



THE REPUBLIC OF UGANDA

**SPEECH BY THE HON CHIEF JUSTICE AT THE CHIEF
MAGISTRATES' COURT MUBENDE DURING THE POLITICAL
MONITORING AND EVALUATION OF JLOS PROJECTS ON
MARCH 4TH 2013.**

Hon Ministers

Your Excellencies the Ambassadors

Members of the JLOS Leadership Committee

Members of the JLOS Steering Committee

The Resident District Commissioner

The LC V Chairperson

Your Worships

Members of the District Chain linked Committee

Ladies and Gentlemen.

It is a fact of life that the importance of justice lies not in its presence but when it is denied. My team and I are here today to ensure that justice is not denied to any regardless of their standing in society.

On behalf of the leadership of the Justice Law and Order Sector and the Development Partners, I would like to thank Justice Faith Mwondha, the Leadership of Mubende District and the District Chain

Linked Committee for welcoming us in Mubende. I thank her for dispensing justice in an expeditious manner despite running a very wide circuit of the High Court.

I thank the District Chain linked Committee for organizing a befitting ceremony and for coordinating with the political and civic leadership in the District.

On a special note, I thank the political and civic leadership for supporting JLOS institutions and for not interfering in the administration of justice.

This monitoring and evaluation trip has been organized to share with you the achievements and challenges you face in the administration of justice. We are here to get onsite assessment under which Sector institutions operate, evaluate status of implementation of JLOS programmes and assess the contribution of development assistance in deepening rule of law. Collectively, we hope to identify solutions to the challenges facing the administration of justice to build a compassionate, respected and loved justice system in Uganda.

As you may recall, the Justice Law and Order Sector is a reform programme which brings together 17 Government institutions, which are responsible for the administration of justice, maintenance of law and order and human rights. JLOS exists to promote justice for all so that all people living in Uganda can live in a just and safe society.

In JLOS, we hold the truth that justice is so central to human development that no society can survive for long without justice. We also recognize that justice is core to any civilized notion of the good life, government and society, because Government without justice is a tyranny and society without justice is anathema to its citizens. But justice can only be meaningful if it is built on law, ethics, values, fairness, and equity which are fundamental to the wellbeing of society. That notwithstanding, we know that the justice system is in urgent need of reform.

We are concerned about the inefficiencies in the Justice Sector which are manifested in delay of cases which is perpetuated by shortage of judicial staff and other staff; absenteeism; poor working conditions; inefficiencies in the investigation; prosecution and adjudication of cases; poor utilization of court time and inaccessibility of most of our institutions across the country. We have congested prisons. We are also equally concerned about corruption across the chain of justice. In JLOS, we shall implement the JLOS Anti-Corruption Strategy to strengthen the capacity of the state and Sector institutions to fight corruption.

JLOS in partnership with the Development Partners is committed to providing and improving the working conditions of JLOS institutions. The Uganda Police Station which is housed in an old building, will be rebuilt into a modern and efficient facility, where the police will be proud to offer services to the community and all of us will be confident to report our cases. Kaweri Prison facilities will be rehabilitated to

provide adequate facilities for the inmates and most important of all, to improve the sanitary conditions by eliminating the bucket system. We shall also provide additional staff to boost staff levels across the chain of justice. An additional Judge will be posted to Mubende to support Hon Justice Mwendha to tackle case backlog in the areas. The Judiciary will roll out the Small Claims Procedure (first track system for small business related cases); land courts in places with high incidence of land disputes such as Mubende.

I implore you our staff to be skilled in your profession. Have sound knowledge of the law and effective appreciation of discretion that resides in you as an officer of the court. You need to maintain the essential equity of a situation without being necessarily technical. It must be your constant occupation to cut out delays and provide a business like manner and attitude to investigation, prosecution and adjudication of cases. You must keep abreast of the state of your community. You must be creative, innovative and sensitive to the needs of the people. Needless to mention, that you must avoid brutalizing victims of justice and suspects but give them equal treatment under the law. You must continue to engage the public so as to build a vibrant justice system.

I have noted with concern the uneven sentences which are meted out by different judicial officers. Members of the public are not satisfied with the sentences rendered out. Ordinary people tend to get severe sentences and yet the well to do and the privileged elites get leaner sentences. Consequently, we have decided to review sentencing in

Uganda to make sentencing predictable, equitable and fair. We shall soon issue sentencing guidelines to guide courts, prosecutors, criminal justice agencies and the public on sentencing. Sentences will be based on the seriousness of the offences, the role of the convict, public interest and the way the offences were committed and not the standing of the convict in society. I urge the public to embrace the use of Community Service as an alternative to imprisonment.

Soon Government will introduce a legal aid scheme to provide legal aid and advice to the most indigent. Legal aid will be provided to persons who are charged with any offence that may attract imprisonment. Legal aid will be given in civil cases to cater for land and family disputes.

Let us therefore, join hands together to build a better Uganda which is grounded on equal opportunities for all.

For God and My Country!