



JLOS ANTI-CORRUPTION HIGH LEVEL BREAKFAST MEETING



The Justice Law and Sector high-level breakfast meeting on 4th December 2014 at Hotel Africana focusing on key issues in the fight against corruption in Uganda.

Justice Law and Order Sector

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Acknowledgement

The JLOS High Level Breakfast meeting on anti-corruption was held in commemoration of the international anti-corruption day with support from the JLOS Sector. The meeting was successfully organized as an activity of the JLOS Human Rights and Accountability Working Group, and the JLOS Secretariat.

The JLOS Sector recognizes and acknowledges the participation of the Accountability Sector institutions, and various state and non-state actors.

JLOS HIGH LEVEL BREAKFAST MEETING ON ANTI-CORRUPTION

1. Introduction

The Justice Law and Sector held a high level breakfast meeting on the 4th December 2014 at Hotel Africana to discuss key issues in the fight against corruption in Uganda, but with specific focus to the Justice Law and Order Sector(JLOS). The meeting was organized in conjunction with partners from the Accountability Sector as part of the buildup events towards the commemoration of the International Anti-Corruption Day 2014.

The theme of the meeting was; *Fighting corruption in JLOS: A collective effort to promote integrity and enhance access to JLOS services for all.* The theme underpins two critical results of the fight against corruption; 1) the need to ensure integrity in service delivery, and 2) the realization of increased access to JLOS services for all especially the marginalized people. These are in tandem with the JLOS Sector Investment Plan III (JLOS SIP III) undertakings of promoting human rights and accountability in Uganda.

The meeting was convened for selected heads of institutions and some technical staff who have a key responsibility to fight corruption in their institutions and the country at large. The participants included; Hon. Justices of Courts of Judicature, heads of Government institutions, heads of Civil Society Organizations and members of the JLOS Secretariat.

2. Opening Remarks:

Communication from the Session Chairperson

His Lordship, Hon. Justice Lawrence Gidudu- the Deputy Head of the Anti-Corruption Court welcomed members to the meeting and thanked them for their

continued support towards the fight against corruption. He informed the meeting that the Sector brings together 17 institutions responsible for administering justice, maintaining law and order and promoting observance of human rights. He noted that JLOS has been in operation for over 14 years, but has not been participating in the Anti-Corruption activities that are organized by the Accountability Sector to commemorate the International Anti-Corruption Week and Day. He thus commended the Sector for their participation in this year's activities. He emphasized the essence of collaboration and concerted efforts in dealing a common problem of corruption.

The Justice Law and Order Sector is widely rated as a huge success and a regional flag bearer in policy and strategic coordination in justice and law enforcement reforms. However, on a negative side, recent Anti-Corruption Surveys reveal that the JLOS Sector institutions appear among the top two most corrupt institutions in Uganda. This is an uncomfortable position that negatively affects service delivery within the JLOS Sector and across the country. He further noted that it's against this background that the Sector has come together to demonstrate its resolve to fight corruption, promote collaborative efforts and build public confidence in the fight against corruption.

The Chairperson further emphasized that corruption has become a way of life for some people. Corrupt people are violent, sophisticated, very educated, organized and powerful that they can cripple institutions. He added that at the Anti-corruption Court Division, they have had major cases of corruption cropping up and that lawyers have developed new tactics to find their way around the Justice system.

His Lordship cited an example of a lawyer who forged a death certificate for a criminal suspect, however, when the Police investigated the matter, they found that the person mentioned as deceased in the certificate was actually alive and residing in Rwanda. Interpol is working with the Rwanda government to have the dead suspect extradited to face the law. This matter was reported to the Law Council and will be dealt with accordingly.

Another case that he cited was before Hon. Dorothy Lwanga where a lawyer presented her with a death certificate of a suspect. However, when she suspected that the death certificate was forged, she summoned and detained the sureties of the

alleged deceased person. The sureties were compelled by the circumstances to produce the suspect before court. This illustrates the resolve of perpetrators of corruption to visit acts of corruption even on the anti-corruption court without any fear or shame.

Finally, the Hon Justice also noted that the value of time in a corruption case is very critical and cases actually expire in fact although not in law. Many of the gimmicks played against anti-corruption initiatives that result into staying proceedings are deliberate to grant time for weathering of corruption cases. In the span of such time witnesses disappear or are compromised, evidence or exhibits are tampered with, and all sorts of things.

Moving forward, all Government institutions must continue to put in place and implement mechanisms aimed at curbing acts of corruption. The Anti-Corruption Court Division has planned to provide uniforms for its staff so that the public can identify whom to deal with. His Lordship further encouraged all institutions to deal with disciplining their staff through disciplinary committees to ensure that corruption does not continue mushrooming. He called upon everyone to work towards the national vision of zero tolerance to corruption.

3. Key Note Address

Fighting Corruption in JLOS: A collective Effort to promote Integrity and enhance access to JLOS Services for all.

Her Lordship Hon. Justice Irene Mulyagonja, the Inspector of Government, commended the JLOS Secretariat for its participation in the activities organized to commemorate the Anti-Corruption week. She noted that Justice Law and Order Sector is a creation of the Government's desire to have a sector-wide approach to policy planning, implementation and evaluation. JLOS is the sector wide approach to implementing the Government's mandate to administer justice equitably. Thus each of the JLOS institutions plays a key role in the administration of justice and maintenance of law and order in Uganda.

She further informed the meeting that the public perception of JLOS and the administration of Justice in Uganda is on a low end considering that institutions that hold membership in JLOS have consistently been named amongst institutions or agencies of Government that are perceived to be afflicted with endemic corruption. (See: *Tracking Corruption Trends in Uganda Using Data Tracking Mechanism: 4th Annual Report, 2014*). Although the Police and the Judiciary were singled out in the report (ranked first and third, respectively), the perception extends to other JLOS institutions too. According to studies conducted, the belief of the public is that administration of justice in Uganda varies in accordance with the amount of money one can pay: justice is for sale to the highest bidder.

The belief that justice is for those that can afford erodes the confidence in the JLOS institutions by those that cannot financially afford it or are likely to be out-bided. This creates a dangerous situation. As a cornerstone of the rule of law, there is an expectation to be treated equally before the law. Ensuring that the institutions retain the faith and confidence of those they serve is therefore an essential objective for them. If the institutions lose the faith and confidence of the public, they no longer have the legitimacy to effectively administer justice in accordance with their mandate.

She therefore called upon the meeting to ensure that the services rendered by the JLOS institutions are easily accessible, understood and utilised by all members of the public without undue regard to their place in society.

Justice Irene Mulyagonja further presented six ways in which the Image of Administration of Justice in JLOS Institutions can be improved as seen below:

- 1. Increase Awareness:**

According to the Baseline Survey Report on Selected JLOS Indicators by Reev Consult International (July 2012), only 6 of the 18 listed institutions scored more than 50%. Uganda Police Force scored the highest with 99%, attributed to a concerted effort to bring their services closer to the people and explain their role and mandate. This is a policy that should be adopted by all other institutions, resources permitting.

- 2. Integrity:**

The conduct of the affairs of the institutions of JLOS should be aimed at reaffirming the people's faith in their integrity and the belief that they execute their mandates in an honest and upright manner. In the Baseline Survey Report (Page 27) 14% of the respondents stated that they would never use the services of the Uganda Police Force. The reason given was that they (UPF) displayed incredible unfairness in handling disputes, such as conniving with defendants, fleecing respondents, flouting and circumventing the process leading to double loss to the aggrieved party. In order to enhance access to JLOS services, not only must there be an increased presence as stated in (1) above, but also the pull factor of increasing the confidence of the public in the institutions by executing their mandates with integrity.

3. Impartiality:

This is the essence of administration of justice and is concerned not only with the decision that is made, but also with the process by which the decision is arrived at. Justice must not only be done, but must be seen to be done. Article 28 (1) of the Constitution of the Republic of Uganda states that in the determination of civil rights and obligations or any criminal charge, a person shall be entitled to a fair, speedy and public hearing before an independent and impartial court or tribunal established by law. In the Baseline Survey (Page 69), a significant number of respondents, including legal practitioners both private and public, stated that they held the opinion that the Judiciary was prone to compromise by influence peddling, abuse of office and interference from various sources. If a significant section of the officers of court regard the courts as partial and dependent, ordinary people will be even less inclined to utilise the services rendered therefrom. The Judiciary and other institutions of JLOS must act to demonstrate impartiality in execution of their duties.

4. Curtail Corruption:

The Baseline Survey (Part 6.0) outlines the prevalence of corruption in JLOS institutions. Not a single institution was found free of corrupt practices. Actual incidents in the courts of law were also documented. It was established that 71% of the respondents opted to pay the bribes demanded or expected of them in order to access the services of the respective institution (coping mechanism). The conclusion was that low income earners and lower occupation groups are

forfeiting services of JLOS institutions because they cannot afford them. Reporting corruption is very low, because of the perception and experience that nothing will be done to address the problem. To enhance access to these lower income earners and the poor, tough action must be taken against any instances of corruption that are reported, in order to restore faith in the integrity of the institutions. Supervisors must stop paying lip service to efforts to curtail the vice and actually take action in cases where incidences are reported.

5. Accountability for decisions should match the independence and discretion guaranteed:

Many JLOS institutions are clothed with immunity, independence and discretion in the execution of their mandates in order to enable them to perform their duties unfettered. Utmost care should be taken to ensure that misdeeds or clear miscarriages of justice are not sheltered or covered up under such protection. Institutions should put in place internal mechanisms (where external ones are barred by law or undesirable) to ensure that institutions or individuals are held accountable for errant or deviant actions or omissions in order to restore the confidence of the people.

6. Competence and Diligence:

The administration of justice involves the determination of civil rights and obligations or criminal charges. These are sensitive actions touching the fundamental rights, lives and livelihoods of individuals. To instil confidence, institutions or their members must approach any decision making not whimsically, but diligently and studiously. The people must be reassured that the administrators of justice know what they are doing and are willing to apply themselves to ensure justice is done. Only in such knowledge shall they find the confidence to revert to the JLOS institutions and not seek to take matters into their own hands.

Her Lordship emphasised that JLOS institutions are the custodians of the mandate to ensure that the country operates under the rule of law. However, as seen from the various surveys, many are ignorant and distrustful of the institutions and their mandates and, therefore, do not take advantage of the services on offer or avoid them for what they deem good cause.

She finally urged participants to ensure that the services rendered by the institutions are demystified for the ordinary citizen by making them comprehensible, available, cheap and trustworthy. The only way to achieve this is to re-instil the integrity of the institutions and the officers that man them, in the minds of the people. This can be achieved by taking the following practical actions:

1. All policies, procedures and decisions made by institutions must not only be fair, but demonstrably so, to ensure transparency.
2. Institutions must educate the public about their jurisdiction, powers, functions and mandates and the people's rights as determined by law, so that ignorance does not breed distrust. This can ultimately erode confidence in the institutions and systems.
3. When legitimate queries arise, responsible officers in government institutions must be held accountable to promote transparency and improve the public's confidence.
4. Officers and institutions must demonstrate diligence and knowledge in execution of their mandate, to enhance confidence.

4. Plenary Discussions

Participants were aroused by the two presentations by their Lordships and engaged in a focused plenary discussion. They suggested ideas and recommendations that can aid the fight against corruption within the JLOS Sector and the country at large. These included the following;

1. Reduce human contact. This should be done especially in offices that require payment of cash before a service is delivered. Thus, online transactions and automation should be encouraged and adopted.
2. Invest in strategic research and finding solutions to the weaknesses in the three highly corruption prone areas;
 - a) Grant of Police bonds (Police).
 - b) Operations of traffic officers (Police).

- c) Grant of Bail in courts of law (Judiciary).
3. Come up with strategies to curb challenges and limitations that members of the public face in accessing the courts of Law.
 4. Advocate for increased political support to fight corruption. The Government has demonstrated its willingness in fighting corruption and has done a lot so far, however, there is a lot more required to be done.
 5. Establish why JLOS staffs prefer to work in some areas that are highly prone to corruption. Address the issue of staff welfare and workload in various institutions. JLOS staff should be well facilitated.
 6. Technology should be embraced by all, but more urgently the Police and Judiciary should utilize it in order to expedite service delivery, and cut out on tracking and monitoring businesses.
 7. Restore confidence in the public. Currently the public has less trust and confidence in the Justice system, the Sector therefore should strive to reverse this situation.
 8. Look into the issue of client accounts used by private law firms to conduit compensation of clients. Funds meant for clients are misused by lawyers and public servants.
 9. Promote integrity and acquisition of standard competence skills among the staff through regular trainings.
 10. Adopt the “Name and Shame” system so that corrupt officials or staff in various institutions may be exposed.
 11. Support the Uganda Law Council (ULC). The ULC does not have enough funds to inform the public about their regulatory services and yet many people do not know where to seek redress in the event of a problem or being afflicted by lawyers.
 12. Publicize and create awareness of what we do and also publicize the fees we charge as Sector institutions.
 13. Accountability should be priority. This should be done through regular performance evaluation of JLOS staff. The Service culture should be checked out and the essence of accountability be entrenched.
 14. Performance benchmarks for Judges should be put in place and implemented. Look at other countries and how their systems operate. We can pick a leaf from countries with the best practices, take for example Nigeria; if a Judge does not

conclude a case within 90 days, he faces the disciplinary committee and is held accountable in that regard.

15. Personalize the problem of corruption. The fight against corruption should start with individuals and within institutions.

5. Analysis

Corruption is a vice that is eating across the country and in the JLOS Sector specifically. As noted earlier, the Police and the Judiciary were ranked as the top most corrupt institutions in the country, and the Sector continues to face criticism from the public in that regard.

Worth noting is that there are existing initiatives and mechanisms in place to track and also fight corruption. In addition there are Laws and Organs to fight this vice, thus all that is needed is more collaboration and effective implementation with a focus on results and impact. The expansive legal regime needs to be implemented to the letter. However, the problem of corruption seems to have plateaued at despicable levels. The *Tracking Corruption Trends in Uganda 4th Annual Report ,2014* revealed that the Police and the Judiciary as the most corrupt institutions. This is not withstanding the expansive anti-corruption legal and policy regime in place for which the Police and Judiciary are mandated to primarily enforce. The prevailing situation is paints a picture of an irony between mandate and practice.

The current trend indicates a worsening situation, and therefore each JLOS institution should be charged afresh in fighting corruption. There is need to increase effort and also engage CSOs and build on their community penetration advantage to advance the challenge against corruption. The public should also be empowered because corruption cannot be fought by a single institution, but by a collective effort. The public needs to see in simple terms that there is action taken against perpetrators of corruption and that way public confidence and participation in the fight against corruption will be restored.

Last but not least, various recommendations were made to the Sector by the participants on how to aid the fight against corruption in the Sector and the country at large. These are further outlined in the subsequent section.

6. Way forward/ Recommendations

Mr. Sam Wairagala- the Deputy Senior Technical Advisor, informed the meeting that the following action points had been captured from the plenary discussions and the Secretariat would look into these. He also encouraged the members to use these avenues and all other possible ones to fight corruption;

1. Reduce human contact and prefer online transactions and more automation.
2. Invest in strategic research and finding solutions to the weaknesses especially in the areas of Police Bond, Traffic management and Bail in Courts of Law.
3. Come up with strategies to curb challenges that the public faces while accessing the courts of law.
4. Advocate for more political will in the fight against corruption.
5. Examine reasons why JLOS staff prefers to work in areas prone to corruption like the border posts, and improve on the remuneration and welfare of staff.
6. Embrace modern technology in managing JLO business especially in the areas of recording keeping, service processes and unwritten judgments.
7. Restore confidence in the Public.
8. Look into the issue of client accounts as compensation of clients through law firms is a problem.
9. Promote acquisition of standard skills among the staff through trainings.
10. Adopt the “Name and Shame” system that is corrupt officials or staff in various institutions should be exposed.
11. Support Law Council, in terms of putting information out there of how people can access redress in case of a problem.
12. Publicize and create awareness of what we do and also publicize the fees we charge as JLOS so as to reduce on the exploiting of clients by unscrupulous lawyers.
13. Accountability by staff and the Sector as whole should be key priority.
14. Benchmarks for Judges should be set and implemented.
15. Personalize the problem of corruption. This way the fight against corruption will start from individual initiatives.

7. Conclusion

The meeting wound up on a spirited note of appeal to each person to take an individual initiative to curb corruption. JLOS was commended for this initiative and requested to sustain it. Note worth is the substantial Government to put in place systems and mechanisms of fighting corruption, however, the trends dictate the need to strengthen these further. It is imperative for JLOS institutions to go an extra step and tighten existing frameworks, build staff capacity, inform the public and secure the participation of non-state actors in the fight against corruption.

Annexure 1: List of Participants at the JLOS High Level Breakfast Meeting.

No.	NAME	INSTITUTION	EMAIL	TEL.
1	Hon. Justice Lawrence Gidudu	Anti-Corruption Division		0772502629
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6	Ms. Sarah Birungi	Inspectorate of Government	sbirungi@igg.go.ug	0772521673
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8	ACP Dinah Kyasimire	Uganda Police Force	dkyasimire@yahoo.com	0772499014
9	Mr. John Muwanga	Office of Auditor General	john.muwanga@oag.go.ug	0793344600
10	Ms. Ruth Sebatindira	Uganda Law Society	president@uls.org.ug	0757202876
11	Ms. Faridah Semyano	Judicial Service Commission	fsemyano@jsc.go.ug	0712699591
12	Mr. Uthman Segawa	Public Procurement Disposal Authority	usegawa@ppda.go.ug	0773204116
13	Ms. Sophia N Masagazi	Public Procurement Disposal Authority	smasagazi@ppda.go.ug	0712120768
14	Ambassador Butagira	Uganda Registration Services Bureau	fbutagira@yahoo.com	0782300452
15	Mr. Moses E Makumbi	Directorate of Ethics and Integrity	ericmomakumbi@yahoo.com	0772471569
16	Ms. Patricia Achan Okiria	Directorate of Ethics and Integrity	achanp@yahoo.com	077469270
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18	Mr. Jacob Siminyu	Directorate of Citizenship and Immigration Control	jacobsiminyu@yahoo.com	0752451811
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25	Ms. Freda Khainza	JLOS Secretariat	khainzaf@gmail.com	0777064312
26	Mr. Okecha Pius	JLOS Secretariat		
27	Mr. Edgar Kuhimbisa	JLOS Secretariat	EKuhimbisa@jlos.go.ug	0712300019
28	Ms. Caroline Akello	JLOS Secretariat	akellocarol@gmail.com	0774838923
29	Anthony Wekesa	Media		
30	Ruth Andera	Media		

Annexure 2: Speech of Hon. Justice Lawrence Gidudu

JLOS HIGH LEVEL BREAKFAST MEETING ON ANTI-CORRUPTION

Remarks by Chairperson

The Chief Guest, Hon. Minister of State for Ethics and Integrity,

Hon. Justices of Courts of Judicature,

Heads of Government Institutions,

Heads of Civil Society Institutions,

Invited Guests, Ladies and Gentlemen,

I cordially welcome you to this high-level breakfast meeting to discuss key issues in the fight against corruption in Uganda, but with specific focus to the Justice Law and Order Sector (JLOS).

The Justice Law and Order Sector (JLOS) brings together 17 institutions¹ responsible for administering justice, maintaining law and order and promoting the observance of human rights. JLOS is a significant innovation now in operation for over 14 years as a holistic Government approach focused on promoting the rule of law using a sector wide approach.

The Justice Law and Order Sector in Uganda is rated as a huge success and a regional flag bearer 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(SWAP) has grown from an initial local based pilot into a collaboration that draws together close to one third of government institutions. Steeped in this success, the JLOS intends to sustain this growth and its dividends.

JLOS has organized this public meeting in conjunction with Partners from the Accountability Sector as part of the buildup events towards the commemoration of the International Anti-Corruption Day 2014.

¹ Ministry of Justice and Constitutional Affairs, The Judiciary, Ministry of Internal Affairs, Ministry of Local Government (LC), Ministry of Gender, Labour and Social Development, Uganda Police Force, Uganda Prisons Service, Law Development Centre, Uganda Registration Services Bureau, Uganda Law Reform Commission, Uganda Human Rights Commission, Centre for Alternative and Dispute Resolution, Tax Appeals Tribunal, Directory of Citizenship and Immigration Control, Uganda Law Society, Directorate of Public Prosecutions and the Judicial Service Commission.

This engagement is a critical intervention in deepening the JLOS collaboration with the Accountability Sector, but more so a rare opportunity to reflect on a shared mandate of fighting corruption in Uganda.

The shared mandate of fighting corruption is a common call to all-public and private establishments as a corner stone to realizing development, a people centred public service and above all the realization of human development.

The theme of this dialogue is; *fighting corruption in JLOS: A collective effort to promote integrity and enhance access to JLOS services for all*. The theme underpins two critical results of the fight against corruption; (1) the need to ensure integrity in service delivery, and (2) the realization of increased access to JLOS Services for all people especially the poor and marginalized. These facets are in tandem with the JLOS Sector Investment Plan III (JLOS SIP III) undertakings of promoting human rights and accountability in Uganda.

The objective of this high-level breakfast meeting is to discuss and reflect on the challenge of corruption that has bedeviled many public institutions including the JLOS Sector. Recent Anti-Corruption Surveys reveal that JLOS Sector institutions appear among the top two most corrupt institutions in Uganda. This is an uncomfortable position that negatively affects service delivery within the JLOS Sector and also across the country.

Today, we come together to demonstrate the JLOS Sector's resolve to fight corruption, promote collaborative efforts and build public confidence in the fight against corruption. In this regard, we would like to discuss the problem as viewed from various dimensions, reflect on existing initiatives, gaps, challenges and re-examine our strategies in order to realize the pursuits of the fight against corruption.

We therefore look forward to candid and constructive discussions aimed at driving the JLOS Sector and the country at large towards the national vision of *Zero Tolerance to Corruption*.

I therefore invite the Inspector General of Government, Hon. Justice Irene Mulyagonja to make her key note address.

Thank you.

Annexure 3: Speech of Hon. Justice Irene Mulyagonja

INSPECTORATE OF GOVERNMENT

PRESENTATION ON FIGHTING CORRUPTION IN JLOS:

**A COLLECTIVE EFFORT TO PROMOTE INTEGRITY AND
ENHANCE ACCESS TO JLOS SERVICES FOR ALL**

PRESENTED TO THE JLOS HIGH LEVEL BREAKFAST

BY

**JUSTICE IRENE MULYAGONJA KAKOOZA
INSPECTOR GENERAL OF GOVERNMENT**

ON THE 4TH DECEMBER 2014

AT

KAMPALA

Observation of Protocol:

Definitions:

Integrity: Is defined by Black's Law Dictionary as the moral principle and character shown by one person dealing with others in making and performance of contracts, and fidelity and honesty in discharge of trusts. It is synonymous with "probity", "honesty" and "uprightness. Webster's New World Dictionary defines integrity as " the quality and state of being of sound moral principle; uprightness; honesty; sincerity".

The **Justice Law and Order Sector (JLOS)** is a creature of the Government's desire to have a sector-wide approach to policy planning, implementation and evaluation. JLOS is the sector wide approach to implementing the government's mandate to administer justice equitably.

The members of JLOS are: MOJCA; MIA; Judiciary; UPF; UPS; DPP; JSC; Local Council Courts; Probation and Juvenile Justice Department of the Ministry of Gender Labour and Social Development, ULRC; UHRC; LDC; TAT; ULS, CADER and URSB. Each of these institutions plays a key role in the administration of justice and maintenance of law and order in Uganda.

It is my belief that the Inspectorate of Government, by virtue of its mandate (*under Article 225 (1) (a) of the Constitution and Section 8 (1) (a) of the Inspectorate of Government Act, 2002*) to promote and foster strict adherence to the rule of law and principles of natural justice in administration is not misplaced among the sister institutions that comprise JLOS.

Public Perception of JLOS and Administration of Justice in Uganda

Institutions that hold membership in JLOS have consistently been named amongst institutions or agencies of government that are perceived to be afflicted with endemic corruption. (*Tracking Corruption Trends in Uganda Using Data Tracking Mechanism: 4th Annual Report, 2014*). Although the Police and the Judiciary were singled out in the report (ranked first and third, respectively), the perception extends to other JLOS institutions too. According to studies conducted, the belief of the public is that administration of justice in Uganda varies in accordance with the amount of money one can pay: impunity is or sale to the highest bidder.

The belief that justice is for those that can afford to pay their way erodes the confidence in the JLOS institutions among the poor and vulnerable that cannot afford match the bid. This creates a dangerous situation, and as a cornerstone of the rule of law, there is an expectation to be treated equally before the law. Ensuring that the institutions retain the faith and confidence of those they serve, therefore, is an existential objective for them. If the institutions lose the faith and confidence of the public, they no longer have the legitimacy to effectively administer justice in accordance with their mandate.

It is important therefore, to ensure that the services rendered by the JLOS institutions are easily accessible, understood and utilised by all members of the public without undue regard to their place in society.

Reliability of Public Perceptions as a Measure of Levels of Corruption:

An argument is usually made that perception indices are not a reliable measure of how corrupt an institution or agency and its officers are. However, we must bear in mind that corrupt transactions by their very nature are extremely secretive and usually only come to light when there is disagreement on how to share the loot.

In the absence of 'tangible' evidence of such transactions, perceptions do become the true measure of how corrupt an institution is deemed to be. Though inadmissible in court, perceptions are real in the eyes and minds of the people. Therefore, to maintain legitimacy, the issues that create the perception that justice in Uganda is for sale to the highest bidder must be addressed with the urgency they deserve.

How to Improve the Image of Administration of Justice in JLOS Institutions:

7. **Increase Awareness:** According to the Baseline Survey Report on Selected JLOS Indicators by Reev Consult International (July 2012), only 6 of the 18 listed institutions scored more than 50%. Uganda Police Force scored the highest with 99%, attributed to a concerted effort to bring their services closer to the people and explain their role and mandate. This is a policy that should be adopted by all other institutions, resources permitting.
8. **Integrity:** The conduct of the affairs of the institutions of JLOS should be aimed at reaffirming the people's faith in their integrity and the belief that they execute their mandates in an honest and upright manner. In the Baseline Survey Report (Page 27) 14% of the respondents stated that they would never use the services of the Uganda

Police Force. The reason given was that they (UPF) displayed incredible unfairness in handling disputes, such as conniving with defendants, fleecing respondents, flouting and circumventing the process leading to double loss to the aggrieved party. In order to enhance access to JLOS services, not only must there be an increased presence as stated in (1) above, but also the pull factor of increasing the confidence of the public in the institutions by executing their mandates with integrity.

9. **Impartiality:** This is the essence of administration of justice and is concerned not only with the decision that is made, but also with the process by which the process is arrived at. Justice must not only be done, but be seen to be done. Article 28 (1) of the Constitution of the Republic of Uganda states that in the determination of civil rights and obligations or any criminal charge, a person shall be entitled to a fair, speedy and public hearing before an independent and impartial court or tribunal established by law. In the Baseline Survey (Page 69), a significant number of respondents, including legal practitioners both private and public, stated that they held the opinion that the Judiciary was prone to compromise by influence peddling, abuse of office and interference from various sources. If a significant section of the officers of court regard the courts as partial and dependent, ordinary people will be even less inclined to utilise the services rendered therefrom. The Judiciary and other institutions of JLOS must act to demonstrate impartiality in execution of their duties.
10. **Curtail Corruption:** The Baseline Survey (Part 6.0) outlines the prevalence of corruption in JLOS institutions. Not a single institution was found free of corrupt practices. Actual incidents in the courts of law were also documented. It was established that 71% of the respondents opted to pay the bribes demanded or expected of them in order to access the services of the respective institution (coping mechanism). The conclusion was that low income earners and lower occupation groups are forfeiting services of JLOS institutions because they cannot afford them. Reporting corruption is very low, because of the perception and experience that nothing will be done to address the problem. To enhance access to these lower income earners and the poor, tough action must be taken against any instances of corruption that are reported, in order to restore faith in the integrity of the institutions. Supervisors must stop paying lip service to efforts to curtail the vice and actually take action in cases where incidences are reported.
11. **Accountability for decisions should match the independence and discretion guaranteed:** Many JLOS institutions are clothed with immunity, independence and discretion in the execution of their mandates in order to enable them to perform their

duties unfettered. Utmost care should be taken to ensure that misdeeds or clear miscarriages of justice are not sheltered or covered up under such protection. Institutions should put in place internal mechanisms (where external ones are barred by law or undesirable) to ensure that institutions or individuals are held accountable for errant or deviant actions or omissions in order to restore the confidence of the people.

12. **Competence and Diligence:** The administration of justice involves the determination of civil rights and obligations or criminal charges. These are sensitive actions touching the fundamental rights, lives and livelihoods of individuals. To instil confidence, institutions or their members must approach any decision making not whimsically, but diligently and studiously. The people must be reassured that the administrators of justice know what they are doing and are willing to apply themselves to ensure justice is done. Only in such knowledge shall they find the confidence to revert to the JLOS institutions and not seek to take matters into their own hands.

Conclusion:

JLOS institutions are the custodians of the mandate to ensure that the country operates under the rule of law. However, as seen from the various surveys, many are ignorant and distrustful of the institutions and their mandates and, therefore, do not take advantage of the services on offer or avoid them for what they deem good cause.

It is my prayer that the services rendered by the institutions are demystified for the ordinary citizen by making them comprehensible, available, cheap and trustworthy. The only way to achieve this is to re-instil the integrity of the institutions and the officers that man them in the minds of the people. It is my belief that that can be achieved by taking the following practical actions:

5. All policies, procedures and decisions made by on in institutions must not only be fair, but demonstrably so, to ensure transparency.
6. Institutions must educate the public about their jurisdiction, powers, functions and mandates and the people's rights as determined by them, so that ignorance does not breed distrust that ultimately erodes confidence in the institutions and systems.

7. When legitimate queries arise, responsible officers in institutions must be held accountable to promote transparency and improve the public's confidence.
8. Officers and institutions must demonstrate diligence and knowledge in execution of their mandate, to enhance confidence.

It is my considered opinion that only confidence in the execution of our duties enhances the public's access to the services we render. Integrity is a key ingredient in building that confidence. If we build the integrity of our institutions, the public shall be flock to our doors for services.

I thank you all for listening to me.