

PREVENTION OF CORRUPTION IN THE JUDICIARY

“INCREASING INVOLVEMENT AND AWARENESS IN THE LEGAL
PROFESSION ON ANTI CORRUPTION ISSUES IN UGANDA”

A case study of the ULS PTF Project September 2008 – December
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Objectives of the Project

- Identify gaps in current anti-corruption laws and regulations and suggest solutions to inform legislative reform;
- Identify ways in which the legal profession can promote good governance;
- Monitor the proceedings of the new Anti-Corruption Court (ACC) and to provide technical assistance at the bar;
- Constitute a multi-stakeholder Legal Experts Committee to provide technical legal assistance to existing anti-corruption initiatives; and
- Catalogue and document developments within the anti-corruption arena at national, regional and international forums to benefit from best practices.



Key Activities Conducted

- Conducted an independent analysis of legislative and policy framework for combating corruption and submitted position papers on the Anti Corruption Bill and Whistleblowers Bill;
- Held around table discussion on fighting corruption – it brought together key stakeholders, state & non state actors, grass roots anti corruption coalitions;
- Monitored the proceedings of the Anti Corruption Court and developed a brief highlighting the achievements and challenges of the Court;
- Constituted a multi-stakeholder Legal Experts Committee which met six times to provide guidance on the project and review program team's analysis and opinions;
- Undertook field visits to the Regional anti corruption coalitions to gather information which was brought to the attention of the policy makers; and
- Documented local and international developments in the anti corruption arena



Key Achievements

- ULS was appointed to sit on the Court Users Committee of the Court and is recognized as a key stakeholder;
- Raised concerns of ULS and regional anti corruption coalitions with the Chief Justice which led to the interdiction of the Apac District Magistrate who had been alleged to be corrupt;
- Raised concerns about the understaffing in the Anti Corruption Court that led to the appointment of two additional Chief Magistrates and four Grade One Magistrates;
- The Legal Experts Committee has evolved into an anti corruption think tank, generating policy options and providing technical assistance to the regional anti corruption initiatives;
- Supported the Regional anti corruption coalitions by providing 8 legal opinions and disseminating and sharing information on anti corruption developments in Uganda;



Key Challenges

- Whereas the legal framework is in place, government needs to show its political will by enforcing the law equally – not catching and penalizing “a few small fish” and the rest go unpunished;
- Limited understanding by the public of the Anti Corruption Court and access to it;
- The need for legal backstopping by ULS to help ensure that complaints submitted by the coalition were appropriate and well documented
- More needs to be done in documenting and disseminating success strategies in fighting corruption;
- The Anti Corruption Court and Directorate of Public Prosecutions need to speed up the trial of grand corruption cases;



Lessons Learnt

- There is a need to foster continuous engagement between Government and Civil society in the fight against corruption. ULS is uniquely positioned to serve as a conduit between the regions and the centre;
 - In order to influence policy and legal reform, CSOs need to be involved right from the start of formulation of laws , once a bill is read in Parliament, there is little room for changes to be incorporated;
 - Government is willing to adopt proposals from civil society if they are well researched and add value; and
 - When institutions are well facilitated and good infrastructures set up, there bound to be positive results such as the Ant-corruption, whose approach to justice has rejuvenated public confidence to the judiciary.
- **Thank you**

