

OUTCOME 1: POLICY AND LEGISLATIVE FRAMEWORK STRENGTHENED

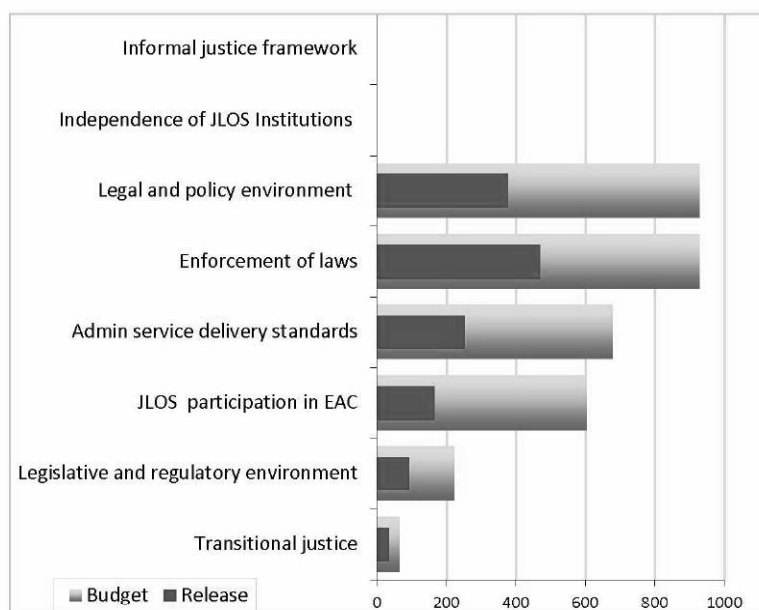
Purpose:

To 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.

Outcome Indicators	FY 2015/16	FY 2016/17	
	Actual	Target	Actual
Index of Independence of the judicial process	3.41		3.6
Business confidence index	57.73%	58%	↑
Number of Priority Laws and Policies		15	
Proportion of the public confident in the enforcement of existing laws			49
Success in use of mediation	32%		
Increase in target population with access to updated laws			

Funding (millions)

Key Highlights



- ✓ Improved score in the index of independence of the judicial process;
- ✓ The Government Chemist Bill was tabled in Parliament;
- ✓ The Judiciary Administration Bill was laid before Cabinet
- ✓ Study on land law reform commissioned;
- ✓ Drafted 6 Bills against a target of 15 bills;
- ✓ Review of Police Standing Orders completed;
- ✓ Formulation of the National Prosecution Policy started;
- ✓
- ✓

OUTCOME 1: POLICY AND LEGISLATIVE FRAMEWORK STRENGTHENED

JLOS institutions implemented activities aimed at creating a strong, harmonized and consistent legal, regulatory and policy environment conducive for national development. This was part of the sector contribution to enhancing productivity, growth, competitiveness and socio-economic transformation. Activities included law reform, harmonization and dissemination of priority laws and policies and enhancing public participation in law reform processes.

Output 1.1 Legal and Policy Environment Underpinning JLOS Services Improved

To function effectively, the laws underpinning JLOS service delivery must be certain, consistent and enforceable. In 2016/17, the sector prioritised the harmonization of the Law Council Regulations, Advocates Act and the National Council for Higher Education Act in view of the wider EAC, printing of regulations for the Prevention of Trafficking in Persons Act 2009, finalizing the review of the probation function, development of regulations for the NGO Act, review of TAT Act, development a Criminal Procedure Bench Book Amendment of the Arbitration and Conciliation Act, review of land laws (to address the challenges under Mailo land (succession certificates, Bibanja holders) Development of the Corrections Policy, the Government Chemist Bill, and the Explosives Act, So far the following have been undertaken in the first 6 months of 2016/17.

Harmonisation of Legal Training: The Sector started harmonization of the Law Council Regulations, Advocate Act and the National Council for Higher Education (NCHE) Act in view of the wider operation of the East African Community. The LDC is harmonizing the Law Council Regulations, Advocates Act and the National Council for Higher Education. This is aimed at reducing the inconsistencies in the legal provision relating to roles of NCHE and Law Council in the field of legal education and training; accreditation of institutions offering law programmes at different levels; and guidelines and procedures to be followed by the Law Council while accrediting Universities. Two staff visited Arusha to understudy the process at EAC. They interfaced with the members of the EAC Legal Education Committee as part of the harmonisation process. A report was prepared and is subject to further consultations with the stakeholders.

Printing of regulations for prevention of Trafficking in Persons Act 2009 was started and the regulations are expected to be available in quarter 3. This will be useful to duty bearers involved in the implementation of the law.

A review of the Probation function: As part of the Sector strategy to improve the Probation function, regional stakeholder consensus meetings were held in Masaka, Fort-Portal, and Mbale and the 2nd draft report was presented to the Ministry of Gender, Labour and Social Development.

Development of Regulations for the NGO Act: NGO regulations were drafted, consultation meetings on the draft regulations were held with development partners, NGOs, URSB, NGO Bureau staff, NGO Bureau Board of Directors and a validation meeting was held. The regulations are now before the Minister of Internal Affairs for approval and gazetting thereafter.

Amendment of the Arbitration and Conciliation Act, Cap 4: The Sector through ULRC is undertaking a study to review the Arbitration and Conciliation Act cap 4 to align it to internationally acceptable standards and introduce best practices. The study will explore issues of immunity and privileges of arbitrators, setting rules of procedure for arbitration proceedings, regulation of arbitrators and harmonizing court intervention in arbitration and general enforcement of arbitral awards. This is being done promote alternative dispute resolution mechanisms which provide faster, cost effective and friendly dispute resolution options. So far an inception report was prepared to pave way for stakeholder consultations.

Review of the land laws (to address the challenges under Mailo land (succession certificates, Bibanja holders): A study to address land reforms was commissioned. The ULRC prepared working papers to commence consultations. The study is intended to address challenges affecting the implementation of Uganda's land laws especially with regard to Mailo land; conflicting and competing interests in land, land use planning, conflict and dispute resolution mechanism. Country wide consultations will be carried out to popularize proposals and receive views. Land is a critical resource for Uganda's social and economic development.

Development of the Corrections Policy: The draft Research proposal for conducting a study to assess the Correctional gaps in UPS, MOGLSD and NCSP has been developed pending data collection which will be handled in Quarter three.

Review of the CEWERU Operational Guidelines: The NFPSALW is reviewing the CEWERU Operational Guidelines that define roles and responsibilities of each actor in peace building processes and incorporate other emerging conflicts beyond tracking pastoral conflicts in Karamoja. CEWERU Uganda carried out consultations with peace actors in Kabarole, Ntoroko, Kagadi, Hoima, Masindi and Buliisa on the review of Conflict Early Warning and Early Response Operational Guidelines to include emerging conflict issues like land and oil. The consultations revealed existence of multiple mandates, overlaps, and weak coordination between state and non-state actors in peace building work and these must be addressed.

Other ongoing activities included procurement for the printing of the Uganda Law Reports Volume 11 which cover years 2010, 2011 and 2012. This supports access to case precedents.

Planned activities that have not yet taken off include review of TAT Act, procurement of legal reference materials for MoJCA regional offices, regional training for newly sworn in councillors in drafting ordinances and bye-laws and the printing and dissemination of the UPF gender policy, partly due to inadequate releases which meant that not all activities in the work plan could be started at the same time.

Progress on Bills that were before Parliament in 2015/16

Law Revision (Penalties in criminal and Institutional matters) Miscellaneous Amendments Bill, 2015: The Bill seeks to amend laws to remove all references to the mandatory death penalty and to restrict the application of the death penalty to 'the most serious crimes'. The Bill also gives effect to the commitment made by the Government to the United Nations following the first Universal Periodic Review of Uganda's Human rights record, to consistently apply the rulings of the court by converting all death sentences into life imprisonment where death sentence was not effected within three years. This bill is before

the Legal and Parliamentary Affairs Committee. There is need for the sector especially the human rights working group to fast track its enactment.

Human Rights (Enforcement) Bill, 2015: The Objective of this Bill is to give effect to Article 50 (4) of the Constitution by providing for the procedure of enforcing human rights under Chapter Four of the Constitution; and for related matters. The Legal and Parliamentary Affairs Committee is currently undertaking public consultations on this bill.

Marriage and Divorce Bill, 2009: This Bill remains pending in Parliament and was intended to consolidate various laws related to marriage, family relations and obligations. The sector is undertaking pre enactment advocacy to rally the stakeholders support to address its delayed enactment. A meeting was held with Members of Parliament and other stakeholders to review the Bill and consider a way forward for its enactment. Arising from this meeting, the Sector is considering various quick wins including amendments to the existing marriage and divorce laws to bring them in line with the Constitution and other international obligations.

Progress on Bills/policies that were before Cabinet in 2015/16

Trial on Indictment (Amendment) Bill, 2015 and Magistrates Court (Amendment) Bill, 2015: The review of the TIA and MCA was intended to cut out bottlenecks that slow down criminal trials and contribute to case backlog. Following previous submissions to Cabinet, MOJCA received new proposals that have been incorporated into the bill now before cabinet.

Administrator General's (Amendment) Bill, 2014: Administrator General's Act was also found to be archaic with outdated fines and penalties which needed to be revised. The amendment is to enhance the protection of estates of deceased persons under the management of the Administrator General. No new progress has been registered and the sponsoring ministry is urged to make the necessary follow up.

The Administration of the Judiciary Bill, 2015: The Administration of the Judiciary Bill, 2015, was laid before Cabinet and is awaiting transmission to Parliament for first reading. This Bill seeks to operationalize Chapter Eight of the Constitution; provide for the establishment of a Judiciary Advisory Council to advise the Chief Justice on the administration of justice and the courts; strengthen the independence of the Judiciary by streamlining the provision and management of funds for the Judiciary and establishing structures within the judiciary to improve its performance and related matters. The Minister of Justice has promised to table the Bill in Parliament in 2017. We await the tabling of the bill in Parliament as promised by the executive.

The National Legal Aid Policy, 2014: This policy proposes for a Government funded delivery of legal aid services to all poor and vulnerable persons in order to enhance speedy processing of cases and promote fair and impartial trials. The Cabinet Memorandum for approval of the draft policy and the principles for the drafting of the Bill were submitted to Cabinet. The Attorney General is following up the approval process in Cabinet. A comprehensive report will be made in the annual report.

Progress on studies that were concluded in 2015/16

Witness Protection: Witnesses play a key role in the criminal justice system. The Bill proposes extensive witness protection mechanisms. The Cabinet Memorandum for principles was prepared for submission to Cabinet.

Review of the Evidence Act: This study sought to amend section 132 of the Evidence Act, Cap.6 to make evidence of a child or a victim of a sexual offence admissible without corroboration so as to facilitate the prosecution of sexual offences. The reform of this Bill is aimed at improving timely disposal of matters so as to reduce backlog, efficient use of resources and admissibility of evidence in matters of technological crime and to allow for the broadening of the scope of admissible scientific evidence. The passage of this Bill is an important step to enhance the enforcement of the Penal code and SGBV laws.

Review of Amnesty Act: The study sought to amend the Amnesty Act to provide for the conditional amnesty to Ugandans involved in acts associated with war or armed rebellion against the Government of Uganda; to deny granting of amnesty for International law crimes; and to confer certain powers on, assign certain functions to and impose certain duties upon the Amnesty Commission; and for related matters. No new progress was registered in the reporting period.

Review of Prisons Act: The study on Prisons Act, 2006 was undertaken to reconcile the provisions of the Act which were contradicting with the Constitution of Uganda 1995. Further the Bill addressed the Constitutional Court decisions that have a consequential effect on the Prisons Act. Currently ULRC is undertaking advocacy on the proposed bill.

Review of the Companies Act, 2012: URSB held a stakeholders' meeting to inform the study on the amendment of the Companies Act No.1 of 2012. The draft amendments were finalized by URSB in partnership with the First Parliamentary Counsel for submission to Cabinet for consideration.

Study on Sexual and Gender Based Violence: This study considered sexual violence as a crime under domestic and international law. It enabled the examination of the existing national laws with the view to establishing whether mechanisms to promote accountability and reconciliation for harm suffered through sexual violence in conflict situations are adequate. It is aimed at developing comprehensive approaches to redressing victims of sexual violence. A draft study report was prepared and submitted to the Ministry of Justice and Constitutional Affairs.

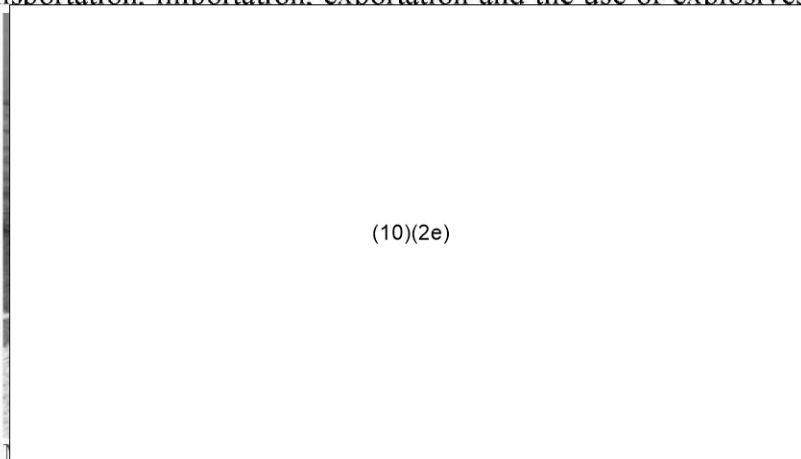
Other developments during the reporting period included-

Local Governments (Amendment) Bill, 2016: the Bill amending the Local Government Act to pave way for voting of LCI and II officials, was published and enacted into law during the reporting period. Once elected it is hoped that cases that have been clogging the formal courts will now be handled by the Local Council I and II Courts as provided for in the law.

The Government Chemist Bill (Forensic Services and Industrial, Consumer Chemical Management Bill 2015) was tabled in Parliament in the first half of FY 2016/17. The bill seeks to control and regulate the distribution and access to the chemicals. It will address the security threats posed by the use chemicals in crime.

The Explosives Act: The Sector, undertook the review of the Explosives Act, to ensure safety use of explosives. The Explosives Act Cap 298 was enacted in 1936 to regulate the

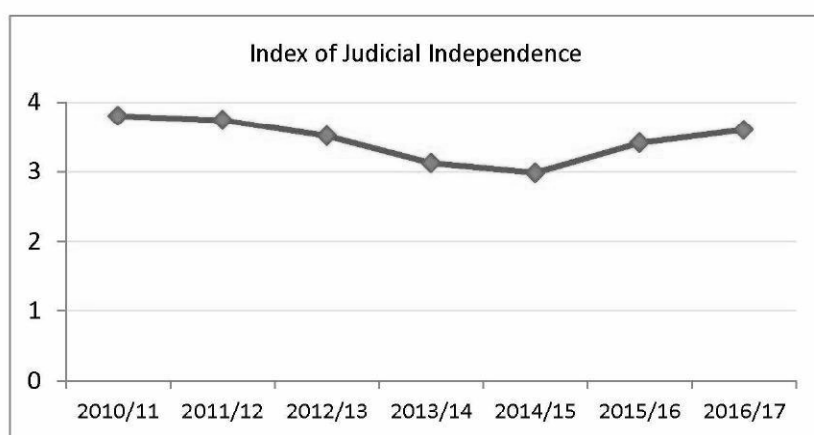
manufacture, storage, sale, transportation, importation, exportation and the use of explosives in Uganda. The review therefore focuses on ensuring safe use of explosives, preventing threats of terrorism, ensuring safe transportation of explosives and compensation of victims affected by the use and handling of explosives. The ULRC has carried out consultations with key stakeholders including the National Explosives Committee, Uganda Police Force, Uganda Peoples Defence Forces, National Environmental Management Authority, Uganda Revenue Authority, Ministry of Trade and Tourism, local governments, Hima Cement, Kilembe Mines, Tororo Cement and Quarry Operators Association among others. Drafting of a proposed Explosives Bill is on-going.



Policy on Poison Information Management: DGAL developed a draft policy framework on poison information management to provide for prompt, consistent, individualized, contemporary information, advice and risk assessment in situations of poisoning, suspected poisoning, deliberate self-poisoning and mistakes with medicine's envenomation or toxic hazard exposures. The draft policy awaits approval by the Minister of Internal Affairs.

Output 1.2: Independence of JLOS Institutions strengthened

According to the World Economic Forum Report 2016, Uganda's index of judicial independence improved from a score of 3.41 in 2015/16 to 3.6 in 2016/17. As a result Uganda moved 3 places in world ranking from position 91st in 2015/16 to 89th in 2016/17 out of the 144 countries. The improved performance was due to coordination, innovations in the administration of justice, increased capacity, greater geographical reach, and reducing political interference in the judicial process among others. According to the work plan 2016/17, the major activity under this output was fast tracking the enactment of the Administration of the Judiciary Bill that is waiting tabling in Parliament.



Output 1.3 Administrative service delivery standards harmonized

The Sector aims at having service delivery standards that facilitate effective and efficient operations and enhance productivity. In the reporting period, the Uganda Police Force developed a training manual for the Police Probationary Constables (PPC) to cater for all emerging trends in policing and standardize the training systems. Relatedly, a syllabus for the training of scene of crime officers has been developed to harmonize their training content in line with international best practice.

Review of Police Standing Orders: The process of reviewing the Police Standing Orders (PSO) was completed and awaits approval by the Police Policy Advisory Committee and Ministry of Public Service. The Police Standing Orders are aimed at guiding unit commanders on routine administrative work to ensure standards at the various police units. Relatedly the role of crime preventers in community policing has been recognized. However, to streamline and regulate their operations, a Crime Preventer's Policy has been drafted in a consultative way and is before the Police Policy Advisory Committee

Complaints handling: in the Office of the Director of Public Prosecution (ODPP) 80% of complaints registered against staff performance and conduct, were concluded and 92% of registered public complaints against criminal justice processes were resolved, above the minimum quality standards target of 90%. This performance is attributed to increased public awareness of where and how to lodge in complaints, continuous operationalization of regional offices as well the existence of functional chain-linked committees, where issues are resolved as they arise.

Formulation of the National Prosecution Policy: The ODPP started the process of formulating the National Prosecution Policy. The procurement process for consultancy services to undertake a Regulatory Impact Assessment (RIA), a requirement and best practice for the formulation of public policies to assess the impact of the implementation of the proposed policy options, was initiated. This is hoped to provide evidence for the relevant actions to address the contextualized problem at hand.

National Immigration Policy and Guidelines: DCIC completed the drafting of the National Migration Policy now due for tabling in Cabinet.

Equipping the ULS Legal Resource Centre: A photocopier and 5 computers were procured. This has revamped the ULS office equipment. Now staff serve the indigent in a quicker manner compared to the past when computers were being shared.

Revision of laws (Revision of statutory instrument 2001 – 2013): Law revision is a process of updating the law by removing obsolete laws, spent laws, repealed laws and provisions by consolidation and incorporating amendments where applicable, renumbering provisions, and chaptalisation. It is aimed at presenting the law in its most current form. The Sector through Uganda Law Reform Commission revised four (4) out of fifteen (15) volumes contained in the laws of Uganda 2000 edition. Consultations on the revised laws with ministries, departments and agencies are ongoing. It is expected that the revised edition (subsidiary laws) would be published in December 2018.

The Judiciary, with support from DANIDA contracted a Consultancy for the reform and re-organisation of Registries. The Consultant has completed the third deliverable called Registry Operations Manual.

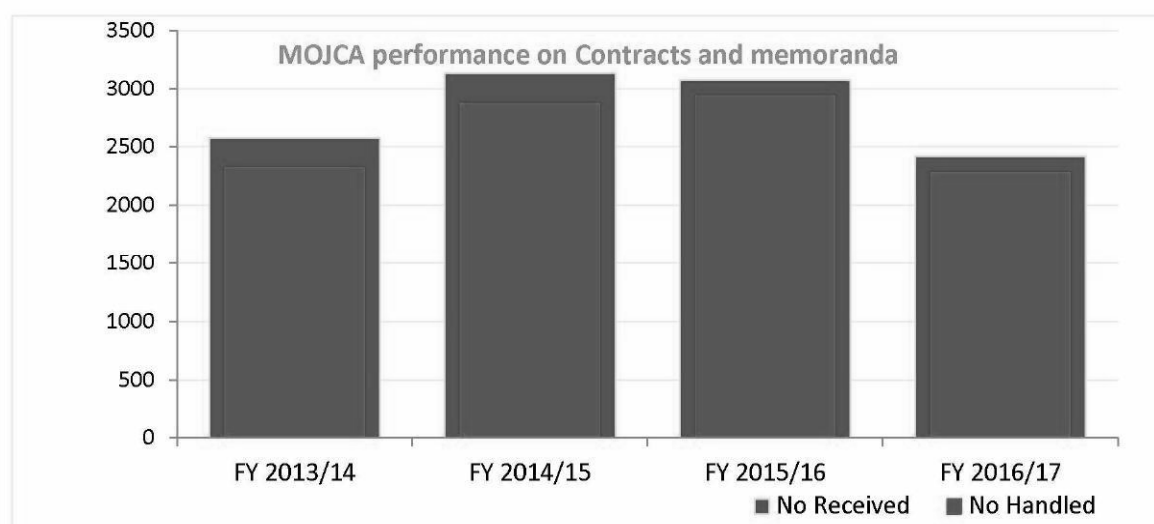
Performance enhancement: The piloting of the Performance Enhancement Tool is in the final stages. The training of trainers was scheduled for February 2017. The Registry of Performance was created and will be in charge of overseeing performance management.

Contract and MoU handling: In the first half of FY 2016/17, MoJCA received 2,416 requests for reviewing of contracts and Memorandum of understanding out of which 2,278 (94%) were responded to, while 138 remained pending. The 138 remained outstanding due to incomplete requests submitted by the entities and delays in submitting pre-requisite additional information. Similarly, 233 requests for legal opinions were received, out of which 194 were responded to. No Cabinet Memoranda were prepared by the Ministry in the Period under review.

Over the last three years, the average performance in terms of responding to requests to draft contracts and memoranda has been over 90%. This is within the target of responding to all requests including, but not limited to those for drafting Contracts and Memoranda as well as Legal Advice within two weeks of receiving the request.

Table 1. Contracts and memoranda handed by MOJCA

Contracts and Memoranda	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17
Number Received	2,571	3,136	3,075	2,416
Number Handled	2,318	2,874	2,939	2,278
Percent (%)	90.2%	91.6%	95.6%	94.3%



Inspection of Courts: Judicial Service Commission carried out court inspections aimed at improving conditions of service of judicial officers and thus strengthening effectiveness and efficiency in delivery of judicial services. Different courts of judicature in 18 magisterial areas/districts (13 facilitated by JLOS support) of Gulu, Hoima, Mbale, Pallisa, Soroti, Bukedea, Ngora, Kumi, Katakwi, Serere, Kabale, Kisoro, Fort Portal, Kyegegwa, Kyenjojo, Kamwenge, Bundibugyo and Arua were inspected. Critical to note was the conditions of work of Magistrates Grade II, which due to policy shift is being phased out. The officers are reportedly working with minimal morale since they have not been granted opportunity for promotion or other alternative measures for career advancement. This is a threat to independence of the Judiciary and administration of justice.

In addition, strengthening independence of the Judiciary in terms of human resource remained low due to the expiry of the term of the Judicial Service Commission, which subsequently limited recruitment related activities hence maintaining the staffing level at 52% (existing number of judicial officers against the optimal number). Nevertheless, the new Commission has now been fully set up.

Under the Law Council, the Disciplinary Committee concluded 84 complaints against an annual target of 150 in 27 sittings which was comparatively above the set annual target which was partly due to availability of space for meetings of the Committee. In terms of inspection, 128 law firms were inspected as well as 8 Universities and as a result, 3 universities were accredited bringing the total number of approved universities to 11. This performance was because most offices were closed early in Kampala for the festive season while funds for upcountry inspections had not been released.

Due to the nature of releases to institutions, the following activities planned by the Sector were not undertaken and are expected to be undertaken in quarter 3. The activities not undertaken include printing of Investigation Manuals for investigators and UPF Disciplinary Court Handbook, Police Form PF3 to facilitate investigations of victims of SGBV, and development of Police Sentencing Guidelines to strengthen the Police Disciplinary Court legal framework. The delay to implement UPF activities was because of the unsuccessful attempt to reallocate most of the funds towards the procurement of the automated finger print/biometric system.

Output 1.4 Legislative and regulatory environment for realisation of national development objectives improved

The medium term vision of the NRM Government is to take the country from low income to middle income status within the next 3 years. In order to achieve this, an enabling legislative environment for investment must be supported. In the last six months, the Sector supported activities geared towards promoting a conducive environment for development. These included; retooling of the First Parliamentary Counsel to effectively draft legislation, printing 15 JLOS priority Bills cleared by Cabinet and 15 Laws by Parliament, Revision of laws (Revision of Statutory Instruments from 2001-2013, review of the Uganda Citizenship & Immigration Control Act.

In the reporting period, procurement of equipment including laptops, desktops and shelves for the First Parliamentary Counsel to effectively draft legislation was undertaken and is expected to be concluded in the 3rd quarter. Also regional consultations were conducted as part of the process to gather views on proposals for the amendment of the Uganda Citizenship and Immigration Control Act

Print JLOS priority Bills cleared by Cabinet and Parliament: The FPC drafted 6 Bills and 7 Acts 46 Statutory Instruments, 10 Legal Notices and 3 ordinances. However a total of 20 laws were enacted in the reporting period including some drafted last financial year.

Acts published:-

- i. The Anti-Terrorism (Amendment) Act, 2016, Act 1 of 2016
- ii. The Financial Institutions (Amendment) Act, 2016, Act 2 of 2016
- iii. The Narcotic Drugs and Psychotropic Substances (Control) Act, 2016, Act 3 of 2016

- iv. The Toxic Chemicals Prohibition Control Act, 2016, Act 4 of 2016
- v. The Non- Governmental Organisations Act, 2016, Act 5 of 2016
- vi. The Plant Protection and Health Act, 2016, Act No.6 of 2016
- vii. The Lotteries and Gaming Act, 2016, Act 7 of 2016
- viii. The Capital Markets Authority (Amendment) Act, 2016, Act 8 of 2016
- ix. The Children (Amendment) Act, 2016, Act 9 of 2016
- x. The Uganda Development Corporation Act, 2016, Act 10 of 2016
- xi. The Value Added Tax (Amendment) Act, 2016, Act 11 of 2015
- xii. The Excise Duty (Amendment) Act, 2016, Act 12 of 2015
- xiii. The Appropriation Act, 2016, Act 13 of 2016
- xiv. The Finance Act, 2016, Act 14 of 2016
- xv. The Stamp Duty (Amendment) Act, 2016
- xvi. The Uganda Heart Institute Act, 2016, Act 16 of 2016
- xvii. The Uganda Wildlife Research and Training Institute Act, 2016, Act 17 of 2016
- xviii. The Tier 4 Microfinance Institutions and Money Lenders Act, 2016, Act 18 of 2016
- xix. The Uganda Cancer Institute Act, 2016, Act 19 of 2016
- xx. The Income Tax (Amendment) Act, 2015, Act 20 of 2016

The Bills drafted and published:-

- i. Bio Fuels Bill, 2016
- ii. International Conference for Great Lakes Implementation of the Pact on Security, Stability and Development of the Great Lakes Region Regulations 2016,
- iii. Local Governments (Amendment) Bill, 2016
- iv. Sugar Bill, 2016

Table 2 bills drafted by FPC

Legislation	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17 (Half Year)
Bills	12	10	34	6
Acts	20	15	31	7
Statutory Instruments	67	42	85	46
Ordinances	3	3	1	3
Legal Notices	9	13	7	10

Developing legislation for Product Liability: The Sector, through ULRC, initiated a process of developing legislation that imposes strict liability for defective products on manufacturers, sellers, producers and suppliers. This is intended to enhance consumer protection and promote quality of products on the Uganda market. At times many defective products that are capable of causing damage, injuries and sometimes death to consumers are sold and distributed on the market. Often it is difficult for consumers to prove negligence on the part of the suppliers or manufacturers in case of damage or injury. This is because consumers do not possess sufficient knowledge of the production process. Legislation imposing strict liability is intended to improve the quality of products on the Ugandan market and build consumer confidence by ensuring that their expectations are met by the different persons in the chain of manufacturing, production and supply.

Output 1.5: Enforcement of laws improved

To improve the enforcement of laws, JLOS emphasises comprehensive research from all dimensions especially gender and diversity analysis as well as comprehensive strategies to promote public participation and user access to laws. In the reporting period, JLOS institutions conducted dissemination programmes for selected laws covering the following areas.

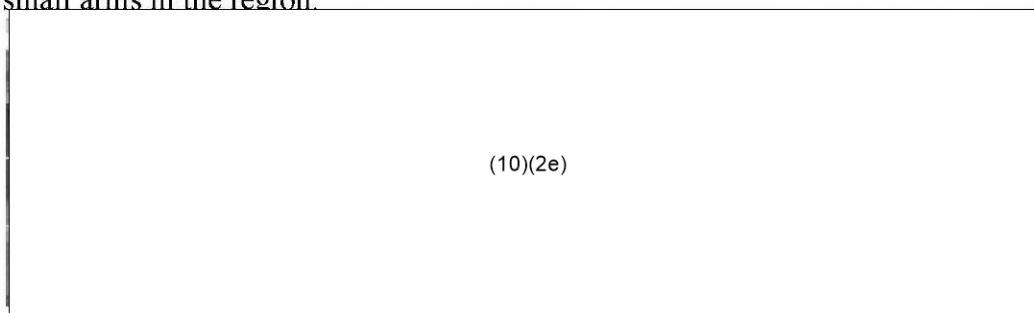
Commercial and Business laws: The Government has overtime enacted commercial and business laws to facilitate trade and commercial transactions in Uganda so as to improve the environment for doing business. The ULRC prepared user manuals and guides and printed copies of the laws, including Companies Act, 2012, Chattel Securities Act, 2014, Partnership Act, 2009, and the Hire Purchaser Act, 2009, to improve awareness levels and access to laws. Awareness raising workshops with different users and implementers were held in Mbarara, Bushenyi, Mbale and Bugiri Districts. The dissemination programme is intended to create awareness of these laws, improve access to laws, improve implementation of the laws, and overall to ensure that the laws are understood by the users particularly the business community.

Human rights related laws: To enhance the enjoyment, protection and realization of human rights, the ULRC started awareness programmes for the different human rights related laws. Awareness programmes were conducted on the Domestic Violence Act, 2010, the Prevention and Prohibition of Torture Act, 2012, Public Order Management Act, 2010 and the Children (Amendment) Act 2016, premised on the understanding that the enjoyment and realization of human rights in Uganda is crucial for good governance and rule of law. The ULRC is preparing user manuals and guides and printing laws to improve awareness levels and access to laws. The sensitization or awareness programme for these laws is intended to create awareness about the laws, improve realization of human rights, combat domestic violence in homes and generally improve administration of justice.

East African Customs Management Act: The ULRC also started dissemination of the East African Community Customs Management Act, with the aim of creating awareness, improving access to laws and empowering the Uganda business community. Dissemination of the Act will improve awareness levels and improve tax administration and tax payments. The ULRC is in the process of simplifying the Act, and will hold meetings with key stakeholders to disseminate the law. The East African Community Customs Union Protocol opened up trade in goods, cross border movement, trade and foreign investment, aimed at economic development and diversification in industrialisation for the mutual benefits of the Partner States. The East African Community Customs Management Act is one of the laws that operationalizes the EAC Common Market Protocol.

Public Order Management Act, 2013: The ULRC is undertaking an awareness creation programme on the Public Order Management Act, Act 9 of 2013 (POMA). The programme shall focus on the Uganda Police Force (UPF) which is the main enforcement agency of the POMA. Through this awareness creation programme there will be an increase in the knowledge of the police officers of the provisions the POMA, particularly, the police powers and duties, the responsibilities of organizers and participants of public meetings and human rights principles and obligations regarding policing of public assemblies. The ULRC is yet to undertake this programme

National Policy on Firearms: The National Focal Point on Small Arms and Light Weapons conducted workshops in Buliisa, Kagadi and Kibaale on the National Policy on Firearms targeting political leaders, technical officers, security leaders, and representatives of special interest groups, Private Security Organisations, women, youth, media, religious leaders and elders) and civil society representatives in communities to stamp out the proliferation of small arms in the region.



Group photo of Kagadi and Buliisa participants

Retool TAT and to update and develop a case management manual: The TAT Case Management Manual was updated and procurement was initiated for the purchase of 8 computers for 4 regional registries. This activity is on track, however the procurement process should be expedited.

Drafting Insolvency Practitioner Regulations: The drafting of the insolvency Practitioner's Regulations is near completion. Stakeholders' consultations were concluded in September 2016. The Regulations are intended to streamline insolvency practice in Uganda, and deal with registration of insolvency practitioners, their professional code of conduct as well as accountability in insolvency proceedings. The regulations are now before the FPC awaiting approval and publication in the national gazette. This law was enacted over 3 years ago and publication of regulations should be fast tracked to enable its full implementation.

With regard to the adult offender rehabilitation programme, under the National Community Service Programme, 210 offenders in Mbale and Lira were profiled and followed up through home visits and reconciliation meetings as well as placement skilling projects for rehabilitation. Preparation of social inquiry reports has been mainstreamed using majorly volunteers in the absence of probation officers. In the reporting period 3313 social inquiry reports were made including 435 in the central region , 804 in Northern Uganda, 411 in Eastern region, 897 in Kampala Extra, and 766 in Western Uganda. As result, 5698 community service orders were issued. It must be noted however that the use of volunteers to prepare social inquiry reports is not sustainable. It is therefore important that the process of reviewing the probation function is fast tracked to address this challenge.

Output 1.6 Transitional Justice Policy and Legislation enacted

The secretariat formally engaged the Ministry of Internal Affairs to fast tract the Transitional Justice Policy. A final report of a cost benefit analysis and budget of the policy was submitted to the Ministry of Finance to obtain a certificate of financial implications. In addition, the sector shared copies of the policy with other Ministries Departments and Agencies (MDAs) for their comment. The sector is however concerned about the delayed approval of the Transitional Justice Policy and law, despite the conclusion of all the technical processes.

Despite this draw back several transitional justice processes are ongoing. The DPP managed to have Jamil Mukulu and his accomplices formerly charged in court and have since been remanded in Luzira Prison. The Judiciary has adopted International Crimes Division (ICD) Rules of Procedure and is currently handling various cases. Pre-trial hearings for the Thomas Kwoyelo, the former LRA commander's case are on-going before the ICD of the High Court of Uganda were held in Gulu. However, these were postponed due to inadequate funding to the ODPP for prosecuting war crimes cases. The ODPP participated in a workshop to discuss the new ICD rules. This will help in harmonizing investigation and prosecution of International and war Crimes cases.

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

Local Council Courts were introduced based on the ideas of popular justice and democracy. Increasing and improving access to justice through Local Council Courts has always been the most desirable initiative by Government for accessible and affordable justice at community level.

The Sector supported the training of 36 desk officers and alternate officers drawing two trainees from each Local Governments in 36 Districts and 2 Municipalities. Registering 36 local council courts desk officers and 34 alternate officers. The districts that have so far benefited from the training include; Sironko, Tororo, Ngora, Kween,, Kaberamaido, Tororo, Buyende, Napak, Bugiri, Kaabong, Serere, Mbale, Kibuku, Katakwi, Manafwa. In quarter two, the districts covered include Ibanda, Ntungamo, Kalungu, Buhweju, Rubirizi, Kabale, Kisoro, Mbarara, Buvuma, Mubende, Apac, Bukomansimbi, Agago, Kyankwanzi, Mityana, Koboko, Pallisa and Namutumba. Municipalities include Ntungamo and Entebbe.

In the reporting period, under the programme to build capacity of Local Council Courts, MoLG received support from the sector as and DGF with the main implementer being ILI.

As a result, 238 court members were trained on majorly principles of natural justice and Alternative Dispute Resolution. The major reason for emphasising ADR is for the court members to be equipped with knowledge on ADR to ensure matters are concluded expeditiously and professionally.

Local Council Courts if given utmost consideration have the ability to cause a high reduction of case backlog especially on petty offences because the supervision exercises conducted during and after the trainings indicate that the few that successfully receive the training greatly improve on their performance. The Ministry has been able to undertake trainings in the five districts of Sironko, Kalungu, Buhweju, Luuka and Manafwa covering 40 Local

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Council Courts. The major challenge remains the delayed elections of the Local Councils I and II. The local councils are still operating under uncertainty. The Sector should join in the advocating for the election of the local councils at village and parish levels. They should not only be viewed in the political perspective but in the judicial perspective as well.

Output 1.8 JLOS compliance and participation in EAC

JLOS plays a role 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. This role is vital if Uganda is to reap its due share the benefits of regional integration.

According to the JLOS SIP III strategy compliance and participation in EAC, the Ministry of Justice and Constitutional Affairs received 162 invitations to regional and international meetings, of which 108 were attended by the office of the Attorney General. The none attendance of some meetings was due to lack of facilitation to attend the meetings, delay by the entities to deliver the invitations and insufficient information in the invitations. The major emphasis has been on discussions to deepen integration and reforms in EAC on the road to a Monetary Union.

The ULRC and MoJCA participated in the East African Conference on International Arbitration which took place at the Serena Hotel in Kampala to compare notes on the practice of International arbitration across the East African region and agree on how the region can be transformed into an arbitration hub.

The Directorate of INTERPOL of UPF coordinated investigations of 19 HI-TECH Crimes including illegal ivory (140 pieces) & pangolin scales trade (17kgs) involving 4 suspects and also intercepted 238 suspected victims of human trafficking from neighbouring countries.

Ten Police officers participated in the Illicit- ARMS data base management course in Nairobi and EAPCCO Top-table Cyber Enabled Exercise to enhance the skills capacity of cyber crime investigators. UPF was also involved in the on-going assessment of the Uganda – South Sudan and Uganda – Democratic Republic of Congo borders in a bid to sensitise the communities' to live in harmony pending demarcation of boundaries.

As part of the EAC cooperation and with support under NUFFIC, 10 Community Service staff participated in a study visit to Kenya Probation and Aftercare Services particularly to understudy the management of Community Service Orders (CSOs), probation practice, skills empowerment and case management. The study visit enhanced staff knowledge and exposure to different correctional approaches. As a result, the Directorate of Community Service commenced the development of Standard Operation Procedures and Total Quality management system.

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Final

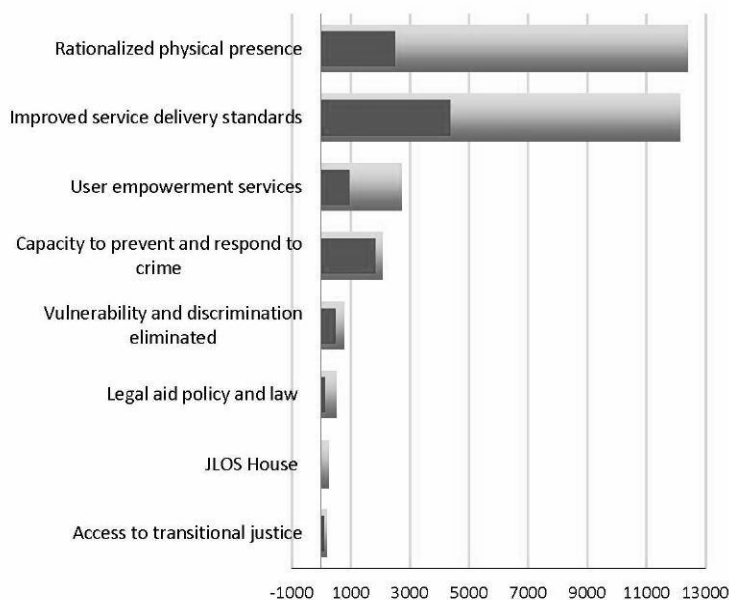
OUTCOME 2: ACCESS TO JLOS SERVICES ENHANCED

Purpose:

To enhance access to JLOS Services particularly for vulnerable persons by supporting institutions to deliver services in accordance with the user entitlements and standards stipulated in the Constitution.

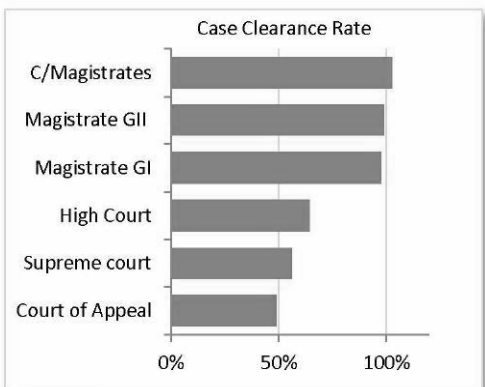
Outcome Indicators	FY 2015/16	FY 2016/17	
	Actual	Target	Actual
Ratio of completed cases to registered cases%	129	103	109 ↑
Proportion of districts with a complete chain of core JLOS Services%	59.8	65	59.8 ↑
Average length of stay on remand for persons accused of capital offences (months)	10.4	12	10.4
Incidence of crime for every 100,000 persons	298	298	296
Reduction in transaction lead times			
Proportion of case backlog %	25		24

Funding (millions)



Key Highlights

- ✓ improving the police to population ratio from 1:816 to 1:754;
- ✓ Construction of a Min-Max prison at Kitanya on track;
- ✓ Construction of 480 Low Cost staff houses for UPF on track;
- ✓ Court case clearance rate 109%;
- ✓ 59.6% construction coverage at district level
- ✓ Case backlog reduced from 25% to 24%
- ✓ Remand population dropped from 55.1% to 52.4%;
- Case Load per CID officer increased from 21 to 22.2 cases.



OUTCOME 2: ACCESS TO JLOS SERVICES ENHANCED

Under SIP III, JLOS continues to support institutions to deliver services in accordance with the user entitlements and standards stipulated in the Constitution. The key element central to this is geographical density, functional effectiveness and efficiency in resource use. The Sector focus is to improve the infrastructure in terms of availability, functionality and access of sector service points. These service points should be accessible for people with disabilities, elderly people, children and vulnerable women. The aim is to reduce transaction lead times for JLOS services including land and family justice dispute resolution, companies and trademarks registration, civil registration, winding up of business entities, public complaints management and provision of legal services.

Half year performance against the set targets are is on track. For example the proportion of districts that have a court, a police station, DPP offices, probation and prison services often referred to as frontline JLOS service points, still stands at 59.8%. The average length of stay on remand remained at 10.4 months for (capital offenders) and 2.6 months for petty offenders. The incidence of crime per 100,000 reduced from 298 recorded last financial year, to 296 in the reporting period. The average time taken to issue passports is 10 days against a set target of 8 days. The case clearance rate was 109% and the proportion of case backlog in the system reduced from 25% in 2015/16 to 24% in the reporting period. The average time for registration of businesses is 3 working days, while the average time for registration of trademarks is 90 days against a set target of 65. This is realistic given that the law requires a lapse of 60 days for notice prior to final registration. This progress is discussed in detail below-

Output 2.1 Rationalised physical presence and functionality of JLOS Institutions

To ensure rationalised physical presence and functionality of JLOS institutions the Sector can report that infrastructure coverage will be 60% when ongoing constructions in Buyende, Mitoma and Nwoya are completed, while functional presence is about 85%. In the reporting period, 71 new JLOS service points were opened including 68 police posts and 3 High Court circuits and 98% of the constructions that were on going last Financial Year are now complete.

The proportion of sub counties with operational police posts is 100%. The escape rates of prisoners stands at 0.75% above the 3% target despite the increased prisoner population and use of mainly open prisons.

Table 3. Performance against access targets

Output Indicators	2010/11	2012/13	2013/14	2014/15	2015/16	2016/17	
						<i>target</i>	<i>Actual</i>
Number of JLOS new service points opened	17	15	35	6	8	10	71
Annual proportion of ongoing construction projects completed and commissioned	25%	35%	75%	92.6%	96%	100%	98%
No of operational remand homes	4	5	5	5	6	7	6
Proportion of sub counties with operational police posts	82%	82%	96%	96%	100%	100%	100%
Escape rates of prisoners	5%	5%	0.80%	0.75%	0.7%	3%	0.75%

New service points opened: The Judiciary operationalised High Court circuits of Mukono, Mpigi and Mubende and is expected to operationalise Iganga and Rukungiri soon. Also 68 police booths were set up in crime prone parts of Kampala metropolitan area. The Office of the DPP commenced the procurement process for a contractor to construct new regional office premises in Masaka, as well as two new residential premises in Kotido and Moroto. DPP will also renovate 5 premises and install solar energy in 8 office premises without electricity or unreliable electricity supply.

UPF established 9 additional emergency response centers along Masaka-Mbarara, Gulu-Elegu, Iganga-Tororo, Iganga-Mbale, Mityana-Fort Portal, Soroti-Kamdini, Karuma-Arua and Kampala-Hoima roads increasing the number to 30. This enhanced the road traffic safety operation code named 'FIKA SALAMA' on all roads and highways where 1,800 drivers were penalized for various traffic offences. Before the Operation, road traffic accidents especially on the Masaka road were at an average of 40 per month, but have now reduced to 20. Overall 5,175 accidents were registered and 1,506 were fatal

Reducing congestion and escape rate of inmates: the escape rate stands at 7.5 per 1,000 offenders held. It reduced from 8.4 per 1000 offenders held, through maintenance works on Prisons premises such as the renovation of a perimeter wall fence at Luzira upper prison and fencing of Namalu prison, monitoring, inspection and supervision of all regions and Prisons units. Equally, security of prisons improved through feeding, training and deploying of 6 canines at various prisons. However this escape rate is still higher than the targeted 3 per 1000 held prisoners, and could be attributed to high prisoner to warder ratio, high number of open prisons, high congestion levels, and limited motorised transport for delivery of inmates to courts, and delayed completion of construction of prisons such as Nebbi, Lamwo and Amuru.

Worth noting is the progress that has been made on the construction of a Min-Max prison at Kitalya-phase 2. Forty percent of the work has so far been done and the foundation for

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wards, fencing and administration block is on-going. Once completed, it is envisaged that Kitalya will accommodate 1,000 inmates especially those sentenced to life imprisonment and other long term sentences, hence decongesting Luzira prison.

Despite the above progress, the average prisoners' population has already exceeded the projected Prisoners' population of 49,900 for FY 2016/17 by a daily average of 504 prisoners. The daily average was 49,940 Prisoners by the end of the first half of the financial year. The completion of this facility will help reduce the e increasing levels of congestion that now

stands at 212.3% prisoners in excess of the holding capacity of prisons countrywide. The occupancy rate was 300.6% and the prisoner's growth rate increased from an average rate of 8% in FY 2015/16 to 9.8% by December 2016.

To facilitate provision of services, the Ministry of Internal Affairs established District Peace Committees in the Albertine and Rwenzori regions, particularly in Ntoroko and Bundibugyo.

With support from DGF through the International Law Institute, the Ministry of Local Government re-established 78 Local Council Courts in 13 districts hence improving the composition levels of courts. Local Council Courts, if given utmost consideration, have the ability to cause a high reduction in case backlog especially on petty offences.

Construction of new service points: To increase the accessibility of the courts, the Judiciary commenced the construction of Masindi High Court and Buyende Justice Centre. The construction of Buyende Justice Centre is at ring beam level. Other ongoing constructions include Bulambuli Police Station, Kabaale Police Station Mitooma Justice Centre and Nwoya Justice Centre. The constructions completed in the reporting period were Kyenjojo, Lamwo and Kiboga Justice Centre as well Makindye Family Court and Kabaale High Court. Contractual obligations remain with regard to the completed constructions in Kiruhura, Kyenjojo, and Wakiso and these should take the first call on resources to avoid future litigation if payments are not made in time. The construction of phase I of the Kabale Regional Remand Home (two juvenile dormitories) was completed and the facility was handed over to MoGLSD in the second week of March 2017. Procurement for installation of electricity and water was undertaken. The Sector currently operates six remand homes in Arua, Mbale, Gulu, Naguru, Fort Portal and Masindi. Once Kabale remand home is fully functional, this will bring the number of registered and recognised remand homes to 7 hence meeting the set target of 7 remand homes by 2017.

The planned remodelling of MIA and partitioning of office space for NGO Bureau are expected to be undertaken in Quarter 3.

The LDC auditorium is now complete and functional. A power inverter was procured and installed in the server room. This has enabled LDC to ensure continuous access to online services. A projector and wide projection screen were procured and fitted in the auditorium, easing the teaching of a big number of students.

URSB Business Facilitation Centre: URSB opened a one stop shop / Business Facilitation Centre to minimize bureaucratic and legal hurdles faced in incorporation and registration of businesses. This Facilitation Centre houses 12 institutions/Government agencies which include Uganda Revenue Authority for tax matters, KCCA and Ministry of Local Government for trading licenses, NSSF for social security registration, Directorate of Immigration and Citizen Control for work permits, National Environmental Management Authority for environmental impact assessments, UIA for issuance of investor licenses, Ministry of Lands, Housing and Urban Development, and Diamond Trust Bank. It is envisaged that this arrangement will further reduce on the time and cost of doing business through provision of fast and seamless services leading to increased private investments and boosting economic growth in Uganda.

Proportion of sub-counties with operational Police Posts: To increase the proportion of sub-counties with operational police posts, the Sector through the UPF is in the process of procuring uni-ports for 10 sub county police posts which do not have adequate office space.

In addition, UPF installed 68 police booths in the City's vulnerable places and black spots and also upgraded 1,376 Sub County and 124 City Ward police posts into police stations. As a result, the police are now present in all the 1,376 sub counties and operate with 133 district police stations, 299 other police stations and 1,882 police posts country wide. The Police also rolled out the neighbourhood watch doctrine of Community Policing from Sub County to Parish level. It also established a crime intelligence information system that operates from the village through to the national level and equipped all districts with a vehicle each and 3 motorcycles per Sub County for patrols and intelligence.

Output 2.2 Adjudication of labor disputes

The Industrial Court started holding sessions up country and one such session was held in Lira where 16 cases were disposed of. The Industrial Court registered highest activity in matters of Labour Dispute References and Labour Miscellaneous Applications with least activity recorded in matters related to Mediation.

Table4 Industrial Court Half Year Performance 2016/17

Case category	B/Forward	Filed	Disposed of	Pending
Labour Dispute Claims	332	43	25	350
Labour Dispute References	418	192	36	574
Labour Appeals	31	19	2	48
Labour Miscellaneous Applications	99	86	45	140
Mediation	62	28	21	69

The Coram of the Court comprises the two Judges sitting with a representative of the workers, representative of the employer and an independent member of the panel. By appointment, the panellists are entitled to a sitting allowance of UGX.110,000 per Court sitting in Kampala but in case of an outside station, an additional per diem of UG 110,000 is paid. Since these cases are civil in nature, they are often protracted and a facilitation of UGX.30,000,000 is insufficient. The actual requirement stands at UGX 66,000,000.

Overall, the Court registered a dismal performance with a 35% case clearance rate. This means the Court completed only 35% of filed cases which led to a 25% growth in pending cases during the period under review. The total case disposal rate stood at 10%.

For individual case categories, the Court registered the highest disposal rate of 24% and 23%

Table 5 Industrial Court Half Year disposal rate 2016/17

Case category	Case Clearance rate	Total disposal rate
Labour dispute claims	58%	7%
References	19%	6%
Appeals	11%	4%
Applications	52%	24%
Mediation	75%	23%

respectively in matters related to Applications and Mediation. Similarly the highest case

clearance rate was 0 under Mediation and Labour Dispute Claims (75% and 58% respectively). At the current rate of disposal, it is envisaged the Court will require 18 months to clear the current caseload without considering the freshly filed cases in the 18 months.

Output 2.3 JLOS House Project

The JLOS House Project is a three in one infrastructure development project aimed at providing infrastructure that promotes coordination amongst JLOS institutions to offer better services leading to enhanced transparency, accountability and ethics in a purpose built office park and civic centre and in green and intelligent buildings. It is a one-stop services centre designed facilitate and improve service delivery and increase access to JLOS services.

The project comprises of-

- ✓ Supreme Court and Court of Appeal
- ✓ The JLOS Towers and High Court
- ✓ The Police Headquarters to accommodate all the police directorates

The JLOS House Complex is meant to (a) improve the productivity of the public service; (b) facilitate the growth of the private sector through the provision of timely public services; (c) reduce the costs of public administration through integration of services and sharing of common services such as ICT, conference facilities and (d) joint asset/ facilities management. The One Stop Centre introduces modern concepts of office management and incorporates environmental concepts of green and intelligent technology in the design and construction of public buildings. The One Stop Centre will free resources in rent and efficiency savings to build a functional justice system in Uganda.

The Stage- C designs prepared by the consortium of the private investor were approved by the Sector Leadership Committee in the reporting period. The consortium has submitted the costed re-designs and negotiations are at commercial close stage. The private investor is now preparing detailed structural, mechanical and electrical drawings and seeking preliminary approvals from the local authorities. In line with the PPP arrangement the private investor posted a Preferred Bidder's Bond and engaged transaction advisors, lawyers and architects and has signed MoUs with Engineering Procurement and Construction (EPC) contractors and Facilities Management (FM) firms. Although by PPP standards the process is moving on well, the demand for this infrastructure cannot be over emphasized. The sector must therefore fast track the remaining processes to ensure that this project progress without compromising value for money.

Output 2.4 Improved effectiveness to meet service delivery standards

JLOS planned to implement activities aimed at reducing the time for delivery of judgements, reducing the average case load for targeted JLOS officers, increasing clearance of cases in the system, fighting crime and enhancing access to JLOS services by vulnerable people. The major activities implemented in the reporting period included training of judicial officers, diversion of cases from the formal system, retooling of institutions, case disposal and public awareness programmes among others.

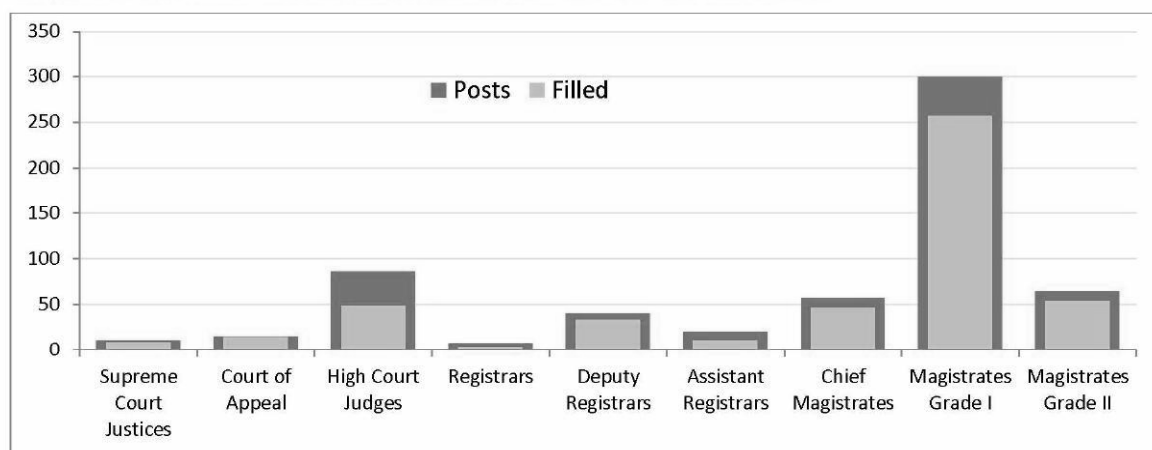
Major performance highlights under this output included a 51% conviction rate, 80.8% children resettled upon release, 107% clearance rate of cases, reduction in CID and DPP case load and a reduction in time spent in detention by children before sentencing to 2 months against a set target of 3 months. This performance was partly attributed to staff training, capacity building, coordination, the adoption of child friendly processes in the administration of justice and sensitization that the Sector has implemented under the Justice for Children programme.

Table 6 performance against effectiveness to meet service delivery standards indicators

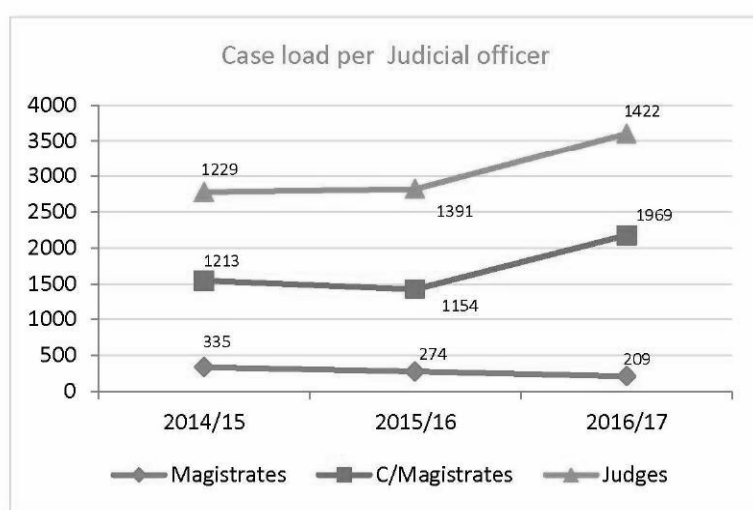
Indicator	10/11	12/13	14/15	15/16	Target 16/17	Actual 16/17
Average case load per magistrate	343	353	325	274	315	209
Average case load per C/Magistrate	3559	3600	3400	1154	3,000	1969
Average case load per Judge of the High court	1153	1200	1100	1391	1000	1,423
Average case load per CID officer	23	20	19	23	18	22
Average case load per DPP state attorney	820	850	740	450	550	387
Conviction rates	49%	53.60%	56.80%	61%	53%	60.5%
Average time spent in detention by children before sentencing	5m	3m	3m	3m	3m	2m
Proportion of backlogged cases			32%	25%		
Proportion of children resettled upon release	39%	44%	58%	75%	80%	80.8%

Judicial Staffing and caseload management: In the period under review, the Judiciary had a total of 477 judicial officers including 9 Justices of the Supreme Court; 14 Justices of the Court of Appeal; 49 High Court Judges; 48 Registrars including deputy and Assistant Registrars; 47 Chief Magistrates; 257 Magistrates Grade I; and 54 Magistrates Grade II. The table below presents the filled post versus the capacity at all court levels.

Graph showing established and filled Judicial posts as at 31st December 2016



As a result of the current staffing levels, the average case load per Magistrate now stands at 209, Chief Magistrate 1969 cases; and Judges of the High Court 1422 cases. The low staff numbers are made worse by the steady increase in cases filed. With this state of affairs the targeted caseload per judicial officer remains a challenge for the Judges and the Chief Magistrates. Chief Magistrates continue to act as Registrars at the High Court and this has slowed down case



disposal at the lower bench due to limited manpower to handle cases and supervise the Magistrates Grade I and Grade II. We are however optimistic that the recent increase in magisterial areas from 39 to 80 will help address the current challenge if the magisterial areas are operationalised.

Average caseload for other JLOS officers: The average case load per detective in CID improved from 23 files to 22 files in the reporting period but is still higher than the target of 18. The average case load per DPP state attorney stands at 387 files over and above the target of 550 files per State Attorney. This is partly the reason for higher conviction rates currently.

Policing: The CID strength has remained low at 4,653 out of the required 14,000 reducing the ability to achieve the recommended international standard of 12 files per detective per year. As a result the case load per detective is 22. Additionally, the shortage of personnel and limited skills is affecting investigations of the CID and affecting the proportion of cases cleared from the system. Of the 81,092 cases carried forward at the beginning of the financial year, 59,536 cases were investigated and 32,986 submitted to ODPP for legal advice and prosecution.

UPF trained and passed out 1,213 Cadets (259 female) and 2,643 PPCs (688 Females) increasing the police strength to 44,185. This new staffing level improved the police to population ratio from 1:816 to 1:754. However UPF requires an additional 21,000 personnel