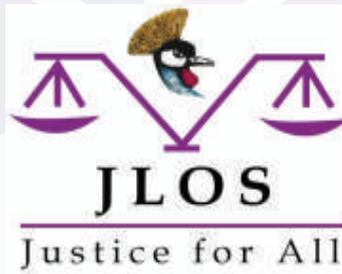




ACCESS TO JUSTICE SUB PROGRAMME



STRATEGIC PLAN
2020/21 - 2024/25



ACCESS TO JUSTICE SUB PROGRAMME



STRATEGIC PLAN 2020/21 - 2024/25

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1.0 INTRODUCTION

1. This Strategic Plan for Governance and Security Programme – Access to Justice Sub Programme and covers the period 2020/2021-2024/2025. The Governance and Security Programme goal is to improve adherence to the rule of law and capacity to contain prevailing and emerging security threats. The Programme brings together 29 Government Agencies responsible for upholding the Rule of Law, ensuring Security, maintaining Law and Order, Public Policy Governance, administration of justice, promoting Human Rights, accountability and transparency. This Programme contributes to the Third National Development Plan (NDP III) 2020/21-2024/25 objective five of strengthening the role of the State in development.

The Access to Justice Sub Programme brings together 17 institutions responsible for administering justice, maintaining law and order and promoting the observance of human rights. This Sub Programme draws State and Non-State Actors (NSAs) who play complementary roles in planning, budgeting, Programme implementation, monitoring and evaluation.

Structure of the Strategic Plan

This Strategic Plan comprises of six major Sections that include;

Section 1- The Introduction and Background to the Strategic Plan

Section 2 – The Situational Analysis

Section 3 - The Strategic Framework

Section 4 - Institutional Arrangements and Framework for Monitoring and Evaluation (M&E)

Section 5- The Strategic Plan Cost and Financing Strategy

Section 6- The Results Framework

Access to Justice Sub Programme mandate and composition

2. The State institutions responsible for administering justice, maintaining law and order and promoting the observance of human rights include: –
 - i. Ministry of Justice and Constitutional Affairs (MoJCA)¹ - Lead Institution
 - ii. The Judiciary-Collaboration
 - iii. Ministry of Internal Affairs² (MoIA)
 - iv. Ministry of Gender, Labour and Social Development (MoGLSD) - (Justice for Children and Probation Functions)
 - v. Ministry of Local Government (Local Council Courts [LCC])
 - vi. Office of the Director of Public Prosecutions (ODPP)
 - vii. Judicial Service Commission (JSC)
 - viii. Uganda Human Rights Commission (UHRC)
 - ix. Uganda Law Reform Commission (ULRC)

¹ Includes Office of the Administrator General, Directorate of Civil Litigation, Directorate of Legal Advisory Services, First Parliamentary Counsel and Law Council.

² Includes Directorate of Government Analytical Laboratory, National Community Service Programme, Non-Governmental Organisations (NGO) Bureau, Amnesty Commission and National Focal Point for Small Arms and Light Weapons.

- x. Uganda Police Force (UPF)
- xi. Uganda Prisons Service (UPS)
- xii. Directorate of Citizenship and Immigration Control (DCIC)
- xiii. Uganda Registration Services Bureau (URSB)
- xiv. Tax Appeals Tribunal (TAT)
- xv. Law Development Centre (LDC)
- xvi. National Identification and Registration Authority (NIRA)
- xvii. Uganda Law Society (ULS)
- xviii. Centre for Arbitration and Dispute Resolution (CADER)

The Governance and Security Programme comprises 17 of these institutions and will collaborate with the Judiciary under the administration of justice programme.

1.1 Background Statement:

3. The Governance and Security Programme is among the priority development programmes in the Ugandan economy. The Governance and Security Programme features prominently among the development Programmes that are to deliver the NDP III especially on strong involvement of the State in development, particularly by improving adherence to the rule of law and capacity to contain prevailing and emerging security threats; and improving public sector response to the needs of the citizens and the private sector.

4. The Access to Justice Sub Programme contributes to; i) strengthened policy, legal, regulatory and institutional frameworks for effective governance and security; ii) strengthened people centred security, legislation, justice, law and order service delivery system, iii) reformed and strengthened Justice, Law and Order Sub-programme (JLOS) business processes to facilitate private sub-programme development; v) strengthened transparency, accountability and anti-corruption systems; vi) strengthened compliance to the Uganda Bill of Rights; and vii) enhanced refugee protection and migration management. 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 transforming the country to middle income status. 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 insight, 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:’ This view is widely shared by governments and non-government actors alike.

5. At the macro level the Access to Justice Sub Programme 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 the Access to Justice Sub Programme’s performance are improvements in economic and social health of the country creating an environment conducive for national investment in the priority sectors thereby *strengthening Uganda’s competitiveness for wealth creation,*

inclusive growth and employment. Regulations that are transparent, efficient and implemented in the simplest of ways make it easier for poor people to operate within the law and to benefit from the opportunities and protection that the law provides and is critical for the transformation of society. Under NDPIII government seeks to address the weak adherence to the rule of law and existence of internal and external security threats. This is intended to improve adherence to the rule of law as well as safety of persons and security of property.

6. This Strategic Plan builds upon more than 20 years of investment in the sub-programme 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.
7. The primary Sub Programme goal under NDPIII is to enhance access to justice. In the past Strategic Development Plans of the JLOS, the Sub-programme registered significant improvements in access to services by reducing the distance that people traverse in search of services, increased disposal of cases and matters, reduction in crime rate, the enactment of laws and regulations in commercial, land, criminal and family justice. Considerable progress was also registered in dealing with matters of advancing constitutionalism, regional integration, transitional justice, civil, political, socio-economic and cultural rights. The Sub-programme ensured the adoption of an appropriate policy framework for actualization of these rights within the national realm and internationally. Measures to empower people in Uganda to assert their rights and demand their entitlements from Sub-programme institutions was also promoted.

1.1.1 Development Partners

8. The Access to Justice Sub Programme is financed by the Government of Uganda with contributions from development partners, through budget support, basket funding and bilateral arrangements. The Access to Justice Sub Programme development partners include; the Kingdom of the Netherlands, Austria, the European Union, UNICEF, UN Women, UNFPA, UNDP, International Development Law Organization (IDLO) (on behalf of Sweden) and the Democratic Governance Facility.
9. The NSAs, including; academia, Civil Society Organizations (CSOs), media and private sub-programme groups, complement Government in the delivery of access to justice services and advocate for adherence to human rights.

1.1.2 Intra and Inter-Development Programme linkages

10. The Access to Justice Sub Programme, is interlinked with a number of services delivered by implementing Ministries, Departments and Agencies (MDAs) under the Governance and Security Development Programme and across NDP III's other development Programmes. The Access to Justice Sub Programme will participate in cross-sectoral knowledge sharing and practice enhancement particularly with Office of the President (OP) [the Governance and Security Programme Technical

Coordinator/Manager], Office of the Prime Minister (OPM) [the Programme administrative coordinator]; the Accountability MDAs (governance), , the Parliament of Uganda (on legislation), Ministry of Public Service, Social Development Sub-programme(Gender, Justice for Children, Probation Services and Labour), Agro-industrialisation Programme, Human Capital Development (human rights and access to justice), and Natural Resources, Climate Change, Land and Water Management Programme (land matters) among others.

11. Linkages will be made at the regional and continental level to share knowledge and raise capacities of staff and stakeholders involved in access to justice reforms. These efforts will strengthen a regional and continent-wide community of practice to disseminate experiences on what works, where and why.

1.1.3 Description of non-state players

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

1.1.4. Status of development planning

15. This Plan draws from experiences in implementing four JLOS strategic plans. As with the 4th Sub-programme Development plan, the Sub-programme has leveraged the internal capacity that has been built to develop this Strategic Plan. The Access to Justice Sub Programme continues to strengthen institutional policy and planning units and 90% of the institutions now have the requisite positions for policy and planning in their structures. The process of development planning is involving and managed through a committee arrangement with political leaders, accounting officers, development partners, NSAs and heads of institutions involved in the process from initiation to approval of development plans.

1.1.5 Context relevant regional and international instruments

16. The framework of the Access to Justice Sub Programme is premised on its cardinal role of undertaking steps that enable all people in Uganda to realize the rights and freedoms enshrined in Chapter IV of the Constitution. Through the collective institutional mandates the Access to Justice Sub Programme, seeks to discharge the country's obligation to respect, protect and fulfil universally accepted human rights standards. Some of the relevant international instruments that shape the Sub Programme commitments are:³

- i. The Universal Declaration of Human Rights (UDHR);
- ii. The International Covenant on Civil and Political Rights (ICCPR);

³ Several other treaties and declarations that the Access to Justice Sub Programme recognizes are attached in the annexure.

- iii. The International Covenant on Economic, Social and Cultural Rights (ICESCR);
- iv. The Convention on the Rights of the Child
- v. The Convention on the Elimination of all forms of Discrimination Against Women, (CEDAW);
- vi. United Nations Convention Against Corruption
- vii. United Nations Convention Against Torture
- viii. United Nations Convention against Slavery and Anti-Trafficking

Others include:

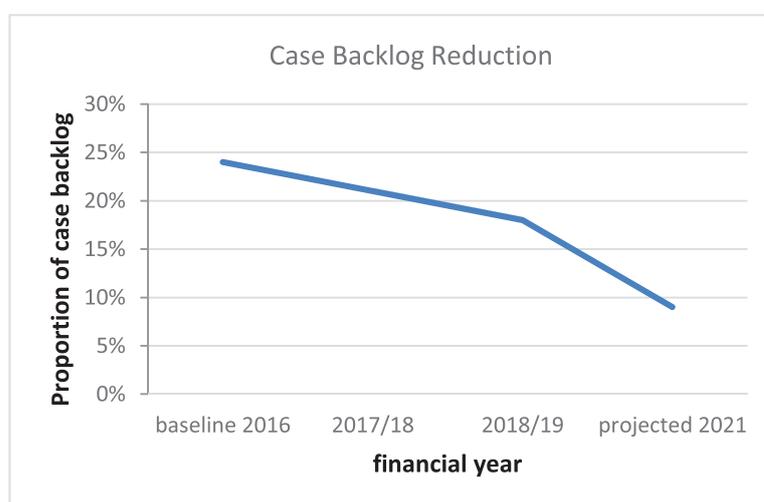
- i. The African Charter on Human and People's rights;
- ii. The African Charter of the Welfare of the Child;
- iii. The African Protocol on Advancement of the Rights of Women;
- iv. The Protocol on Common Market of Eastern and Southern Africa;
- v. The Juba Peace Agreement;
- vi. The Rome Statute; and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

2.0 SITUATIONAL ANALYSIS

2.1 ACCESS TO JUSTICE

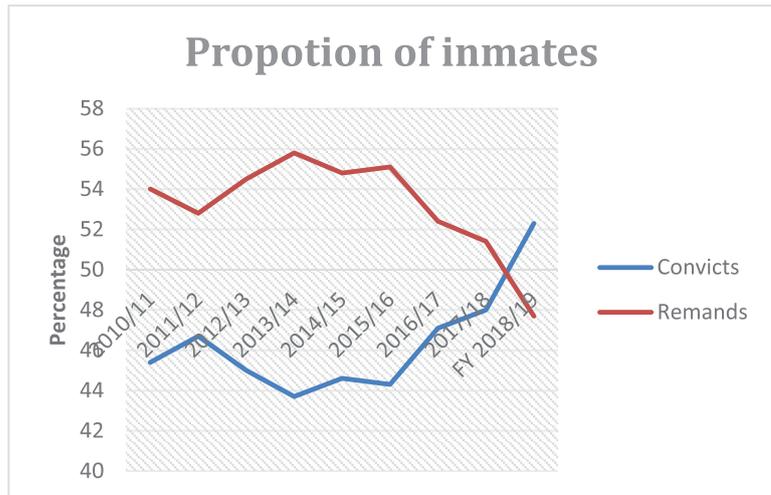
2.1.1 Case Management

17. The most prominent role of the sub-programme is case management. Over the past 20 years the sub-programme has continued to address especially the problem of case backlog in the chain of justice. In 2008 over 50% of the cases were over two years old while in 2018/19 following the adoption of the case backlog elimination strategy the backlog reduced to under 20%. It is



noticeable that investments in case management led to an increase in the clearance rate of cases from 95.2% in 2016 to 96.1% in 2017/18 and a reduction in the average time taken to dispose of cases from 1,095 days to 810 days. Consequently, case backlog reduced from 25% in 2015 to 18% in 2019 and the proportion of pre-trial detainees reduced from 53.7% in 2015 to 46.6% in 2019.

18. The Sub-programme popularized the use of Prosecution-Led- Investigations especially in high profile corruption cases and other criminal cases. As a result, conviction rates increased from 49% in 2014/15 to 63% in 2019, while in corruption cases conviction is now 80%. Several procedural laws were reviewed including the Trial on Indictment Act, Magistrates Courts Act, and

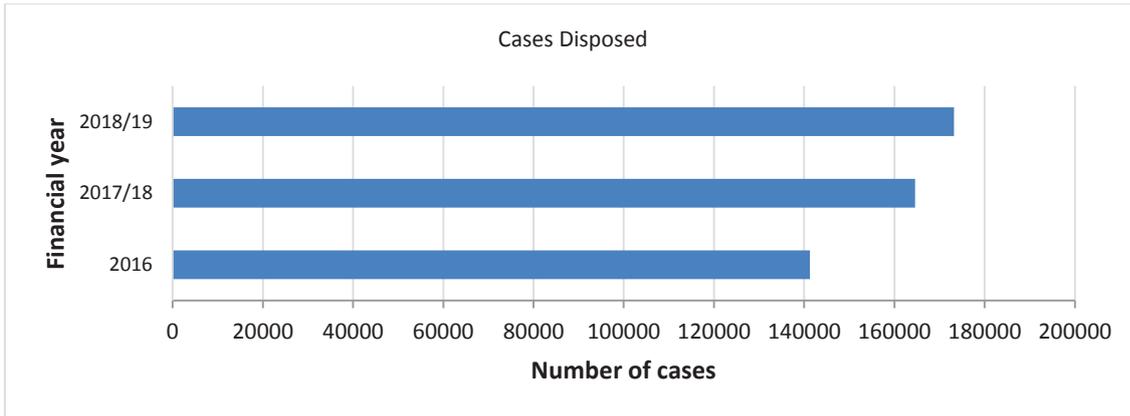


the Civil Procedure Rules (CPR) among others to address inherent delays. The Judiciary Rules Committee reviewed the Guidelines/rules on adjournments; Judicial review guidelines; Recusal rules; Rules on Amicus curiae (to facilitate and allow people to access and advise court on a specific matter). The reviewed CPR enhanced powers of registrars and introduced a new case management system which begins with filing of pleadings, followed by summons for direction by the Registrar, thereafter scheduling by a Judge, mediation and hearing if mediation fails. These have helped reduce the lead times in case disposal.

19. The above achievements notwithstanding, there remains challenges including, high case load, the speed and quality of investigations, congestion in prisons, manual nature of operations, quality of justice, inefficiency in case management, capacity gaps in institutions as well as limited staff capacity, poor welfare of staff, low levels of public trust, and limited access to legal aid among others. The Access to Justice Sub Programme under this Strategic Plan will therefore strive to enhance quality of justice; improve efficiency in the administration of justice; strengthen anti-corruption initiatives; address the welfare and capacity of staff including numbers ensuring the right mix in quantity and quality, promote access to legal aid and strengthen investigations and use scientific evidence.

2.1.2 Business processes

20. The Sub-programmes adopting technology and strengthening data capture for decision making. Case management in many Sub-programme institutions such as URSB, DCIC, NIRA, DPP and Judiciary are being automated. As a result the level of automation of case management systems increased from 12% in 2016 to 40% but remains less than optimal due to the delayed procurement of the new case management system in the Judiciary as well as limited funding for the automation of the chattel Securities Registry in URSB.



21. The ODPP Prosecutions Case Management Information System (PROCAMIS) was rolled out to and is operational in 28 stations out of the over 120 Resident State Attorney (RSA) stations. The UPF has rolled out the Crime records Management System (CRMS) to 10 divisions within Kampala Metropolitan (KMP) Area and implemented the smart city project installing CCTV in KMP area. URSB developed an online system for filing of civil (marriages) and companies' annual returns. The system is less cumbersome for the faith-based organizations, CAOs, sub county chiefs to file the returns to the Registrar of Marriages. In addition, the SMS notifications System is integrated with Business Registration System. Other ongoing initiatives include the Prisoners Management Information System. The sub-programme however is to pursue the full implementation of a sub-programme wide integration bus that will ensure that the various institutional MIS are integrated. The sub-programme under strategic plan must review and reform of business processes; automate and develop digital platforms to facilitate e-service delivery. There is need for integration of Sub-programme digital platforms to facilitate collaboration, information exchange and improved access to information by the public.

22. The sub-programme too must promote innovation through research and development; strengthen / establish governance and coordination structures for the implementation of the sub-programme wide digital transformation agenda (business process reform, e-services and systems integration) as well as strengthen feedback and customer care services through customer relationship management systems

2.1.3 Physical access to services

23. The geographical distribution of JLOS service points is to provide access to all communities proportionately across institutions, services and physical locations. The Sub-programme invested in the construction of justice centres increasing the number of districts with one-stop frontline JLOS service points from 53 to 84 out of the targeted 117 districts



translating into 72% district coverage. Even where construction is awaited the Sub-programme opened and has operational frontline JLOS service points in 101 districts against the 2020 target of 117.

24. The Sub-programme identified 4 front line institutions which include Judiciary, UPF, UPS and ODPP to be present in all districts by 2021. Despite the above investments the chain is incomplete in 28% of the districts. Even when they are present there is urban bias since most of the centres continue to be set up at district headquarters and or upcoming town councils. There is therefore need to cover the remaining districts and and de-concentrate to constituency level; adopt mobile courts; and Strengthen local council courts;

2.1.4 Justice system for Children

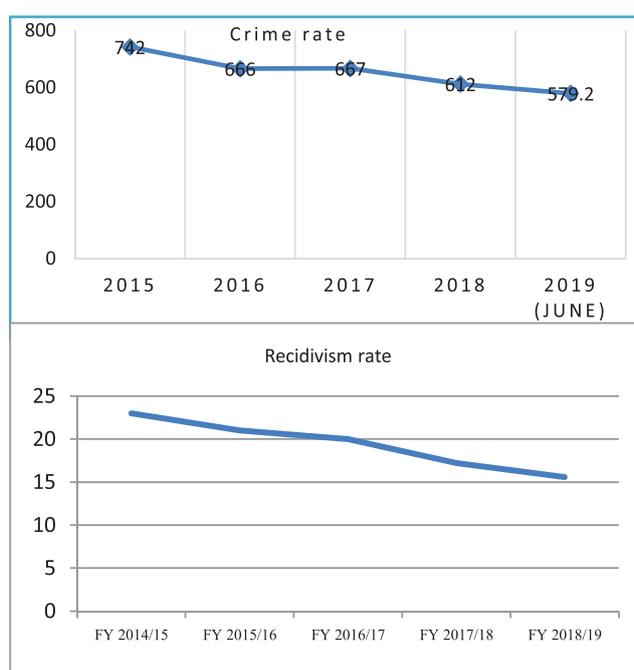
25. The Law Development Centre and Justice Centres Uganda continue to emphasize diversion of children from the Justice system, whenever possible. The national diversion rate is now 76.3% compared to the baseline of 75% and the 2021 target of 80%.
26. There was an increase in service points offering child friendly services from 52% to 72%, as the justice for children agenda is mainstreamed in the Sector. However 28% of the service points remain largely unfriendly to children, capacity of duty bearers remains a challenge and well as the less than optimal disposal of children cases. The absence of juvenile rehabilitation centres and remand homes at regional level is yet another challenge. Under SDPV therefore the sub-programme must ensure that all service points are child friendly and child friendly processes using a system approach should be mainstreamed.

2.1.5. Crime response and crime prevention

27. The capacity to prevent and respond to crime is essential in ensuring law and order in the country. Key among the critical components is strengthening the capacity of crime fighting agencies including investigation, prosecution and correctional institutions to reduce the crime rate and effectively and efficiently respond to crime. In addition, the Sub-programme implements specific measures to boost rehabilitation of offenders, including juveniles, to reduce the levels of recidivism.

28. According to the Global Competitiveness report of 2018, Uganda's reliability of policing service (index) is now 3.8 in 2018 on a scale of 1-5. The higher the score the greater the reliability.

29. As a result of investments into crime fighting agencies the conviction rate increased to 63%. Investments in rehabilitation of inmates led to a reduction in the rates of re-offending from 25% in 2015 to 15% in 2019. However, the daily average population of prisoners in custody has been on the upsurge from 30,509 prisoners in FY2010/11 to over 60,000 prisoners in 2019 an Annual growth of 8.3% against the 3.0% National population growth resulting in overcrowding. There remain



weaknesses in crime fighting agencies, absence of comprehensive standards for investigation, prosecution, and correctional services, limited use of scientific evidence in crime management and limited staffing in UPF and UPS. As a result there is need to implement a crime prevention strategy; increase use of forensic science; increase use of crime intelligence, increase use of technology in crime records (data) management and integration of policing case management systems within the UPF⁴ with other criminal justice institutions in the Sub-programme (ODPP⁵, Judiciary⁶, DGAL⁷, Uganda Prisons Service⁸). There is continued need to strengthen offender rehabilitation and an increase UPS holding capacity.

2.1.6. Legal information

30. Limited legal information on JLOS services affects the ability of the public to leverage and take advantage of services offered. The Sub-programme under SDP IV prioritized creation of awareness of JLOS services through sensitization, education and setting up functional customer relationship management desks in at least 40% of all JLOS service points; and increase the proportion of the public aware of JLOS services to 90% by 2021 in order to empower them to demand for the services. Currently according to the UBOS National Governance, Peace and Security Survey Report 2017 the overall level of awareness of JLOS institutions by the population aged 18 years and above was 86 percent. However, variations by region were observed. Awareness was almost universal among persons living in Western Uganda (95%) and lowest among those from the central region (76%).

31. There is limited customer relationship management and information desks at JLOS service points and lack of a comprehensive civic education, laws are written in a complex language, and there is weak legal education, customer feedback and relationship. It is important to leverage integrated digital platforms in JLOS to provide electronic "public spaces" for information access through user-friendly mobile apps and other innovative mechanisms

2.1.7. Equitable access to justice and informal justice processes

32. The Sub-programme prioritized strengthening access to justice for vulnerable groups including refugees, internally displaced persons, PWDs, women and children among others. The conflicts in Northern, Eastern and Rwenzori sub regions led to marked lawlessness and limited access to justice considering that the formal administrative and enforcement mechanisms of the justice, law and order were strained. The sub regions still bear vivid scars of the conflicts with a considerable number of victims. Whereas the Sub-programme recognizes Government initiatives to address conflict and its effects, there are serious shortfalls that have been experienced, creating the need for a holistic and comprehensive approach to institutionalize Government initiatives to address the current gaps and outstanding effects of conflict on the

⁴ Integration of the Crime Records Management System with AFIS (fingerprints information system), the Electronic Penalty Scheme and the CCTV information system

⁵ Prosecutions Case Management System (PROCAMIS)

⁶ Electronic Court Case Management Information System (ECCMIS)

⁷ Lab Information Management System (LIMS)

⁸ Prisons Management Information System (PMIS)

citizens of Uganda. In the SDP IV the Sub-programme focus on Transitional Justice (TJ) was on enabling institutions and structures within and outside the Sub-programme to implement transitional justice initiatives/mechanisms.

32. The role of informal justice mechanisms especially Local Council Courts in access to justice in communities cannot be over emphasized. The nature of cases that are presented before local council courts are mostly civil in nature and appear to be petty, which if not addressed congest the formal justice system. Strengthening the informal justice system will therefor go a long way in reducing the case backlog that would have otherwise clogged the formal justice system.

2.2 Observance of Human Rights and the Fight Against Corruption

2.2.1 Human rights violations by JLOS institutions

33. Human rights observance is a critical feature of Uganda's governance and the rule of law as emphasized in the Vision 2040. The Sub-programme is focusing on strengthening JLOS institutions to eliminate human rights violations as well as promoting citizens' rights and obligations within the framework of the National Action Plan for Human Rights.
34. A total of 350 out of the 582 (60%) complaints were reported against JLOS institutional staff. The alleged human rights violations reported against JLOS institutions were against UPF (319), UPS (14) and Local Governments (17). The sub-programme adopted a human rights based approach.
35. There is a 43.9% reduction in alleged human rights violations by JLOS Institutions compared to the 624 cases reported in FY2016/17.
36. Compliance with the 48hrs rule is still low, the capacity of JLOS human rights structures at service points is still low. There is delayed approval of the Uganda National Action Plan on Human Rights as well as limited enforcement of existing legal and policy frameworks on human rights. There is limited capacity of staff in human rights-based approach and there exist inefficient and ineffective Human Rights case management systems JLOS institutions. There is therefore need to enhance efficiency and effectiveness of Human Rights promotion institutions, build capacity of duty bearers, strengthen treaty reporting and undertake human rights violation targeting

2.2.2. Citizens' Rights and Obligations

37. Human rights violation and abuses are partly caused by lack of information by the citizens about their rights and also where to claim for protection. The Sub-programme has commenced the development of a coherent framework that would streamline and further guide knowledge empowerment of the people of Uganda. Specifically, the UHRC and JSC commenced the development of a civic education strategy that will among others support compliance with legal and human rights, provide for platforms for social accountability, re-enforce participatory governance, and foster constitutionalism and the rule of law. Despite the efforts thus far there is still limited

awareness on human rights standards and citizens' responsibilities as well as limited dissemination of information on human rights.

2.2.3. Fight against corruption

38. Uganda's corruption perception index continued to improve from 0.24 to 0.26 and the clearance rate of corruption cases by the Anti-Corruption Division (ACD) increased from 96% in 2016/17 to 97.7% in 2019 while the clearance rate of complaints against lawyers, police and JLOS officers increased from 75% in 2016/17 to 97.7% in 2019. The implementation of the Sub-programme anti-corruption strategy is largely on track. There is effort to asset recovery by the ODPP for restraining properties of officers implicated in corruption cases. Consequently, 7% of the value of proceeds of crimes was recovered vis-à-vis the set target of 20%. 39. The low performance was due to; on-going valuation process of some properties, high cost of valuation, understaffing in Government Valuation Department. There is however need for a comprehensive asset recovery frame work, de-concentration of ACD service to regional level and up country stations; promote automation; fast track enactment of relevant legislation and; strengthen the anti-corruption forum.

2.3. Commercial Justice and the Environment for Competitiveness Laws to Promote Competitiveness and Regional Integration

40. The Sub-programme continues to facilitate an enabling environment for productivity, investment and competitiveness through enhancing efficiency in settling of commercial disputes by supporting an efficient legal framework and thereby reducing the ease of doing business. In the recently released Doing Business Report 2020, Uganda registered an improvement in the ease of doing business index to 60 from 56.94. The country's index is still higher than the Sub-Saharan African region average which is at 51.61. The index of the efficiency of the legal framework remained at 3.8 and is expected to improve as levels of automation increase in the Case Management System. Uganda's index ranks highest in the EAC region.

2.3.1. Access to commercial laws

41. The rule of law regulates economic activity, defines and affirms rights and obligations, therefore clarifying to investors the laws and institutional environment for doing business. An efficient and effective justice delivery system is fundamental for poverty reduction and inclusive growth. Critical legislation have been identified for immediate review and reform in line with commercial justice needs for example Land Valuation Law, and the UNRA Act. There are efforts to address the inaccessibility of commercial laws, complicated rules and procedures in commercial justice, non-enforcement of Commercial laws as well as the need to review of legislation and promote business education.

2.3.2. Business Registries

42. Strategies were implemented to enhance the efficiency of all the business registries, including measures to support integration for better communication between the

various registries. The average time taken to register a business improved to 3 hours as well as the level of automation of business registries at 45%. The proportion of Ugandans with National ID increased significantly from 45.2% to 64.3%. The Electronic Chattels Registry (Secured Moveable Properties Registry) was established and is fully operational. However there remains the challenge of ill-equipped Registries, manual work processes in Business registries, limited Staff capacity in e-registry, limited Stakeholder awareness on registration process. The sub-programme must therefore strengthen commercial and civil registries; promote automation and integration of electronic registries to facilitate quick information sharing and collaboration.

2.3.3. Commercial and land dispute resolution processes and institutions

43. Interventions to revive the Commercial Court as a Centre for Excellence in dispute resolution and strengthen the capacity and operations of the other commercial justice institutions to provide fast and effective dispute resolution in all specialized areas and in ADR must be undertaken. There remains limited roll out of Mediation, small claims procedure and other new initiatives. The sub-programme too must continue to review rules and procedures that delay case and enhance efficacy of Case management.

2.4 Access to Justice Sub Programme Development priorities

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

- i. Widening and deepening access to services of JLOS institutions;
- ii. Eliminating case backlog;
- iii. Addressing the wider civil and criminal justice challenges;
- iv. Development and funding of special Programmes to target gender, age, poverty and other forms of vulnerability;
- v. Mainstreaming national priorities and the Sustainable Development Goals;
- vi. Innovations to bridge the gap between formal and informal justice systems, whilst being committed to national and international human rights standards;
- vii. Leverage technology to facilitate data driven decision making to solve justice problems and challenges; empower people to have high quality experiences with the justice system; and create e-justice platforms for information access and break barriers associated with access to justice services
- viii. Tackling the growing concerns of corruption and human rights observance;
- ix. Proactive engagement and reaching out to actors outside the constitution of the Sector.

2.5 Access to Justice Sub Programme Strategic Plan Development process

45. This Strategic Plan for the period 2020/2021 to 2024/2025 is a result of many months of preparation by the Access to Justice institutions that was characterized by extensive participation and consultation within the institutions and with its stakeholders and partners. It brings continuity to the reforms that were started under the past JLOS Strategic Investment/Development Plans. This Strategic Plan was prepared in-house,

building on experiences in the preparation of the previous plans and taking advantage of the capacity built within. The Sub Programme Policy and Planning Units were central in the preparation of this Secretariat supported by the Governance and Security Programme Secretariat. The process involved country wide consultations, using the Access to Justice regional and national level structures.

3.0 STRATEGIC FRAMEWORK

46. In line with the national vision 2040, the NDP III, and in light of the current situation the Access to Justice Sub Programme Strategic Plan will be premised on the following strategic framework-

3.1 Theme:

47. Advancing an integrated people centered access to justice service delivery system.

3.2 Vision:

48. "An integrated service for economic and social transformation".

3.3 Mission

49. To strengthen access to justice and Justice, Law and Order services for economic and social transformation of Uganda.

3.4 STRATEGIC OBJECTIVES

3.4.1 Objective 1 – Strengthening a People Centered JLOS Service Delivery System

50. Aware that justice delivery involves many players and recognising that mere presence of institutions does not warrant access to services, the sub-programme is now focusing on developing a system approach to service delivery. Building on the chain linked initiative, the sub-programme under this objective is to ensure presence of effective and efficient JLOS service delivery systems that are integrated. Under this objective the target is to reduce lead times in delivery of JLOS services by 45% over 5 years, reduce crime rates by 30% and reduce distances to access frontline JLOS services by 25%. This will be achieved by undertaking the following-

3.4.1.1 Enhance efficiency and effectiveness of Case management and other JLOS service delivery systems

51. The Strategies to attain this include strengthening case management systems across all JLOS institutions; reviewing procedures that lead to delay in disposal of cases; improving records management and storage and strengthening the chain linked initiative. In addition the Sub-programme will review, reform and automate business processes in all institutions; embark on integration of case management information systems in the Sub-programme to facilitate information exchange and collaboration; build capacity and retool institutions to provide services; strengthen supervision and collection of information for decision making; strengthen research capacity and undertake continuous learning and advocate for filling staff structures, enhancing pay and staff welfare.

3.4.1.2 De-concentrate service delivery and ensure functional and physical presence of JLOS service points

52. The Sub-programme will implement the Sub-programme infrastructure development plan and establish new infrastructure and open new service points to complete the chain of justice country wide.

3.4.1.3 Strengthen Justice for children

53. There is need to promote child friendly services; build capacity of child justice duty bearers and institutions; fast track disposal of child related cases at all levels of the justice chain and pay special attention to children in post conflict areas.

Promote access to legal aid services

54. The Sub-programme will seek to strengthen and extend the State Brief Scheme to support Chief Magistrates and ensure that fewer cases are dismissed for lack of representation. The Sub-programme will specifically focus on building the capacity of Legal Aid Service Providers to serve the population and will also align the Pro Bono scheme and the State Brief Scheme, while at the same time ensuring availability of choice. In light of the challenges, the Sub-programme will strengthen the state brief scheme and pro-bono services; promote coordination and regulation of Legal Aid Service Providers (LASPs); fast track the enactment of legal aid promoting laws; expand efforts to assist self-represented litigants.

3.4.1.5 Enhance crime prevention and response systems

55. Strategies include building the capacity of crime fighting agencies; strengthening investigation of crimes and setting and implementing standards for investigation, prosecution, adjudication and correctional services; strengthening the use of scientific evidence in crime management and rolling out neighbourhood watch Programmes and community policing.

3.4.1.6 Ensure stakeholders empowerment, gender equality and equitable access to justice

56. The Sub-programme will provide a common framework for gender and equity mainstreaming by implementing the Sub-programme Gender and Equity Strategy, with special focus on enhancing the capacity of Sub-programme institutions to mainstream gender and equity in planning and budgeting and monitor progress in promoting gender equality; strengthen the collection, analysis, documentation and dissemination of information on gender issues and impacts on access to justice; strengthen measures to address justice needs of refugees and host communities. The Sub-programme will increase access to public education in the administration of justice through rolling out information desks, providing user guides; holding periodic service user dialogues, JLOS Open days and awareness weeks; civic education on maintenance of law and order and administration of justice among others.

3.4.1.7 Strengthen informal justice and transitional justice mechanisms.

57. Build capacity of local council courts; implement the National Transitional Justice Policy and support the use of Informal Justice Mechanisms.

3.4.2 Objective 2 – Implement the Bill Of Rights And Entrench A Human Rights Based Approach in the Sector.

58. Under this objective the target is to reduce pre-trial detainees from 47% to 40%, reduce human rights violations by JLOS institutions by 50% and reduce the corruption perception index.

3.4.2.1 Build capacity of JLOS institutions to implement the bill of rights-

59. The strategies include strengthening key JLOS human rights structures and enforcement of UHRC decisions; implement the Uganda National Action Plan on Human Rights and SDGs; strengthen the enforcement of existing legal and policy frameworks; training and sensitisation of staff.

3.4.2.2 Monitoring the implementation of standards –

60. Through building knowledge based public consciousness of human rights standards and citizens' responsibilities to deepen social accountability. Enhancing information dissemination on rights including transitional justice.

3.4.2.3 Enhance efficiency and effectiveness of JLOS Institutions to fight corruption –

61. By enforcing anti-corruption laws including asset recovery orders; strengthening detection and investigation of corruption; building capacity of JLOS anti-corruption agencies and rolling out the implementation of the JLOS anti-corruption strategy

3.4.3 Objective 3: Reform and Strengthen JLOS Business Processes to Facilitate Private sector Development

62. This objective envisages delivery of effective and efficient JLOS business processes, through enhanced public satisfaction in the justice system, disposal of cases, increased percentage of districts with one-stop frontline JLOS service points and conviction.

3.4.3.1 Reform and update laws to promote competitiveness and regional integration –

63. Propose legislation in new and emerging areas of commercial justice; consolidate and make available all commercial laws; Simplify procedures; Enforce existing commercial laws.

3.4.3.2 Strengthen business registries (URSB, DCIC, NIRA, NGO Bureau)

65. to enforce the laws, through retooling and equipping; records management; staff training and placement and stakeholder sensitisation.

3.4.3.3 Strengthen commercial and land dispute resolution processes and institutions –

64. through case management systems; roll out of initiatives such as mediation, small claims and land courts; review rules and procedures that cause delays; review of business processes and building capacity of duty bearers in commercial and land justice and labour dispute resolution.

4.0 INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTING THE PLAN

65. This Strategic Plan interventions drawn from NDP III and the Governance and Security Programme Implementation Plan will be implemented by the 17 institutions that comprise the Access to Justice Sub Programme along with NSA Actor partners and development partners. In light of the strength and robustness of the existing management structures, the Strategic Plan structures have been retained and will be utilized to deliver previous SDP results.

4.1 Participating Institutions:

66. The Access to Justice Sub Programme 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.

66. The Sub Programme Leadership Committee reserves the right to admit entry of any other institution into this Sub Programme. In considering an institution for admission to the Sub Programme the Programme Leadership Committee shall consider the mandate of the institution. All institutions under the Access to Justice Sub Programme must have mandates that relate to the administration of justice and maintenance of law and order and they should be rule of law institutions.

67. Resources channelled through the Access to Justice Sub Programme are aimed at enhancing service delivery in line with set standards. Access to Justice Support to institutions is meant to catalyse the institutions to better execute their mandates. Access to Justice resources are not an additional resource. They are institutional entitlements to deliver services to the people that should be subjected to similar oversight and institutional leadership scrutiny.

68. It has been noted in previous reviews of Sub-programme performance that institutional performance was highest where JLOS resources planning, management and accounting was mainstreamed into the institutional resources. It was further recommended to pitch the institutional participation with the management committees. Previous SIP/SDPs were not resolute about the roles of participating institutions and reviews noted this as a weakness and recommended the formulation of a Sub-programme Management policy articulating rights and responsibilities of participating institutions. This is intended to increase transparency and institutionalization of JLOS processes.

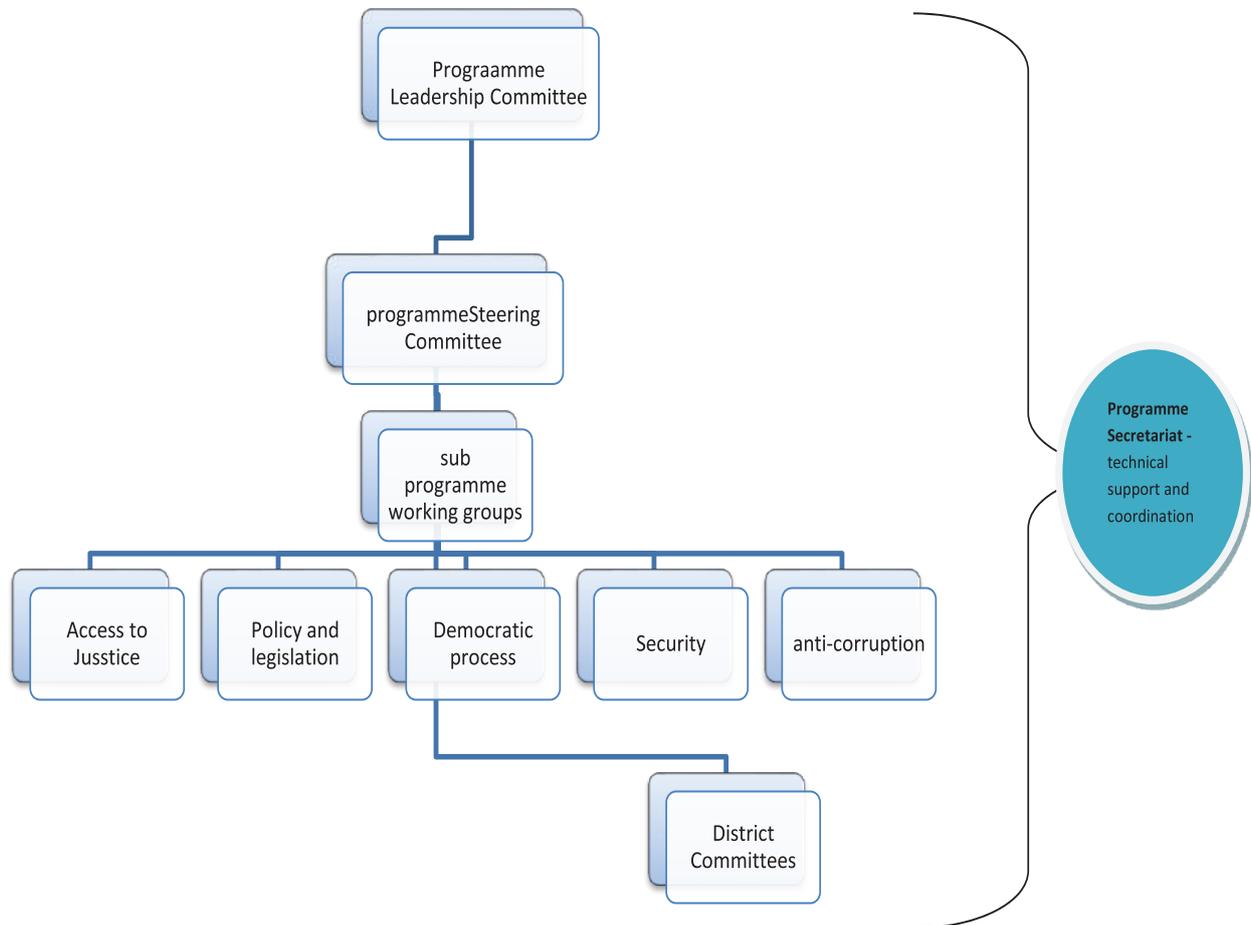
69. Within the Access to Justice Framework, Institutions have rights and obligations. The Sub Programme Management Policy will put in place the rights and obligations of participating institutions. This Plan will draw from the Sub Programme management policy for a full description of the roles and responsibilities 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 Sub Programme results;

- 1) Taking the lead in the setting of access to justice sub programme and corresponding institutional targets;
- 2) Integrate Sub Programme targets into institutional plans and develop institutional annual work-plans;

- 3) Supervise and monitor implementation of institutional work plans on a day to day basis through institutional structures;
- 4) Periodic reporting of institutional progress in implementation of annual Work plan;
- 5) Manage all resources in the most efficient manner towards the attainment of Programme and Sub Programme targets and results;
- 6) Representation, participation and leadership in Access to Justice structures to add value to Sub Programme processes;
- 7) Institutional innovation; capacity development and pro-active leadership and management to deliver sub-programme results
- 8) Rally institutional resources towards the attainment of sub-programme targets.

4.1 Management structure at National Level:

70. The Governance and Security Programme and Access to Justice Sub Programme Management Structure is illustrated below:



4.1.1 The Access to Justice Sub Programme Leadership Committee:

71. 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 Sub-programme development policy. The Leadership Committee is comprised of the following officials:

- i. Minister of Justice and Constitutional Affairs
- ii. The Attorney General
- iii. Minister of Internal Affairs
- iv. Minister of Finance, Planning and Economic Development
- v. Minister of Gender, Labour and Social Development

- vi. Minister of Local Government
- vii. Minister of State for Internal Affairs
- viii. Minister of State for Justice/Deputy Attorney General
- ix. Director of Public Prosecutions
- x. Chairperson of the Uganda Law Reform Commission
- xi. Chairperson of the Uganda Human Rights Commission
- xii. Chairperson of the Judicial Service Commission
- xiii. Chairperson of the Uganda Registration Services Bureau
- xiv. Chairperson CADER Governing Council
- xv. Chairperson LDC Management Committee
- xvi. Chairperson Tax Appeals Tribunal
- xvii. Chairperson Citizenship and Immigration Board
- xviii. Chairperson of the National NGO Bureau
- xix. Chairperson of the Board-Amnesty Commission
- xx. Chairperson National Identification and Registration Authority
- xxi. Chairperson Steering Committee- (ex officio)
- xxii. Chairperson Technical Committee- (ex officio)
- xxiii. Senior Technical Advisor- Governance and Security Programme Secretariat – (ex officio)

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

Inter-Programme Collaboration

Aware that justice delivery is chain, the sub programme will collaborate with the Administration of justice programme under the Judiciary. The leadership of the sub programme and the administration of justice programme will agree on the structures for collaboration.

4.1.2 The Access to Justice Sub Programme Steering Committee

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

- 1. The Solicitor General (Chairperson)
- 2. Permanent Secretary, Ministry of Internal Affairs
- 3. Permanent Secretary, Ministry of Justice and Constitutional Affairs
- 4. Permanent Secretary, Ministry of Local Government
- 5. Permanent Secretary, Ministry of Gender, Labour and Social Development
- 6. Permanent Secretary/Secretary to the Treasury, Ministry of Finance, Planning and Economic Development
- 7. Permanent Secretary/Secretary, Judicial Service Commission
- 8. Secretary, Uganda Law Reform Commission
- 9. Secretary, Uganda Human Rights Commission

10. Director Law Development Centre
11. Deputy Director of Public Prosecutions
12. Inspector General of Police
13. Commissioner General of Prisons
14. Registrar General, Uganda Registration Services Bureau
15. Executive Director, National Identification & Registration Authority
16. Registrar, Tax Appeals Tribunal
17. Director, Citizenship and Immigration Control
18. Secretary, Amnesty Commission
19. President, Uganda Law Society
20. Executive Director, CADER
21. Chairperson Technical Committee (Ex officio)
22. Senior Technical Advisor (Ex Officio)

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

4.1.3 The Access to Justice Sub Programme Technical Committee:

74. The Technical Committee will comprise of technical personnel from the Access to Justice Institutions at heads of departments. There will be one representative from each of the Access to Justice Institutions, with one alternate designated by each institution. It is important to note that the following will have one person each as a member of the Technical Committee in their own right – The Law Council; Administrator General; Directorate of Community Service; Amnesty Commission; National NGO Bureau; Directorate of Government Analytical Laboratory and Criminal Investigations Directorate of UPF. (*Only one member from each institution shall attend at a time*). Other representatives shall include:

- ✚ The Senior Technical Advisor;
- ✚ Advisors from the Governance and Security Programme Secretariat;
- ✚ Chairperson and co-chairperson Access to Justice Sub Programme Development Partners Technical group
- ✚ Governance and Security Programme Desk officers at MoFPED, MoPS and OPM

75. The Technical Committee shall drive the Access to Justice Sub Programme 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 Access to Justice Technical Committee is responsible for the planning, technical direction, and guidance; support and management of the Programme. The Technical Working Group facilitates, supervises, and supports the Governance and Security Secretariat in implementation of the Programme Implementation Plan.

The functions of the Working Group are the following:

- 1) Drive the Sub Programme Strategy targets
- 2) Monitor Sub Programme performance and delivery of results

- 3) Provide strategic direction to the implementation of the Access to Justice Sub Programme Strategic Plan to ensure performance meets the standards by law and by the Programme Leadership Committee
- 4) Link the Programme within the institutions, to the Programme Leadership and Steering Committees and to the Programme Technical Working Groups and sub national implementation structures.
- 5) Troubleshoot, report to and advise the Programme Steering Committee on Programme Implementation Plan;
- 6) Provide the primary link between individual institutions and the Governance and Security Development Programme as a whole.

76. The Chair of the Technical Working Group and an alternate chair, will be rotated annually, rotating amongst access to justice institutions. One of the Advisors from the Programme Secretariat will be designated as Secretary. Meetings of the Technical Working Group 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 Working Group 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 Working Group and approved by the Programme Steering Committee and then handled by the Budget Working Group and institutions to inform the development of work plans.

4.1.4 Task forces):

77. Due to the breadth of the reform Programme, taskforces are extensions of the Technical Committee at the Sub Programme level that offer in-depth consideration that will otherwise not be possible in the Technical Committee. Taskforces do not have decision making powers. They report to the Technical Committee for decisions related to resource allocation and management.

111. The Technical Committee will largely operate through task forces as follows

- i. Access to Justice Civil
- ii. Access to Justice Criminal
- iii. Human Rights and Accountability;
- iv. Transitional Justice;
- v. Budget Working group
- vi. Information and Communications Technology (ICT) Working Group.

All chairpersons of task forces will be selected by the Technical Committee from its membership, while alternate chairpersons of each taskforce will be determined annually by members of each task force. Membership will be selected as follows:

- ✚ To the extent possible, each Access to Justice Institution will nominate at least two suitable representatives to each taskforce. 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 task force deemed relevant to their mandates.

78. A budget taskforce shall be responsible for planning, budgeting, financial monitoring and quality assurance. The Budget taskforce will be comprised of financial

representatives at Under Secretary level, a person heading the policy and planning unit of each institution and a representative from the Access to Justice Sub Programme Development Partner Group. The Advisor Monitoring and Evaluation and the Advisor Financial Management shall resource this taskforce. This taskforce will coordinate the development of work- plans and be responsible for audit, inspections and monitoring and evaluation.

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

Key Responsibilities

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

The taskforce will meet at least once a month.

4.1.5 Institutional Policy and Planning units (PPUs)

79. This Strategic Plan focuses on establishment of PPU that are not yet in place, strengthening capacity of all PPU and linkages both internally (institutional) and with the Programme Secretariat which will work closely with institutional PPU.

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.

80. In addition, regular meetings will be held between institutional PPU members and the Governance and Security Programme 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.

Other taskforces shall include

- ✚ Audit committee
- ✚ Case management committee
- ✚ Monitoring and evaluation committee

81. Institutional Management Committees: Institutions will work through their respective Institutional Management Committees with the support of the Policy and Planning Units. The Policy and Planning Units are the Secretariats to the Institutional Management committees. Capacity development for the latter occurred in SIP 1, SIP II, SIP III and SDP IV. The form of capacity development under this Strategic Plan will continue to strengthen the linkage between the PPU, Information managers; Inspectorates and Communications Departments and the Management Committees.

4.1.7 Programme Technical Working Group:

4.1.7 Governance and Security Programme Secretariat:

The current JLOS secretariat shall be the Programme Secretariat and also the secretariat for the access to justice sub programme. It will undertake coordination of the Programme. The secretariat roles will include, but not be limited to the following.

- i. Develop for approval of the Programme technical working group an annual Activity Calendar (including a planning and budgeting calendar) for internal use for
- ii. PIAP implementation with Programme and institutional targets; and timelines for delivery.
- iii. Coordinate and resource the Programme technical working group in the development of performance standards for institutions participating in the Programme including planning; implementation; monitoring; reporting; quality assurance and participation in processes.
- iv. Support the process of annual target setting; integration of targets into Programme -institutional participation MoUs and assure the quality and sufficiency of the targets to attain and progress the Programme results.
- v. Support the Programme technical working group and advise on relevance, sufficiency, and value for money of proposed activities in the annual Programme Plans and the ability of cumulative annual work-plans to deliver the PIAP results.
- vi. Support, supervise and assure the implementation of annual plans, budgeting and integration of institutional plans into Programme plans.
- vii. Support the Programme technical working group to supervise and monitor the performance of institutions towards set targets.
- viii. Link the reform process on the ground (including the foot soldiers and the demand side); and within institutions with the Programme leadership structures.
- ix. Support the Programme Technical Working Group to access other Programme innovations elsewhere to through research and innovations.

- x. Facilitate communication, coordination, and cooperation within Programme institutions and between Programme institutions and other stakeholders.
- xi. Engage in change management advocacy within the Programme institutions.
- xii. Provide technical back stopping to institutions as necessary to attain Programme results.
- xiii. Independent verification of institutional performance in compliance with the Programme rewards and sanctions mechanisms.

82. To deliver the Strategic Plan results the Secretariat will require enhanced systems for human, physical and information resource management to undertake its roles. Staff performance assessments; and overall organizational performance assessments will be enhanced and undertaken annually. Working with **IT sections at institutional level**, a management information system will be developed 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.

83. The Programme Secretariat shall have full time members of staff to undertake the following functions:

84. **Senior Technical Advisor/Team Leader:** The STA will drive and coordinate the implementation of this Strategic Plan and will also be in charge of results quality assurance. S/he will be responsible for the Access to Justice Sub Programme day to day operations. The STA will provide strategic thinking to the Governance and Security Development Programme; provide technical guidance in policy, long range and medium-term planning to the Programme. The STA will resource and facilitate the operations of the Sub Programme Leadership/Steering Committees. 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.

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

86. The two shall be supported by the following advisors and such other administrative staff as may be found necessary from time to time:

- i. Advisor Access to Justice-Civil
- ii. Advisor, Access to Justice - Criminal
- iii. Advisor, Human Rights and Accountability
- iv. Advisor Planning, Monitoring and Evaluation
- v. Advisor- Transitional Justice
- vi. Advisor- Financial Management
- vii. Accountability and Anti-Corruption

87. The Technical Advisor(s), will be supported by Resource Persons

88. 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 Advisor 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 modelled upon the repeated planning, monitoring and evaluation processes. The system will be developed by the M&E units across all institutions; with technology support by the IT units and communicated through the communications units with the overall oversight of the Senior Technical Advisor. The Advisor Monitoring and Evaluation shall be supported by two (2) resource persons, one of which will be specialised in IT and Communications and the other will be specialised in Monitoring and Evaluation.

89. 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 Programme 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.

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

a) **Communication Services:** The communication function aimed at a) improving services by increasing the quantity, quality and timeliness of information used in decision making and day to day administration; b) increasing outreach and promoting networking among sub-programme institutions; sub-programme 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 Programme stewardship by changing the sub-programme 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 strengthen institutions, the Access to Justice Sub Programme will develop a framework to enable accelerated delivery of results and capacity development in identified institutions. Institutions to be considered here will draw from a value addition analysis to Programme and Sub Programme results. This identification will be affirmed through a Programme-wide capacity assessment.

91. Under this Plan, the Access to Justice Sub Programme will benefit from improved coordination amongst development partners, continued active involvement including an expansion of participation from non-traditional donors.

4.2 Access to Justice Sub National Implementation Level

4.2.1 The Chain Linked Advisory Board

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

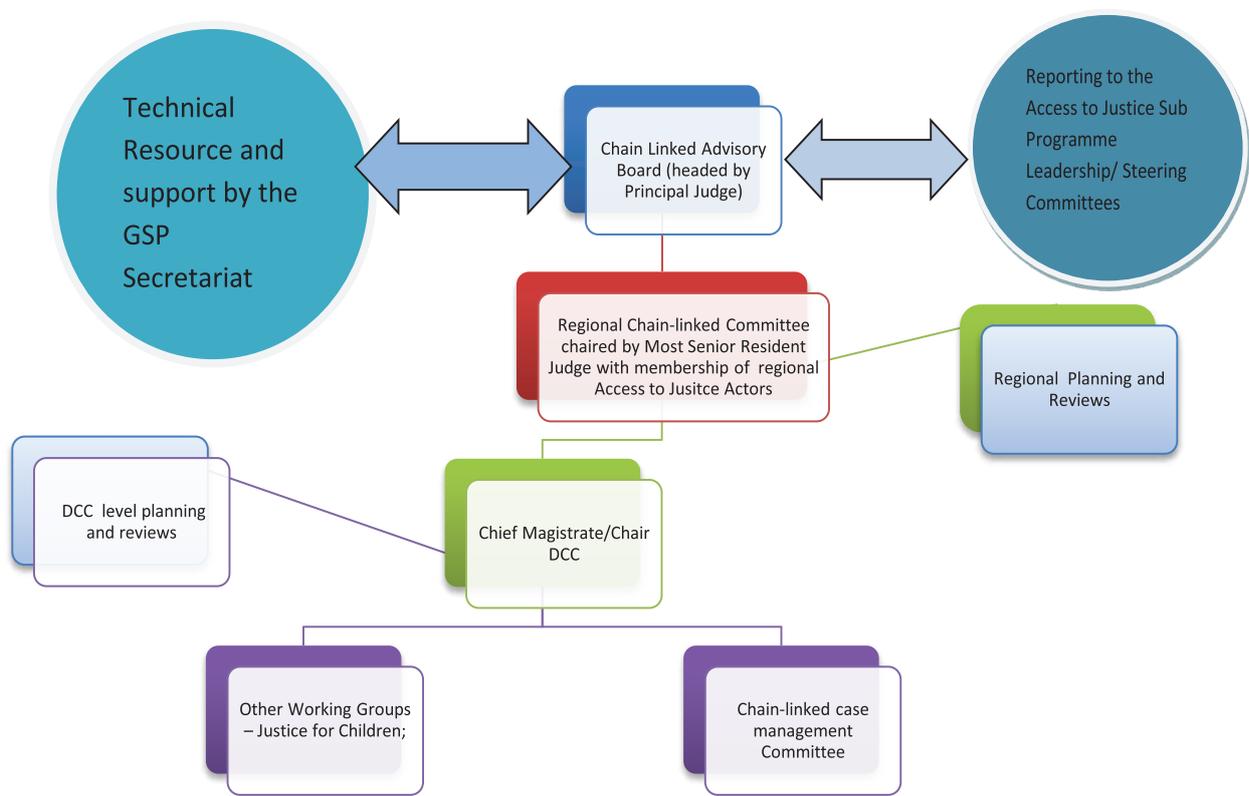
- ✚ Commissioner General of Prisons
- ✚ Inspector General of Police
- ✚ Director of Public Prosecutions
- ✚ Senior resident judges in charge of circuits
- ✚ Chairperson National Community Service Programme,
- ✚ Chief Registrar

The Board will offer policy advice, mentoring of District Chain-Linked Committees (DCCs) and will address issues raised by Regional Chain-Linked Committees (RCCs) and DCCs and provide direction on addressing impediments to the administration of justice and maintenance of law and order. The Board shall be resourced by the Governance and Security Programme Secretariat.

4.2.2 The Regional Chain Linked Committees (RCC)

93. At the Regional Level Strategic Plan maintains the RCCs. Regions under this Strategic Plan will be equivalent to the High Court Circuits. The RCC will be chaired by the Most Senior Resident judge in the Circuit; with the Registrar as Secretary and comprised of the Chairpersons of all DCCs in the circuit and all Access to Justice institutional representatives with a regional mandate. The RCCs will guide the roll out of Strategic Plan 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 Access to Justice Sub Programme Strategic Plan results. The RCCs are the conduits for information to the regional level; are a technical resource to DCCs and play an oversight role over Strategic Plan implementation.

At the sub-national level; Access to Justice Sub Programme Strategic Plan will be implemented through the following structure:



4.2.3. The District Chain-linked Committees

94. At the District level, the Access to Justice Sub Programme is represented by the DCC. This role is vital to the Strategic Plan implementation. DCCs are responsible for joint planning, supervising, monitoring and evaluation of performance against set targets. The DCCs are the frontline of the Access to Justice Sub Programme management and their effectiveness has the most influence on the effectiveness of the Strategic Plan primary outputs and impact. DCCs are responsible for rallying all district-based Access to Justice resources towards the attainment of 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 Strategic Plan, annual and quarterly targets.

95. The DCC comprises of the following representatives:

1. Access to Justice institutional representatives at district level
2. Representatives of the legal profession
3. District Probation and Social Welfare Officers;

4. Relevant CSOs, Faith based organizations and community structures engaged in advancing access to justice, law and order in the district;
5. The Local government representatives
6. Nominated members of the public.

96. 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 Access to Justice Sub Programme Technical Committee through the Governance and Security Programme 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 the Programme Secretariat feedback to the DCCs.

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

4.3 Partnership arrangements

98. **Development Partner Partnership:** This Strategic Plan will be financed by the Government of Uganda with contributions from development partners, through basket funding and bilateral arrangements. At the time of design, of this Strategic Plan, development partners who have committed to support the implementation of the Plan include; the Delegation of the European Union, the Kingdom of the Netherlands, the Government of Austria, the International Development Law Organisation (on behalf of the Government of Sweden) through the basket arrangement and in accordance with the Government of Uganda Donor Partnership principles that are currently under revision. UNICEF, UN Women, UNFPA and UNDP and others to be identified will support the Plan through directed bilateral support. The design of this Plan is flexible to allow other development partners to join at a later date and/or during implementation. The coordination of financial support, technical knowledge and international experience between development partners will continue to be done under the Access to Justice Sub programme Development Partner Group. The Access to Justice Sub Programme will maintain regular interface with its development partners, by seeking their technical input to planning, budgeting and review processes during the implementation of this Plan.

100. **Non-State Actor Partnership:** Strong Access to Justice -NSA partnerships will therefore be developed under Plan to root Access to Justice reforms in the communities and among the population of Uganda. Some of the key partners include access to justice knowledge and support service providers; service delivery NGOs and Faith based organizations; private sub-programme groups, other line Ministries and parastatals and other players deriving/rendering value from the Justice, Law and

Order system.

101. **Civil Society Organisations** Memoranda of Understanding (MoU) shall be developed between the Programme and key civil society organizations. The MoU shall elaborate the Rules of Engagement and how these groups shall be brought in or exit the Programme.
102. **Cross-Sectoral Partnerships:** The Access to Justice Sub Programme's intentions are interlinked with a number of services delivered by other Development Programmes. Therefore, the Access to Justice Sub Programme will participate in cross sectoral knowledge sharing and practice enhancement particularly with the Governance and Security Sub Programmes; security (human rights and access to justice); Democratic processes, Policy and Legislative, Accountability and Anti-Corruption, Refugee Protection and Immigration, health (access to justice); education (access to justice; human rights and accountability) and decentralization (justice for children matters and local council courts); land sub-programme(land matters) etc.
103. **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 access to justice reforms. These efforts will strengthen a regional and continent-wide community of practice to disseminate experience on what works where and why.
104. **Planning:** The NDP III and Governance and Security Programme Implementation Plan provide the basic planning framework for the access to justice institutions. All institutions will have to prepare implementing and or operational plans to implement the broad Programme reform areas. Every year the Access to Justice Sub Programme will prepare and agree on a common work plan and budget based on the agreed priorities in the Strategic Plan.

4.4 Programming

105. **Budgeting:** The budgeting process will follow the annual government budgeting cycle. The Programme will prepare, as provided for by Government, a budget framework paper for each financial year.
106. **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 Programme 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.

SECTION 5: MONITORING AND EVALUATION

107. The Access to Justice Sub Programme will implement a results-based M&E system and the attached results framework (see Annex 1) shall provide the basis for monitoring. The Programme M&E system will draw on a number of information sources. These include existing data gathered and included in the Programme and Institutional databases, (ii) specially designed qualitative and quantitative user surveys, (iii) extended data gathering related to specific the Access to Justice Sub Programme Outputs (iv) existing national surveys carried out by UBOS in collaboration with other government and non-government institutions/development programmes 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 the Programme 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 Access to Justice Sub Programme M&E needs. This approach is aimed at creating synergy between various related data gathering and survey efforts.
108. The collection and management of the data/information will be enhanced through the implementation of a customized management information system (MIS). The Programme will further develop the system to allow for systematic and Joint Programme wide monitoring and evaluation of activities. The MIS will enhance overall management of the Plan by creating provisions for capturing the Access to Justice Sub Programme and Institutional annual work plans, procurement plans, financial management, and monitoring the implementation of the planned activities. Having improved access to information on Programme implementation progress, will enable the Programme Leadership/Policy committee to detect implementation challenges on time and put in place the appropriate adjustments. MIS 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 Governance and Security Programme Secretariat will promote the implementation of the Programme M&E through linkage, harmonization and capacity development of institutional MIS, data collection and management systems.
109. As part of participatory monitoring and evaluation the following actions shall be undertaken:
- ✚ Annual review every September
 - ✚ Semi-annual technical review every March
 - ✚ Annual technical review before every annual review
 - ✚ Joint Access to Justice Sub Programme/DPG monitoring exercises on selected interventions at least twice a year
 - ✚ DCC monitoring and supervision every quarter
 - ✚ DCC regional evaluation forum every August
 - ✚ Access to Justice Sub Programme National Forum every December

- ✦ Customer surveys targeting front line Access to Justice Agencies such as URSB, DCIC, and Administrator General.
- ✦ Quarterly reviews of progress of implementation of the work plan by budget working group, the Technical Working Group and Programme Steering Committee.

ANNEX 1: ACCESS TO JUSTICE SUB PROGRAMME RESULTS FRAMEWORK

RESULTS FRAMEWORK

Objective	Outcome	Indicators	Responsible MDA	Baseline FY2017/18	Targets				
					2020/21	2021/22	2022/23	2023/24	2024/25
Overall Programme Objective/Purpose: To improve adherence to the rule of law and capacity to contain prevailing and emerging security threats									
Objective		Level of public trust in JLOS	JLOS Sec	59%	60%	62%	65%	65%	65%
1. Strengthen people centred, justice, law, and order service delivery system	Increased access to Justice	Crime rate Index of Judicial independence % of backlog cases in the system Rate of recidivism	UPF Judiciary Judiciary UPS	667 3.41 18 17.2	529 3.6 15 14.6	476 3.7 12 14.2	434 3.78 12 14.0	400 3.78 12 14.0	372 3.8 9 13.8
2. Reform and strengthen JLOS business processes to facilitate private sector development	Effective and efficient JLOS business processes	Public satisfaction in the Justice system Disposal rate of cases Percentage of districts with one stop frontline JLOS service points Conviction rate Corruption Perception Index Clearance rate of corruption cases%	JLOS Sec Judiciary JLOS Sec ODPP TI Judiciary	59% 50 67.5 61% 26 107	70% 55 70 61% 30 112	73% 60 73 62% 32 118	75% 62 76 64% 34 118	75% 62 76 64% 34 118	80% 65 80 64% 35 118
3. Strengthen compliance and implementation of the Uganda Bill of Rights	Increased observance of Human Rights	Proportion of human rights recommendations implemented% Disposal rate of Human Rights cases Proportion of remand prisoners	UHRC UHRC UPS	60 30% 48.0	85 20% 44.9	90 30% 43.7	90 40% 42.5	90 40% 41.3	90 40% 41.3

Interventions, Output and Targets

Objective	Intervention	Output	Indicators	Responsible MDA	Baseline FY2017/18	Targets				
						2020/21	2021/22	2022/23	2023/24	2024/25
Programme: Governance and Security										
1. Strengthen people centred delivery of justice, law and order services	1.1 Develop appropriate infrastructure for legislation, security, justice, law and order	JLOS service delivery deconcentrated	No. of districts with a complete chain of JLOS service	JLOS Sec	79	82	85	88	92	95
			Average distance to access JLOS service points	JLOS Sec	25	18	18	17	16	15
			No. of one stop business registration services points	URSB/NIRA	32	44	49	54	59	64

Objective	Intervention	Output	Indicators	Responsible MDA	Baseline FY2017 /18	Targets				
						2020 /21	2021 /22	2022/ 23	2023 /24	2024 /25
1.2 Promote equitable access to justice through legal aid services	Functional legal aid and Pro bono schemes	No. of functional legal aid clinics	ULS	14	21	21	21	21	21	21
			LDC	4	7	7	10	14	14	
	Number of indigent persons accessing legal aid (by gender)		MoJCA	42775	45000	45000	45000	45000	45000	
		Male=		M=30	Male=3	Male=3	Male=3	Male=		
		Female=		F=14	F=1485	F=14	F=14	F=14		
				28659	30150	0150	30150	30150	30150	
				14116	850	F=14	0	850	850	
				750	1000	1000	1000	1000	1000	
	Legal aid service providers regulated									
					95%	96%	96%	97%	97%	
1.3 Strengthen transitional justice and informal justice processes	LC courts legally constituted and trained	Percentage of LC courts trained (cumulative)	MoLG	30%	20%	40%	60%	80%	100%	
	Transitional justice policy implemented	Transitional Justice Bill passed into law. Comprehensive guidelines/standards on reparations, traditional justice and nation building developed.	MIA/MoJCA	Policy draft	Policy passed	Draft bill	Law enacted			
1.4 Enhance crime Prevention	Capacity of crime fighting agencies built	Police to Population ratio	UPF	1:754	1:675	1:765	1:700	1:650	1:612	
	Offender rehabilitation strengthened;	No. of inmates undergoing rehabilitation programmes	UPS	22,058	54,000	55,000	56,000	57,000	58,000	
	Community policing and Neighbourhood watch programmes strengthened;		UPF							
1.5 Strengthen response to crime	Use of scientific evidence in crime management strengthened	No. of cases handled using scientific evidence	DGAL	950	1280	1670	1942	2553	2553	
	Improved coordination in response to crime by crime fighting agencies	Percent of cases resulting in convictions or settlements	Judiciary /ODPP/UPF/DGAL	61	65	68	70	73	75	

Objective	Intervention	Output	Indicators	Responsible MDA	Baseline FY2017 /18	Targets				
						2020 /21	2021 /22	2022/ 23	2023 /24	2024 /25
2. Reform and strengthen JLOS business processes to facilitate private sector development	<p>Re-engineer business processes to reduce red tape in service delivery especially regarding commercial and land dispute resolution;</p> <p>a. Strengthen case management systems</p> <p>b. Reform rules and procedures</p> <p>c. Increase efficiency of Court Processes</p> <p>d. Integrate and automate information management systems</p> <p>e. Strengthen capacity of duty bearers</p> <p>f. Enforce commercial laws</p> <p>g. Roll out alternative dispute resolution</p>	Improved case management systems	No. of JLOS institutions with improved case management systems	All	30	45	50	55	60	70
		Rules and procedures reformed	Proportion of Ugandans with a National ID	NIRA	70	72.5	87.2	91.4	95.6	100
		Increased efficiency of Court Processes	Time taken to register a business(days)	URSB		1,038	1,018	998	978	958
			Average number of days for case disposition (Civil)	Judiciary		736	716	696	676	656
			Average number of days for case disposition (Criminal)	Judiciary		60	30	14	14	14
			Average clearance times for permits, licenses, IDs, etc.)	NIRA	90					
			Average clearance times for permits, licenses, IDs, etc.)	/URSB						
		Cases that are over 2-years disposed	% of JLOS institutions with improved case management systems	All	50	70	75	80	85	90
		Information management systems automated and integrated	% of backlog cases disposed	Judiciary	23	18	17.5	15.5	13.5	11.5
			Level of automation of case management systems	All	36	45	50	55	60	70
		Commercial laws enforced	Level of Automation of business registries	All	42	70	80	90	100	
		Alternative dispute resolution rolled out	Mediation success rate	Judiciary	50	55	60	60	65	
3. Strengthen compliance with the Uganda Bill of Rights	<p>Implement the Uganda National Action Plan on Human Rights and SDGs;</p> <p>a. Translate and disseminate the bill of rights in local languages</p> <p>b. Improve the sanitation and hygiene in detention facilities</p> <p>Integrate HRBA in policies, legislation, plans and programmes</p>	Human rights complaints reduced	Proportion of human rights complaints disposed of (% of total)	UHRC	32	35	38	40	45	50
		Due process of the law improved	Average length (months) of stay on remand for offenders	UPS	19.7	18.0	17.5	17.0	16.0	15.0
		Sanitation and hygiene in detention facilities improved	percentage of detention facilities with appropriate sanitation facilities	UHRC	40	42	44	46	48	50
		HRBA mainstreamed in policy, legislation, plans and programmes	Human Rights Based SDPs, and institutional strategic Plans produced	UHRC	8	10	12	14	16	18
			No. of new laws complaint with HRBA standards	UHRC	4	5	5	6	6	6
			Number of MDA's with Human Rights desk	MoJCA	6	8	10	12	14	16

Objective	Intervention	Output	Indicators	Responsible MDA	Baseline FY2017 /18	Targets				
						2020 /21	2021 /22	2022/ 23	2023 /24	2024 /25
			Proportion of districts with Human Rights Committees	UHRC						



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