



THE REPUBLIC OF UGANDA

## THE JUSTICE LAW AND ORDER SECTOR



### FOURTH STRATEGIC DEVELOPMENT PLAN (SDP IV)

**2017-2020**

**Vision:** People in Uganda live in a safe and just society

**Mission:** To improve the safety of the person, security of property, and access to justice for inclusive growth

**THEME:** EMPOWERING THE PEOPLE. BUILDING TRUST. UPHOLDING RIGHTS.



## Foreword

Fellow Ugandans and well-wishers, I take this opportunity to present to you the Justice Law and Order Sector (JLOS) fourth Sector Development Plan (SDPIV), which is designed to ensure that people in Uganda live in safe and just society, in line with the aspirations of Uganda's Vision 2040 and the NDPII. This Plan aims at promoting the rule of law.



The Plan prioritizes interventions in the following areas-

- i. Widening and deepening access to services of JLOS institutions;
- ii. Eliminating case backlog;
- iii. Addressing the wider civil and criminal justice challenges;
- iv. Development and funding of special programs to target gender, age, poverty and other forms of vulnerability;
- v. Mainstreaming national priorities and the Sustainable Development Goals;
- vi. Tackling the growing concerns of corruption and human rights violations; and
- vii. Strengthening the environment for competitiveness.

The Justice Law and Order Sector (JLOS) is a sector wide approach that brings together 18 institutions responsible for administering justice maintaining law and order and promoting the observance of human rights. Through a sector wide approach, the sector brings together state and non-state actors who play complementary roles in planning, budgeting, programme implementation, monitoring and evaluation. The state institutions responsible for administering justice, maintaining law and order and promoting the observance of human rights include: Ministry of Justice and Constitutional Affairs (MoJCA); Judiciary; Ministry of Internal Affairs(MIA); Directorate of Citizenship and Immigration Control(DCIC); Office of the Director of Public Prosecutions (DPP); Uganda Police Force (UPF); Uganda Prison Service (UPS); Judicial Service Commission (JSC); Law Development Centre (LDC); Ministry of Gender, Labour and Social Development (MoGLSD)-Gender, Justice for Children, Labour and Probation Functions; Ministry of Local Government (MoLG)-Local Council Courts; Tax Appeals Tribunal (TAT); Uganda Human Rights Commission (UHRC); Uganda Law Reform Commission (ULRC); Uganda Law Society (ULS); Centre for Arbitration and Dispute Resolution (CADER); Uganda Registration Services Bureau (URSB); and National Identification and Registration Authority (NIRA). The non-state actors including; Development Partners, academia, CSOs, media and private sector groups complement Government in the delivery of justice, law and order and advocacy for adherence to human rights.

The sector has implemented three strategic investment plans and is proud to note that the formation and stabilisation of the sector is complete. Building on the brick and mortar investments, focus in the new strategic direction under the theme, **empowering people; building trust; upholding rights** will be on removing bottlenecks in delivery and access to JLOS services in line with the National Development Plan II and the



Vision 2040. The impact of the investments in the SDPIV will include increased public trust in JLOS institutions; greater public satisfaction; increased independence of the judicial process; and an 'A' status of the national human rights body.

To achieve the above impact the sector will over the next SDPIV period implement programmes and investments aimed at enhancing infrastructure and access to JLOS services; promoting the observance of human rights and fighting corruption; and strengthening commercial justice and the environment for competitiveness.

The JLOS SDPIV for the period 2017/2018 to 2020/2021 is a result of many months of preparation by the JLOS institutions that was characterized by extensive participation and consultation within the JLOS and with its stakeholders and partners. It brings continuity to the reforms that were started under the past three Strategic Investment Plans.

The primary driver for the implementation of the SDPIV will be the institutional strategic investment plans developed purposefully for the implementation of the SDPIV. This collaborative approach is based on the shared value that coming together was the beginning, and over the past 3 strategic plans the institutions have learnt to work together for progress. It is therefore imperative that JLOS institutions will under the SDPIV keep together to succeed.

The **theme** of the SDPIV is: **EMPOWERING THE PEOPLE; BUILDING TRUST, and UPHOLDING RIGHTS.** SDPIV therefore is for and about empowering the people in Uganda, building their trust in the justice system and upholding their rights as they walk the transformation journey to middle income status in 2020.

I call upon Government, all Ugandans, the people in Uganda, our partners in development and all JLOS stake holders to support the implementation of SDPIV to enable people in Uganda to live in a safe and just society.

Justice Bart M Katureebe  
Chief Justice/Chairperson JLOS Leadership Committee

## Contents

<b>Foreword .....</b>	<b>3</b>
<b>LIST OF ACRONYMS .....</b>	<b>5</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>7</b>
<b>1.0 INTRODUCTION .....</b>	<b>10</b>
1.1 Background.....	11
1.1.1 Sector mandate and composition .....	11
1.1.2 Intra and inter-sectoral linkages .....	14
1.1.3 Description of non-state players .....	14
1.1.4. Status of development planning .....	14
1.1.5 Context relevant regional and international instruments .....	14
1.2. Sector vision and relation to Uganda Vision 2040.....	16
1.3 SDPIV Development priorities .....	16
1.4 SDP IV Development process .....	17
1.5 Structure of the SDP .....	17
<b>2.0 SITUATION ANALYSIS .....</b>	<b>18</b>
2.1 Physical performance .....	18
2.2 JLOS Budget Funding Trends .....	24
2.3 EMERGING ISSUES .....	28
2.2.1 Changing crime trends including cross border crimes, terrorism and cyber-crime and sexual and gender based crime .....	28
2.2.2 Climate change and environmental issues that impact other national programmes leading to land disputes .....	29
2.2.3 High youth/child population.....	29
2.2.4 Sustainable Development Goals.....	29
2.2.5 Terrorism.....	30
2.2.6 Refugees .....	30
2.4 SWOT ANALYSIS .....	31
<b>3.0 SDPIV STRATEGIC DIRECTION .....</b>	<b>33</b>
3.1 Vision .....	33
3.2 Mission .....	33
3.3 GOAL .....	33
3.4 Development Objectives .....	33
3.5 SDPIV Development Result.....	34
3.6 SDPIV alignment to NDPII commitments .....	34
3.7 Guiding Sector policy framework .....	35
3.8. STRATEGIC OBJECTIVES.....	36
3.8.1 TO ENHANCE INFRASTRUCTURE AND ACCESS TO JLOS SERVICES. ....	36
3.8.1.1 Eliminate all cases that are over three years in the judicial system by 2019.....	36
3.8.1.2 Enhance efficiency and effectiveness of JLOS Institutions .....	36
3.8.1.3 De-concentrate service delivery and ensure physical and functional presence of frontline JLOS services at county level by 2020. ....	37
3.8.1.4 Strengthen Justice for children.....	37
3.8.1.5 Strengthen access to legal aid services.....	37

3.8.1.6.	Strengthen measures to effectively and efficiently prevent and respond to crime ..	38
3.8.1.7.	Ensure stakeholders empowerment and enhance access to legal information .....	38
3.8.1.8.	Promote gender equality and equitable access to justice .....	39
3.8.1.9	Strengthen informal justice and transitional justice mechanisms .....	39
3.8.2	To promote the observance of human rights and fight corruption .....	40
3.8.2.1	Strengthen measures to reduce human rights violations by JLOS Institutions.....	40
3.8.2.2.	Strengthen measures to promote citizens' rights and obligations .....	40
3.8.2.3.	Enhance efficiency and effectiveness of JLOS Institutions to fight corruption.....	41
3.8.3	To Strengthen The Commercial Justice And The Environment For Competitiveness..	41
3.8.3.1.	Reform and update laws to promote competitiveness and regional integration .....	41
3.8.3.2.	Strengthen business registries (URSB, DCIC, NIRA, NGO Bureau) .....	42
3.8.3.3	Strengthen commercial and land dispute resolution processes and institutions.....	42
<b>4.0</b>	<b>INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTING THE PLAN .....</b>	<b>43</b>
4.1	Participating Institutions: .....	43
4.1	Management structure at National Level: .....	44
4.1.1	The JLOS Leadership Committee: .....	44
4.1.2	The JLOS Steering Committee.....	45
4.1.3	The JLOS Technical Committee: .....	46
4.1.4	Working Groups (WG): .....	47
4.1.5	Task Forces.....	49
4.1.6	The Justice, Law and Order Secretariat: .....	50
4.2	JLOS at Sub National Implementation Level .....	52
4.2.1	The Chain Linked Advisory Board .....	52
4.2.2	The Regional Chain Linked Committees (RCC) .....	53
4.4	Programming .....	55
<b>5.0</b>	<b>SDPIV COST AND FINANCING STRATEGY .....</b>	<b>56</b>
5.1	SDPIV TOTAL COSTS.....	56
5.2	Financing strategy .....	57
5.2.1	Financing Sources for the SDPIV .....	58
5.2.2.	Resource Allocation by Vote under the MTEF over the SDPIV Period .....	58
5.2.2.1.	Breakdown of the MTEF Provision by Component Expenditures by Vote .....	59
<b>6.0</b>	<b>MONITORING AND EVALUATION .....</b>	<b>62</b>
6.1.	Institutional arrangements and management of M&E .....	63
6.2.1	The JLOS M&E taskforce.....	63
6.2.2	Institutional Policy and Planning Units (PPU).....	63
6.2.3	The JLOS Secretariat .....	63
6.3	Arrangements for Results Monitoring .....	63
6.3.1.	The National JLOS Forum: .....	64
6.3.2.	The Joint GOU-Development Partner Review: .....	64
6.3.3.	JLOS Regional/District Reviews: .....	64
6.4	Dissemination and Information Flow .....	65
6.5	Schedule of Monitoring, Final Reviews and Evaluation .....	67
6.5.1	Monitoring .....	67
6.5.2	Impact assessment .....	67
<b>APPENDIX 1:</b>	<b>JLOS SDPIV RESULTS FRAME WORK.....</b>	<b>69</b>

## 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
DGAL	Directorate of Government Analytical Laboratory
HRBA	Human Rights Based Approach
HUGGO	Human Rights and Good Governance Programme
HURINET	Human Rights Network
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
MDA	Ministries Agencies and Departments
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
NFPSALW	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
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



## EXECUTIVE SUMMARY

The Justice Law and Order Sector's 4<sup>th</sup> Sector Development Plan (SDP IV) provides the framework for the next planning cycle for the Sector. It builds on the achievements registered under the previous three investment plans and aims at consolidating the gains that were realised over the 15 years since the inception of the Sector. The goal of this plan is to promote the rule of law, through improved safety of the person, security of property, and access to justice for inclusive growth.

Over the four years of implementation of the SIP III, there has been an increase in public trust, increased stakeholder engagement, awareness and higher satisfaction by the people who seek services from JLOS institutions. In the course of the five years, public confidence in JLOS institutions increased from 26% in 2012 to 48% in 2016, and public knowledge about JLOS institutions increased to 90% on average in 2015/16. For those who accessed JLOS services, the level of satisfaction also rose from a baseline average of 59% in 2012 to 72% in 2016. The Index of Judicial Independence grew by 22% from 2.8 in 2014 to 3.14 in 2016.

Arising from the implementation of specific strategies under the SIPIII, the Sector was able to ensure that unified JLOS services are available in more districts than in 2000 and 82% of the population were now traversing shorter distances to access services. The Sector is also functionally present in 82% of districts as compared to 65% in 2012/13 and 59.8% of districts in 2015/16 have a complete chain of JLOS services as compared to 53% in 2014/15.

The Sector also achieved a reduction in lead times in key services, including registration of companies, accessing passports and travel documents and services at the Government Analytical Laboratory. An overall improvement was registered in the environment for doing business, with Uganda moving from position 139 in 2012 to 116 in 2016 in the World Bank Doing Business Index.

The crime rate reduced during the SIPIII period from 298 per 100,000 in 2014 to 296 per 100,000 in 2016. There was also a reduction in the rate of recidivism in prisons to 21% due to strengthening of rehabilitation programmes. ADR programmes, juvenile justice initiatives, including diversion and innovations such as plea bargaining and small claims took root as part of the strategies to improve case disposal. As a result pending cases reduced by 20% and case clearance rate stood at 125%. The Sector also registered a reduction in human rights violations.

In terms of financial performance, the overall Sector budget grew in absolute terms from 568bn in FY 2012/13 to UGX.1.244trillion in FY 2015/16. However the share of the Sector allocation in the national budget during the implementation of the SIPIII reduced by 19% from 5.6% in 2012/13 to 4.4% in 2016/17. The financial performance was further affected by cuts in donor support to the Sector following the enactment of the Anti-Homosexuality law<sup>1</sup>.

Despite the above achievements under SIPIII various challenges remain and these will be the focus of SDPIV. These challenges include the continued urban bias of JLOS institutions which require increased focus on de-concentrating JLOS services;

<sup>1</sup> The law was later nullified by the Constitutional Court (Constitutional petition No.8 of 2014-Prof Oloka Onyango and others Vs Attorney General)



continued use of rudimentary technologies; capacity gaps in systems and processes; an increase in white collar crime; international crimes and sexual and gender based crimes; and continued congestion in the prisons. The Sector also needs to contend with emerging issues that have informed the new priorities under the SDPIV. These include changing crime trends including cross border crimes; terrorism and cyber-crime; climate change and environmental issues that impact other national programmes; a high youth and child population; increasing numbers of refugees and programming to attain the Sustainable Development Goals.

In designing the SDP IV, the Sector took into account the national planning framework namely, the Second National Development Plan (NDP II), within which the JLOS must feed into and contribute. The Goal of this plan is to promote the rule of law. This will be realized through improved safety of the person, security of property, and access to justice for inclusive growth. The plan sets out three key objectives to be attained during the four year period. These are: i) enhancing JLOS infrastructure and access to JLOS services; ii) promoting the observance of human rights and fighting corruption; and iii) strengthening commercial justice and the environment for competitiveness.

The SDP IV has been developed by the Sector planning structures, through an extensive consultative and participatory process. Consultations were conducted at the national and regional level throughout the Country. Consultations with development partners civil society and private sector partners was also conducted.

Over the planned period the Sector will focus on attaining the following major results:

- i) increasing public trust from 49% to 55% and public satisfaction with JLOS services from 72% to 78% as well as increasing the index of judicial independence from 3.41 to 3.8; ii) reducing case backlog from 24% to 9%; ii) increasing districts with one stop JLOS frontline service points from 59.3% to 80% and reducing the crime rate;
- iii) improving the corruption perception index from 0.25 to 0.30, reducing pre-trial detainees from 52% to 45% and reducing human rights violations; iv) improving the ease of doing business index from 57.7 to 63 and increasing the index of the efficiency of legal framework in settling disputes from 3.8 to 4.1.

The overall cost of the SDPIV implementation is estimated at approximately UGX 5.709trillion. Wages will consume 1.617trillion; operational recurrent costs will be UGX 2.649 trillion while UGX 1.443 trillion will be required for the envisaged capital development and other much needed reforms to achieve the targets. The Plan will be financed by public, donor and private resources with about 90 percent being Government and budget support donors and approximately 10% by other development partners and the private sector (Private-Public Partnership (PPP) arrangement). Government and budget support donor funding will constitute a total of UGX 5.172 trillion and UGX 0.587 trillion is anticipated from other development partners and private sector contribution.

Major priorities under the SDPIV include widening and deepening access to services of JLOS institutions, eliminating case backlog, addressing the wider civil and criminal justice challenges, development and funding of special programmes to target gender,

age, poverty and other forms of vulnerability, mainstreaming national priorities and the Sustainable Development Goals, innovations to bridge the gap between formal and informal justice systems whilst being committed to national and international human rights standards and tackling the growing concerns of corruption and human rights observance. The Sector will pursue construction of one stop service points in the majority of the districts. Under the PPP arrangement the Sector will fast track the implementation of the JLOS House Project. Investments shall also be undertaken in the reform of business processes and automation. Major projects will include construction of 40 one-stop JLOS service points, the JLOS house project, construction of a second maximum security prison, the Justice for Children Project, prison service farms and community service project, legal aid, E-services, law reform and case management to mention but a few.

The JLOS SDP IV interventions under NDP II will be implemented by the 18 institutions that comprise the Sector along with development partners and Non-State partners. In light of the strength and robustness of the existing management structures, the SIPIII structures have been retained and will be utilized to deliver SDP IV results. The structures include the Leadership Committee, the Steering Committee and the Technical Committee and the Sector Secretariat.

JLOS will implement a Results-based M&E system that will draw on a number of information sources. The Sector will develop and implement an M&E plan that shall elaborate the arrangements for monitoring and evaluation of SDP IV. The overall responsibility for M&E will be vested with the JLOS Technical Committee with technical support from the JLOS Secretariat.

The Joint GOU-Development Partner Review will be held annually in September to monitor progress against planned activities. There will be a National JLOS Forum which will take the form of an annual event, in December to enable stake holders reflect on JLOS performance for the year ending as well as indicate priorities for the one ahead.

The Sector will also undertake a midterm evaluation of the SDP IV at the end of the 2<sup>nd</sup> year of implementation to allow stakeholders to reflect on successes and failures of the Sector and take corrective action. A final evaluation will also be undertaken in the 4<sup>th</sup> year of implementation of the SDP IV.

## 1.0 INTRODUCTION

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1. The 4th Strategic Development Plan (SDP IV) is the first sector plan that will be implemented under Vision 2040 and covers the fiscal period 2017/18 to 2019/20. It builds on the achievements attained under SIPI, SIPII and SIPIII, mitigates the challenges encountered during implementation of the previous plans, and seeks to take advantage of development opportunities in the country and globally. The 4th Strategic Development Plan (SDP IV) seeks to consolidate the gains that were realized over the 15 years since the inception of the Sector Wide Approach (SWAp) and further expresses Government's commitment and determination to deal with the challenges not only as legal issues, but also to address them as economic, social and cultural issues that affect all other sectors of Ugandan society and every Ugandan. It seeks to strengthen the mechanisms for delivering citizen-centered access to justice and provide a strategy to meet the justice needs that the people in Uganda face on a daily basis.
2. The Justice Law and Order Sector (JLOS) recognises that the peoples' needs and aspirations of the justice system are closely intertwined with their livelihood opportunities. According to the study on Justice Needs in Uganda (2016)<sup>2</sup>, the most prevalent justice problems in the Country are related to land, family matters and crime, with specifically high occurrences of disputes with neighbors over boundaries, rights of way or access to property, theft/robbery and domestic violence. Thus, seeking a speedy and fair remedy in a land dispute, a safe forum to be heard in a domestic violence case, being informed and consulted as a victim in a criminal matter, and prompt settlement of contractual disputes are the desires of people in their daily lives. It is the role of the JLOS to protect and promote these basic rights.
3. The Sector has over the past decade implemented three investment plans and notes that there is now a more developed system approach to evidence based budgeting with increased coordination, communication and cooperation in public service delivery and development assistance in the Sector. The Sector has also redefined the commercial and criminal justice system which is now the basis of reforms in other African countries. However, despite the achievements registered, there are still many justice delivery challenges in Uganda that require redress. Key among the Sector's challenges are fighting corruption and crime which are ranked together with uncertainty of policy and judicial behaviour as critical impediments to doing business. Studies also show that land and family justice are key issues of concern especially for poor and marginalised persons. Land disputes rank among the highest countrywide and are often the cause of other disputes including family and domestic violence, assaults and murder. These directly impact on the livelihood of every citizen.

In designing the SDP IV, the Sector took into account the national planning framework, the Second National Development Plan (NDP II), within which the JLOS must feed into and contribute. The NDP II also clearly articulates the focus areas for JLOS to include: improving the legal, policy and regulatory environment, enhancing access to justice and promoting observance of rights and accountability, for inclusive growth and competitiveness.

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<sup>2</sup> Justice Needs in Uganda 2016 – Legal Problems in daily life – HiiL Innovating Justice

## 1.1 Background

JLOS was launched in 1999 initially with 10 (ten) public institutions focused on improving access to justice for all persons. This was done through coordinated and evidence based sector wide formulation, planning and resource application. The JLOS started off with a Strategic Investment Plan I (SIPI FY 2001/02 – 2005/6). This was followed by the Second Strategic Investment Plan II (SIP II FY 2006/07 –2011/12) and the third Strategic Investment Plan III (SIP III FY 2012/13 –2016/17). SIP III was largely focused on promotion of the rule of law by increasing public confidence and trust in the justice system as well as user satisfaction with the services offered by the Sector.

### 1.1.1 Sector mandate and composition

The Justice Law and Order Sector is a sector wide approach adopted by Government of Uganda bringing together 18 institutions with closely linked mandates of administering justice and maintaining law and order as well as the promotion and protection of human rights. The Sector focuses on a holistic approach to improving access to and administration of justice through a sector wide approach to planning, budgeting, programme implementation, monitoring and evaluation. The institutions that make up JLOS are -

- 1) Ministry of Justice and Constitutional Affairs<sup>3</sup> (MoJCA) - Lead Institution
- 2) The Judiciary
- 3) Ministry of Internal Affairs<sup>4</sup> (MIA)
- 4) Ministry of Gender, Labour and Social Development (MoGLSD) - (Justice for Children and Probation Functions)
- 5) Ministry of Local Government (Local Council Courts)
- 6) Office of the Director of Public Prosecutions (ODPP)
- 7) Judicial Service Commission (JSC)
- 8) Uganda Human Rights Commission (UHRC)
- 9) Uganda Law Reform Commission (ULRC)
- 10) Uganda Police Force (UPF)
- 11) Uganda Prison Service (UPS)
- 12) Directorate of Citizenship and Immigration Control (DCIC)
- 13) Uganda Registration Services Bureau (URSB)
- 14) Tax Appeals Tribunal (TAT)
- 15) Law Development Centre (LDC)
- 16) National Identification and Registration Authority (NIRA)
- 17) Uganda Law Society (ULS)
- 18) Centre for Arbitration and Dispute Resolution (CADER)

<sup>3</sup> Includes Administrator General and the Law Council

<sup>4</sup> Includes National Community Service Programme, NGO Bureau, Directorate of Government Analytical Laboratory, Amnesty Commission





Under NDPII, the Sector will multiply its efforts to transform the justice and law enforcement system into one that respects, promotes, protects and fulfils the fundamental rights stipulated in the Constitution and the realisation of the National Vision 2040. The implementation of this plan will be based on a central coordination by the Sector Secretariat and activities will be implemented by each institution in line with the institutional mandates.

### **SIP I – Rebuilding and re-tooling the Sector Institutions:**

The first Strategic Investment Plan (SIP I) focused on two areas – criminal justice, building on the Chain-linked Initiative and commercial justice under the Commercial Justice Reform Programme (CJRP). The CJRP sought to reform the laws, institutional and human resource capacities and to strengthen the environment for doing business. SIP I, as the initial Sector plan was strongly premised on the need to rebuild and retool institutions and build the capacity of staff. It was geared at reviving the justice sector that had been run down following the instability leading up to 1986.

### **SIP II – Stabilisation Phase:**

SIP II that ran from 2006/07 to 2011/12 was geared at stabilising institutional growth and consolidating the gains made under the first planning framework and enhancing impact. It bore a heightened focus on poor and marginalised groups and was anchored in the Poverty Eradication Action Plan (PEAP), which was the overarching framework for Uganda's growth and development and the Medium-Term Competitiveness Strategy (MTCS). The Sector, at this point, recognised the need to address those challenges that impacted on the cost of doing business and concerns of the poor and marginalised. These challenges included corruption, delay in disposal of land and family cases, and addressing cross-cutting challenges such as protecting the environment, promoting gender equity and supporting efforts to tackle HIV/AIDS. SIPII therefore built on the lessons of SIP I and prioritised the promotion of the rule of law and due process, fostering of a culture of human rights, enhancing access to justice, especially for the poor and marginalised, reducing crime and improving safety and security and contributing to economic development.

The expanded focus on criminal, commercial, land and family justice, built on the SIP I but went on to incorporate the findings of the Integrated Study on Land and Family Justice.<sup>5</sup> It further increased the number of JLOS institutions to 11 with the addition of the Uganda Human Rights Commission and four (4) institutions were added as allied institutions<sup>6</sup>.

The key gains under the first two strategic plans laid the foundation for the next planning framework. These included:

- Reduction in length of stay on remand from an average of 24 months to 15 months for serious offences;
- Increased efficiency in the Commercial Court as evidenced in case throughput and application of ADR;
- Establishment of CADER and the Tax Appeals Tribunal;
- Reform of 40 commercial laws and integration of regulatory best practices in

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<sup>5</sup> Justice Law and Order Sector, Integrated Study on Land and Family Justice - Conducted by Associates for Development for JLOS, May 2008

<sup>6</sup> CADER, Tax Appeals Tribunal, Law Development Centre and the Uganda Law Society

policy formulation and practice;

- Enhanced capacity of the legal profession in commercial disputes, including establishment of a functional legal resource centre at the Uganda Law Society.

### **SIP III – Consolidating the gains:**

The SIP III moved the Sector from brick and mortar investments to deepen and broaden access to JLOS services through targeted interventions. The overall focus of the Sector was expanded to include the following:

- Land justice;
- Family justice;
- Transitional justice;
- Prevention of age and gender based violence;
- Worker's rights.

In addition, the growing concerns of accountability and human rights observance were given special attention.

Under SIP III, the Sector membership also expanded to 17 institutions, with the inclusion of Law Development Centre, Uganda Law Society, Tax Appeals Tribunal and CADER as full Sector members and the addition of the Uganda Registration Services Bureau as a newly created institution.

Under SIPIII public confidence in JLOS institutions increased significantly from the baseline average of 26% in 2012 to 48% in 2016. Public engagement with JLOS institutions and use of JLOS services grew three fold on the average compared to the baselines. For those persons that had accessed JLOS services the level of satisfaction increased from the average baseline position of 59% in 2012 to 72% in 2016. The index of judicial independence grew by 22% from 2.8 in 2014/15 to 3.41 in 2016, implying that judicial processes in Uganda have become more independent. The country's judicial independence ranking too improved from position 128<sup>th</sup> in 2012 to 91<sup>st</sup> in 2016 according the Global Competiveness Report, 2016. As a result of the interventions in legal reform and other innovations, Uganda moved from position 139 in 2012 to 116 in 2016 in the doing business index.

The Sector is now functionally present in 82% of the districts compared to 75% functional presence in 2014/15. Also the number of districts with a complete chain of infrastructure for frontline JLOS services increased from 35% in 2012 to 59.8% in 2015/16.

The average length of stay on remand reduced from 23 months in 2012 to 10.4 months for capital offenders in 2017 and case backlog reduced from 39% in 2012 to 25% in 2016. The use of ADR recorded a resounding success with a 55% success rate in 2016 compared to 22% in 2012 arising out of investments in training and advocacy.

The crime rate reduced from 314 per 100,000 of the population in 2012 to 296 per 100,000 of the population in 2016.

In terms of human rights observance, the number of reported human rights violations



by JLOS agencies reduced by 41% during the SIPIII implementation. This is partly due to the adoption of a human rights culture and accountability as well as targeted sensitisation of police and prisons that have always featured high in terms of human rights violations.

### **1.1.2 Intra and inter-sectoral linkages**

The JLOS is interlinked with a number of services delivered by other Sectors. JLOS will participate in cross-sectoral knowledge sharing and practice enhancement particularly with the Accountability Sector (governance), Office of the President, the Parliament (legislation), Ministry of Public Service, Social Development Sector (gender, justice for children and probation services and Labour), Agriculture Sector, Trade Sector, Education Sector, Security Sector (human rights and access to justice), Health Sector (access to justice), Local Government Sector (local council courts), and Land Sector (land dispute and administration) among others.

Linkages will be made at 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 experiences on what works, where and why.

### **1.1.3 Description of non-state players**

Key JLOS partners include Non-Governmental Organisations, academia, traditional institutions and faith based organizations, private sector groups, statutory bodies and parastatals and other players deriving or rendering value from the Justice, Law and Order system. Strategies will be developed and implemented for engagement with the different partners in areas of mutual interest.

### **1.1.4. Status of development planning**

Development planning in the Sector is very advanced with the experience of having already implemented three strategic plans. Unlike the 1<sup>st</sup> and 2<sup>nd</sup> investment plans, which were largely developed by consultants the 3<sup>rd</sup> plan was developed by internal resources from within the Sector with external resources brought on board purely as facilitators. The Sector is continuing to strengthen institutional policy and planning units and 90% of the Sector institutions now have the requisite positions for policy and planning in their structures. The process of development planning is collaborative and managed through a committee arrangement with political leaders, accounting officers, development partners, non-state actors and heads of institutions involved in the process from initiation to approval of development plans.

### **1.1.5 Context relevant regional and international instruments**

The framework of the Sector is premised on its cardinal role of undertaking steps that enable all people in Uganda to realize the rights and freedoms enshrined in Chapter IV of the Constitution. Through the collective institutional mandates, JLOS assumes, and through the Sector Development Plan (SDP), seeks to discharge the country's obligation to respect, protect and fulfil universally accepted human rights standards. Some of the relevant international instruments that shape the Sector commitments





are:

- i. The Universal Declaration of Human Rights (UDHR);
- ii. The International Covenant on Civil and Political Rights (ICCPR);
- iii. The International Covenant on Economic Social and Cultural Rights (ICESCR);
- iv. The Convention on the Rights of the Child;
- v. The Convention on the Elimination of all forms of Discrimination Against Women, (CEDAW);
- vi. United Nations Convention Against Corruption;
- vii. United Nations Convention Against Torture ;
- viii. United Nations Convention against Slavery;
- ix. United nations convention against organised crime;

Others include:

- i. The African Charter on Human and People's rights;
- ii. The African Charter of the Welfare of the Child;
- iii. The African Protocol on Advancement of the Rights of Women;
- iv. The Protocol on Common Market of Eastern and Southern Africa;
- v. The Juba Peace Agreement;
- vi. The Rome Statute;
- vii. The Protocol on the Establishment of East African Community;
- viii. AU convention on refugee problems in Africa; and
- ix. The New Economic Partnership for Africa's Development (NEPAD).



## 1.2. Sector vision and relation to Uganda Vision 2040

**SDPIV Theme:** JLOS: Empowering people. Building trust. Upholding rights.

**JLOS Vision:** “Ensure that people in Uganda live in a Safe and Just Society”

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 daily economic and social 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 priority sectors thereby *strengthening Uganda’s competitiveness for wealth creation, inclusive growth and employment*. 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 and is critical for the transformation of society.

### Mission

To improve the safety of the person, security of property, and access to justice for inclusive growth.

### Strategic objectives

- 1) To enhance JLOS infrastructure and access to JLOS services;
- 2) To promote the observance of human rights and fight corruption; and
- 3) To strengthen commercial justice and the environment for competitiveness.

## 1.3 SDPIV Development priorities

The Sector seeks to deepen and broaden access to JLOS services through well targeted interventions aimed at enhancing access to services, mainstreaming human rights and gender equality, fighting corruption and strengthening competitiveness and commercial justice. Major priorities include-

- Widening and deepening access to services of JLOS institutions;
- Eliminating case backlog;
- Addressing the wider civil and criminal justice challenges;
- Development and funding of special programmes to target gender, age, poverty and other forms of vulnerability;
- Mainstreaming national priorities and the Sustainable Development Goals;
- Innovations to bridge the gap between formal and informal justice systems, whilst being committed to national and international human rights standards;
- Tackling the growing concerns of corruption and human rights observance; and
- Proactive engagement and reaching out to actors outside the constitution of the Sector.



## **1.4 SDP IV Development process**

The JLOS SDPIV for the period 2017 to 2020 is a result of many months of preparation by the JLOS institutions that was characterized by extensive participation and consultation within the JLOS and with its stakeholders and partners. It brings continuity to the reforms that were started under the past three Strategic Investment Plans. The process started with an evaluation of the SIPIII design and implementation by a team of independent consultants who commended the design and recommended its continuity. The SDPIV was largely prepared in-house, by the Sector, building on experiences in the preparation of the previous plans and taking advantage of the capacity built within. The JLOS Policy and Planning Units were central in the preparation of the SDP supported by the JLOS secretariat. The process involved country wide consultations, using the JLOS regional and national level structures.

## **1.5 Structure of the SDP**

The SDPIV has six major sections that include

Section 1- The introduction and background to the SDPIV

Section 2 – The situational analysis

Section 3 - The strategic direction

Section 4 - Institutional arrangements for implementation of the SDPIV

Section 5- Financing strategy

Section 6- Monitoring and evaluation arrangements



## 2.0 SITUATION ANALYSIS

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This chapter presents a detailed review of the Sector's status and trends over the period 2012/13 to 2015/16. It presents the Sector's major achievements and challenges and identifies areas that need to be addressed over the period 2017–2020. It is structured around the Sector mission to improve the safety of the person, security of property, and access to justice for inclusive growth.

### 2.1 Physical performance

The four years of implementation of the SIPIII have been a concerted and combined effort of Government, JLOS stakeholders and Development Partners that has resulted in increased public trust, increased stakeholder engagement, awareness and higher satisfaction by the people who seek services from JLOS institutions. According to the JLOS Mid-term review report 2016<sup>7</sup>, public confidence in JLOS institutions has increased significantly from the baseline average of 26% in 2012 to 48%, while public knowledge about JLOS services and institutions has increased to over 90% on average in 2015/16. Public engagement with JLOS institutions and use of JLOS services grew three-fold on average compared to the baselines.

For those persons that have accessed JLOS services the level of satisfaction increased from the baseline average position of 59% in 2012 to 72% in 2016. The index of judicial independence grew by 22% from 2.8 in 2014 to 3.41 in 2016, implying that judicial processes in Uganda have become more independent. The Country's judicial independence ranking too has improved from position 128 in 2014 to 91 in 2016 according to the Global Competitiveness Report, 2016.

According to the World Justice Project Report 2015, Uganda was ranked 68<sup>th</sup> in the World, 9<sup>th</sup> Africa and the first in East Africa in accessibility and affordability of civil justice with a score of 0.43 out of 1, which is comparable to USA which had a score of 0.47 out of 1. The Country was also ranked in the 1<sup>st</sup> position in East Africa and 12<sup>th</sup> in Africa in effectiveness of criminal investigations, adjudication and correctional systems as well as controlling criminal and civil conflict and the fight against violence (order and security) with a score of 0.61 out of 1

There was a reduction in lead times for conducting business searches to fewer than 30 minutes, registration of documents to less than 24 hours and registration of companies is now done within a day. URSB is currently understudying the possibility of providing on line services. Similarly, the ease of accessing travel permits has improved from 34 days in 2000 to 10 days in 2016 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 2016. The Sector monitored and processed over 20 critical bills that impact on JLOS service delivery including the fight against corruption, regulation of Non-Governmental Organisations, elections, functionality of Local Council Courts, and vulnerability among others. Laws were also enacted that will promote national development objectives and improve the environment for doing business in Uganda.

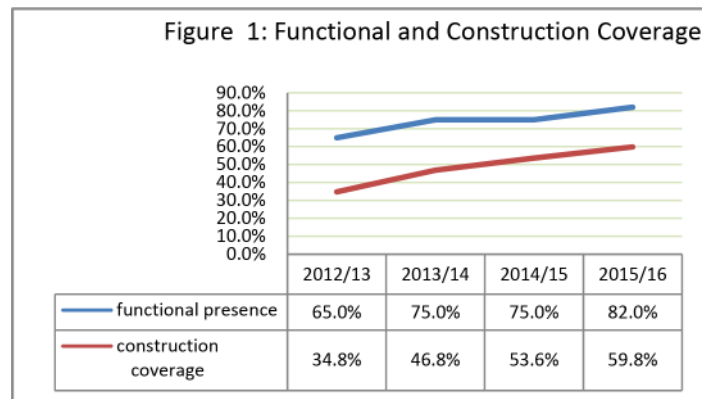
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<sup>7</sup> The Third Strategic Investment Plan (2012-2017) Midterm Evaluation Report – By Business Synergies Public and Private Sector Consultants, October 2016.

As a result of the interventions in legal reform and other innovations, Uganda moved from position 139 in 2012 to 116 in 2016 in the World Bank Doing Business Index, while the Global Competitiveness Report 2016 ranks Uganda's competitiveness at position 115 out of 144 countries in the World. In terms of protection of property rights, Uganda's ranking improved from position 112 in 2014 to 97 in 2015/16 and its property rights index also increased by 14.4% from 3.4 in 2014 to 3.89 in 2015/16.

Unified JLOS services are now available in more districts than was the case in the year 2000. In effect, 82% of the population now traverse shorter distances and access JLOS services in close proximity to each other unlike the situation in 2000. The Sector is now functionally present in 82% of the districts compared to 65% functional presence in 2012/13 as shown in table

**Figure 1: Functional and Construction Coverage**

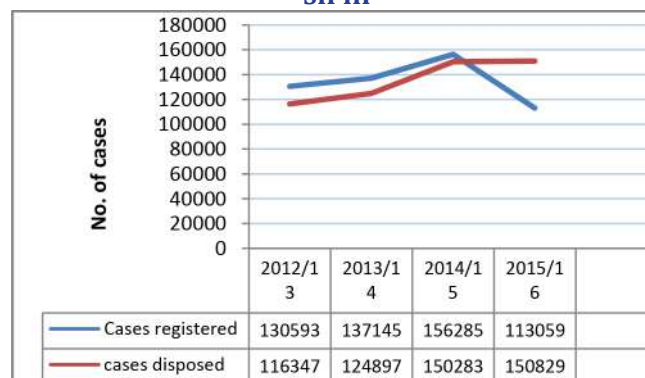


1. In addition, the number of districts with a complete chain of infrastructure for frontline JLOS services increased from 53% in 2014/15 to 59.8% in 2015/16 following completion of various construction projects in UPF, UPS, Court and DPP.

However, the Sector institutions remain largely urban based and unavailable in 18% of the districts while in 41% institutions operate from premises not fit for the purpose. This is compounded by the high cost of rent, which erodes funds required for critical operations. There is therefore need to fast track the construction of the JLOS House Project and justice centres country wide. Efforts should also be made to open new service points and de-concentrate service delivery. The concept of a one-stop centre should also be strengthened.

Following the appointment of staff, increased use of initiatives such as plea bargaining, investments in staff training and enhanced coordination and performance management, the Sector recorded a 20% reduction in pending cases, posting a case clearance rate of 125%. As a result, the average length of stay on remand reduced from 10.5 months to 10.4 months for capital offenders and case backlog reduced from 32% in 2014/15 to 25% in 2015/16. Use of ADR recorded a resounding success with a 55% success rate compared to 26% in 2014/15 arising

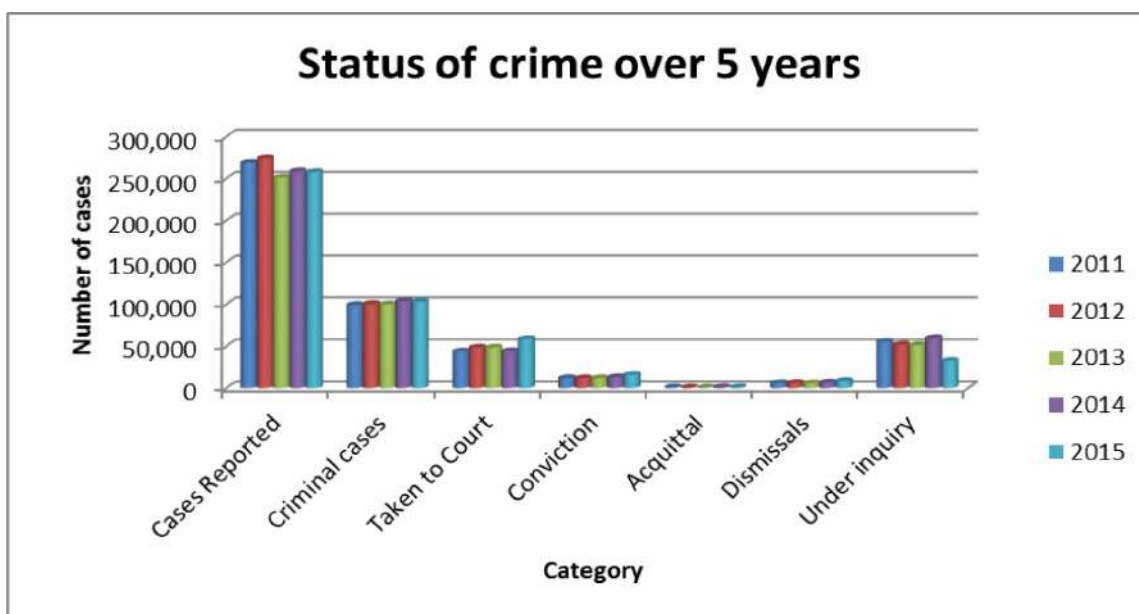
**Figure 2: Courts Case registration and disposal over SIPIII**



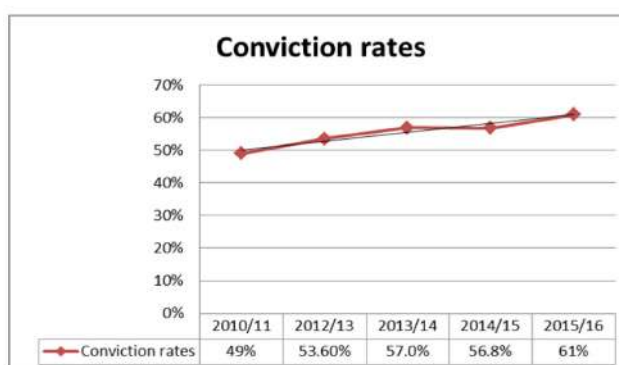
out of investments in training and advocacy. Despite the impressive performance case backlog remains disproportionately high with some cases over 15 years old in the system. This calls for a concerted case backlog reduction and elimination strategy in the short and medium term respectively.

The crime rate reduced from 314 per 100,000 in 2012 to 296 per 100,000 in 2016 because of improved crime response and coordination of criminal justice agencies. In addition, the quality of investigations and prosecutions improved as shown in the increased conviction rate of 61% compared to 49% in 2011(see figure 3).

**Figure 3: Status of crime over 5 years**



**Figure 4: Conviction rates**



The Sector continued to invest in correctional services and rehabilitation of offenders which resulted in a reduction in the rate of recidivism from 27% in 2014 to 21% in 2016. This is one of the lowest recidivism rates in the world.

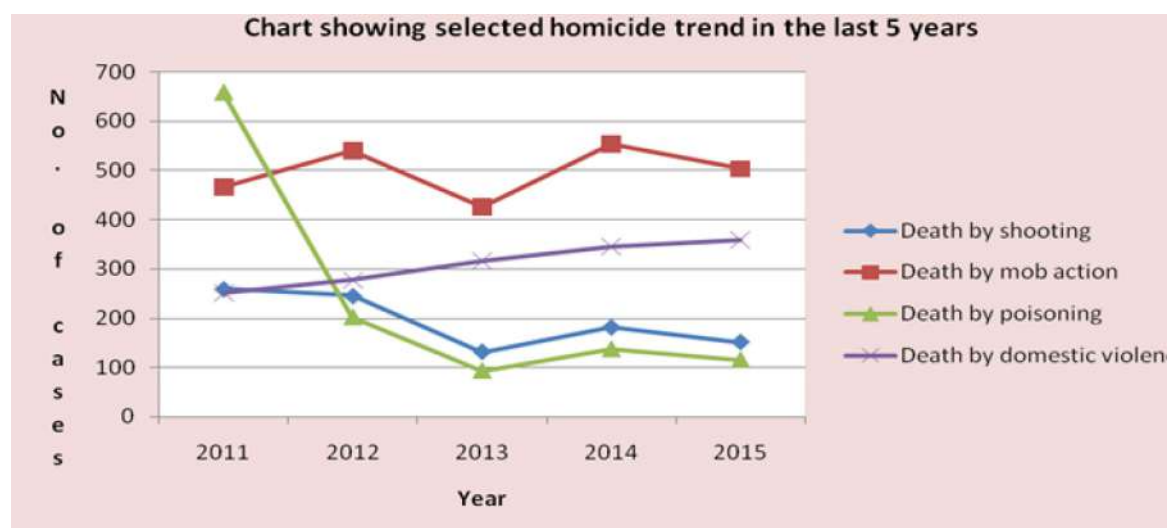
The challenge however is the changing crime trends with new types of crime such as cross border crime, terrorism as well increasing levels of gender based violence. This is coupled with increased levels of congestion and pre-trial detainees in the prisons.

The number of children arrested per 100,000 child population reduced to 8.4 in 2016 compared to 9.4 for every 100,000-child population in 2014. Juvenile diversion is now 84.1% from formal judicial proceedings. The challenge however is the higher than targeted number of children on remand per 100,000 standing at 2.07 for every



100,000-child population compared to the targeted one child per 100,000 child population. Improved performance in addressing needs of children in conflict with the law was partly due to the special Justice for Children project funded by UNICEF. This programme needs to be supported to sustain the gains that have been made.

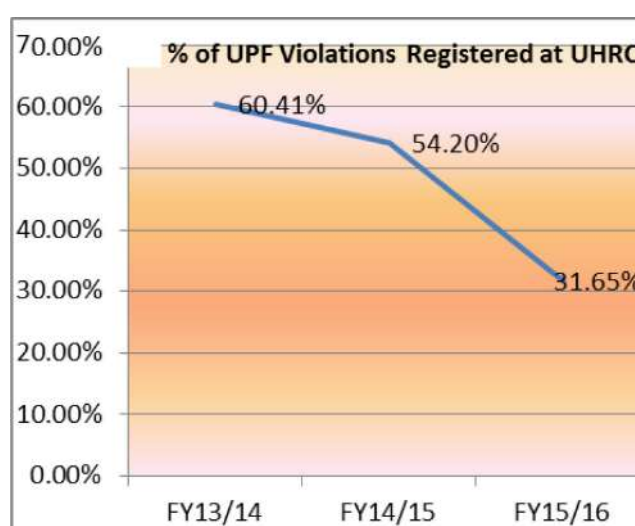
**Figure 5 showing selected homicide trends over the SIPIII period**



In terms of human rights observance, the number of reported human rights violations by JLOS agencies reduced by 41% during the SIPIII period. This is partly due to the adoption of a human rights culture and accountability and sensitisation of police and prisons that have always featured highly in terms of human rights violations.

Improvements were recorded in UPS with 90% of the prison units eliminating the “bucket system” and there are on-going efforts to provide decent water-borne sanitation facilities in all prisons. However, the welfare of prison warders and lower police cadres remains largely un-addressed, especially with respect to housing and living conditions. In addition, the congestion in prisons remains high with the existing holding capacity exceeded by up to two times.

**Figure 6: % of UPF Violations Registered at UHRC**



The fight against corruption is on course with a 12% increase in case disposal and improved internal disciplinary mechanisms that were implemented. The Chief Justice strengthened the inspectorate function in the Judiciary, by appointing a Justice of the Supreme Court as Chief Inspector of Courts.



One of the challenges is the slow, expensive and complex business processes that are largely manual. These among others have led to a prevalence of high lead times, increased cost of access, opportunistic corruption and slow decision making. It is therefore important to re-engineer and automate most of the business processes.

Challenges also still remain with case disposal in the justice system and in some quasi-judicial institutions such as the Uganda Human Rights Commission and Judicial Service Commission that are often affected by the expiry of the terms of service of their Commissioners. These institutions need to be supported to clear their backlog.

The changing crime trends and proliferation of new crimes such as cyber-crime, trafficking in persons, terrorism, white collar crime and the increase in other violent crime, including sex and gender based violence, remain a challenge which tests the preparedness of most crime fighting agencies. This is made worse by the fact that the more sophisticated crimes, many of which are cross border crimes in nature, are on the rise. There is need to enhance crime response and invest in strategies to prevent the occurrence of such crimes.

Justice delivery is a function of numbers. The Sector requires the right number of staff both in quantity and quality to deliver effective and expeditious services. This is not possible with the current judge to population ratio of 1: 720,000, police to population ratio of 1:764, and warder to prisoner ratio of 1:7.

One of the factors that continue to dampen public confidence in the justice system is corruption both real and perceived. It is therefore necessary that the Sector's efforts to fully implement its anti-corruption strategy are supported. Initiatives to deal with public complaints will be strengthened and supported while internal disciplinary processes shall be respected.

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 is the enforcement of the law in practice that counts."

A lot has been achieved by the Sector towards the fight against Corruption including the increasing number of convictions in corruption cases by the Anti-Corruption Division of the High Court. The Sector also supported the development of the legal framework, especially the enactment of the Prevention of Corruption Act and the Whistle-blowers Protection Act. Within the Sector, most institutions are implementing the Anti-Corruption Strategy albeit with a lot of challenges. However, corruption remains a major national challenge.

JLOS service delivery and institutional productivity remains 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 increased attention of JLOS to institutional and individual performance accountability.

There is need to address technical, cost, physical infrastructural and related barriers to access services of all JLOS institutions.



JLOS' mandate is to disseminate legal information to the public. However, levels of legal and rights awareness among the population served by JLOS institutions remains 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 the SDP. JLOS is mandated to raise awareness of the legal and policy framework within which all people including the poor and marginalised groups may assert their rights. JLOS' mandate also extends to dissemination of legal information to the public, popularization of laws and massive education of the public on their constitutional rights and legal protections.

The majority of Ugandans seek information and advice from their social networks and the Local Council Courts (LCCs). Formal legal sources are used as well but to a lesser extent. More vulnerable people (poor people, particularly those in rural areas and people who received less education) tend to seek less information and advice because of a lack of knowledge and confidence and a negative perception about the prospects of solving their problem.

The LCCs, particularly at the lowest level (LC1), hold an important place in Uganda's justice system. Despite the fact that these courts have not been formally constituted since 2001, when their constitutionality under the multi-party dispensation was challenged, they are presently the most widely used institution for dispute resolution in Uganda<sup>8</sup>. Ugandan citizens experience the LCCs as an effective dispute resolution process, although they also report that existing power relations within communities affect decision making in LCCs. Focused investments to strengthen the capacity of LCCs, following their re-constitution, would have a profound positive impact on access to justice in Uganda.

JLOS has since adopted transitional justice as an important process to deliver justice for conflict affected regions and communities in Uganda through the sector wide approach. During the SIP III the Sector was able to integrate Transitional Justice in mainstream sector planning and budgeting for the sector institutions and was able to achieve even in the absence of a legal framework for transitional justice.

A proposed National Transitional Justice Policy was developed in 2013, and it was received with enthusiasm nationally and internationally. According to an online blogger<sup>9</sup>, *'On 21 May 2013, the Republic of Uganda became the first state in Africa to publish a comprehensive Draft Transitional Justice Policy. Six years after the Juba Peace negotiations between the Lord's Resistance Army ('LRA') and the Government of Uganda ('GoU') ended without being formally signed by both parties, the GoU has committed itself to implementing an holistic Transitional Justice policy, designed to address issues of accountability, reparation and reconciliation in post-conflict Uganda. While still a 'draft' policy, it marks an historic step by the GoU in creating a framework designed to implement the provisions of the 'Agreement on Accountability and Reconciliation', Item no. 3 of the Juba Peace Agreement.'*

<sup>8</sup> Justice Needs in Uganda 2016 – Legal Problems in daily life – HiiL Innovating Justice

<sup>9</sup> Paul Bradfield, Beyond the Hague; Thoughts on transitional justice from the Hague and Beyond, posted on August 9 2013, <https://beyondthehague.com/2013/08/09/the-lapse-of-amnesty-in-uganda-stimulating-accountability-or-prolonging-conflict/>



The delay to approve the TJ policy notwithstanding, the Sector prides in the establishment and functioning of the International Crimes Division of the High Court of Uganda.

The Court, which is complementary to the International Criminal Court (ICC) has set a good example in East and Central Africa for national adjudication of international crimes including terrorism, war crimes and crimes against humanity.

Other achievements include the development of the International Crimes Division (ICD) Bill to implement the component on formal criminal justice in the proposed national transitional justice policy to address gaps in the formal criminal justice system including witness protection, victim participation, reparations and access to justice by vulnerable groups.

The Sector supports the Amnesty Commission to resettle and reintegrate the ex-combatants, working hand in hand with the traditional leaders and the community to resettle and reintegrate the former rebels/or abducted persons.

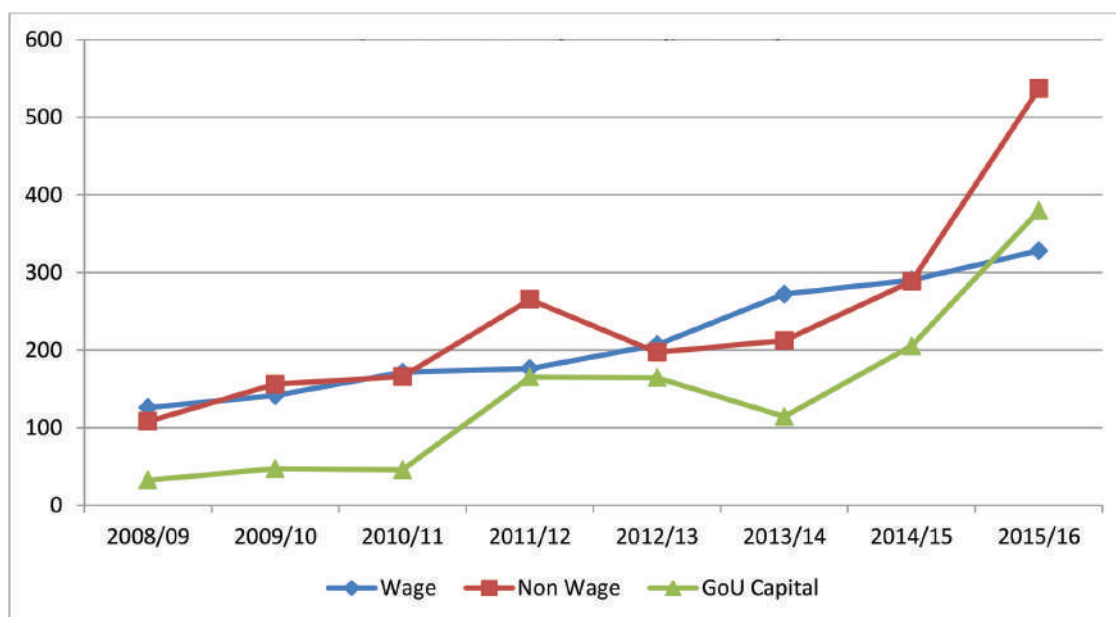
The sector is supporting the development of jurisprudence on the Amnesty law. An Amnesty Amendment Bill was proposed, to address the gaps in the current amnesty process. The sector is quite sensitive that each transitional justice programme is unique and implemented in a specific societal context, often marked by broken institutions, exhausted resources, diminished security, and a distressed population. National capacity should therefore be strengthened to initiate and lead the process.

By and large, given the performance of the Sector over the SIPIII period and during the reporting period, there is a strong belief that improved efficiency and effectiveness in service delivery enhances public satisfaction and grows public trust. It is therefore important that efforts which promote greater public satisfaction with JLOS services should be harnessed and strengthened in the SDP IV. In addition, the 3C's (communication, coordination and cooperation), which is the foundation upon which the Sector is built should be demystified among all stakeholders for the Sector to remain valid, vocal and visible.

## **2.2 JLOS Budget Funding Trends**

60. Over the last few years, the overall Sector budget has grown in absolute terms from 568bn in FY 2012/13 to UGX.1.244trillion in FY 2015/16 as shown in the graph and figure 8 below. However, the share of the Sector of the national budget has declined over time.

**Figure 8. JLOS Budget Funding Trends**



**Table 1 JLOS budget allocations over the SIPIII period**

Item	2012/13	2013/14	2014/15	2015/16
<b>Wage</b>	<b>206.861</b>	<b>271.902</b>	<b>290.036</b>	<b>327.895</b>
Non-Wage	197.126	212.339	288.28	536.758
<b>GoU Capital</b>	<b>164.437</b>	<b>114.306</b>	<b>205.15</b>	<b>379.551</b>
Total	568.424	598.547	783.466	1,244.20

The share of the Sector allocation in the national budget during the implementation of the SIPIII reduced by 19% from 5.6% in 2014/15 to 4.4% in 2016/17. This was made worse by cuts in donor support to the sector following the enactment of the Anti-Homosexuality Bill. The Table 2 below shows the share of the JLOS budget in the National budget which averaged about 1% of GDP. Donor support was also not stable in the period of implementation of the SIPIII as shown in Table 3.

**Table 2 Share of the JLOS Budget in the National Budget**

FY	National budget (tn)	Approved JLOS Budget (tn)	% share
<b>2013/14</b>	13.169	0.59855	4.5%
<b>2014/15</b>	15.054	0.80680	5.6%
<b>2015/16</b>	23.972	1.05700	4.5%
<b>2016/17</b>	26.361	1.15977	4.4%

**Table 3 Statement of Donors support FY 2012-2015/16**

<b>Donor</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
UNICEF	77,043,284	00	647,045,715	1,063,473,286
DANIDA	181,818,182	00	300,000,000	DKK7,500,000
ADC (MfDR)	00	27,820,833	6,907,689	
DGF	00	00	465,687,200	Euro 8,211,356
NETHERLAND	22,000,429,100	25,214,996,741	37,208,480	Euro 1,000,000
SWEDEN	00	11,726,141,440	00	
ADC	Euro 2,000,000	Euro 2,000,000	Euro 2000,000	Euro 2000,000
ADC- ADR		1,065,113,959		
IRELAND	33,656,178	Euro 1,000,000		

**Table 4. Budget allocation by Vote 2015/16 UGX Billions**

<b>Vote</b>	<b>Institutions</b>	<b>Wage</b>	<b>Non-Wage</b>	<b>Capital</b>	<b>Total</b>	<b>% share</b>
<b>007</b>	MoJCA	4.248	52.964	32.21	89.427	7.2%
<b>009</b>	MIA	2.433	9.873	2.113	14.420	1.2%
<b>101</b>	Judiciary	26.571	76.449	6.710	109.730	8.8%
<b>105</b>	ULRC	4.149	5.692	0.235	10.076	0.8%
<b>106</b>	UHRC	5.590	7.409	0.742	13.740	1.1%
<b>109</b>	LDC	3.800	1.500	0.870	6.180	0.5%
<b>119</b>	URSB	7.057	6.658	0.000	13.715	1.1%
<b>120</b>	DCIC	4.106	10.537	131.675	146.317	11.8%
<b>133</b>	DPP	6.322	14.570	7.930	28.822	2.3%
<b>144</b>	UPF	216.820	269.042	176.064	661.926	53.2%
<b>145</b>	UPS	46.020	79.681	20.729	146.429	11.8%
<b>148</b>	JSC	0.780	2.384	0.269	3.433	0.3%
<b>TOTAL</b>		<b>324.095</b>	<b>535.258</b>	<b>378.681</b>	<b>1,244.03</b>	

**Table 5. JLOS MTEF Wage Ceiling (UGX Billion.)**

Institution	2012/13	2013/14	2014/15	2015/16
MoJCA	3.996	4.156	4.156	4.248
MIA	1.490	2.340	2.34	2.433
Judiciary	15.316	24.513	24.88	26.571
UPF	140.936	186.489	194.17	216.820
UPS	29.530	31.377	39.20	46.020
DPP	4.690	4.984	6.04	6.322
ULRC	0.75	2.399	2.40	4.149
JSC	0.750	0.780	1.47	0.780
UHRC	2.47	3.590	3.59	5.590
LDC	2.849	3.024	3.02	3.800
DCIC	2.140	2.362	2.80	4.106
URSB	1.944	5.974	5.97	7.057
Total	<b>206.861</b>	<b>271.988</b>	<b>290.036</b>	<b>324.095</b>

**Table 6. JLOS MTEF Non-Wage (Billion)**

Institution	2012/13	2013/14	2014/15	2015/6
MoJCA	20.375	11.942	11.97	52.964
MIA	7.78	7.505	7.53	9.873
Judiciary	40.139	49.768	52.63	76.449
UPF	73.34	67.195	137.22	269.042
UPS	31.45	44.116	44.94	79.681
DPP	7.591	9.961	9.96	14.570
ULRC	2.637	4.427	4.79	5.692
JSC	1.515	1.443	1.47	2.384
UHRC	5.949	5.968	5.97	7.409
LDC	0.0	1.500	1.50	1.500
DCIC	5.58	5.773	7.56	10.537
URSB	0.770	2.741	2.74	6.658
Total	<b>197.126</b>	<b>212.339</b>	<b>288.28</b>	<b>535258</b>

**Table 7. JLOS MTEF Development Ceiling growth (Billion)**

Institution	2012/13	2013/14	2014/15	2015/16
MOJCA	23.100	24.484	24.484	32.21
MIA	8.8	1.033	1.03	2.113
Judiciary	9.37	8.79	5.95	6.710
UPF	48.53	61.664	71.66	176.064
UPS	12.440	10.187	10.19	20.729
DPP	0.200	1.975	5.98	7.930
ULRC	2.70	0.200	0.20	0.235
JSC	0.11	0.028	0.24	0.269
UHRC	2.468	0.143	0.14	0.742
LDC	0.619	0	0.87	0.870
DCIC		30.286	108.89	131.675
URSB				
<b>Total</b>	<b>104.437</b>	<b>114.306</b>	<b>223.391</b>	<b>378.681</b>

## 2.3 EMERGING ISSUES

### 2.2.1 Changing crime trends including cross border crimes, terrorism and cyber-crime and sexual and gender based crime

According to the UPF crime reports, statistics show that the trend of crime over the last few years reflects a positive picture regarding prevention and detection of crime in Uganda. The UPF annual reports for 2007 – 2014 show that the rate has reduced from 831 in 2007 to 298 in 2014 representing a decline of 64% over the last eight years.

Despite the steady decline, there are categories of crime that are on an upward trend. These include sex related crimes that have increased by 64% from 7,360 in 2009 to 12,077 in 2014. In the period of 2013 and 2014 alone, sex related offences increased by 26% from 9,598 to 12,077. The child related offences increased by 27% from 8,646 cases in 2009 to 10,974 in 2013. Corruption related crimes more than quadrupled and increased by 382% from 95 cases in 2009 to 485 in 2014. Between 2013 and 2014, the number of corruption cases handled by the Criminal Investigations Directorate increased by 11% from 413 to 458. Cybercrime more than doubled from 36 cases to 83 in 2014. In addition, the threat of terrorism is still very present in Uganda.

Trafficking in Persons has also been on an increasing trend with 57 registered cases of domestic trafficking and 236 cases of transnational trafficking. Despite the milestones achieved so far, there are still structural and evidentiary challenges that need to be addressed so as to prevent Uganda growing further as both a source and transit country for trafficked persons.

With the growth of more sophisticated, technology based and syndicated crime, the methods and skills required of law enforcement personnel needs to be built to meet the new challenge. This requires greater investment in information technology,

in forensics and in human resource development as part of the overall strategy to reduce the incidence of crime.

### **2.2.2 Climate change and environmental issues that impact other national programmes leading to land disputes**

The adverse impact of climate change has become more evident in Uganda, with shifting weather and seasonal patterns. This is particularly harmful to an economy heavily dependent on agriculture and where the land is the basis of sustenance for many families. The impact of environmental degradation has been experienced by way of changing rain patterns, prolonged drought and floods and the resultant food insecurity. These challenges have heightened the conflicts around natural resources, including water, grazing areas and arable land.

The strategy will address the conflicts arising out of the increasing pressure for resources. In addition, the Sector will focus on the preventive measures, particularly the protection and management of eco-systems through the enforcement of environmental laws and by supporting efforts of other sectors, in promoting sustainable, eco-friendly development initiatives in the most vulnerable communities.

### **2.2.3 High youth/child population**

Uganda currently has the second youngest population after Niger. 55% of the population is below 18 years and 23% are between 18 and 30. The age dependency ratio stands at 103%<sup>10</sup>. Unemployment in Uganda is also high. While the youthful population can be viewed as a future asset, the current combination of youth and unemployment is an immediate threat.

While the proportion of orphans have dropped from 13.1% in 2002 to 8.04% in 2014 and there has been a rise in literacy levels, these statistics must be transformed into productivity for Uganda to benefit from its youthful population. A conducive environment needs to be provided to turn the children of today into productive members of society in the future. The risk of them falling into crime is a clear threat to this transformation and efforts must be enhanced to reduce the number of children who are susceptible to engaging in crime and divert those who have already fallen into crime from the criminal justice system. In addition, the most vulnerable should be protected from violence and harm including sexual and gender based violence, domestic violence and trafficking. The Child Justice Strategy and the Justice for Children programme will be further developed and sustained through the SDPIV period to address these concerns.

### **2.2.4 Sustainable Development Goals**

67. Uganda recognises and is committed to working to attain the Sustainable Development Goals. The JLOS in particular will, over the SDPIV period, focus on Sustainable Development Goal 16 which seeks to promote peaceful inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. The Sector will also contribute to the attainment of Goal 5 which seeks to achieve gender equality and empower all women and girls.

<sup>10</sup> Uganda Bureau of Statistics – National Population and Household Census, 2014





Peace, justice and effective institutions are critical to sustainable growth and development. It is acknowledged that people still struggle due to weak institutions and lack of access to justice. Violence against people, particularly children is a recurring challenge with homicides, trafficking and sexual violence being of particular concern due to their increasing occurrence<sup>11</sup>. The proportion of the population in detention also has a negative impact on productivity and development and places an undue burden on the taxpayer.

We acknowledge that corruption and lack of transparency contribute to the gaps in access to justice and the limited trust in JLOS institutions. The targets set for the SDG's will therefore be an integral part of the Sector's Strategy and will guide the development and implementation of the SDPIV.

### **2.2.5 Terrorism**

Terrorism, while a global challenge, poses a continuing threat to regional peace and security in the Horn of Africa and the Great Lakes region. Uganda's young population is vulnerable to these threats due to the crises in neighbouring States, lack of skills and access to productive Sectors, weakening family structures and international connectedness particularly through migration and easier flow of information. There is need for continued vigilance to prevent the growth in radicalism as well as deliberate efforts to provide a conducive environment for the growth of productive sectors that can provide employment and other opportunities for the most vulnerable. In addition, resources still need to be constantly committed to the prevention and detection of terrorism and there is need for constant capacity building and equipping of those institutions responsible for preventing, detecting, investigating, prosecuting and adjudicating cases of terrorism.

### **2.2.6 Refugees**

Uganda is currently host to approximately 1.2 million refugees from across the Great Lakes Region and the Horn of Africa. While Uganda's refugee policy has been lauded globally, the justice needs of refugees still remain largely unattended<sup>12</sup>. Crime is present in the refugee settlements as in any other community, and forced migrants are being brought into the criminal justice system. The peculiar challenges that they face, such as language barriers, absence of suitable persons to stand surety, lack of knowledge of the laws and procedures and lack of means to secure legal representation, create more complicated conditions when handling their matters. Specific attention needs to be paid to the peculiar needs of refugees, as well as the need to have robust structures to address conflict within the settlements and with neighbouring host communities. The informal justice systems, legal aid structures and local council courts need to be developed further and supported to meet these needs.

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<sup>11</sup> <http://sustainabledevelopment.un.org/sdg16>

<sup>12</sup> Refugee Law Project – A Study of Informal Justice Structures in Refugee Settlements in Uganda, 2016





## 2.4 SWOT ANALYSIS

The main strengths identified in overall service delivery revolve around the existence of policy frameworks to guide service delivery and the commitment by Sector institutions to improve the delivery of services. The main weaknesses identified in overall service delivery were the physical state of facilities, access to services, the levels of information provided to citizens, the lack of proper complaints mechanisms, and the lack of consultation with citizens, as well as internal clients to the departments. Government and departmental initiatives to improve service delivery have been identified as the best existing opportunities to the overall quality of justice services. The challenge that remains is their gradual implementation.

Limited financial and human resources, insufficient staff training and the lack of ongoing monitoring and evaluation of service delivery remain threats that can hinder possible improvements in the Sector.

The Sector Secretariat is expected to be lean, but even then not all positions are filled. The position of Advisor Access to Justice Civil remains vacant and must be filled to enhance sector coordination. The individual staff establishment for the JLOS MDAs will be captured in the individual institutional strategic plans, which will be integral implementing parts of this plan. The Sector currently has a functional M&E plan with structures for M&E in all Sector institutions, coordinated by an advisor M&E based at the Sector Secretariat. A functional M&E system is in place although it is manual and must be automated. As part of the system there is joint GoU/Donor M&E taskforce that conducts periodic joint M&E programmes including periodic Sector reviews.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>▪ Relevant institutional structures in place;</li> <li>▪ Strong Sector Coordination, Communication and Cooperation;</li> <li>▪ Increasing legal and civic awareness;</li> <li>▪ Increasing Government and donor support</li> <li>▪ Increasing public confidence and satisfaction</li> <li>▪ Improving access and affordability of civil justice</li> <li>▪ Effectiveness of the criminal justice system</li> <li>▪ Independence of the judicial process;</li> <li>▪ Numerous initiatives to improve access to justice (e.g. Justice Centres Uganda, Small Claims Procedures, Plea Bargaining, etc.);</li> </ul>	<ul style="list-style-type: none"> <li>▪ Perceived high level of corruption;</li> <li>▪ Under-remunerated, under facilitated and unmotivated Sector staff;</li> <li>▪ Inadequate human resource capacities</li> <li>▪ High case backlog leading to overcrowding in prisons and high proportion of awaiting trial detainees;</li> <li>▪ Long physical distances from JLOS services;</li> <li>▪ Inadequate funding and rudimentary infrastructure and technology;</li> <li>▪ Knowledge gap by JLOS officers on new and emerging areas of law and new trends in court management, policing, correctional services, etc.</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>▪ Local Council Courts and other community based structures and initiatives;</li> <li>▪ Sector wide approach</li> <li>▪ Harnessing the demographic dividend (Big young population)</li> <li>▪ Improved community engagements e.g. community policing;</li> <li>▪ Oil and gas production;</li> <li>▪ Growing trade and investment opportunities.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Limited financial and human resources;</li> <li>▪ Changing crime trends;</li> <li>▪ Increasing land disputes;</li> <li>▪ High child/youth population</li> <li>▪ Gaps in the existing legislation and slow review process of laws.</li> </ul>

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



## 3.0 SDPIV STRATEGIC DIRECTION

The SDP IV is the fourth Strategic Planning framework for the Justice Law and Order Sector and builds on the results of the previous plans. The JLOS planning framework was established on the basis of the need for an effective legal sector programme that is “tightly focused on strengthening the efficiency and effectiveness of the civil justice system, and within this especially the commercial justice system, as well as the criminal justice system”.<sup>13</sup>

### Values:

- *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;
- *Growth and equity in service provision* to eliminate the gender, age, social and geographical disparities in the distribution of benefits from JLOS SIP III investments;
- *Deepening and strengthening de-concentration* in line with the overarching policy of moving political and governance structures nearer to the people; and
- *Transparency in the partnership; Accountability to stakeholders; and Excellence in implementation processes and outputs.*

### 3.1 Vision

Ensure that people in Uganda live in a safe and just society

### 3.2 Mission

To improve the safety of the person, security of property, and access to justice for inclusive growth.

### 3.3 GOAL

The overall goal of the Sector is “to Promote the Rule of Law

### 3.4 Development Objectives

- 1) To enhance JLOS infrastructure and access to JLOS services
- 2) To promote the observance of human rights and fight corruption
- 3) To strengthen commercial justice and the environment for competitiveness

<sup>13</sup> Report of the Roundtable Discussion on the Government of Uganda Legal Sector Strategy – Monday 1<sup>st</sup> November 1999, Mamba Point Restaurant, Pg. 3

### 3.5 SDPIV Development Result

**Table 8. SDPIV Development Results**

SDPIV Goal and Objectives	Development indicators	Baseline 2016	Target 2020
<b>Overall Goal: To promote the rule of law</b>	Public Trust in the justice system	49%	55%
	Public satisfaction with JLOS services	72%	75%
	Index of Judicial independence	3.41	3.8
	Status of accreditation of UHRC	A	A
<b>Objective1: To enhance infrastructure and access to JLOS services</b>	% of case backlog in the system	24%	9%
	% of districts with a complete chain front line one stop JLOS service points	59.3	80
	Crime rate	298	287
<b>Objective 2: To promote observance of human rights and fight corruption</b>	Corruption perception index	0.25	0.30
	Proportion of decisions against JLOS institutions to total cases concluded by UHRC	46%	30%
	Proportion of remand prisoners	52%	45%
<b>Objective 3: To strengthen commercial justice and the environment for competitiveness</b>	Ease of doing business index	57.7	63
	Efficiency of the legal framework in settling disputes	3.8	4.1

### 3.6 SDPIV alignment to NDPII commitments

Under the NDPII, wealth creation and employment are among the critical goals and these can only be realised if there is an environment that promotes investment. Inclusive growth and transformation cannot thrive in the absence of the rule of law. The rule of law regulates economic activity, defines and affirms rights and obligations, therefore clarifying for investors the laws and institutional environment for doing business. Increasing the impact of efficient and effective justice delivery is therefore fundamental for poverty reduction, economic development and growth. An effective justice system ensures safety of the person and security of property, which are vital and necessary to providing an enabling environment for productive activity, investment and competitiveness.

In line with the second National Development Plan, the Fourth JLOS SDP seeks to consolidate promotion of the rule of law by ensuring that at least 75% of the population of the people in Uganda are satisfied with JLOS services and that public confidence in

the justice system is increased from 48% in 2016 to 58% by 2020.

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 and implementing laws, regulations and institutional arrangements that shape daily economic and social 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 priority sectors *strengthening Uganda's competitiveness for wealth creation inclusive growth and employment*. 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 and is critical for the transformation of society. The Sector goal under the NDP II is to ***promote the rule of law***.

### 3.7 Guiding Sector policy framework

The Sector seeks to deepen and broaden access to JLOS services through well targeted interventions aimed at enhancing access to services, mainstreaming human rights and gender equality, fighting corruption and strengthening competitiveness and commercial justice. This calls for the full involvement of every sector institution; individually and collectively to deliver these results within their mandates and capacities guided by the following-

- Deliberate emphasis to fully discharge sector roles and mandate;
- Widening and deepening access to services of JLOS institutions;
- Eliminating case backlog;
- Addressing the wider civil and criminal justice challenges ;
- Development and funding of special programmes to target gender, age, poverty and other forms of vulnerability;
- Mainstreaming national priorities and the Sustainable Development Goals;
- A deeper knowledge and understanding of the informal justice systems with a focus on innovations to bridge the gap between formal and informal justice systems, whilst being committed to national and international human rights standards;
- Tackle the growing concerns of corruption and human rights observance; and
- Proactive engagement, collaboration and reaching out to actors outside the constitution of the Sector.



## **3.8. STRATEGIC OBJECTIVES**

### **3.8.1 TO ENHANCE INFRASTRUCTURE AND ACCESS TO JLOS SERVICES.**

The Sector is currently in a position where the geographical distribution and equipment of its service points does not provide access to all communities and are spread disproportionately 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 building capacity of institutions to enhance access to justice. This objective will support institutions to deliver services in accordance with the user entitlements and standards stipulated in the Constitution. The term “access to justice” describes the ability of any person, regardless of income, to use the legal system to advocate for themselves and their interests. The focus will not only be on infrastructure but also addressing the critical barriers that limit access to services of the JLOS institutions including but not limited to cost, distance, procedures, knowledge, time, technicalities etc.

#### **Strategic Interventions**

##### **3.8.1.1 Eliminate all cases that are over three years in the judicial system by 2019**

In Uganda’s justice system, case backlog and delays in delivery of justice has been one of the main indictments against JLOS. The right to speedy trial and delivery of judgment is one of the major facets of the general right to fair hearing. 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.

#### **Strategies**

- a. Strengthen case management systems
- b. Review procedures that lead to delay in disposal of cases
- c. Improve records management and storage
- d. Strengthen the chain linked initiative

##### **3.8.1.2 Enhance efficiency and effectiveness of JLOS Institutions**

JLOS will address the issue of institutional functionality through a sector wide capacity assessment and capacity development plan aimed at optimal utilization of resources to develop capacities to attain the SDP IV results. Of particular interest will be leadership capacities; systems; staffing and staff capacities; tools and infrastructure and capacities to integrate cross cutting issues; rights based approach and results oriented management across the Sector.

#### **Strategies**

- a. Review, reform and automate business processes in all institutions
- b. Build capacity and retool all institutions to provide services
- c. Strengthen supervision and collection of information for decision making
- d. Strengthen research capacity and continuous learning
- e. Advocacy to fill staff structures, enhance pay and staff welfare.



### **3.8.1.3 De-concentrate service delivery and ensure physical and functional presence of frontline JLOS services at county level by 2020.**

The Sector will improve its infrastructure by ensuring availability of buildings, libraries and other facilities through construction of offices and ensuring availability of basic services such as electricity, water, communication facilities in each service point. JLOS will categorize and classify its services into JLOS districts at national, district and the lowest levels under a JLOS Services Functional De-concentration Strategy and Plan. 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 at all points of service delivery. The focus shall be on rolling out the justice centres model to ensure completeness of the chain of justice up to county level.

#### **Strategies**

- a. Implement the Sector infrastructure development plan
- b. Establish infrastructure and open new service points to complete the chain of justice country wide

### **3.8.1.4 Strengthen Justice for children**

For children's rights to be more than a promise there must be a way for those rights to be enforced. Access to justice for children means that children, or their appropriate advocates where applicable, must be able to use and trust the legal system to protect their human rights. The legal system must provide children the means to obtain a quick, effective and fair response to protect their rights; the means to prevent and solve disputes; mechanisms to control the abuse of power; and all of this must be available through a transparent, efficient, accountable and affordable process. The importance of access to justice applies equally to children and adults, yet children's rights in this area are always neglected and ignored. To address their shortfall the Sector under SDPIV will implement the following strategies.

#### **Strategies**

- a. Promote child friendly services
- b. Build capacity of child justice duty bearers and institutions
- c. Fast track disposal of child related cases at all levels of the justice chain
- d. Pay special attention to children in post conflict areas.

### **3.8.1.5. Strengthen access to legal aid services**

While our legal system can be a powerful tool for remedying wrongs, it is also extremely complex and can be difficult to navigate without the help of a trained advocate. For those unable to afford an advocate, access to the court system and the justice it can provide are limited. For those who choose to represent themselves, court costs and filing fees can be a barrier to obtaining justice. It can also be difficult to find information on simple procedural issues, like when and where to file a lawsuit and what rights you have in court. Without equal access to the justice system, many poor Ugandans struggle with legal problems that negatively affect their livelihood, their children and families. Our justice system is only as strong as the weakest person it protects. Ensuring that poor people have equal access to the legal system is important





not only for protecting their quality of life; it's also essential for maintaining the quality of justice available to everyone in our society.

Under the SDP IV, the Sector will seek to strengthen and extend the State Brief Scheme to support Chief Magistrates and ensure that fewer cases are dismissed for lack of representation. The Sector will specifically focus on building the capacity of Legal Aid Service Providers to serve the population and will also align the Pro Bono scheme and the State Brief Scheme, while at the same time ensuring availability of choice.

In light of the challenges the Sector will implement the following strategies-

### **Strategies**

- a. Strengthen the state brief scheme and pro-bono services
- b. Promote coordination and regulation of Legal Aid Service Providers (LASPs)
- c. Fast track the enactment of legal aid promoting laws
- d. Expanding efforts to assist self-represented litigants

#### **3.8.1.6. Strengthen measures to effectively and efficiently prevent and respond to crime.**

The Sector must pursue the formulation of a national policy on crime prevention, strengthen the capacity of crime fighting agencies including investigation, prosecution and correctional institutions to reduce the crime rate and effectively and efficiently respond to crime. In addition, the Sector will identify and implement specific measures to boost rehabilitation of offenders including juveniles to reduce the levels of recidivism in the country. Crime prevention strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime will be implemented. Specifically, the Sector will implement the following strategies

### **Strategies**

- a. Build capacity of crime fighting agencies
- b. Strengthen investigation of crimes and set and implement standards for investigation, prosecution, adjudication and correctional services
- c. Strengthen the use of scientific evidence in crime management
- d. Roll out neighbourhood watch programmes and community policing

#### **3.8.1.7. Ensure stakeholders empowerment and enhance access to legal information**

Limited legal information among the vulnerable users of JLOS services affects their ability to leverage and take advantage of services offered by JLOS to protect their interests. The Sector will under SDP IV increase access to public education in the administration of justice through the following strategies-

### **Strategies**

- a. Establish information desks and provide user guides;
- b. Hold periodic service user dialogues, JLOS Open day and awareness weeks
- c. Carry out civic education on maintenance of law and order and administration of justice





### **3.8.1.8. Promote gender equality and equitable access to justice**

The Justice Law and Order Sector has a duty to ensure that the Sector identifies and addresses gender inequalities to ensure compliance with Uganda's national and international commitments, including SDG 5 on Gender Equality. As part of the goal to achieve justice for all deliberate efforts must be made by the Sector to address gender and access to justice with particular focus on addressing the steeper barriers women face in accessing justice, countering the underrepresentation of women within the workforce in JLOS institutions and addressing the rise in crimes that specifically target women and girls.

#### **Strategies:**

- a. Provide a common framework for gender mainstreaming in the Sector;
- b. Enhance the capacity of Sector institutions to mainstream gender in planning, budgeting and monitor progress in promoting gender equality;
- c. Strengthen the collection, analysis, documentation and dissemination of information on gender issues and impacts on access to justice;
- d. Strengthen measures to address justice needs of refugees and host communities

### **3.8.1.9 Strengthen informal justice and transitional justice mechanisms**

Conflict in northern Uganda and the Rwenzori sub regions lead to marked lawlessness and limited access to justice considering that the normal administrative and enforcement mechanisms of the Justice, Law and Order were strained and the two sub regions still bear vivid scars of the war. To wit came a considerable number of victims with the most vulnerable not being able to move on from the scars of war. Whereas the Sector recognises Government initiatives to address conflict and its effects there are serious shortfalls that have been experienced, creating the need for a holistic and comprehensive approach to institutionalize Government initiatives to address the current gaps and outstanding effects of conflict on the citizens of Uganda. The process of developing a transitional justice framework started in SIPIII, remains incomplete with a draft policy and administratively set up structures. There is therefore need to fast track the transitional justice process and strengthen transitional justice mechanisms. In the SDPIV the sector focus on TJ will be on enabling institutions and structures within and outside the sector to implement transitional justice initiatives/mechanisms. As such the affected communities and victims will be able to access JLOS services. Secondly the role of Local Council Courts in access to justice in communities cannot be over emphasised. It is therefore important that local council courts are re-established.

#### **Strategies**

- a. Re-establish and build capacity of local council courts I&II
- b. Strengthen transitional justice mechanisms



### **3.8.2 To promote the observance of human rights and fight corruption**

The Vision 2040 highlights the observance of human rights as a critical feature of Uganda's governance and rule of law architecture. This is also a fundamental intervention that promotes the citizens' dignity in development, and impacts on Uganda's national and international governance rating. Continued human rights violations undermine the rule of law and constitutionalism in Uganda, erode public confidence and trust in JLOS institutions, and stands in stern contrast to our regional and international obligations

Corruption, if left unabated has the capacity to undermine the over 16 years of JLOS reform investments. This would erode independent administration of justice, vitiate the rule of law, and therefore lead to a mafia state capture. The poor and vulnerable person would suffer the biggest brunt of such a scenario.

## **Strategic Interventions**

### **3.8.2.1 Strengthen measures to reduce human rights violations by JLOS Institutions**

JLOS institutions are reported to be the most frequent respondents in cases of human rights violations and this erodes public confidence in law enforcement agencies, legitimacy in upholding the rule of law, and the resultant awards against Government lay a heavy financial burden on the State. Therefore, the Sector will stem the negative trend through a combination of internal and external focused approaches especially for law enforcement institutions (UPF and UPS).

## **Strategies**

- a. Strengthen key JLOS human rights structures and enforcement of UHRC decisions
- b. Implement the Uganda National Action Plan on Human Rights and SDGs.
- c. Strengthen the enforcement of existing legal and policy frameworks.
- d. Training and sensitisation of staff

### **3.8.2.2. Strengthen measures to promote citizens' rights and obligations**

The inadequate knowledge within the public domain and citizenry contributes to low levels of effective demand for rights, implementation of citizen responsibilities, accountability, and therefore creates opportunity for impunity. An informed and empowered citizenry averts abuses of human rights, enforces legal rights and contracts, provides a platform for social accountability, galvanises participatory governance, and fosters the rule of law. The Sector will pursue an internal and external oriented approach to realise this strategy.

## **Strategies**

- a. Build knowledge based public consciousness of human rights standards and citizens' responsibilities to deepen social accountability.
- b. Enhance information dissemination on rights including transitional justice



### **3.8.2.3. Enhance efficiency and effectiveness of JLOS Institutions to fight corruption**

The 2015 National Service Delivery Survey revealed that in cases of bribery, fraud, and extortion the Uganda Police Force were ranked as most corrupt at 75% and the Judiciary was ranked 4th at 19%. The JLOS SIP III Mid-term survey placed the corruption prevalence perception rating at 82.1% with the Uganda Police Force, Judiciary, and DPP ranking top respectively. The Sector will shift a notch higher from framework development (laws and institutional set-up) to enforcement with a focus on zero tolerance to corruption.

#### **Strategies:**

- a. Enforce anti-corruption laws including asset recovery orders
- b. Strengthen detection and investigation of corruption
- c. Build capacity of JLOS anti-corruption agencies
- d. Roll out the implementation of the JLOS anti-corruption strategy

### **3.8.3 To Strengthen The Commercial Justice And The Environment For Competitiveness**

The rule of law regulates economic activity, defines and affirms rights and obligations, therefore clarifying to investors the laws and institutional environment for doing business. Efficient and effective justice delivery is therefore fundamental for poverty reduction, and inclusive growth. Aware of the gains made during SIPI under the commercial justice reform programme, and recognising that under SIPII and III little effort was undertaken to leverage the gains under commercial justice, there was either stagnation or reversal of some of the gains. The Sector under SDPIV will implement the following strategic interventions to provide an enabling environment for productive activity, investment and competitiveness.

#### **Strategic interventions:**

#### **3.8.3.1. Reform and update laws to promote competitiveness and regional integration**

The Sector will review the legal framework for commercial justice and identify areas for law reform and development to address the needs of new, emerging and changing areas of commercial business and practice. This will be aimed at providing a robust and supporting legal and policy framework for the growth and operation of new industries and business models as well as those areas that have been introduced to support Uganda's interventions in regional integration.

#### **Strategies**

- a) Propose legislation in new and emerging areas of commercial justice
- b) Consolidate and make available all commercial laws
- c) Simplify procedures
- d) Enforce existing commercial laws



### **3.8.3.2. Strengthen business registries (URSB, DCIC, NIRA, NGO Bureau)**

Strategies will be implemented to enhance the efficiency of all the business registries, including measures to support integration for better communication between the various registries. This is intended to promote effectiveness and enhance the ability to adequately monitor and track the performance of various entities in order to provide appropriate support services. The Sector will further work towards greater automation to provide a customer-oriented service that promotes more efficient growth and operation of businesses.

#### **Strategies:**

- a) Retooling and equipping
- b) Records management
- c) Staff training and placement
- d) Stakeholder sensitisation

### **3.8.3.3 Strengthen commercial and land dispute resolution processes and institutions**

Reforms in the area of commercial justice under SIP I and II, placed the commercial justice institutions at the cutting edge of innovations in the region. Under the SDP IV the Sector will revive efforts to build the Commercial Court as a Centre for Excellence in dispute resolution and will also strengthen the capacity and operations of the other commercial justice institutions to provide fast and effective dispute resolution in all the specialised areas and in the area of Alternative Dispute Resolution.

Land justice disputes continue to take up a large proportion of the load in terms of case backlog in the civil arena and have been noted to contribute to several criminal matters, including murders, arsons, assaults and trespass. The delay in disposal of these matters also means that vast assets are tied up in litigation for prolonged periods, therefore hindering economic development processes. Strategies will be employed to give particular attention to the disposal of land matters and to strengthen the institutions that are specialised in this field.

#### **Strategies:**

- a) Case management systems
- b) Roll out initiatives such as mediation, small claims and land courts
- c) Review rules and procedures that cause delays
- d) Review business processes
- e) Build capacity of duty bearers in commercial and land justice and labour dispute resolution



## 4.0 INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTING THE PLAN

The JLOS SDP IV interventions under NDP II will be implemented by the 18 institutions that comprise the Sector along with Non-State Actor partners and development partners. In light of the strength and robustness of the existing management structures, the SIPIII structures have been retained and will be utilized to deliver SDP IV results.

### 4.1 Participating Institutions:

JLOS draws together 18 institutions that are involved in administering justice and maintaining law and order and promoting the observance of human rights in Uganda. The Leadership Committee reserves the right to admit entry of any other institution into the Sector. In considering an institution for admission to the Sector the Leadership Committee shall consider the mandate of the institution. All institutions under JLOS must have mandates that relate to the administration of justice and maintenance of law and order and they should be rule of law institutions.

Resources channelled through JLOS are aimed at enhancing service delivery in line with set standards. JLOS support to institutions is meant to catalyse the institutions to better execute their mandates. JLOS resources are not an additional resource. They are institutional entitlements to deliver services to the people that should be subjected to similar oversight and institutional leadership scrutiny. It has been noted in reviews of Sector performance that institutional performance was highest where JLOS resources planning, management and accounting was mainstreamed into the institutional resources. It was further recommended to pitch the institutional participation with the management committees. Previous SIPs were not resolute about the roles of participating institutions and reviews 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.

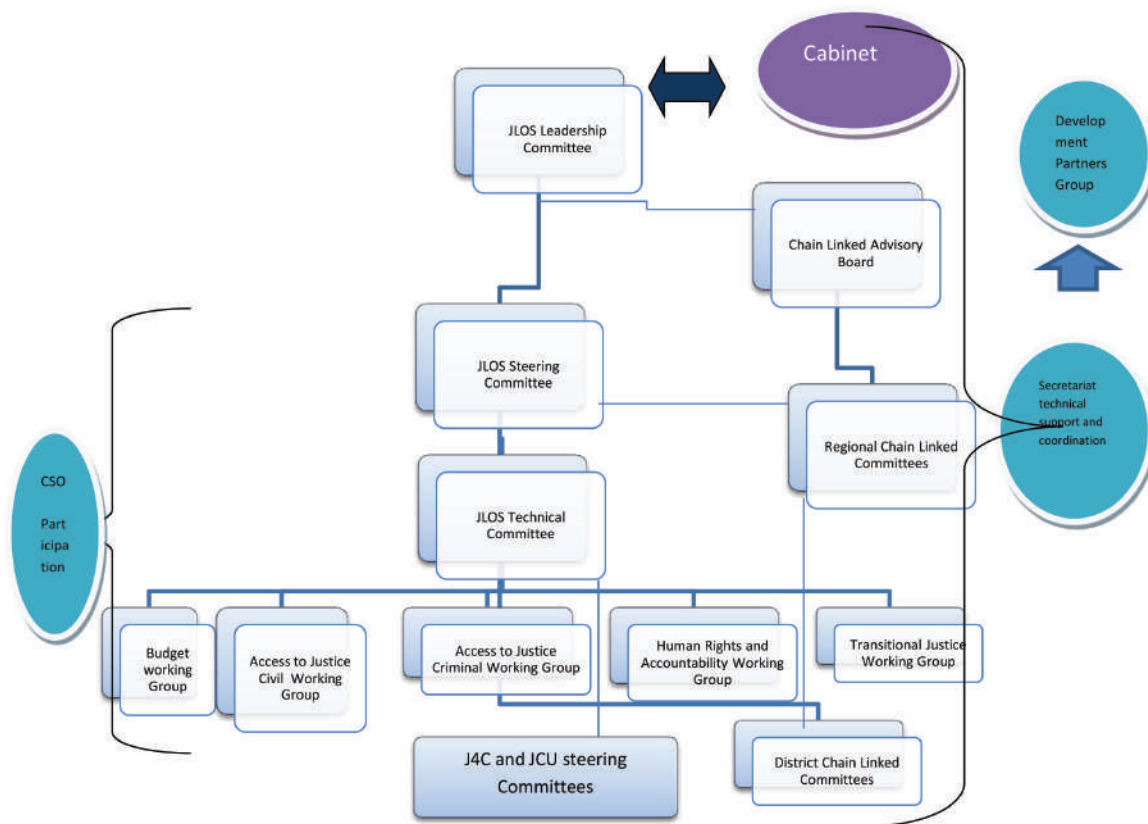
Within the JLOS framework, Institutions have rights and obligations. The Sector Management Policy will put in place the rights and obligations of participating institutions. SDP IV will draw from the Sector management policy for a full description of the roles and responsibilities of participating institutions. 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.

#### 4.1 Management structure at National Level:

The Sector Management Structure under SDP IV is illustrated below:



##### 4.1.1 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 Chief Justice
- ii. The Deputy Chief Justice
- iii. The Principal Judge
- iv. Minister of Justice and Constitutional Affairs (MoJCA)
- v. The Attorney General
- vi. Minister of Internal Affairs
- vii. Minister of Finance, Planning and Economic Development
- viii. Minister of Gender, Labour and Social Development
- ix. Minister of Local Government
- x. Director of Public Prosecutions
- xi. Chairperson of the Uganda Law Reform Commission
- xii. Chairperson of the Uganda Human Rights Commission
- xiii. Chairperson of the Judicial Service Commission
- xiv. Chairperson of the Uganda Registration Services Bureau
- xv. Chairperson CADER Governing Council
- xvi. Chairperson Tax Appeals Tribunal
- xvii. Chairperson Citizenship and Immigration Board
- xviii. Chairperson of the NGO Bureau
- xix. Chairperson of the Board-Amnesty Commission
- xx. Chairperson National Identification and Registration Authority
- xxi. Chairperson Steering Committee- (ex officio)
- xxii. Chairperson Technical Committee- (ex officio)
- xxiii. Senior Technical Advisor- JLOS Secretariat – (ex officio)

The Leadership Committee may co-opt any institution(s), individuals, Development Partners or Non-State Actors as deemed necessary to their meetings. The Leadership Committee may create Ad hoc or Standing committees to support its work. The Leadership Committee will determine its rules of procedure. The Leadership Committee meets a minimum of two times a year.

#### **4.1.2 The JLOS Steering Committee**

107. 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 officials:

1. The Solicitor General (Chairperson)
2. The Chief Registrar (Alternate Chair)
3. Deputy Director of Public Prosecutions (Management Support Services)





4. Permanent Secretary, Ministry of Internal Affairs
5. Permanent Secretary, Ministry of Local Government
6. Permanent Secretary, Ministry of Gender, Labour and Social Development
7. Permanent Secretary/Secretary to the Treasury, Ministry of Finance, Planning and Economic Development
8. Permanent Secretary/Secretary to the Judiciary
9. Permanent Secretary/Secretary, Judicial Service Commission
10. Secretary, Uganda Law Reform Commission
11. Secretary, Uganda Human Rights Commission
12. President, Uganda Law Society
13. Inspector General of Police
14. Commissioner General of Prisons
15. Registrar General, Uganda Registration Services Bureau
16. Registrar, Tax Appeals Tribunal
17. Director, Citizenship and Immigration Control
18. Secretary, Amnesty Commission
19. Executive Director, National Identification & Registration Authority
20. Executive Director, CADER
21. Chairperson Technical Committee (Ex officio)
22. Senior Technical Advisor (Ex Officio)

The Steering Committee may co-opt any institution(s), individuals, Development Partners or Non-State Actors as deemed necessary to their meetings. The Steering Committee will determine its rules of procedure. The Steering Committee meets a minimum of four times a year.

#### 4.1.3 The JLOS Technical Committee:

**Technical Committee (TC):** The Technical Committee will comprise technical personnel from the JLOS institutions at Director-level or heads of departments. There will be one representative from each of the JLOS institutions, with one alternate designated by each institution. (*Only one member from each institution shall attend at a time*). Other representatives shall include:

- The Senior Technical Advisor;
- Advisors from the Sector Secretariat;
- Chairperson and co-chairperson JLOS Development Partners group
- JLOS Desk officers at MoFPED and MoPS; and OPM

The Technical Committee shall drive the JLOS SDP IV strategy document and shall decompose the Leadership Committee vision and the Steering committee direction into immediate, medium and long term strategic objectives. The Committee shall also play an oversight role and coordinate strategy. The Technical Committee is responsible for the planning, technical direction and guidance; support and management of the programme. The Technical Committee facilitates, supervises and supports the



JLOS Secretariat in implementation of the JLOS SDP IV. It is important to note that the following will have one person each as a member of the technical committee in their own right – The Law Council; Administrator General; National Community Service Programme; Amnesty Commission; NGO Bureau; Directorate of Government Analytical Laboratory and Criminal Investigations Directorate of UPF.

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

- 1) Drive the JLOS SDP IV Strategy targets
- 2) Monitor sector performance and delivery of results
- 3) Provide strategic direction to the implementation of JLOS SDP IV to ensure performance meets the standards by law and by the Leadership Committee
- 4) Link the Programme within the institutions, to the JLOS Steering and Leadership structures and to the Working groups and sub national implementation structures.
- 5) Troubleshoot, report to and advise the Steering Committee on SDP IV implementation;
- 6) Providing the primary link between individual institutions and the sector as a whole.

The Chair of the Technical Committee and an alternate chair, will be rotated annually, rotating amongst JLOS Sector institutions. One of the Advisors from the Sector Secretariat will be designated as Secretary. Meetings of the Technical Committee will be bi- monthly focused on impact rather than procedural matters only. There will be collective responsibility for decisions taken at these meetings. 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.

#### **4.1.4 Working Groups (WG):**

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. The Technical Committee will largely operate through five Working Groups as follows

- i. Access to Justice Civil subdivided into two sub committees
  1. Civil main
  2. Land justice
- ii. Access to Justice Criminal - with one sub-committee
  1. Children and Family justice
- iii. Human Rights and Accountability;
- iv. Transitional Justice;
- v. Budget working group.



All chairpersons of working groups will be selected by the Technical Committee from its membership, while alternate chairpersons of each WG will be determined annually by members of each WG. Membership will be selected as follows:

- To the extent possible, each JLOS institution will nominate at least two suitable representatives to each WG. One will be a senior technical person knowledgeable in the thematic area and an alternate.
- CSOs and private sector bodies will nominate suitable representatives to the WG(s) deemed relevant

A budget working group shall be responsible for planning, budgeting, financial monitoring and quality assurance. The budget working group shall be chaired by the Registrar High Court, with the Under-Secretary MoJCA as alternate chair. The Budget/ Finance WG will be comprised of financial representatives at Under Secretary level, a person heading the policy and planning unit of each institution and a representative from the JLOS Development Partner Group. The Advisor Monitoring and Evaluation and the Advisor Financial Management shall resource this working group. This working group will coordinate the development of work- plans and be responsible for audit, inspections and monitoring and evaluation.

The Advisors in the Secretariat will support the working groups in accordance with their respective portfolio.

### **Key Responsibilities**

- Carry out delegated role of the Technical Committee;
- Maintain focus on pro-poor, low cost initiatives, vulnerable groups, conflict/ post-conflict affected areas;
- Monitor and evaluate progress of JLOS sector work plans towards achievement of sector-wide objectives;
- Recommend relevant changes to SDP IV implementation activities, as necessary;
- Respond to issues raised by the Technical Committee, Steering Committee and Leadership Committee;
- Continually seek to mainstream cross-cutting issues in all activities (Poverty, Gender, Conflict, HIV-AIDS, Environment);
- Benchmark JLOS against other successful sectors/models;
- Sector publicity;
- Lobby MoFPED for continued and increased funding of the Sector; and
- Develop annual work plans and budgets;

The Working Groups will meet at least once a month.



## **Institutional Policy & Planning units (PPUs)**

Within SDP IV, focus will be on establishment of PPUs that are not yet in place, strengthening capacity of all PPUs and linkages both internally (institutional) and with the Sector Secretariat which will work closely with institutional PPUs.

Key responsibilities will include:

- Policy analysis;
- Liaising with institutional representatives to collect and analyse data;
- Monitoring progress towards achievement of indicators at institutional and sectoral levels
- Providing monitoring information to the WGs;
- Representation of institutions at WG.

In addition, regular meetings will be held between institutional PPU members and the JLOS Secretariat team at least once in two months. These meetings will be specific issues based and called by the Senior Technical Advisor, with the aim of building capacity in the Secretariat, monitoring progress, encouraging idea-generation and sharing of experiences.

### **4.1.5 Task Forces**

The Sector will utilize task and thematic based taskforces 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 and will report to the Technical Committee. Key task forces include the following -

**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 Programme shall be the task force of the Sector charged with crafting a unified strategy for improving services for children in JLOS.

**Justice Centres Uganda Task Force:** The Steering Committee of the Justice Centres Uganda shall be reconstituted as a Taskforce under the JLOS Technical Committee and will be charged with oversight over the management of the Justice Centres Uganda.

The Chairpersons of the Taskforces shall be drawn from the Technical Committee and the taskforces shall report to the Technical Committee.

#### **Other taskforces shall include**

- Inspector's Forum
- Human resource person's Forum
- Audit committee
- Case management committee
- Monitoring and evaluation committee



**Institutional Management Committees:** 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 SIP 1, SIP II and SIP III. The form of capacity development under JLOS SDP IV will continue to strengthen the linkage between the PPU, Information managers; Inspectorates and Communications Departments and the Management Committees.

#### **4.1.6 The Justice, Law and Order Secretariat:**

The JLOS Secretariat is the axis around which JLOS results rotate. JLOS Secretariat will be restructured and expanded. It will also be capacitated to engage in institutional strengthening within the Sector institutions. Its renewed roles will include, but not be limited to the following;

- i. Develop for approval of the Technical Committee an annual Activity Calendar (including a planning and budgeting calendar) for internal use for JLOS SDP IV implementation with sector and institutional targets; and timelines for delivery;
- ii. Coordinate and resource the Technical Committee in the development of performance standards for institutions participating in JLOS including planning; implementation; monitoring; reporting; quality assurance and participation in processes;
- iii. Support 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 SDP IV results;
- iv. Support the Technical committee and 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 SDP IV results;
- v. Support, supervise and assure the implementation of annual plans, budgeting and integration of institutional plans into JLOS plans;
- vi. Support the Technical committee to supervise and monitor the performance of institutions towards set targets;
- vii. Link the reform process on the ground (including the foot soldiers and the demand side); and within institutions with the JLOS leadership structures;
- viii. Support the Technical Committee to access other JLOS innovations elsewhere to JLOS Uganda through research and innovations;
- ix. Facilitate communication, coordination and cooperation within JLOS institutions and between JLOS institutions and other stakeholders;
- x. Engage in change management advocacy within the JLOS institutions;
- xi. Provide technical back stopping to institutions as necessary to attain JLOS results;
- xii. Independent verification of institutional performance in compliance with the Sector rewards and sanctions mechanisms.

To deliver the JLOS SDP IV results 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 full time members of staff to undertake the following functions:

**Senior Technical Advisor (STA)/Team Leader:** The STA will drive and coordinate the implementation of JLOS SDP IV and will also be in charge of results quality assurance. S/he will be responsible for the JLOS day to day operations. The STA will provide strategic thinking to the Sector; provide technical guidance in policy, long range and medium-term planning to the Sector. The STA will resource and facilitate the operations of the Leadership/Steering 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.

There shall be a **Deputy Senior Technical Advisor**, who shall be appointed from amongst the Advisors and shall serve in this capacity in addition to their role as an Advisor. The Deputy Senior Technical Advisor shall deputise the Senior Technical Advisor and perform the functions of the Senior Technical Advisor in his or her absence.

The two shall 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. Advisor- Transitional Justice
- vi. Advisor- Financial Management

The Advisor, Access to Justice Civil will be supported by a resource person for land justice. The Advisor Access to Justice Criminal will be supported by a resource person for children and family justice. The Advisor Financial Management shall be supported by a resource person for budget analysis.

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 on 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 modelled upon the repeated planning, monitoring and evaluation processes. The system will be developed by the M&E units across all institutions; with technology support by





the IT units and communicated through the communications units with the overall oversight of the Senior Technical Advisor. The Advisor Monitoring and Evaluation shall be supported by two resource persons, one of which will be specialised in IT and Communications.

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.

In addition, the Secretariat will obtain short term technical support as required and approved by the Technical Committee. The following support will be obtained particularly 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) **Institutional technical advisors.** To advance the policy shift of providing affirmative action to weak institutions, JLOS will develop a framework to enable accelerated delivery of results and capacity development in identified institutions. Institutions to be considered here will draw from a value addition analysis to SDP IV results. This identification will be affirmed through a sector-wide capacity assessment.

Under SDP IV, the Sector will benefit from improved coordination amongst development partners, continued active involvement in JLOS including an expansion of participation from non-traditional donors.

## **4.2 JLOS at Sub National Implementation Level**

### **4.2.1 The Chain Linked Advisory Board**

At the national level the SDP IV maintains the Chain Linked Advisory Board chaired by the Principal Judge, with the Registrar High Court as secretary and will have the following members

- Commissioner General of Prisons
- Inspector General of Police
- Director of Public Prosecutions
- Senior resident judges in charge of circuits
- Chairperson National Community Service Programme,



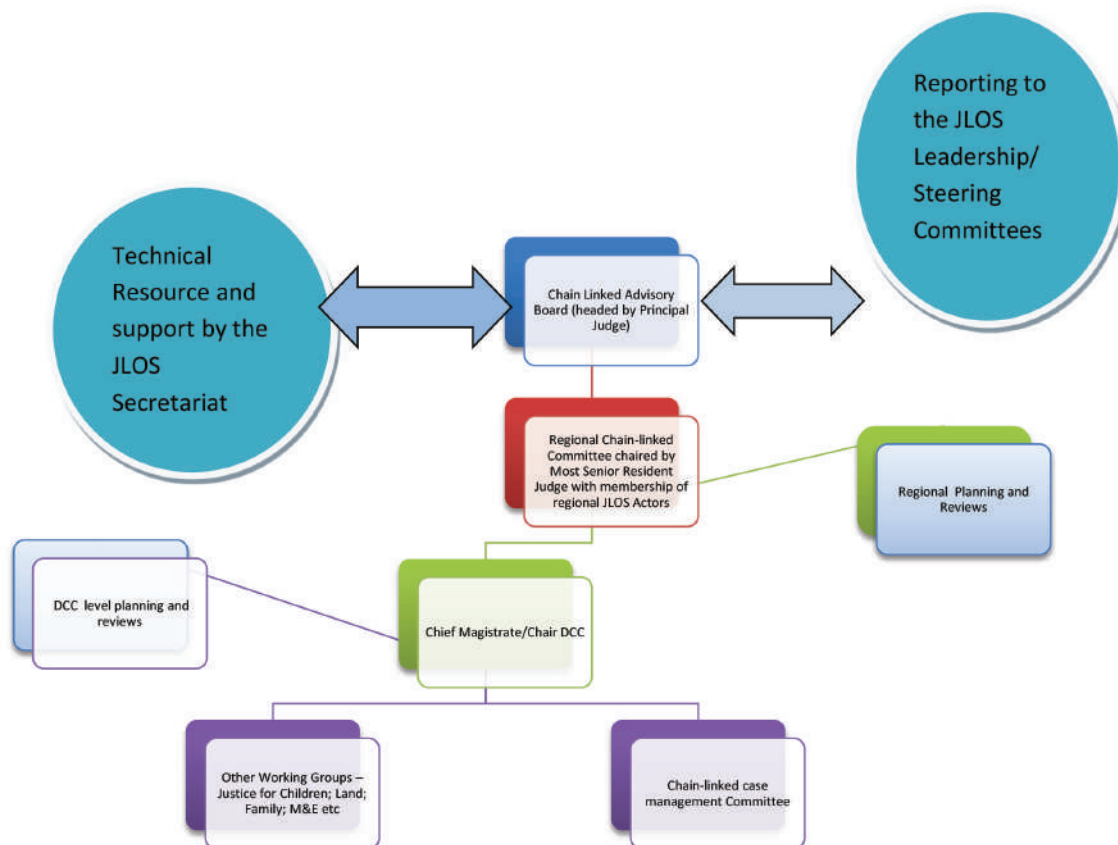
- Chief Registrar
- Chairperson Human Rights Commission

The board will offer policy advice, mentoring of RCC and DCCs and will address issues raised by RCC and DCCs and provide direction on addressing impediments to the administration of justice and maintenance of law and order. The board shall be resourced by JLOS secretariat.

#### 4.2.2 The Regional Chain Linked Committees (RCC)

At the Regional Level SDP IV maintains the Regional Chain-Linked Committees (RCC). Regions under JLOS SDP IV will be equivalent to the High Court Circuits. The RCC will be chaired by the Most Senior Resident Judge in the Circuit; with the Registrar as Secretary and comprised of the Chairpersons of all DCCs in the circuit and all JLOS institutional representatives with a regional mandate. Regional Chain-linked committees will guide the roll out of SDP IV in the circuit; backstop and provide direction to DCCs; link DCCs to the national level and vice versa and craft regional solutions to ensure attainment of JLOS SDP IV results. RCCs are the conduits for information to the regional level; are a technical resource to DCCs and play an oversight role over SDP IV implementation.

At the sub-national level; JLOS SDP IV will be implemented through the following structure:





### 4.2.3. The District Chain-linked Committees

District Chain-linked Committees: At the District level, JLOS is represented by the JLOS District Chain Linked Committee. This role is vital to SDP IV implementation. 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 SIP IV 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. Detailed roles of the DCCs 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.

The DCC comprises of the following representatives:

1. JLOS institutional representatives at district level
2. Representatives of the legal profession
3. District Probation and Social Welfare Officers;
4. Relevant CSOs, Faith based organizations and community structures engaged in advancing justice law and order in the district;
5. The Local government representatives
6. Nominated members of the public.

The DCC will be chaired by the most senior judicial officer in the district and will meet monthly. The DCC will have two reporting lines. One is to the Advisory Board through the RCC and the other 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.

Case Management Committees at DCC level. The case management committee will promote issue based coordination, cooperation and collaboration among core JLOS institutions. The committee will provide a smaller forum for discussion and resolution of systemic and operational challenges to the delivery of justice in a specified sphere of justice. The case management committees drawing together core institutions in the delivery of a service will report to the DCC.

## 4.3 Partnership arrangements

**Development Partner Partnership:** JLOS SDPIV 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 SDPIV development partners who have committed to support the implementation of the Plan include the Netherlands, Ireland, Britain, Norway, Sweden, Austria and European Union through the basket arrangement and in accordance with the Government of Uganda Donor Partnership principles that are 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 SDPIV 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.

**Non-State Actor (NSA) Partnership:** Strong JLOS-NSA partnerships will therefore be developed under JLOS SDPIV 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 or rendering value from the justice, law and order system.

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

**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

**Regional 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.

**Planning:** The NDPII and JLOS SDPIV 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 SDPIV.

#### 4.4 Programming

**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.

**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 donor financed multiyear projects, to roll over finances from one financial year to another for activities and projects that cannot be completed within one financial year.

## 5.0 SDPIV COST AND FINANCING STRATEGY

### 5.1 SDPIV TOTAL COSTS

The overall cost of the SDPIV implementation is estimated at approximately UGX 5.709trillion. Wages will consume 1.617 trillion; operational recurrent costs will be 2.649 trillion while 1.443 trillion will be required for the envisaged capital development and other much needed reforms to achieve the targets. The tables below provide a detailed breakdown of the cost

**Table 9. SDPIV TOTAL COSTS 2017/18-2020/21(UGX, BILLION)**

COST CENTRE/FINANCIAL YEAR	2017/18	2018/19	2019/20	2020/21	Total
<b>Wage</b>	375.20	393.97	413.66	434.35	1,617.18
<b>Non-wage recurrent</b>	525.73	630.88	693.97	798.06	2,648.64
<b>Development</b>	245.73	399.84	382.11	415.54	1,443.22
<b>TOTAL COST OF THE SDPIV</b>	1,146.66	1,424.69	1,489.75	1,647.95	5,709.05

**Table 10. Breakdown of SDPIV Development Cost by Outcome**

OUTCOME	BUDGET (UGX Billions )
<b>1.0 TO ENHANCE INFRASTRUCTURE AND ACCESS TO JLOS SERVICES.</b>	
1.1 Eliminate all cases that over three years in the judicial system by 2019	80.30
1.2 Enhance efficiency and effectiveness of JLOS Institutions	139.70
1.3Deconcentrate service delivery to county level and the JLOS house project	408.00
1.4Strengthen Justice for children	28.20
1.5 Strengthen access to legal aid services	18.87
1.6 Strengthen measures to effectively and efficiently prevent and respond to crime.	280.711
1.7 Ensure stakeholders empowerment and enhance access to legal information	18.61
1.8 Promote gender equality and equitable access to justice	21.46
1.9 Strengthen transitional justice and informal justice processes	10.20
Subtotal strategic objective 1	1,006.05
<b>2 TO PROMOTE THE OBSERVANCE OF HUMAN RIGHTS AND FIGHT CORRUPTION</b>	
2.1 Strengthen measures to reduce human rights violations by JLOS Institutions	106.81
2.2 Strengthen measures to measures to promote citizens' rights and obligations	18.63

OUTCOME	BUDGET (UGX Billions )
2.3 Enhance efficiency and effectiveness of JLOS Institutions to fight corruption	40.34
<b>Subtotal strategic objective 2</b>	<b>165.779</b>
<b>3. TO STRENGTHEN THE COMMERCIAL JUSTICE AND THE ENVIRONMENT FOR COMPETITIVENESS</b>	
3.1 Reform and update laws to promote competitiveness and regional integration	17.75
3.2 Strengthen business registries (URSB, DCIC, NIRA, NGO board)	203.08
3.3 Strengthen commercial and land dispute resolution processes and institutions	24.16
<b>Subtotal strategic objective 3</b>	<b>244.99</b>
<b>4. PROGRAMME MANAGEMENT</b>	
Programme management costs	26.40
<b>Grand Total</b>	<b>1,443.22</b>

## 5.2 Financing strategy

As shown in Table11 below, the Plan will be financed by both public, donor and private resources with about 90 percent being Government and budget support donors and approximately 10% by development partners and the private sector (PPP arrangement). Government and budget support donor funding will constitute a total of UGX 5.172 trillion and UGX 0.587 trillion is anticipated development partners and private sector contribution.

Public financing sources will include external financing namely, budget support. While other financing will include donor project and programme support, Public Private Partnerships (PPP), and CSO contributions. The PPP financing will target the JLOS House Project and the ICT investments. The Sector will partner with CSOs to strengthen access to legal aid, the fight against corruption, and civic education among others.

## 5.2.1 Financing Sources for the SDPIV

**Table 11. SDPIV financing sources**

Funding	2017/18	2018/19	2019/20	2020/21	Total
1. GOU/BUDGET SUPPORT DONORS					
<b>Wage</b>	375.20	393.97	413.66	434.35	1,617.18
<b>Non-wage recurrent</b>	525.73	630.88	693.97	798.06	2,648.64
<b>Development</b>	218.73	253.84	197.11	236.54	906.22
Total GOU/Budget Support Funding	1,119.66	1,278.69	1,304.75	1,468.95	5,172.05
2. OTHER ANTICIPATED FUNDING					
Expectation from Development Partners	27.00	31.70	71.00	65.00	194.70
<b>Funding from the private sector under PPP</b>	-	114.30	114.00	114.00	342.30
<b>TOTAL FUNDING</b>	<b>1,146.66</b>	<b>1,424.69</b>	<b>1,489.75</b>	<b>1,647.95</b>	<b>5,709.05</b>

## 5.2.2. Resource Allocation by Vote under the MTEF over the SDPIV Period

**Table 12. Resource allocation by vote under the MTEF over the SDPIV period**

VOTE	MDA/ VOTE NAME <sup>14</sup>	FINANCIAL MTEF CEILING (UGX, BILLION)			
		2017/18	2018/19	2019/20	2020/21
007	Justice, Attorney General including SWAP Dev't Fund	80.97	99.70	113.49	132.52
009	Internal Affairs	17.20	20.47	22.58	25.84
101	Judiciary (Statutory)	132.21	154.46	168.83	191.10
105	Uganda Law Reform Commission (Statutory)	10.28	11.74	12.73	14.20
106	Uganda Human Rights Commission (Statutory)	18.11	20.93	22.78	25.62
109	Law Development Centre	6.83	7.71	8.40	9.31
119	Uganda Registration Services Bureau	13.44	15.00	16.10	17.68
120	National Citizenship and Immigration Control Board	30.94	37.35	42.00	48.50
133	DPP	32.17	38.14	42.41	48.47
144	Uganda Police	524.83	574.03	521.69	574.63
145	Uganda Prisons	150.86	176.32	195.26	221.23
148	Judicial Service Commission	8.56	10.01	10.95	12.40
305	Directorate of Government Analytical Laboratory	9.05	11.28	13.06	15.35
309	National Identification and Registration Authority	84.23	101.55	114.46	132.11
	<b>Total</b>	<b>1,119.66</b>	<b>1,278.69</b>	<b>1,304.75</b>	<b>1,468.95</b>

<sup>14</sup> Note that some JLOS institutions are not independent votes under the MTEF arrangement, however their development activities under the SDP are capture under SWAP development fund under MOJCA.

### 5.2.2.1. Breakdown of the MTEF Provision by Component Expenditures by Vote

**Table 13. Wage**

MDA/ VOTE NAME	FINANCIAL MTEF CEILING (UGX, BILLION)			
	2017/18	2018/19	2019/20	2020/21
Justice, Attorney General including SWAP Dev	3.72	3.90	4.10	4.30
Internal Affairs( Excl. Auxiliary forces)	1.95	2.05	2.15	2.26
Judiciary (Statutory)	30.63	32.16	33.77	35.46
Law Reform Commission (Statutory)	4.07	4.28	4.49	4.72
Uganda Human Rights Commission (Statutory)	5.59	5.87	6.16	6.47
Law Development Centre	3.80	3.99	4.19	4.40
Uganda Registration Services Bureau	7.55	7.93	8.32	8.74
National Citizenship and Immigration Control Board	4.38	4.60	4.83	5.07
DPP	7.35	7.72	8.10	8.51
Uganda Police (incl LDUs)	236.24	248.05	260.45	273.47
Uganda Prisons	52.19	54.80	57.54	60.42
Judicial Service Commission	1.90	2.00	2.10	2.20
Directorate of Government Analytical Laboratory	0.76	0.80	0.84	0.88
National Identification and Registration Authority	15.06	15.82	16.61	17.44
	375.21	393.96	413.67	434.34



**Table 14. Non-Wage Recurrent**

MDA/ VOTE NAME	FINANCIAL MTEF CEILING (UGX, BILLION)			
	2017/18	2018/19	2019/20	2020/21
Justice, Attorney General including SWAP Dev	46.34	55.61	61.17	70.34
Internal Affairs( Excl. Auxiliary forces)	13.98	16.78	18.46	21.23
Judiciary (Statutory)	97.51	117.01	128.71	148.02
Law Reform Commission (Statutory)	6.00	7.20	7.93	9.11
Uganda Human Rights Commission (Statutory)	12.10	14.52	15.98	18.37
Law Development Centre	2.15	2.58	2.84	3.27
Uganda Registration Services Bureau	5.89	7.07	7.78	8.94
National Citizenship and Immigration Control Board	17.74	21.29	23.42	26.93
DPP	18.36	22.03	24.24	27.87
Uganda Police (incl LDUs)	186.93	224.31	246.74	283.75
Uganda Prisons	67.53	81.04	89.14	102.52
Judicial Service Commission	6.42	7.70	8.47	9.74
Directorate of Government Analytical Laboratory	2.94	3.53	3.89	4.47
National Identification and Registration Authority	41.82	50.19	55.20	63.49
	<b>525.73</b>	<b>630.88</b>	<b>693.97</b>	<b>798.06</b>

**Table 15. GOU Capital Development**

MDA/ VOTE NAME	FINANCIAL MTEF CEILING (UGX, BILLION)			
	2017/18	2018/19	2019/20	2020/21
Justice, Attorney General including SWAP Dev	30.92	40.19	48.23	57.87
Internal Affairs( Excl. Auxiliary forces)	1.26	1.64	1.96	2.36
Judiciary (Statutory)	4.07	5.29	6.35	7.62
Law Reform Commission (Statutory)	0.20	0.26	0.31	0.37
Uganda Human Rights Commission (Statutory)	0.41	0.54	0.64	0.77
Law Development Centre	0.87	1.14	1.36	1.63
Uganda Registration Services Bureau	-	-	-	-
National Citizenship and Immigration Control Board	8.81	11.46	13.75	16.50
DPP	6.46	8.39	10.07	12.08
Uganda Police (incl LDUs)	101.66	101.66	14.50	17.40
Uganda Prisons	31.14	40.48	48.58	58.29
Judicial Service Commission	0.24	0.31	0.37	0.45
Directorate of Government Analytical Laboratory	5.34	6.95	8.34	10.00
National Identification and Registration Authority	27.34	35.54	42.65	51.18
Total GOU funding	218.73	253.84	197.12	236.53
Expectation from Development Partners	27.00	31.70	71.00	65.00
<b>Funding under PPP</b>		<b>114.30</b>	<b>114.00</b>	<b>114.00</b>



## 6.0 MONITORING AND EVALUATION

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JLOS will implement a results-based M&E system and the attached results framework 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 III, (ii) specially designed qualitative and quantitative user surveys, (iii) extended data gathering related to specific JLOS SIP 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.

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 SDPIV 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 SDPIV 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**

There will be two impact evaluations carried out, the Mid Term Review and the End Term Evaluation. 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.

The JLOS 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 SDP



interventions as well as a determination of the differences in benefits to different categories of users and possible explanations to why such differences exist.

## **6.1. Institutional arrangements and management of M&E**

### **6.2.1 The JLOS M&E taskforce**

The M&E working group will be the pivot for managing the M&E function, reporting to the technical committee and shall be headed by the alternate chairperson of the JLOS technical committee. The working group shall have 18 members drawn from the technical committee and the budget working group representing sector institutions and the development partners. The working group is to be resourced by the Advisor M&E, who will be the overall coordinator of the M&E function in the Sector. The working group will have the authority to manage routine monitoring of output, activity and input indicators as well as liaising with other Government bodies and development partners regarding combined M&E exercises

The working group will support the technical committee on SDPIV implementation monitoring and evaluation and will lead the process of providing feedback.

The working group will also ensure that issues out of M&E influence the agenda of the JLOS Technical Committee, and Steering Committee and bring out other issues of national importance that may emerge. The working group shall ensure that M&E remains relevant and serves the needs of stakeholders. The working group will meet at least once every quarter.

### **6.2.2 Institutional Policy and Planning Units (PPU)**

The various institutional PPUs will coordinate through the PPU forum and shall be the operational level staff for M&E in the Sector and at institutional level. All institutions will need to strengthen their existing M&E units and staff to allow efficient and effective data gathering at all levels, analysis and reporting on routine and ad hoc basis.

### **6.2.3 The JLOS Secretariat**

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 taskforce. The Sector shall sponsor capacity building programmes to ensure that participating institutions are supported to implement a comprehensive M&E regime, to mitigate any blockages and to align follow on activities with international best practice.

## **6.3 Arrangements for Results Monitoring**

The M&E plan shall elaborate the arrangements for monitoring and evaluation of JLOS SDPIV. 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.

There will be special emphasis on M&E capacity building, building on the training provided under JLOS SIP III. 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.

#### **6.3.1. The National JLOS Forum:**

This will 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;

#### **6.3.2. 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 PPUs and the JLOS Development Partners Group.

#### **6.3.3. JLOS Regional/District Reviews:**

These will be held annually in selected regions/districts of the country to enhance planning, implementation and monitoring of the SDPIV and obtain feedback for the national reviews. The Technical Committee with support of the Secretariat, will liaise with the DCC 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.



## **6.4 Dissemination and Information Flow**

M&E data and documentation will be publically available through the JLOS semi annual, and annual reports that will be published and distributed in addition to availing the same on the Sector website [www.jlos.go.ug](http://www.jlos.go.ug) as well as in the print and other media.

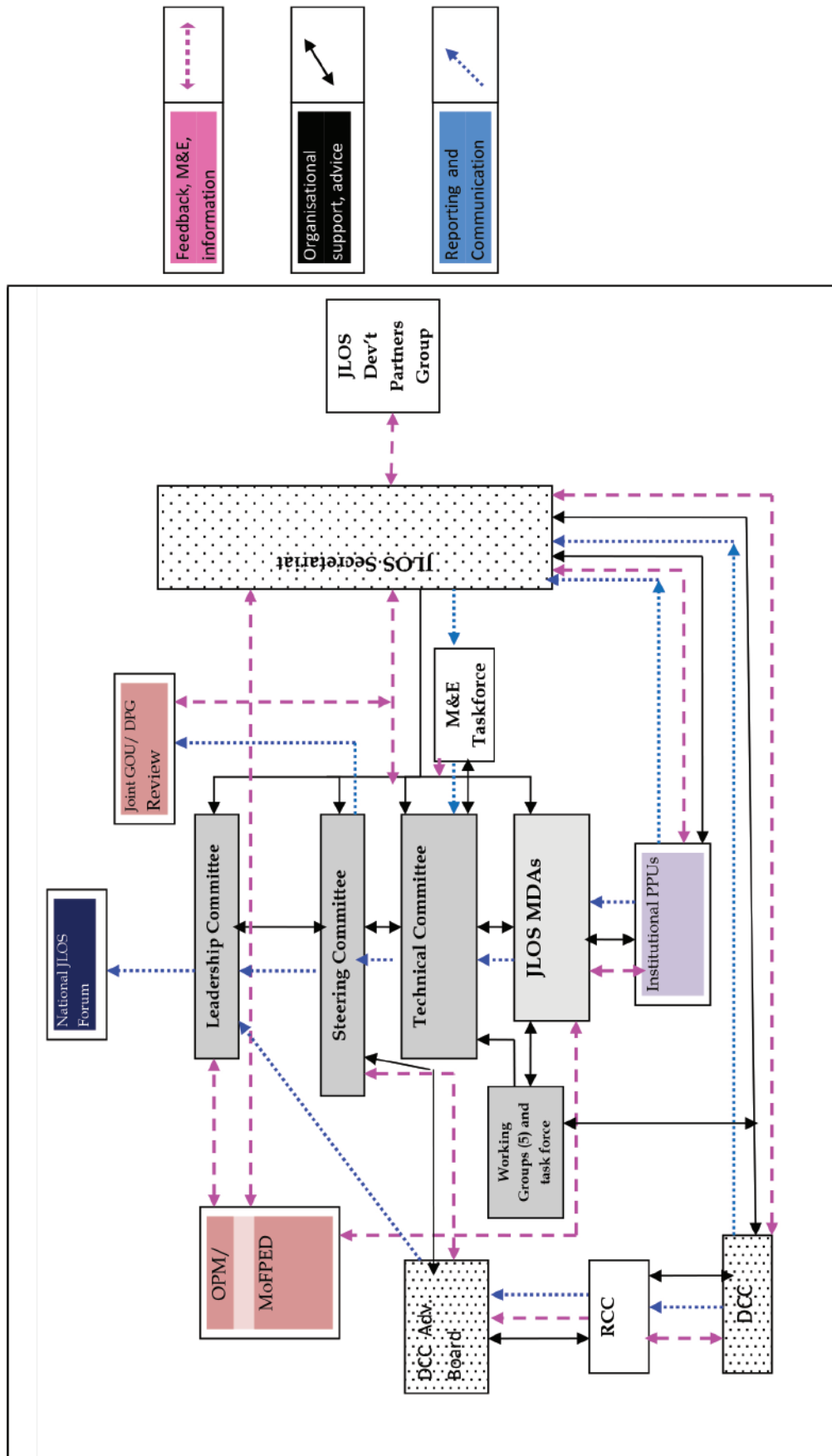
Initially information will flow to the Sector Secretariat from all JLOS institutional policy and planning units. Reports from sub national units such as the DCC and RCC will be submitted to the Sector Secretariat as well.

The Sector Secretariat together with the M&E taskforce will then collate analyse and produce reports to feed through the sector management structures.

The Sector Secretariat will disseminate analysed reports to the various stakeholders principally the Technical Committee, Steering Committee and Leadership Committee, the development partners group and the general public using the annual and semi-annual reports and the media.



## INSTITUTIONAL FRAMEWORK, ROLES, RELATIONSHIPS AND INFORMATION FLOW







## **6.5 Schedule of Monitoring, Final Reviews and Evaluation**

### **6.5.1 Monitoring**

The Monitoring and Evaluation Framework/matrix (appendix 1) presents the indicators selected following the three outcomes articulated in the JLOS SDPIV. It should be noted that information from indicator monitoring will be the basis for the preparation of the Sector semi and annual performance reports. The reports will include substantive sections on each of the three outcomes and the indicators tracking performance under each outcome.

The reports shall always be available to the public (starting in March for the semi-annual report and September for the annual report), for public review and will be widely published and distributed.

The matrix will also be the basis for monitoring and review of targets for the next planning and budgeting process. Sector institutions will be supported to develop activity and input indicators as institutions domesticate the JLOS M&E framework.

### **6.5.2 Impact assessment**

The Sector will use impact assessment to generate an understanding of the effectiveness of existing interventions in generating the desired outputs, outcomes and impact and therefore guide decision making.

To assess impact a midterm and end of SDPIV follow up survey on impact indicators shall be undertaken. At impact level the Sector will also, to the extent possible, rely on UBOS and will influence the periodic collection of statistics on some of the indicators in the National Service Delivery Survey as well as other surveys on governance indicators.

The Sector will also make use of other statistics such as the Afro barometer surveys, the World Bank Competitive index and other international studies. These are expected to fill gaps in our understanding of how certain outcomes lead to impact and how key outputs generate outcomes and impact.

The sector will undertake a midterm evaluation of the SDPIV at the end of the 2<sup>nd</sup> year of implementation to allow stakeholders to reflect on successes and failures of the sector and identify changes and refinements that need to be put in place to ensure results are met at all levels of the results chain. A final evaluation will be undertaken in the last year of implementation of the SDPIV, which will be used as a transition to SDPV



As part of participatory monitoring and evaluation the following actions shall be undertaken

- Annual review every September
- Semi-annual technical review every March
- Annual technical review before every annual review
- Joint JLOS DPG monitoring exercises on selected sector interventions at least twice a year
- DCC monitoring and supervision every quarter
- DCC regional evaluation forum every August
- JLOS National Forum every December
- Customer surveys targeting front line JLOS agencies such as URSB, DCIC, and Administrator General.
- Quarterly reviews of progress of implementation of the work plan by budget working group, the technical committee and steering committee.

## APPENDIX 1: JLOS SDPIV RESULTS FRAME WORK

### IMPACT

GOAL: TO PROMOTE THE RULE OF LAW Impact level Indicators	Baseline	Target
1. <i>Public satisfaction with JLOS services</i>	72%	78%
2. <i>Public trust in the Justice system</i>	49%	55%
3. <i>Index of Judicial Independence</i>	3.41	3.8
4. <i>Status of accreditation of UHRC</i>	A	A

### OUTCOMES

	Baseline	Target
<b>STRATEGIC OUTCOME 1: INFRASTRUCTURE AND ACCESS TO JLOS SERVICES ENHANCED</b>		
<b>Outcome Indicators</b>		
1. <i>% of backlog cases in the system</i>	24%	9%
2. <i>% of districts with one stop frontline JLOS service points constructed</i>	59.3%	80%
3. <i>Crime rate for 100,000</i>	298	287

Strategic intervention	Outputs and Key Performance Indicators	Baseline	Target
1.1 Eliminate cases that are over three years in the system by 2020	<i>Case clearance rate</i>	95.2%	98%
	<i>Average length of stay on remand for capital offenders</i>	10.5 months	9 months
	<i>Time taken to dispose of cases disaggregated by level of court</i>	3 years	15 months
1.2 Enhance efficiency and effectiveness of JLOS institutions and Strengthen Business Processes and Information Management Systems	<u>Key Outputs</u> 1.1.1 Institutional case management enhanced 1.1.2 Rules and procedures that lead to delay in disposal of cases re-viewed 1.1.3 Chain linked initiative strengthened 1.1.4 Capacity Staff enhanced		
	<i>Level of automation of case management systems</i>	12%	60%
	<i>Proportion of JLOS Institutions with a functional M&amp;E System</i>	44%	100%
	<u>Key Outputs</u> 1.2.1 Business processes reformed 1.2.2 Records management and storage automated 1.2.3 Integrated Information Management Systems 1.2.4 Supervision and M&E systems enhanced 1.2.5 Innovations developed and implemented 1.2.6		
	<i>No. of JLOS frontline one stop service points constructed &amp; completed</i>	60	80
1.3 Deconcentrate service delivery to county level by 2021	<i>No of districts with all frontline JLOS service points opened</i>	92	117
	<u>Key Outputs</u> 1.3.1 Functional JLOS infrastructure and services established country wide 1.3.2 Complete chain of front line JLOS services points at County level		
	<i>No. of children diverted from the formal criminal justice system (non-capital)</i>	75%	80%
1.4 Strengthen Justice for children	<i>Proportion of JLOS service points offering child friendly services</i>	52%	86%

Strategic intervention		Outputs and Key Performance Indicators	Baseline	Target
		<i>Birth registration rate</i>	30%	65%
		<u>Key Outputs</u> 1.4.1 Child friendly services in all JLOS institutions 1.4.2 Capacity building for duty bearers and institutions in child Justice enhanced 1.4.3 Disposal of child related cases fast tracked at all levels of the justice chain 1.4.4 Rehabilitation and Remand homes established at regional level		
	1.5 Strengthen access to legal aid services	Proportion of Magisterial areas accessing state funded legal aid services (22/82)	26%	48.7%
		<u>Key Outputs</u> 1.5.1 State brief scheme and pro-bono services enhanced 1.5.2 LAsPs coordinated and regulated 1.5.3 Laws promoting legal aid proposed for enactment 1.5.4 Self-represented litigants support systems improved		
	1.6 Strengthen measures to effectively and efficiently prevent and respond to crime.	<i>Reliability of policing services</i>	4.0	4.4
		<i>Conviction rates</i>	60.1%	65%
		<i>Recidivism</i>	21%	17%
		<i>Proportion of convicts sentenced to community service</i>	45%	55%
		<u>Key Outputs</u> 1.6.1 Crime fighting agencies strengthened 1.6.2 Comprehensive standards for investigation, prosecution, adjudication and correctional services developed and maintained 1.6.3 Increased use of scientific evidence in crime management 1.6.4 Neighbourhood watch programmes and community policing enhanced		

Strategic intervention	Outputs and Key Performance Indicators	Baseline	Target
1.7 Stakeholders empowerment and enhanced access to legal information	% of JLOS service points with functional customer relationship management desk	08%	40%
	Proportion of the public aware of JLOS services	75.3%	90%
	<u>Key Outputs</u> 1.7.1 Customer relationship management information desks established at JLOS service points 1.7.2 Periodic service user dialogues, Open days and awareness weeks conducted 1.7.3 Civic education on administration of justice and maintenance of law and order conducted 1.7.4 Laws simplified		
	JLOS gender strategy	Draft	Implemented
	conviction rates in cases of violence against women and children	50.5%	64%
1.8 Promote Gender equality and equitable access to justice	Proportion of JLOS institutions with a functional gender desks	22%	100%
	<u>Key Outputs</u> 1.8.1 a common framework for gender mainstreaming in the Sector; 1.8.2 capacity of sector institutions to mainstream gender enhanced 1.8.3 collection, analysis, of gender disaggregated data strengthened 1.8.4 Justice needs of vulnerable groups including refugees addressed		
	Clearance rate of cases in post conflict areas	85%	98%
	% of LCC I & II legally constituted	0	90%
	TJ policy approved	Draft	Approved
1.9 Strengthen transitional justice and informal justice processes	1.9.1 Local council courts I&II established and strengthened		
	1.9.2 Transitional justice mechanisms strengthened		

## OUTCOME

Strategic Outcome 2: Observance Of Human Rights And Fight Against Corruption Promoted			
Outcome Indicators	Baseline	Target	
4. <i>Corruption perception index</i>	0.25	0.30	
5. <i>Proportion of decisions against JLOS institutions to total cases concluded by UHRC</i>	46%	30%	
6. <i>Proportion of remand prisoners</i>	52%	45%	

## OUTPUTS

Strategic intervention	Outputs and Key Performance Indicators	Baseline	Targets
2.1 Strengthen measures to reduce human rights violations by JLOS Institutions	<i>Clearance rate by UHRC</i>	21%	80%
	<i>Proportion of decisions against JLOS institutions to total cases concluded by UHRC</i>	46%	30%
	<i>Mortality rate per 1000 inmates held</i>	0.75	0.45
	<u>Key Outputs</u>		
	1.1.1 Functional JLOS human rights structures in all service points 1.1.2 Uganda National Action Plan on Human Rights implemented 1.1.3 Existing legal and policy frameworks enforced 1.1.4 Staff capacity in human rights based approach enhanced at the service points		
2.2 Empower citizens on Human Rights and obligations	<i>JLOS civic education strategy developed (UHRC &amp; JSC)</i>	None	Developed
	<u>Key Outputs</u>		
	1.1.1 Public awareness on human rights standards and citizens' responsibilities Increased		
	1.1.2 Information dissemination on HRs enhanced 1.1.3 Environmental and ESCR (Economic and Socio-Cultural Rights) promoted		



Strategic intervention	Outputs and Key Performance Indicators	Baseline	Targets
2.3 Enhance efficiency and effectiveness of JLOS Institutions to fight corruption	<i>Clearance rate of Anti-corruption cases</i>	96%	98.7%
	<i>Clearance rate of complaints against lawyers, police &amp; JLOs officers</i>	75%	98.9%
	<u>Key Outputs</u>		
	1.1.1 Anti-corruption laws updated and enforced		
	1.1.2 Corruption in JLOS institutions detected and investigated		
	1.1.3 JLOS anti-corruption strategy customized and implemented in all institutions		
	1.1.4 Capacity of JLOS anti- corruption agencies enhanced		
<b>Subtotal</b>			

## OUTCOME

STRATEGIC OUTCOME 3: COMMERCIAL JUSTICE AND THE ENVIRONMENT FOR COMPETITIVENESS STRENGTHENED		Baseline	Targets
<b>Outcome Indicators</b>			
7.	<i>Ease of doing business index (DTF)</i>	57.7	63
8.	<i>Efficiency of the legal framework in settling disputes(index)</i>	3.8	4.1

## OUTPUT

Strategic intervention	Outputs and Key Performance Indicators	Baseline	Targets
1.1 Reform, enforce and update laws to promote competitiveness and regional integration	<i>No. of priority laws prepared for enactment developed</i>	No priority list	All on priority list
	<i>Proportion of newly enacted commercial laws that are operational</i>	65%	95%
	<i>proportion of commercial laws published online</i>	0	60%
	<u>Key Outputs</u>		
	1.1.1 legislation proposed in new and emerging areas of commercial and land justice		
3.2 Strengthen business registries	1.1.2 Access to commercial laws enhanced		
	1.1.3 Rules and procedures in commercial justice simplified		
	1.1.4 Appropriate regional laws harmonised and domesticated		
	1.1.5 Commercial laws enforced		
	<i>Proportion of Ugandans with a National ID</i>	45.2%	85%
	<i>Time taken to register a business(days)</i>	2days	8hours
	<i>Level of Automation of business registries</i>	45%	75%
	<u>Key Outputs</u>		
	1.1.1 Registries reformed and equipped		
	1.1.2 Registries Automated		
	1.1.3 Staff capacity enhanced in e –registry		
	1.1.4 Stakeholders sensitised on registration processes		

Strategic intervention	Outputs and Key Performance Indicators	Baseline	Targets
3.3 Strengthen commercial and land dispute resolution institutions and processes	<i>Clearance rate of land cases</i>	77.1%	98%
	<i>Clearance rate of commercial cases</i>	71%	98.7%
	<i>Mediation success rate</i>	55%	60%
	<u>Key Outputs</u>		
	1.1.1. Case management systems enhanced 1.1.2. Mediation, small claims procedure and land courts rolled out 1.1.3. Capacity of duty bearers in commercial and Land justice built 1.1.4. Rules and procedures that cause delays reformed		



**National Planning Authority**  
Planning for Development



REF: NPA/ED/MDA/116

11<sup>th</sup> August, 2017

Senior Technical Advisor  
Justice, Law and Order Sector  
Kampala

### **APPROVAL OF THE JUSTICE, LAW AND ORDER SECTOR DEVELOPMENT PLAN**

Reference is made to your letter dated **9<sup>th</sup> August 2017** in which you re-submitted to us the revised Sector Development plan for the Justice, Law and Order Sector.

We have reviewed the plan, taking into account incorporation of issues highlighted in terms of alignment to the Second National Development Plan (NDPII) and the recommended structure in the Sector Development Planning Guidelines.

The purpose of this letter therefore is to clear the plan for onward final approval.

Yours sincerely;

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