



REMARKS BY THE HON. MINISTER OF JUSTICE AND CONSTITUTIONAL AFFAIRS

**AT THE 24TH ANNUAL JUDGE'S
CONFERENCE**

HELD ON 30TH JANUARY, 2023

AT MESTIL HOTEL IN KAMPALA

Your Excellency the President of the Republic of Uganda;
The Rt. Hon. Speaker of Parliament;
The Hon. The Chief Justice;
The Hon. The Deputy Chief Justice;
The Hon. Attorney General;
The Hon. Principal Judge;
The Hon. Justices of the Supreme Court;
The Hon. Justices of the Court of Appeal;
The Hon. Judges of the High Court;
Your Excellences' the Ambassadors;
The Hon. Members of Parliament;
The Inspector General of Government;
The Heads of Constitutional Commissions;
The Head of Public Service;
The Members of Constitutional Commissions;
The Secretary to the Judiciary;
Your Worship the Chief Registrar;
Your Worships Registrars and Magistrates present;
The President, Uganda Law Society and members of the bar;
Members of the Media;
Distinguished Guests;
Ladies and Gentlemen

Your Excellency and all present, I am pleased and humbled to be giving my first remarks as the Minister of Justice and Constitutional Affairs at this 24th Annual Judge's Conference.

The Annual Judge's Conference is a very important activity in the Judiciary calendar and is an event aimed at enabling the Judiciary as an arm of Government to measure its performance and service delivery to the people of Uganda in the previous calendar year.

Allow me thank the Judiciary under the leadership of His Lordship the Hon. Chief Justice Alfonse Chigamoy Owiny- Dollo for his transformational leadership in the last three years he has been at the helm of the Judiciary.

The theme of this 24th Annual Judge's Conference is "**The Judiciary Transformation Agenda Enhanced Access to Justice**". The theme is deep and demonstrates the determination and will of the Judiciary to transform itself into a new Judiciary. A Judiciary that is ready to bring about Justice for all, eliminate corruption and spear head reforms that will be beneficial to the people of Uganda in their quest for Justice.

This theme is in line with the operationalization of the Administration of the Judiciary Act, 2020 which has brought a paradigm shift with regard to the constitutionality and independence of Judiciary in the execution of its functions.

Your Excellency, the Administration of the Judiciary Act which you supported throughout its process of enactment until you signed it into law is an important piece of legislation in governing the Judiciary. Allow me to add my voice to the many, to once again thank you very much for this piece of legislation as well as Parliament and the Judiciary for this legislation.

The Act operationalizes Chapter Eight of the Constitution in order to strengthen the independence of the Judiciary. It streamlines the management of funds for the Judiciary; provides for the efficient and effective administration of the Judiciary; it establishes the Judiciary Council to advise the Chief Justice on the administration of justice and courts; establishes the institutional structure within the Judiciary to improve the performance of the Judiciary; provides for enhanced retirement benefits for Judicial Officers among related matters.

The Act further gives the administrative and supervisory authority to the Chief Justice in accordance with Article 133 of the Constitution and the power to establish operational committees within the Judiciary to perform functions and duties as the Chief Justice may determine for the efficient and effective administration and delivery of justice to Ugandans.

The Act establishes the Judiciary Services under Section 13 to give the Judiciary independence as an arm of Government from the mainstream public service. The Act gives powers to the Minister responsible for justice to make regulations for further operationalization of the Act for effective administration of justice in Uganda.

Your Excellency, once the Act is fully operationalized, I am very certain the Judiciary will be sustainably transformed into a new Judiciary that will see a tremendous reduction in and elimination of case backlog, timely delivery of justice, increased investment and economic growth as a result of investor confidence in the justice system of Uganda, taking judicial services nearer to the people, promoting peace, the rule of law and constitutionalism in the country.

As the Minister of Justice and Constitutional Affairs, I am committed to working with the Judiciary in order to achieve the full transformation. I commit to

supporting the Judiciary in their quest to realize their mission and vision on enhancing access to justice for all.

Your Excellency I will be tabling the Cabinet Memorandum on the structure and establishment of the non-judicial officers. The Judiciary needs more clerks, process servers, secretaries among others to support Judicial Officers in the Courts across the country. Further, the Judiciary is working hand in hand with the Ministry and in particular Attorney General's Chambers to submit to Cabinet for its approval, the proposals for the Bill to amend the Judicature act, Cap. 13 to increase the number of Justices of the Supreme Court from eleven (11) including the Chief Justice to twenty – one (21), the number of Justices of the Court of Appeal from fifteen (15) including the Deputy Chief Justice to fifty – six (56) and a Motion for a resolution of Parliament to increase the number of Judges of the High Court from eighty –three (83) including the Principal Judge to one hundred fifty-one (151 including the Principal Judge) as approved by Cabinet in its meeting of 9th August 2021.

Your Excellency, due to your support in ensuring that the Judiciary gets more financial resources, in the recent 2 financial years alone, resulted in a boost in the number of judicial officers and expansion of the coverage of the Judiciary as was presented by the Chief Justice at launch of the Annual Performance Report in August 2022, a function I was privileged to attend. I left that function excited by the tremendous achievements of the Judiciary.

Your Excellency I am happy to note that, the Judiciary has started hearing capital cases on a day-to-day basis at the Criminal Division as opposed to holding criminal court sessions which are organized from time to time. This initiative will

reduce on the time suspects spend in detention as they wait for criminal court sessions for their trials which sometimes take long.

Your Excellency, the daily hearing of criminal cases also calls for more support and resources to the Judiciary, and the urgent need to support and transform the Office of the Director of Public Prosecutions as well (ODPP) in terms of recruiting more State Attorneys and State Prosecutors who prosecute suspects in courts of law.

For the Courts to operate effectively on criminal matters, there must be readily available, State Attorneys from the ODDP to prosecute cases and advocates defending accused persons in courts. However, there are 102 Courts that do not have State Attorneys and backlog is piling up in the area of criminal justice especially in the Magistrates Courts. Let us ensure we do not lose the gains of an expanded Judiciary and also the war against crime in this country.

I am also aware that Judiciary has put in place court Rules to streamline and improve on the State Legal representation of capital offenders. All these initiatives point to the Judiciary's determination for a sustainable, transformed, for effective Justice delivery chain.

Despite the strides made by the Judiciary in transforming the institution, there is still need for more support, more resources and more work to be done for full operationalization of the Administration of the Judiciary Act, 2020. Resources are required to ensure a sustainable transformation agenda of the Judiciary. Again at all the Judiciary functions I have attended the Chief Justice has made a case for increased funding to the Judiciary. He has clearly demonstrated the vital contribution of the judiciary in the socio-economic transformation of this country.

As a Government and the Ministry, we are committed to work together with the Judiciary. We are committed to provide the necessary support the Judiciary

deserves to enhance access to Justice for all Ugandans in need of judicial services. We should all benefit from the Rule of law and its associated advantages.

As I conclude, allow me to call upon all of you to execute your mandate while observing your following virtues.

- (a) Professionalism
- (b) Integrity
- (c) Impartiality
- (d) Independence
- (e) Equality
- (f) Competence and
- (g) Diligence

To this end, you will not go wrong in serving the public in whose power you derive your authority.

I once again thank the Chief Justice for inviting me to address you the Honorable Judges and Justices of the Courts of Judicature and your Worships present today.

Thank you for listening to me.

For God and my Country.

Robert Mao
MINISTER OF JUSTICE & CONSTITUTIONAL AFFAIRS.