



UGANDA'S JUSTICE LAW AND ORDER SECTOR - JLOS

Innovations Changing
the Lives of Ordinary Ugandans





H.E. the President of the Republic of Uganda, Yoweri Kaguta Museveni (third from the right) with JLOS stakeholders at the 3rd National Legal Aid Conference in August 2015.

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Acronyms & Abbreviations

ADR	Alternative Dispute Resolution
ADC	Austrian Development Cooperation
CADER	Centre for Arbitration and Dispute Resolution
CBO	Community Based Organizations
CLOs	Community Liaison Officers
CSOs	Civil Society Organisations
DCC	District Chain-Linked Committees
DGF	Democratic Governance Facility
DPG	Development Partners Group
DPP	Directorate of Public Prosecutions
FCC	Family and Children's Court
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
ICRC	International Committee of the Red Cross
JC	Justice Centers
JLOS	Justice Law and Order Sector
JSC	Judicial Service Commission
LDC	Law Development Centre
MIA	Ministry of Internal Affairs
MoGLSD	Ministry of Gender, Labour and Social Development
MOJCA	Ministry of Justice and Constitutional Affairs
OC	Officer-in-Charge
OHCHR	Office of the High Commissioner for Human Rights
PEAP	Poverty Eradication Action Plan
SARA	Scan, Analysis, Respond, and Assess
SCP	Small Claims Procedure
SHS	Uganda Shillings
SIP	Strategic Investment Plan
TAT	Tax Appeals Tribunal
UCE	Uganda Certificate of Education
UHRC	Uganda Human Rights Commission
ULRC	Uganda Law Reform Commission
ULS	Uganda Law Society
UNICEF	United Nations Children's Fund
UNFPA	United Nations Population Fund
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UPF	Uganda Police Force
UPS	Uganda Prisons Service
URSB	Uganda Registration Services Bureau
USA	United States of America
WONETHA	Women's Organization Network for Human Rights Advocacy



Foreword

For 15 years, the Justice Law and Order Sector (JLOS) has spearheaded the promotion of the rule of law and access to justice for all Ugandans. JLOS has become synonymous with cutting-edge reforms and innovations in the justice system, these which can be traced back to the highly acclaimed Chain-Linked Initiative first launched in 1999. In doing so, the Sector has driven improvements in infrastructure, human development and institutional capacity as well as introduced new ways of delivering justice and ensuring law and order.

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A handwritten signature in black ink, which appears to read 'Bart M. Katureebe'.

Bart M. Katureebe
CHIEF JUSTICE

and most vulnerable among the Ugandan population.

It is my pleasure therefore to introduce this publication that highlights some JLOS innovations and interventions that tell of the Sector's impact over the years. These stories highlight our demonstrated pledge to ensure justice for all and JLOS's contribution to building a renewed trust in the institutions mandated with delivering justice in Uganda. Further to that, they provide an insight into the ideal future that we envisage for the Sector and for the Ugandan society as far as justice, law and order are concerned.

While the stories highlighted reflect how far the Sector has come, we are cognizant of the challenge for continuous improvement and accept it with a renewed zeal. JLOS therefore remains dedicated to the creation of a society that protects and promotes fundamental rights, one that ensures the respect of law as well as one that works to build the necessary structures to nurture a vibrant and growing economy for Uganda. As we work more closely with our partners in Government, civil society, the international community and with Ugandans from all walks of life, we look forward to greater achievements in the years to come.

A History of JLOS

Launched in 1999, the Justice, Law and Order Sector (JLOS) initially brought together ten public institutions jointly focused on improving access to justice for all persons in Uganda.

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Institutions have over the years worked together to implement a sector-wide approach to administering justice, maintaining law and order and promoting human rights.

This was to be done through coordinated and evidence based sector-wide policy formulation, planning and resource application. Hinged on the national goal of poverty eradication and private sector development under the Poverty Eradication Action Plan (PEAP), the Sector identified two corresponding priority areas for reform - criminal and commercial justice. Within these broad areas, JLOS sought to make improvements in law reform, access to justice, system efficiency and effectiveness, and in the quality of justice delivery.

In doing this, these initial ten institutions have over the years been joined by seven more who now work together to implement a sector-wide approach to administering justice, maintaining law and order and promoting human rights. In engaging a sector wide approach to planning, budgeting, programme implementation, monitoring and evaluation, these institutions have been equipped to adopt an all-inclusive approach to improving access to and administration of justice.

In its implementation, JLOS started off with a Strategic Investment Plan (SIP 2001 – 2005/06). This was then followed

by the second Strategic Investment Plan (SIP II 2006/07 – 2012/13) and the Sector's third Strategic Investment Plan (SIP III 2012/13 - 2016/17) is currently running. SIP III is focused on the promotion of the rule of law by increasing public confidence and trust in the justice system as well as user satisfaction with the services offered by the sector.

JLOS Institutions

- Ministry of Justice and Constitutional Affairs
- Centre for Arbitration and Dispute Resolution
- Directorate of Citizenship and Immigration Control
- Directorate of Public Prosecutions
- Judicial Service Commission
- Judiciary
- Law Development Centre
- Ministry of Gender, Labor and Social Development
- Ministry of Internal Affairs
- Ministry of Local Government
- Tax Appeals Tribunal
- Uganda Human Rights Commission
- Uganda Law Society
- Uganda Law Reform Commission
- Uganda Police Force
- Uganda Prisons Service
- Uganda Registration Services Bureau

JLOS Development Partners

Over the years, JLOS has benefitted from the generous support of a number of Development Partners through a combination of sector budget and project support. To foster coordination among the Development Partners and to keep pace with JLOS developments, they meet once every month under the JLOS Development Partners Group (JLOS DPG) which comprises Austria, Denmark, DGF, Ireland, the Netherlands, Sweden, the European Union, the United Kingdom OHCHR, UNICEF, UNFPA, UN Women, ICRC and USA.

The JLOS DPG frequently meets with the JLOS Secretariat and with individual institutions and together they conduct joint reviews and monitoring visits.

This JLOS DPG maintains linkages with the broader development partners' community through the local Development Partners Group.



JLOS Achievements at a Glance

75%

National Coverage of JLOS Services

Responding to the need to deepen sector functional presence and ensure that vulnerable people have easier

access to JLOS services, the number of districts with a functional chain of frontline JLOS service points now stands at 84, representing a 75% district coverage.



Judicial System

By June 2014, the sector had registered a 90% disposal rate of registered cases and 41.4% of the total number of cases in the system.

100%

Access to Justice

Uganda Prisons Service (UPS) under JLOS has registered improvements in access to justice for prisoners with 100% of them attending court as scheduled.

62.7%

Prison Services

By 2014, an impressive 62.7% elimination of the infamous night bucket system (prisoners excrete in a bucket that they empty in turns) had been registered. In 2015, 28 prisons still used the night bucket system, which is nevertheless a significant improvement from 2006 when 150 prisons used the system. Following concerted efforts at prison rehabilitation, Uganda has registered reduced rates of re-offending that now stand at 23% and 'escapes' at less than eight prisoners for every 1,000 held.



Law and Order

Owing to strengthened measures to prevent crime, greater reliability and efficiency of policing services, the 2014 International Global Competitiveness Report ranked the Uganda Police 95th in the world and 20th in Africa in terms of reliability.



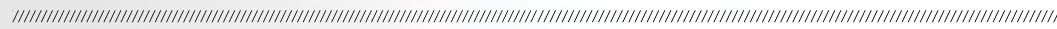
Human Rights

Due to combined efforts by JLOS institutions, a marked increase has been registered in the observance of human rights within Uganda's core public service institutions. For example, by 2014, 30.7% of all police regions had functional human rights desks and 84.7% of prison units had human rights committees.



VICTORY OVER HUMAN RIGHTS INJUSTICE

21st April 2011 started out as any other normal day for Emmanuel Ssebunya. The 25-year old mechanic left his home in Nyendo, Masaka District, early in the morning and set off for Mujuzi's Garage where he has worked for the last seven years. Unknown to him, demonstrations coined 'walk to work', which protested the increasing costs of living, were staged in some parts of the country, including in Masaka District. As is often the case in Uganda, security forces intervened to try to quell these demonstrations.



On that fateful day, the protesters marched by his workplace and Emmanuel became the victim of stray shrapnel that hit his leg. Bleeding profusely, his workmates supported him out of the garage to find medical assistance but were stopped by security forces who accused him of participating in the demonstrations. His workmates tried to argue his innocence but to no avail and within what he says felt like a split second, he was put on a security car and carried off with other suspects.

The tear gas that had been sprayed to quell the protests entered his eyes, his pleas for mercy fell on deaf ears and he was bundled up with a group of other detainees from the demonstrations. He was held for three days without charge at Masaka Police Station, only receiving painkillers and a band-aid for his injuries, resulting in the wound becoming septic. In addition to the physical pain, he felt greatly aggrieved for the wrongful arrest. On 24th April 2011 he was released on bond of 1,000 shs and told to report to the police station every two weeks, something he did diligently despite his innocence.

On leaving jail, he immediately went to a medical clinic in the neighborhood where he got some medical care before being referred to Masaka Hospital for further treatment. "Even after recovery, I still felt greatly wronged and wanted some justice for the ordeal I had suffered," Emmanuel recounts. He then visited the regional office of the Uganda Human Rights Commission (UHRC) in Masaka and was assigned an officer to whom he narrated his ordeal. "It was encouraging talking to the UHRC officer because she listened to me and I was happy when she said they would help me get justice for what I had suffered," he says. At UHRC, he presented supporting documents for his case, including a medical form from Masaka Hospital and the police bond letter showing his release. Using this information, UHRC was able to represent him to pursue a legal case against the Attorney General, citing the violation of his 'right to protection from torture or cruel inhuman or degrading treatment or punishment and the right of personal liberty.'



UHRC was established under the 1995 Constitution of the Republic of Uganda to promote and protect human rights and freedoms in the country in recognition of Uganda's violent and turbulent history. The organisation has since used its mandate to address societal injustices and any other arising challenges to a fair and just society. UHRC has been a part of the JLOS institutions since 2006 and remains focused on fulfilling its objectives to protect and promote fundamental human rights and freedoms for the sustainable development of Uganda. It is against this background that UHRC supported Emmanuel in his pursuit for justice.

Cases such as Emmanuel's are quite common and we take the time to verify and then pursue them. It is important therefore that even amongst JLOS institutions, internal accountability is promoted and institutions can be prompted to respect human rights.

**Patricia Nduru,
Director, Monitoring and
Inspections, UHRC.**



Despite a protracted pursuit for justice, Emmanuel eventually emerged victorious and on 14th June 2013, the Attorney General was ordered to pay him the sum of 4,000,000 shs as general damages for the violation of his right to liberty. This sum was finally paid in March 2015. He has since used the money to complete the construction of a 7-roomed rental building, bringing him a monthly income and enabling him to improve his living conditions.

"I was very happy when I received the settlement and while it does not make up for my suffering, it eases my pain to know that justice was served," Emmanuel concludes.



Access to Justice - A Right for All

Jointly, JLOS institutions work to ensure that prisons are places where human rights, including access to justice, are observed. It is for example ensured that prisoners attend court sessions and are represented accordingly.

Prisoners are frequently visited by their lawyers, some of whom are from JLOS institutions like the Law Development Center (LDC), which provides free legal aid services, others are from legal aid service providers. According to Atwiine Amon, the Deputy Officer-in-Charge at Masindi Prison, the lawyers also raise awareness on Plea Bargaining and other JLOS initiatives.

In further efforts by JLOS to facilitate access to justice, more courts have been established and a good number of those closer to the prisons to ease prisoners' access. In addition, transport has been facilitated through the purchase of prison buses that ferry them to and from court.

Plea Bargaining

Aimed at decongesting prisons and relieving the justice system in general, Plea Bargaining is an innovation from the judiciary that allows remanded prisoners to enter a guilty plea in return for a faster resolution of their cases. Because of the heavy case backlog in the judicial system, with the minimum period between commitment of cases and trial being approximately two years, Plea Bargaining presents an opportunity to fast track that process. It also allows for cutting costs by removing the investigations that would otherwise be required, a much welcomed saving for the financially constrained justice system.

For the prison system, Plea Bargaining means that suspects who enter guilty pleas can have their cases heard sooner and begin serving their sentences and in turn contribute to decongesting the prison on completion. It also allows for negotiation between the prisoner, represented by a lawyer, and the State Attorney, on an appropriate sentence. This is then put to the presiding

judge or magistrate for a final decision. This allows for a more agreeable sentence for the prisoner.

In its implementation, members of a Plea Bargaining Secretariat, which may comprise members of different JLOS institutions, visits a prison or remand home to sensitize the prisoners on Plea Bargaining after which they register interested individuals and forward their cases to the courts once the lawyers on both sides have agreed on a plea and proposed sentence. When the judiciary receives such cases, they are prioritized since their resolution requires less time and financial resources.

Plea Bargaining has in the past few years contributed significantly to decongesting prisons. In JLOS District Chain-Linked Committee (DCC) meetings and engagements, members frequently discuss ways of better ensuring that Plea Bargaining and other legal aid services are reached to those who need them the most all over Uganda.



SPEEDY JUSTICE FOR THE AVERAGE UGANDAN

On the morning of 27th March 2015, Richard Katumba, 30, was crestfallen on discovering that his *boda boda* motorbike had been stolen from Abby Mutebi's night parking garage in Bulenga, Mityana. Richard had for the past six months been paying a nightly parking fee of 1,000 shs to Abby for the security of his motorbike in his garage.



Abby, the owner of the parking garage, reported the theft at Bulenga Police station where he registered a case against the night watchman, who had since the theft suspiciously vanished from duty. On 30th March, Richard met with Abby and in the presence of witnesses signed an agreement in which Abby agreed to pay him 3,100,000 shs as compensation for his loss within the following 30 days.

Despite his misfortune at the loss of his source of income, the father of two was consoled that he would be duly compensated. He was however utterly disappointed when by 30th April no money had been paid. Abby claimed that he did not have the money to refund him as he had not managed to recover the money from the suspected thief. This, Richard said, was not a condition for his compensation and against this background he decided to take the matter to court to seek legal redress.

He revealed that he had been fortunate to hear about Small Claims Procedure (SCP) on a community radio programme

and was aware of the mode of resolution when he visited Mengo Court in Kampala District to register the case. An innovation from the judiciary, Small Claims Procedure is a mode of litigation, which allows for financial claims of up to 10,000,000 shs to be pursued in court. Because of the relatively small amounts involved and the fact that it does not require representation by a lawyer for either party, SCP appeals to a wider audience and to the average Ugandan. There are special registries at the courts that specialize in handling SCP cases. In circumstances where people are not aware of the SCP option, the court

registry system is now set up so that the cases are immediately referred to the SCP registry on first encounter. Ssali Faisal, the SCP registrar at Mengo Court, explained that while there were cases like Richard's where the plaintiffs have some information on SCP, most of them are forwarded to the SCP registry from the main registry.

At Mengo Court, Richard's complaint was heard and he was duly given a 'notice of demand' which serves to notify the other party of the claim and also allows renegotiation of payment terms or an extended grace period. Abby was not responsive and so Richard went back to the court to register the claim after which Abby was summoned to appear in court on 28th May 2015. Unfortunately, Abby did neither show up on this nor on the adjourned court date two weeks later. According to rule 17 of SCP, the court can enter a default judgment once a party is duly served but yet fails to appear in court. On these grounds, the court ruled in the favor of the plaintiff and issued an arrest warrant to implement the judgment.

On his side, Abby had with the help of the police pursued his former security guard who had brought him compensation of 1,500,000 shs. The money was not sufficient to cover all the items stolen, least of all Richard's motorbike, and so Abby on these grounds

rejected it and decided to open a Small Claims suit against the suspected thief. In enforcing the ruling, Abby was forced to promptly pay Richard the sum of 3,220,000 shs. This final pay out included costs incurred by Richard in pursuing the case, something he was ecstatic about. "All the money I spent chasing Abby around was refunded; I'm a happy man because of that," he said.

From this experience, I have learnt that no one is above the law and that there is a judicial system that is fair and can work for all Ugandans. Contrary to what I believed, even a 'small' man like me can get justice, thanks to Small Claims Procedure.

Richard Katumba
SCP beneficiary.



Fast Uptake of SCP by the Judiciary

The incorporation of SCP within the judiciary has been impressive and continuous training is being provided to support further adaptation. Prior to implementation in 2011, judicial officers and support staff in a few pilot areas had been trained on SCP. Sensitization efforts thereafter included addressing Local Government Councils, holding workshops at Sub County and District headquarters as well as promotion on radio talk shows.

In 2013, SCP was piloted in six Chief Magistrate's Courts of Mengo, Masaka, Kabale, Mbale, Lira and Arua and case registration in the pilot magisterial areas began around November - December 2012. It has since been extended to seven other courts of Nakawa, Makindye, Nabweru, Jinja, Mbabara, Entebbe and Luwero. In August 2015 it was extended to 15 other Chief Magistrate's Courts.

Small Claims Procedures are resolved faster than other cases due to the fact that they do not involve lawyers thus allowing the two parties to agree faster. Kule Moses, the Grade 1 Magistrate at Mengo Court

explains that they do not have to keep postponing because the lawyers are not available and many cases are resolved in one sitting as long as the parties involved have all the necessary paper work. In addition, a July 2015 target by judicial officers to resolve at least 400 cases per year has contributed to the fast uptake of SCP as the relatively faster resolution enables them fulfill that commitment. The efficiency of SCP is evident: for 2014/2015, it was registered a 69% disposal rate of the total number of SCP cases, which is far higher than the national court average of 46%.

JLOS is making awareness efforts to ensure that more people know about SCP. The District Chain Linked Committees (DCC) system holds court open days, some of which are specifically focused on Small Claims Procedure facilitation. Typically, at an open day, the public has the opportunity to interface with the different JLOS institutions in a 'non - official' environment and there also is room for one-on-one consultations with institution representatives.

Alternative Dispute Resolution for the Win

Delays in the delivery of justice, the immense case backlog, as it is called, is impacting on the human rights of Ugandans. Reality shows that procedures in the formal legal system can often be slow, lengthy, complex and expensive, which affects many Ugandans, particularly women.

By encompassing all legally permitted processes of dispute resolution other than litigation, Alternative Dispute Resolution (ADR) can make a difference in the lives of Ugandan women, men and children. These processes and techniques act as a means through which disagreeing parties can come to an agreement with or without the help of a third party. JLOS institutions have promoted the ADR mechanism as a means to relieve the constrained judicial system. It is therefore now due procedure that attempts must be made at mediation in all civil matters. Following filing of cases and response of the other party, both parties appear before a magistrate for a scheduling conference where mediation happens. In many cases, the parties involved reach agreement on mediation and only if that fails are the

cases forwarded for hearing. The magistrates usually handle mediation but some courts have specifically-trained lawyers on hand to facilitate as mediators.

Ultimately, through the use of ADR mechanisms, we can bring justice closer to the people in Uganda.

Lillian Bucyana
Chief Magistrate,
Buganda Road Court.



With funding from the Austrian Development Cooperation (ADC) JLOS is currently promoting the use of ADR by the Sector: Judges and Justices, Magistrates and Advocates, State Attorneys

and Commissioners (both of the Uganda Human Rights Commission as well as of the Judicial Service Commission) are trained in mediation and ordinary people are sensitized about the numerous advantages of ADR.

Mediation is advantageous because of its flexibility as disputing parties can influence the circumstances. It also demands lower costs, is less complex, and the parties can choose a neutral third party with expertise in an area to direct negotiations or adjudicate. With ADR, solutions are practical and tailored to the needs and interests of the parties and the chances of a speedy resolution are high.

ADR involves either resolution of disputes outside of the official judicial mechanisms or through informal methods attached to official judicial mechanisms. It may take the form of negotiation, mediation, arbitration, conciliation and collaborative law. Other forms of ADR include: case valuation, early neutral evaluation, neutral fact-finding and family group conference.

Ultimately, through the use of ADR mechanisms, we can bring justice closer to the people in Uganda.

GROOMING PRODUCTIVE CITIZENS, ONE PRISONER AT A TIME

Masindi Prison in Western Uganda is located so close to the main Masindi District highway that even from a distance one can spot prisoners in yellow uniforms working in the vegetable gardens or relaxing in the prison compound. In the morning, groups of prisoners can be seen chatting with ease as they move to the different vocational workshops to fulfill a day's work.

At the metal fabrication workshop, one of the most popular prisoners is Leon Abinu, nicknamed 'chameleon' after a popular Ugandan artist with whom they share a hoarse voice. Leon is a trade-tested and certified metal fabricator, skills he has learnt and mastered whilst serving a five-year sentence in Masindi Prison.

Leon, whose sentence ends in May 2016, shared his anticipation for life after prison. "I am looking forward to going back to the free world, but also to practicing my skills and making some money from them," Leon exclaims with visible excitement. He further explains that he knew nothing about metal fabrication and only signed up for the classes on incarceration as a means to pass time in prison. He admits that in hindsight, it was a good decision as he quickly became interested in the vocation. He eventually emerged as one of the best in the class and went on to excel at his trade-test examinations from Lugogo Vocational Institute. "I can make anything: from metallic beds and chairs to doors, and windows; you name it and I can make it," he says enthusiastically.





Using the earnings from his work in prison, Leon has been able to sustain himself. “My family does not have to pay for basic essentials like soap as I buy them with my earnings. In fact, my prison sentence has turned out to be a blessing in disguise,” he confesses. He says that his time in prison has cultivated in him the value of hard work and saving. As a result, he has been able to put away a small amount he hopes will help him resettle back into his community on leaving prison next year. Another of his proudest achievements is being able to pass on the acquired skills to ‘junior’ prisoners and he proudly shows off some of the items his team has made.

As part of the prison system, skilled prisoners are paid 500 shs per day while semi-skilled and unskilled workers receive 200 shs and 100 shs, respectively. These earnings are kept on prison accounts managed by an internal accounts system from which the inmates can make withdrawals to spend as they please.

Masindi Prison is proud of its accomplishments in creating an environment where prisoners are nurtured into productive citizens. While serving their sentences, prisoners can apply to undertake one of the vocational training courses offered in the prison including carpentry, metal fabrication,

tailoring, craft making, and agricultural courses in vegetable and fish farming. These courses are usually recommended for prisoners serving relatively long sentences of about five or more years to ensure that enough time is allowed for mastery of skills.

My family does not have to pay for basic essentials like soap as I buy them with my earnings. In fact my prison sentence has turned out to be a blessing in disguise.

**Leon Abinu
Prisoner, Masindi Prison.**

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Education and vocational training of prisoners is a focus of the JLOS system and an initiative that is implemented in almost all prisons in Uganda. The approach is greatly hinged on the Uganda Prisons Service (UPS) objective to not only rehabilitate prisoners but to prepare and equip them adequately for re-integration into society.

Masindi Prison boasts of being one of the most productive prisons in Uganda. At the tailoring division, for example, the director of industries, Opolot John-Michael, revealed that the prison officers’ uniforms and other large orders from outside the prison are made in the workshop. He added that, at peak production, the workshop could produce up to 400 prison suits (shirt and shorts) per day. John-Michael says that the skills learned greatly contribute to preventing recidivism since the inmates are not idle following their release. He however explained that prisoners frequently faced challenges in collecting capital to start their businesses after release.

Leon’s is not a unique case and many similar success stories can be heard from vocational workshops in different prisons across Uganda: prisoners whose lives have been positively impacted by the skills learned in prison. These improvements have been made possible by the concerted efforts of JLOS institutions and the support of their Development Partners.

Community Service for the Benefit of the Whole Community

“When people live harmoniously, that can be called a just society, and therefore crimes are punished accordingly in an effort to maintain that just society. If that punishment happens to be one that benefits the entire community, then it’s a win-win for all,” Frank Baine, Public Relations Officer, Uganda Prisons Service.

Community Service as a correctional alternative to imprisonment was introduced in Uganda in tandem with the formation of JLOS in 2001. Since then, the Sector has prioritized its promotion and resultantly, the non-custodial sentencing has contributed to reducing recidivism and preventing crime. Community Service works on the parameter that while serious, habitual and violent adults (and juveniles) should be imprisoned, a large proportion of adult offenders and delinquent youth can be effectively and safely rehabilitated and reintegrated in the community.

Under Community Service, offenders are placed in institutions of public orientation where they do work such as brick making, feeder road construction, garbage management, pit latrine construction, de-silting of drainages, and tree planting and maintenance, all to the benefit of the wider community. The success of Community Service in Uganda can largely be credited to the combined efforts of the judicial and correctional arms of the justice system under the supportive umbrella of JLOS.



ONE WOMAN CHAMPIONS A SHARED SOLUTION FOR THE WHOLE COMMUNITY

On a given Saturday afternoon, Diana Natukunda can be found at Nakivubo Blue primary school in Kampala, immersed in a book under a tree shed or in a classroom. Diana is however not your typical primary school student or teacher, in fact, she is neither.

This 29-year old woman from Rukungiri District is an Advocacy and Communications Officer with the Women's Organization Network for Human Rights Advocacy (WONETHA). In addition, the mother of two runs a small catering business, is a sex worker and finally, a student. Most weekends, she is at the school to participate in group discussions with classmates as part of their adult education O Level/Uganda Certificate of Education (UCE) program.

On first encounter, Diana makes quite the impression; she is endearing and speaks very well. Diana has been a sex worker since 2007, a trade she says she joined after failing at many others on moving to Kampala from her hometown. She describes the working conditions as appalling. "Up until 2013, we suffered; every time we worked the streets, we were chased and harassed by security personnel, including the police. Many of the girls would fall and injure themselves trying to flee," Diana explains. She says there were frequent raids during which sex workers were arrested, bundled up on trucks and kept in police cells only to be bailed out and return to the same trade. This pattern continued to no one's benefit and certainly not the area police in Makindye Division. Increasingly, it became apparent to Diana and the other sex workers that a solution had to be found.



Despite acknowledging that prostitution should not be socially or legally acceptable, the police were open to negotiate with the sex workers to help address the problems it caused in the community. Diana recalls a particular encounter, the beginning of a turning point. During one of the raids, she did not run despite being scared and instead tried to speak to the officers, imploring their kindness in the treatment of her and fellow sex workers. While most ignored her, one officer gave her audience and she informed him of her interest in talking with the police to find a workable solution for all. This officer in turn alerted Jackson Bogere, the Community Policing Liaison Officer of Makindye Division, of her request.

Diana decided to pay *Afande* Bogere, as he is fondly called in the community, a visit. She remembers being pleasantly surprised by his welcoming nature. “He actually asked all the other people to leave the office so we could speak in private. We spoke at length about the working conditions of sex workers, their lifestyle and motivation for carrying on in the business, among other things. He in turn told me about their challenges in maintaining security in the area and that sex workers undermined the police’s efforts. He also expressed concern for our illegal activities and risky sexual behavior, which exposes us to HIV/AIDS and violence,” Diana recounts. That first encounter set the agenda for creating a harmonious environment for the community, a shared interest for both Diana and *Afande* Bogere.

For *Afande* Bogere, who has spearheaded Makindye Division’s police interventions on Community Policing since 2012, meetings such as this marked progress in finding shared solutions on community issues. In line with Community Policing, police officers frequently conduct visits to the communities to investigate any issues facing members and encourage them to approach the police when in need.

Before we had audience with the police, clients took advantage of us by robbing and beating us, knowing well that we could not report them. This is no longer the case.

Diana Natukunda
A pro-active community member.



Community members often complained of the sex workers’ indecent dressing, their use of crude language and alcohol abuse. Prior to this meeting, *Afande* had yet to find a tangible solution to the police-community-sex workers problem. As an initial step, the two agreed to hold a meeting where brothel owners, community leaders, sex workers and security officials would discuss the issues.

Community Policing is aimed at creating and maintaining a peaceful and harmonious environment where residents can thrive. The initial meeting held attracted over 200 sex workers from Barracks and Waswa Zones of Makindye, representatives from the local leadership, police and brothel owners. While discussions were at times tense, the meeting marked a first step in creating a better working relationship between the community members and the police. From that meeting, some resolutions were reached - a joint approach to the security of the area and a commitment by the sex workers to dress more decently and prioritize safe sex in their trade.

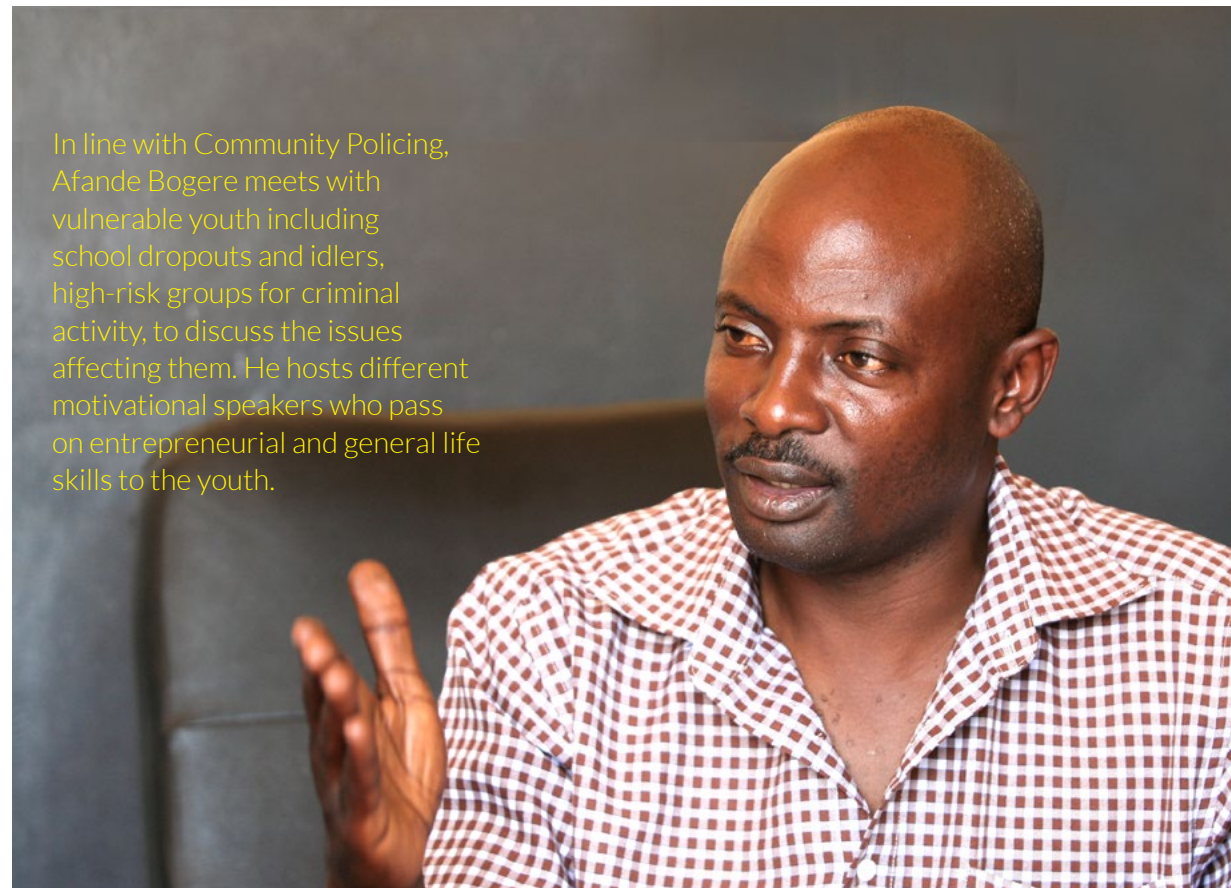
Since then, the sex workers have supported the work of police by remaining vigilant at night and reporting any suspicious or criminal activity. “Having the support of the sex workers is actually helpful for our patrolling,” *Afande* Bogere says. There has also been a notable decrease in the number of violent attacks against the sex workers. “Before we had audience with the police, clients took advantage of us by robbing and beating us knowing well that we could not report them, it is no longer the case,” Diana explains.

Another benefit has been the increased acceptance by the community, which has resulted in the sex workers being encouraged to take part in other economically viable activities aside from prostitution. Diana confessed that she and many other sex workers had long wanted to transition out of the high-risk trade but were discouraged by the stigma from the wider community. With the help of some Community Based Organizations (CBOs), they have since organized themselves into investment clubs through which they have started small-scale businesses including a food and catering service. In true testament of a Community Policing innovation that works, *Afande* Bogere has officiated at some of the investment club’s activities. As well as enabling several sex workers to transition from the illegal profession, *Afande* emphasizes that the Community Policing approach has also contributed greatly to improving the overall living conditions of the communities in Makindye Division.

As a result, the approach has since been extended to the areas of Kabalagala and Natete.

One clear sign of the results is the fact that the residents of Makindye Division together and over time collected the funds for constructing a building that houses the office of the Community Liaison Officer and a community hall that is used for joint activities between the police and the community, among other meetings.

As she prepares to sit her O-level final exams in November 2015, Diana hopes for a brighter future not just for herself and her family, but also for Community Policing as an innovative approach to solving community problems. She is also eager to be part of any future Community Policing efforts. "Maybe I will join the police force, who knows," she adds jokingly, letting shine through her



In line with Community Policing, Afande Bogere meets with vulnerable youth including school dropouts and idlers, high-risk groups for criminal activity, to discuss the issues affecting them. He hosts different motivational speakers who pass on entrepreneurial and general life skills to the youth.

Community Policing – Where Police and Communities Meet at a Round Table

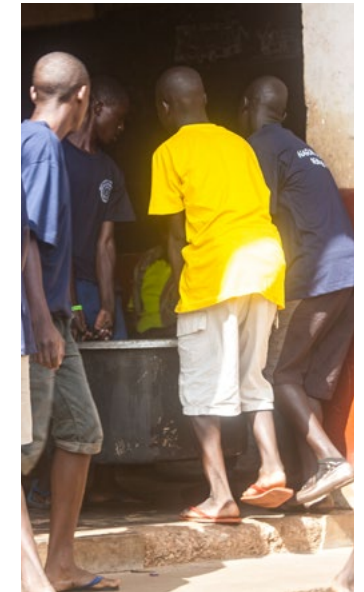
happened? Do people even understand that they have other options to solving disputes instead of resorting to violence?" he remarks to emphasize the need for a Community Policing approach.

The passion for her community. The Uganda Police as part of JLOS adopted Community Policing as a pro-active approach to fulfilling their mandate to maintain law and order. With this non-reactionary initiative, the police engages the community to take up the joint responsibility of ensuring security. The objective is to create a harmonious society that fosters the thriving existence of its members. While only some police officers are actively involved in community outreach to inquire on pertinent issues and concerns, Community Policing is the duty of all police officers. Police officers initiate interactions with the community members so as to build the communities' confidence to raise issues.

As part of Community Policing, training is undertaken by ordinary community members and police officers alike. Using the SARA (Scan, Analysis, Respond, and Assess) approach, participants are taught to identify, investigate and jointly resolve the most prevailing issues facing the community. Through these investigative efforts, different issues are identified and the community engaged in finding solutions. "As police, we no longer look at who has committed what crime but rather at crimes as a manifestation of societal problems", says Officer-in-Charge (OC) Bogere. The Community Policing courses attended by both police and community members are run according to the needs of the different communities and the schedules, which are flexible, may run from one to three months.

The model is aimed at creating a community who understands very well their civic duties in addition to their rights. Jackson Bogere, the Community Policing Liaison Officer of Makindye Division is proud of the changes registered since the approach was adopted. "Before Community Policing, our work was more reactionary than preventive. Why should we show up to investigate a murder when we could have intervened before it

As a result of promoting and popularizing Community Policing, people feel confident in the police, trust them and actively report criminal activity within their own neighborhoods, letting the police resolve issues instead of taking matters into their own hands.



A NURTURING ENVIRONMENT FOR THE REHABILITATION OF VULNERABLE CHILDREN

“Like in many countries, in Uganda, crimes are not only committed by adults but children too. It is important therefore that a supportive system exists to ensure that juveniles are nurtured and repatriated into responsible citizens of the society,”
 Mary Kyomugisha, Officer-in-Charge at Naguru remand home.

The 2015 ‘Day of the African Child’ celebrations were hosted at Naguru remand home in Kampala. The children staged music, dance and drama productions and for any observer, the day’s activities carried on just like at any other school concert. The children performed gleefully to a cheering audience and for lunch, a plentifully buffet was served, enjoyed by guests and the children alike. Also in attendance were juveniles from Kampiringisa rehabilitation home. To climax the celebrations, a football match between teams from Kampiringisa and Naguru was played and here, the children, in their true childlike element, played and cheered the others on excitedly. Guests enjoyed the presentations and visited some of the stalls displaying handicrafts made by the children for sale.

The necklaces, handbags, purses and key holders are among the crafts made by the children in the home as part of their crafts-making classes, one of the vocational skills classes taught in addition to

gardening and simple carpentry. Psychosocial support is also given to ensure that they are motivated and their young minds kept active. Children in remand homes also take part in the maintenance of the homes and clean the dormitories and compound, and a few have even taken to helping the cooks with preparing their meals.

A typical day for OC Mary begins with a tour of the home before settling into her office to conduct a staff meeting. On one of these days, as soon as the meeting is adjourned, a cook brings her a meal for breakfast and waits eagerly while she tastes the food. She commends his skills and soon after he leaves with a content smile on his face, Mary sends for one of the younger girls at the home and sneakily hands the food to her. It is with this motherly touch that she runs the home and it is easy to understand why the children and staff alike call her ‘mummy.’

At any given time, the home hosts an average of 150 to 200 children, a good percentage of who are not from the central region but end up at the home mostly for committing crimes in the area. The task of rehabilitation and ensuring they are represented and prepared

for their court appearances can be challenging, considering the constrained resources. The home, in Kampala, services up to 42 courts, some located as far away as Luwero and Iganga Districts.

We may be the only positive influence these children encounter and so we ensure that while here, they feel valued and responsible for becoming better citizens.

**Mary Kyomugisha
OC, Naguru Remand
Home.**

This task is however greatly eased by the coordination amongst JLOS institutions. One example of this is through the system of the District Chain-Linked Committees (DCCs), where the remand home officers interact with magistrates and frequently discuss the specific needs of juveniles. The result has been to encourage the courts to prioritize and remain sensitive to cases involving children.

“Before JLOS institutional coordination, we would just go to court and present the children, hoping that everything was planned ahead for their hearings. Having the JLOS coordinators at the courts has therefore been very helpful as we communicate ahead of time to ensure that all is set for their cases to be heard. Information on the presiding magistrate is given to us in advance and their availability and scheduled court dates and times are confirmed. This is especially vital information when we have children whose cases are to be tried in far off courts in other districts,” OC Mary explains. Taken together, these systemic improvements are targeted to ensure that justice is served in the fairest manner for children.

Similar to other remand homes across the country, OC Mary and her staff are eager to promote a positive outlook among the children and make efforts to counsel and encourage them. They discuss career plans and emphasize the need to refrain from any future criminal activity. “We may be the only positive influence these children encounter and so we ensure that while here, they feel valued and responsible for becoming better citizens,” she concludes.

JLOS Innovations at the Forefront of Juvenile Justice

JLOS aims to ensure that justice for children is prioritized at all levels of the justice system and that children are fairly treated and represented. In order to do this, the institutions involved have adopted a concerted-effort approach to their work.

Usually, on the arrest of a suspected juvenile, the child is presented to the police and thereafter to the lower magistrate courts where their case is mentioned, after which they will be transferred to a remand home to await trial while investigations are carried out. Cases of children suspected of committing capital offences are tried in the high courts but sentenced in the Family and Children’s Court (FCC). As they might spend up to six or more months awaiting court trial, the remand homes are an integral part of the children’s justice system.

In court, the children are represented by state attorneys and in many instances, pro-bono lawyers from JLOS institutions such as Law Development Centre and others including Justice Centers (JC) and Uganda Law Society (ULS).

Because of focused efforts by JLOS to improve in this area, children’s cases in whatever courts are prioritized and expedited. Due to shortages in capacity and funding, it could take up to five years before a case is finally heard even after commitment of that case.

However, in the High Court, when children’s cases are forwarded from the lower magistrate courts and not committed within three months, the children are granted bail unconditionally and released but expected to be presented at the court every two to four weeks while they await trial. “On receiving a case of a minor, it is registered in a separate file instead of the old ‘first in first out’ policy which meant that children’s cases would be lumped up with the others,” Mr. Karemani Justus, the Chief Magistrate and Acting Assistant Registrar at the Criminal

Division of the Kampala High Court explains. “In the event that children commit crimes with adults, those cases are earmarked for fast tracking and prioritized for inclusion in the next available hearing sessions,” he adds. In addition, Plea Bargaining services are made available to the children at the remand homes and on pleading guilty, these cases are also fast-tracked.

On drafting a session of cases to be tried, it is ensured that at least a good number of juveniles are included, an affirmative action for children’s justice. “For each month, only minimal funds are available to cater for a trial session of up to 20 cases and I try to ensure that children’s cases make up at least five of those,” Mr. Karemani explains. In a separate effort to prioritize children in the justice system, for Plea Bargaining in juvenile cases, it is arranged so that a magistrate from the FCC who is responsible for sentencing juveniles sits in on the case hearings so as to reduce the lapse between judgment and sentencing.

With these and other initiatives, it is clear that despite working within constrained resources, the justice system as supported by JLOS is pro-children and highlights the needs of juveniles.



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