



The Republic of Uganda



THE THIRD SECTOR STRATEGIC INVESTMENT PLAN (SIP III)

FOR

THE JUSTICE LAW AND ORDER SECTOR

2012/13-2016/17

TABLE OF CONTENTS

Executive Summary	6
Section 1: INTRODUCTION	9
1.1 Strategic Context and Rationale.....	9
1.2 National and Sector Issues- Situational Analysis, Achievements ..	10
Challenges:.....	10
1.3 Lessons Learned and Reflected in the design of SIP III.....	22
1.4 Higher Level Objectives to which the Sector contributes	23
Section 2: JLOS SIP III DESCRIPTION	25
JLOS SIP III Program Objectives	25
2.2 JLOS Vision, Mission and Values	25
JLOS Overall goal.	26
Outcomes	26
Outcome 1: Legislative, Regulatory and Policy environment for JLOS operations; human rights and the rule of law, and national development strengthened.....	27
Outcome 2: Access to JLOS Services enhanced.....	30
Outcome 3: Human Rights and Accountability promoted.....	36
Section 4: JLOS SIP III PROGRAMME MANAGEMENT	39
4.2 Management Processes.....	45
Partnership Arrangements.....	49
Section 5: Financial Management Arrangements	51
Section 6: Risk Assessment and Mitigation	53
JLOS in the MTEF	54
129. Institutional Projections	54
7.2 DP budget support contributions	54
7.3 DP bilateral projections	54
7.4 List of projected DP contributions to JLOS	54
Section 8: Monitoring and Evaluation Arrangements.....	55

9.1 JLOS SIP III Results Framework..... 55
9.2 The Monitoring and Evaluation Framework..... 62
The Impact Evaluation Framework..... 62
Arrangements for Results Monitoring..... 63

DRAFT

LIST OF ACRONYMS

BDR	Birth and Death Registration
CADER	Centre for Arbitration and Dispute Resolution
CJRP	Commercial Justice Reform Programme
CSOs	Civil Society Organisations
DPP	Directorate of Public Prosecutions
EAC	East African Community
EDF	European Development Fund
EU	European Union
FY	Financial Year
GAL	Government Analytical Laboratory
HRBA	Human Rights Based Approach
HRGGP	Human Rights and Good Governance Programme
HURINET	Human Rights Network
ICITAP	International Criminal Investigations Training Assistant Programme
IEC	Information Education and Communication
IFMS	Integrated Financial Management System
J4C	Justice for Children
JLOS	Justice Law and Order Sector
JSC	Judicial Service Commission
LCC	Local Council Courts
LCCA	Local Council Court Act
LDC	Law Development Centre
MIA	Ministry of Internal Affairs
MOGLSD	Ministry of Gender, Labor and Social Development
MOLG	Ministry of Local Government
MoU	Memorandum of Understanding
NDP	National Development Plan
NFP	National Focal Point for Small Arms and Light Weapons
NGOs	Non-Governmental Organisations
NSA	Non State Actors
OHCHR	Office of the High Commissioner for Human Rights
PRDP	Peace, Recovery and Development Plan
RNE	Royal Netherlands Embassy
RSA	Resident State Attorney
RSP	Resident State Prosecutors
SB	Special Branch
SPCs	Special Police Constables
SWAp	Sector Wide Approach
TAT	Tax Appeals Tribunal
TI	Transparency International Corruption Index
ToT	Training of Trainers
UHRC	Uganda Human Rights Commission
ULRC	Uganda Law Reform Commission
ULS	Uganda Law Society

UN Women	United Nations Women
UNICEF	United Nations Fund for Children
UPDF	Uganda Peoples Defence Force
UPF	Uganda Police Force
UPS	Uganda Prison Service
URSB	Uganda Registration Services Bureau
USAID	United States Agency for International Development

DRAFT

Executive Summary

1. The Justice Law and Order Sector in Uganda is rated as a huge success and regional flag bearer¹ in policy and strategic coordination in justice and law enforcement reforms. Embedded within the national planning framework and a rights based approach, the sector wide approach has grown from an initial local based pilot into a collaboration that draws together over 15 institutions across family, land, commercial and criminal justice spheres. Steeped in this success, sustaining the growth and its dividends will be not without challenges. The rising population estimated to reach 90millions in the next forty years heralds a demand for services unmatched by the current expansion of JLOS services. With the reintroduction of multi party system of governance and its demands on the justice system; the below desired levels of public confidence in the justice system; the discovery of oil wealth in Uganda, the demands of regional integration and increasing calls for open and accountable governments, the Sector requires longer range forecasting, planning and innovation to match the unprecedented demands upon its services. The biggest challenge facing the JLOS Sector presently is to transform the justice and law enforcement system into one that respects, promotes, protects and fulfills the fundamental rights of the Constitution.
2. The Sector has charted out its response to the challenge and by so doing its role and contribution to national development. As an enabling Sector, the National Development Plan recognizes its role as a platform and basis for the performance of the primary growth sectors as all pursue economic growth, employment and prosperity. The successes of the Sector in the past decade evidenced in law reforms, institutional efficiencies that led to increased responsiveness to investors; war crimes; corruption cases and human rights have to be sustained. In addition there is need for continued progress in sector development and in the implementation of innovations to expand JLOS services to reach out to the general public with a particular emphasis accorded to the poor and marginalized groups whose access to justice remains limited. Whereas the initial five years of sector investment (SIP I) dipped into uncharted waters; SIP II consolidated the gains of the initial years. SIP III seeks to deepen the ongoing interventions and also broaden its services through well targeted interventions aimed at the legal, policy and regulatory framework – both internal and external; enhancing access to JLOS services with an emphasis accorded to the poor and marginalized groups; and mainstreaming human rights and accountability in JLOS service delivery.
3. This strategy document therefore provides a platform and spring board upon which the Government of Uganda, all sector institutions, development partners

¹ See www.jlos.go.ug

and Non State Actors shall harness their five year programs, strategies and activities. This is the basis for the unity of purpose that has so far characterized JLOS Sector performance. The strategy also provides a sector wide budgeting and financing framework for JLOS based on the MTEF and bilateral development partner contributions for the purpose of securing sustainable funding for the five year strategy.

4. The Strategy has benefitted from an array of views gained from a broad range of consultations including within Government- at national and regional levels; non- governmental organizations, private sector, development partners and special groups including children, prisoners etc. The process of consultations will continue through the Annual reviews of Implementation and planning to foster both vertical and downward accountability for sector results.
5. The initial section reviews the context within which the Sector operates; the achievements, prospects and lessons derived from previous performance. The second section outlines the Strategy and its elements. The third section reviews the management arrangements; presents risks and mitigation measures and the monitoring and evaluation framework. The last section presents the SIP III financing arrangements.
6. While maintaining due focus on the national level legislative, policy and programming functions; the thrust of SIP III shifts to the sub-national implementation levels encompassing both demand and supply sides of justice. In the next five years resources will be skewed towards addressing operational level systemic constraints to JLOS service delivery in all spheres of justice civil, criminal and administrative and stimulating discussion, knowledge and application of human rights in JLOS reforms.
7. Whilst sustaining its investments in prioritized and areas of promise continuing from SIP II, in JLOS SIP III JLOS will develop and fund special programs to target gender, age, poverty and other forms of vulnerability and uphold rights through system based and holistic approaches that broaden the definition of justice beyond the formal justice systems. To deepen the reforms JLOS will tackle the growing concerns of accountability and human rights observance – through standard setting; compliance check through Peer Review mechanisms and full implementation of the Sector Anti-Corruption Strategy among others. The Sector will consolidate its management systems and structures, implement a Sector management policy and continue to innovate, generate knowledge and set the pace for justice reforms in the East African Community (EAC) and in the entire African region.
8. At the end of the SIP III the Sector will deliver three results:
 - A Legislative, policy and regulatory framework conducive to JLOS operations; promoting rule of law and human rights and enabling national development;
 - More people, particularly the poor and vulnerable groups, will have better access to justice, and live in a safer and secure environment;

- JLOS institutions are more responsive to human rights, and more accountable to service users and the public.
9. In turn 70% of population will be satisfied with JLOS services by 2015 and public confidence in the justice system will increase from 34% to 50% in 2015
 10. A number of objectives are identified to deliver the above outcomes. The Sector will initiate and pursue the enactment into law of the Access to Justice Act; the amendment to the Children Statute, the Witness Protection Law; Review of the Probation Act; the development of service standards; the Oil and Petroleum laws among others. In addition JLOS will disseminate simplified laws to enhance access and awareness by special interest groups. JLOS will construct By the end of SIP III, JLOS will construct, equip and ensure functionality of 30 new Courts/ 20 new DPP offices/ 45 new Police stations and 8 new prisons, 3 New GAL Regional offices 15 new border posts and 3 one stop centres for children services proportionately distributed across the country; reduce lead times in service delivery; institutionalize the provision of legal aid services across the country and take stern action against corruption and violation of human rights by its staff.
 11. JLOS SIP III will strengthen the justice system and tackle corruption as a key constraint to economic growth, employment and prosperity. In particular JLOS SIP III will increase the pace of legal, policy and regulatory reform, and better tailor the reforms to the needs of the primary sectors of growth. JLOS will formulate and disseminate process standards and also make available to all users, government, institutions and individuals reformed laws, policies, regulations and standards in formats appropriate to the needs of the users. The reform of laws and improvements in the legal, policy and regulatory framework will be demand driven and strategic to promote the attainment of a) national development goals and b) attainment of sector results. JLOS will enter into partnerships with non state actors to disseminate available laws, policies and regulations. JLOS SIP III will also capitalise on the emergence of new information and communication technologies and use them to support improved information exchange and feedback within the different levels of JLOS institutions (vertical and horizontal flow of information).
 12. The Strategy is a living document that will continue to speak to the diverse sector institutions, development partners and non State Actors through Annual Reviews of Performance and Planning sessions. In addition and prior to the commencement of SIP III implementation, the Sector will ensure that the rubric of institutional actions, reforms and interventions cumulatively attain the goals of SIP III.
 13. JLOS SIP III will utilize and build upon the SIP II management arrangements including the policy and operational management system and structures; the Medium Term Expenditure Framework; the procurement regime and monitoring and evaluation system. With its strong focus on results in SIP III, JLOS SIP III includes a detailed results framework along with a results matrix. JLOS SIP III envisages three impact studies- one at the beginning to establish baselines; a Mid Term Review and an impact assessment to assess changes in the justice

systems and impact on the users disaggregated by gender, age, location and claim.

Section 1: INTRODUCTION

1.1 Strategic Context and Rationale

1. The Justice, Law and Order Sector (JLOS) is a priority sector in the Ugandan economy. JLOS features prominently among the Sectors enabling growth, employment and prosperity under the National Development Plan (NDP) 2010-11- 2014/15. In recognition of this role, the Government of Uganda increased its support to the JLOS Sector by 50.3% over the 10 years with the Sector share of the national budget averaging 6.26% over the period. The overall goal of JLOS – the pursuit of the Rule of Law is the centre piece and mainstay of the government in pursuit of its vision of Prosperity for All. This is borne out by development research that affirms that establishment of the rule of law is the bedrock for national development. In lessons derived from development research it is now consensus that “In hindsight, we should have put the establishment of the rule of law first, for everything else depends on it; a functioning economy, a free and fair political system, the development of civil society, public confidence in the police and the courts:”² This view is widely shared by governments and non government actors alike.
2. At the macro level JLOS contributes directly to structural transformation of the Ugandan economy by promoting the rule of law through effective regulation of economic activity, clarification and affirmation of rights, and strengthening laws, regulations and institutional arrangements that shape all spheres of daily activity. The end result of JLOS performance are improvements in economic and social health of the country creating an environment conducive for national investment in the primary sectors driving economic growth, employment and prosperity. Regulations that are transparent, efficient and implemented in the simplest of ways make it easier for poor people to operate within the law and to benefit from the opportunities and protections that the law provides.
3. It is in pursuit of this goal that the JLOS Strategic Investment Plan III is designed. JLOS SIP III builds upon 10 years of investment in the sector wide programming approach initiated in 1999 and aligned with the principles and aspirations of the people of Uganda laid out in the Constitution; and a domestication of the Government of Uganda commitments at regional and international levels.
4. First and fundamental to the rule of law is the establishment and sustenance of a legislative, policy and regulatory framework cognizant of human rights and

² Herzgovina, Sir Emyr Jones Parry, U.K. Permanent Representative to the U.N., Address to the International Security and Global Issues Research Group and the David Davies Memorial Institute Seminar (Nov. 10, 2004)

conducive to national development. In the last two Sector Investment Plans, the Sector has registered significant improvements in the enactment of laws and regulations in commercial, land, criminal and family justice. In dealing with matters of advancing constitutionalism, regional integration, transitional justice, civil, political, socio-economic and cultural rights, JLOS ensures the adoption of an appropriate policy framework for actualization of these rights within the national realm and internationally.

5. The second Sector commitment in the third Strategic Investment Plan is to accelerate access to JLOS services for all particularly the vulnerable. This will include bottom up measures to empower people in Uganda to assert their rights and demand their entitlements from JLOS institutions. Lastly the Sector will uphold and maintain a rights and accountability culture throughout JLOS institutions as a sustainable response to raise public confidence in JLOS services.
6. Building on first and second Sector Investment Plans there is a strong justification for continuing this thrust given the contribution of effective and responsive JLOS services to national development; the strong commitment of the JLOS Sector to reforms and the positive impact registered in the implementation of previous SIPs.
7. JLOS SIP III strategic focus therefore in the next five years is to enhance the performance of its institutions to deliver three results: i) a strong policy, legal and regulatory framework for its operations, national economic growth, employment and prosperity, ii) improved access to JLOS services for all particularly the vulnerable, iii) enhanced human rights observance and institutional accountability in service delivery

1.2 National and Sector Issues- Situational Analysis, Achievements and Challenges:

8. Performance of the JLOS Sector in the recent years yielded positive results³. Improvements in the legal, policy and regulatory framework in the previous SIPs have seen the enactment of over 30 bills into law; formulation of regulations and creation of semi autonomous and one stop units for business-dispute resolution, business registration services and management of borders, i.e. Centre for Arbitration and Dispute Resolution (CADER); the Uganda Registration Services Bureau (URSB) and for Directorate of Immigration and Citizenship Control (DCIC).
9. As a result, the ease of enforcing contracts ranking improved to 113 in 2011⁴. Ease of starting a business in Uganda improved to 143 in 2011⁵. Starting a

³ This is in accordance with the Medium Term Evaluation, supported by national and international data.

⁴ World bank Doing Business Index 2011.

⁵ The World Bank et al Doing Business in 2011 Sub National Series: Comparing Business Regulation in Juba and 183 Economies, 2011

limited liability company in Uganda now takes 45 minutes to conduct a search in the registries; less than 12 hours to register a limited liability company and equally less time to register patents, trademarks and other business instruments. Uganda's overall Doing Business 2011 ranking is 122, recording a 7-point increase from last year. The most significant increase was recorded in the Getting Credit Indicator, where the country jumped 63 spots from 109th to 46th globally. There were also notable improvements in resolving of disputes and in closing a business where Uganda is now ranked 56th. By strengthening the operations of the judiciary, the Sector has been able to register an improvement in overall judicial independence as reflected in the improved ranking by the Global Competitiveness Index. Uganda is now ranked 70th out of 139 countries in the World and 15th in Africa in Judicial independence and scored 3.8 out of a possible 6. Tariff barriers have been eased, although non-tariff barriers still constrain overall trade freedom. Uganda continues to attract more foreign direct investment than many other countries in the region. It is diversifying its productive base, and manufacturing has become more substantial. Investments towards a strong and efficient justice system along with elimination of corruption will accelerate the countries' standing in doing business and attraction of investments.

10. Access to JLOS services increased exponentially. Unified JLOS services are now available in more districts than was the case in 2000. The latter is in spite of the five-fold increase in the total number of districts in the country. In effect, 70% of the Ugandan population that lives in rural areas can now traverse shorter distances and access JLOS services in close proximity to each other unlike the situation in 2000.
11. There is a reduction in lead times for conducting business searches to fewer than 30 minutes, registration of documents in less than 24 hours and registration of companies is done within a day. URSB is currently understudying the possibility of providing services on line. New firms and companies create jobs and foster economic development. Formally registered businesses grow larger and are more productive than informal ones. Similarly the ease of accessing travel permits has improved from 34 days in 2000 to 10 days in 2010 for passports and from 3 months to 21 days for work permits. The Governmental Analytical Laboratory under the Ministry of Internal Affairs improved its service time from an average of 6 months in 2005/6 to 3 months 2010/11.

Activity	Lead time 2005/06	Lead time 2010/11
Processing a Passport	30 days	10days
Processing a Work permit	90days	21days
Clearance at borders	15minutes	5minutes
Forensic analysis	6months	3months
Peruse files for prosecution	14days	2days
Register a Company	30days	24hours

Source: JLOS Annual Reports 2011

12. JLOS has also registered improvements in speed of access to services to JLOS services offered by participating institutions like Tax Appeals Tribunal, Government Analytical Laboratory Services; Uganda Human Rights Commission; Directorate of Public Prosecutions; Criminal Investigation Department of the Uganda Police Force and its special units of family and child protection units and NGO registration.
13. With JLOS emphasis on the promotion of alternative dispute resolution mechanism, the cost of accessing JLOS services has reduced. In the Commercial division of the High court, a mediation registry was established and coupled with all ongoing reforms in the Division, case backlog reduced from 44% in 2009 to 34% in 2010. Specialized services in the Commercial, Anti Corruption; International Crimes; Land and Family divisions at the High Court have enabled JLOS to increase its case disposal rates from 30.7% for commercial cases in 2007/8 to 48.8% in 2009/10.
14. **The adjudication of Corruption Cases** has improved. Successful prosecution of corruption cases has happened in the newly created Anti Corruption Division leading to an increased number of convictions. The Sector has accorded support to development of the legal framework- particularly with the enactment of the Prevention of Corruption Act and The Whistleblowers Protection Act 2010. There remain gaps in the legal framework that should be accorded priority by the Sector. These include creation of a legal framework for administrative funds recovery and the plugging of legislative gaps that continuously result into loss of court cases by Anti corruption institutions. The Sector has developed and will implement an anti-corruption strategy to augment its ongoing interventions.

Disposal rate of cases in Courts

	2008/09	2009/10	2010/11
Court	Disposal Rate %	Disposal Rate %	Disposal Rate %
Supreme Court	23.8	57.6	57.5
Court of Appeal	11.4	13.9	11.6
High Court	24.4	30.6	24
Chief Magistrates Court	38.7	35	39.2
Magistrate GI Court	60	57.2	52
Magistrate GII	62.6	60.8	53
Average	40.6	38.9	44.7

Case Disposal rates (%) in special divisions of the High court:

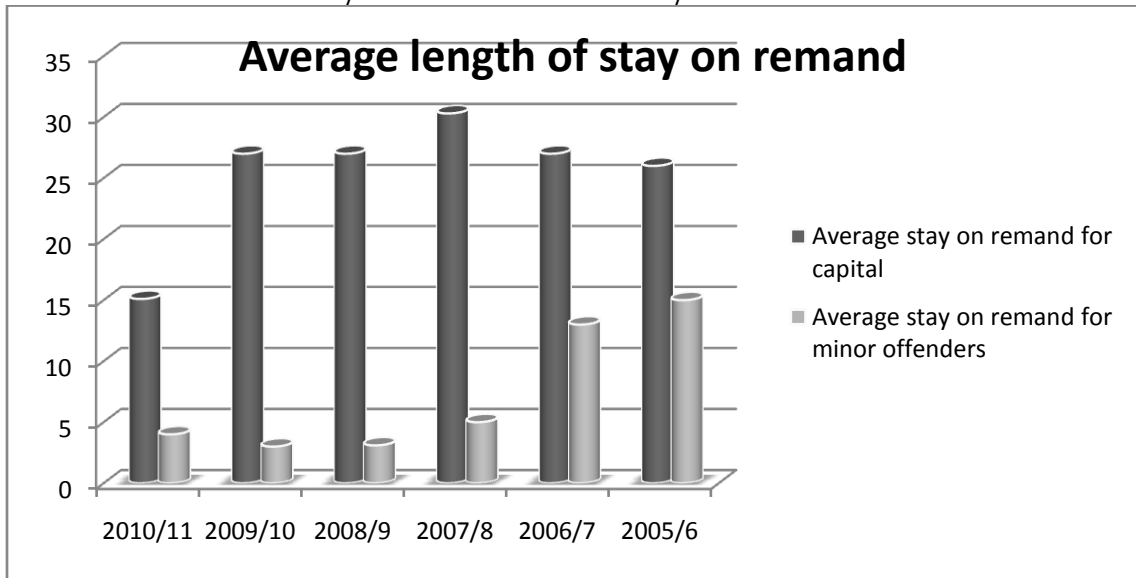
Focus area	2005/6	2007/8	2008/9	2009/10	2010/11
Criminal	33	49.7	48.6	45.7	51
Anti-corruption			-	80	81
Civil	24.4	33	36.3	28.4	22
Family	27.9	26.9	42.7	39.7	59
Land	18.6	20.5	15.8	21.7	27
Commercial	39.2	30.7	34.2	48.8	44

Source: JLOS Annual Reports

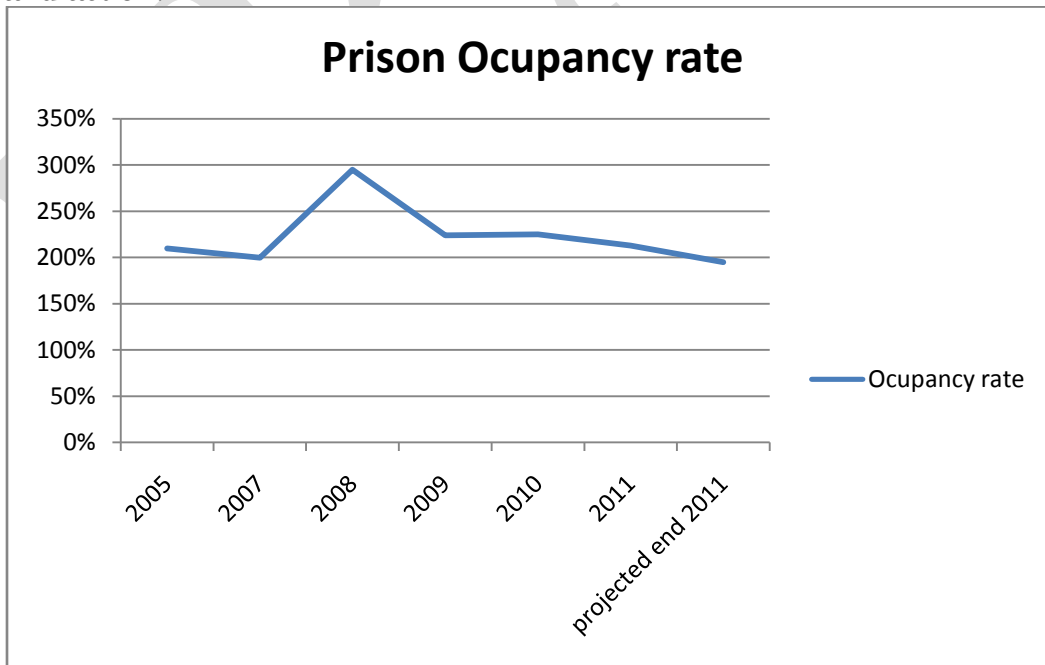
15. The observance of human rights in the provision of JLOS services too has greatly improved. Through JLOS interventions, Uganda Prisons Services for the

first time in 10 years reversed the proportion of remand to convict population from 62:38 in 2003 to 55:45 in 2010.

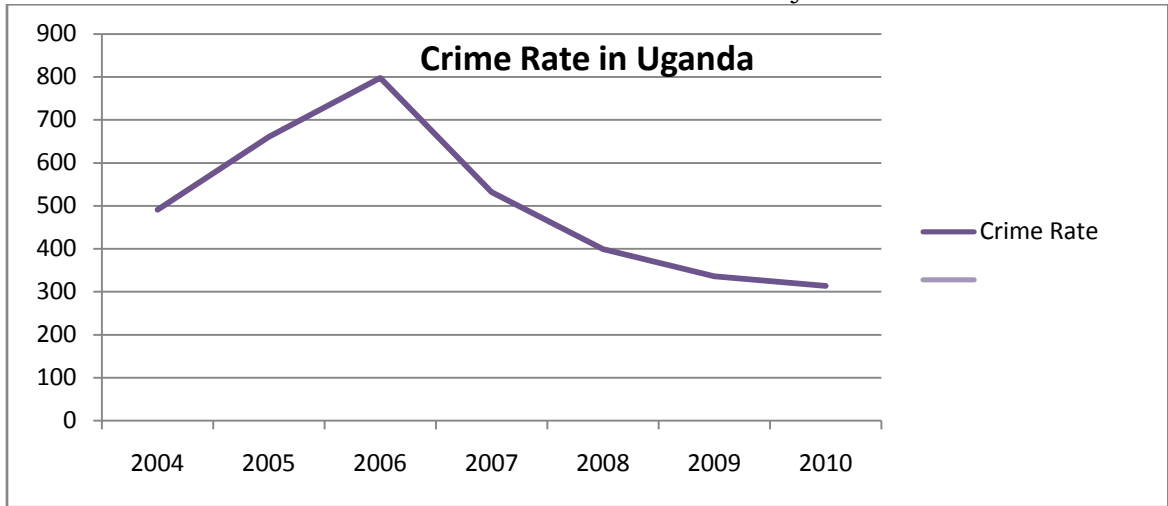
16. The average stay on remand for capital offences reduced from 30 months in 2007/8 to 15 months in 2010/11 while average for minor offences reduced from 15 months in 2005/6 to 3 months in 2009/10.



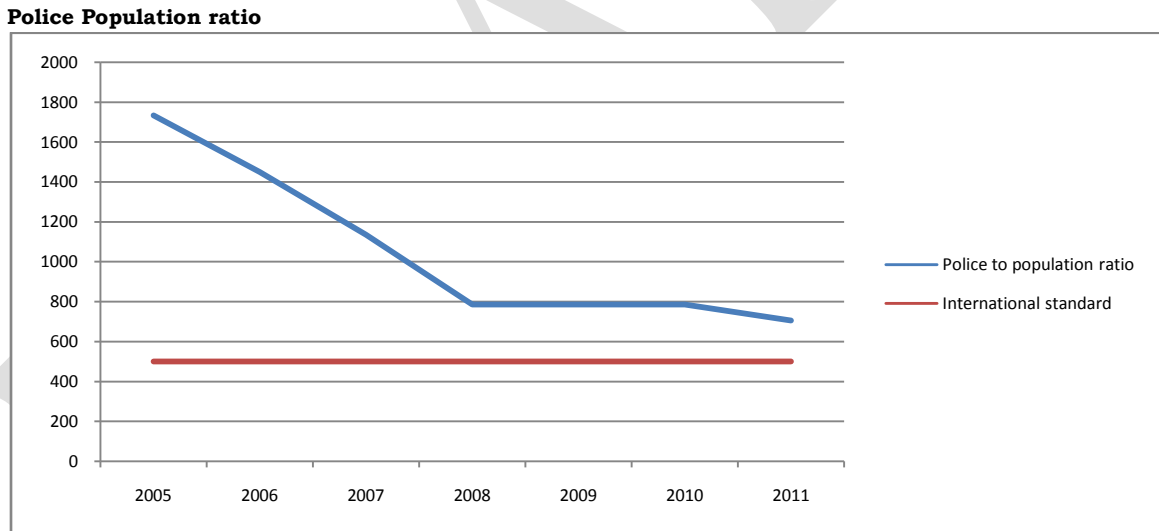
17. Human rights violations in prisons decreased with improvements in prisoner access to education, health services, improved diets, complaints mechanisms and a 22.4% overall increase in prison physical holding capacity. JLOS has improved its capacity to respond to public complaints both in terms of speed and action.



18. JLOS registered successes in improving personal safety and security of property. Reported cases reduced to 282,401 in 2010 a crime rate reduction of 16% from 2009 whilst the volume of crime decreased by 13%.



19. Human resource ratio to population served, has improved over the years. For instance the Police to population ratio improved from 1:1734 in 2005 to 1:709 in 2011⁶.



20. The Sector response to fire, road accidents and small arms proliferation and all identified threats to personal safety and security of property has considerably improved over the 10 years. The road accident severity index stands at 15 to 2000 while the accident fatality risk is at 9.3. The fatality rate per 10,000 vehicle population fell from 71.4 in 2007 to 46.5 in 2010. The accident death rate per 100,000 people however increased slightly from 9.1 in 2007 to 9.3 in 2010. With sector improvements in police fire brigade response times, fires in schools have dropped by 75%.

⁶ Source: JLOS annual report 2010/11

21. The Sector's response to **Transitional Justice**: The signing of the annexure to the Final Peace Agreement at Juba on accountability and reconciliation offered JLOS the unique opportunity to respond to Government commitments regarding justice and alternative justice processes. The agreement advances the need to adopt appropriate justice mechanisms to resolve the two-decade war in Northern Uganda and to promote accountability and reconciliation. It further requires that the Government adopt appropriate policy framework for the implementation of the terms of the agreement, introduce amendments to the amnesty the law to conform to the agreement and undertake legal proceedings nationally or internationally. As a result in 2008, a Justice Law and Order Sector (JLOS) Transitional Justice Working Group (TJWG) was established to critically think through the practical issues that have to be addressed before transitional justice mechanisms on accountability and reconciliation are institutionalized. In this regard, the then War Crimes Division, now the International Crimes Division of the High Court was established to try those responsible for the commission of war crimes, crimes against humanity and other international crimes committed in the context of rebellion. Through JLOS support, the division is now fully functional and is in the process of having its first war crimes trial in the context of Northern Uganda.

The above achievements have translated into a number of positive developments at the national level:

JLOS contribution to poverty reduction and National Development:

22. In recent years Uganda has witnessed high economic growth fuelled by foreign direct investments and an expanded internal revenue base with real GDP growing by 7.1 % for FY 2008/9 and 5.8% in 2009/10⁷. The existing and steadily improving legal framework has offered direct support to the formulation and implementation of macro-economic reforms; poverty reduction; wealth creation and service delivery policies. Country progress to halve the proportion of people whose income is less than one dollar is on track⁸ with statistics on poverty reduction, including among rural Ugandans showing a significant reduction from 38% in 2002 to 31% in 2009. Uganda is increasingly seen as having potential for both local and foreign direct investment attracting investments worth USD 1.7 billion in FY2010/11, licensing a total of 340 projects with 130,732 jobs created. Increased investor confidence in the country is suggestive of positive improvements in the legal, policy and justice administration system. This is borne out by the 2008 Evaluation of the Poverty Eradication Action Plan that pointed to overall growth in GDP per capita in the period from 1992-1997 seems to have been particularly effective in fuelling growth in per capita consumption. The Evaluation recognizes the PEAP prioritized expenditure since 1997 to improve personal security and access to

⁷ Notwithstanding the impact of the global economic and financial crisis

⁸ UNDP, Millennium Development Goals Report for Uganda, 2010, Accelerating Progress towards Improved Maternal Health, September 2010

primary education, health care and water, which alongside continued robust economic growth, probably helped reduce poverty.

23. Peace and stability have also been re-established across most parts of the country. Government recognizes that personal safety and security of property are crucial for national development. The over two decades of insurgency in Northern Uganda deprived the people of the right to participate in development processes; transplanted institutions and deepened levels of vulnerability particularly among the poor and marginalized groups. The re-establishment of JLOS presence under the framework of the Peace, Recovery and Development Programme (PRDP)⁹ has provided the required stability and given communities confidence to return to their homes, resettle and the courage to embark on the long process to recovery. The establishment of a specialized War Crimes Trial system has strengthened the operational capacity of the Police to enhance public safety, prevent crime and deal sensitively with all forms of violence and has enabled other Government programmes to progress effectively in the region. JLOS is in the process of supporting the dialogue on transitional justice and the revitalization of the capacity of the entire justice system (both formal and informal) in Northern Uganda with particular sensitivity to the needs of women and children.

24. A new agenda in relation to **regional integration** for competitiveness came into play with the formal implementation of the EAC Common Market Protocol (CMP) on July 1st 2010. The fast tracking of the approximation of laws and policies in the region to facilitate the free movement of labor, goods and services across the region is predicted to translate into less expensive consumer products and services and more efficient and competitive companies in the global market.

EAC legal framework and the Court of Justice
COMESA

25. **Human Rights:** There is a remarkable improvement in the country's human rights situation. Uganda recently concluded the Universal Periodic Review that affirmed country progress in establishing the policy, legislative and institutional framework for the promotion, protection and fulfillment of human rights.

26. In the area of **Land Justice**, the Sector has worked to strengthen the judicial function in order to improve on the resolution of disputes. The Sector has piloted specialised land Courts with a view to rolling them out throughout the Country. The Sector has also contributed to the land sector through support to the development of the National Land Policy and legislative reforms.

⁹ The PRDP supports the political dialogue including the commitments agreed upon; the promotion and restoration of peace and security and mobilization of additional resources to support development efforts that will reduce economic disparities between the North and the South.

Outstanding Challenges.

Despite the improvements, there are a number of areas however in which sector performance has not been quite as robust and/or new challenges have emerged.

27. **Enforcement of laws:** To improve predictability and certainty of the legal framework, law reform should go hand in hand with the enforcement of laws. As pointed out “the rule of law is not just about the enactment of laws, nor about their simplification, it’s the enforcement of the law in practice that counts.”¹⁰ The Universal Periodic Review on the situation of human rights in Uganda noted the widening gap between the law on paper and the law in practice. Of concern to the Sector is the absence of laws in some key sectors and the presence of weak or outdated and archaic legislation.

28. **Access to legal and rights information:** The levels of legal and rights awareness among the population served by JLOS institutions remain low. Procedures of access and mechanisms to obtain redress remain largely unknown to users. This limits the demand side ability to assert and claim their due entitlements from the JLOS system. Levels of knowledge and empowerment of users to access JLOS services will be prioritized in SIP III. The JLOS sector is mandated to bring the legal and policy framework to popular appeal within which all people including the vulnerable may assert their rights. One of the key mandates of the Ministry of Justice and Constitutional Affairs is the dissemination of legal information to the public.¹¹ Popularization of the laws and massive education of the public on their constitutional rights and legal protections are part of the process of entrenchment of the rule of law entrusted to the Sector. This is a marginally discharged role by the sector. Presently there is no comprehensive system of simplification and dissemination of laws to the population and also to the justice actors.

29. **Institutional barriers to access to JLOS Services:** Attempts to improve access in the last two SIPs have improved physical access to the office of the Administrator General. There is need to address technical, cost and related barriers to access the services of the Administrator General, Directorate of Citizenship and Immigration; Uganda Registration Services Bureau; NGO Registration Services; National Identification and Uganda Human Rights Commission.

30. **JLOS Service Delivery and institutional productivity** remain low. In the initial years JLOS investment mainly focused on “stabilization reforms” including reconstruction, retooling and staff development. This was largely driven by the dire need arising out of the many years of institutional neglect and decay. Now the opportunities for addressing the functionality of institutions are opening up calling for the high attention of JLOS to institutional and individual performance accountability. The Auditor General’s audit of Ministries, Department and agencies (MDAs) 2009/10 data showed that arrears within the sector continued to be a significant problem and a sign of

¹⁰ *Insert citation*

¹¹ www.mojca.go.ug

weaknesses in financial management. The Ministry of Justice and Constitutional Affairs ranked highest as the MDA with the highest arrears of UGX 96.96 billion, a situation that must be remedied. JLOS services remains largely inaccessible outside of urban settings and particularly for socially and economically disadvantaged groups.

31. **JLOS service delivery is also affected by the policies and performance of other sectors.** Under decentralization, the proliferation of districts (112 count) is adversely affecting the capacity of institutions to deliver services concurrent with the increasing demand for services (both monetary and personnel). Part of human resource management for the JLOS sector depends on a separate agency – the Ministry of Public Services, which provides oversight of all civil servants as well as public employees apart from judicial officers; police and prisons personnel. Provision of health services for suspects and victims of crime depends significantly on the provision of health services by the Health Sector, just as land justice outcomes depend largely on policies driven externally by the Land Sector. For JLOS service delivery to improve area it is clear that a holistic approach will be required: one that accounts for a comprehensive understanding of the challenges that confront it and a wide-ranging set of initiatives to address them.

Other issues of Priority

32. **Gender:** Efforts to develop a JLOS Gender Strategy have taken place, and a JLOS Gender Strategy is in draft. There is a genuine effort to ensure gender mainstreaming in the Sector’s objectives, programme and activities as well as in staffing and human resources¹². Gender champions exist in the Sector with apparent commitment and value to address gender within the work of the Sector- the challenge for JLOS is to learn how to adopt a pragmatic and systematic approach to gender mainstreaming. SIP III presents this opportunity and will concretize progress in legislation, policy and analytical work improving the pace of transformation. JLOS will improve its collection and analysis of data, and capacity development in gender analysis to inform the establishment of priorities and the implementation of activities.
33. **Justice for Children:** Since JLOS SIP 1 in 2000, JLOS engaged in discussions at various levels to ensure access to justice for all particularly the poor and vulnerable groups, children inclusive. However service delivery to children remained fragmented at institutional level. A number of promising initiatives have been limited in scope - mainly serving children in conflict with the law and over shadowing equally important claims of children in the justice system for instance, in the areas of management of estates, custody, guardianship, protection of victims of crime and related services. Many of the justice system practitioners have had to adopt a make “**do approach**” dictated by resource limitations, rather than need, priority or statutory and internationally ratified obligations. The gaps are most evident within the Probation and Social Welfare Services where policy, staffing and structural challenges have to be addressed

¹² JLOS Gender Audit, October 2010

in a systematic manner as a matter of urgency. The Judiciary needs to address issues of jurisdiction to handle children matters in alignment with the phasing out of Grade II Magistrates under the Professionalization of the Bench policy. The Sector needs to upscale and harmonise the implementation of good practices and concepts like diversion – that are only important and meaningful to children only if applied consistently across the system. The Justice for Children Program promises to integrate all these pockets of good practices into an interrelated, coherent and integrated service for children, shifting approach from institution to system wide planning, implementation and accountability for results for children.

34. **Transitional Justice:** The multiple links between transitional justice mechanisms and poverty reduction demonstrate the need to combine accountability and justice mechanisms with reparative measures for victims, a process of institutional reform, and efforts to tackle structural inequalities. For transitional justice mechanisms to have a significant impact on poverty reduction, they must form, part of a coherent overall strategy, be effective in meeting their objectives, and have relevance and legitimacy for those they aim to assist¹³. Transitional justice has cross cutting themes. Studies and surveys have confirmed the magnitude of the need for land justice in northern Uganda, which presents a unique opportunity for JLOS to harness, by incorporating specific actions related to land and transitional justice programmes over the next 2- 3 years.
35. **HIV/AIDS:** The Health Sector points to an end to the previously heralded decline in HIV prevalence from peak of 18% in 1992 to 6.1% in 2002. Prevalence has stabilized presently between 6.1% and 6.5% whereas behavioral indicators have worsened revealing 43% of new infections p.a among monogamous relationships and 46% among persons reporting multiple relationships and their partners. The Sector recognizes its obligation to mainstream HIV/AIDS into policies and strategies; mobilize and ensure availability and appropriate management of resource for HIV/AIDS activities as stipulated in the Uganda National AIDS Policy (UNAP). The Sector will continue to design programs and activities in accordance with the National HIV/AIDS Monitoring and Evaluation Framework (NAMEF) and will adopt a multi-sectoral approach to the implementation of HIV/AIDS activities. In mainstreaming of HIV/AIDS interventions, the Sector focuses on the reduction of the prevalence of HIV infection, providing care and support to the infected and affected staff.
36. **Land** is a key strategic resource to Uganda’s population and is a core primary factor of agricultural production, ecosystem stability, and climate resilience. Land constitutes over 50 percent of the value of items in the “asset basket” of poor Ugandans. Despite the importance of the natural resource base to agricultural growth, challenges persist. Land degradation hotspots, in particular soil erosion and infertility, have been identified in the Southwestern Highlands, Lake Victoria Crescent, the northwest, and the eastern highlands, as well as the Cattle Corridor. These constraints are amplified by current

¹³ See JLOS/UNDP report; Transitional Justice in Northern, Easter Uganda and some parts of West Nile Region 2009. P.iii

climate variability and future temperature rise, placing challenging demands on current and future agricultural productivity. Taken together, the situation of the environment has significant implications for the Justice, Law and Order Sector to regulate and govern relations relating to the management of water resources, food security, forests, natural resource management, human health, infrastructure, and livelihoods. Land disputes and conflicts continuously flow into the criminal justice system. This situation has the potential to affect the country's development and growth trajectory. The high rate of population growth together with poor environment management practices means that more pressure will be exerted on the natural resource base, even if only to maintain the current quality of life, much less to contribute to economic growth and deliver environmental benefits. The role of the Justice, Law and Order Sector to protect, promote and enforce the environmental legal, policy and regulatory framework working together with other sectors is important.

National Level Exogenous Factors:

37. **The Climate Change Crisis:** The country economy and the welfare of the population are intricately linked to the natural environment and therefore highly vulnerable to climate variability and change. Even if the national evidence base is still weak and modeling the impact of the changes in climatic conditions is fraught with great uncertainty, there is little doubt that climate change could jeopardize the Government's economic and social development goals including the MDGs. Immediate impacts are visible in the increase in the frequency of droughts, extreme weather conditions exposing communities to harsh living conditions and deepening poverty in others, and increasing the pressure on land; spiraling into land related wrangles and conflicts.
38. **Youth unemployment:** Looking forward, a central pillar of the GOU development strategy is the creation of employment; and the creation of quality jobs remains a central development challenge for the country. There are several interacting constraints including low labour productivity, the inequalities between men and women, and weak linkages between education and the job market. The National Development Plan envisages improvements in employment levels and labour market condition through a mixture of measures that include: implementation of the national youth employment policy and other laws; policies and guidelines on labour productivity and employment; strengthening of labour market information systems; establishment of a minimum wage; provision of non-formal skills development targeted at women and youths; and enhancement of opportunities for medium sized businesses through improved access to finance, entrepreneurship training and promotion of value chains.
39. **Oil Wealth Management:** With Uganda's oil production expected to start in the next two years –there is already urgency for the JLOS sector to upend the legal, regulatory and institutional framework for oil exploration and management. This is an urgent requirement to manage the impact on the fiscal stance and the threat of the Dutch disease in oil management. Also of importance are key issues of skills development for JLOS advisory, and law enforcement services to government, mitigation of land alienation and environmental degradation,

containing the threat of local and regional conflicts¹⁴ and addressing issues of governance and accountability in oil management in the context of entrenched corruption.

40. **Performance-based Management Approaches.** The Ministry of Public Service has instituted Results Oriented Management (ROM) and Client Charters as part of a comprehensive integrated performance management system aimed at improving performance monitoring for results and productivity in delivery of public services. JLOS will assist its institutions in customizing and rolling out the implementation of ROM and Client charter; strengthen Performance Appraisal and systems for Recognition, Reward and Sanctions; and initiate and support application of performance contracts in the Sector. Further JLOS will support the scaling up of social accountability mechanisms like the user satisfaction surveys at community level for JLOS service delivery.
41. **Regional Integration:** Despite the challenges, regional political ambitions to progress to a common market and even a monetary union have resulted in a resurgence of commitments to Regional Integration presenting diverse opportunities for JLOS intervention. Article 6 of the EAC Treaty is emphatic in its proclamation to the effect that underlying this commitment are values of good governance and human rights. Under Article 6 (d) of EAC Treaty good governance includes “adherence to the principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality, as well as the recognition, promotion and protection of human and peoples’ rights in accordance with the provisions of the African Charter on Human and Peoples’ Rights”. Demands on JLOS include approximation of laws; reengineering of institutional operations; creation of awareness of EAC demands and removal of non tariff barriers for society to benefit.
42. **Rule of Law in emerging Democracies:** JLOS will accord priority to supporting and nurturing the growth of a democratic society.
43. **Population Growth and its impact on JLOS service delivery:** The population growth rate of 3.1% is unmatched by growth of sector services. Other exacerbating factors include a youthful population of approximately 60% of the total Ugandan population of 32 million; a productively employed labor force growing minimally at only 3.1% and 31% of the population living below the national poverty line and approximately 400,000 new graduands per year entering the labor market.
44. **Changing nature of crime:** There has been a noticeable change in the nature of crime with an increase in reported incidences of white collar crime. There has also been an increase in terrorism, trafficking in drugs and trafficking in persons. This requires new approaches and initiatives on the part of the Sector.

¹⁴Military scuffles already took place near Lake Albert at the common border with DRC and the Government of Uganda is already in Court over oil tax disputes.

1.3 Lessons Learned and Reflected in the design of SIP III

45. **Justice, Law and Order is a key public good. Justice, Law and Order Services are core and primary factors of economic growth, employment and prosperity.** In the Voices of the Poor¹⁵, safety of person and security of property constitute part of the basket of value items to improve the situation of poor people in the protection of their property rights, and liberty. Similarly SMEs, large investors- local and foreign point to the investment climate, enforcement of contracts and security as core components easing doing business in Uganda. Despite this importance, delays, technical, cost and other related barriers to access continue to exist in the Sector service delivery. These constraints are amplified by antiquated methods of work largely unaided by technology, placing challenging demands on JLOS personnel. Taken together, the situation has significant implications for the strategic choices of JLOS SIP III.

Overall, there is significant potential for the JLOS SIP III to groom the results realized in the last ten years into results that matter to the people of Uganda. Significant improvements were recommended in the areas below;

46. **Full engagement of Development Partners** is critical to ensure that the sector continues to play its part in sustainably promoting pro-poor growth in Uganda. Development partners have been engaged in this phase of justice, law and order sector reforms since the beginning in 1999. DPs are engaged in dialogue with GoU at both implementation and policy levels. This dialogue has often resulted in adjustments to the reforms in an effort to strengthen reform implementation. The JLOS MTE recommended strengthening of relationships with development partners to address levels of representation and mitigate effects of high staff turnover.

47. **Engagement of Non State Actors**

On the other hand JLOS relationships with **Non State Actors** call for “exploration of new ways to engage and interact effectively”. Important aspects related to the structuring of these relationships include establishment of effective participation structure for NSAs, the division of labor and clarity of roles.

48. **Involving the middle and lower JLOS ranks in JLOS Planning and Implementation** The need for more effective and better institutionalized linkages at all levels was identified in JLOS SIP II MTE as a weakness affecting the field level impact and implementation. JLOS SIP III will build upon and further strengthen the institutional and implementation structures of JLOS SIP III through development of a seamless system from institutional implementers with emphasis on the District Chain Linked Committees, middle level management; policy makers and the JLOS structures.

49. Looking forward, a central pillar of the JLOS SIP III strategy is the **transformation of institutions into results based service oriented institutions**. There are several constraints to the adoption of the results orientation and service focus in JLOS institutions. These include i) institutional culture b) lack of basic skills in the sector and iii) weak linkages between implementers and higher level managers and policy makers within the institutions. These interacting factors keep Sector performance in a low level equilibrium. Notable progress has been made on the institutional retooling and re-equipping side of the equation but there remains much room for improving

¹⁵ *Insert correct citation*

productivity and fully exploiting the potential of the institutions to invoke the law and optimally discharge their mandates.

50. **Focusing on Service Delivery:** Institutional productivity is also hampered by inadequate structures and staffing. Structures that are not responsive to implementation needs; incomplete restructuring of institutions and; absence of optimal staffing norms raise service delivery costs in all institutions.
51. Yet another reason for the low productivity is the **slow adoption of appropriate technology and its integration into service processes by JLOS institutions.** SIPI and SIPII promoted automated management information systems in the directorate of public prosecutions and the Judiciary. Yet the impact of these efforts remains small even at institutional level, partially because of fragmentation and the modest overall efforts thus far in spreading out at all levels; linking and integrating the system. JLOS SIP III will build on, link and integrate management information systems to promote a more robust and integrated management information system.

Sector Management Processes.

52. Three process related lessons were drawn from the Medium Term Review of JLOS SIP II performance. These relate to the Sector management policy; the alignment of Institutional to Sector SIPs and the sector management of cross cutting issues. With regard to the Sector Management policy the MTE recommended the “development of a sector management policy to define, inter alia, the sector relationships, institutional management reforms, resource allocation and use.” This recommendation has been adopted and integrated into the JLOS SIP III
53. **Alignment of Institutional and Sector SIP.** This recommendation related to the process of formulation and implementation of the Sectoral and institutional strategic Investment Plans. Lack of seamless alignment led to blurred lines in implementation and assignment of responsibilities. SIP III design process addressed this challenge through adoption of results based planning. The Sector Institutions jointly formulated the Sector Results Framework – and this has formed the premise for development of institutional plans.
54. **Management of Cross cutting Issues:** The MTE notes that “little attention was paid to cross-cutting issues. And this is a problem of both design and implementation processes.” SIP III has been preceded by a gender and vulnerability audit to address mainstreaming of gender concerns. In the same way children and vulnerability have been integrated through the design of the Justice for Children Project¹⁶. Poverty, conflict, environment and other cross cutting concerns too are addressed in the design process. The increase in gender based violence as demonstrated below will be an area of special focus under SIP III.

1.4 Higher Level Objectives to which the Sector contributes

55. JLOS SIP III’s strategic focus will promote a sector wide approach in line with the National Development Plan Objective 7 which provides for strengthening good governance, defence and security. Drawing from the collection of institutional mandates, JLOS SIP III will enhance: (i) the policy, legal and regulatory framework (through reform, harmonization and dissemination of priority laws, policies, procedures

JLOS Project with bilateral funding from UNICEF- Uganda.

and standards; and enhancing public participation in reform processes); ii) enhance access to JLOS services for all particularly the poor and marginalized groups and iii) promotion of the respect and observance of human rights and institutional accountability for service delivery.

56. The National Development Plan puts into operations the intentions of the Constitution of Uganda in a phased manner. JLOS SIP III helps the country raise its levels of compliance with the constitutional obligations and particularly the Bill of Rights. The importance of the JLOS sector to constitutionalism and rule of law is a central theme underlying the design of JLOS SIP III. It is recognized that the Sector takes the lead in translating the constitutional principles into law; and is also a means of recourse in redressing threats to constitutionalism in the country.
57. JLOS SIP III also contributes to the goals and principles of several regional and international rights treaties and conventions. Key among these are the following:
58. JLOS SIP III will improve Uganda's fit in the East African Community Strategy, responding to government commitments to the East African Community, COMESA and African Union commitments. JLOS SIP III will contribute towards positioning the country to take advantage of the benefits of the integration while ensuring protection of national interests.
59. Lastly JLOS SIP III seeks to integrate latest innovations in ICT to establish a strong technology platform to enable joint workflow across JLOS institutions at national and district levels, support M&E structures and knowledge management, and use ICTs to deliver real time information to system users, implementers and decision makers. These are premised in internationally recognized service excellence standards including the Global Justice Indicators for Justice for Children; the International Judicial Service Excellence Standards; International Standards for Policing and Correction Services as adapted to the national context.

Section 2: JLOS SIP III DESCRIPTION

JLOS SIP III Program Objectives

60. JLOS SIP III will build upon the results of the JLOS Strategic Investment Plan II. JLOS SIP II will close on June 30th 2012. Performance under JLOS SIP II was rated as satisfactory¹⁷. There is considerable evidence of impact at the institutional level in terms of de-concentrated services; access to JLOS services and compliance with human rights standards within JLOS institutions. JLOS SIP III provides the next five year phase of support and is designed to consolidate the achievements of the previous reform investments and shifting focus to service delivery through deepening the effectiveness and outreach of ongoing initiatives, and strengthening the unified framework for service delivery by JLOS institutions. JLOS is now well positioned to further exploit synergies and deliver increased results for the sector.

2.2 JLOS Vision, Mission and Values

JLOS Vision:

“To Ensure people in Uganda live in a Safe and Just Society”

Mission

Improve the safety of the person, security of property, observance of human rights and access to justice to promote growth, employment and prosperity.

Values

1. **Participation, empowerment and ownership** through mechanisms that enable all JLOS institutions to access and control structures and processes that transform their outputs into desirable sector outcomes
2. **Growth and equity in service provision** to remove the gender, social and geographical disparities in the distribution of benefits from JLOS SIP III investments
3. **Deepening and strengthening de-concentration** in line with the overarching policy of moving political and governance structures nearer to the people
4. **Transparency for trust and partnership; Accountability to stakeholders; and Excellence in implementation processes and outputs.**
5. **Non discrimination**

¹⁷ Justice, Law and Order Sector Mid Term Review, July 2009

JLOS Overall goal is to promote the rule of law.

Three outcomes are envisaged at the end of JLOS SIP III:

61. These are in line with the institutional mandates, the National Development Plan, the Constitution, regional and international country obligations:

- (i) An enhanced policy, legal and regulatory framework (through reform, harmonization and dissemination of priority laws, policies, procedures and standards; and enhancing public participation in reform processes);
- (ii) Enhanced access to JLOS services for all particularly the Vulnerable; and
- (iii) Promotion of the respect and observance of human rights and institutional accountability for service delivery.

JLOS Outcomes

Outcome 1: Legislative, Regulatory and Policy environment for JLOS operations; human rights and the rule of law, and national development strengthened.

Indicators of performance

- a) Proportion of the public with access to the laws increased by 45% by 2015.
- b) 75% of Public confident in the enforcement of existing laws by 2015.
- c) Transitional justice policy and law in place by 2014

Introduction:

62. A strong, harmonized and consistent legal, regulatory and policy environment is conducive for national development and is a core public good under the mandate of the Justice, Law and Order Sector. This plays a critical role in enhancing productivity growth; improving country competitiveness and is a basis for socio-economic transformation. To improve the legal, regulatory, policy and institutional framework this component will provide support through two sub-components

1.1 To improve the legal and policy environment within which JLOS institutions operate and that underpins JLOS service delivery;

63. While considerable work has been undertaken to revitalize capacity of JLOS institutions, performance of a number of institutions stands to reap benefits from a strengthened legal regime. Fast tracking the enactment and enforcement of the Access to Justice bill; the review of the Police Act, the Legal Aid Bill, Witness Protection Law; Public Trustee law; the amendment to the Children Act among others are important in this regard. A complete list of priority legislation under this category is listed under Annex 1 and will be annually updated and approved through the JLOS management structures.

64. A related component relates to harmonization of standards for JLOS service delivery. Whereas a number of establishment and operational laws¹⁸; and service charters within JLOS institutions lay out the standards of service, JLOS will draw from the universal rights regime to harmonize and build a body of coherent service standards for justice and law enforcement standards in Uganda. SIP III will build upon, expand and roll out the Chain Linked Service Standards into family, land, commercial, criminal and transitional justice. In

¹⁸ See the URSB Act; the Judicature Act; TAT Act, Trial on Indictment Act, Criminal Procedure Code; Civil Procedure Act; Magistrates Courts Act; UPF Act; UPS Act, JSC Act, ULRC Act, ULS Act; UHRC Act among others lay out the roles, functions, service delivery standards and units to oversee compliance by all institutions.

addition JLOS will clarify and strengthen the capacity of oversight and inspection units to ensure improvements in compliance.

1.2 To improve the national legislative, regulatory and policy environment for the realization of national development objectives:

65. The latter are demand led improvements in response to socio and economic development priorities. The second sub component of outcome1 will focus on the delivery of demand driven and strategic laws, policies and regulations. The activities to be undertaken under this sub-component will support the **identification and generation of priority laws, policies and regulations taking into account the national development goals and policies**. Specific reference will be made towards gender laws that address special categories of the population; labor and employment and legislation that drives economic growth.
66. Emerging priority laws across family justice include the Domestic Relations law Succession Marriage and Divorce law; Land Justice prioritizes the review of the Land Act, Registration of Titles Act and the Compulsory Acquisition of Land Act; Commercial justice prioritises the enactment of Oil and Petroleum legislation, Companies bill, Industrial Property Bill, Geographical Indications bill, Counterfeits law, Competition law, Consumer Protection law, Cooperatives law, Trade Licensing and Leasing; the approximation of laws under regional integration; environmental management legislation among others are emerging areas in need of a sector focus. At implementation level, results under this component will be driven by the Ministry of Justice and Constitutional Affairs working with the Uganda Law Reform Commission, working through the JLOS Technical Committee with the technical support of the Technical Advisor Policy and Planning.
67. JLOS will strengthen the use of gender analysis and sex disaggregated data during the drafting and consultation processes; and also ensure that consultations on the new policies, laws and standards systematically include gender equality. JLOS will build partnerships with women's movements; child rights organizations; traditional and non-traditional groups working on issues of disability, masculinity etc

1.3 Domestication of international, regional rights obligations into national law and monitoring compliance with country commitment to international reporting obligations:

68. Chapter 4 of the Constitution- the Bill of Rights incorporates fundamental international human rights as the law of the land. By so doing Uganda accorded unequivocal support to the Universal Declaration of Human Rights and empowered the courts to apply international law. Achievements have been registered here evident in progressive rights based case law, legislation and institutional frameworks. A lot remains to be done to reduce the gap between the bill of rights and the ordinary persons enjoyment of access to land, property, resources, education and social services. In addition an emerging democracy like Uganda has to grow roots in the observance of political rights, addressing structural inequalities and the protection of the independence of its young institutions. The Sector will therefore prioritize the development of a detailed policy and legislative programme to realize the fundamental rights and

freedoms provided in the Constitution and the Bill of Rights. This recognises recognition of the recommendations of the Universal Periodic Review, the African Peer Review Mechanism, the East African Community, amendments to the National constitution and court decisions. The Sector will support an active role by Non State actors including civil society; private sector and community groups.

JLOS will ensure that key Covenants and Conventions are presented to Parliament for ratification; that MoJCA and ULRC incorporate international and regional human rights law into national laws and that country reports to various treaty bodies are timely submitted by the various monitoring agencies.

1.4 User Access to Laws

69 Lastly under Objective 1 the Sector will adopt multiple strategies to increase internal and external user access to the laws, policies and standards. The Sector message shall reinforce the recognition that service users have rights that need to be recognized; that they have a voice in shaping the legislative, regulatory and policy environment; that they should be treated fairly and equally; and that they should benefit from the protection of the rule of law. The involvement of civil society organisations, consumer groups; different categories of private sector, intended beneficiaries and affected communities including the women, children and other vulnerable groups is envisaged under this objective.

1.5 Overall Strategies

- Fast track enactment of legislation pertinent to JLOS operations;
- Fast track enactment of laws under the National Development Plan and in response to regional and international human rights obligations
- Simplify and make available updated laws, policies and standards to internal and external users;
- Develop sector policies in key areas of access to JLOS services; accountability; human rights observance; gender and diversity; transitional justice; crime prevention; service provision to special interest groups; resource acquisition and management both human and financial and capacity development to enhance coordination under the one sector one policy framework and one voice approach;
- Develop a national framework for the practice of “informal” systems of justice to ensure conformity with human rights standards;
- Harmonize service delivery standards across the Sector,
- Harmonize JLOS information and Case management systems
- Sector wide review and reengineering of service delivery processes to reduce red tape in service delivery.
- Develop rules on ADR (mediation and arbitration).

1.6 The key outputs expected out of this component will be:

- Enhanced capacity of key institutions to deliver their mandates and services in the Sector through enactment of priority legislation and harmonization of service standards and procedures in line with national, regional and international rights regime;
- Increased user awareness of laws, regulations, standards and procedures.
- Gap reduction between national legislation and regional and international human rights regime.

70. Results under this component will be delivered by the originating institutions, Ministry of Justice and Constitutional Affairs and the Uganda Law Reform Commission with the technical support of the JLOS secretariat and collaboration of Ministries, Departments and Agencies (MDAs), development partners and Non State Actors.

Outcome 2: Access to JLOS Services¹⁹ enhanced

Indicators of Performance:

- i. Proportion of public aware of laws, rights, duties and obligations.
- ii. Population accessing JLOS institutions and services by age, gender, nature of service and location;
- iii. 20% reduction in Crime Rate disaggregated by gender, type and region
- iv. 50% reduction in transaction lead times for selected JLOS services.
- v. Rate of case disposal increased from 40% in 2010 to 65% by 2015.
- vi. Average length of stay on remand for offenders reduced from 15 months in 2010 to 12 months by 2015 and from 4 months to 60 days for petty offenders.
- vii. Rate of recidivism by age, gender, crime and location

71. Introduction: This objective will support institutions to deliver services in accordance with the user entitlements and standards stipulated in the Constitution. This component will deepen investments made under JLOS SIP 1 & 2. Improvements in service delivery under JLOS SIP III will target four areas.

2.1 Rationalized physical de-concentration of JLOS services:

72. Under JLOS SIP III the key element central to this component is density and effectiveness. The Sector will improve the infrastructure; availability of buildings, libraries and other facilities; renovation and equipment of offices with basic equipment including computers; and ensuring availability of basic services such as electricity, water, communication facilities in each service point. JLOS will make its service points more accessible for people with disabilities, elderly people, vulnerable persons and extend selected services in land and family justice to the rural areas and develop and/or strengthen inclusive processes including community policing, community service, public participation in court proceedings to facilitate meaningful public participation.

¹⁹ See full list of JLOS Service attached as Annex 2

73. To provide better service to the users, JLOS will categorize and classify its services at national, district and the lowest levels. Where institutional physical presence gaps exist in a geographical location priority will be accorded to the supply institutions to close the gap and ensure presence of the right concentration of JLOS Services. This component relates to infrastructure and capital assets acquisition. The Sector is currently in a position where the geographical distribution and equipment of its services does not provide access to all communities; and disproportionately so across institutions; services and physical locations. Conversely the Sector is cognizant of the heavy investment required to achieve full physical presence across the country while at the same time mindful of the need to strike a balance between capital infrastructure reforms and access to justice. This strategy will therefore direct the number of JLOS service physical infrastructure²⁰ that will be constructed annually as well as the location of these services. By the end of SIP III, 30 new Courts/ 30 new DPP offices/ 45 new Police stations and 8 new prisons, 2 New GAL Regional offices 15 new border posts, 3 Ministry of Justice Regional offices and 3 remand homes, will be constructed, equipped and operational by 2015. Annex II provides the medium term infrastructure development and capital acquisition plan for the Sector.

2.2 Improved Effectiveness to meet Service Delivery standards

74. The Sector institutions under SIP III will address the weakness identified in the MTE report of “closing the physical distance between the institutions and the poor but not between the poor and the law”. Institutions will address systemic weaknesses to reduce case backlog; including a poor service culture; day to day operational constraints that inhibit access to JLOS services including provision of basic tools of the trade; the necessary operational funds and customer service. Service to users will be tracked systematically across the system and institutions. All institutions will take appropriate measures to meet service delivery standards including initiation of special programs to clear backlog; promotion and roll out of alternative dispute resolution mechanisms; adoption of appropriate technology to further reduce lead times and appropriation of the requisite resources (both human and financial) to ensure services are delivered to the population in accordance with legal and operational standards.

75. Institutions will establish and sustain linkages and oversight over informal justice mechanisms. These include linkages and oversight over local council courts; informal justice mechanisms; labor courts and related services. Priority will be given to strengthening of Local council courts and effective linkage of informal means of dispute resolution with the formal mechanisms.

- Build capacity of JLOS institutions and stakeholders specifically focusing on delivery on institutional mandates, human resources development, gender justice; infrastructure and facilities
- Enhance efficiency of business processes of sector institutions including the registration services bureau and other registries through restructuring and automation
- Implement a Legal Aid regime.
- Expand the use of ADR mechanisms. Particularly, interest will be on the development and implementation of regulatory framework and standards

²⁰ This includes works stations, special facilities including prisons, remand homes, border posts and courts; training institutions, staff residences and rehabilitation centres.

- for ADR; train sector staff and enhance awareness of the public and users on benefits of ADR;
- Restorative justice mechanisms;
- Implement the case backlog reduction strategy, adopting alternative means of dispute resolution and strengthening legal aid provision. The protection of vulnerable groups and emphasis on gender justice and equality within the judicial system will be emphasized.
- Enhance the prevention and response to domestic violence and sexual and gender based violence.

2.3 User Empowerment Services

76.User support services including legal aid and support will be taken as a key service in the drive to link users to JLOS services. Through increasing access to legal aid and related support services, vulnerable users will leverage and make use of services offered by JLOS to protect their interests. All JLOS institutions will operate information desks, develop user guides; hold periodic service user dialogues; and conduct other support services as are appropriate to provide the necessary push that allows disadvantaged users access JLOS services. Different approaches for the delivery of support services will be explored including implementation of the legal aid policy; awareness weeks; etc Institutions will ensure deliberate strategies to ensure services.

2.4. Profiling for Vulnerability and Elimination of discrimination and bias in access to JLOS Services.

77.JLOS institutions under SIP III will give special consideration to children, poor women and men and other identified categories of users presently underserved by JLOS institutions. JLOS will track institutional performance in responses that vulnerable groups commonly access. These include administrative services particularly services by the Administrator General; Case management with particular reference to gender based crime; violence against children, land and family justice etc. The number of child victims of violence; women and men served by the justice law and order system, disaggregated by age, gender, location, rights violation/offence, JLOS institution, service and outcome by quarter will form part of the JLOS performance indicators. JLOS will identify gender focal persons in each institution and Invest in training and equipping them with practical tools for gender mainstreaming.

2.5 Enhance JLOS capacity to prevent and respond to crime

78.JLOS will pursue the formulation of a national policy for crime prevention; strengthen the justice for children system; strengthen capacity of safety and security related agencies and focus on transitional justice, amnesty and the mobilization and reintegration of ex-combatants in accordance with the law. In addition, emphasis will be put on conflict assessment, conflict resolution and disaster management especially in conflict affected areas of northern Uganda, and Karamoja. The JLOS regulatory and oversight role over operations of Non Governmental Organizations will be strengthened. In addition the Sector will strengthen the capacity of safety and security related agencies through

restructuring and training; to this end, re- equipping and re-tooling these agencies will be done. In addition, identification and implementation of specific measures to boost the focus on rehabilitation of offenders including juveniles to reduce the levels of recidivism in the country will be paramount.

- 79.** JLOS will support the intended transformation of the Uganda Police Force into a service oriented rights based organisation.

2.6 Transitional Justice

80. Recommendations from a JLOS/UNDP Study²¹ in regard to Transitional Justice indicated the need for the creation of a conducive policy and legal environment for the implementation of transitional justice mechanisms, the provision of public information on basic human rights and land rights as a key strategy for improving livelihood sustainability of vulnerable groups, accessible and fair resolution of land and family disputes and the application of a multiplicity of approaches. The sector focus on transitional justice will strive to promote and uphold its key objectives.

81. JLOS will develop and implement a comprehensive transitional justice policy covering formal justice, traditional justice mechanisms and truth telling and reconciliation and the implications of amnesty. In addition JLOS will support the transitional justice mechanisms and build its service delivery in land, family and criminal justice to support the PRDP, KIDDP and the EHAP/ UPF programs among others. The implementation process of TJ in Uganda shall be based on the provisions of the Juba Agreement, best practice, recommendations, innovation and consolidation of programs. JLOS will establish specialized land courts.

82. **2.7 Access to JLOS Services will deliver four specific outputs;**

- Rationalized availability of JLOS services across the country.
- Quality improvements in services delivered in compliance with time and quality service standards.
- Improved responses and outcomes for vulnerable groups including children, women, elderly and other disadvantaged groups.
- Increased compliance to norms and standards of policing, and prosecution

2.8 Intervention Strategies

Access to JLOS services (addressing barriers to access): Develop a holistic justice system transformation policy for access to justice which shall include provision for:

²¹ See JLOS/UNDP report; Transitional Justice in Northern, Eastern Uganda and some parts of West Nile Region 2009. P.vii

- Massive legal and rights awareness programs
- Specialized services and service units
- Transformation of procedures and inculcation of service attitudes
- Alternative dispute resolution
- The needs of vulnerable groups
- Legal aid
- Capacity development

2.9 Activities

- Construct, equip and ensure functionality of a minimum of 30 new Courts/ 30 new DPP offices/ 45 new Police stations and 8 new prisons, 2 New GAL Regional offices 15 new border posts, 3 Ministry of Justice Regional offices and 3 remand homes, geographically distributed in accordance with the JLOS infrastructure development plan
- Publish and disseminate knowledge and information on laws, rights, obligations and duties by the users;
- Capacity development of service providers in response to the sector wide capacity assessment and development strategy;
- Review service costs and fees;
- Make legal advice and representation available and accessible to all those who need it through the Implementation of the National Legal Aid Policy and Strategy;
- Promote Alternative Dispute Resolution Mechanisms;
- Leverage technology to deregulate and improve upon procedures and processes in service delivery across the Sector
- Promote service delivery innovations including Justice Centers; Justice for Children; Paralegal services etc.
- Review and implement case backlog reduction strategies:
- Implement programs to address gender gaps in access to JLOS Services.
- Develop education programs to develop legal and para-legal professionals.

2.10 JLOS Response to crime and threats to safety and security

- Implement an intelligence led, integrated and comprehensive multi-stakeholder National Crime Prevention strategy; including reduction of illegal fire arms; increasing visibility of police; community policing; targeting of crimes including violent crimes; sexual and gender based crimes; crimes against children and other vulnerable groups; corruption; counter terrorism and traffic related deaths/injuries.
- Support to enhance information management, utilization and sharing across the criminal justice system;
- Innovate around Victim support services and specialised units for special interest groups in the criminal justice system;
- Align and strengthen objectives, targets, performance measurements and capacities of actors in the criminal justice system;

- Modernise the criminal justice system through the development of tailored IT systems;
- Involve the community at large in the fight against crime with a focus on securing community participation in key issues such as policing; community service; offender rehabilitation; victim support services; parole etc
- Special support to improve policing of demonstrations and public events.
- Targeted support to improve investigation capacity; and to match infrastructure to set service standards.

DRAFT

Outcome 3: Human Rights and Accountability promoted

Performance indicators

- Reduction in the number of JLOS institutions with qualified audit opinions by 2015. (From 40% in 2010 to 20% in 2015).
- Reduction in the index of perceived corruption in JLOS by 2015.
- Reduction in human rights violations by JLOS institutions by 2015.
- Increase in cases handled by JLOS disciplinary mechanisms.
- Decrease in perception of corruption of JLOS personnel.
- Performance based management system developed and implemented by Judiciary, other institutions in the process of following suit.
- Measure compliance to human rights standards.

83.Introduction: The Government of Uganda is committed to protect and promote human rights. Consequently, it is the responsibility of JLOS, through legislation, management, dissemination of knowledge, information and other means to promote the respect and observance of human rights. JLOS will intensify the task of making institutions aware of their responsibility for ensuring that human rights are not abused, and of increasing understanding of what the national and international obligations mean. JLOS will pursue capacity development and role clarification to ensure that respect for, and awareness of human rights is seen as an attitude in the ordinary operation of their functions not as an add on. Human rights pursued thus will become binding obligations for institutional performance within each institutional area of operation.

84. These measures shall complement institutional management measures to address gender equality; non discrimination; rights of children, women and persons living with HIV/AIDS, persons living with disabilities among others.

85. Building on SIP II achievements the sector will promote observance and respect of human rights across JLOS institutions. The sector will also promote open government, reduce fiduciary risk and ensure that gender and social accountability measures are strengthened and mainstreamed into all JLOS activities. JLOS SIP III is aligned with the human rights based approach to programming promoted by the Uganda Human Rights Commission as a basis for national programming.

86.JLOS SIP III is also aligned to the National Policy on Zero Tolerance to Corruption and accountability in management of public services. JLOS SIP III will use the abovementioned platforms as entry points to the development and implementation of improved systems for use by the different categories of users and public institutions with a mandate to promote human rights observance and improved governance. This strategy includes the utilization of ICT for

greater disclosure and transparency; effective inspections and complaints mechanisms.

3.1 Human Rights Observance:

87.This outcome under JLOS SIP III will enhance human rights awareness and practice at institutional and Sectoral levels. This is expected to reduce the incidence of human rights violations. Both the Civil Society Organizations and the private sector will have to play effective roles; instill measures to reduce human rights violations by state in line with Article 20 of the Constitution. Measures to realize minimum standards in conditions in detention facilities and across JLOS Institutions will be implemented. Also during the plan period, additional detention centres will be constructed; emphasis will be placed on continuous training of JLOS service providers on human rights and the needs of people with disabilities, women, poor and vulnerable groups and children with particular emphasis on those in leadership and front line service providers. JLOS will promote the rights of victims and accused persons; work with civil Society Organizations and the Private Sector through Working Groups, User committees and pilot demonstration projects to promote the rights of victims and accused persons. JLOS will institutionalize human rights desks and complaints mechanisms across JLOS institutions.

3.2 External Accountability

88.The Sector will devise mechanisms to promote institutional independence and minimize extra –legal interference; review, develop and publicise harmonized transparent, fair, efficient and non-costly institutional and individual accountability mechanisms for violations of human rights norms; set procedures and practices; make public information related to institutional policies, rules and procedures; operational and budgetary information; and implement the Sector wide communication strategy;

3.3 Internal Accountability

89.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; Support to internal complaints handling mechanisms; Support to rewards and recognition of exemplary service regimes; Support to enhance internal capacity to enforce rewards and sanctions regimes; develop and implement institutional Peer Review Mechanisms in human rights observance and accountability; review and strengthen financial management strategy; develop a data base and make public external audit findings and follow up action; Pilot external independent oversight bodies to investigate individual cases of misconduct, conduct audits of institutional performance as a whole, with a view of rooting out systemic misconduct and corruption and to render institutional performance more transparent. JLOS will further ensure that internal policy dialogue focuses on behavioral reforms and accountability for increased professionalism and increased service delivery.

3.4 Anti-Corruption Measures

90.The JLOS Anti Corruption strategy strives to enhance the sector capacity to prevent corruption; to strengthen the detection, investigation and adjudication of corruption cases and to promote and enforce effective mechanisms for punishment of those found culpable. JLOS will strengthen measures to reduce incidences of corruption; 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 will implement the JLOS Anti-Corruption Strategy aligned to the National Anti corruption strategy and the Public Sector Reform initiatives including performance management, open government and access to information. The sector will therefore undertake the following:

- Develop and implement Governance and Anti-corruption action plans with indicators arising out of Sector Anti-Corruption Strategy and linked to JLOS MIS;
- Review of internal administrative sanctions and mechanisms for management of corruption in the JLOS Sector;
- Support to internal administrative mechanisms to locate, identify and punish corrupt activities;
- Develop a data base and make public proven cases of corruption and follow up action by JLOS institutions.
- Implement the JLOS Anti-Corruption Strategy

91.During the planning period, JLOS will continue to lobby 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.

92.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 assessments 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 performance. Considerations of improving efficiency of resource utilization and zero tolerance to corruption shall be central to resource management interventions.

Section 4: JLOS SIP III PROGRAMME MANAGEMENT

93.The JLOS SIP III will be implemented by the 15 institutions that comprise the sector along with Non-State Actor partners and development partners.

4.1 Management structures:

94.The JLOS Leadership Committee: This is the Committee comprised of all heads of institutions- who are ultimately accountable for the delivery of JLOS services in the country and is responsible for political leadership and guidance to the sector. It is responsible for the articulation of the JLOS Vision and Sector development policy. The Leadership committee is comprised of the following officials:

- i. The Honorable the Chief Justice
- ii. Deputy Chief Justice
- iii. The Honorable Principal Judge
- iv. Minister of Justice and Constitutional Affairs (MoJCA)
- v. The Honorable Attorney General
- vi. Minister of Internal Affairs
- vii. Minister of Finance, Planning and Economic Development
- viii. The Minister of Gender Labour and social Development
- ix. The Minister of Local Government
- x. Minister of State for Internal Affairs
- xi. Minister of State for Justice/Deputy Attorney General
- xii. Chairperson of the Uganda Law Reform Commission
- xiii. Chairperson of the Uganda Human Rights Commission
- xiv. Chairperson of the Judicial Service Commission
- xv. Chairperson Steering Committee-(ex officio)
- xvi. Senior Technical Advisor- JLOS Secretariat – (ex officio)

95.The Leadership Committee may co-opt any institution(s) as deemed necessary to their meetings. The Leadership Committee meets a minimum of two times a year.

The JLOS Steering Committee

96.The Steering Committee is the body responsible for policy formulation, coordination; fundraising, external accountability and quality assurance of JLOS results to the people of Uganda. It shall consist of the following:

1. Solicitor General (chairperson)
2. Director Public Prosecution

3. Permanent Secretary, Ministry of Internal Affairs
4. Permanent Secretary, Ministry of Local Government
5. Permanent Secretary, Ministry of Gender, Labour and Social Development
6. Permanent Secretary, Ministry of Finance, Planning and Economic Development
7. Permanent Secretary, Office of the Prime Minister
8. Secretary to the Judiciary
9. Chief Registrar
10. Secretary, Uganda Law Reform Commission
11. Secretary, Uganda Human Rights Commission
12. Secretary, Judicial Service Commission
13. President, Uganda Law Society
14. Inspector General of Police
15. Commissioner General of Prisons
16. Chairperson CADER Governing Council
17. Chairperson Tax Appeals Tribunal
18. Executive Director, Judicial Studies Institute
19. Director Law Development Centre
20. Representative of the public on nomination of the Chief Justice;
21. Chairperson Technical Committee (Ex officio)
22. Senior Technical Advisor (Ex Officio)

The JLOS Technical Committee:

97. The Technical Committee is a committee of both technical and financial accounting officers. This is the Committee that drives the JLOS SIP III strategy document. This is the committee that decomposes the Leadership Committee vision into immediate, medium and long term strategic objectives. The Committee also plays the role of oversight and coordination of strategy. The Technical Committee is responsible for the planning, technical direction and guidance; support and management of the program. The Technical Committee facilitates, supervises and supports the JLOS Secretariat in implementation of the JLOS SIP III.

98. In sum, the functions of the committee are the following:

1. Drive the JLOS SIP III Strategy targets
2. Monitor sector performance and delivery of results
3. Provide strategic direction to the implementation of JLOS SIP III to ensure performance meets the standards by law and by the Leadership Committee
4. Links the Program to the JLOS Leadership

99. The **JLOS Technical Committee** is comprised of the following sixteen (16) officials:

1. Deputy Director, Public Prosecutions F&A

2. Deputy Director, Prosecutions
3. Under Secretary, DPP
4. Registrar, Supreme Court
5. Registrar, Court of Appeal
6. Registrar, High Court
7. Under Secretary, Judiciary
8. Executive Director, Justice Centres
9. Director, Law Development Centre
10. Commissioner Law Reform, ULRC
11. Commissioner Law Revision, ULRC
12. Under Secretary, ULRC
13. Director, Monitoring and Inspections, UHRC
14. Director, Research and Planning, UHRC
15. Director, Complaints and Legal Services, UHRC
16. Director, Regional Services, UHRC
17. Director, Finance and Administration, UHRC
18. Registrar, Education and Public Affairs, JSC
19. Registrar, Planning and Research, JSC
20. Under Secretary, JSC
21. Under Secretary, MIA
22. Director, Citizenship and Immigration Control
23. National Coordinator, Community Service Programme
24. Commissioner, National NGO Board
25. Director Government Analytical Laboratory
26. Executive Director, Uganda Registration Services Bureau
27. Executive Director Uganda Law Society
28. Executive Director, CADER
29. Registrar, Tax Appeals Tribunal
30. Administrator General
31. Under Secretary, MoJCA
32. Director, Civil Litigation
33. Director, Legal Advisory Services
34. Director First Parliamentary Counsel
35. Technical Advisors, JLOS Secretariat

Working Groups:

- 100.** Due to the breadth of the reform programme; working groups are extensions of the Technical Committee that offer in-depth consideration that will otherwise not be possible in the Technical Committee. Working Groups do not have decision making powers- They report to the Technical Committee for decisions related to resource allocation and management. There shall be –
- A budget working group, which shall be responsible for planning, budgeting, financial monitoring and quality assurance. The budget working group shall comprise of Heads of Finance and Administration and Policy and Planning Units. This working group coordinate the development of work plans and be responsible for audit, inspections and monitoring and evaluation.

- Technical working groups for each of the outcomes as well as other transitional arrangements. Specifically there shall be the following technical working groups:
 - Access to Justice – Civil
 - Access to Justice – Criminal
 - Human Rights and Accountability
 - Transitional justice

Task Forces

The Sector will utilize task and thematic based task forces to accelerate progress in identified areas of interest. All task forces will be resourced and supported by the JLOS Secretariat through the Senior Technical Advisor. Key task forces include:

Gender Task Force will promote gender mainstreaming. The role of the Task force is to coordinate sector structures; relations between working groups and institutions, coordinate actions and reporting; planning and implementation of concrete activities for gender equality in the institutions and to spearhead gendered learning processes in the Sector.

Justice for Children Task Force: The Justice for Children steering committee under the Justice for Children Program is task force of the Sector charged with crafting a unified strategy for improving services for children in JLOS.

Transitional Justice Task Force. Working through the technical advisors, the Task Force shall drive the implementation of the Transitional Justice Policy, develop capacity around transitional justice; undertake key studies, monitor and advance linkages within the JLOS strategy, PRDP and KIDDP, track, disseminate and document TJ performance.

101. The Technical Committee will have the powers to invite the working groups and members of Task Forces to its meetings. For purposes of planning the working groups should make proposals on priorities. Priorities shall be initiated by the Technical Committee and approved by the Steering Committee and then handled by the Budget Working Group and institutions to inform the development of work plans.

102. Participating Institutions: JLOS draws together 15 institutions. All these institutions are involved in administering justice and maintenance of law and order and in the observance of human rights in Uganda. The Leadership Committee reserves the right to admit entry of any other institution into the Sector. Resources channeled through JLOS are aimed at enhancing service delivery in line with set standards. JLOS support to institutions is meant to catalyze the institutions to better execute their mandates. JLOS resources are not an additional resource—there are institutional entitlements to deliver services to the people that should be subjected to similar oversight and institutional leadership scrutiny. The MTE noted that institutional performance was highest where JLOS resources planning, management and accounting was mainstreamed into the institutional resources. The MTE recommended to pitch the institutional participation with the

management committees. Previous SIPs were not resolute about the roles of participating institutions. The JLOS MTE noted this as a weakness and recommended the formulation of a Sector Management policy articulating rights and responsibilities of participating institutions. This is intended to increase transparency and institutionalization of JLOS processes.

103. Institutions are the ultimate rights holders and constituents within the JLOS framework. The Sector Management Policy will put in place the rights and obligations of participating institutions. SIP III will draw from the Sector management policy for a full description of the roles and responsibilities of participating institutions. In summary the following are a pointer to the roles that should be based on shared interest and value proposition of each institution towards attainment of the Sector results;

1. Taking the lead in the setting of sector and corresponding institutional targets;
2. Integrate Sector targets into institutional plans and develop institutional annual work-plans;
3. Supervise and monitor implementation of institutional workplans on a day to day basis through institutional structures;
4. Periodic reporting of institutional progress in implementation of annual Work plan
5. Manage all resources in the most efficient manner and allocated solely towards the attainment of Sector targets and results;
6. Representation, participation and leadership in JLOS structures to add value to JLOS process;
7. Institutional innovation; capacity development and pro active leadership and management to deliver sector results
8. Rally institutional resources towards the attainment of sector targets.
9. Full disclosure of all interests including financial.

104. Institutions will work through their respective Institutional Management Committees with the support of the Policy and Planning Units. The Policy and Planning Units are the Secretariats to the Institutional Management committees. Capacity development for the latter occurred in both SIP 1 and SIP II. The form of capacity development under JLOS SIP III will shift to strengthen the linkage between the PPU, Information managers; Inspectorates and Communications Departments and the Management Committees. The Sector may include the following for a:- Human Resource Officers, Policy and Planning unit, Inspectors, Auditors among others.

JLOS at District Level

105. At the District level, JLOS is represented by the JLOS District Chain Linked Committee. This role is vital to JSIP III implementation. The specific roles that DCCs will carry out in the management and implementation of JLOS SIP III will be spelt out in the Management Policy. Resources have been

allocated to improve the governance; management systems and introduction of DCCs to results based management systems and also to ensure that DCCs have full knowledge of the JLOS SIP III, annual and quarterly targets. DCCs are responsible for joint planning, supervising, monitoring and evaluation of performance against set targets. The DCCs are the frontline of JLOS management and their effectiveness has the most influence on the effectiveness of the JLOS SIPIII primary outputs and impact. DCCs are responsible for rallying all district based JLOS and non JLOS resources towards the attainment of JLOS targets individually in their respective institutions and as a collective.

106. The National Technical Committee structure will extend to the district to oversee and coordinate the delivery of JSIP III targets at that level. The DCC comprises of the following representatives:

1. All JLOS institutional representatives at district level
2. District Probations and Social Welfare Officers; as representatives of the Justice for Children Committees
3. Uganda Law Society representatives
4. Relevant CSOs, Faith based organizations and community structures engaged in advancing justice law and order in the district;
5. Civil and local leaders
6. Nominated members of the public(including fit persons under the Justice for Children Programs)

107. The DCC will be chaired by the Chief Magistrate (or the Magistrate Grade 1) and will meet monthly. The DCC will have two reporting lines. One is to the Management Committees of their respective institutions through the Policy and Planning Units. The second is to the JLOS Technical Committee through the JLOS Secretariat. The DCCs will report on a quarterly basis to the Technical Committee and monthly to their respective institutions. The Technical Committee will reserve one meeting in every quarter to discuss reports of the DCCs. Regional implementation reviews will complement sector secretariat feedback to the DCCs.

There will be Annual Regional DCC Evaluation Forum and a National Advisory Board comprising of Resident Judges.

The JLOS Development Partners Group

108. The JLOS Development Partners Group (J/DPG) is comprised of agencies that support JLOS through various mechanisms including general budget support, sector budget support and project support. The group has a membership including Austria, Denmark, EU, Germany, Ireland, Netherlands, Norway, Sweden, UNDP/UNCDF, UNICEF, UN Women, United Kingdom, and the World Bank. The J/DPG has linkages to the broader Development Partner community through the Local Development Partner Group, and hence to the Donor Economist Group.

109. The J/DPG holds **monthly meetings** enabling representatives to keep pace with JLOS developments, coordinate amongst themselves and with JLOS. The chair of the group rotates between members, on an annual basis.

110. The relationship between the J/DPG and the sector is based on the general GoU-Donor Partnership Principles 2003 under MoFPED. On the basis of the partnership principles, JLOS and the J/DPG have developed collaboration and co-ordination mechanisms to ensure effective contribution of the latter to the reform process. These comprise:

- Development Partners sub-group monthly meetings ;
- GoU- Development Partners Liaison Group meetings ;
- Joint GoU- Development Partners Reviews;
- Joint GoU- Development Partners pre-review Technical Meetings;
- Participation in the broad-based JLOS Forum, held annually; and
- Development Partner – institutional partnerships.

111. Under SIP III, the Sector will benefit from improved coordination amongst donors, continued active involvement in JLOS including an expansion of participation from non-traditional donors.

4.2 Management Processes

112. Key management processes include the JLOS Forum, programme management carried out by the Secretariat, meetings of the various committees in the management structure, the coordination and communication between JLOS management structures and the Joint GOU- Development Partner Review

113. Programme Management Activities: These include all the activities that have to be undertaken by the Secretariat that is responsible for facilitation of the entire management structure in order to invigorate and sustain the reform process. Based on the TORs of the Secretariat, these activities fall within a wide bracket of management functions including planning, budgeting, monitoring, coordination and liaison, technical backstopping and reporting.

114. The National JLOS Forum: This will now take the form of an annual event, taking place in December. The Forum will bring together JLOS members and key stakeholders to reflect on JLOS performance for the year ending as well as indicate priorities for the one ahead. The National JLOS Forum will:

- Provide a platform to share information with the invited guests & the public, and to raise issues on access to justice pertinent to all stakeholders;
- Provide a platform to benchmark national leaders and the Public;
- Enable JLOS show case its successes, explain its constraints and reflect its performance as mirrored against stakeholders expectations;
- Enable JLOS highlight priorities for the year ahead;

- 115. The Joint GOU-Development Partner Review:** The joint review will be held annually in September to monitor progress against planned activities. Participants will include JLOS members and invited stakeholders. Preparation for and reporting on the JLOS Forum and the reviews will be coordinated by the sector Secretariat, in the context of twice-yearly technical meetings with the Technical Committee including institutional PPU's and the JLOS Development Partners Group. *(See Annex for ToR of J/DPG)*
- 116. JLOS Regional/District Reviews:** these will be held annually in selected regions/districts of the country to enhance planning, implementation and monitoring of the SIP III and obtain feedback for the national reviews. The Technical Committee with support of the Secretariat will liaise with the JCC at the district level to hold these reviews which will involve JLOS institutional representatives at the district/regional levels, CSOs, Private Sector and members of the Public.
- 117. Joint Leadership and Steering Committee Meetings:** These joint meetings will be carried at least once a year to strengthen the process of policy formulation and discussion and to foster linkages between the two committees. Meetings will be convened by the Chair of the SC.
- 118. JLOS- Development Partner Technical Meetings-** these joint meetings will be held twice a year (in December and June before the annual review) to enable detailed discussion of the six monthly sector progress reports and preparation for the Review.
- 119. Regular Committee Meetings:** As indicated above, the various entities in the management structure will conduct their business through meetings, the majority of which are to be convened on a regular basis.

The Justice, Law and Order Secretariat:

- 120.** The JLOS Secretariat is the axis around which JLOS results rotate. JLOS Secretariat will be restructured and expanded. It will also be oriented into its new roles and capacitated to engage in institutional strengthening within the Sector institutions. Its renewed roles will include, but not be limited to the following;
1. Develop for approval of the Technical Committee an annual FY Activity Calendar (including a planning and budgeting calendar) for internal use for JLOS SIP III Implementation with sector and institutional targets; and timelines for delivery;
 2. Develop performance standards for institutions participating in JLOS including planning; implementation; monitoring; reporting; quality assurance and participation in processes;

3. Lead and resource the process of annual target setting; integration of targets into JLOS-institutional participation MoUs and assure the quality and sufficiency of the targets to attain and progress the SIP III results;
4. Advise on relevance, sufficiency and value for money of proposed activities in the annual Sector Plans and the ability of cumulative annual work-plans to deliver the JLOS SIP III results
5. Support, supervise and assure the implementation of annual plans, budgeting and integration of institutional plans into JLOS plans;
6. Supervise and monitor the performance of institutions towards set targets;
7. Link the reform process on the ground(including the foot soldiers and the demand side); and within institutions with the JLOS leadership structures;
8. Access other JLOS innovations elsewhere to JLOS Uganda through research and innovations;
9. Facilitate communication, coordination and cooperation within JLOS institutions and between JLOS institutions and other stakeholders;
10. Engage in change management advocacy within the JLOS institutions;
11. Provide technical back stopping to institutions as necessary to attain JLOS results;
12. Independent verification of institutional performance in compliance with the Sector rewards and sanctions mechanisms.

121. To deliver the JLOS SIP III results is the total personnel in the 15 institutions of JLOS alongside their partners and stakeholders. The Secretariat will require enhanced systems for human, physical and information resource management to undertake its roles. Staff performance assessments; and overall organizational performance assessments will be enhanced and undertaken annually. Working with **IT sections at institutional level the Sector** will develop a management information system to provide more effective and timely information for management and decision making as well as enabling the Secretariat to interface more effectively with the management systems of JLOS institutions.

The Sector Secretariat shall have 6 members of staff as described below:

122. Senior Advisor/Team Leader: The SA will drive and coordinate the implementation of JLOS SIP III and also be in charge of results quality assurance. S/he will be responsible for the JLOS day to day operations. The SA will provide strategic thinking to the Sector; provide technical guidance in policy, long range and medium term planning to the Sector. The SA will resource and facilitate the operations of the Leadership/policy Committee. S/he will drive the integration of the cross cutting issues of gender, conflict, poverty and environment; profiling for and ensuring effective responses for vulnerable groups. S/he will be supported by the following advisors and such other administrative staff as may be found necessary from time to time:

- i. Advisor Access to Justice-Civil
- ii. Advisor, Access to Justice - Criminal
- iii. Advisor, Human Rights and Accountability
- iv. Advisor Planning, Monitoring and Evaluation
- v. Financial management advisor

123. Monitoring and Evaluation is aimed at achieving efficient and accountable results reporting across the chain. Joint management of the planning monitoring and evaluation functions will allow for a) more effective oversight and stewardship at all levels b) improved reporting to stakeholders. The expert will facilitate the development of a single system to manage the planning, monitoring and evaluation work flow. It is recommended that a system be developed; building in part of the relevant design elements of the existing M&E framework – to provide structure, service and accountability measures to all institutions and stakeholders. It should be modeled upon the repeated planning, monitoring and evaluation processes. The system will be developed by the M&E units across all institutions; technology to support by the IT units and communicated through the communications units with the overall oversight of the Senior Technical Advisor.

124. Administrative and support staff as deemed necessary by the Technical Committee will support the work of the Secretariat. The entire staff of the Secretariat will be paid through JLOS funds. The Technical Committee will be responsible for articulation of terms of reference; periodic reviews of performance and recommendation of renewal of contracts to the Solicitor General.

125. In addition the Secretariat will obtain support from short term technical support as required and approved by the Technical Committee. The following support will be obtained through short term technical assistance

- a) **Communication Services:** The communication function aimed at a) improving services by increasing the quantity, quality and timeliness of information used in decision making and day to day administration; b) increasing outreach and promoting networking among sector institutions; sector service users and other key players by leveraging mobile and other internet based information and communications technology will be undertaken by institutions with support from a professional communications firm. It is expected that these services will enable better program stewardship by changing the sector organizational culture to one of accountability, transparency, competency and performance based incentives.
- b) **Transitional Justice support:** Transitional justice technical support will be sourced to support the sector on a time limited and task based basis as will be determined by the Technical Committee.

The Ministry of Justice and Constitutional Affairs (MOJCA):

126. The Ministry of Justice and Constitutional Affairs (MOJCA) is the lead agency and host institutions for the JLOS Program and will remain accountable to Parliament for all matters relating to JLOS SIP III. Performance of the lead institution will be strengthened under JLOS SIP III to play the following roles:

1. Implement the intentions of the JLOS Leadership/Policy Committee and Technical Committees with regard to JLOS SIP III implementation
2. Manage the JLOS SIP III reform funds in accordance with the Sector policy
3. Provide and service the implementation systems including office space for the JLOS Secretariat; auditing; accounting and administrative support
4. Manage the human resources as per the JLOS Standards;
5. Responsible for preparation of statutory accounts and financial reports and submission to relevant authorities;
6. Represent the Sector in Cabinet and relevant fora and provide feedback through the JLOS structures

127. MOJCA shall have the overall responsibility for the JLOS Program under the framework of the JLOS sector described in SIP III. The Solicitor General will be the Accounting Officer for the Sector.

Partnership Arrangements

128. Development Partner Partnership: JLOS SIP III will be financed by the Government of Uganda with contributions from development partners, through basket and bilateral arrangements. At the time of design of JLOS SIP III development partners who have committed to support the implementation of the Plan include the Netherlands; Irish, British, Norwegian and European Union through the basket arrangement and in accordance with the Government of Uganda- Donor Partnership principles currently under revision. The Danish and American Governments, UNICEF, UN Women and others to be identified will support the plan through directed bilateral support. The design of JLOS SIP III is flexible to allow other development partners to join at a later date. The coordination of financial support, technical knowledge and international experience between development partners will continue to be done under the JLOS Development Partner Group; a coordination that has delivered substantial benefits to the program in SIP 1 and SIP II.

129. Non State Actor Partnership: Given the recommendations of the JLOS MTE, especially in the area of partnerships, the third arm of partners in the JLOS SIP III design are the people of Uganda represented through private sector and non governmental organizations. The MTE noted that the voice and participation of this arm of JLOS were underdeveloped and required affirmative action to bring it to par with the role played by development partners and the Government of Uganda representatives. Strong JLOS-NSA partnerships will therefore be developed under JLOS SIP III to root JLOS reforms in the communities and among the population of Uganda. Some of the key partners

include JLOS knowledge and support service providers; service delivery NGOS and Faith based organizations; private sector groups, other line Ministries and parastatals and other players deriving/rendering value from the Justice, Law and Order system.

130. Civil Society Organisations Memoranda of Understanding shall be developed between the Sector and key civil society organizations. The MoUs shall elaborate the Rules of Engagement and how these groups shall be brought in or exit the Sector.

131. Cross-Sectoral Partnerships: Because the JLOS intentions are interlinked with a number of services delivered by other sectors, JLOS will participate in cross sectoral knowledge sharing and practice enhancement particularly with the Governance Sector (accountability); security sector (human rights and access to justice); health sector (access to justice); education sector (access to justice; human rights and accountability) and decentralization sector (justice for children matters and local council courts); land sector (land matters) etc

132. Regional, Continental and International Partnerships: Linkages will be made to the regional and continental level to share knowledge and raise capacities of staff and stakeholders involved in Justice, Law and Order reforms. These efforts will strengthen a regional and continent-wide community of practice to disseminate experience on what works where and why.

Section 5: Financial Management Arrangements

122. Planning: The SIP III will provide the basic planning framework for the sector institutions. All JLOs institutions will have to prepare implementing and or operational plans to implement the broad sector reform areas. Every year the sector will prepare and agree on a common work plan and budget based on the agreed priorities in the SIPIII

123. Budgeting: The budgeting process will follow the annual government budgeting cycle. The sector will prepare as provided for by Government a sector budget framework paper for each financial year. For purposes of implementation, the sector SIPIII is costed for 3 years and this costing will be the basis for priorities in the sector budget framework paper.

124. Accounting: The government accounting procedures and regulations as set out in the Public Finance and Accountability Act as well as the Treasury Accounting Instructions shall be the basis for accounting. The instructions notwithstanding, the sector will be allowed in case of projects, to roll over finances from one financial year to another for activities and projects that cannot be completed within one financial year.

Donor Financing Modalities:

125. Funds Flow Modalities: Wage and recurrent budget provisions as well as capital expenditure budgets appropriated directly to sector institutions shall be disbursed directly to the sector institution through the approved government Integrated Financial Management System. The funds shall however be directed towards operational expenditure that provides the basic comparative advantage to the realization of sector out come and output targets. The development funds under the SWAP and other bilateral funding to finance the SIPIII shall be disbursed through the MoJCA and shall be released as advances on a quarterly basis to sector institutions in line with the approved annual and quarterly work plan. Sector institutions will be required to provide quarterly progress reports and accountabilities for previously disbursed funds before any subsequent releases are made.

126. Procurement arrangements: Each sector institution will manage procurement of goods and services necessary for the implementation of activities in the approved work plan. The sector secretariat will however through the MOJCA handle procurement for sector wide activities. The sector will also ensure that the procurement function is coordinated and a forum of procurement officers established.

127. Financial Reporting: Financial reporting will follow the established government of Uganda financial reporting process and standards.

128. Financial Audits: In addition to the normal audits undertaken for each institution, the sector will ensure that an annual audit of the sector wide financial

statements will be undertaken by the office of the auditor general. The internal audit function in the sector institutions will be strengthened as well quarterly internal audit reports will be submitted from all sector institutions and discussed by the audit committee of the sector.

DRAFT

Section 6: Risk Assessment and Mitigation

127. Some of the risks identified so far in the implementation of JLOS SIP III are a) threat to the long term sustainability of JLOS investments through an over emphasis on infrastructure referred to as “brick and mortar” reforms; b) weak implementation capacity in key institutions; c) weak accountability culture at institutional and individual staff level and d) weak links between justice and law and order institutions.

128. Given the high risk of concentrating on brick and mortar, the JLOS SIP III lays emphasis on the “soft ware” – processes, systems and intangible reforms that increase the benefits to service users. A summary of these risks and proposed mitigations measures is presented below:

<i>Description of risk</i>	<i>Rating^a of risk</i>	<i>Mitigation measures</i>	<i>Rating^a of residual risk</i>
Outcome level			
Change in leadership at Leadership/Steering committee brings in new entrants taking time to understand JLOS- and slowing pace and momentum of SIP III implementation		The Government at the highest political level remains committed to sector wide approaches. JLOS recognized as best performing sector. Orientation program into JLOS SIP III for all sector structures. Sector will document Sector goals, policy and implementation manual to accelerate catch up pace of new entrants.	
New institutions take more time to fully appreciate and internalize JLOS objectives		New institutions will be required to sign participation MOUs with clearly stipulated performance targets. In addition information package will be provided	
Output level			
Delays in institutional pre-requisites to effective implementation of the plan— completion of strategic plans, restructuring, staffing and deployment; skilling and retooling		All Advisors’ primary role is to resource institutions to discharge their mandates and SIP III targets. The approach is of “No institution left behind” will allow for affirmative action for weak institutions to facilitate and fast track institutional reforms in planning and broader institutional development e.g through posting of added institutional advisors etc	
Delays in procurement processes		Clear procurement planning should be undertaken at the start of each planning cycle.	

Section 7: The JLOS SIP III Budget

128.GOU Projections

JLOS in the MTEF

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Wage	178.106	195.807	222.243	244.51	288.52	324.58
Non Wage	162.093	194.511	223.688	211.07	264.60	332.45
Domestic Development Donor**	175.483	224.617	276.727	116.70	130.31	146.45
Total	539.601	642.697	748.856	573.31	684.81	804.57

129. Institutional Projections

Institution	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
MoJCA	39.61	50.247	59.434	41.2	49.78	56.96
MIA	98.859	125.682	153.934	13.18	16.27	19.70
Judiciary	53.486	63.285	73.355	79.48	97.65	118.71
ULRC	3.035	3.585	4.122	3.74	4.62	5.65
UHRC	8.213	8.913	10.391	10.33	12.40	14.65
LDC	4.045	4.28	4.493	11.29	3.78	4.24
URSB	0.592	0.663	0.754	2.21	2.73	3.33
DICCS	7.048	8.277	9.489	8.84	10.90	13.30
DPP	9.933	11.469	13.154	15.67	19.20	23.10
UPF	242.715	282.209	327.458	299.89	361.08	419.09
UPS	70.068	81.748	89.583	84.63	102.88	121.59
JSC	1.997	2.339	2.689	2.86	3.51	4.25
Total	539.601	642.697	748.856	573.31	684.81	804.57

7.2 DP budget support contributions

7.3 DP bilateral projections

7.4 List of projected DP contributions to JLOS

Section 8: Monitoring and Evaluation Arrangements

9.1 JLOS SIP III Results Framework

Results Logic	Indicators (OVI)	Means of verification	Critical assumptions
<p>Overall objective/goal : Promote the rule of law</p>	<p>a) Public confidence in the justice system increased from 34% in 2008 to 50% in 2015</p> <p>b) 70% of population satisfied with JLOS services by 2015</p>	User surveys	<p>Continued political stability</p> <p>Increased literacy of the public.</p>
<p>Outcome :1 Strengthened Legal and Policy Framework</p>	<p>a) Proportion of the public with access to the laws increased by 45% by 2015.</p> <p>b) 75% of Public confident in the enforcement of existing laws by 2015</p>	Method for measuring each of the indicators	<p>Continuation of the sector wide approach</p> <p>Political stability</p>
<p>Outputs :</p> <p>a) New laws developed, enacted and implemented timely</p> <p>b) Relevant policies and laws developed and implemented</p> <p>c) Restorative justice principles and practices integrated into formal</p>	<p>a) 45% increase in adult offenders rehabilitated and reintegrated by 2015.</p> <p>b) 65% increase in Juvenile in conflict with the law rehabilitated and reintegrated by 2015.</p> <p>c) 65% increase in No of bills initiated by the sector enacted into Law.</p>	<p>Quarterly reports</p> <p>Prison census</p> <p>Crime statistics</p> <p>M&E reports</p>	<p>Institutional support and congruency</p> <p>Minimal transfers of critical staff away from JLOS</p>

<p>d) justice systems e) Alternative sentences promoted f) ADR popularised in dispute resolution g) Integrated JLOS MIS h) Integrated JLOS case management system i) Functional performance standards in all JLOS institutions j) Effective and efficient public complaints systems k) Strong inspectorates and disciplinary mechanisms. l) Reduced technicalities in access to justice</p>	<p>d) 10% annual increase in community service orders issued. e) Use of ADR increased from 26% in 2008 to 50% by 2015. f) All JLOS institutions have developed and disseminated Client charters by 2013. g) 65% Compliance with Codes of conduct by 2014. h) Simplified laws, procedures and regulations i) Translated versions of laws and procedures j) 4 bills tabled in parliament per year k) 6 Acts published and accented to every year (JLOS sponsored) l) 50% Reduction in No. of completed pending bills by 2015 m) 25% increase in the index of independence of the judicial process by 2015 n) 33% Reduction in average time for delivering judgment by 2015 o) 100% increase in judgments delivered. p) Time taken to issue travel documents reduced from 14 day in 2010 to 5 days in 2015 q) 4 studies for reform of laws completed every year</p>		
<p>Inputs : Major resources required :</p> <ul style="list-style-type: none"> ▪ Human ▪ Material ▪ Information 	<p>Estimation (\$) of each resource and total for the project & Financial Sources</p>	<p>Budget framework papers DPG country strategy papers National expenditure framework</p>	<p>Funds are released on schedule Donor policies do not change adversely JLOS remains a critical government priority</p>

Results Logic	Indicators (OVI)	Means of verification	Critical assumptions
Overall objective/goal : Promote the rule of law	a) Public confidence in the justice system increased from 34% in 2008 to 50% in 2015 b) 70% of population satisfied with JLOS services by 2015	User surveys	The goal having been attained, the overall objective should be attained if the following conditions prevail
Outcome :2 Access to Jlos Services Enhanced	a) Proportion of public aware of laws, rights, duties and obligations. b) 20% reduction crime rate by 2015. (Disaggregated by gender, type and region) c) 50% reduction in transaction lead times major JLOS services by 2015. d) Disposal rate of cases and matters increased from 40% in 2010 to 65% by 2015. e) Population accessing JLOS institutions and services increased from 30% in 2009 to 65% in 2015. f) Average length of stay on remand for capital offenders reduced from 15months in 2010 to 12months by 2015 and from 4months to 60days for petty offenders.	Quarterly reports Prison census Crime statistics M&E reports	The outputs having been attained, the goal should be attained if the following conditions prevail
Outputs : a) civic education and public awareness programs b) Simplified and translated laws accessible to the public c) Public awareness on rights, duties and obligations d) Revised education curriculum e) User guides accessible f) Local Council Courts functional g) Complete chain of justice countrywide h) Equip and staffed JLOS institutions i) JLOS institutions have capacity to effectively and efficiently provide	a) 30 new Courts/ 20 new DPP offices/ 45 new Police stations and 8 new prisons, 3 New GAL Regional offices 15 new border posts constructed, equipped and operational by 2015 b) 50% Reduction in average case load per JLOS officer especially CID, DPP and Court by 2015 c) 3 new remand homes Gazetted and constructed by 2015 d) 80% of juveniles resettled upon release e) Average distance to access to a police stations or posts/court reduced to an average of 10Kms f) 80% of persons in need of legal aid	Quarterly reports Prison census Crime statistics M&E reports	The inputs having been attained, the outputs should be attained if the following conditions prevail

<p>services</p> <p>j) Reduced distance to access JLOS services</p> <p>k) Effective Legal Aid services</p> <p>l) Harmonized fees structure program</p> <p>m) Justice centres rolled out</p> <p>n) Reduced lead times</p> <p>o) Improved customer care systems</p> <p>p) Competent and skilled staff</p> <p>q) Reduced case backlog</p> <p>r) Safe persons</p> <p>s) secure property</p> <p>t) Public order management programs</p> <p>u) Community participation in crime prevention</p> <p>v) Small Arms proliferation controlled</p> <p>w) Affirmative action for disadvantaged groups</p> <p>x) Increased access to JLOS services by vulnerable groups</p>	<p>accessing Legal aid services</p> <p>g) No. indigent persons accessing state brief</p> <p>h) 25% increase in no of cases diverted after investigations</p> <p>i) 30% of cases settled using ADR.</p> <p>j) 50% of LCCs monitored annually</p> <p>k) 27% increase in cases registered and disposed by LCCIII</p> <p>l) 30% reduction in appeals from LCCIII registered</p> <p>m) case backlog reduced to 20% by 2015</p> <p>n) 50% Reduction in average time taken dispose cases disaggregated by focus area</p> <p>o) 60 % increase in conviction rate</p> <p>p) 75% compliance to the set time standards by 2015.</p> <p>q) 80% of registered Small Claims settled on time</p> <p>r) 40% reduction in crime rate per 100,000 people by 2012</p> <p>s) 20% reduction in juvenile and adult offender rates of recidivism by 2015</p> <p>t) %age of convicts on formal adult functional literacy programmes.</p> <p>u) %age of prisoners engaged in rehabilitation programmes.</p> <p>v) All districts have operational police stations and each sub county has an operational police post by 2014</p> <p>w) 75% Reduction in rate of escape of prisoners and detainees by 2015</p> <p>x) 35% reduction in traffic fatalities by 2015</p> <p>y) Number of guns/small arms destroyed</p> <p>z) All police regions have functional fire stations by 2015.</p> <p>aa) 65% reduction in reported illegal entry and exit</p> <p>bb) police population ratio improved from 1:786 in 2010 to 1:650 in 2015 Prisoner warder ratio improved from 1:4.5 in 2010 to 1:3 by 2015.</p>		
--	---	--	--

	cc) 75% Reduction in rate of escape of prisoners and detainees by 2015 dd) 35% reduction in traffic fatalities by 2015 ee) Number of guns/small arms destroyed ff) All police regions have functional fire stations by 2015. gg) No. of children arrested during a 12 month period per 100,000 child population hh) % of children in conflict with the law diverted from formal judicial proceedings ii) % of children in conflict with the law receiving a non-custodial sentence jj) No. of children in remand per 100,000 child population kk) Average time spent in detention by children before or after sentencing		
Inputs : Major resources required : <ul style="list-style-type: none"> ▪ Human ▪ Material ▪ Information 	Wage Non-wage Development DPG commitments	Budget framework papers DPG country strategy papers National expenditure framework	Assumptions linked to the availability of inputs

Results Logic	Indicators (OVI)	Means of verification	Critical assumptions
<p>Overall objective/goal :</p> <p>Promote the rule of law</p>	<p>a) Public confidence in the Justice system increased from 34% in 2008 to 50% in 2015</p> <p>b) 70% of population satisfied with JLOS services by 2015</p>	<p>User surveys</p>	<p>Continued political stability</p> <p>Increased literacy of the public</p>
<p>Outcome :3</p> <p>Observance of human rights and accountability promoted</p>	<p>a) 50% reduction in the number of JLOS institutions with qualified audit opinions by 2015. (From 40% in 2010 to 20% in 2015)</p> <p>b) 50% reduction in the index of perceived corruption in JLOS by 2015.</p> <p>c) 56% reduction in human rights violations by JLOS institutions by 2015.</p>	<p>Quarterly reports</p> <p>Prison census</p> <p>Crime statistics</p> <p>M&E reports</p>	<p>Continuation of the sector wide approach</p> <p>Political stability</p>
<p>Outputs :</p> <p>a) Human rights awareness</p> <p>b) Civic education programmes</p> <p>c) Reduced human rights violations by state and non-state agencies and individuals</p> <p>d) Law providing for personal liability enacted</p> <p>e) Increased compliance with standards</p> <p>f) effective and efficient HR tribunal and mechanisms</p> <p>g) An effective JLOS anti corruption Strategy</p> <p>h) Compliance with Codes of conduct</p> <p>i) Strong inspectorates and disciplinary mechanisms</p> <p>j) Effective and efficient public complaints systems</p> <p>k) open door policies</p> <p>l) corporate governance principles promoted</p>	<p>a) %age court awards paid/cleared categorized by court/tribunal.</p> <p>b) % reduction in of complaints against JLOs officers registered</p> <p>c) Disposal rate of complaints</p> <p>d) anti-corruption strategy adopted</p> <p>e) 84 districts with functional Complaints desks in UPF</p> <p>f) 100% of prison/police units with operational Human rights committees</p> <p>g) 50% reduction in use of bucket system in police cells</p> <p>h) % age reduction in number of complaints of human rights violations by prisons staff and UPF</p> <p>i) %age reduction in compensation awarded by Uganda Human Rights Commission (UHRC).</p> <p>j) Increase number staff with access to house and clean water in police from 33% in 2008 to 63% in 2015 and from 60% to 80% in the UPS</p>	<p>Quarterly reports</p> <p>Prison census</p> <p>Crime statistics</p> <p>M&E reports</p>	<p>Institutional support and congruency</p> <p>Minimal transfers of critical staff away from JLOS</p>

<p>m) sector wide communication strategy and systems n) Public participation o) Responsive infrastructure and services</p>	<p>k) 75% Reduction in Morbidity and Mortality rates of persons in detention l) No of births and deaths registered m) Prison capacity increased from 13,700 in 2010 to 22,000 by 2015 n) 55 % reduction in congestion in police cells and prisons and remand homes</p>		
<p>Inputs : Major resources required :</p> <ul style="list-style-type: none"> ▪ Human ▪ Material ▪ Information 	<p>Estimation (\$) of each resource and total for the project & Financial Sources</p>	<p>Budget framework papers DPG country strategy papers National expenditure framework</p>	<p>Funds are released on schedule Donor policies do not change adversely JLOS remains a critical government priority</p>

DRAFT

9.2 The Monitoring and Evaluation Framework

130. JLOS will implement a Results-based M&E system and the attached results framework as articulated in the M&E plan to be agreed shall provide the basis for monitoring. The sector M&E system will draw on a number of information sources. These include existing data gathered and included in the Sector and Institutional data bases under JLOS SIP II, (ii) specially designed qualitative and quantitative user surveys, (iii) extended data gathering related to specific JLOS SIP III Outputs (iv) existing national surveys carried out by UBOS in collaboration with other government and non government institutions/sectors that gather data directly relevant to this M&E system. These could take the form of user and public perception of service delivery; integrity surveys, and household surveys etc. Where possible JLOS will seek the collaboration of UBOS, OPM, IGG and other relevant bodies to add to the existing survey data instruments and data collection procedures in order to meet the Sector M&E needs. This approach is aimed at creating synergy between various related data gathering and survey efforts.
131. The collection and management of the data/information will be enhanced through the implementation of a customized JLOS management information system (MIS). JLOS SIP II initiated the development of the MIS. JLOS SIP III will further develop the system to allow for systematic and joint sector wide monitoring and evaluation of activities. The MIS will enhance overall management of the Plan by creating provisions for capturing the Sector and Institutional annual work plans, procurement plans, financial management, and monitoring the implementation of the planned activities. Having improved access to information on sector wide implementation progress will enable the Sector Leadership/Policy committee to detect implementation challenges on time and put in place the appropriate adjustments. MIS in JLOS SIP III will be used as a decision support tool for managing the planning, budgeting, resource allocation, procurement, financial management and implementation processes and progress. The M&E system will generate periodic reports that are linked to the key outcomes/results in the Results Framework. The Sector Secretariat will promote the implementation of the sector-wide M&E through linkage, harmonization and capacity development of institutional MIS, data collection and management systems.

The Impact Evaluation Framework

132. There will be three impact evaluations carried out. One is a baseline at the start of JLOS SIP III, the Mid Term Review and the End Term Evaluation post FY2015/16. The surveys will be independently conducted by recognized institutions to ensure objectivity. In addition, special interim surveys in particular outcomes as found appropriate by the Sector will be conducted at specific periods of time to support the independent evaluation of impact.

133. The JLOS SIP III M&E data will be critical in providing a basis for the evaluations and the survey Terms of Reference will specifically note that requirement. Where possible the Impact Evaluations will supplement available survey data carried out by the JLOS Institutions and the recognized statistical government agencies for instance Uganda Bureau of Statistics. International best practice will be employed to ensure reliability and accuracy, including survey design, sample selection, statistical analysis and interpretation to enable attribution of changes in the outcomes to the JLOS SIP III interventions as well as a determination of the differences in benefits to different categories of users and possible explanations to why such differences exist.

Arrangements for Results Monitoring

134. The M&E plan annexed elaborates the arrangements for monitoring and evaluation of JLOS SIP III. The overall responsibility for M&E will be vested with the JLOS Technical Committee with technical support from the JLOS Secretariat. The Secretariat will disseminate the M&E plan and ensure that in each outcome, the agreed upon outputs and activities are implemented in appropriate sequence according to the implementation plan. Results-based implementation and management has been adopted with outputs contributing to specific outcomes and outcome indicators, as identified in the results framework clearly articulated as well as the indicators to measure performance. Regular progress in Plan implementation will be monitored through the Sector MIS, special reports and regular monitoring.

135. The JLOS secretariat and specifically the M&E Advisor will provide technical support to the M&E function as well as support the work of a permanent Monitoring and Evaluation Committee comprising M&E personnel drawn from all sector institutions. All institutions will need to strengthen their existing M&E units and staff to allow efficient and effective data gathering at all levels, and analysis and reporting on routine and ad hoc bases. The Task Force will have the authority to manage routine monitoring of inputs and activities as well as liaising with other Government bodies regarding combined M&E exercises. At an early stage in the implementation of JLOS SIP III, the sector will undertake an assessment of the readiness of all participating institutions to adopt a comprehensive M&E regime, to mitigate any blockages and to align follow on activities with international best practice.

136. There will be special emphasis on M&E capacity building, building on the training provided under JLOS SIP II. The timing of the training will be at regular intervals and target participants in the institutions with responsibility for M&E at all levels including those responsible for gathering data at the lowest levels. Regular thematic short sessions on key gender issues in the justice sector will be held for decision makers as well as training on collection, analysis and dissemination of sex disaggregated data for different levels of staff. This is intended to raise the quality of data collection, aggregation and regular transmission to the Institution and Sector M&E database.

Annex 1: List of Prioritized laws, policies and standards for development under KRA 1

	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17
Laws, policies supporting of JLOS operations	Access to Justice bill Amendment to the children Act Domestic Violence Regulations Police Act Amendment Witness Protection Legal Aid Transitional Justice				
Towards economic growth, employment and prosperity	Oil and gas exploration laws				
Harmonisation of laws with national, region and international human rights instruments	Anti-torture law				
Others					

Annex 2: Summary of JLOS Sector Infrastructural Development Plan 2012/13- 2016/17

Institution			Category					Sites available in FY				
Regions	DCCs	No of people served - Baseline Year (FY 2011/12)	No of units - Baseline Year (FY 2011/12)	Performance Indicator - Baseline Year (FY 2011/12)	New sites to be constructed	Sites that need repair	2012/13	2013/14	2014/15	2015/16	2016/17	
							8=3+4	9=3+4	10=3+4	11=3+4	12=3+4	
1	2	3	4	5=3/4	6	7						
District Total												
Regional Total												
National Total												