



SOUTHERN AFRICAN CHIEF JUSTICES FORUM

SAJC Conference on "Modernising the Judiciary" (Entebbe, Uganda, 4-5 February 2005)

My Lord the Chief Justice of Uganda

My Lords visiting Chief Justices

Honourable Judges present

Distinguished Guests

Ladies and Gentlemen

On behalf of the Government of Uganda, I take this opportunity to welcome Your Lordships and members of your entourage to our Country. Should you have time in the programme, do not hesitate to move around and visit places of interest in the Country before you go back to your respective Countries. You are most welcome.

As we all know, the world is becoming a global village. This does not mean that the world is becoming smaller. It means that the way of doing this has become so modern and sophisticated that the physical distances that separates people and institutions has become shorter.

Your theme which is, "Modernising the Judiciary: The Role of Information Technology in Modernising Judicial Systems", is an extremely important one if judicial systems are to survive in the global village. An archaic judicial system dominated with archaic procedures and equipment has no place in the 21st century and can lead to injustice.

It is, therefore, imperative that Chief Justices as the supreme Heads of their respective judiciaries should deliver their institutions from traditional methods to modern scientific methods of managing cases and dispute resolution. In this regard, therefore, judicial reforms are necessary to change the way cases are handled right from the point of filing to that of disposal.

It is sad to note that in some developing Countries, files are handled manually. It takes a long time to locate and retrieve the files. Indeed, some files are misplaced while others are deliberately stolen in order to destroy evidence. For example, during Amin's period when life was short, nasty and brutal, one Professor who was being witch-hunted by Amin's agents, carried away his personal file from the Registry of Makerere University and fled to exile. Furthermore, one lawyer who passed away was alleged to have won many Court cases through destroying evidence by stealing the relevant files.

These problems can be cured through computerization, a process which ensures easy and reliable storage, tracking and retrieval of files. Categorization of information into civil and criminal cases would be enhanced through use of data bases.

The Judiciary will be able to operate as a single entity by linking all local stations to the Centre.

Information sharing and access is enhanced by use of internet where relevant significant Court cases which were handled elsewhere can be accessed. Use of Computers minimizes administrative costs by reducing resources required to run systems. Furthermore, distance is no longer a constraint because information can be easily accessed on Computers.

I must point out that unless there is integrity in all arms of the State, i.e. the Judiciary, the Executive and the Legislature, Information Communication Technology (ICT) will be ineffectual.

The Judiciary is the last fallback for redressing injustice, and resolving disputes in society. Consequently, it is imperative that there must be plenty of judicial hygiene. Justice delayed is justice denied. ICT will speed up the process of justice and ensure that judgments are released in good

time. In order to assist Judicial Officers to be efficient and impartial, Government must facilitate them properly.

I am glad to note that you are searching for solutions to problems in your Judiciaries through a regional block. This is in line with the modern thinking of our African leaders who are encouraging formation of strong regional blocks in order to have more bargaining power in world politics. For this reason, I commend you in carrying on in this spirit which ultimately will promote our ideals like the African Union.

The Government of Uganda is a strong advocate of regional blocks in all spheres of life and your meeting here to discuss how you can modernize Courts as a group, is very commendable.

Government supports the noble objectives of the Southern African Judges Commission, and I am glad the Chief Justice of Uganda has taken an active role in the Commission's programmes.

The Constitution of Uganda guarantees the independence of the Judiciary, and the Government respects judicial independence because without it there can be no good governance and the rule of law. Indeed Article 128 (1) of our Constitution states, "In the exercise of judicial power, the Courts shall be independent and shall not be subjected to the control or direction of any person or authority."

However, Judicial Officers should be aware of Article 126 (1) of our Constitution which states, "Judicial power is derived from the people and shall be exercised by the Courts established under this Constitution in the name of the people and in conformity with law and with the values, norms and aspirations of the people."

Efforts are being made to improve the efficiency and effectiveness of the Courts through increasing the number of Judges and other vital resources.

It is now my pleasure to declare this meeting of the Southern African Judges Commission Conference to which the East African countries are members, open.

Thank you.

