



THE JUDICIARY OF UGANDA

**Presentation of the Performance of the High Court , at the 25th
Annual Judges Conference**

Presented by

The Hon. The Principal Judge

Hon. Justice Dr. Flavian Zeija (PhD)

FORMAT OF THE PRESENTATION

- 1) **Mandate of the High Court**
- 2) **Composition of the High Court**
- 3) **Overall Performance of the High Court (Divisions and Circuits) for the last three(3) years**
- 4) **Disposal Rates and Clearance Rates of the High Court (Divisions and Circuits) for the last three(3) years**
- 5) **Performance of the High Court (Divisions and Circuits) in cases of a Civil Nature**
- 6) **Performance of the High Court (Divisions and Circuits) in cases of a Criminal Nature**



FORMAT OF THE PRESENTATION-cont'd

- 7) Performance of the High Court Divisions in the Year 2023
- 8) Overall Performance of the High Court Circuits in the Year 2023
- 9) High Court Quarterly Performance meeting
- 10) Emerging Issues in the year 2023
- 11) What to look out for in the year 2024
- 12) Individual Performance of Judges and Circuits



MANDATE OF THE HIGH COURT

- a) **The High Court is created under Articles 138 - 140 of the Constitution of Uganda**
- b) **It is the third Court of Record in the order of hierarchy and has unlimited original and appellate jurisdiction**
- c) **Appeals from Chief Magistrates Courts, Magistrate Grade I Courts and some Administrative Tribunals go to the High Court**
- d) **The Court also has supervisory powers over Magistrates' courts and Local Council Courts through appeal and revisionary jurisdiction.**



COMPOSITION OF THE HIGH COURT

The High Court has been decentralized into Divisions and Circuits

- a) There are seven Divisions namely: (1)Civil , (2)Commercial, (3)Family , (4)Land , (5)Anti-Corruption , (6)International Crimes and (7)Criminal

- a) The Judiciary currently has 38 High Court Circuits. 24 High Court Circuits are operational. That is (1) Arua, (2) Bushenyi , (3) Fort portal , (4)Gulu , (5)Hoima , (6)Iganga, (7) Jinja, (8) Kabale , (9) Kasese, (10)Kiboga , (11) Kitgum, (12) Lira, (13)Luwero, (14)Masaka , (15) Masindi , (16) Mbale , (17)Mbarara, (18)Moroto , (19) Mpigi ,(20)Mubende ,(21) Mukono,(22) Rukungiri, (23) Soroti and (24) Tororo.

The none operational circuits are, Apac, Bugiri, Dokolo, Entebbe, Ibanda, Kumi, Lugazi, Moyo, Nebbi, Ntungamo, Pallisa, Patongo, Rakai and Wakiso. All these were recently gazzated in November 2023.

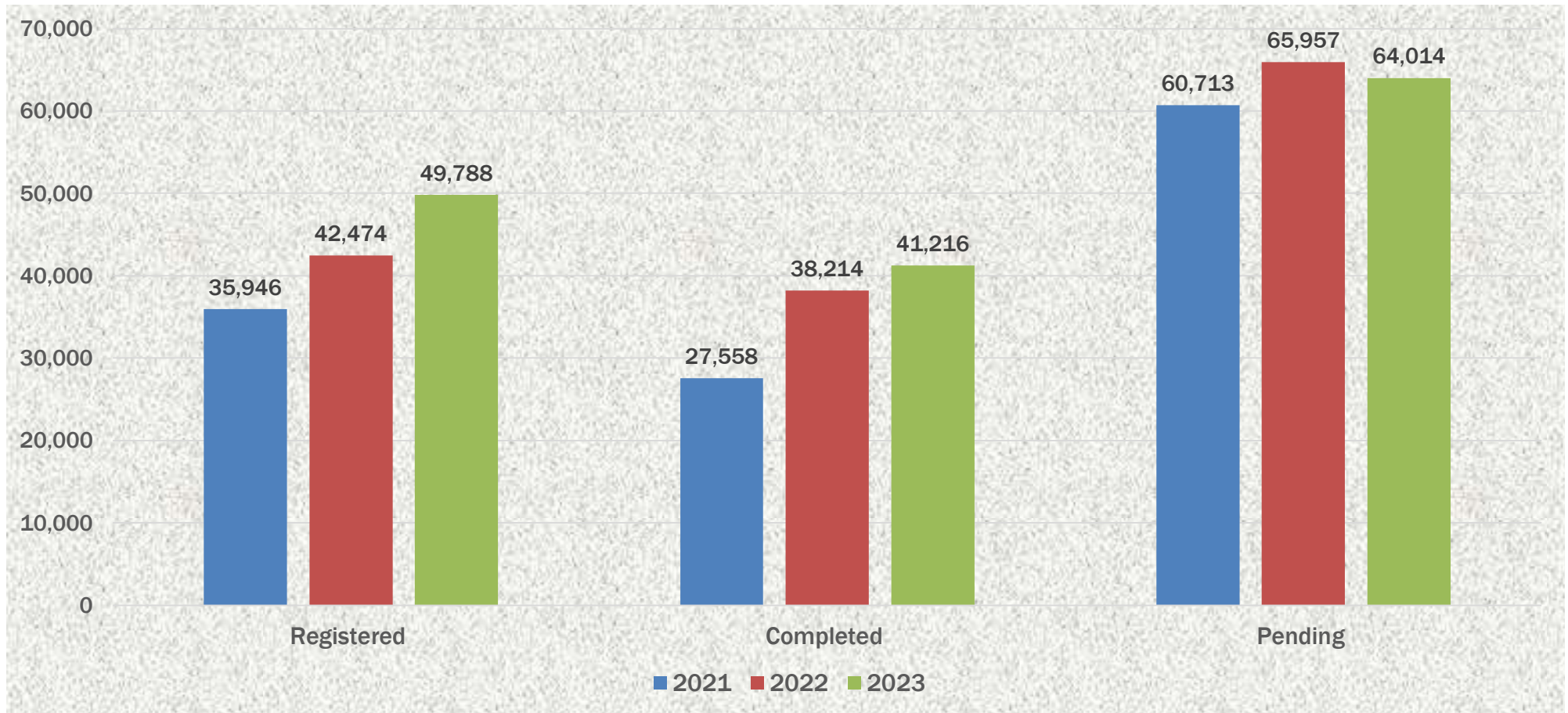


OVERALL PERFORMANCE OF THE HIGH COURT (DIVISIONS AND CIRCUITS) FOR THE LAST THREE (3) YEARS

- a) The High Court has recorded tremendous growth in case disposal and case registration over the last three (3) calendar years-2021,2022 and 2023.
- b) 3-year highs of **41,216** cases completed and **49,788** cases registered were recorded in the year 2023



OVERALL PERFORMANCE OF THE HIGH COURT (DIVISIONS AND CIRCUITS)FOR THE LAST THREE (3) YEARS –Cont'd

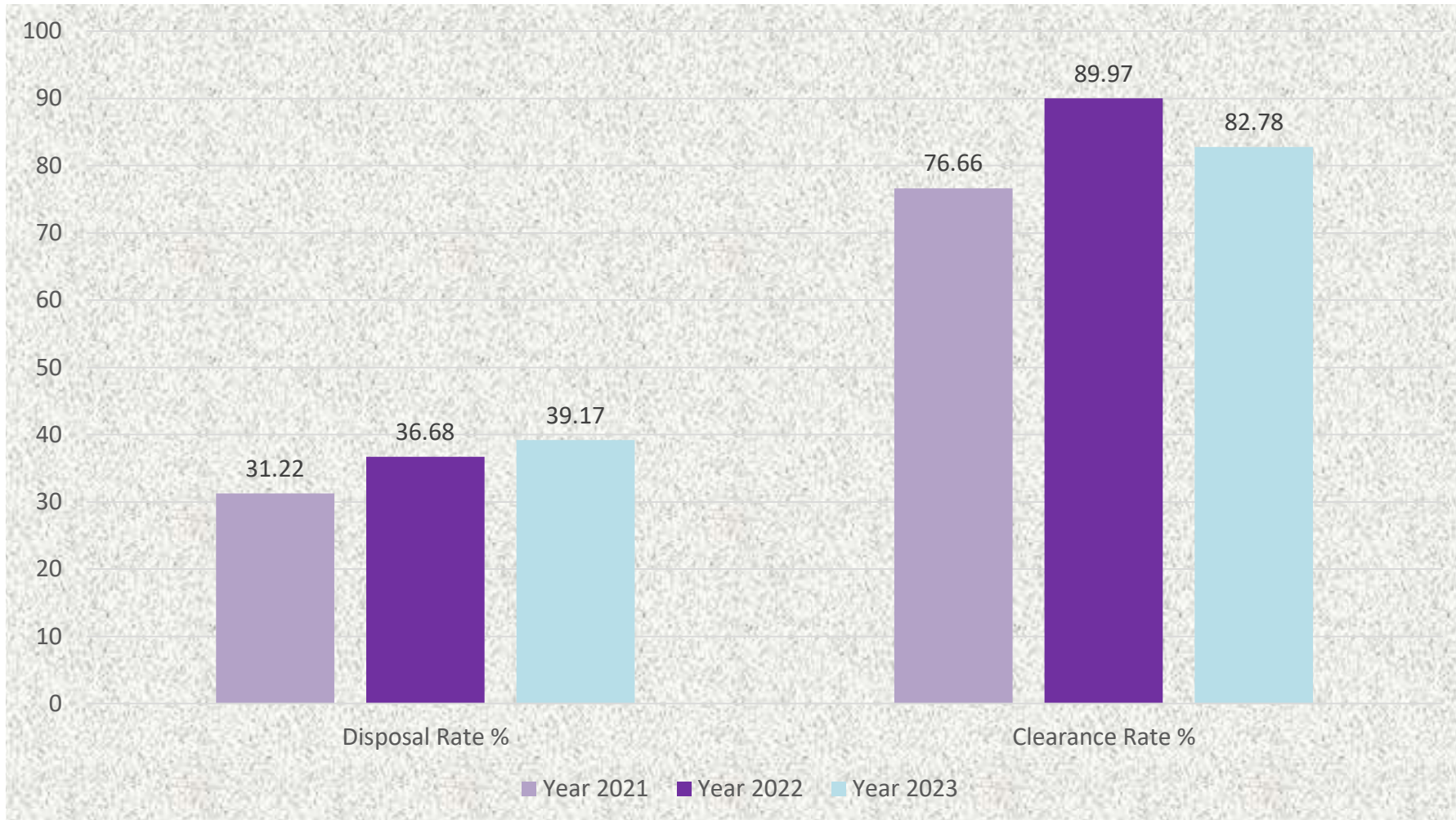


DISPOSAL RATES AND CLEARANCE RATES OF THE HIGH COURT (DIVISIONS AND CIRCUITS) FOR THE LAST THREE (3) YEARS –cont'd

- a) The High Court recorded a steady rise in disposal rates and a general improvement in clearance rates over the 3-year period.
- b) A 3-year high of 39.17 % disposal rate and clearance rate of 82.78 % were realized in the year 2023.
- c) This points to an overall improvement in efficiency in the disposal of cases over the last 3 years.



DISPOSAL RATES AND CLEARANCE RATES OF THE HIGH COURT (DIVISIONS AND CIRCUITS) FOR THE LAST THREE (3) YEARS-cont'd



PERFORMANCE OF THE HIGH COURT (DIVISIONS AND CIRCUITS) IN CASES OF A CIVIL NATURE

- a) The High Court has recorded tremendous growth in the disposal and registration of cases that are Civil in Nature (Civil, Commercial, Family and Land) over the last three (3) calendar years-2021,2022 and 2023.
- b) 3-year highs of **33,364** cases completed and **39,277** cases registered were recorded in the year 2023.
- c) The High Court recorded a 3-year low of **48,933** pending cases .



PERFORMANCE OF THE HIGH COURT (DIVISIONS AND CIRCUITS) IN CASES OF A CIVIL NATURE –cont'd

S/no	Case Type	Registered cases			Completed cases			Pending cases		
		Year 2021	Year 2022	Year 2023	Year 2021	Year 2022	Year 2023	Year 2021	Year 2022	Year 2023
	Civil Nature									
1	Civil	10,851	9,996	8,955	8,346	10,010	7,515	17,984	16,513	15,213
2	Commercial	4,371	4,239	7,315	2,722	3,631	5,336	6,612	7,120	5,885
3	Family	4,297	7,578	7,602	4,045	6,689	7,488	6,820	8,893	8,256
4	Land	9,957	11,370	15,405	7,651	9,484	13,025	19,035	19,115	19,579
	Sub Total	29,476	33,183	39,277	22,764	29,814	33,364	50,451	51,641	48,933



Possible casuses of this underperformance

- wrong statistics (Discripancy between what we get in qurterly review meetings and the statistic received from Magistrates affairs)
- insufficient Judicial officers
- Failure to write Judgements when due (By December 1,623 Judgements Pending, 15 judges with more than 60 judgements pending)
- Underperformance of some Judicial officers (Analysis almost complete on underperformance)
- Jurisidiction issues (Magistrates almost redundant on land matters)-Solution being found.



PERFORMANCE OF THE HIGH COURT (DIVISIONS AND CIRCUITS) IN CASES OF A CRIMINAL NATURE

- a) The High Court has recorded tremendous growth in case registration of cases that are Criminal in Nature (Anti-Corruption , Criminal and International Crimes) over the last three (3) calendar years-2021,2022 and 2023.
- b) There was a 548-cases decline in cases disposed of a Criminal Nature in the year 2023 as compared to the year 2022.
- c) This decline arose from a reduction in the number of Criminal and Anti-Corruption Cases completed.
- a) The High Court recorded a 3 –year high of 10,511 Cases registered cases (of a Criminal Nature in the year 2023.



PERFORMANCE OF THE HIGH COURT (DIVISIONS AND CIRCUITS) IN CASES OF A CRIMINAL NATURE –cont'd

S/no	Case Type	Registered cases			Completed cases			Pending cases		
		Year 2021	Year 2022	Year 2023	Year 2021	Year 2022	Year 2023	Year 2021	Year 2022	Year 2023
1	Anti-Corruption	183	241	298	196	280	214	235	197	231
2	Criminal	6,258	8,916	10,137	4,584	8,062	7,546	9,958	13,944	14,784
3	International Crimes	29	134	76	14	58	92	69	175	66
	Sub Total	6,470	9,291	10,511	4,794	8,400	7,852	10,262	14,316	15,081



Possible Causes of this underperformance

- Failure to enter finished criminal session results in CASS especially those out of station.
- Introductionn of daily hearings (Analysis still being made)
- Plea bargaining results not entered in the system after completion of sessions
- Insufficient session funds
- Competing demands of civil and criminal sessions



PERFORMANCE OF THE HIGH COURT DIVISIONS FOR THE YEAR 2023

- a) The Land Division recorded the highest disposal (8,018 cases) and registration (8,367 cases) in the year 2023.
- b) This was followed by Commercial Division (disposal-5,322 cases, registration-7,264 cases).
- c) Despite International Crimes Division posting the lowest case disposal figures for the year 2023, the 92 cases disposed of represents a 3-year high for the Division.



PERFORMANCE OF THE HIGH COURT DIVISIONS FOR THE YEAR 2023- cont'd

S/No	High Court Division	Bought-Forward	Registered	Completed	Pending
1	Land	8,243	8,367	8,018	8,592
2	Family	5,424	4,547	4,846	5,125
3	Anti-corruption	147	298	214	231
4	Commercial	3,902	7,264	5,322	5,844
5	Criminal	1,778	1,417	1,129	2,094
6	International Crimes	82	76	92	66
7	Civil	4,636	1,982	2,258	4,360
	Grand Total	24,212	23,951	21,879	26,312



OVERALL PERFORMANCE OF THE HIGH COURT CIRCUITS FOR THE YEAR 2023

- a) The Highest disposal and Registration was recorded in Criminal Cases (Disposal- 6,316 cases, registration -8,577 cases)
- b) This was followed by Civil Cases (Disposal- 6,417 cases, registration - 8,720 cases)
- a) The lowest disposal and Registration was recorded in Commercial Cases (Disposal- 14 cases, registration -51 cases)



OVERALL PERFORMANCE OF THE HIGH COURT CIRCUITS FOR THE YEAR 2023-cont'd

Case Type	Brought Forward	Registered	Completed	Pending
Civil	9,105	6,973	5,257	10,853
Commercial	4	51	14	41
Criminal	9,906	8,720	6,417	12,690
Family	2,714	3,055	2,642	3,131
Land	8,928	7,038	5,007	10,987
Grand Total	30,657	25,837	19,337	37,702



HIGH COURT QUARTERLY PERFORMANCE REVIEW MEETINGS

I hold High Court Quarterly Performance Review meetings with Heads of Divisions and circuits in conjunction with the case backlog committee chaired by the Hon. the Deputy Chief Justice.

The High Court Quarterly performance review meetings have been held for three years now. Our next meeting is scheduled on 22-23, February, 2024. The deadline for submission of performance reports is today.

We have come up with several recommendations intended to improve performance of the High Court and its subordinate courts in order to serve our people better.

Key among the recommendations are;

- ❖ **REPORTING.** Timely reporting of statistics signed by the Judges, covering areas of under performance and reasons for underperformance.



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- ❖ Supervision and regular inspection of Magistrates Courts.
- ❖ Delivery of quality decisions.
- ❖ Judges in circuits to take keen interest in supervising construction projects in the circuits to ensure standardization of construction of court buildings across the country.
- ❖ Benchmarking and implementing good practices from other courts.
- ❖ Ensuring effective case management by carrying out regular weeding out exercises, regular update of CCAS system, hearings and delivery of rulings , encouraging ADR etc.
- ❖ Timely disbursement of funds for sessions and locus visits, timely use of the same and ensuring timely submission of accountabilities.
- ❖ Creativity and judicial innovations.
- ❖ Undertaking trainings,
- ❖ Etc.



EMERGING ISSUES DURING THE YEAR 2023

On the side of court users I receive many complaints relating to;

- ❖ Delayed judgments and rulings
- ❖ Alleged bias and refusal to determine recusal applications
- ❖ Allegations of corruption
- ❖ Absentism, late coming and leaving early from duty.
- ❖ Substandard judgments and rulings.
- ❖ Lack of customer care
- ❖ Etc.



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From the Judges

- ❖ Some Judges do not have sound vehicles.
- ❖ Untimely release of funds.
- ❖ Lack of or inadequate space.
- ❖ Power shortages.
- ❖ Lack of proper office furniture
- ❖ Etc.



WHAT TO LOOK OUT FOR IN THE YEAR 2024

- a) Continue to look for solutions to the challenges mentioned.
- b) Operationalization of more circuits.
- c) Recruitment of more judicial officers.
- d) Strengthening use of ADR.
- e) Expansion of daily hearings of criminal cases(The results are causing a debate as to whether this is a good idea).
- f) Establishing special procedures to fast track SGBV cases.
- g) Enhancement of jurisdiction of Magistrates to reduce on cases that go directly to High Court.
- h) High Court Quarterly Performance Review meeting to continue.
- i) etc.



INDUSTRIAL COURT

INDUSTRIAL COURT ANNUAL RETURNS FOR 2023

Calendar Year Returns (Jan-Dec 2023)				
Category	Cases B/F	Registered	Completed	Pending
Labour Dispute Claim	255	0	26	229
Labour Dispute References	1684	253	231	1706
Labour Dispute Appeals	260	18	22	256
Labour Dispute Misc. Application	422	196	391	227
Labour Dispute Mediations	60	56	65	51
TOTAL	2681	523	735	2469



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Performance breakdown of Disposed of cases in 2023

Disposed of	Hon. Lady Justice Linda Lillian Tumusiime Mugisha	Hon. Mr. Justice Anthony Wabwire Musana
Award Delivered	37	43
Rulings Delivered	35	48
Consents	89	80
Dismissed	65	28
Total	226	199



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Overall Number of Cases Disposed of by each Judge for the Year 2023

S/N	Name of Judge	Number of cases completed	Number of Pending Judgement
1	Hon. Lady Justice Linda Lillian Tumusiime Mugisha	226	81
2	Hon. Mr. Justice Anthony Wabwire Musana	199	64



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Case backlog stands at 1738 cases per the ageing list as at 31st December 2023 in the table below

Case Category	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
LDC	154	19	23	10	4	4	1	1	216
LDR	9	152	161	191	162	234	171	144	1,224
LDA	6	7	14	19	17	21	7	5	96
LDMA	0	4	28	37	31	17	42	43	202
TOTAL	169	182	226	257	214	276	221	193	1,738



PERFORMANCE TRENDS OF THE MAGISTRATES' COURTS IN THE LAST THREE (3) YEARS -2021,2022,2023

Caseload Profile

Magistrate Courts recorded a marked reduction in Case Disposal in the year 2023 as compared to the year 2021 and 2022. On the other hand, the Magistrates' Courts experience steady growth in case registration over the three (3) -year period under review.



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Court Level	Case Type	Registered			Completed			Pending		
		2021	2022	2023	2021	2022	2023	2021	2022	2023
Chief Magistrate	Criminal	65,240	75,633	79,520	51,919	89,234	75,769	39,821	34,981	31,537
	Civil	31,965	29,179	30,430	25,664	27,216	28,132	19,494	18,233	16,646
	Family	1,118	7,139	10,808	958	7,402	9,733	457	2,720	3,645
	Land	8,074	8,881	9,838	6,200	9,757	9,761	11,164	10,454	8,800
	Small Claims Procedure (Claims and Demand Notices)	5,175	6,816	7,486	4,944	6,894	7,366	1,259	1,550	1,319
	Sub-Total	111,572	127,648	138,082	89,685	140,503	130,761	72,195	67,938	61,947

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Magistrate Grade I	Criminal	31,516	44,324	45,039	26,483	45,124	40,867	14,493	14,396	13,833
	Civil	10,259	11,504	13,989	8,155	12,327	11,439	4,747	4,048	4,148
	Family	542	2,669	5,059	227	3,125	3,926	381	657	879
	Land	2,677	2,228	4,861	1,883	3,045	3,634	3,362	2,670	2,485
	Small Claims Procedure (Claims and Demand Notices)	1,959	4,821	7,427	1,635	4,869	7,024	397	735	956
	Sub-Total	46,953	65,546	76,375	38,383	68,490	66,890	23,380	22,506	22,301



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Magistrate GII	Criminal	2,195	1,688	68	1,540	1,455	93	787	717	42
	Civil	222	158	1,541	84	84	1,375	155	139	255
	Family	36	40	16	21	39	25	18	15	12
	Land	134	57	16	139	51	14	92	74	8
	Small Claims Procedure (Claims and Demand Notices)	4	167	65	-	153	80	4	14	10
	Sub-Total	2,591	2,110	1,706	1,784	1,782	1,587	1,056	959	327
	Total	161,116	195,304	216,163	129,852	210,775	199,238	96,631	91,403	84,575



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Disposal and Clearance Rates

The Magistrates' Courts recorded a decline in both disposal rates and clearance rates in the year 2023 as compared to the years -2021 and 2022

Court Level	Disposal Rate			Clearance Rate		
	2021	2022	2023	2021	2022	2023
Chief Magistrate	55.40	67.41	67.85	80.38	110.07	94.70
Magistrate Grade I	62.15	75.27	67.6	81.75	104.49	87.58
Magistrate GII	62.82	65.01	73.75	68.85	84.45	93.02



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- **Summary of Individual Ranks of Magistrates for the Calendar Year 2023**
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- Table 1 below provides the Case Performance for Individual Ranks of Magistrates for the Calendar 2023;
- The Magistrates Grade I completed the highest number of Cases (133,191 cases) followed by Chief Magistrates (36,190cases).
- The Magistrates Grade II completed the lowest number of cases (7,225).
- The performance is strongly correlated with the staffing levels at the respective Individual Ranks, with Magistrates Grade I having the highest staffing (270 Judicial Officers) followed by Chief Magistrates (82 Judicial Officers), and Magistrates Grade II having the lowest staffing (18 Judicial Officers) as at 31st December 2022.



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Summary of the Performance of Individual Ranks for Magistrates in the last three(3) Years -2021,2022 and 2023

S/No	Rank	No. of Cases		
		2021	2022	2023
1	Chief Magistrates	22,762	29,296	36,190
2	Magistrates Grade I	86,806	140,438	133,191
3	Magistrates Grade II	6,703	7,435	7,225



THE END

THANK YOU

