido, Mbarara and Ibanda.

20 sub county workshops were held in Gulu district in the sub-counties of Pece, Laroo, Lalogi, Bobo, Patiko, Bungatiira, Unyama, Awach, Ongako and Koro; Budaka district in the sub counties of Budaka Town Council, Kachoma,

Kakule, Naboa and Lyama; Kibuku District in the sub counties of Kibuku Town Council, Kasasira, Bulagira, Kadama and Tirinyi.

Additionally 4 prison inmate workshops were held in Soroti, Lira, Arua and Mubende Government Prisons. Another workshop on performance management targeting Registrars and Chief Magistrates in the Kampala area was held.



A cross section of inmates in Lira Prison attending a JSC civic education programme

Various IEC materials on land law, succession law and resolution of land disputes were printed. The Citizen's Handbook was also printed in various languages and disseminated. 2,853 copies of the English version, 1,770 copies of the Luganda version and 2,000 copies of the Runyakitara versions of the Citizen's Handbook were printed and disseminated. This Citizen's Handbook was also translated to Nga'Karimojong, Luo and Ateso. This publication is a simplified version of the functions and processes of various JLOS agencies. It is meant to increase the general public awareness of the law and the repercussions of breaking it.

An Information manual, which is a statutory publication was drafted and is due for publication.

It is important to note that while the mandate of civic education is critical to the operations of the JSC, it only got approximately 18% of the budget from Government of Uganda and 41% from the JLOS basket. The implication of this is the impact of JSC activities is thinly spread across the country.

2.3.1 Public Complaints System

In regard to the mandate of receiving and processing peoples' complaints, the Commission had 97 complaints investigations conducted in Bushenyi, Mitooma,

Masaka, Kalungu, Lwengo, Kalangala, Kabale, Kisoro, Ntungamo, Mbarara, Kiruhura, Isingiro, Luwero, Nakasongola, Sembabule, Fort Portal, and Kasese. Investigations were also carried out in Bwera, Kasese, Fort portal, Kibale, Hoima, Mubende, Kagadi, Luwero, Wakiso, Matugga, Nabweru, Rakai, Lyantonde, Masaka, Mengo Court, and Kiryandongo, Nakasongola, Luwero.

13 disciplinary committee sessions were held against the planned 24 sessions in which 161 cases were closed by the Commission, 77 recommended for closure, 79 deferred for further investigation, 31 prima facie cases established and charges preferred against the respective judicial officers, 3 recommended for interdiction, 2 to interface with the Disciplinary Committee and 12 are still on hearing.

22 Court Inspections and Complaint collection trips were carried out in Mubende, Kyenjojo, Lyantonde, and Rakai. Other Courts inspected were Ibanda Chief Magistrate's Court, Kamwenge Grade1 Court, Lira chief Magistrate's Court, Kapchorwa Chief Magistrate's Court, Pallisa chief Magistrate's Court, Budaka and Soronko Grade1 Court, Mbale High Court and Mbale chief Magistrate's Court, other Grade 1 Courts inspected were of Koboko, Maracha, Yumbe, Lamwo, Pader, Agago, Oyam, Dokolo, Serere, Apac, Amolatar and Otuke. Other Chief Magistrates Courts inspected were of Moyo, Gulu and Kitgum.

42 suggestion boxes were procured and installed in the following areas:

- Kyegegwa, Kyenjojo, Rubirizi, Mitooma, Sheema, Lwengo, Kalangala, Kampala, Kalungu, Isingiro, Sironko, and Kapchorwa District Headquarters.
- Rubirizi-Bushenyi, Kabwohe-Itendero, Lukaya, Kaberebere and Kiruhura Town Councils.
- Kyamuhanga, Kahungye, Mugoye, Bukulula, Kabingo, Keshunga, Lira, Adekokwok, Akalo, Buwalasi, Bukiyi, Kaptanya, Kapteret Sub-counties.
- Nyamitanga, Central, Ojwina and Railway Divisions.
- Boxes were also fixed at Mpigi Town Council, Butambala District Headquarters and Town Council, Mpenja Sub County, Kinoni town council, Buyende District Headquarters, Buyaya sub-county, Luuka District Headquarters, Bulongo sub-county, Namayingo District Headquarters, Buswale Sub County, Mbale, Bududa, Manafwa and Bulambuli District Headquarters.

Field surveys:- Gulu, Lira, Kabarole, Nebbi, Arua, Kamwenge, Kyenjonjo and Bundibugyo.

These boxes act as a communication link between the general public and JSC. Efforts are under way to automate the Public Complaints System. Automation awaits the procurement of a larger server to service the system. The server is planned for next Financial Year. This intervention will cause easy retrieval of complaints for that portion of the public that will have access to computers.

During investigations and inspections, boxes were opened and complaints retrieved.

2.3.2 Inspection and Monitoring and Evaluation of activity performance

In order to assess the impact of the various activities JSC is mandated to undertake, the Commission carried out impact assessment trips and Monitoring and Evaluation exercises. These exercises revealed among other things the following;

- Delays in judgments
- Chronic absenteeism and non-attendance to civil cases.
- An increment in the levels of public awareness reflected by the rise in the number of reported complaints and use of suggestion boxes.
- On the other hand, the Magistrates considered civic education as one of the poorly engaged in roles of the Judicial Service Commission. The presence of JSC is poorly felt in the communities. This is evidenced by lack of knowledge exhibited by litigants as regards court procedures.
- It was also noted that the investigation and inspection activities have been key to the visibility of JSC in the field. It was however observed that despite the investigations and inspections, there is little or no feedback from JSC regarding the outcome of these activities.

2.3.3 Administrative and Human Resource Support

In order for the above key activities to take place, various administrative and human resource support elements were done.

The following was achieved:

- Three newspaper supplements were run in the course of the year.

- 18 Recruitment sessions for the interview of Magistrates Grade One and Justices of the Supreme Court were held.
- 11 commission Sittings were facilitated.
- The Clients' charter was approved by the Commission and printed. This document is a social contract by JSC explaining the services it offers to its clients.
- The HIV/AIDS workplace policy was also approved by the Commission and printed. This policy is intended to guide the Commission in its efforts of mainstreaming HIV/AIDS activities.
- Two members of staff were facilitated to attend professional training abroad
- 500 copies of the Annual Report 2010/11 were printed and disseminated.
- The JSC restructuring exercise was commenced
- Administrative support was provided in terms of timely payment of salaries, provision of staff welfare, payment for JSC internet services, hosting JSC website, computers were serviced, newspapers were bought, cleaning and garbage collection services were undertaken, corporate wear was delivered to staff and JSC website domain was renewed.

2.3.4 Development Expenditure

In the year under review, JSC purchased the following items;

- 02 Executive chairs
- 01 Executive Desk
- 02 office chair
- 03 Office Cabinets
- 03 sofa sets
- 3 computers
- 42 suggestion boxes were procured and installed
- 35 plaques
- 10 pieces of Air Conditioners for the Registry, Board Room and other offices.

SECTION THREE:

MAJOR PLANNED ACTIVITIES FOR FINANCIAL YEAR (FY) 2012/13

The JSC plans to continue executing its mandate of recruiting and disciplining Judicial Officers as well as carrying out civic education.

Specifically, the following are the planned activities for FY 2012/2013

The Recurrent Activities for FY 2012/2013 have been categorized under five key Outputs namely:

3.1 Recruitment of Judicial Officers

The Commission plans to recruit at least 75% of judicial officers within a period of three months and make 80% of confirmations of judicial officers depending on the submission forwarded by the Judiciary. JSC will undertake training of judicial Officers in liaison with the Judiciary as well as engage the public, advocates and Judicial Officers in meetings regarding perceived corruption in the Judiciary. For the recruitment to take place, 10 job adverts will be run and 12 recruitment sessions undertaken.

The estimated case backlog at the moment is approximately 40,046 cases across the four areas of Land, Family, Criminal and Commercial Justice, (National Development Plan, 2010/11 – 2014/15). One of the causes of the backlog is understaffing within the judiciary. As pointed out in the NDP, while the staffing level is 295 Judicial Officers, the optimum staff requirement is estimated at 500. To this, the NDP calls for replacement of the retired judges and those on Commissions, and increase the number of Grade One Magistrates under the professionalization of the Bench programmes. In conclusion, if the staffing position within the judiciary is increased through recruitment, the capacity gap will be addressed to counter the delays in case disposal in the justice system.

3.2 Public Complaints System

JSC will procure 20 suggestion boxes and install them in the newly created districts up to sub county level. It will investigate 50% of registered public complaints and dispose of 75% of the investigated disciplinary cases. This will be achieved through undertaking 6 trips for complaints investigation and facilitation of 24 disciplinary committee meetings. In order to improve its performance regarding handling of cases, the Automated Public Complaints System will be implemented. Sensitization seminars at District level on matters related to public complaints will be undertaken. This move is aimed at improving the efficiency of the Suggestion boxes since it was noted that many of the complaints are not judiciary related. Subscriptions will also be made to professional law bodies.

3.3 Public Awareness and Participation in Administration of Justice

The Commission will conduct public awareness campaigns on matters concerning the administration of justice through 36 radio talk shows in regional centers of Arua, Gulu, Lira, Soroti, Mbale, Mbarara, Fort Portal & Masaka to address succession law, mob justice and domestic violence among other topical justice related issues. Spot messages will be produced and run on selected radios stations countrywide. 4 sub county workshops will be held. 6,000 copies of the Citizens Handbook will be printed and disseminated in English, Luganda, Ateso, Nga' Karimojong, Luo and Runyakitara; and the Citizen's Handbook will be translated to Swahilli. IEC materials (Election laws, succession law, Land law, Citizenship law, sexual offences, General immigration obligations, discipline of judicial officers, court hierarchy) will be printed and disseminated. The activity of assessing the impact of JSC will continue and this will be done through undertaking 8 trips for assessing impact of the awareness creation campaigns. A JSC-Judiciary forum with all the tiers of the Judiciary on performance management, discipline and recruitment of judicial officers will be undertaken and JSC quarterly press briefs will also be held to inform the public of JSC activities.

3.4 Research and Planning for Administration of Justice

The Commission will undertake 1 field survey on access to justice. This activity will involve focus group discussions, field surveys and dissemination of findings to key stakeholders.

3.5 Administrative and Human Resource Support

Administrative support will continue to be provided in terms of timely payment of salaries, provision of welfare, facilitating Commission meetings, payment JSC internet services, hosting JSC website, printing and dissemination of 500 copies of Annual Report, hosting of the JSC website, servicing of computers, procurement of staff uniforms and corporate wear, undertaking cleaning services, collection of garbage, fumigation of offices and subscription to 3 professional bodies (AAPAM, ESAAG, and AAPComs).

In addition, two newspaper supplements will run, HIV/AIDS workplace policy will be mainstreamed in JSC activities, 7 M&E trips will be conducted, 12 Routine Commission meetings will be facilitated, 3 staff will be facilitated to attend conferences for professional bodies, New JSC staff will be inducted into the Commission, Archiving of old records will be done and 8 staff will be trained in short term courses

3.6 Development (Capital Purchase)

The Commission will purchase the following capital items

- One motorcycle for the Registry
- 20 suggestion boxes and 30 plaques
- 2 tear drops

- A server machine
- 1 computer
- A scanner
- 1 LCD Projector and a DVD Player for civic education programmes
- 2 visitors' chairs, 2 office cabinets, and 2 secretarial chairs.

Revised Performance Indicators

For better reporting and for purposes of tracking performance, there has been a revision of key performance indicators. These new indicators that will be reported on next Financial Year are:

- ◆ **The average time taken to make recommendations to the Appointing Authority for the appointment of higher bench judges.** This refers to the time between when the declaration of vacancies is received from the Judiciary to the time the recommendation is forwarded. JSC has committed itself to accomplish this activity within 4 months.
- ◆ **The average time taken to recruit judicial officers up to Chief Magistrate.** JSC has committed itself to accomplish this activity within 3 months.
- ◆ **Proportion of registered cases investigated.** This refers to those cases, within the reporting period that have been reported and investigated. JSC has committed itself to a proportion of 50%
- ◆ **Proportion of investigated cases disposed of.** This refers to those cases, within the reporting period, that have been investigated and concluded by the Commission. JSC has committed itself to a proportion of 75%.
- ◆ **Number of sub-counties covered by the civic education programmes.** JSC has committed itself to 4 sub counties.
- ◆ **Number of radio talk shows conducted.** JSC has committed itself to 36 radio talk shows per year.

In addition, another output to cater for the function of **Internal Audit** has been introduced.

SECTION FOUR:

OPERATIONAL CHALLENGES

Despite the above achievements and planned activities, JSC has continued to operate despite a few challenges. These are highlighted below;

- i. The Public Complaints System and the Public Awareness campaigns require JSC officers to traverse the country creating awareness, collecting people's complaints and suggestions regarding the administration of justice in Uganda. However, the freeze on acquisition of vehicles has greatly affected these crucial field activities. JSC therefore faces a challenge of going to field to carry out civic education and pick complaints deposited in the suggestions boxes installed at district headquarters, municipalities and at sub-counties.
- ii. JSC is faced with a challenge of limited levels of funds for implementing the Automated Public Complaints System to improve the service delivery on management of complaints. JSC continues to receive more complaints against judicial officers that need to be investigated. With the ever increasing number of local government units, this activity is greatly affected by the limited levels of funding.
- iii. The Commission faced a challenge of the delayed appointment of the Commission members after the term of office of the previous Commission expired in November 2010. This made it impossible to carry out recruitment sessions, adopt policy documents and conclude disciplinary cases against Judicial Officers as per plan. These activities commenced in the third quarter after appointment of the new Commission.
- iv. All members of the commission except the Chairperson are part-time members. This means that the Commission cannot sit as frequently as it would to deal with important matters and also the Disciplinary Committee that is responsible for handling the judicial officers is only able to sit twice a month to dispose of cases, yet complaints keep coming in. This negatively impacts on the operations of the Commission whose quorum is six out of the nine members. The resultant effect is the creation of disciplinary case backlog in JSC.

- v. The Commission's mandate of research is virtually not being undertaken. The Commissioners need funds to carry out comparative studies in and beyond the region on the remuneration and terms of judicial officers if Uganda is to improve access to justice to all.
- vi. The Commission is faced with a challenge of hugely unfunded training and Civic education activities on law and administration of justice. Yet it has been observed that the above are the most effective means of delivering education to the masses. The little funding has been used by JSC in covering only 20 sub-counties per year against over 1,600 sub-counties. This thinly spreads the impact of the civic education activities leaving a very large percentage of the population largely ignorant of issues that relate to justice.
- vii. The lack of the self accounting status of the Commission still remains a challenge.

JUDICIAL SERVICE COMMISSION

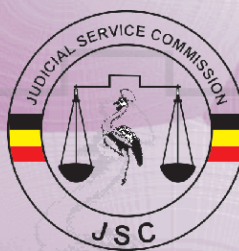
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Annex 1: JSC staff list as at 30 June 2012

S/N	NAMES	DESIGNATION
1	Hon. Justice James Ogoola	Chairperson
2	Kagole E. Kivumbi	Permanent Secretary
3	Olaunah Emmanuel	Undersecretary
4	Elubu Michael	Registrar(EPA)
5	Mwebembeezi Julius	Principal Legal Officer
6	Sekagya Ronald	Principal Legal Officer
7	Mungooma Nelson	Principal Personnel Officer
8	Ssalaamu G.Ngobi	Principal Legal Officer
9	Semyano Faridah	Principal Legal Officer
10	Kaali Samuel	Principal Legal Officer
11	Daniel Nickie Otulu	Principal Assistant Secretary
12	Ongom Jacqueline Sandra	Senior Personnel Officer
13	Musamali William	Senior Personnel Officer
14	Nassanga Mariam	Senior Records Officer
15	Naamala Immaculate	Senior Economist
16	Lukomu Siraje	Accountant
17	Kawooya Jaffer	Internal Auditor
18	Nabulime Aminah	Procurement Officer
19	Nabulya Maria Teresa	Public Relations Officer
20	Kuriigamba Geoffrey	Information Technology Officer
21	Bithum Michael	Asst.Procurement Officer
22	Musinguzi Patrick	Legal Clerk
23	Kamaranzi Evelyn	Legal Clerk
24	Kiwanuka James	Senior Assistant Records Officer
25	Ayenyio Angioleta	Senior Assistant Records Officer
26	Mugerwa Ssali	Senior Office Supervisor
27	Kiizah Pastor	Office Supervisor
28	Natukunda Eunice	Senior Accounts Assistant
29	Zziwa Badru	Accounts Assistant

S/N	NAMES	DESIGNATION
30	Nanfuka Reges	Assistant Records Officer
31	Nakato Annet	Records Assistant
32	Higaya Abdallah	Records Assistant
33	Namubiru Jessica	Personal Secretary
34	Latigo Laker M.S	"
35	Kisubi Christine	"
36	Kiwumulo Lucy	"
37	Nabukalu Shidah	Pool Stenographer
38	Nagawa Sarah	"
39	Ayorekeire Allen	Office Typist
40	Nakubulwa Mary	"
41	Ssejjoba Getrude M	"
42	Atuhura Miriam	"
43	Oboot Rosemary	"
44	Bukirwa Cissy L	Office Attendant
45	Mpangire Jackson	"
46	Kato Davis	"
47	Nsereko Christopher	"
48	Ssenono Siraje	"
49	Nakajiri Rachael	"
50	Kimono Rebecca	"
51	Ginyera Fred	"
52	Najjuma Joweria	"
53	Mawanda Martin	"
54	Banaziza W.	Driver
55	Kironde Abdalla **	"
56	Mwine Tom	"
57	Kalibwani.M.Bob	"
58	Egesa James	"
59	Kisitu George W.	"

** Mr Kironde Abdallah passed away on 11th July 2012 while on official duty in Mbarara.



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