

**COMMUNICATION FROM THE CHAIR BY THE HON CHIEF JUSTICE TO
JUDGES, ADVOCATES AND JLOS INSTITUTIONS REVIEW MEETING FOR
CASE BACKLOG QUICK WINS STRATEGY IMPERIAL ROYALE HOTEL
KAMPALA 27TH JANUARY 2011**

My Lord the Hon Deputy Chief Justice,

My Lord the Hon Principal Judge,

My Lords, Justices of the Supreme Court,

My Lords, Justices of the Court of Appeal,

The President of the Uganda Law Society

Senior Law Officers

Your Worships

Learned Members of the Bar

Distinguished Guests

Ladies and Gentlemen

I wish to welcome you all to this important meeting which is the first ever of its kind. May I take this opportunity to wish you all a Happy New Year, 2011.

The purpose of this important meeting is to bring all of us together and, with a singular intention, to review and make further strides towards the improvement of the administration of justice in Uganda.

It is a truism that each of us represent different roles in the administration of justice but all of us together, contribute towards the ultimate goal of assuring justice to all in Uganda in accordance with article 126 (2) of the 1995 Constitution of the Republic of Uganda as amended.

I wish to remind each of us of the responsibility of dispensing justice which itself require that all the spokes in the wheel of justice work towards similar objectives even if through different means.

You may recall that the Justice Law and Order Sector ,which brings together all institutions involved in the administration of justice including the Uganda Law Society, launched the case backlog quick wins clearance programme in March 2010, to clear cases which were more than two years old in the system. The quick wins programme has seen the clearance of more than 70,000 cases since its inception.

I wish to thank all JLOS institutions and especially the Uganda Law Society for the great input in clearing the cases.

The Judiciary is extending the programme throughout the country to clear civil and criminal cases. The success of this programme however, requires the cooperation of the bar and the bench. In particular, it calls for commitment, professionalism; heightened use of alternative dispute resolution, focus on substantive justice and a result based adjudication of disputes.

Timely clearance of cases requires heightened communication, coordination and cooperation (3Cs) of all the stakeholders. This meeting is therefore, a welcome move in the right direction to strengthen the 3Cs between the Bar and Bench and all other justice stakeholders, whose absence has been responsible for the blocking the timely disposal of cases.

I would like to inform the meeting that the Judiciary has prioritised alternative dispute resolution through the countrywide roll out of the mediation programme of the Commercial Court Division of the High

Court. This programme will be rolled out to all courts including the Court of Appeal to expedite the resolution of civil disputes.

Furthermore the Judiciary is developing rules on plea bargaining to deal with petty offences and offer accused persons who wish to plead guilty an opportunity to have their cases concluded in a shorter period without compromising justice.

To strengthen sentencing and inspire public confidence in the administration of criminal justice, the Judiciary and other JLOS institutions are developing sentencing guidelines to provide for equity and uniformity in sentencing across the courts. The sentencing guidelines should become law before the end of the calendar year.

The integrity of any justice system depends on the availability of a capable and honest bar and bench, which is ready to stand up for the rights of the people. In this respect, I wish to observe that the Uganda judicial and legal system has suffered a crisis of confidence because of corruption and unethical conduct of all the officers of the court including those outside this parameter.

We can improve the image of the Judiciary and legal profession by taking deliberate steps to eliminate corruption in the system. In particular, lawyers must stop the practice of using underhand methods to win cases without recourse to their first duty of ensuring that a just decision is reached through just means.

Likewise, judicial officers must ensure that their conduct both in and outside court is beyond reproach. Corruption should be seen beyond money. The definition of corruption should include the mismanagement of time and other resources that contribute to the delay of cases.

I am happy to report that the Judiciary has taken steps to address internal discipline of judicial officers through the establishment of a disciplinary committee to deal with errant judicial officers in addition to strengthening the Inspectorate Division and quality assurance in the institution. Likewise JLOS is soon launching anti corruption strategy to encompass all institutions of the sector to deal decisively

with the monster of corruption. I also expect the Uganda Law Society to address unethical conduct of its members without undue delay.

I therefore expect this meeting to candidly discuss and explore ways and means of expediting the delivery of justice by coming come up with best practices on preparation of cases, dealing with interlocutory applications and adjournments, time management and elimination of corruption in the legal and judicial process. I also expect this meeting to set a forum which shall be used to streamline and strengthening bar - bench relationships.

Lastly, I wish to thank those who conceived the idea of a joint meeting between the Bench and the Legal fraternity. It could not have come at a better time as we in JLOS make progress towards the JLOS Strategic Investment Plan 3 (2011/2016).I particularly thank the President of Uganda Law Society, the Management of the Judiciary ,the Judicial Studies Institute, and of this Hotel for bringing us all together today for this auspicious meeting.

I thank you all for listening to me. I wish you fruitful deliberations.

For God and My Country

BJ Odoki

CHIEF JUSTICE

27th January 2011