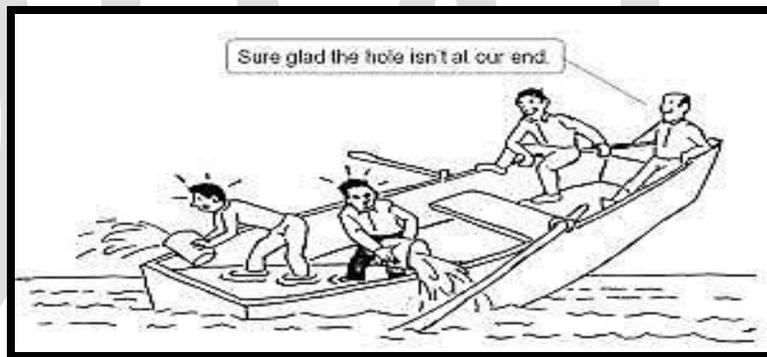


Promoting Accountability in JLOS

Concepts and Strategies

JUSTICE LAW AND ORDER SECTOR

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Accountability is a shared responsibility for all JLOS staff, management structures and institutions, and external stakeholders.

Contents

Acronyms.....	3
Conceptual Premise.....	4
Institutionalizing Accountability.....	5
Types of Accountability	7
The JLOS SIP III on Accountability	8
External JLOS Accountability Promoted	9
Strategies	9
JLOS Internal Accountability promoted.....	11
Strategies	12
Anti-Corruption Measures in JLOS adopted and implemented	14
Strategies	15
Accountability in Transitional Justice Promoted.....	17
Strategies	19
Banking on JLOS Governance Structures in Promoting Accountability	19
The Role of JLOS Governance and Technical Structures.....	20
The Role of DCCs in Promoting Accountability.....	21
The Role of JLOS MDAs	21
The Role of JLOS Staff.....	22
Role of JLOS Secretariat.....	22
Conclusion	23

Acronyms

ADR	:	Alternative Dispute Resolution
CCAS	:	Court Case Administration System
CGP	:	Commissioner General of Prisons
CSO	:	Civil Society Organization
DCC	:	District Chain-link Committee
DPP	:	Directorate of Public Prosecutions
HRMF	:	Human Resource Managers' Forum
IAF	:	Inter-Agency Forum
IEC	:	Information, Education and Communication
IGG	:	Inspector General of Government
IGP	:	Inspector General of Police
JIC	:	Judicial Integrity Committee
JLOS	:	Justice, Law and Order Sector
JLOSIC	:	JLOS Integrity Committee
JSC	:	Judicial Service Commission
LC	:	Local Council
LDC	:	Law Development Centre
MDAs	:	Ministry, Department and Agency
MoGLSD	:	Ministry of Gender, Labour and Social Development
PAC	:	Public Accounts Committee
PET	:	Performance Enhancement Tool
PRO	:	Public Relations Officer
UHRC	:	Uganda Human Rights Commission
ULS	:	Uganda Law Society

Promoting Accountability in JLOS

Conceptual Premise

The concept of Accountability denotes an obligation of an individual or organization to account (answer) for its activities, accept responsibility for them, and to disclose the results in a transparent manner. It also includes the responsibility for money or other entrusted property. Accountability means ensuring that officials in public, private and voluntary sector organisations are answerable for their actions and that there is redress when duties and commitments are not met.

The Constitution of Uganda provides that all public offices shall be held in trust for the people. Therefore, all persons placed in positions of leadership and responsibility shall, in their work, be answerable to the people. All lawful measures shall be taken to expose, combat and eradicate corruption, abuse or misuse of power by those holding political and other public offices.¹ This requirement is realized through various institutional and individual public service standards contained in policies, legislation, regulations, guidelines, standing orders, and codes of conduct.



In the same vein, under Article 17(1)(i) of the Uganda Constitution, it is a duty of all citizens to combat corruption and misuse or wastage of public property.

In the JLOS context, in addition to the public service standards, the JLOS SIP III and the JLOS Anti-Corruption Strategy are explicit on matters of accountability. Under JLOS Outcome III on promoting accountability, the Strategy provides for three result areas; internal accountability, external accountability and the fight against corruption.

Accountability in practice is demonstrated in various perspectives and at different levels. The different perspectives include; presentation of periodic performance reports, presentation of financial reports, conduct of internal and external audits, conducting staff performance appraisals, conducting disciplinary measures, among others.

¹ The 1995 Constitution of Uganda (Amended): National Objectives and Directive Principles of State Policy, XXVI

The different levels of accountability include; Sector accountability, Institutional accountability, intervention (activity/project/program) accountability, process accountability, and individual staff accountability.

Institutionalizing Accountability

Accountability is an institutionalized (i.e. regular, established, accepted) relationship between different actors. One set of people/organisations are held to account ('accountees'), and another set do the holding ('accounters'). Once these practices are made a part of an institutional regular way of operation, then that denotes the institutionalization of accountability. Accountability cannot be a one-off event but rather a regular practice that ensures that all stakeholders work by set standards.

In JLOS, there are various codes of conduct, procedural guidelines, and program documents that have inbuilt accountability mechanisms. These define interventions, processes, monitoring for results mechanisms, oversight structures and reporting lines. These frameworks set standards relating to program or activity interventions at institutional level, together with corresponding JLOS staff responsibilities.

There are many ways in which people and institutions can be held to account. It is useful to think of an accountability relationship as having up to three stages: standard setting, answerability and sanction for errant conduct and reward of exemplary service.



- 1) **Standard setting:** setting out the behaviour expected of the 'accountee' and the criteria by which they might validly be judged. For instance, the JLOS SIP III, and JLOS Work plans are program standards against which the Sector and JLOS MDAs are held to account. In addition, institutional Client Charters serve to set standards against which services are to be delivered and therefore premise against which institutions are held accountable.

At an individual or staff level, codes of conduct such as the Public Service Standing Orders, the Uganda Prisons Service Standing Orders, and the Judicial Code of Conduct are in place to guide individual conduct and performance.

These standards not only guide execution of mandates, but also prevent abuse of entrusted mandates.

Periodically, institutions and staff are expected to account or answer for their actions, the use of public resources provided, the exercise of authority and demonstrate results against the set performance standards.

- 2) *Answerability*: a process in which accountees are required to defend their actions, face sceptical questions, and generally explain themselves. This applies both to negative or critical as well as to positive feedback.

The JLOS Sector and institutions receive funding to implement programs and interventions. As an act of accountability, the Sector's Semi-annual and Annual Progress Performance Reports are a demonstration of accountability. The JLOS MDAs such as the UHRC provide accountability in their periodic reports that are presented to Parliament for scrutiny.

There are also non-structured mechanisms of accountability that largely involve public participation. These include Community Barazas, Community Outreaches/ Dialogues, Public Open Days, JLOS Service User Committees, and public inquiries or consultations among others.

Where accountability provided falls short of expected performance under the standard set, a sanction mechanism comes into play.

- 3) *Sanction and reward*: a process in which accountees are in some way punished for falling below the standards expected of them (or perhaps rewarded for achieving or exceeding them). An effective sanction system must be implemented consistently to build a culture of respect for codes and standards. When sanctions are enforced rarely, no matter how severe, the punishments seem more like random bad luck for the targets, rather than the legitimate consequence of violating or not meeting the standards that have been set.

The Sector has two types of sanction systems; criminal justice sanctions and the administrative sanctions. Criminal sanctions follow the criminal justice pattern and trial before courts of law for abuse of set standards. Various legislation

define such abuses, including corruption, as crimes triable in courts of law. Administrative sanctions are administered at institutional levels by the various oversight mechanisms including Disciplinary Units, Supervisors, and Tribunals.

In addition to the above, persons who have been found to offer exemplary performance are recognized and rewarded. This is the flip side of the sanction of errant conduct.

In many cases, the accountability process sounds very formal and like a legal trial, but most accountability sequences are not as formal, and/or do not include all these stages. However, accountability is also how those in power are held publicly responsible for their decisions. This helps to highlight that accountability is not only a set of institutional mechanisms or a checklist of procedures, but an arena of challenge, contestation and transformation.

Types of Accountability

Operationally, accountability can be categorised in terms of horizontal, vertical and diagonal mechanisms. However, success is most often found not in one of those approaches alone, but in their interaction.

- 1) **Horizontal accountability** consists of formal relationships within the State itself, whereby one State actor has the formal authority to demand explanations or impose penalties on another. Its focus is on internal checks and oversight processes. For example, executive agencies must explain their decisions to legislatures, and can in some cases be overruled or sanctioned for procedural violations.

In practical terms, the Inspectorate of Government (IG) or the Public Accounts Committee (PAC) of Parliament can demand accountability as part of the intra-government checks and oversight. Within the Sector, the JLOS Inspectors' Forum (JIF) has a mandate for horizontal accountability among JLOS staff and institutions through their inspections. The Judicial Service Commission holds Judicial Officers to account, and the Law Council holds Lawyers to account.

- 2) **Vertical forms of accountability** are those in which citizens and their associations play direct roles in holding the powerful to account. Elections are the formal institutional channel of vertical accountability. But there are also

informal processes through which citizens organize themselves into associations capable of lobbying governments and private service providers, demanding explanations and threatening less formal sanctions like negative publicity.

The Sector and its institutions conduct public Barazas, Public Open Days, interactive Mass Media Outreach on TV and Radio Broadcasters, JLOS Integrity Committee Tours, and publish performance reports as forms of vertical accountability. This is in line with the Constitutional requirement of all public offices and officers shall be answerable to the people of Uganda.

- 3) **Diagonal accountability** operates in a domain between the vertical and horizontal dimensions. It refers to the phenomenon of direct citizen engagement with horizontal accountability institutions when provoking better oversight of State actions. Citizens by-pass cumbersome or compromised formal accountability systems to engage in policy-making, budgeting, expenditure tracking and other similar activities.

This platform is largely used by Civil Society Organizations and a few individual activists. For instance, the Anti-Corruption Coalition of Uganda (ACCU) has in past engaged the JLOS on promoting accountability in judicial conduct.² The Civil Society Budget Advocacy Group (CSBAG) follows closely budget performance and accountability for public resources allocated to Government institutions.

The JLOS SIP III on Accountability

The JLOS SIP III provides for strengthening of accountability mechanisms within the Sector institutions, and these have a double ripple effect to enhance access to justice and enable economic development.

Under Outcome 3, the JLOS SIP III provides for the following accountability results;

- a) External JLOS Accountability Promoted
- b) Internal JLOS Accountability Promoted
- c) Anti-Corruption Measures in JLOS adopted and implemented

² Temples of Injustice: A report Highlighting Alleged Abuse of Office in Selected Magistrates' Courts in Uganda. ACCU, 2014.

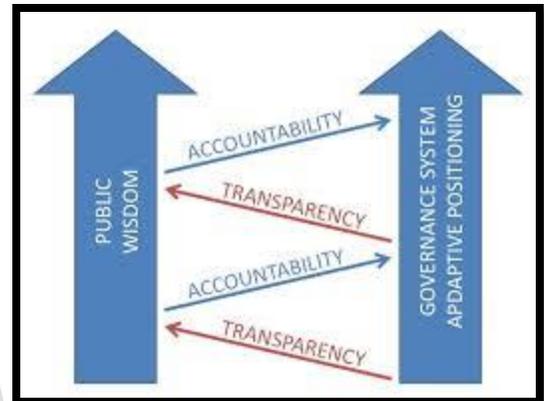
d) Accountability in Transitional Justice Promoted

External JLOS Accountability Promoted

The Sector is required to devise mechanisms to promote institutional independence and minimize extra –legal interference.

Therefore, JLOS MDAs are required to review, develop and publicise harmonized transparent, fair, efficient and non-costly institutional and individual accountability mechanisms.

Institutions are required to have set procedures and practices of publishing information related to institutional policies, rules and procedures, operational and budgetary information, and implement the Sector wide communication strategy. The Sector has developed IEC Guiding frameworks that JLOS institutions use to design and implement communication interventions.



Strategies

- 1) Strengthen institutional independence and minimize extra –legal interference.

Institutional independence denotes autonomy in decision-making and determination of implementation of programs in line with set codes and standards. It presupposes insulation from external forces that shape decisions, nature of services and direction of the institution's development plan. This is important not only for the judicial function in the administration of justice, but also, for all JLOS MDAs as part of promoting institutional integrity and therefore accountability for its actions.

- 2) Set clear procedures and practices for delivery of services and accountability.

Certainty of processes and practices helps to guide consistent and predictable implementation of JLOS services. Clear process codes such as Complaints Handling Manual give certainty to users of JLOS services and also provide a certain premise to hold officers accountable. In terms of service delivery, documents such as Client Charters and Client Service Standards are essential in guiding and setting expectations for users of JLOS services.

3) Implement the Sector wide communication strategy.

The JLOS Communication Strategy is framework that guides the Sector's communication mechanisms and modalities with the public. Communication is a key feature of accountability on the part of JLOS MDAs and officers. The JLOS Publicity Committee is a lead role player in ensuring the implementation of this Strategy by all JLOS MDAs. In line with the above Strategy of setting standards, all JLOS institutions are required to go an extra mile to communicate to the public existing service standards, procedures, programs implemented, budgets and performance reports. This empowers the public to engage with the Sector from a knowledge point.

4) Support to strengthen inspection function and internal complaints systems.

Inspection functions in the Sector are not only intended to deal with internal questions but also, whenever appropriate, they inter-face with the public to pick views/complaints and provide feedback. An example in practice is the JLOSIC.

In addition, strengthening the complaints systems is essential to ensure that the public concerns are handled, and information relayed about the action taken or decision made. The Sector developed a JLOS Complaints Handling Manual that is intended to guide all JLOS MDAs in handling complaints and providing feedback in a timely manner.

5) Support to public interest litigation.

Public interest litigation is a people or public mechanism of demanding accountability from Government through courts of law. Issues of public interest and for which a Government office or officer is required to act or refrain from acting can be realized through securing a court order in the interest of the public. Supporting these platforms promotes people driven demand for accountability.

The spirit of the SIP is to ensure certainty of processes and standards of service, have this information regularly communicated to the public. With such information, the various stakeholders and users of JLOS services would relate with the Sector with confidence, certainty and therefore minimize opportunity for manipulation.

JLOS Internal Accountability promoted

Internal accountability requires that all JLOS staff are provided with information on set standards of service delivery, ethical codes of conduct and mechanisms of holding them accountable. Therefore, this result areas requires the internal dissemination of institutional policies, rules, procedures, codes of ethics and systems of enforcement of discipline and individual accountability for errant behavior and human rights violations.

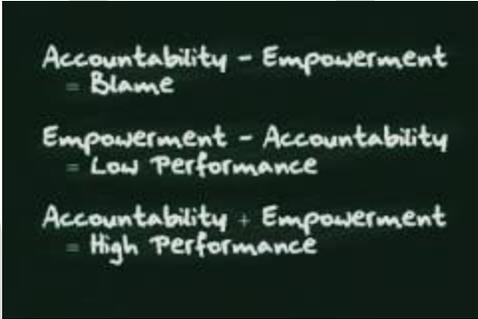
To enforce the set standards, the SIP requires a strong adherence to internal complaints handling mechanisms to deal with errant conduct. Such a mechanism set procedures on handling complaints in a timely, objective and consistent manner. In case of a finding of errant conduct, JLOS institutions must enforce sanctions accordingly.

Internal Accountability is not only focused on seeking the negative or wrong doing but also seeks to applaud positive exemplary performance. The SIP provides for rewards and recognition of exemplary service regimes for those institutions and individuals that excel in delivering their mandates. The Sector is therefore required to provide support to enhance internal institutional capacity to enforce rewards and sanctions regimes.

In addition, the Sector is required to develop and implement institutional Peer Review Mechanisms in human rights observance and accountability. Such peer review mechanisms promote intra-sector learning and sharing of lessons for improvement. Currently, the mechanisms in place include thematic Working Groups, the JLOS Audit Committee, the UHRC periodic forum to follow up human rights recommendations with JLOS MDAs, among others.

On the financial side, the SIP provides for review and strengthening of Sector financial management strategies. The purpose is to adapt the financial management frameworks to the ever-changing needs and implement recommendations of the financial reviews/audits. As a mechanism of promoting transparency and accountability on financial matters, the SIP requires the development of a database for audit reports and recommendations, and also pro-active efforts to make public external audit findings and their corresponding follow up action.

Piloting external independent oversight bodies to investigate individual cases of misconduct, conduct audits of institutional performance as a whole, with a view of



Accountability - Empowerment
= Blame

Empowerment - Accountability
= Low Performance

Accountability + Empowerment
= High Performance

rooting out systemic misconduct, corruption and to render institutional performance more transparent. Current external oversight bodies engaged include the Office of the Auditor General, the Inspectorate of Government, Parliament and CSOs. These provide external oversight as part of their statutory mandates.

At both institutional and Sector wide levels, JLOS is required to ensure that internal policy dialogue focuses on behavioral reforms and accountability for increased professionalism and increased service delivery.

Strategies

1) Strengthen Internal audit function, and support JLOS audit Committee

The JLOS internal audit function is a critical mechanism that must be strengthened and supported to work effectively to ensure compliance with financial procedures and standards. A weak internal audit function erodes a culture of financial accountability that works through checks and balances, breeds systemic corruption with impunity. This undermines the image of the Sector's financial integrity.

The Sector established the JLOS Audit Committee and has been provided the necessary resources to function independently. The Audit Committee reviews JLOS institutional internal audit reports, provides a platform for peer review and peer learning with a view of strengthening financial management and promoting accountability. In addition, field verification and inspection visits are conducted to ensure compliance with recommendations made in the various audit reports.

2) Review, develop and publicize harmonized transparent, fair, efficient and non-costly institutional and individual accountability mechanisms for violations of human rights norms. Currently, there are various human rights accountability mechanisms at both internal and external institutional levels. The UHRC plays a leading external accountability role for JLOS MDAs, and internally, institutions have set up relevant mechanisms. For instance, the Police has in place the Professional Standards Unit (PSU) and the Directorate of Human Rights and Legal Advisory Services, the Ministry of Justice and Constitutional Affairs has the Human Rights Desk, and the Uganda Prisons Services has in place Human Rights Committees and Visiting Justices. All JLOS institutions must monitor

existence of institutionalized human rights standards and guiding principles, practices of protection, respect and fulfilment of the same.

3) Implement performance management system in Sector institutions.

Improvement of quality of JLOS services highly hinges on performance and effectiveness of its staff. Performance management is a critical strategy for development and increasing productivity of the JLOS human resources through participatory planning, monitoring, evaluation and improvement. The mechanism also enables recognition and reward of exemplary staff, and address weaknesses. At Sector level, the JLOS Human Resource Managers' Forum (HRMF) is in place for this purpose. At institutional level, for instance, the Judiciary is developing a Performance Enhancement Tool (PET). There are Human Resource Managers/Officers in all JLOS institutions and these conduct regular human rights appraisals and human resource development support. Provision of adequate resources and facilitation is critical for the Sector to realise maximum productivity of its human resources.

4) Internal dissemination of institutional policies, rules, procedures, codes of ethics and systems of enforcement of discipline and individual accountability for errant behavior and human rights violations. This strategy is aimed at ensuring that HLOS staff and teams are knowledgeable about institutional standards, reforms and systems to ensure standardized service delivery. This also limits excesses and overlaps in mandates while at the same time avoid ignorance that could lead to miscarriage of justice.

5) Strengthen internal complaints handling mechanisms.

All JLOS MDAs must have internal institutional complaints mechanisms. Such administrative mechanisms address disputes, complaints and errant conduct within the institutions. They provide opportunity for whistle blowers to raise *red-flags* and enable institutions deal with issues before they escalate. In handling internal complaints, clear mechanisms must be in place that adhere to the rules of natural justice and accord the parties all their legal and human rights. Implementation and enforcement of codes must be consistent and non-discriminatory. Guidance can be drawn from the JLOS Complaints Handling Manual. This paves way for a culture of accountability and responsibility.

- 6) Support to rewards and recognition of exemplary service regimes.
This is an important incentive based approach to inspire improved JLOS staff productivity. It is a part of the Sector performance management systems.
- 7) Develop and implement institutional Peer Review Mechanisms in human rights observance and accountability. Peer review mechanisms promote horizontal learning through sharing lessons and experiences. The Human Rights and Accountability Working Groups, the UHRC periodic forum on following up recommendations with JLOS MDAs, and the JLOS Audit Committee are functional illustrations of such peer review mechanisms.
- 8) Review and strengthen financial management strategy.
Continuous review and strengthening financial management is an imperative geared towards adapting financial systems to changing financial trends and risks, responding to audit recommendations, and legal requirements. Strong financial management ensures appropriate use of public resources, accountability and elimination of opportunity for corruption. For example, the adoption of the IFMS is a step in this direction.
- 9) Ensure internal policy dialogue on behavioral reforms and accountability for increased professionalism and service delivery.
Internal policy dialogue at Sector leadership level should maintain focus on developing a culture of accountability, professionalism and responsible service delivery. This will erode corruption, build public trust and confidence in JLOS services, and therefore guarantee public satisfaction with JLOS services.

Anti-Corruption Measures in JLOS adopted and implemented

JLOS will strengthen measures to reduce incidences of corruption. To realize this output, the Sector is mandated to implement a number of strategic interventions that include: improve the environment and procedure for execution of court decisions through vigilant supervision of court bailiffs, developing standards for efficient and effective administration of justice, mainstreaming gender and human rights standards in the administration of justice, developing internal capacity to enforce regulations and

lead awareness enhancement initiatives for the public sector on government liability and its implications for national development.

In addition, JLOS is mandated to implement the JLOS Anti- Corruption Strategy aligned to the National Anti-Corruption Strategy. All JLOS MDAs are required to develop contextualized programs that domesticate the Sector and National Anti-Corruption Strategies. The JLOS Anti-Corruption strategy strives to enhance the sector capacity to prevent corruption. It seeks to strengthen the detection, investigation and adjudication of corruption cases and to promote and enforce effective mechanisms for punishment of those found culpable.

Anti-corruption measures also include implementing the Public Sector Reform initiatives such as performance management, open government and access to information.

Strategies

- 1) Investigate, prosecute and adjudicate corruption related cases both internal and external to JLOS. The Sector will implement both administrative and criminal justice mechanisms to bring to justice cases of corruption both within and outside the JLOS.
- 2) Support to evaluate and roll out Anti-corruption Division of the High Court; The Anti-Corruption Division of the High Court that was established and situated in Kampala shall be rolled out through a phased approach to ensure access to justice. This will reduce the burden of litigants traveling from the country side to attend court in Kampala, and have close access at the regional levels.
- 3) Explore and exploit linkages to the Accountability Sector.
JLOS is mandated to work closely with the Accountability Sector in the fight against corruption. Institutional linkages between the Accountability Sector institutions and JLOS MDAs such as Police, DPP and the Judiciary are in place as part of the criminal justice chain on anti-corruption. Sector level collaborations are in place and technical support is provided by the Inspectorate of Government to JLOS on deepening anti-corruption interventions.
- 4) Promote identified practices of prosecution led investigations.

The DPP is mandated and does promote prosecution led investigations . This has resulted in increased conviction rates. A specialized anti-corruption unit is in place at the DPP, and this is geared at providing specialized focus on successful prosecution of corruption cases.

5) Capacity development of JLOS Anti--corruption actors.

Continuous capacity development for all anti-corruption actors is essential to match the changing trends of corruption and strengthen institutional efforts to fight corruption arising within and outside the Sector.

6) Support to internal administrative mechanisms to locate, identify and punish corrupt activities

JLOS institutions must have in place administrative mechanisms to detect, identify and punish acts of corruption. The performance of administrative anti-corruption sanctions systems is key to addressing petty corruption and stem the emergency of systemic grand corruption. These mechanisms promote a culture of accountability and responsibility in service delivery.

7) Develop a database and make public proven cases of corruption and follow up action by JLOS institutions.

In the absence of a central information hub, all JLOS MDAs should maintain a data base of proven cases of corruption. This should bear corresponding follow up action in terms of sanctions and recovery of misappropriated resources.

8) Implement the JLOS Anti-Corruption Strategy.

All JLOS MDAs must have in place institutionalized anti-corruption programs that implement that JLOS Anti-Corruption Strategy. Anti-corruption activities must be specifically identified, budgeted for, monitored and reported in institutional periodic progress reports.

During the planning period, JLOS will continue lobbying for pay reform; strengthen institutional disciplinary mechanisms; develop procedural manuals; develop performance standards with set targets; promote the use of client charters and user guides at institutional and sector levels to enhance staff accountability.

JLOS institutions under SIP III shall establish an efficient and effective system and process for human, physical and information resource management. In JLOS SIP III the driver of interventions shall be development and implementation of a comprehensive and effective organizational and staff overall performance assessment systems undertaken annually at institutional and sectoral levels. The assessments shall not be used solely for sanctions but also for internal management dialogue and staff development aimed at improving overall Sector performance. Considerations of improving efficiency of resource utilization and zero tolerance to corruption shall be central to resource management interventions.

Accountability in Transitional Justice Promoted

Transitional justice means processes and mechanisms aimed at confronting legacies of the past human rights abuses and violations in order to repair harm suffered by victims, ensure accountability, serve justice, promote reconciliation, guarantee non-recurrence of violations and abuses, and build peaceful and democratic systems that contribute to the rule of law and respect of human rights.

Transitional justice is influenced by the recognition that human rights violations and atrocities were committed and that there is need for accountability, and redress so as to reduce the incidence of violations/crime and put an end to impunity.

For instance, the 2007 Juba Agreement on accountability and reconciliation, provides for the exploration of different justice mechanisms which may complement each other to help address the gross human rights violations that were committed during the two decade war. Important is that it recognises the rights of special groups like children, victims, witnesses, Women and girls.

Accountability in transitional justice denotes, the willingness or obligation to accept or take responsibility by an individual or institution for their actions. In this situation, the responsibility for actions is that related to human rights abuses, violations, harms, wrongs and or crimes.

This can be achieved through the following transitional justice mechanisms.

- a) Formal justice, **that involves accountability through** criminal prosecutions of the architects and perpetrators of grave human rights violations and abuses.

- b) **Reparations which ensures accountability by** redress given to victims of gross or serious human rights violations/ abuses. Reparations reflect an acknowledgement of responsibility and accountability. Reparations can take material and symbolic form as well as individual or collective form these include; restitution, compensation-monetary form for damages; rehabilitation – medical, legal and psychosocial, satisfaction-acknowledgement of guilt, apology, burials, construction of memorials, and guarantees of non-repetition-reformation of laws and civil and political structures.
- c) **Traditional Justice** refers to localized cultural practices by communities to attain justice and reconciliation; it encompasses all community driven cultural practices that the communities develop and utilize in resolving localized disputes to attain safety and access to justice by all. In this case the attainment of justice and reconciliation is accountability.
- d) **Truth Telling and Truth Seeking**, denotes the processes adopted to give victims of past grave crimes and gross human rights violations and abuses and the society at large the opportunity to share their experiences in the hope of coming to grips with their past pain and suffering and ultimately to prevent future repetition. It may include formal or non-formal processes of investigation to establish an accurate and impartial account of the past.
- e) **Amnesty**, which means a pardon or forgiveness for the commission or omissions of acts or crimes.

At Sector level, in a bid to implement to promote accountability, the Judiciary in 2008, established the War Crimes Division now the International Crimes Division of the High Court to try those responsible for the infliction of mass human rights abuse, violation and atrocities. The International Crimes Division of the High Court contributes directly to achieving a greater degree of criminal accountability of key perpetrators of serious human rights violations, war crimes and crimes against humanity.

Further, the adoption and strengthening of alternative justice mechanisms, in particular traditional justice practices and truth-telling mechanisms will enhance alternative forms of accountability, and seek to deliver restorative justice to victims and perpetrators in the conflict. The Sector is focused on institution strengthening and capacity

development for key stakeholders to deliver timely judgments in all cases in post conflict areas.

The Sector has also developed a National Transitional Justice Policy, whose object is to enhance legal and political accountability, promote reconciliation, foster social reintegration and contribute to peace and security. In this regard, the policy recognizes the urgent need to introduce legislation and to establish a body that can devote itself in a full-time implementation of transitional justice processes. It provides a legitimate point of reference for addressing all matters of Transitional Justice, assigns specific responsibilities to various actors to facilitate its implementation, and sets priority areas of action at the various levels by stakeholders.

Strategies

- 1) Promote witness/victim protection and facilitate the development of witness protection guidelines, policy/law.
- 2) Adoption of alternative justice mechanisms, including truth telling.
- 3) Adoption of a policy on reparations.
- 4) Enhance access to information by victims/ witnesses on their rights.
- 5) Ensure the observance of human rights in all justice institutions in the implementation of transitional justice mechanisms.
- 6) Strategic mapping and identification of affected communities so as to direct development programs

Banking on JLOS Governance Structures in Promoting Accountability

There are various role players in the JLOS Sector that are mandated to implement various activities aimed at promoting Accountability in JLOS. These are comprised at difference levels of governance, from the central national level to the district levels. The various JLOS structures in place provide leadership, technical oversight and guide resource allocation. Therefore, a clear

The Role of JLOS Governance and Technical Structures

The JLOS Governance and technical structures play a critical role in directing the course of reform and providing oversight at different levels in the Sector. The Leadership Committee, the Steering Committee and the Technical Committee play a critical role in ensuring realization accountability as one of the key results under the JLOS SIP III. Therefore, dialogue at these levels must not only look at the core business of service delivery, but also bring to the fore issues of integrity and responsibility as key tenets of accountability.

Notwithstanding the increased availability of JLOS services in different parts of the country, corruption and lack of integrity taints public confidence and trust in the Sector. This is made worse if JLOS MDAs cannot implement administrative and criminal sanction systems against errant persons in a consistent and coherent manner. The Sector complaints handling mechanism must be seen to function and build public confidence in the same, and performance reports made public.

Accountability also goes beyond demonstration of institutional services offered to the public and extends to personal experiences of users of JLOS services.

The implementation of a robust JLOS Communication Strategy is also key to ensuring that information is packaged right and is received by the constituencies that we serve. The JLOS Publicity Committee has a strategic mandate of guiding the Sector's communications and public relations. The adoption of a JLOS IEC Policy, JLOS IEC Development Protocols and IEC Branding Guidelines are major steps towards standardization and implementation of the JLOS Communication Strategy. Provision of resources and use of these protocols is ongoing and tracer studies should be planned to assess impact.

Recommendations from collective accountability mechanisms such as the JLOS Inspectors' Forum, JLOS Integrity Committee and the Joint JLOS Monitoring visits should inform the planning and resource allocation at both Sector and institutional levels. This will ensure that the Sector focuses on priority concerns of users of JLOS services and at the same time continuously adapts to new ways of promoting accountability and value for money in service delivery.

The Role of DCCs in Promoting Accountability

District Chain linked Committees (DCCs)³ are frontline institutions that represent JLOS at the District or grass root level. DCCs therefore have a primary role to implement the JLOS SIP III and among others ensure accountability in service delivery.

DCCs are one of the Sector's frontiers and point of engagement with the public on a wide range of issues. Concerns from the public should be addressed by DCCs, local solutions devised, and mechanisms of ensuring accountability implemented. These include monitoring performance of JLOS MDAs, providing avenues of communication and information sharing with the public, demonstrating JLOS performance results to the public, responding to complaints and ensuring accountability in service delivery.

The DCCs are closely monitored and supervised by the Regional Chain-linked Committees (RCCs) at each High Court Circuit. The RCCs receive reports from DCCs and scrutinize issues for redress. One of the key areas of focus for monitoring by DCCs is the promotion of accountability from the grass root to the national levels. The RCCs play a critical role in providing local and regional contextual solutions to accountability challenges presented by DCCs. Dealing with such issues at a regional or district level stems the emergency of cases of grand corruption and abuse of office.

The Role of JLOS MDAs

JLOS institutions deliver on their mandate and provide accountability to both internal management structures and also the external constituencies. The commitment is at two levels; at institutional and staff levels. A diversity of communication packages should be prepared and disseminated to key stakeholders and constituencies.

Institutional planners (PPUs) and heads of JLOS institutions are implored to allocate resources towards accountability mechanisms to ensure that these are functional and implement relevant activities. Both internal accountability mechanisms (such as internal reports, internal audits and financial management) on the one hand, and external accountability practices (such as Open Days, Community Barrazas, Media Outreach, and public dialogues) should be planned for, resources allocated for their implementation, monitored and results made public. Information about institutional

³ The decentralisation of the Justice Law and Order Sector (JLOS) services is one of the key aspects that JLOS SIP III³ seeks to realise that serves to bring JLOS services closer to the people. In order to strengthen the decentralisation of JLOS services, DCCs) were established to deepen the engagement of JLOS at the grass root and ensure effective JLOS services delivery and impact.

procedures and performance results ought to be published and communicated to both internal and external stakeholders.

Particularly, JLOS institutions should facilitate effective and efficient functioning of their respective Disciplinary Units, reward and recognition mechanisms, and conduct regular performance appraisals.

The Role of JLOS Staff

All JLOS Staff must make a personal commitment to responsible public centred services delivery. Building a culture of accountability rotates around personal conviction to fight corruption, and espouse integrity.

Codes of conduct and rules of procedure must be respected and followed to the letter. To ensure this, a combination of incentives and sanctions must be implemented to reward exemplary practice and punish errant conduct in a consistent manner.

In line with the above, the JLOS strategic focus on promotion of internal accountability in the Sector not only focuses on levying sanctions against errant staff but also provides for a reward and recognition scheme. The JLOS Secretariat has a reward and recognition scheme that is being institutionalized and will be an inspiration for exemplary performance.

Role of JLOS Secretariat

The JLOS Secretariat plays a technical backstopping role in ensuring that JLOS MDAs promote accountability by having in place the necessary frameworks, mechanisms and implementing relevant programs.

The Secretariat provides support towards systems development and strengthening, resource mobilisation for strategic reforms and capital development. In addition, fora for convergence and peer learning will be put in place to inter alia discuss M&E reports on accountability, and engage in thematic human resource capacity development.

Externally, the Secretariat provides a sector interface to collaborate with the Accountability Sector on reforms in the fight against corruption and promotion of accountability. While some JLOS MDAs participate in the Inter-Agency Forum (IAF) of the Accountability Sector, the JLOS Secretariat presents a collective avenue for interface towards a common national goal.

Conclusion

Therefore, the development of this Accountability Guide note for JLOS actors is critical to ensure that issues of accountability are treated as a priority and challenges are addressed. Internally, this is a pre-requisite for building a culture of responsible conduct of public affairs and integrity in the Sector. Externally, promoting accountability builds public confidence, trust and reliability in JLOS services. Without building accountability within JLOS, the realisation of the JLOS SIP III outcomes becomes difficult and unsustainable. It is therefore a collective pursuit to ensure individual and institutional accountability in JLOS is promoted.

End.

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