



THE REPUBLIC OF UGANDA

THE JUSTICE LAW AND ORDER SECTOR



The Third JLOS Strategic Investment Plan (SIPIII)

2012/13-2016/17

Vision

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

Theme

Deepening reforms for a pro people justice system

LIST OF ACRONYMS

ADR	Alternative Dispute Resolution
BDR	Birth and Death Registration
CADER	Centre for Arbitration and Dispute Resolution
CJRP	Commercial Justice Reform Programme
COMESA	Common Market for Eastern and Southern Africa
CSOs	Civil Society Organisations
DCC	District Chain linked Committee
DPG	Development Partners Group
DPP	Directorate of Public Prosecutions
EAC	East African Community
EDF	European Development Fund
EU	European Union
FY	Financial Year
GAL	Government Analytical Laboratory
HRBA	Human Rights Based Approach
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
EKN	Embassy of the Kingdom of the Netherlands
RSA	Resident State Attorney
RSP	Resident State Prosecutors
SB	Special Branch
SPCs	Special Police Constables
SWAp	Sector Wide Approach
TAT	Tax Appeals Tribunal
UHRC	Uganda Human Rights Commission
ULRC	Uganda Law Reform Commission
ULS	Uganda Law Society
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

JLOS Sector Institutions

1. Ministry of Justice and Constitutional Affairs (MoJCA)- Lead Institution
2. Judiciary
3. Centre for Arbitration and Dispute Resolution (CADER)
4. Directorate of Citizenship and Immigration Control (DCIC)
5. Directorate of Public Prosecutions (DPP)
6. Judicial Service Commission (JSC)
7. Law Development Centre (LDC)
8. Ministry of Gender, Labor and Social Development(MoGLSD)-Juvenile Justice
9. Ministry of Internal Affairs(MIA)
10. Ministry of Local Government(Local Council Courts)
11. Tax Appeals Tribunal (TAT)
12. Uganda Human Rights Commission (UHRC)
13. Uganda Law Reform Commission (ULRC)
14. Uganda Law Society (ULS)
15. Uganda Police Force (UPF)
16. Uganda Prison Service (UPS)
17. Uganda Registration Services Bureau (URSB)

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Foreword

The Justice Law and Order Sector (JLOS) is a sector wide approach that brings together 17 institutions responsible for administering justice maintaining law and order and promoting the observance of human rights.

Uganda's Justice Law and Order sector is a significant innovation now in operation for over 10 years as a holistic Government approach focused on improving the administration of justice, maintenance of law and order as well as the promotion, protection and respect of human rights.

The sector has over the past decade implemented the first and second investment plans and is proud to note 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.

Building on the above successes, JLOS has developed the third Sector Strategic Investment Plan (SIPIII). SIPIII is based more on the need to achieve clear results and impact aiming at the promotion of the rule of law. The sector is thus focused on increasing public confidence and trust in the justice system as well as user satisfaction in the services offered by the sector.

To drive the above impact the sector will over the next five years strengthen policy and legal frameworks for effectiveness and efficiency; enhance people's access to JLOS services and drive the country towards deeper observance of human rights while promoting institutional and individual accountability.

The Justice Law and Order Sector Third Strategic Investment Plan for the period 2012/2013 to 2016/2017 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 first and second Strategic Investment Plans. The primary driver for the implementation of the SIPIII will be the institutional strategic investment plans that have been developed purposefully for the implementation of the SIPIII. This collaborative approach emphasizes a growing awareness that the challenges within the Justice Law and Order Sector can only be successfully addressed by working together.

SIPIII is therefore for and about the people in Uganda and changing their livelihood as we provide an enabling environment for investment and production.

I call upon all Ugandans, the people in Uganda and our partners in development to support the implementation of SIP III as we strive to ensure justice for all



Hon. Justice B J Odoki

Chief Justice/Chairperson JLOS Leadership Committee

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Executive Summary

Introduction

1. The Justice Law and Order Sector (JLOS) in Uganda is rated as a huge success and regional flag bearer¹ in policy and strategic coordination in justice and law enforcement reforms. Embedded within the national planning framework and a rights based approach, the sector-wide approach(Swap) has grown from an initial local based pilot² into a collaboration that draws together over 15 institutions³ across family, land, commercial and criminal justice spheres. Steeped in this success, the Sector intends to sustain this growth and its dividends. Within this investment plan, the Sector will multiply its efforts to transform the justice and law enforcement system into one that respects, promotes, protects and fulfills the fundamental rights stipulated in the Uganda Constitution of 1995.
2. JLOS successes in the past decade are located in law reform, institutional efficiency leading to increased responsiveness to user needs; continued progress in sector development and in the implementation of innovations to expand JLOS services to reach out to specific groups with limited access to justice. The initial sector investment (SIP I) 2000-2004 dipped into uncharted waters and SIP II consolidated the gains of this initial investment.
3. This Strategy is a living document that will continue to speak to the diverse sector institutions, development partners and non State Actors through Annual Reviews of Performance and Planning sessions. In addition and prior to the commencement of SIP III implementation, the Sector will ensure that the rubric of institutional actions, reforms and interventions cumulatively attain the goals of SIP III.
4. The development of the Strategy has benefitted from an array of views gained from a broad range of consultations including within Government- at national and regional levels; non- governmental organizations, private sector, development partners and special groups including children, prisoners etc. The process of consultations will continue through the Annual reviews of Implementation and planning to foster both vertical and downward accountability for sector results.
5. The initial section reviews the context within which the Sector operates; the achievements, prospects and lessons derived from previous performance. The second section outlines the Strategy and its elements. The third section reviews the management arrangements; presents risks and mitigation measures and the monitoring and evaluation framework. The last section presents the SIP III financing arrangements.

¹ See www.jlos.go.ug

² Chain Linked Initiative piloted in Masaka Chief Magisterial Area in 1998

³ See www.jlos.go.ug

SIP III and JLOS Operating Policy Frameworks

6. The JLOS Strategic Investment Plan III 2012/3-2016/7 provides a unified policy and programmatic sectoral response to administration of justice and law enforcement in Uganda. SIP III provides a platform and spring board upon which the Government of Uganda, all sector institutions, development partners and Non State Actors shall harness their five year programs, strategies and activities. This is the basis for the unity of purpose that has so far characterized JLOS Sector performance. The strategy also provides a sector wide budgeting and financing framework for JLOS based on the MTEF and bilateral development partner contributions for the purpose of securing sustainable funding for the five year strategy.
7. The framework of the Sector is premised within its cardinal role of undertaking steps that enable all people in Uganda to realize the rights and freedoms enshrined in the Bill of Rights, Chapter 4 of the Constitution-. Through a collectivization of its institutional mandates, JLOS assumes, and through SIP III, seeks to discharge the country's obligation to respect, protect and fulfill universally accepted human rights standards. SIP III content is cognizant of the recommendations of the Universal Periodic Review of Country human rights performance under the following international human rights instruments:
 - i. Universal Declaration of Human Rights;
 - ii. the International Convention on Civil and Political Rights
 - iii. The International Convention on Economic Social and Cultural Rights
 - iv. The United Convention on the Rights of the Child
 - v. The Convention on the Elimination of all forms of Discrimination Against Women
 - vi. United Nations Convention Against Corruption
 - vii. United Nations Convention Against Torture
 - viii. United Nations Convention against slavery and anti-trafficking

And continental and regional human rights commitments including the New Economic Partnership for Africa's Development (NEPAD); the African Charter on Human and People's rights; the African Charter of the Welfare of the African Child; the African Protocol on Advancement of the Rights of Women; of the Juba Peace Agreement and more specifically the recommendations of the African Peer Review Mechanism Report

Articale 20 (2) of the Constitution states that "the rights and freedoms of the individual and groups enshrined in this Chapter shall be respected, upheld and promoted by all organs and agencies of Government, and by all persons⁴". By discharging this duty, the Justice, Law and Order Sector dovetails into Objective 7 of the National Development Plan of Uganda 2010/11-2014/2015 that recognizes the Justice, Law and Order Sector as an enabling sector for national development. JLOS is a platform and basis for the performance of the primary growth sectors that directly pursue economic growth, employment and prosperity.

⁴Article 20(2) of the Constitution of the Republic of Uganda, 1995

JLOS SIP III also takes into account outstanding challenges in the realization of the EAC Customs Union and the Common Market and will seek to rise to the demands of the EAC Monetary Union and Political Federation.

SIP III Policy Shifts

8. SIP III seeks to deepen and broaden access to JLOS services through well targeted interventions aimed at the legal, policy and regulatory framework – both internal and external; enhancing access to JLOS services with an emphasis accorded to the poor and marginalized groups; and mainstreaming human rights and accountability in JLOS service delivery. SIP III calls for the full involvement of every Sector institution; individually and collectively to deliver these results within their mandates and capacities.
9. The character and validity of SIP III lies in the following content policy shifts:
 - ❑ Expansion of legislative reform focus from process and content to include impact of law reforms through proactive pursuit of improvements in the enforcement of the existing legal and rights regime;
 - ❑ Towards 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;
 - ❑ Deliberate emphasis to fully discharge sector roles and mandate;
 - ❑ Expanded focus on addressing the wider civil and criminal justice while paying special attention to the following:
 - land justice
 - family justice
 - transitional justice
 - Age and Gender based Violence
 - Workers rights
 - ❑ Development and funding of special programs to target gender, age, poverty and other forms of vulnerability;
 - ❑ Tackle the growing concerns of accountability and human rights observance;
 - ❑ Proactive engagement and reaching out to actors outside the constitution of the Sector but with a contribution to Sector goals for instance defence sector (Court Martial); Health and Education sectors; Accountability Sector etc

SIP III process shifts:

- ❑ **Resource focus at the points of service delivery across the Sector**
-Investments under SIP III will follow the lowest levels of justice service delivery – the sub national implementation levels. This will be balanced with the necessary but lessened focus at the national level legislative, policy and programming functions.

- Work with both **demand and supply** sides of justice; Under SIP III the Sector will develop clear guidelines and innovative pilots of working with Non State Actors including Private Sector; NGOs; FBO and local communities. In this respect too the Sector will deploy proactive mechanisms to encourage public participation in the administration of justice and enforcement of law and order.
- **Consolidation of the Sector Management Policies; Systems and Structures:** Under SIP III the Sector will craft, document and broadly disseminate its management policies, systems and structures as a mechanism of stimulating internal action particularly at sub-national points of service delivery; broadening public participation; reinforcing institutional efficiency and accountability; and paying due attention to sector wide institutional capacity development including affirmative action for weak institutions.

SIP III Primary Focus 2012/13-2016/17

10. While maintaining due focus on the national level legislative, policy and programming functions; the thrust of SIP III shifts to the sub-national implementation levels encompassing both demand and supply sides of justice. In the next five years resources will be skewed towards addressing operational level systemic constraints to JLOS service delivery in all spheres of justice civil, criminal and administrative and stimulating discussion, knowledge and application of human rights in JLOS reforms.
11. Whilst sustaining its investments in prioritized and areas of promise continuing from SIP II, in JLOS SIP III JLOS will develop and fund special programs to target gender, age, poverty and other forms of vulnerability and uphold rights through system based and holistic approaches that broaden the definition of justice beyond the formal justice systems. To deepen the reforms JLOS will tackle the growing concerns of accountability and human rights observance – through standard setting; compliance check through Peer Review mechanisms and full implementation of the Sector Anti-Corruption Strategy among others. The Sector will consolidate its management systems and structures, implement a Sector management policy and continue to innovate, generate knowledge and set the pace for justice reforms in the East African Community (EAC) and in the entire African region.
12. A number of objectives are identified to deliver the above outcomes. The Sector will initiate and pursue the enactment into law of the Access to Justice Act; the amendment to the Children Statute, the Witness Protection Law; Review of the Probation Act; the development of service standards; the Oil and Petroleum laws among others. In addition JLOS will disseminate simplified laws to enhance access and awareness by special interest groups. By the end of SIP III, JLOS primary institutions will be physically and functionally present in all districts; the sector will also strive to reduce lead times in service delivery; institutionalize the provision of legal aid services across the country and take stern action against corruption and violation of human rights by its staff. In addition JLOS will staff and retool its institutions, renovate existing infrastructure to ensure full functionality of its institutions.

13. JLOS SIP III will strengthen the justice system and tackle corruption as a key constraint to economic growth, employment and prosperity. In particular JLOS SIP III will increase the pace of legal, policy and regulatory reform, and better tailor the reforms to the needs of the primary sectors of growth. JLOS will formulate and disseminate process standards and also make available to all users, government, institutions and individuals reformed laws, policies, regulations and standards in formats appropriate to the needs of the users. The reform of laws and improvements in the legal, policy and regulatory framework will be demand driven and strategic to promote the attainment of a) national development goals and b) attainment of sector results. JLOS will enter into partnerships with non state actors to disseminate available laws, policies and regulations. JLOS SIP III will also capitalise on the emergence of new information and communication technologies and use them to support improved information exchange and feedback within the different levels of JLOS institutions (vertical and horizontal flow of information).
14. JLOS SIP III will utilize and build upon the SIP II management arrangements including the policy and operational management system and structures; the Medium Term Expenditure Framework; the procurement regime and monitoring and evaluation system. With its strong focus on results in SIP III, JLOS SIP III includes a detailed results framework along with a results matrix. JLOS SIP III envisages three impact studies- one at the beginning to establish baselines; a Mid Term Review and an impact assessment to assess changes in the justice systems and impact on the users disaggregated by gender, age, location and claim.

SIP III Results 2012/13-2016/17

15. At the end of the SIP III in 2016/17; the Sector will deliver to all people in Uganda the following three results:
 - A Legislative, policy and regulatory framework conducive to JLOS operations; promoting rule of law and human rights and enabling national development;
 - More people, particularly the poor and vulnerable groups, will have better access to justice, and live in a safer and secure environment;
 - JLOS institutions that are more responsive to human rights, and are more accountable to service users and the public.
16. By so doing, 70% of population will be satisfied with JLOS services by 2016/7 and public confidence in the justice system will increase by 47% from the current 34% to 50% in 2016/7.

Section 1: INTRODUCTION

1.1 Strategic Context and Rationale

1. The Justice, Law and Order Sector (JLOS) is a priority sector in the Ugandan economy. JLOS features prominently among the Sectors enabling growth, employment and prosperity under the National Development Plan (NDP) 2010-11- 2014/15. In recognition of this role, the Government of Uganda increased its support to the JLOS Sector by 50.3% over the 10 years with the Sector share of the national budget averaging 6.26% over the period. The overall goal of JLOS – the pursuit of the Rule of Law is the centre piece and mainstay of the government in pursuit of its vision of Prosperity for All. This is borne out by development research that affirms that establishment of the rule of law is the bedrock for national development. In lessons derived from development research it is now consensus that “In hindsight, we should have put the establishment of the rule of law first, for everything else depends on it; a functioning economy, a free and fair political system, the development of civil society, public confidence in the police and the courts.”⁵ This view is widely shared by governments and non government actors alike.
2. At the macro level JLOS contributes directly to structural transformation of the Ugandan economy by promoting the rule of law through effective regulation of economic activity, clarification and affirmation of rights, and strengthening laws, regulations and institutional arrangements that shape 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 primary sectors driving economic growth, employment and prosperity. Regulations that are transparent, efficient and implemented in the simplest of ways make it easier for poor people to operate within the law and to benefit from the opportunities and protections that the law provides.
3. JLOS SIP III builds upon 10 years of investment in the sector wide programming approach initiated in 1999 and aligned with the principles and aspirations of the people of Uganda laid out in the National Constitution; and a domestication of the Government of Uganda commitments at regional and international levels.
4. The primary sector goal under SIP III is to promote the rule of law. Fundamental to this goal is the establishment and sustenance of a legislative, policy and regulatory framework cognizant of human rights and conducive to national development. In the last two Sector Investment Plans, the Sector has registered significant improvements in the enactment of laws and regulations in commercial, land, criminal and family justice. In dealing with matters of advancing constitutionalism, regional integration, transitional justice, civil, political, socio-economic and cultural rights, JLOS ensures the adoption of an appropriate policy framework for actualization of these rights within the national realm and internationally.

⁵ Herzegovina, Sir Emry Jones Parry, U.K. Permanent Representative to the U.N., Address to the International Security and Global Issues Research Group and the David Davies Memorial Institute Seminar (Nov. 10, 2004)

5. The second fundamental aspect and also an important JLOS commitment in the SIPIII is to accelerate access to JLOS services for all particularly the vulnerable. This will include bottom up measures to empower people in Uganda to assert their rights and demand their entitlements from JLOS institutions. Lastly the Sector will uphold and maintain through promotion of a rights and accountability culture throughout JLOS institutions as a sustainable response to raise public confidence in JLOS services.
6. Lastly but equally important is the promotion of the observance of human rights and institutional and individual accountability in JLOS institutions.
7. JLOS SIP III strategic focus therefore in the next five years is to enhance the performance of its institutions to deliver three results: i) a rights based policy, legal and regulatory framework for its operations, national economic growth, employment and prosperity, ii) improved access to JLOS services for all particularly the vulnerable, iii) enhanced human rights observance and institutional accountability.

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

8. Performance of the JLOS Sector in the recent years yielded positive results⁶. Improvements in the legal, policy and regulatory framework in the previous SIPs have seen the enactment of over 20 bills into law⁷; formulation of regulations and creation of semi autonomous and one stop units for business-dispute resolution; Centre for Arbitration and Dispute Resolution (CADER); for business registration services; the Uganda Registration Services Bureau (URSB) and the Directorate of Citizenship and Immigration among others.
9. As a result, the ease of enforcing contracts ranking improved to 110 in 2011. Ease of starting a business in Uganda improved to 143 in 2011⁸. Starting a limited liability company in Uganda now takes 45 minutes to conduct a search in the registries; less than 12 hours to register a limited liability company and equally less time to register patents, trademarks and other business instruments. Uganda's overall Doing Business 2011 ranking is 122, recording a 7-point increase from last year. The most significant increase was recorded in the Getting Credit Indicator, where the country jumped 63 spots. According to the latest Enterprise Surveys (2006), the top constraint to firm investment in Uganda is lack of access to electricity. Firms in Uganda report 11 power outages per month slightly higher than the regional average (10.45). Uganda's economic freedom score is 61.7, making it the 80th freest economy in the 2011 Index. Its score is 0.5 point lower than last year due to declines in four of the 10 economic freedoms. Uganda is ranked 7th out of 46 countries in the Sub-Saharan Africa region, and its overall score is above the world average. Tariff barriers have been eased, although non-tariff barriers still constrain overall trade freedom. Uganda continues to attract more foreign direct investment than many other countries in the region. It

⁶ This is in accordance with the Medium Term Evaluation, supported by national and international data.

⁷ Including the Law on dual citizenship; the Domestic Violence Act etc

⁸ The World Bank et al Doing Business in 2011 Sub National Series: Comparing Business Regulation in Juba and 183 Economies, 2011

is diversifying its productive base, and manufacturing has become more substantial. Investments towards a strong and efficient justice system along with elimination of corruption will accelerate the countries' standing in doing business and attraction of investments.

10. Access to JLOS services increased exponentially. Unified JLOS services are now available in more districts than was the case in 2000. The latter is in spite of the five-fold increase in the total number of districts in the country. In effect, 70% of the Ugandan population that lives in rural areas can now traverse shorter distances and access JLOS services in close proximity to each other unlike the situation in 2000. A comprehensive mapping of density of JLOS physical presence across the country is attached as Annex 1.
11. There is a reduction in lead times for conducting business searches to fewer than 30 minutes, registration of documents in less than 24 hours and registration of companies is done within a day. URSB is currently understudying the possibility of providing services on line. New firms and companies create jobs and foster economic development. Formally registered businesses grow larger and are more productive than informal ones. Similarly the ease of accessing travel permits has improved from 34 days in 2000 to 10 days in 2010 for passports and from 3 months to 21 days for work permits. The Governmental Analytical Laboratory under the Ministry of Internal Affairs improved its service time from an average of 6months in 2005/6 to 3 months 2010/11.

Activity	Lead time 2005/06	Lead time 2010/11
Processing a Passport	30 days	10days
Processing a Work permit	90days	21days
Clearance at borders	15minutes	5minutes
Forensic analysis	6months	3months
Peruse files for prosecution	14days	2days
Register a Company	30days	48hours

Source: JLOS Annual Report 2011

12. JLOS has also registered improvements in speed of access to services to JLOS services offered by participating institutions like Tax Appeals Tribunal, Government Analytical Laboratory Services; Uganda Human Rights Commission; Directorate of Public Prosecutions; Criminal Investigation Department of the Uganda Police Force and its special units of family and child protection units and NGO registration.
13. With JLOS emphasis on the promotion of alternative dispute resolution mechanism, the cost of accessing JLOS services has reduced. In the Commercial Division of the High Court, a mediation registry was established and coupled with all ongoing reforms in the Division, case backlog reduced from 44% in 2009 to 34% in 2010. Specialized services in the Commercial, Anti Corruption; Internal Crimes Division (ICD) ; Land and Family Divisions at the High Court have enabled JLOS to increase its case disposal rates from 30.7% for commercial cases in 2007/8 to 48.8% in 2009/10.

Disposal rates by level court

Year/court level	2008/09	2009/10	2010/11
Supreme Court	23.8	57.6	57.5
Court of Appeal	11.4	13.9	11.6
High Court	24.4	30.6	24.0
Chief Magistrates Court	38.7	35.0	39.2
Magistrates Court	60.0	57.2	52.0
Magistrate Grade II	62.6	60.8	53.0
Average	40.6	38.9	44.7



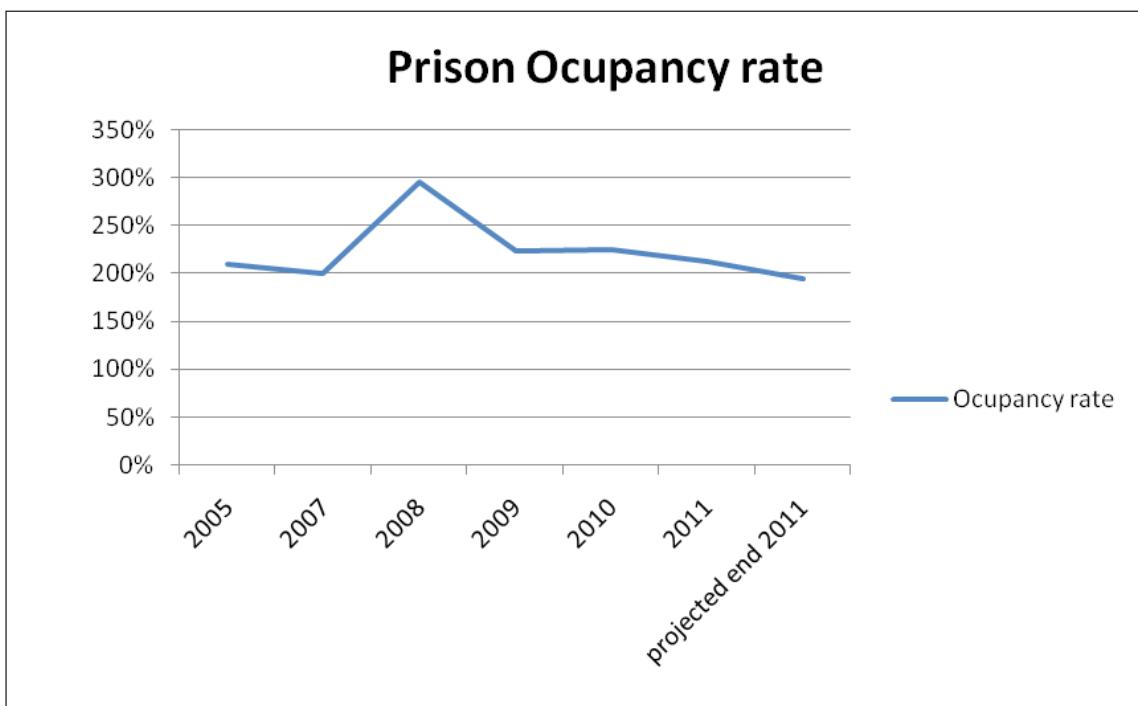
14. **The adjudication of Corruption Cases** has improved. Successful prosecution of corruption cases has happened in the newly created Anti Corruption High Court Division leading to an increased number of convictions. The Sector has accorded support to development of the legal framework- particularly with the enactment of the Prevention of Corruption Act and The Whistleblowers Protection Act 2010. There remain gaps in the legal framework that should be accorded priority by the Sector. These include creation of a legal framework for administrative funds recovery and the plugging of legislative gaps that continuously result into loss of court cases by Anti corruption institutions. The Sector has developed and will implement an anti-corruption strategy to augment its ongoing interventions.

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

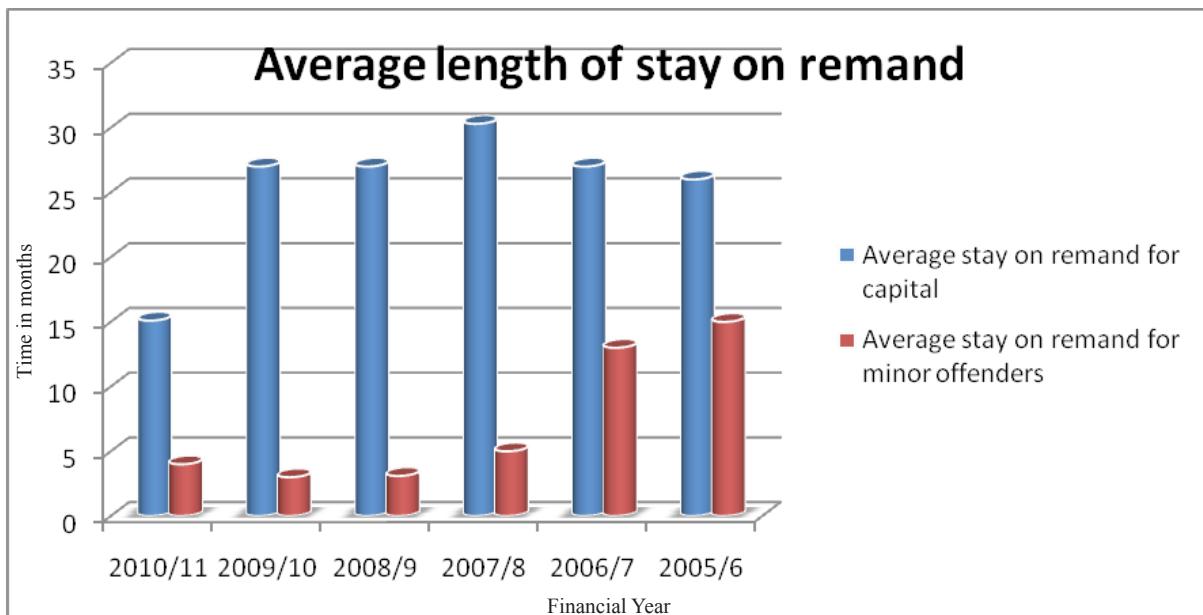
Focus area	2005/6	2007/8	2008/9	2009/10	2010/11
Criminal	33	49.7	48.6	45.7	51
Anti-corruption	NA	NA	NA	80	81
Civil	24.4	33	36.3	28.4	22
Family	27.9	26.9	42.7	39.7	59
Land	18.6	20.5	15.8	21.7	27
Commercial	39.2	30.7	34.2	48.8	44

Source: JLOS Annual Reports

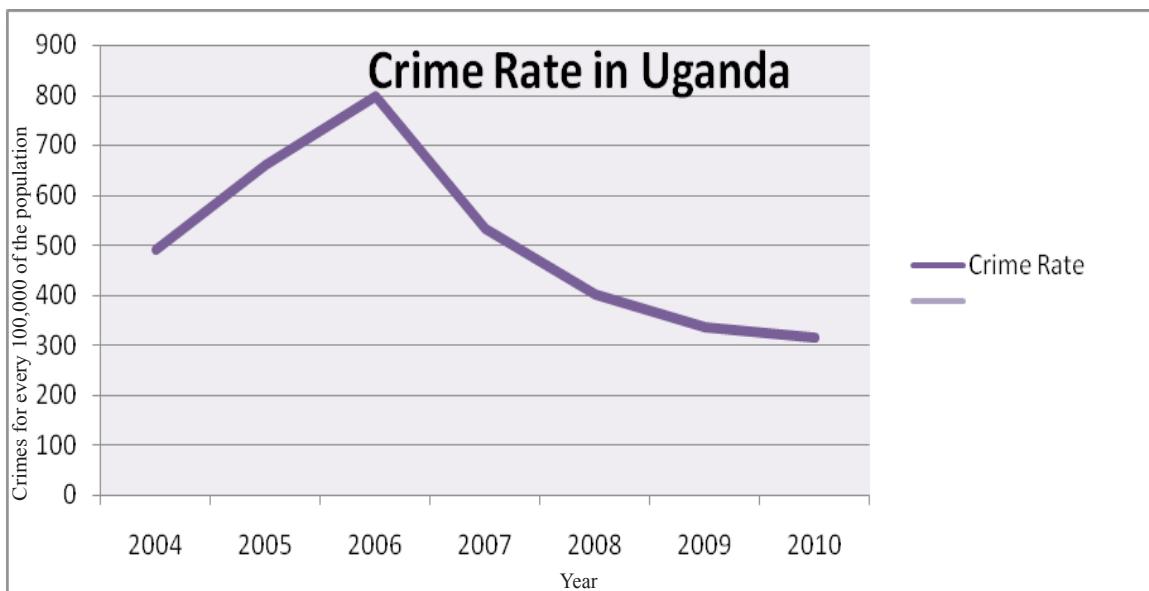
15. The observance of human rights in the provision of JLOS services too has greatly improved. Through JLOS interventions, Uganda Prisons Services for the first time in 10 years reversed the proportion of remand to convict population from 62:38 in 2003 to 53:47 in 2011.



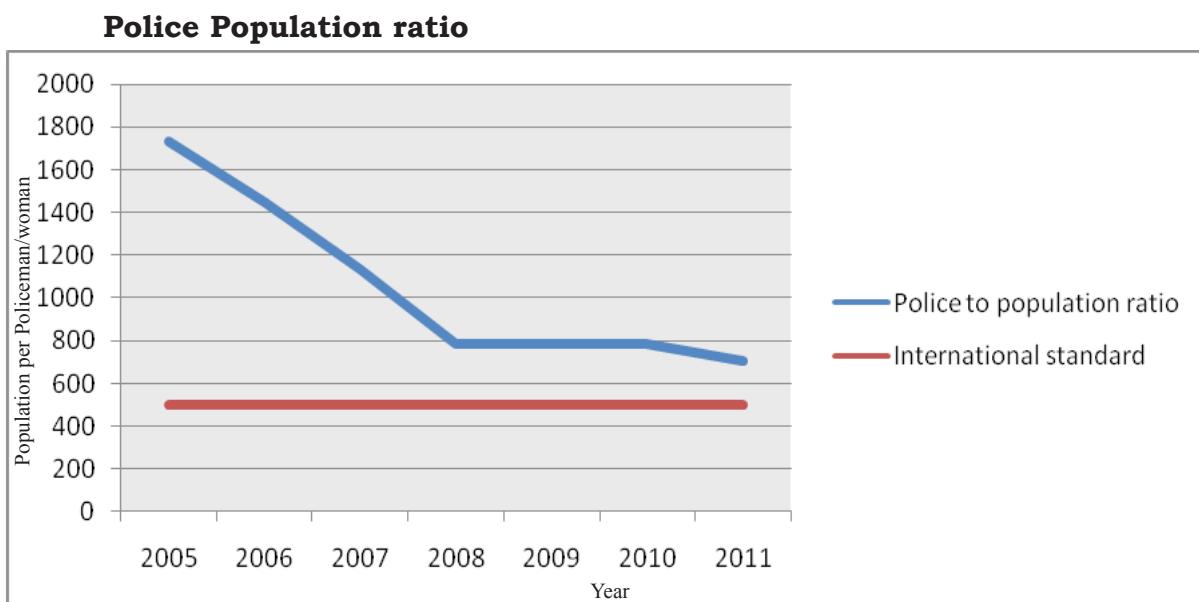
16. The average stay on remand for minor offences reduced from 15months in 2003/4 to 3months in 2010. Human rights violations in prisons decreased with improvements in prisoner access to education, health services, improved diets, complaints mechanisms and a 22.4% overall increase in prison physical holding capacity. JLOS has improved its capacity to respond to public complaints both in terms of speed and action.



17. JLOS registered successes in improving personal safety and security of property. Reported cases reduced to 282,401 in 2010 a crime rate reduction of 16% from 2009 whilst the volume of crime decreased by 13%. Human resource ratio to population served, has improved over the years. For instance the Police to population ratio improved from 1:1734 in 2005 to 1:786 in 2008⁹.



⁹ Source: UPF administrative records, 2010



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

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

JLOS contribution to poverty reduction and National Development:

20. In recent years Uganda has witnessed high economic growth fuelled by foreign direct investments and an expanded internal revenue base with real GDP growing by 7.1 % for FY 2008/9 and 5.8% in 2009/10¹⁰. The existing and steadily improving legal framework has offered direct support to the formulation and implementation of macro-economic reforms; poverty reduction; wealth creation and service delivery policies. Country progress to halve the proportion of people whose income is less than one dollar is on track¹¹ with statistics on poverty reduction, including among rural Ugandans showing a significant reduction from 38% in 2002 to 31% in 2009. Uganda is increasingly seen as having potential for both local and foreign direct investment attracting investments worth USD 1.7 billion in FY2010/11, licensing a total of 340 projects with 130,732 jobs created. Increased investor confidence in the country is suggestive of positive improvements in the legal, policy and justice

¹⁰ And this notwithstanding the impact of the global economic and financial crisis.

¹¹ UNDP, Millennium Development Goals Report for Uganda, 2010, Accelerating Progress towards Improved Maternal Health, September 2010

administration system. This is borne out by the 2008 Evaluation of the Poverty Eradication Action Plan that pointed to overall growth in GDP per capita in the period from 1992-1997 seems to have been particularly effective in fuelling growth in per capita consumption. The Evaluation recognizes the PEAP prioritized expenditure since 1997 to improve personal security and access to primary education, health care and water, which alongside continued robust economic growth, probably helped reduce poverty.

21. Peace and stability have also been re-established across most parts of the country. Government recognizes that personal safety and security of property are crucial for national development. The over two decades of insurgency in Northern Uganda deprived the people of the right to participate in development processes; transplanted institutions and deepened levels of vulnerability particularly among the poor and marginalized groups. The re-establishment of JLOS presence under the framework of the Peace, Recovery and Development Programme (PRDP)¹² has provided the required stability and given communities confidence to return to their homes, resettle and the courage to embark on the long process to recovery. The establishment of a specialized War Crimes Trial system has strengthened the operational capacity of the Police to enhance public safety, prevent crime and deal sensitively with all forms of violence. JLOS is in the process of supporting the dialogue on transitional justice and the revitalization of the capacity of the entire justice system (both formal and informal) in Northern Uganda with particular sensitivity to the needs of women and children.
22. A new agenda in relation to **regional integration** for competitiveness came into play with the formal implementation of the EAC Common Market Protocol on July 1st 2010. The fast tracking of the approximation of laws and policies in the region to facilitate the free movement of labor, goods and services across the region is predicted to translate into less expensive consumer products and services and more efficient and competitive companies in the global market.
23. **Human Rights:** There is an improvement in the country's human rights situation. Uganda recently concluded the Universal Periodic Review that affirmed country progress in establishing the policy, legislative and institutional framework for the promotion, protection and fulfillment of human rights.

Outstanding Challenges.

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

24. **Enforcement of laws:** To improve predictability and certainty of the legal framework, law reform should go hand in hand with the enforcement of laws. As pointed out "the rule of law is not just about the enactment of laws, nor about their simplification, it is the enforcement of the law in practice that counts." The Universal Periodic Review on the situation of human rights in

¹² The PRDP supports the political dialogue including the commitments agreed upon; the promotion and restoration of peace and security and mobilization of additional resources to support development efforts that will reduce economic disparities between the North and the South.

Uganda noted the widening gap between the legal framework on paper and the law on paper and the law in practice. Of concern here are four outstanding challenges to the sector. One is the systematic domestication, implementation and fulfillment of international, regional and national human rights obligations. Two relates to the timely enactment of key bills into law particularly those that have faced excessive process delays. Three is the creation of legal and procedural awareness and lastly the provision of resources necessary for the effective enforcement of enacted legislation.

25. **Access to legal and rights information:** The levels of legal and rights awareness among the population served by JLOS institutions remain low.
26. Procedures of access and mechanisms to obtain redress remain largely unknown to users. This limits the demand side ability to assert and claim their due entitlements from the JLOS system. Levels of knowledge and empowerment of users to access JLOS services will be prioritized in SIP III. The JLOS sector is mandated to bring the legal and policy framework to popular appeal within which all people including the poor and marginalised groups may assert their rights. One of the key mandates of the Ministry of Justice and Constitutional Affairs is the dissemination of legal information to the public.¹³ Popularization of the laws and massive education of the public on their constitutional rights and legal protections are part of the process of entrenchment of the rule of law entrusted to the Sector. This is a marginally discharged role by the sector. Presently there is no comprehensive system of simplification and dissemination of laws to the population and also to the justice actors.
27. **Institutional barriers to access to JLOS Services:** Attempts to improve access in the last two SIPs have improved physical access to the office of the Administrator General. There is need to address technical, cost and related barriers to access the services of the Administrator General, Directorate of Citizenship and Immigration; Uganda Registration Services Bureau; NGO Registration Services; National Identification and Uganda Human Rights Commission.
28. **JLOS Service Delivery and institutional productivity** remain low. In the initial years JLOS investment mainly focused on “stabilization reforms” including reconstruction, retooling and staff development. This was largely driven by the dire need arising out of the many years of institutional neglect and decay. Now the opportunities for addressing the functionality of institutions are opening up calling for the high attention of JLOS to institutional and individual performance accountability. The Auditor General’s audit of Ministries, Department and agencies (MDAs) 2009/10 data showed that arrears within the sector continued to be a significant problem and a sign of weaknesses in financial management. The Ministry of Justice and Constitutional Affairs ranked highest as the MDA with the highest arrears of UGX 96.96 billion, a situation that must be remedied. JLOS services remains largely inaccessible outside of urban settings and particularly for socially and economically disadvantaged groups.

¹³ www.mojca.go.ug

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

Other issues of Priority

30. **Gender Justice:** Efforts to develop a JLOS Gender Strategy have taken place, and a JLOS Gender Strategy is in draft. There is a genuine effort to ensure gender mainstreaming in the Sector's objectives, programme and activities as well as in staffing and human resources¹⁴. Gender champions exist in the Sector with apparent commitment and value to address gender within the work of the Sector- the challenge for JLOS is to learn how to adopt a pragmatic and systematic approach to gender mainstreaming. SIP III presents this opportunity and will concretise progress in legislation, policy and analytical work improving the pace of transformation. JLOS will improve its collection and analysis of data, and capacity development in gender analysis to inform the establishment of priorities and the implementation of activities.

31. **Justice for Children:** Since JLOS SIP 1 in 2000, JLOS engaged in discussions at various levels to ensure access to justice for all particularly the poor and vulnerable groups, children inclusive. However service delivery to children remained fragmented at institutional level. A number of promising initiatives have been limited in scope - mainly serving children in conflict with the law and over shadowing equally important claims of children in the justice system for instance, in the areas of management of estates, custody, guardianship, protection of victims of crime and related services. Many of the justice system practitioners have had to adopt a make “**do approach**” dictated by resource limitations, rather than need, priority or statutory and internationally ratified obligations. The gaps are most evident within the Probation and Social Welfare Services where policy, staffing and structural challenges have to be addressed in a systematic manner as a matter of urgency. The Judiciary needs to address issues of jurisdiction to handle children matters in alignment with the phasing out of Grade II Magistrates under the Professionalization of the Bench policy. The Sector needs to upscale and harmonise the implementation of good practices and concepts like diversion – that are only important and meaningful to children only if applied consistently across the system. The Justice for Children Program promises to integrate all these pockets of good

¹⁴ JLOS Gender Audit, October 2010

practices into an interrelated, coherent and integrated service for children, shifting approach from institution to system wide planning, implementation and accountability for results for children.

32. **Transitional Justice:** **Transitional Justice** has emerged as one of the key thematic areas for the Sector in that it aims to promote justice and accountability for past human rights violations and war crimes; to enhance access to justice and basic services for victims in Uganda's conflict-affected areas, with emphasis on the rights of vulnerable groups (women, children); and to contribute to strengthening the rule of law across the country, especially in areas where justice sector institutions and service delivery have been weakened by conflict. This will require the adoption of a relevant policy and legal framework accompanied by institution building and strengthening to give effect to the respective policy and laws. The signing of the annexure to the Final Peace Agreement at Juba on Accountability and Reconciliation offers JLOS the opportunity to fulfill Government commitments to achieving justice, accountability, reparations and reconciliation in response to the two-decade war in Northern Uganda. The Agreement embodies a broad concept of justice, calling on the Government to promote both formal justice and alternative justice mechanisms, such as traditional justice mechanism, truth-telling and reparations, to promote sustainable peace and reconciliation. It emphasizes a comprehensive, holistic, integrated, participatory and victim-centered approach to post-conflict justice. Special attention to the rights, welfare and participation of women and children in TJ mechanisms is also a key feature of the Juba annexure.
33. In the spirit of the Juba Peace Agreement, JLOS has embarked on a process to adopt a national transitional justice policy that will set forth the GoU's goals and strategy towards achieving justice and reconciliation post conflict areas, and which will be accompanied by relevant legislation creating necessary mechanisms to implement the policy. The Sector has therefore launched a national consultative process to inform the policy, which will serve as the overarching policy framework for Uganda on post-conflict justice and reconciliation. In so far as transitional justice is cross-cutting, the introduction of new mechanisms, policies, laws and related reforms by the Sector will seek to be complementary and mutually reinforcing. The process by which the policy will be developed and implemented will be participatory, with victims, affected communities and civil society as key stakeholders in the process. Special attention will be placed on consultation and participation of women and children in the policy development process. Finally, the transitional justice policy seeks to complement the initiatives by the Office of the Prime Minister, in particular the development of the Policy on Peace-building and Conflict Prevention and the corresponding post-conflict recovery-development programs (PRDP).
34. **HIV/AIDS:** The Health Sector points to an end to the previously heralded decline in HIV prevalence from peak of 18% in 1992 to 6.1% in 2011. Prevalence has stabilized presently between 6.1% and 6.5% whereas behavioral indicators have worsened revealing 43% of new infections per annum among monogamous relationships and 46% among persons reporting multiple relationships and their partners. The Sector recognizes its obligation to mainstream HIV/AIDS

into policies and strategies; mobilize and ensure availability and appropriate management of resource for HIV/AIDS activities as stipulated in the Uganda National AIDS Policy (UNAP). The Sector will continue to design programs and activities in accordance with the National HIV/AIDS Monitoring and Evaluation Framework (NAMEF) and will adopt a multi-sectoral approach to the implementation of HIV/AIDS activities. In mainstreaming of HIV/AIDS interventions, the Sector focuses on the reduction of the prevalence of HIV infection, providing care and support to the infected and affected staff.

35. **Land** is a key strategic resource to Uganda's population and is a core primary factor of agricultural production, ecosystem stability, and climate resilience. Prevalence of land conflicts at household level is high at 34.9% and is slightly higher amongst rural households(36%) compared to urban households (33%). Only 20% of land conflicts are not reported to any dispute resolution option. With a dispute resolution rate of 59.9% for land conflicts at first instance and an average dissatisfaction rate of only 13.3 % the land justice system is rated fair¹⁵. Though the majority of cases are handled in semi-formal fora, the sector needs to strengthen oversight and set standards while clarifying mandates of the different fora. Taken together, the situation of the land administration environment has significant implications for the Justice, Law and Order Sector to regulate and govern relations relating to the management of water resources, food security, forests, natural resource management, human health, infrastructure, and livelihoods. Land related wrangles and conflicts continuously flow into the criminal justice system. This situation has the potential to affect the country's development and growth trajectory. The high rate of population growth together with poor environment management practices means that more pressure will be exerted on the natural resource base, even if only to maintain the current quality of life, much less to contribute to economic growth and deliver environmental benefits. The role of the Justice, Law and Order Sector to protect, promote and enforce the environmental legal, policy and regulatory framework working together with other sectors is important.

National Level Exogenous Factors:

36. **The Climate Change Crisis:** The country economy and the welfare of the population are intricately linked to the natural environment and therefore highly vulnerable to climate variability and change. Even if the national evidence base is still weak and modeling the impact of the changes in climatic conditions is fraught with great uncertainty, there is little doubt that climate change could jeopardize the Government's economic and social development goals including the MDGs. Immediate impacts are visible in the increase in the frequency of droughts, extreme weather conditions exposing communities to harsh living conditions and deepening poverty in others, and increasing the pressure on land; spiraling into land related wrangles and conflicts.

37. **Youth Justice and Employment Creation:** Looking forward, a central pillar of the GOU development strategy is the creation of employment; and the creation of quality jobs remains a central development challenge for the country. There are several interacting constraints including low labour productivity, the

¹⁵ JLOS: Final Integrated study on land and family justice

inequalities between men and women, and weak linkages between education and the job market. The National Development Plan envisages improvements in employment levels and labour market condition through a mixture of measures that include: implementation of the national youth employment policy and other laws; policies and guidelines on labour productivity and employment; strengthening of labour market information systems; establishment of a minimum wage; provision of non-formal skills development targeted at women and youths; and enhancement of opportunities for medium sized businesses through improved access to finance, entrepreneurship training and promotion of value chains.

38. **Oil Wealth Management:** With Uganda's oil production expected to start in the next two years -there is already urgency for the JLOS sector to upend the legal, regulatory and institutional framework for oil exploration and management. This is an urgent requirement to manage the impact on the fiscal stance and the threat of the Dutch disease in oil management. Also of importance are key issues of skills development for JLOS advisory, and law enforcement services to government, mitigation of land alienation and environmental degradation, containing the threat of local and regional conflicts¹⁶ and addressing issues of governance and accountability in oil management in the context of entrenched corruption.
39. **Performance-based Management Approaches.** The Ministry of Public Service has instituted Results Oriented Management (ROM) and Client Charters as part of a comprehensive integrated performance management system aimed at improving performance monitoring for results and productivity in delivery of public services. JLOS will assist its institutions in customizing and rolling out the implementation of ROM and Client charter; strengthen Performance Appraisal and systems for Recognition, Reward and Sanctions; and initiate and support application of performance contracts in the Sector. Further JLOS will support the scaling up of social accountability mechanisms like the user satisfaction surveys at community level for JLOS service delivery.
40. **Regional Integration:** Despite the challenges, regional political ambitions to progress to a common market and even a monetary union have resulted in a resurgence of commitments to Regional Integration presenting diverse opportunities for JLOS intervention. Article 6 of the EAC Treaty is emphatic in its proclamation to the effect that underlying this commitment are values of good governance and human rights. Under Article 6 (d) of EAC Treaty good governance includes “adherence to the principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality, as well as the recognition, promotion and protection of human and peoples’ rights in accordance with the provisions of the African Charter on Human and Peoples’ Rights”. Demands on JLOS include approximation of laws; reengineering of institutional operations; creation of awareness of EAC demands and removal of non tariff barriers.
41. **Policing and Rule of Law in emerging Democracies:** Democracy requires the realization of human rights. The right to political participation is guaranteed,

¹⁶ Military scuffles already took place near Lake Albert at the common border with DRC and the Government of Uganda is already in Court over oil tax disputes.

among other ways, through the Constitution of Uganda ; the UN Covenant on Civil and Political Rights Article 25 that stipulates that each citizens has the right to take part in the conduct of public affairs either directly or through chosen representatives. For an emerging democracy like Uganda, nurturing political participation is a function of legislative, executive and administrative powers. Increasingly JLOS has suffered negative public reviews in the exercise of its powers in management of public demonstrations including arrests and arbitrary prosecutions. JLOS will accord priority to the articulation, highlighting and counteracting of structural obstacles that influence JLOS response,

42. **Population Growth and its impact on JLOS service delivery:** The population growth rate of 3.1% is unmatched by growth of sector services. Other exacerbating factors include a youthful population of approximately 60% of the total Ugandan population of 32 million; a productively employed labor force growing minimally at only 3.1% and 31% of the population living below the national poverty line and approximately 400,000 new graduands per year entering the labor market.

1.3 Lessons Learned and Reflected in the design of SIP III

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

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

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

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

45. **Strengthened role and engagement of the middle and lower JLOS ranks in JLOS Planning and Implementation.** The need for more effective and better institutionalized linkages at all levels was identified in JLOS SIP II MTE as a weakness affecting the field level impact and implementation. JLOS SIP III will build upon and further strengthen the institutional and implementation structures of JLOS SIP III through development of a seamless system from institutional implementers with emphasis on the District Chain Linked Committees, middle level management; policy makers and the JLOS structures.
46. Looking forward, a central pillar of the JLOS SIP III strategy is the **transformation of institutions into results based service oriented institutions.** There are several constraints to the adoption of the results orientation and service focus in JLOS institutions. These include i) institutional culture b) lack of basic skills in the sector and iii) weak linkages between implementers and higher level managers and policy makers within the institutions. These interacting factors keep Sector performance in a low level equilibrium. Notable progress has been made on the institutional retooling and re-equipping side of the equation but there remains much room for improving productivity and fully exploiting the potential of the institutions to invoke the law and optimally discharge their mandates.
47. **Focusing on Service Delivery:** Institutional productivity is also hampered by inadequate structures and staffing. Structures that are not responsive to implementation needs; incomplete restructuring of institutions, and; absence of optimal staffing norms raise service delivery costs in all institutions.
48. **Slow adoption of appropriate technology and its integration into service processes by JLOS institutions.** SIPI and SIP II promoted automated management information systems in the Directorate of Public Prosecutions and the Judiciary. Yet the impact of these efforts remains small even at institutional level, partially because of fragmentation and the modest overall efforts thus far in spreading out at all levels; linking and integrating the system. JLOS SIP III will build on, link and integrate management information systems to promote a more robust and integrated management information system.

Sector Management Processes.

49. Three process related lessons were drawn from the Medium Term Review of JLOS SIP II performance. These relate to the Sector management policy; the alignment of Institutional to Sector SIPs and the sector management of cross cutting issues.
With regard to the Sector Management policy the MTE recommended the “development of a sector management policy to define, *inter alia*, the sector relationships, institutional management reforms, resource allocation and use.” This recommendation has been adopted and integrated into the JLOS SIP III

50. **Alignment of Institutional and Sector SIP.** This recommendation related to the process of formulation and implementation of the Sectoral and institutional strategic Investment Plans. Lack of seamless alignment led to blurred lines in implementation and assignment of responsibilities. SIP III design process addressed this challenge through adoption of results based planning. The Sector Institutions jointly formulated the Sector Results Framework – and this has formed the premise for development of institutional plans.

51. **Management of Cross cutting Issues:** The MTE notes that “little attention was paid to cross-cutting issues. And this is a problem of both design and implementation processes.” SIP III has been preceded by a gender and vulnerability audit to address mainstreaming of gender concerns. In the same way children and vulnerability have been integrated through the design of the Justice for Children Project¹⁷. Poverty, conflict, environment and other cross cutting concerns too are addressed in the design process. The increase in gender based violence as demonstrated below will be an area of special focus under SIP III.

1.4 Higher Level Objectives to which the Sector contributes

52. JLOS SIP III’s strategic focus will promote a sector wide approach in line with the National Development Plan Objective 7. Drawing from the collection of institutional mandates, JLOS SIP III will: (i) strengthen the policy, legal and regulatory framework (through reform, harmonization and dissemination of priority laws, policies, procedures and standards; and enhancing public participation in reform processes); ii) enhance access to JLOS services for all particularly the vulnerable and iii) promote the observance of human rights and institutional accountability.

53. JLOS SIP III will help the country raise its levels of compliance with the constitutional obligations and particularly the Bill of Rights. It is recognized that the Sector takes the lead in translating the constitutional principles into law; and is also a means of recourse in redressing threats to constitutionalism in the country.

54. JLOS SIP III will improve Uganda’s fit in the East African Community Strategy and respond to government commitments in the East African Community, COMESA and African Union. JLOS SIP III will contribute towards positioning the country to take advantage of the benefits of the integration while ensuring protection of national interests.

55. Lastly JLOS SIP III seeks to integrate latest innovations in ICT to establish a strong technology platform to enable joint workflow across JLOS institutions at national and district levels, support M&E structures and knowledge management, and use ICTs to deliver real time information to system users, implementers and decision makers. These are premised in internationally recognized service excellence standards including the Global Justice Indicators for Justice for Children; the International Judicial Service Excellence Standards; International Standards for Policing and Correction Services as adapted to the national context.

¹⁷ JLOS Project with bilateral funding from UNICEF- Uganda.

56. The JLOS SIP III is a five year strategic framework designed to consolidate the achievements of the previous reform investments while shifting focus to service delivery through deepening the effectiveness and outreach of ongoing initiatives, and strengthening the unified framework for service delivery by JLOS institutions. JLOS is now well positioned to further exploit synergies and deliver increased results for the sector over the next five years.

Section 2: JLOS SIP III DESCRIPTION

2.1 JLOS Vision, Mission and Values

JLOS Vision:

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

Mission

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

Values

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

2.2. JLOS Goal and Outcomes

2.2.1 JLOS Overall Goal:

To promote the rule of law.

The sector in SIP III will primarily aim at promoting the rule of law and shall aspire to ensure that 70% of population of the people in Uganda are satisfied with JLOS services and that public confidence in the justice system is increased from 34% in 2008 to 50% in 2017

2.2.2 JLOS Outcomes

Three outcomes are envisaged at the end of JLOS SIP III and these are in line with the institutional mandates, the National Development Plan, the Constitution, regional and international country obligations:

Outcome 1: Policy, Legislative and Regulatory Framework Strengthened.

Indicators of performance

- 50% increase in proportion of the public confident in the enforcement of existing laws;
- 50% increase in the use of Alternative Dispute Resolution Mechanisms;
- 45% increase in target population with access to updated laws.

Introduction:

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

Output 1.1 the legal and policy environment underpinning JLOS Service delivery improved;

57. While considerable work has been undertaken to revitalize capacity of JLOS institutions, performance of a number of institutions is constrained by obsolete laws; inadequate procedures and/or gaps in both law and procedure and/or interference with institutional independence. JLOS will evaluate and investigate the legislation establishing its institutions and fast track the enactment and enforcement of priority establishment and operational laws and regulations attached under Annex 1. This list will be annually updated and approved through the JLOS management structures.

Strategies

- Evaluate, investigate and fast track the enactment and enforcement of priority JLOS institution establishment and operational laws and regulations, while giving special preference to laws that promote gender equality.
- Fast track the enactment of pending legislation through:
 - a) intra-sectoral advocacy;
 - b) support to idea champions;
 - c) NSA partnerships,
 - d) civic education;
 - e) development, adoption and implementation of legislative standards; and
 - f) Sector level compliance monitoring.

Output 1.2. The independence of JLOS Institutions Strengthened

58. In addition to the legal framework, JLOS will vigorously pursue the protection of the independence of its institutions through addressing root causes of institutional vulnerability. JLOS will facilitate the budgetary process and assist with securing of adequate financial resources for institutional operations and growth; promote proposals, monitor and advocate for the implementation of institutional recommendations for instance Uganda Human Rights Commission; Uganda Law Society; Tax Appeals Tribunal; Uganda Police Force etc. JLOS will ensure third party compliance with constitutional provisions and promote and maintain communication channels between all JLOS institutions and the State.

Strategies

- Support and secure adequate financial resources for institutional operations and growth;
- Promote proposals, monitor and advocate for the implementation of recommendation of constitutional bodies and court rulings and judgments:
- Ensure third party compliance with constitutional provisions; communication channels between all JLOS institutions and the State.

Output 1.3. Administrative Service Delivery Standards harmonized

59. The third related component relates to undertaking and support of administrative action to improve service delivery. All institutions will review and strengthen their service delivery standards in line with the JLOS SIP III results; inspection and oversight mechanisms with a view of harmonization and development of a body of simple, coherent and rights based service standards across the Sector. Under this component the Sector will build upon the existing Chain Linked Standards; institutional establishment and operational laws¹⁸; user and service charters; and the Universal Rights Regime across all sector areas of operation.

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

Strategies

- Develop a holistic justice system transformation policy for access to justice and JLOS services;
- Sector wide review and reengineering of service delivery processes to reduce red tape in service delivery.
- Review and strengthen institutional service delivery standards with a particular emphasis on access to justice for poor and vulnerable groups;
- Support to the Chain Linked Advisory Board to harmonize and develop a body of simple, coherent and rights based service standards across the Sector.
- Develop sector policies in key areas of access to JLOS services; accountability; human rights observance; gender and diversity; transitional justice; crime prevention; service provision to special interest groups; resource acquisition and management both human and financial and capacity development to enhance coordination under the one sector one policy framework and one voice approach.
- Set standards and develop an oversight mechanisms for informal justice and local council courts.

Output 1.4. The legislative and regulatory environment for the realization of national development objectives improved

60. This component relates to demand led improvements for new and improved legislation in response to socio and economic development priorities. Emphasis here is on enactment of strategic laws, policies and regulations. SIP III focus is on process, content and impact of legislation. SIP III will support the identification and generation of priority laws, policies and regulations taking into **account the national development goals and policies**. Specific preference will be given to gender based laws that address special categories of the population; and labor and employment legislation that drives economic growth. A not exhaustive list of priority laws under this component is included in Annex 2.

Strategies:

- Identify through participatory processes priority laws for reform across GoU sectors;
- Fast track enactment of laws under the National Development Plan;
- Accord special preference to outstanding bills in the legislative process;
- Accord special preference to gender based laws; labor and employment legislation.

Output 1.5. Enforcement of Laws improved

61. To improve enforcement of laws, JLOS will precede all legislative processes with comprehensive research, gender and diversity analysis; comprehensive strategies to promote public participation and user access to laws. The Sector message shall reinforce the recognition that service users have rights that need

to be recognized; that they have a voice in shaping the legislative, regulatory and policy environment; that they should be treated fairly and equally; and that they should benefit from the protection of the rule of law. The involvement of civil society organisations, consumer groups; different categories of private sector, intended beneficiaries and affected communities including the women, children and other vulnerable groups is envisaged under this objective.

62. In a bid to enhance enforcement of laws, JLOS will pursue a policy shift to ensure that enactment of laws is predicated on appropriation of resources for implementation; conduct legislation evaluative research and engage in policy advocacy with Parliament to enhance the latter's oversight role over enforcement of laws.

Strategies

- ❑ Simplify and make available updated laws, policies and standards to internal and external users;
- ❑ Develop policy predicated on commencement of new legislation with appropriation of resources;
- ❑ Conduct pre-legislation and post –regulatory impact analysis on priority laws;
- ❑ Develop partnerships with academia; research institutions; human rights institutions; women's movements; child rights organizations; traditional and non-traditional groups to deepen the understanding of the informal justice system and innovate around linking the two systems.

Output 1.6. Transitional Justice Policy and Legislation enacted

63. Recommendations from a JLOS/UNDP Study¹⁹ in regard to Transitional Justice indicated the need for the creation of a conducive policy and legal environment for the implementation of transitional justice mechanisms, the provision of public information on basic human rights and land rights as a key strategy for improving livelihood sustainability of vulnerable groups, accessible and fair resolution of land and family disputes and the application of a multiplicity of approaches. The sector focus on transitional justice will strive to promote and uphold its key objectives.
64. JLOS will develop and implement a comprehensive transitional justice policy covering formal justice, traditional justice mechanisms and truth telling and reconciliation and the implications of amnesty. In addition JLOS will support the transitional justice mechanisms and build its service delivery in land, family and criminal justice to support the PRDP, KIDDP and the EHAP/ UPF programs among others. The implementation process of TJ in Uganda shall be based on the provisions of the Juba Agreement, best practice, recommendations, innovation and consolidation of programs. JLOS will pilot District Land Tribunals in the four Districts of Amuru, Gulu, Kitgum and Pader, with specific integration of a bottom - up linkage with traditional institutions in Acholi region - through the Ker Kwaro Acholi traditional structure.²⁰

¹⁹ See JLOS/UNDP report; Transitional Justice in Northern, Eastern Uganda and some parts of West Nile Region 2009. P.vii

²⁰ See An Independent Mid Term Evaluation Report of the Second Sector strategic investment plan SIP II, p. 112, May 2010

Strategies

- National Transitional Justice Policy and laws: to include a legal framework on each of the following: truth-telling/national reconciliation, traditional justice mechanisms, and reparations;
- Witness Protection Law;
- Transitional Justice Outreach Strategy;
- Rules of Procedure—International Crimes Division of the High Court of Uganda;
- Witness Protection Guidelines;
- Guidelines for Prosecution of Sexual and Gender-based crimes.

Output 1.7. Informal Justice Framework strengthened and linked to the formal justice system

Strategies

- Develop a national framework for the practice of “informal” systems of justice to ensure conformity with human rights standards and a seamless co-existence of the formal and informal justice systems;
- Pilot studies in land, family and transitional justice to deepen understanding of the informal justice systems;
- Support the reinstatement of assessors in land and family dispute resolution mechanisms;
- Develop and build partnerships with academia; research institutions; human rights institutions; women’s movements; child rights organizations; traditional and non-traditional groups to deepen the understanding of the informal justice system and innovate around linking the two systems.
- Open dialogue on codification of informal justice norms and principles in land and family justice in selected pilot areas.

Output 1.8. JLOS compliance with; and participation in EA Regional Integration processes improved

65. The EAC Treaty; the EAC Development Strategy (2011/2012 – 2015/2016) bear member country commitments to roll out in a phased manner the four phases of integration namely the East African Customs Union; the Common Market Protocol; the Monetary Union and lastly the Political Federation. Due to the platform nature of the Phases of integration; delays in member state compliance and fulfillment of country commitments in one phase has an adverse impact on the pace of the regional integration process. The role of JLOS in creating a conducive legal framework for the free movement of labour, good and services; the elimination of non tariff barriers and specialized knowledge, skills and exposure to regional integration is vital if Uganda is to reap its due share of regional integration benefits. JLOS SIP III accords priority to discharge its role under this process through the following strategies:

Strategies:

- ❑ Prioritization of approximation of laws and Non tariff barriers identified under under the EAC;
- ❑ Create working partnerships with Ministry of East African Cooperation and participation in the National Implementation committee;
- ❑ Creation of a Regional Integration desk in the Ministry of Justice and Constitutional affairs;
- ❑ Technical support and capacity development of staff in negotiation and exposure to similarly situated regional integration processes;
- ❑ Development, adoption and implementation of a JLOS in EA Regional Integration Process Strategy and Plan to maximize benefits and reduce transaction costs;
- ❑ Spearhead and showcase JLOS reforms in the EA region and beyond.

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

Outcome 2: Access to JLOS Services²¹ particularly for vulnerable persons enhanced

Indicators of Performance:

- ❑ Ratio of completed cases to registered cases increased to 125% by 2017
- ❑ Proportion of districts²² with a complete chain of core JLOS Services²³ and Institutions increased to 65% in 2017;
- ❑ Average length of stay on remand for persons accused of capital offences reduced to 12 months by 2017
- ❑ Reduction in transaction lead times for selected JLOS services including land and family justice dispute resolution; companies and trademarks; winding up of business entities; public complaints management; approval of GoU contracts and services to women and children.
- ❑ Incidence of crime for every 100,000 persons reduced to 300 by 2017

66. **Introduction:** This objective will support institutions to deliver services in accordance with the user entitlements and standards stipulated in the Constitution. This component will deepen investments made under JLOS SIP 1 & 2. New services under SIP III are services provided by the Industrial Court. A full list of JLOS services targeted for reform is attached as Annex 3. Vulnerable persons under SIP III includes persons whose access to JLOS services is limited by age; material and knowledge poverty; physical impairment; powerlessness; gender based barriers and may extend to minority groups;

²¹ See full list of JLOS Service attached as Annex 2

²² Districts operating as at 31st July 2011

²³ The core JLOS services targeted is policing, investigation, prosecution, adjudication and correctional services

Internally displaced persons; migrants; children; suspects and prisoners; refugees; persons living with HIV/AIDS; persons with disability among others. Improvements in service delivery under JLOS SIP III will target four areas.

Output 2.1. Rationalized physical de-concentration of JLOS services:

67. Under JLOS SIP III the key element central to this component is density, functional effectiveness and efficiency in resource use. To address **density** the Sector will improve the infrastructure; availability of buildings, libraries and other facilities; transport equipment; renovation and equipment of offices with basic equipment including computers; specialized equipment and ensuring availability of basic services such as electricity, water, communication facilities in each service point in an Infrastructure Development Plan to be developed and adopted in the first year of SIP III. JLOS will make its service points more accessible for people with disabilities, elderly people, children and vulnerable women as part of its Infrastructure Development Plan.
68. To address **effectiveness and efficiency** in JLOS service delivery; 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.
69. Both components above relate to infrastructure and capital assets acquisition. The Sector is currently in a position where the geographical distribution and equipment of its services does not provide access to all communities; and disproportionately so across institutions; services and physical locations. Conversely the Sector is cognizant of the heavy investment required to achieve full physical presence across the country while at the same time mindful of the need to strike a balance between capital infrastructure reforms and access to justice. This strategy will therefore direct the number of JLOS service physical infrastructure²⁴ that will be constructed annually as well as the location of these services.
70. 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 SIP III results. Of particular interest to SIP III are 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.
71. Resource allocation: To fully realize its intentions under SIP III, JLOS will increase the resources both human and financial available at the **sub national implementation** levels across the sector. This will entail review of

²⁴ This includes works stations, special facilities including prisons, remand homes, border posts and courts; training institutions, staff residences and rehabilitation centres.

institutional structures; staffing requirements; jurisdiction and operational systems. JLOS SIP III intends therefore to increase the number of its staff at the levels of implementation including lower bench Judicial officers; prosecutors, probation officers; Immigration staff; surgeons and other specialists; community service officers; human rights officer etc; and increase the proportion of financial resources directed to the implementation levels. JLOS will restructure in a sector wide manner ensuring rationalisation of structures at national and sub national levels. In the same vein JLOS will consider expanding the autonomy of services like the administration of estates; regulation of the legal profession; execution of court judgments to accelerate institutional growth and by so doing access to JLOS services.

Strategies

- ❑ Develop, adopt and implement a Sector wide service delivery structure;
- ❑ Develop, adopt and implement a Sector wide Infrastructure Development Plan with special focus on JLOS district based on population and distance to JLOS services;
- ❑ Develop, adopt and implement a Sector wide De-concentration Strategy and Functionality Plan;
- ❑ Develop, adopt and implement a Sector wide capacity Development strategy including Human Resource Development; Infrastructure development; information systems development; gender and diversity responses; and Leadership Development among others;
- ❑ Increase the resources both human and financial available at the sub national implementation levels across the sector.

Output 2.2. JLOS House constructed, equipped and functional by 2017

72. In a bid to increase efficiency gains within the Sector, SIP III prioritizes the construction of the JLOS House to stem the hemorrhage of its resources into tenancy fees. JLOS will save an annual sum of not less than 5billion UGX to actualize this intention by close of SIP III.

Strategies

- ❑ Earmark Uganda Shillings 5 billion annually out of JLOS budget towards JLOS house construction;
- ❑ Explore and secure efficiency gains within Sector operations;
- ❑ Support to fundraising drive by JLOS Leadership and Partners;
- ❑ Construct, equip and make functional the JLOS House at national level by close of 2017;

Output 2.3 Adjudication of Labour Justice improved

73. In a bid to increase alignment of Sector priorities to the National Development priorities; SIP III will accord priority to labour justice. JLOS will facilitate stakeholder consultations and dialogue to strengthen service delivery by the Industrial Court and the labor office.

Output 2.4 Service Delivery standards met and improved

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

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

Strategies

- Build capacity of JLOS institutions and stakeholders specifically focusing on delivery on institutional mandates, human resources development, gender justice; infrastructure and facilities;
- Enhance efficiency of registration bureaus services and other registries through restructuring and automation;
- Expand the use of ADR mechanisms across the reforms with emphasis on the post –conflict areas. Particularly, interest will be on the development and implementation of regulatory framework and standards for ADR; train sector staff and enhance awareness of the public and users on benefits of ADR;
- Implement the case backlog reduction strategy, adopting alternative means of dispute resolution and strengthening legal aid provision. The protection of vulnerable groups and emphasis on gender justice and equality within the judicial system will be emphasized.

Output 2.5. User Empowerment Services improved

76. User support services will be taken as a key service in the drive to link users to JLOS services. Through increasing access to public education in the administration of justice; information desks, user guides; hold periodic service user dialogues, poor and marginalized users will leverage and take advantage of services offered by JLOS to protect their interests. Different approaches for the delivery of support services will be explored including implementation of the Open days policy and awareness weeks. Institutions will ensure that there are deliberate strategies to empower users to access JLOS services.

Strategies

- Public education on administration of justice;
- Support to develop, harmonise and deliver interpretation services;
- Public education on service costs and fees;
- Develop education programs to develop the para-legal function and related services to support local level service delivery.

Output 2.6. Vulnerability profiled and discrimination and bias in access to JLOS Services eliminated.

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

Strategies

- Implement programs to address age related, disability; HIV/AIDS and gender gaps in access to JLOS Services.
- Promote service delivery innovations including Justice Centers; Justice for Children; Paralegal services etc.
- Fast track the investigation, prosecution and adjudication of Sex and Gender Based Violence (SGBV) and Domestic Violence (DV) cases; cases involving children and showcase them as successful accomplishments.
- Legal awareness and empowerment

Output 2.7. JLOS capacity to prevent and respond to crime enhanced

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

implementation of specific measures to boost rehabilitation of offenders including juveniles to reduce the levels of recidivism in the country will be paramount.

79. Human rights bodies have expressed critical reviews regarding JLOS management of public demonstrations, excessive use of force and arbitrary deprivation of liberty in cited incidences. JLOS will review its use of coercive force and support the intended transformation of the Uganda Police Force into a service oriented rights based organisation. In addition the Uganda Police will implement tactics and rights training for its officers and continuously report on measures taken to reduce the incidence of violence in the management of big demonstrations.

Strategies

- Develop, adopt and implement a National Identification System;
- Implement an intelligence led, integrated and comprehensive multi-stakeholder national crime prevention strategy; including reduction of illegal fire arms; increasing visibility of police; community policing; targeting of crimes including violent crimes; sexual and gender based crimes; crimes against children and other vulnerable groups; corruption; counter terrorism and traffic related deaths/injuries.
- Support to enhance information management, utilization and sharing across the criminal justice system;
- Innovate around victim support services and specialised units for special interest groups in the criminal justice system;
- Align and strengthen objectives, targets, performance measurements and capacities of actors in the criminal justice system;
- Modernise the criminal justice system through the development of tailored IT systems;
- Involve the community at large in the fight against crime with a focus on securing community participation in key issues such as policing; community service; offender rehabilitation; victim support services; parole etc
- Special support to improve policing of demonstrations and public events.
- Targeted support to improve investigation capacity; and to match infrastructure to set service standards

Output 2.8. Access to Transitional Justice (TJ) enhanced

80. To promote the public's access to services in the area of transitional justice, JLOS will undertake a holistic approach, which includes access to justice through formal and informal justice mechanisms. In part, the Sector will focus on the overall strengthening of the International Crimes Division (ICD) of the High Court of Uganda by providing necessary technical or logistical support; this may include ensuring the ICD is equipped to handle

cases of gender based violence (training and adequate regulatory/legal framework); the ICD is guided by a rules of procedure that conforms to international standards for the trial of international crimes, is equipped with an adequate research arm to guide its work. The development of a witness protection and victim support program at the ICD and equivalent measures adopted by the police and prosecution will be put in place to enhance protection of potential witnesses and secure their participation at trial. Equivalent support to the DPP is envisioned.

81. A robust outreach strategy will be implemented in order to ensure public awareness of their rights, promote public participation in the ICD and other TJ mechanisms to be developed, and disseminate information about the available remedies to be delivered by the ICD and other transitional justice mechanisms. These measures will be accompanied by the adoption of alternative justice mechanisms, which will complement the formal justice process by seeking to deliver restorative and reparative justice to victims for past human rights violations. Further, de-concentration efforts by the Sector will be applied generally, to include the establishment of transitional justice mechanisms in the most affected areas to enhance community participation in the design and implementation of these mechanisms and to promote the access to justice of the most vulnerable in society.

Strategies

- Promote alternative justice mechanisms in transitional justice
- Strengthen the formal justice system;
- Enhance public awareness and outreach program

Output 2.9. Legal Aid Policy and Law Implemented

82. The Sector will build on its work under SIP II to ensure a functional legal aid system that integrates the statutory criminal poor person defence system; standards for legal aid provision and complements the pro-bono scheme; and low cost models of legal aid.

Strategies:

- Make legal advice and representation available and accessible to all those who need it through the development, adoption and implementation of the National Legal Aid Policy and Strategy;
- Set up regulator for legal aid;
- Provide for Legal Aid Service Provider;
- Capacity development of Legal aid institutions.
- Legal and rights awareness programs
- Specialized services and service units;
- Promote the use of paralegals;
- Strengthen the pro-bono function of Uganda Law Society;
- Finalise, disseminate and implement ADR regulations;

Output 2.10. JLOS User- oriented Service Attitude inculcated

83. JLOS will pursue and support the transformation of its procedures by focusing on introduction and nurturing of a service culture among all its human resource and that of its partners.

Strategies:

- Compliance with standards
- Increase staff motivation to serve;
- Patriotism training and awareness creation;
- Pursuit of internal fairness and equity in resource allocation and incentive distribution.

84. Results under this component will be delivered primarily by the Sector Leadership and all institutions in the Sector with the technical support of the JLOS secretariat and collaboration of Ministries, Departments and Agencies (MDAs), development partners and Non State Actors.

Outcome 3: Observance of Human Rights and Accountability promoted

Performance indicators

- Proportion of Uganda Human Rights Commission recommendations adopted increase to 60% by 2017
- Reduction in human rights violations by JLOS institutions;
- Proportion of Auditor General's Recommendations that are implemented by JLOS institutions within a financial year increase to 80% by 2017
- Proportion of completed corruption cases to registered cases increased to 150% by 2017
- Proportion of pretrial detainees decrease to 45%
- 20% Reduction in the index of perceived corruption in JLOS by 2017.

85. **Introduction:** The Government of Uganda's long term objective is full respect for human rights. It is the responsibility of JLOS through legislation, management, dissemination of knowledge, information and other means to counteract abuses of human rights. JLOS will intensify the task of making institutions aware of their responsibility for ensuring that human rights are not abused, and of increasing understanding of what the national and international obligations mean. JLOS will pursue capacity development and role clarification to ensure that respect for, and awareness of human rights is seen as an attitude in the ordinary operation of their functions not as an added on. Human rights pursued thus will become binding obligations for institutional performance within each institutional area of operation.

86. These measures shall complement institutional management measures to address gender equality; non discrimination; rights of children, women and persons living with HIV/AIDS, persons living with disabilities among others.
87. Building on SIP II achievements the sector will promote observance and respect of human rights across JLOS institutions. The sector will also promote e-government, reduce fiduciary risk and ensure that human rights gender and social accountability measures are strengthened and mainstreamed in all JLOS activities.
88. The sector through its anti corruption strategy shall mainstream the National Policy on Zero Tolerance to Corruption and accountability in management of public services. This will include the utilization of ICT for greater disclosure and transparency; effective inspections and complaints mechanisms.

Output 3.1. Human Rights Observance in JLOS institutions promoted:

89. This output under JLOS SIP III will enhance human rights awareness and practice at institutional and Sectoral levels to reduce the incidence of human rights violations. The state working in partnership with both the Civil Society Organizations and the private sector will instill measures to reduce human rights violations by state and non agencies and individuals by developing national capacities of State and non State actors in applying rights based approach to service programming and delivery. Measures to realize minimum standards in conditions in detention facilities and across JLOS Institutions will be implemented including management of children living with inmates in prisons. Also during the plan period, additional detention centres will be constructed; emphasis will be placed on continuous training of JLOS service providers on human rights and the needs of people with disabilities, women, poor and vulnerable groups and children with particular emphasis on those in leadership and front line service providers. JLOS will promote the rights of victims and accused persons; work with civil Society Organizations and the Private Sector through Working Groups, User committees and pilot demonstration projects to promote the rights of victims and accused persons. JLOS will develop, adopt and implement the National Human Rights Action Plan and institutionalize human rights desks and complaints mechanisms across JLOS institutions.
90. JLOS will ensure that all bills presented to Cabinet and Parliament are rights compliant; that outstanding ratified Covenants and Conventions are presented to Parliament for domestication and that MoJCA and ULRC incorporate international and regional human rights law into national laws and that country reports to various treaty bodies are timely submitted by the various monitoring agencies.

Strategies

- Human rights awareness at institutional and sectoral levels;
- Instill measures to reduce human rights violations by state and non agencies and individuals by developing national capacities of State and non State actors in applying rights based approach to service programming and delivery;
- Strengthened inspection function.
- Establish sector Human Rights Coordination Office in MoJCA
- Strengthen human rights desks in all JLOS institutions
- Develop, adopt and implement National Human Rights Action Plan.

Output 3.2. External JLOS Accountability Promoted

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

Strategies

- institutional independence and minimize extra -legal interference;
- set procedures and practices;
- make public information related to institutional policies, rules and procedures; operational and budgetary information; and
- implement the Sector wide communication strategy;
- Support to strengthen inspection function and internal complaints systems;
- Support to public interest litigation

Output 3.3. JLOS Internal Accountability promoted

92. Internal dissemination of institutional policies, rules, procedures, codes of ethics and systems of enforcement of discipline and individual accountability for errant behavior and human rights violations; Support to internal complaints handling mechanisms; Support to rewards and recognition of exemplary service regimes; Support to enhance internal capacity to enforce rewards and sanctions regimes; develop and implement institutional Peer Review Mechanisms in human rights observance and accountability; review and strengthen financial management strategy; develop a data base and make public external audit findings and follow up action; Pilot external independent oversight bodies to investigate individual cases of misconduct, conduct audits of institutional performance as a whole, with a view of rooting out systemic misconduct and corruption and to render institutional performance more transparent. JLOS will further ensure that

internal policy dialogue focuses on behavioral reforms and accountability for increased professionalism and increased service delivery.

Strategies

- ❑ Strengthen Internal audit function; and support JLOS audit Committee;
- ❑ Review, develop and publicise harmonized transparent, fair, efficient and non-costly institutional and individual accountability mechanisms for violations of human rights norms;
- ❑ Implement performance management system in Sector institutions;
- ❑ Internal dissemination of institutional policies, rules, procedures, codes of ethics and systems of enforcement of discipline and individual accountability for errant behavior and human rights violations;
- ❑ Strengthen internal complaints handling mechanisms;
- ❑ Support to rewards and recognition of exemplary service regimes;
- ❑ develop and implement institutional Peer Review Mechanisms in human rights observance and accountability;
- ❑ Review and strengthen financial management strategy;
- ❑ Ensure internal policy dialogue on behavioral reforms and accountability for increased professionalism and service delivery.

Output 3.4. Anti-Corruption Measures in JLOS adopted and implemented

93. JLOS will strengthen measures to reduce incidences of corruption; improve the environment and procedure for execution of court decisions through vigilant supervision of court bailiffs; developing standards for efficient and effective administration of justice; mainstreaming gender and human rights standards in the administration of justice; developing internal capacity to enforce regulations and lead awareness enhancement initiatives for the public sector on government liability and its implications for national development. In addition JLOS will implement the JLOS Anti-Corruption Strategy aligned to the National Anti corruption strategy and the Public Sector Reform initiatives including performance management, open government and access to information. The JLOS Anti Corruption strategy strives to enhance the sector capacity to prevent corruption; to strengthen the detection, investigation and adjudication of corruption cases and to promote and enforce effective mechanisms for punishment of those found culpable.

Strategies

- ❑ Investigate, prosecute and adjudicate corruption related cases both internal and external to JLOS;
- ❑ Support to evaluate and roll out Anti-corruption division of the High Court;
- ❑ Explore and exploit linkages to the Accountability Sector;
- ❑ Promote identified practices of prosecution led investigations;

- ❑ Capacity development of JLOS Anti-corruption actors;
- ❑ Support to internal administrative mechanisms to locate, identify and punish corrupt activities;
- ❑ Develop a data base and make public proven cases of corruption and follow up action by JLOS institutions.
- ❑ Implement the JLOS Anti-Corruption Strategy

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

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

Output 3.5. Accountability in Transitional Justice Promoted

96. The International Crimes Division of the High Court will contribute directly to achieving a greater degree of criminal accountability of key perpetrators of serious human rights violations, war crimes and crimes against humanity. Further, the adoption and strengthening of alternative justice mechanisms, in particular traditional justice practices and truth-telling mechanisms will be adopted to enhance alternative forms of accountability, and seek to deliver restorative justice to victims and perpetrators in the conflict. The Sector will focus on institution strengthening of key stakeholders to deliver timely judgments in all cases in post conflict areas.

Strategies:

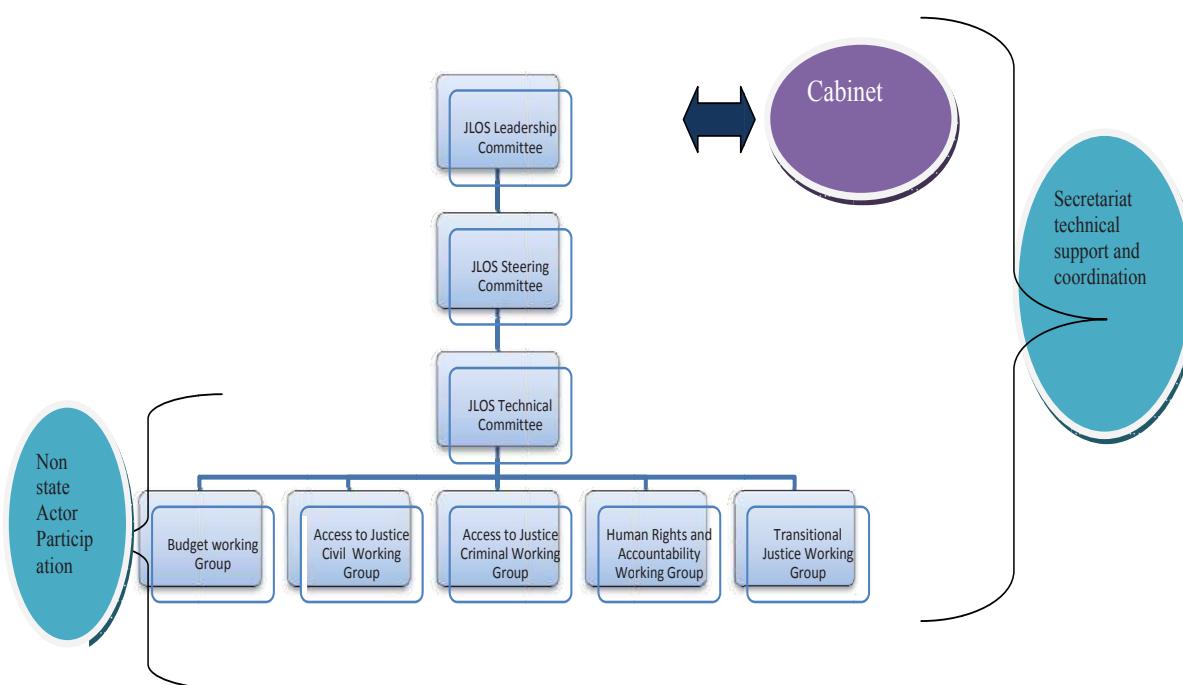
- ❑ Promote witness/victim protection and facilitate the development of witness protection guidelines, policy/law.
- ❑ Adoption of alternative justice mechanisms, including truth telling.
- ❑ Adoption of a policy on reparations.
- ❑ Enhance access to information by victims/ witnesses on their rights.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

Section 3: JLOS SIP III PROGRAMME MANAGEMENT

97. The JLOS SIP III will be implemented by the 16 institutions that comprise the sector along with Non-State Actor partners and development partners. In light of the strength and robustness of SIP II management structures, the SIP II structures have been retained and will be utilized to deliver SIP III results. Noteworthy changes are at the sub national levels of implementation with the creation of a Regional Coordination committee; the revitalization of the Chain Linked Committee and the reinforcement of the District Coordination Committees.

3.1 Management structure at National Level:

The Sector Management Structure under SIP III is illustrated below:



The JLOS Leadership Committee:

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

- i. The Honorable the Chief Justice
- ii. The Honorable Principal Judge
- iii. Minister of Justice and Constitutional Affairs (MoJCA)

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

99. 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 will determine its rules of procedure. The Leadership Committee meets a minimum of two times a year.

The JLOS Steering Committee

100. 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:

- Solicitor General (Chairperson)
- Chief Registrar (Alternate Chair)
- Deputy Director of Public Prosecution(Management Support Services)
- Permanent Secretary, Ministry of Internal Affairs
- Permanent Secretary, Ministry of Local Government
- Permanent Secretary, Ministry of Gender, Labour and Social Development
- Permanent Secretary, Ministry of Finance, Planning and Economic Development
- Secretary to the Judiciary
- Secretary, Uganda Law Reform Commission
- Secretary, Uganda Human Rights Commission
- Secretary, Judicial Service Commission
- President, Uganda Law Society

- Inspector General of Police
- Commissioner General of Prisons
- Chairperson CADER Governing Council
- Chairperson Tax Appeals Tribunal
- Chairperson URSSB
- Chairperson Citizenship and Immigration
- Chair of the Board-Amnesty Commission
- Chairperson Technical Committee (Ex officio)
- 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.

The JLOS Technical Committee:

101. **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;
- Technical 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 SIP III 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 program. The Technical Committee facilitates, supervises and supports the JLOS Secretariat in implementation of the JLOS SIP III. It is important to note that the following will have one person each as a member of technical committee in their own right-Law council; National Community Service Programme; Amnesty Commission; NGO Board; Directorate of Government Analytical Laboratory and Criminal Investigations Directorate of UPF.

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

- Drive the JLOS SIP III Strategy targets
- Monitor sector performance and delivery of results

- Provide strategic direction to the implementation of JLOS SIP III to ensure performance meets the standards by law and by the Leadership Committee
- Links the Program within the institutions; to the JLOS Steering and Leadership structures and to the Working groups and sub national implementation structures.
- Troubleshoot, report to and advise the SC on SIP II implementation;
- Providing the primary link between individual institutions and the sector as a whole.

102. Like the Steering Committee, the chair of the Technical Committee and an alternate chair, will be rotated annually, rotating amongst JLOS sector institutions. One of the Technical 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.

Working Groups (WG):

103. Due to the breadth of the reform program; 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.

104. The Technical Committee will largely operate through four WGs as follows

- i) Access to Justice Civil subdivided into three sub committees
 - Civil main
 - Land justice
 - Family justice
- ii) Access to Justice Criminal
- iii) Human Rights and Accountability;
- iv) Budget working group;
- v) Transitional Justice 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

105. 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 and a person heading the policy and planning unit of each institution; and a representative from the JLOS Donor Group. The advisor planning 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 Technical Advisors in the Secretariat will support the working groups in accordance with their respective portfolio.

Key Responsibilities

- Carry out delegated role of TC;
- 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 SIP III implementation activities, as necessary;
- Respond to issues raised by the TC, SC and LC;
- 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 better funding of the sector); and
- Develop annual work plans and budgets;

The Working Groups will meet at least once a month.

Task Forces

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

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

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

Other taskforces shall include

- Inspector's forum
- Human resource person's forum
- Audit
- Case management committee
- Monitoring and evaluation
- District chain linked committee

107. **Participating Institutions:** JLOS draws together 17 institutions. All these institutions are involved in administering justice and maintenance of law and order and in the observance of human rights in Uganda. The Leadership Committee reserves the right to admit entry of any other institution into the Sector. Resources channeled through JLOS are aimed at enhancing service delivery in line with set standards. JLOS support to institutions is meant to catalyze the institutions to better execute their mandates. JLOS resources are not an additional resource- there are institutional entitlements to deliver services to the people that should be subjected to similar oversight and institutional leadership scrutiny. The MTE noted that institutional performance was highest where JLOS resources planning, management and accounting was mainstreamed into the institutional resources. The MTE recommended to pitch the institutional participation with the management committees. Previous SIPs were not resolute about the roles of participating institutions. The JLOS MTE noted this as a weakness and recommended the formulation of a Sector Management policy articulating rights and responsibilities of participating institutions. This is intended to increase transparency and institutionalization of JLOS processes.

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

- Taking the lead in the setting of sector and corresponding institutional targets;
- Integrate Sector targets into institutional plans and develop institutional annual work-plans;

- Supervise and monitor implementation of institutional workplans on a day to day basis through institutional structures;
- Periodic reporting of institutional progress in implementation of annual Work plan
- Manage all resources in the most efficient manner and allocated solely towards the attainment of Sector targets and results;
- Representation, participation and leadership in JLOS structures to add value to JLOS process;
- Institutional innovation; capacity development and pro active leadership and management to deliver sector results
- Rally institutional resources towards the attainment of sector targets.

109. **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 both SIP 1 and SIP II. The form of capacity development under JLOS SIP III will shift to strengthen the linkage between the PPUs, Information managers; Inspectorates and Communications Departments and the Management Committees.

110. **Institutional Policy & Planning units (PPUs)**

Within SIP III, 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.

The Justice, Law and Order Secretariat:

111. The JLOS Secretariat is the axis around which JLOS results rotate. JLOS Secretariat will be restructured and expanded. It will also be oriented into

its new roles and capacitated to engage in institutional strengthening within the Sector institutions. Its renewed roles will include, but not be limited to the following;

- ❑ Develop for approval of the Technical Committee an annual FY Activity Calendar (including a planning and budgeting calendar) for internal use for JLOS SIP III Implementation with sector and institutional targets; and timelines for delivery;
- ❑ 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;
- ❑ 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 SIP III results;
- ❑ 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 SIP III results
- ❑ Support, supervise and assure the implementation of annual plans, budgeting and integration of institutional plans into JLOS plans;
- ❑ Support the Technical committee to supervise and monitor the performance of institutions towards set targets;
- ❑ Link the reform process on the ground(including the foot soldiers and the demand side); and within institutions with the JLOS leadership structures;
- ❑ Support the Technical Committee to access other JLOS innovations elsewhere to JLOS Uganda through research and innovations;
- ❑ Facilitate communication, coordination and cooperation within JLOS institutions and between JLOS institutions and other stakeholders;
- ❑ Engage in change management advocacy within the JLOS institutions;
- ❑ Provide technical buck stopping to institutions as necessary to attain JLOS results;
- ❑ Independent verification of institutional performance in compliance with the Sector rewards and sanctions mechanisms.

112. To deliver the JLOS SIP III results is the total personnel in the 16 institutions of JLOS alongside their partners and stakeholders. The Secretariat will require enhanced systems for human, physical and information resource management to undertake its roles. Staff performance assessments; and overall organizational performance assessments will be enhanced and undertaken annually. Working with IT sections at institutional level the Sector will develop a management information system to provide more effective and

timely information for management and decision making as well as enabling the Secretariat to interface more effectively with the management systems of JLOS institutions.

The Sector Secretariat shall have 8 full time members of staff to undertake the following functions:

113. **Senior Technical Advisor/Team Leader:** The STA will drive and coordinate the implementation of JLOS SIP III and also be in charge of results quality assurance. S/he will be responsible for the JLOS day to day operations. The 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. S/he will be supported by the following advisors and such other administrative staff as may be found necessary from time to time:

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

The Access to Justice Civil will be supported by two (2) resource persons: One on Family justice including justice for children and another on land justice.

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

115. 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.

116. In addition the Secretariat will obtain support from short term technical support as required and approved by the Technical Committee. The following support will be obtained 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. Technical support in this direction is already available under DANIDA support to the Judiciary. Institutions to be considered here will draw from a value addition analysis to SIP III results. High on Outcome 1 is the Ministry of Justice and Constitutional Affairs. Outcome 2 the Ministry of Gender, Labour and Social Development; Ministry of Local Government; CADER; URSB and Ministry of Internal Affairs. Outcome 3 is the Uganda Police Force. This identification will be affirmed through the sector-wide capacity assessment to be conducted at the onset of SIP III implementation.

The JLOS Development Partners Group

117. The JLOS Development Partners Group (J/DPG) is comprised of agencies that support JLOS through various mechanisms including general budget support, sector budget support and project support. The group has a membership including Austria, Denmark, EU, Ireland, Netherlands, Sweden, UNDP/UNCDF, UNICEF, UN Women, United Kingdom, UN OHCHR, the Democracy and Governance facility and the World Bank among others. The J/DPG has linkages to the broader Development Partner community through the Local Development Partner Group, and hence to the Donor Economist Group.
118. The J/DPG holds monthly meetings enabling representatives to keep pace with JLOS developments, coordinate amongst themselves and with JLOS. The chair of the group rotates between members, on an annual basis.
119. The relationship between the J/DPG and the sector is based on the general GoU-Donor Partnership Principles 2003 under MoFPED. On the basis of the partnership principles, JLOS and the J/DPG have developed collaboration

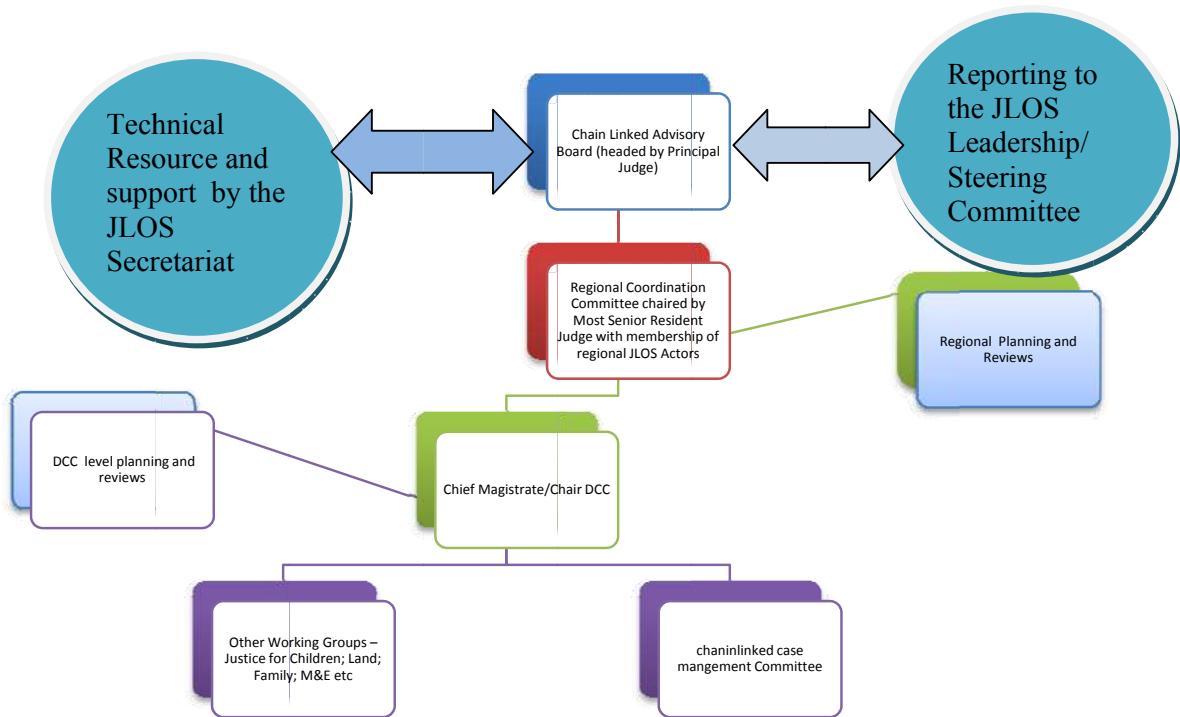
and co-ordination mechanisms to ensure effective contribution of the latter to the reform process. These comprise:

- ❑ Development Partners sub-group monthly meetings ;
- ❑ GoU- Development Partners Liaison Group meetings ;
- ❑ Joint GoU- Development Partners Reviews;
- ❑ Joint GoU- Development Partners Technical Meetings;
- ❑ Participation in the broad-based JLOS Forum, held annually;
- ❑ Participation of existing technical advisors in the Technical committee; and
- ❑ Development Partner – institutional partnerships.
- ❑ Joint GOU- Development Partners monitoring and evaluation

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

3.2 JLOS at Sub National Implementation Level

At the sub national level; JLOS SIP III will be implemented through the following structure:



121. At the national level the SIP III establishes 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

The board will offer policy advice, mentoring of DCCs and will address issues raised by 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.

122. At the Regional Level SIP III establishes the Regional Coordination Committee (RCC). Regions under JLOS SIP III 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; Regional Police Commanders; and all JLOS actors with a regional mandate. Regional Co-ordination committees will guide the roll out of SIP III 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 SIP III results. RCCs are the conduits for information to the regional level; are a technical resource to DCCs and play an oversight role over SIP III implementation.

123. District Coordination Committees: At the District level, JLOS is represented by the JLOS District Chain Linked Committee. This role is vital to JSIP III 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 III 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:

- JLOS institutional representatives at district level
- Representatives of the legal profession
- District Probations and Social Welfare Officers;
- Relevant CSOs, Faith based organizations and community structures engaged in advancing justice law and order in the district;
- The Local government representatives
- Nominated members of the public

124. 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.

125. 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.

3.3 Management Processes

126. Key management processes include the JLOS Forum, programme management carried out by the Secretariat, meetings of the various committees in the management structure, the coordination and communication between JLOS management structures and the Joint GOU- Development Partner Review.
127. **Programme Management Activities:** These include all the activities that have to be undertaken by the Secretariat that is responsible for facilitation of the entire management structure in order to invigorate and sustain the reform process. Based on the TORs of the Secretariat, these activities fall within a wide bracket of management functions including planning, budgeting, monitoring, coordination and liaison, technical backstopping and reporting.
128. **The National JLOS Forum:** This will now take the form of an annual event, taking place in December. The Forum will bring together JLOS members and key stakeholders to reflect on JLOS performance for the year ending as well as indicate priorities for the one ahead. The National JLOS Forum will:
 - Provide a platform to share information with the invited guests & the public, and to raise issues on access to justice pertinent to all stakeholders;
 - Provide a platform to benchmark national leaders and the Public;
 - Enable JLOS show case its successes, explain its constraints and reflect its performance as mirrored against stakeholders expectations;
 - Enable JLOS highlight priorities for the year ahead;
129. **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.
130. **JLOS Regional/District Reviews:** these will be held annually in selected regions/districts of the country to enhance planning, implementation and monitoring of the SIP III and obtain feedback for the national reviews. The Technical Committee with support of the Secretariat will liaise with the JCC at the district level to hold these reviews which will involve JLOS institutional representatives at the district/regional levels, CSOs, Private Sector and members of the Public.
131. **Joint Leadership and Steering Committee Meetings:** These joint meetings will be carried at least once a year to strengthen the process of policy formulation and discussion and to foster linkages between the two committees. Meetings will be convened by the Chair of the SC.

132. **JLOS- Development Partner Technical Meetings**- these joint meetings will be held twice a year (in March and August before the annual review) to enable detailed discussion of the six monthly sector progress reports and preparation for the Review.
133. **Regular Committee Meetings:** As indicated above, the various entities in the management structure will conduct their business through meetings, the majority of which are to be convened on a regular basis.

3.4 Partnership Arrangements

134. **Development Partner Partnership:** JLOS SIP III will be financed by the Government of Uganda with contributions from development partners, through basket and bilateral arrangements. At the time of design of the JLOS SIP III development partners who have committed to support the implementation of the Plan include the Netherlands, Sweden and Ireland. other JLOS development partners who have financed the sector either through general budget support or bilateral arrangements include Britian, Norway, the European Union, United States of America, UNICEF, Denmark, UN Women, Austria, German and UNDP among others. This support has been in accordance with the Government of Uganda- Donor Partnership principles currently under revision. The design of JLOS SIP III is flexible to allow other development partners to join at any stage of implementation. The coordination of financial support, technical knowledge and international experience between development partners will continue to be done under the JLOS Development Partner Group; a coordination that has delivered substantial benefits to the program in SIP 1 and SIP II.
135. **Non State Actor Partnership:** Given the recommendations of the JLOS MTE, especially in the area of partnerships, the third arm of partners in the JLOS SIP III design are the people of Uganda represented through private sector and non governmental organizations. The MTE noted that the voice and participation of this arm of JLOS were underdeveloped and required affirmative action to bring it to par with the role played by development partners and the Government of Uganda representatives. Strong JLOS-NSA partnerships will therefore be developed under JLOS SIP III to root JLOS reforms in the communities and among the population of Uganda. Some of the key partners include JLOS knowledge and support service providers; service delivery NGOS and Faith based organizations; private sector groups, other line Ministries and parastatals and other players deriving/rendering value from the Justice, Law and Order system.
136. **Civil Society Organisations** Memoranda of Understanding shall be developed between the Sector and key civil society organizations. The MoUs shall elaborate the Rules of Engagement and how these groups shall be brought in or exit the Sector.

137. **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
138. **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.

3.5 Strategic Interventions to enhance Sector Management

- Conduct a comprehensive study to inform and improve JLOS Sector governance with particular reference to alignment of Sector structures at the national and district level to JLOS institutional management arrangements.
- Conduct a comprehensive sector wide capacity assessment to inform a capacity development strategy and plan to be launched and integrated into year II of JLOS SIP III Implementation.

Section 4: FINANCIAL MANAGEMENT ARRANGEMENTS

139. **Planning:** The SIP III will provide the basic planning framework for the sector institutions. All JLOs institutions will have to prepare implementing and or operational plans to implement the broad sector reform areas. Every year the sector will prepare and agree on a common work plan and budget based on the agreed priorities in the SIPIII
140. **Budgeting:** The budgeting process will follow the annual government budgeting cycle. The sector will prepare as provided for by Government a sector budget framework paper for each financial year. For purposes of implementation, the sector SIPIII is costed for 3 years and this costing will be the basis for priorities in the sector budget framework paper.
141. **Accounting:** The government accounting procedures and regulations as set out in the Public Finance and Accountability Act as well as the Treasury Accounting Instructions shall be the basis for accounting. The instructions notwithstanding, the sector will be allowed in case of projects, to roll over finances from one financial year to another for activities and projects that cannot be completed within one financial year.
142. **Funds Flow Modalities:** Wage and recurrent budget provisions as well as capital expenditure budgets appropriated directly to sector institutions shall be disbursed directly to the sector institution through the approved government Integrated Financial Management System. The funds shall however be directed towards operational expenditure that provides the basic comparative advantage to the realization of sector out come and output targets. The development funds under the SWAP and other bilateral funding to finance the SIPIII shall be disbursed through the MoJCA and shall be released as advances on a quarterly basis to sector institutions in line with the approved annual and quarterly work plan. Sector institutions will be required to provide quarterly progress reports and accountabilities for previously disbursed funds before any subsequent releases are made.
143. **Procurement arrangements:** Each sector institution will manage procurement of goods and services necessary for the implementation of activities in the approved work plan. The sector secretariat will however through the MOJCA handle procurement for sector wide activities. The sector will also ensure that the procurement function is coordinated and a forum of procurement officers established.
144. **Financial Reporting:** Financial reporting will follow the established government of Uganda financial reporting process and standards.
145. **Financial Audits:** In addition to the normal audits undertaken for each institution, the sector will ensure that an annual audit of the sector wide financial statements will be undertaken by the office of the auditor general.

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

Section 5: RISK ASSESSMENT AND MITIGATION

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

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

Description of risk	Rating of risk	Mitigation measures	Rating of residual risk
Outcome level			
Change in leadership at Leadership/Steering committee brings in new entrants taking time to understand JLOS- and slowing pace and momentum of SIP III implementation	S	<p>The Government at the highest political level remains committed to sector wide approaches. JLOS recognized as best performing sector. Orientation program into JLOS SIP III for all sector structures. Sector will document Sector goals, policy and implementation manual to accelerate catch up pace of new entrants.</p> <p>The sector will invest in continuous capacity development of its structures; create institutional JLOS committees and ensure cabinet, MoFPED and Parliamentary adoption and oversight over JLOS SIP III</p>	H
New institutions take more time to fully appreciate and internalize JLOS objectives	S	<p>New institutions will be required to sign participation MOUs with clearly stipulated performance targets. In addition information and acceleration support package will be provided</p>	H
Global recession and austerity measures continue-donor funding reduces without commensurate increase in GoU funding.		<p>Full integration of JLOS fund into GoU funding mechanisms</p> <p>Sector management policy to realize efficiency savings;</p> <p>Robust lobbying strategy for increase in sector funding</p>	

Declining JLOS share of the MTEF		<p>Sector management policy to require full funding transparency by all member institutions;</p> <p>Rationalization and efficiency saving strategy</p> <p>Construction of JLOS house to free resources towards service delivery</p>	
Output level			
Delays in institutional pre-requisites to effective implementation of the plan—completion of strategic plans, restructuring, staffing and deployment; skilling and retooling		<p>All Advisors' primary role is to resource institutions to discharge their mandates and SIP III targets.</p> <p>The approach is of "No institution left behind" will allow for affirmative action for weak institutions to facilitate and fast track institutional reforms in planning and broader institutional development</p> <p>e.g through posting of added institutional advisors etc</p>	
Delays in procurement processes		<p>Clear procurement planning should be undertaken at the start of each planning cycle.</p>	
Delays in restructuring of Secretariat and Sector Management structures to transit into SIP III implementation mode		<p>Transition year 2011/12 allowed for smooth transition</p>	

Section 6: THE JLOS SIP III BUDGET

6.1 GOU Projections

JLOS in the MTEF

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

Institutional Projections

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

6.2 List of projected DP contributions to JLOS

Development Partner	2012/13	2013/14	2014/15	2015/16	2016/17
Netherlands (amount in Euros)	6,500,000	6,500,000	6,500,000	6,500,000	
Ireland (Euros)	4,500,000	4,000,000	3,500,000		
Austria (Euros)	2,000,000	2,000,000	2,000,000		
Denmark	TBC	TBC	TBC	TBC	
EU	TBC	TBC	TBC	TBC	
United Kingdom	TBC	TBC	TBC	TBC	
USA	TBC	TBC	TBC	TBC	
Germany	TBC	TBC	TBC	TBC	
Norway	TBC	TBC	TBC	TBC	
Sweden (Swedish krones)	30,000,000	TBC	TBC	TBC	
UNDP	TBC	TBC	TBC	TBC	
UNICEF (USD)	35,000	TBC	TBC	TBC	
UN women	TBC	TBC	TBC	TBC	
Others					

Section 7: MONITORING AND EVALUATION ARRANGEMENTS

7.1 Monitoring and evaluation process

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

The Impact Evaluation Framework

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

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

Arrangements for Results Monitoring

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

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

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

7.2. JLOS SIP III Results Framework

a) Outcome targets

Outcome	Outcome indicator	Baseline year	Target 2012/13	Target 2016/17	Source of data
Strengthened legal and policy frameworks for JLOS operations and national development	Proportion of target population with access to updated laws	52%	2010	56% 75%	National Service delivery surveys and periodic sector surveys
	Proportion of the public confident in the enforcement of existing laws	30%	2008	35% 45%	Periodic sector surveys, UBOS
	Use of Alternative Dispute Resolution (ADR) mechanisms increased	26%	2010	30% 50%	Court statistics
Access to JLOS services particularly for the vulnerable persons enhanced	Ratio of completed cases to registered cases	92.15%	2011	98.3% 125%	Court statistics
	Proportion of districts with complete chain of core JLOS services ¹ and institutions	30%	2010	38% 65%	JLOS Geographical Information system data base
	Average length of stay on remand for accused persons	15months	2011	15months 12months	Prison census
	Incidence of crime per 100,000	314	2010	310 300	Police crime statistics
	Average Lead times in accessing JLOs services				
	Passport issuance	10days	2011	8days 8days	DCIC

Outcome	Outcome indicator	Baseline year	Target 2012/13	Target 2016/17	Source of data
	Registration of businesses	48hrs	2010	24hrs	12hrs
	Registration of trademarks	90 days	2011	75days	Business registry records
	Winding up a business	360days	2010	330days	210days
	Disposal of human rights complaints	3years	2010	24months	15months
	Disposal of land cases	3years	2010	24months	15months
	Disposal of cases by Law council	3years	2010	18months	6months
Observance of human rights and accountability promoted	Proportion of Auditor Generals recommendation that are implemented by JLOS institution within a financial year.		65%	80%	Auditor General's report
	Proportion of disposed of, to registered human rights complaints	33.4%	2010	43%	70%
	Proportion of completed to registered corruption cases.	84%	2011	98%	150%
	Proportion of pretrial detainees	53%	2011	51%	45%
	Proportion of UHRC recommendations adopted	TBC		25%	60%
	% of UHRC tribunal compensations paid	TBC		TBD	MOJCA reports

Note: All indicators will be disaggregated by age, gender and location

b) Output Targets

Outcomes	Outputs	Indicators	Baseline 2010/11	Targets 2016/17	Means of verification	Responsibility centre
OUTCOME1. STRENGTHENED LEGAL AND POLICY FRAMEWORK						
1.1. The legal and policy environment underpinning JLOS Service delivery improved	<ul style="list-style-type: none"> Studies undertaken Bills submitted to cabinet Bills tabled in Parliament Enabling laws and laws that promote gender equality published and enacted Reduction in pending Bills 	6 5 4 6 60%	20 20 20 24 25%	Quarterly reports; Hansard	MDAs, MOJCA, ULRC	
1.2. Independence of JLOS institutions strengthened	<ul style="list-style-type: none"> Index of the independence of the judicial process 	3.8/6	25% increase	Global Competitiveness report by the World Economic Forum	Judiciary	
1.3. Administrative service delivery standards harmonized	<ul style="list-style-type: none"> Proportion of completed to registered public complaints Average time to clear through immigration border points Average time to deliver judgments Proportion of JLOS institutions with user standards developed and disseminated Compliance with codes of conduct 	25% 5mins 5mins 5%	85% 5mins 33% reduction 100%	Quarterly reports Quarterly reports Quarterly reports Quarterly reports Quarterly reports	JSC JSC JSC JLOS secretariat Inspectors forum	

Outcomes	Outputs	Indicators	Baseline 2010/11	Targets 2016/17	Means of verification	Responsibility centre
1.4. Legislative and regulatory environment for realization of national development objectives improved		<ul style="list-style-type: none"> Annual count of laws and subsidiary legislation passed Annual count of bills whose enactment by parliament is pending Number of prioritized laws simplified and translated 			Hansard and quarterly reports	MoJCA
1.5. Enforcement of laws improved		<ul style="list-style-type: none"> Increase in adult offenders rehabilitated Annual count of companies, trademarks, businesses etc registered Annual count of insolvent businesses wound up Increase Juvenile offenders rehabilitated and reintegrated Proportion of enacted laws not yet in force Compliance of duty bearers to targeted enacted laws 	1750 72,604 6 TBC TBC TBC	45% 100,000 Quarterly reports URSB	Prison statistics UPS Quarterly reports URSB	MoJCA ULRC, MOJCA
1.6. Transitional justice policy and legislation enacted				75%	Report of post enactment evaluation	ULRC, MOJCA JLOS secretariat
1.7. Informal justice framework strengthened					Progress reports	MoJCA, ULRC
					Progress report	MoJCA ULRC

Outcomes	Outputs	Indicators	Baseline 2010/11	Targets 2016/17	Means of verification	Responsibility centre
1.8 JLOS compliance and participation in EAC regional and international integration processes	<ul style="list-style-type: none"> JLOs reforms show cased in the EAC region Compliance with EAC commitments % of prioritized international and regional conventions domesticated 	TBC 			Progress reports Progress report UHRC and MoJCA quarterly reports	MOJCA, ULRC, DCIC, MOJCA MOJCA UHRC
OUTCOME 2. ACCESS TO JLOS SERVICES ENHANCED						
2.1 Rationalized physical presence and functionality of JLOS institutions	<ul style="list-style-type: none"> Number of new service points opened disaggregated by service and location Annual proportion of ongoing construction projects completed and commissioned New infrastructure completed No of new homes gazetted, constructed and operational. Proportion of sub counties with operational police posts Escape rates of prisoners 	17 	TBC 	JLOS quarterly report 	All MDAs 	
2.2 JLOS house constructed and functional	<ul style="list-style-type: none"> Number of offices accommodated Rent savings for headquarters 	0% 	100%	JLOS quarterly report 	MDAs 	All MDAs

Outcomes	Outputs	Indicators	Baseline 2010/11	Targets 2016/17	Means of verification	Responsibility centre
2.3 Improved effectiveness to meet service delivery standards	<ul style="list-style-type: none"> Reduction in average case load for targeted JLOS officers (J judiciary, CID, DPP) Proportion of LCCIII monitored annually %reduction in appeals from LCC referred for retrial Proportion of backlogged cases in the system Conviction rates Proportion of police regions with functional fire stations Average time spent in detention by children before sentencing 	<ul style="list-style-type: none"> 50% quarterly report and M&E reports 50% quarterly report 30% M&E reports 20% M&E report 49% 55% 42% 100% TBC 3months TBC 30% 2 2 TBC 80% 	<ul style="list-style-type: none"> J judiciary UPF DPP MIA MOLG J judiciary J judiciary, TAT, LC, JSC DPP UPF MOGLSD J judiciary CADER ULRC MOGLSD 			
2.4 User empowerment services	<ul style="list-style-type: none"> Proportion of cases settled through ADR Number of laws translated and simplified annually 					
2.5 Vulnerability profiled and discrimination in access eliminated	<ul style="list-style-type: none"> Proportion of juveniles resettled upon release Increase in cases registered and disposed by LCC Proportion of small claims settled within set time standards Number juveniles arrested per 100,000 of the child population 					

Outcomes	Outputs	Indicators	Baseline 2010/11	Targets 2016/17	Means of verification	Responsibility centre
		<ul style="list-style-type: none"> % of juveniles diverted from formal judicial proceedings Proportion of juveniles receiving non custodial sentences Number of children on remand per 100,000 child population 	TBC	75%	quarterly report M&E reports	UPF, LDCC
			TBC	85%	M&E report, Bi annual surveys	Judiciary, JLOS secretariat
			TBC		quarterly report	MOGLSD/UPF
2.6 Capacity to prevent and respond to crime enhanced		<ul style="list-style-type: none"> Increase in number of cases diverted after investigations Adult rates of recidivism Juvenile rates of recidivism % of convicts on formal adult literacy programmes % of prisoners engaged in rehabilitation programmes Increase in police to population ratio measured against the baseline Prisoner warder ratio Number of elicit guns recovered and destroyed Reduction in illegal entry in the country Number of petty offenders sentenced to community service annually 	TBC	25%	quarterly report	LDC
			TBC	23%	quarterly report	UPS
			TBC	TBD	quarterly report	MOGLSD
			1340	6000	quarterly report	UPS
			3400	6000	quarterly report	UPS
			1.709	1.650	quarterly report	UPF
			1:4.5	1:3	quarterly report	UPS
			TBC	TBD	quarterly report	MIA
					quarterly report	DCIC
			9000	15,000	quarterly report	MIA

Outcomes	Outputs	Indicators	Baseline 2010/11	Targets 2016/17	Means of verification	Responsibility centre
2.7 Access to transitional justice enhanced		<ul style="list-style-type: none"> Disposal rate of cases in post conflict areas No of witnesses supported 	TBC	TBD	JLOS quarterly report	Judiciary, UPF and DPP
2.8 Legal aid policy and law implemented		<ul style="list-style-type: none"> Proportion of persons in need of legal aid accessing legal aid services Proportion of Judiciary non wage operational budget spent on state brief per year 	TBC	80%	JLOS quarterly report	DPP UPF Judiciary
					ULS, Law Council LDC	
OUTCOME 3. OBSERVANCE OF HUMAN RIGHTS AND ACCOUNTABILITY PROMOTED						
3.1 Human rights observance in JLOS institutions		<ul style="list-style-type: none"> Compliance with human rights obligation Proportion of police units with functional Human Rights Committees Proportion of prisons units with functional Human Rights Committees Proportion of prison units that have eliminated the bucket system in prisons Annual count of estates of deceased persons managed by the Administrator General (AG) and wound up Increase in holding capacity of prisons 	TBC	quarterly report	quarterly report	Inspectors forum
					UPS UHRC	
					UPS, UHRC, Inspectors forum	
					MOJCA	
					UPS	

Outcomes	Outputs	Indicators	Baseline 2010/11	Targets 2016/17	Means of verification	Responsibility centre
		<ul style="list-style-type: none"> Annual count of cases of human rights violations disposed by tribunals Proportion of cases of human rights violations disposed through mediation Compliance with the 48hr rule 	266	530	UHRC annual report	UHRC
3.2 External JLOS accountability promoted		<ul style="list-style-type: none"> incidences of torture in places of detention Mortality rate in places of detention Proportion of entitled staff with access to house and clean water in police Proportion of institutions with functional performance management systems Proportion of inspector's forum recommendations enforced 	64%	75%	UHRC annual report	UHRC
3.3. JLOS internal accountability promoted		<ul style="list-style-type: none"> Proportion of staff with access to house and clean water in prisons measured as a % of the baseline JLOS anti corruption strategy implemented Proportion of complaints against judicial officers disposed of compared to registered Disposal rate of corruption cases Incidences of reported cases corruption by JLOS officers 	85%	90%	Inspection reports and UHRC annual report UHRC report	UHRC, Inspectors forum
3.4. Anti corruption measures in JLOS adopted			2.4/1000	1/1000	UPS quarterly reports	UPS
			40% (2009)	60%	UPF quarterly report	UPF
Accountability in transitional justice promoted						

Section 8. SIP III TRANSITION MANAGEMENT ARRANGEMENTS

155. **Launch of JLOS SIP III:** JLOS SIP III 2012/13-2016/7 will be launched at a public ceremony by the Sector Leadership Committee not later than 31st March 2012. This is intended to allow time to participating institutions to develop, adopt and implement institution Strategic Investment Plans fully aligned to the Sector SIP III latest by 31st May 2012. A final JLOS Monitoring and Evaluation plan complete with baseline indicators will be complete by March 2012.
156. **Presentation to the Ministry of Finance, Planning and Economic Development:** The Leadership of the Justice, Law and Order Sector will present the SIP III to the Ministry of Finance in April 2012 to solicit increased funding for the unfunded priorities identified under SIP III, enlist institutional commitment to support the implementation process.
157. **Presentation to JLOS Development Partner Head of Missions and Ambassadors:** Heads of Missions and Ambassadors will receive the JLOS SIP III on a formal occasion in April 2012 to be organized by the Secretariat.
158. **Presentation to the National Planning Authority and Office of the Prime Minister:**
To ensure implementation and monitoring of this strategy, JLOS SIP III will be mainstreamed into the National Development Plan and the National Integrated Monitoring and Evaluation Strategy (NIMES) in May 2012.
159. **Presentation to Cabinet:** JLOS SIP III will be presented to Cabinet by the Sector Leadership as the unified strategy for the Sector, translated into a White Paper by May 2012. This will be useful to solicit government political and resource commitment to the strategy.
160. **Presentation to the Speaker of Parliament and the Legal and Parliamentary Affairs Committee:** In May 2012, the Leadership/Steering Committee of JLOS will lead the presentation of JLOS SIP III to the National Parliament of Uganda to ignite the Commitment of Parliament to appropriate the requisite resources; and kick start their oversight function over implementation and attainment of results anticipated under the JLOS SIP III.
161. **Multi-stakeholder JLOS Sector Donor Conference:** To ensure a steady flow of funding to the JLOS Plan across the five years, JLOS will at in July 2012 seek the cooperation and commitment of traditional and non-traditional development partners to support the implementation of components of the strategic investment plan. JLOS will be open to non-traditional approaches to financing and implementation partnerships in line with its goals and objectives.

162. **Dissemination and Popularisation within all levels of Government; and across all levels of JLOS:** Starting right after the launch date, the Technical Committee will take the lead in the dissemination of the Strategy. The Committee will ensure continuous discussion with Institutions and sub national implementation levels to ensure mainstreaming of SIP III results into institutional plans; offering support to the multi-level implementers to appreciate, acquire appropriate skills in the implementation of the SIP. The Technical Committee will also take the lead in attaining an effective monitoring framework for JLOS SIP III, the refinement and/or reformulation of Institutional indicators and alignment to the JLOS SIP III M&E system to better monitor JLOS results at all levels.

163. To this end the Technical Committee will attach importance to the following as immediate steps in the SIP III implementation process:

- Develop a Sector 2012/13 Work-plan deriving from the JLOS SIP III. The Annual Plans should set **forth and prioritize annual targets** along the key result areas in the SIP and clearly outline the division of labor and operational level accountability sites by March 2012.
- **Develop a SIP III Implementation Manual** to guide the operations of all actors at the different levels by May 2012.
- **Constitution and Orientation of JLOS Management Structures** with particular reference to the working groups; the Sector Secretariat; DCCs and Non state Actor participation arrangements by June 2012.
- **Securing the Resources to meet the costs of SIP III:** The Technical committee will resource; and identify and bring to the attention of the Leadership and Steering Committees possible opportunities for expanding the resource base for SIP III implementation.

164. **Public Awareness Campaign.** Sufficient financial resources and time will be set aside to sensitize all stakeholders w.e.f March 2012- both technical and political - about the program, the projected changes, the benefits arising from its implementation and the different roles that they will be expected to play. This, in part, will help to bridge the gaps and strengthen the institutional linkages between the various levels of implementation. Documentation will have a key role to play and it will be important that simpler versions of the key documents are prepared for use at institution and DCC levels focusing on institutional results. Within DCCs, good corporate governance principles will be introduced and adopted.

165. **Popularization amongst; and Securing Non State Actor Involvement.** SIP III implementation will at the outset harness CSO and private sector contributions to strengthen the planning, implementation and oversight functions. More active participation by Non-State Actors will improve program management and decision-making, increase the level of public understanding of such decisions and encourage a wider group of stakeholders to take more responsibility for the implementation of the program

Summary of Activities in Readiness for JLOS SIP III takeoff in July 2012

	March 2012	April 2012	May 2012	June 2012	July 2012
Launch JLOS SIP III 20th March 2012	Presentation of SIP III to Cabinet; Parliament; MoFPED, NPA and Development Partners	Final adoption date for Institutional SIPs aligned to JLOS SIP III	Orientation of management structures at sub-national level into JLOS SIP III	Multi-stakeholder donor conference	
Final JLOS Monitoring and Evaluation plan complete with baseline indicators	Multi-stakeholder conference	donor	Popularization of JLOS SIP III at National and sub-national Level	Assignment of Institutional technical support to kick start SIP III implementation	
Dissemination and popularization within the Sector and Government	Develop, adopt and implement JLOS SIP III Implementation Manual		Popularization of JLOS SIP III among Non State Actors		
Develop and adopt FY 2012/13 Annual work-plan for the first year of SIP III	Presentation to NSA	Constitution of JLOS SIP III Management Structures at national level	Adoption of 2012/13 Sector Work plan		
			Adoption of M & E system complete with baselines and annual targets for 2012/13		
			Reconstitution and orientation of Sector Secretariat into SIP III results		
			Develop, adopt and popularize the SIP III Implementation manual		

Annexes

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

		Priority Laws and Policies
Laws, policies supporting of operations	JLOS	<ul style="list-style-type: none"> ✓ Access to Justice bill ✓ Amendment to the children Act ✓ Domestic Violence Regulations ✓ Police Act Amendment ✓ Witness Protection ✓ Legal Aid Act ✓ Transitional Justice Policy ✓ Sexual Offences Bill ✓ Bailiffs Act ✓ Small Claims Legislation ✓ Judiciary Administration Act ✓ Amnesty Act ✓ Law to regulate MoJCA compensations and Court Award payments ✓ NGO Policy
Towards economic growth, employment and prosperity		<p>Income Tax Act</p> <ul style="list-style-type: none"> ✓ Oil and gas exploration laws ✓ Domestic Relations law ✓ the Land Act; ✓ Succession Marriage and divorce laws; ✓ Commercial Oil and Petroleum legislation; ✓ Approximation of laws under regional integration; environmental management legislation
Harmonization of laws with national, region and international human rights instruments		<ul style="list-style-type: none"> ✓ Anti-torture law ✓ Domestication/Harmonization of the International Convention on Rights of Persons with Disability ✓ The Great Lakes Regional Protocols ✓ Approximation of Laws under the EAC Treaty
Others		

Annex 2: List of JLOS Services by Institution

Institution	Priority Services targeted under SIP III
1. Ministry of Justice and Constitutional Affairs	Legislation and legal services, administration of estates and property of the deceased and regulation of the legal profession
2. Judiciary	Adjudication
3. Judicial Service Commission	Civic education on administration of justice, discipline of judicial officers and recruitment of judicial officers
4. Uganda Police Force	Policing, investigation, public order management and internal security
5. Uganda Prisons Service	Prisons and correctional services
6. Uganda Law Reform Commission	Law reform and law revision
7. Directorate of Public Prosecutions	Public Prosecutions
8. Ministry of Gender, Labor and Social Development	Juvenile justice, labor and probation services
9. Uganda Registration Services Bureau	Civil registration, business registration, intellectual property registration, business monitoring and compliance.
10. Uganda Human Rights Commission	Promotion of human rights awareness and observance, constitutional awareness, adjudication of human rights violations
11. Ministry of Local Government (Local Councils)	Local council courts-adjudication
12. Tax Appeals Tribunal	Tax dispute resolution
13. Ministry of Internal Affairs HQs	Prevention of proliferation of illicit small arms and light weapons, demobilization of reporters and ex-combatants, forensic and general scientific services, community service, registration and monitoring of NGOs
14. Directorate of citizenship and Immigration Control	Citizenship and immigration services
15. CADER	Arbitration
16. Law Development Centre	Legal training, legal; law reporting, legal research, community legal services and legal aid.
17. Uganda Law Society	Pro bono services, legal representation and legal advice, legal aid and continuous professional development for members