Chief Justice engages stakeholders at Kabale High Court

The Chief Justice, Justice Dr. Flavian Zeija, concluded his Day II with a visit to Kabale High Court, where he engaged with judicial officers and a range of stakeholders, including the Uganda Prisons Service, Uganda Police, advocates, the Office of the Director of Public Prosecutions (ODPP), the Ministry of Justice and Constitutional Affairs, as well as district and religious leaders, among others.

He was accompanied by Justice Karoli Lwanga Ssemogerere, Permanent Secretary/Secretary to the Judiciary, Dr. Pius Bigirimana, and HW Lamunu Pamella Ocaya (Acting Chief Registrar).

Speaking during the engagement, the Chief Justice highlighted Judiciary's efforts to enhance access to justice. He noted measures such as increasing the jurisdiction of Magistrate's Courts, expanding courts, and decentralising the Inspectorate of Courts, among other initiatives.

Responding to requests for training of stakeholders in mediation, the Chief Justice noted that the Judiciary has intensified its efforts in this area, training local, district, and religious leaders as well as senior lawyers. He explained that the goal is to build a large number of mediators and to ultimately help decongest court systems. He underscored the importance of training stakeholders, such as religious leaders, who play a significant role in the expeditious resolution of family disputes. He added that some of the stakeholders are well placed to mediate matters even before they reach court, noting that the Judiciary's role is to equip them with the necessary skills.

The Chief Justice also noted that the Judiciary is re-engineering plea bargaining to ensure that more criminal cases are resolved efficiently. He urged Kabale High Court Circuit to involve Prisons service in every plea-bargaining process, explaining that prison officers often develop close relationships with inmates and can work with the courts and DPP to advise prisoners and facilitate case resolution through plea bargaining.

On the challenge of inadequate staffing raised, the Chief Justice stated that he would work with the Permanent Secretary to address the issue. Regarding limited archive space at Kabale High Court, he noted that the Judiciary is in the process of establishing a National Archives Centre to better manage court records, where archive files will be transferred and archived centrally in Kampala. For the Court of Appeal and Supreme Court, he reported that efforts are underway to streamline documentation by reducing multiple file copies and digitising records through the Electronic Court Case Management Information System (ECCMIS). He added that there are future plans to completely phase out physical files and transition to fully digital storage.

Addressing concerns about Kabale High Court's failure to obtain a land title due to political challenges in the process, he warned that the district leadership must ensure the title is secured before the end of the year or risk losing the High Court to neighbouring districts willing to provide land.

On requests to operationalise courts under the Kabale Chief Magistrate's Court, such as Buhara, Kaharo, Kabale Municipal Court, and Byakarimira, the Chief Justice noted that progress is currently constrained by a shortage of judicial officers. However, he assured stakeholders that these courts will be operationalised once more officers are recruited.

Regarding the limited number of State Attorneys, he acknowledged that this poses challenges, particularly in handling criminal matters, and pledged to engage the DPP on the issue.

In response to calls for more frequent criminal sessions, he agreed on their importance but cited limited funding due to budget cuts. He noted ongoing efforts to ensure that each court holds at least one or more sessions depending on workload.

Addressing concerns of increased crime and granting of bail to criminals, Justice Dr. Zeija encouraged the use of District Chain-Link Committees and Regional Coordination Committees to address persistent criminal cases through a coordinated and holistic approach. On the request to increase benefits for court clerks, the Chief Justice noted that the matter is already being addressed for all support staff within the Judiciary.

Justice Ssemogerere commended stakeholders for their continued cooperation in the delivery of justice, emphasising that justice ultimately belongs to the people and requires coordinated efforts among all actors. He reported that at Kabale High Court, criminal cases surpassed civil matters in the previous year, highlighting the need for targeted interventions.

He also reported that the Court currently has 218 backlog cases and that in family matters only two cases. He noted that persistence of backlog at the Court is attributed to a high number of abandoned cases and reluctance by some litigants to conclude matters. He added that the Court is actively engaging parties to address these challenges.

The Resident Judge also noted that while land-related cases remain high at the Court, they are being managed effectively. He further pointed to ongoing efforts to train mediators at the Court to promote ADR, including encouraging former assessors to take up mediation, as well as increased adoption of plea bargaining.

He also reported that the ODPP in Kabale received an award last year in recognition of excellent case disposal.

Dr. Bigirimana, in his remarks, urged district leadership to prioritise securing a land title for the Court. He referenced earlier engagements during his tenure at the Ministry of Gender that led to the establishment of the Kabale Remand Home, noting its positive impact on the community. He also highlighted the Judiciary's transformation agenda noting that it is aligned with the leadership of the Chief Justice.

HW Tumwebaze, reported that several courts gazetted under Kabale Chief Magistrate's jurisdiction remain non-operational. These include Kabale Municipal Court, Kaharo, Buhara, Byakarimira Town Council, and a court at the Kabale Remand Home. He cited staffing shortages as a key constraint, noting that although Kabale High Court has modern transcription equipment, it currently doesn't have a transcriber to operate the equipment. The High Court, he added, operates with only one designated clerk and no records officer, and faces significant limitations in archival space. He also highlighted that the High Court land title remains unsecured due to political challenges, requiring urgent intervention.

Mr. Michael Kyakashari (Deputy Resident District Commissioner, Kabale), noted that the Office of the RDC raised concerns about discrepancies in case records, citing instances where complainants claim to have reported matters to court, yet no corresponding records exist.

He further highlighted emerging security concerns in Kabale, including cases of human trafficking, where fraudsters lure individuals from districts such as Sironko and Mbale with false job promises, detain them, and extort money from their relatives. He reported that a recent operation led to the arrest of over 60 suspects, some of whom were later released on bail and subsequently re-arrested for similar offences.

Additionally, Mr. Kyakashari noted a rise in crimes linked to land disputes, particularly boundary and inheritance conflicts, which are increasingly causing family tensions. He called for increased public sensitisation on court processes and urged the district leadership to provide land to facilitate the expansion of the Kabale High Court premises.

Other concerns raised included the challenge of having few judicial officers in the Magistrate's Courts, with a call for the deployment of more judicial officers in magisterial areas to improve service delivery. It was also noted that prisoners are overstaying on remand, and a request was made for the deployment of additional State Attorneys to expedite criminal proceedings.

A request was also made to increase the number of criminal sessions to help clear case backlog and for improved benefits for court clerks, with emphasis that strengthening their welfare would enhance service delivery and protect court users from delays and associated hardships.

Addressing concerns raised by the Assistant Registrar, Kabale, HW Kenneth Tumwebaze, particularly on staffing gaps and limited archival space, he assured stakeholders that these issues would be addressed, emphasising the Judiciary's commitment to ensuring that courts operate efficiently.

The engagement was moderated by the Judiciary's Public Relations Officer, HW James Ereemye Jumire Mawanda.

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