



THE JUDICIARY

PERFORMANCE OF **THE SUPREME COURT** FOR THE YEAR, 2024

PRESENTED AT THE ANNUAL JUDGES CONFERENCE, 2025

BY: PROF. LILIAN TIBATEMWA EKIRIKUBINZA (Ph.D.) (LL. D)
JUSTICE OF THE SUPREME COURT



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BACKGROUND

- The Supreme Court is established under Article 129(1)(a) of the Constitution of the Republic of Uganda 1995.
- Its mandate, composition and Jurisdiction are spelt out under Articles 104, 130 and 132 of the Constitution.



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JURISDICTION

- a) SC is a Court of first instance and the final Court in Presidential Election matters.
- b) A first appellate court in constitutional matters.
- c) A second appellate court in criminal and civil matters.



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JURISDICTION

d) In limited cases, it is a third appellate court in criminal and civil matters, where the intended appeal concerns a matter of law of great “public” importance or a matter of law of general importance - essentially requiring the legal issue to have significant implications beyond the specific parties involved.



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ALSO NOTE

- e) It confirms death sentences imposed by the Courts of Judicature in accordance with section 6 of the Law Revision (Penalties in Criminal Matters) (Miscellaneous Amendments) Act
- f) The Supreme Court is the final Court of Appeal in Uganda.



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COMPOSITION OF THE SUPREME COURT

The Supreme Court currently has 10 Justices out of 11 provided for in section 3 of the Judicature Act, Cap. 16.

The following are the Justices of the Court:



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CHIEF JUSTICE

Hon. Justice Alfonse Chigamoy
Owiny – Dollo

**CHIEF JUSTICE
& HEAD OF COURT**





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JUSTICE OF THE SUPREME COURT

Hon. Lady Justice Dr. Esther
Kisaakye





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JUSTICE OF THE SUPREME COURT

Hon. Lady Justice Prof. Lillian
Tibatemwa-Ekirikubinza





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JUSTICE OF THE SUPREME COURT

Hon. Lady Justice Percy Night
Tuhaise





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JUSTICE OF THE SUPREME COURT

Hon. Justice Mike Chibita

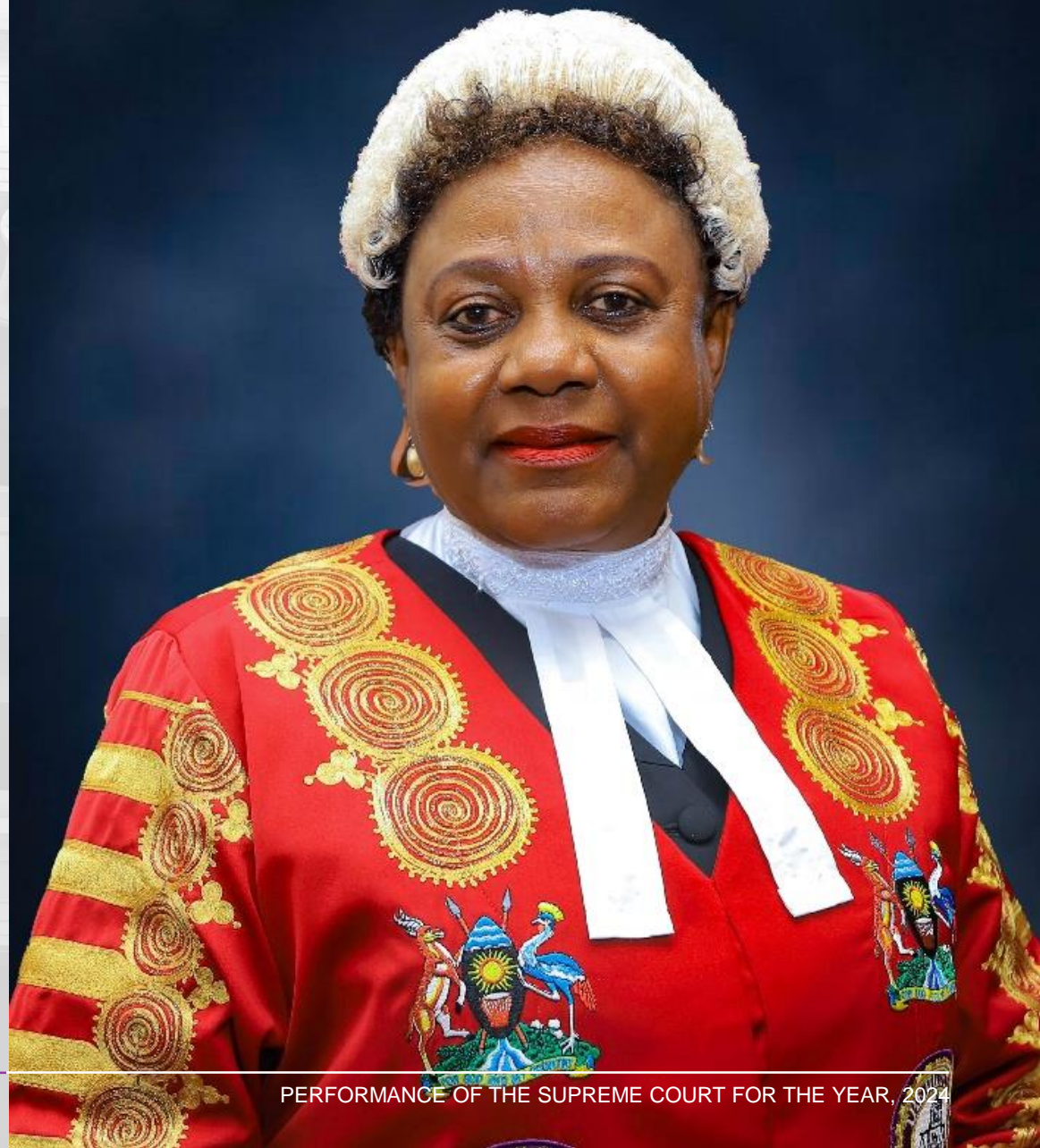




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JUSTICE OF THE SUPREME COURT

Hon. Lady Justice Elizabeth
Musoke

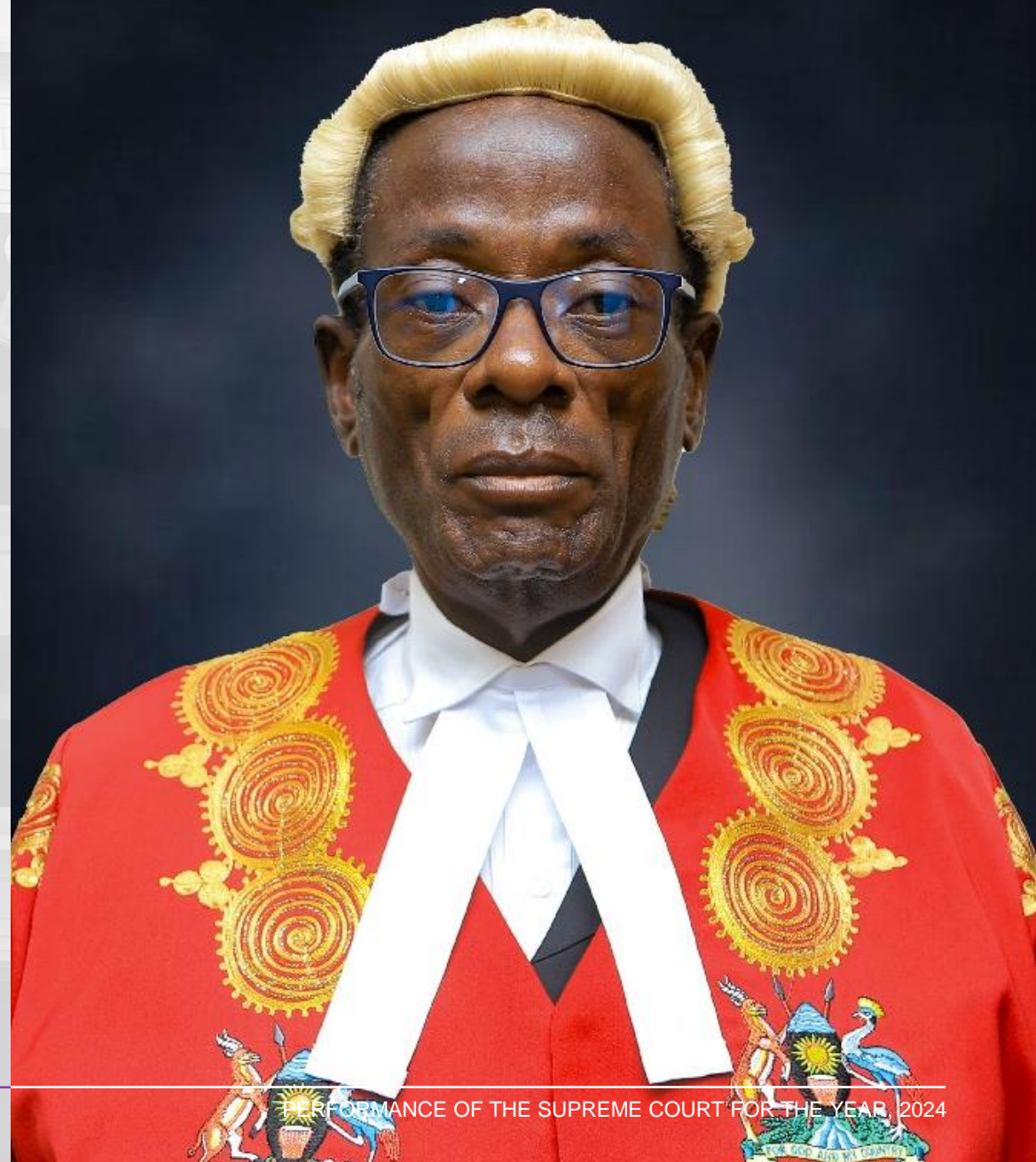




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JUSTICE OF THE SUPREME COURT

Hon. Justice Stephen Musota





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JUSTICE OF THE SUPREME COURT

Hon. Justice Christopher Izama
Madrama





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JUSTICE OF THE SUPREME COURT

Hon. Lady Justice Catherine
Bamugemereire





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JUSTICE OF THE SUPREME COURT

Hon. Lady Justice Monica
Kalyegira Mugenyi





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RETIREMENT

Lady Justice Faith Mwendha, JSC retired from Judiciary Service on 16/6/2024 after serving diligently for 40 years.

We continue to celebrate her contribution to the Justice service sector right from her appointment as a Grade 1 Magistrate.

We await the appointment of another Justice to the Court.





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OTHER STAFF

The Supreme Court has a Registrar, His Worship Ayebare Tumwebaze Thadius;

01 Deputy Registrar, Her Worship Babirye Mary; and

12 Magistrates Grade 1 who serve as Research Officers.

The Court is also served by non-judicial staff, totaling 65.



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ACTIVITIES OF THE COURT

The Court handles its activities following an Annual Work Plan developed and agreed to by the Justices.

The work plan serves as a guide to Court activities but urgent matters may be disposed of by the Court outside its Calendar of activities.



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VACATIONS

The Court enjoys two court vacations, which run as follows:

1st August to 31st August, and
23rd December to 7th January.

During Court Vacation the Court attends to urgent matters and continues to deliver its decisions.



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ANNUAL SESSIONS CALENDAR

- The Court follows an Annual Sessions Calendar which takes care of Court Sessions, Annual leave dates for the Justices, public holidays and court vacations.
- The Calendar helps the Justices, Registrars, Advocates and Court users to plan their time and avoid disruption of planned sittings.
- It also provides time for judgment writing.



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WEEKLY MEETINGS

- The Justices meet on Tuesdays to review performance, give status updates on their workload and attend to other matters affecting the administration of the Court.
- It is at this Forum that a number of administrative decisions are made for the smooth running of the Court.
- Following these meetings, a number of interventions have been sanctioned to improve efficiency and enhance the quality of output.



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COURT ADMINISTRATOR

- The Court has an Administrator Judge who handles administrative issues on behalf of the Chief Justice – note that this position is not provided for in the law.
- A call for institutionalisation of this office – perhaps in the Judicial Service Code or Court Rules.
- In order to support the Court Administrator, a number of Justices have volunteered to oversee particular key activities in the Court.



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TEAM WORK

Justice Christopher Madrama and Justice Catherine Bamugemereire are overseeing innovations in case management and backlog reduction strategies at the Court.



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BEFORE THE NATIONAL COURT CASE CENSUS

- The two Justices came up with strategies for quick ascertainment of the status of cases filed in the Registry.
- Working together with Research Officers, one of the results of their efforts was identification/discovery of criminal appeal files that had only Notices of Appeal and where the status of the Appellants was unknown.
- Lists were compiled and sent to the Uganda Prisons and the exercise revealed Criminal Appeals which were redundant for various reasons as mentioned below:



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RESULTS

- Some Appellants had died – By Law the appeals abated)
- Some Appellants had completed sentence;
- Some had no interest in pursuing the appeal – given Lawyers on State Brief to guide them on how to withdraw the appeals
- On that basis a Weed Out Session was carried out.
- The exercise is still ongoing.



MENTORING



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- Working with Research Officers can be considered a form of mentoring – the RO are gaining knowledge on how to manage a Court Registry.



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TEAM SPIRIT CONTINUED

- Justice Christopher Madrama monitors and regularly makes reports on the status of pending judgments. This serves as a means of collegial accountability- critical in a court where Judges handle matters as panels.
- Justice Monica Mugenyi is overseeing the ICT docket to ensure efficient use of ECCMIS and other ICT resources by the Court.



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NEW STRATEGIES

- The Justices have sanctioned the use of video conferencing facilities to avoid adjournments in instances where a Justice is out of jurisdiction, or where for some reason the prisoner, a litigant or Counsel cannot physically come to the Court.
- The Justices have initiated a Protocol on Judgment Writing which has been adopted as a working document.
- The Justices have discussed possible amendments to the *Judicature (Supreme Court Rules) Directions S.I. 13-11* to improve efficiency.



COURT PERFORMANCE FOR THE YEAR 2024

Case Category	Brought Forward	Registered	Completed	Pending	Backlog
Civil Appeals	124	25	32	117	60
Civil Applications	180	65	34	211	87
Criminal Appeals	574	166	53	687	388
Criminal Applications	29	12	5	36	22
Constitutional Appeals	8	13	1	20	1
Const. Applications	6	7	2	11	0
Taxations	19	25	4	40	5
Total	940	313	131	1,122	563



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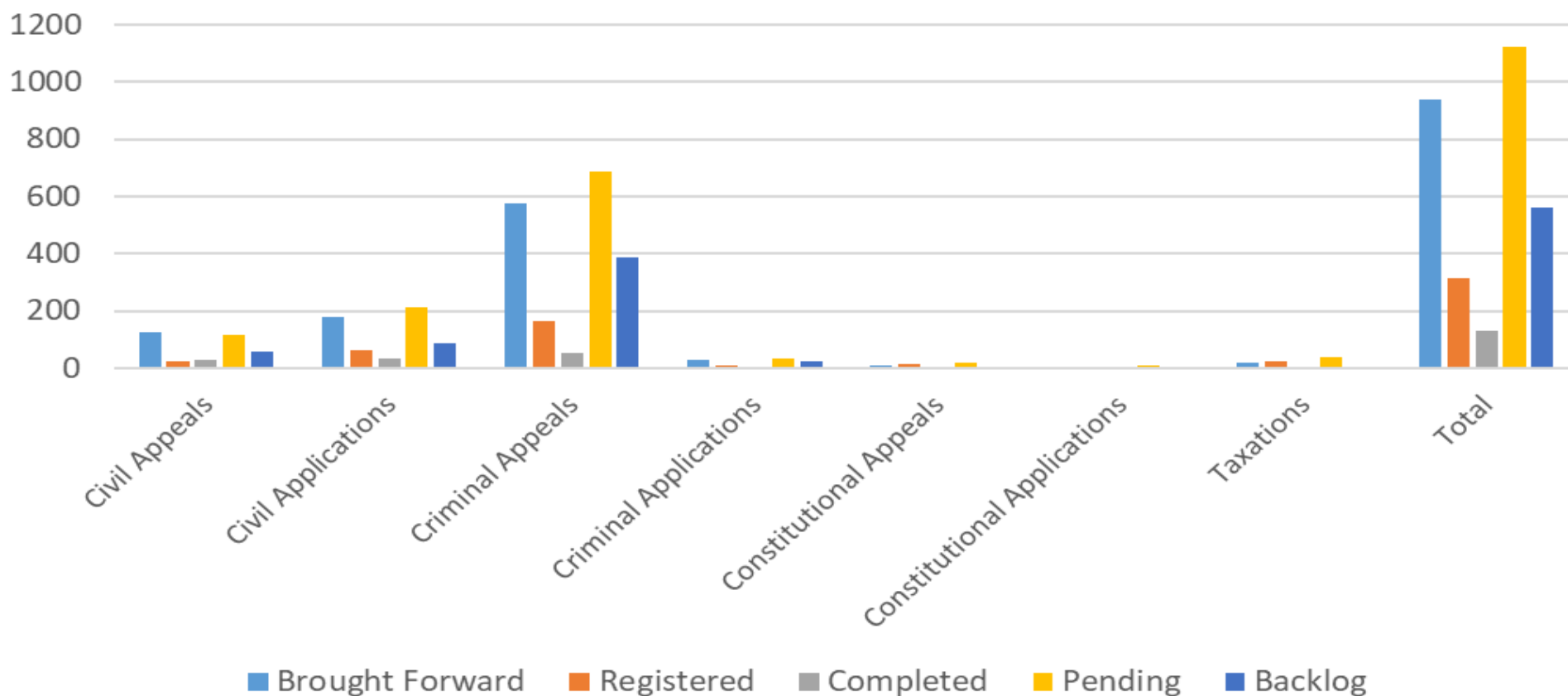
PERFORMANCE OF COURT - CONTINUED

- During the year 2024, the Supreme Court brought forward 940 matters, registered 313 new cases, completed 131 cases and remained with 1,122 pending cases as of 31st January 2025.



GRAPH SHOWING COURT PERFORMANCE

2024 Performance





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COURT PERFORMANCE ANALYSED

- From the graph above, Criminal Appeals had the highest number of newly registered cases which stood at **150 cases**, followed by Civil Applications at 60 cases and then **24** Civil Appeals. Constitutional Appeals were only 11 with 05 Applications.



COMPARISON OF PERFORMANCE FOR THE YEARS 2021 - 2024

Year	Brought Forward	Registered	Completed	Pending	Backlog
2024	915	313	131	1,122	563
2023	760	275	120	915	543
2022	701	100	41	760	425
2021	580	225	104	701	303



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PERFORMANCE TRENDS SINCE 2021

- From the table above court performance was at its lowest in 2022.
- There was improved performance in the year 2023.
- The trend steadily went up in 2024 with better results.
- We hope to do even better this year.



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CASE MANAGEMENT CONTINUED

- **Court Registries:** The Court has a Civil, a Constitutional and a Criminal Registry.
- **Court Sessions:** Cases are handled in sessions following the *first-in first-out principle*, giving priority to those that are trial ready. However, urgent matters can be accommodated outside the planned sessions.



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CASE MANAGEMENT CONTINUED

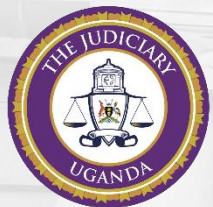
- **Prehearing Conferences:** Pre-hearing conferences are conducted before a single Justice of the Court. The purpose is to identify files which are trial ready and to give directions to the lawyers, in respect of hearing dates, filing of written arguments, allocation of Counsel on State brief, etc.
- **Written Submissions:** Advocates file written arguments in accordance with Rules 64 and 94 of the *Judicature (Supreme Court Rules) Directions, S.I. 13-11*.
- **Use of ECCMIS:** ECCMIS has made it easy for the Justices to access the relevant Court files and records in real time, which has eased Court work.



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USE OF VIDEO CONFERENCING AND OTHER VIRTUAL SYSTEMS

- Litigants who are outside jurisdiction, far away from the Court and Appellants who are in prison, can use video conferencing facilities and virtual links to have their matters heard.
- This has promoted convenience and cut down on the cost of case processing for all the stakeholders.



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JUSTICES APPEARING ...

- We are pleased that Court sessions have proceeded with some of the Justices on the panel appearing virtually via *Zoom*.
- This is not to say that we have not faced challenges.
- We are considering the possibility of trying other communication platforms /other cloud-based video conferencing platforms such as *Microsoft Teams* or *Google Meet*. We will certainly seek professional/technical advice regarding the alternatives.



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TRAINING ON ECCMIS

- In order to improve on case management, the Justices, Registrars, Research Magistrates, Clerks and other stakeholders should continuously be trained on the use of Electronic Court Case Management Information System (ECCMIS) to empower them to handle matters more efficiently.



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MAJOR ACHIEVEMENTS REGISTERED

- **Improved Working environment:** We acknowledge the improved working environment following the occupation of our new home, which has eased work and accessibility of the Court.
- We however have found some design “defects” in one or two of the Court Rooms –the columns in the middle of the court room obstruct members of the panel from having sight of Counsel and litigants depending on where one is seated.



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OBSTRUCTION OF JUSTICES

- The type of computers availed to the Justices in the Court Room obstruct the Justices' view of Counsel and the Litigants.
- +++
- We will discuss alternative equipment with the IT section.



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NATIONAL COURT OPEN DAY

- The Supreme Court participated in the National Court Open day held at Kololo Ceremonial Grounds on 15th April 2024.
- This gave the Court an opportunity to interact with Court users and members of the public who expressed their views and helped us to improve our services.



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RETREAT FOR APPELLATE COURTS

- The SC and COA had a residential retreat from 13th to 17th January 2025. This was a follow-up from the previous Retreat of 8th to 12th March 2023.
- The Retreat gave an opportunity to the Justices to closely interact with colleagues in the COA and to share experiences and good practices in case management and performance enhancement within the context of panel courts.



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CHALLENGES

- **Limited Judicial Officers:** Following the retirement of Hon. Justice Faith Mwendha, JSC, the Court has 10 Justices including the Chief Justice.
- The Coram of Supreme Court is 5 in Civil and Criminal Appeals and 7 in Constitutional Appeals. Considering that some of their Lordships participated in several matters at the Court of Appeal and in some cases at the High Court, we can only have one Coram at a time and it often is difficult to raise Coram, especially for Constitutional Appeals.



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USE OF ARTICLE 142(2)(C)

- To avoid the resulting inordinate delays, we recommend periodic appointment of Acting Justices in accordance with Article 142(2)(c) of the Constitution.
- The appointments could be pegged to hearing particular cases and not to a definite or indefinite period.
- As a Court we would ahead of time prepare the files of the numerous cases which have stalled for lack of Coram.



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ABUSE OF COURT PROCESS

- There is a growing habit of litigants filing “further appeals” disguised as applications for Review.
- Litigants hide under the *slip rule* embodied in Rule 35 of the Rules of the Court to bring these applications. Also under Rules 2(2) – inherent powers of the Court.
- We also have a number of criminal appeals challenging severity of sentence - barred by section 5(2)(3) of the Judicature Act.
- The increase in such matters at the Court has superficially increased the Court’s caseload and require additional time to attend to them.
- We are in the process of identifying all such cases for immediate disposal- the Court will speak loud and clear.



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STANDBY VEHICLE FOR PROCESS SERVICE

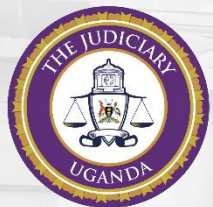
- There is need for a motor vehicle for process service to avoid carrying bulky and sensitive Court documents using public transport facilities.



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WAY FORWARD

- We plan to conduct more sessions this year in order to fight case backlog. We shall also conduct weed-out sessions for cases that are no longer viable.
- We have designed an annual work plan for better case management.
- The Supreme Court is planning to start Appellate Mediation in order to enhance dispute resolution.



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REVIEWING OF THE SUPREME COURT RULES

- To provide for emerging issues in case management.
- We plan to review the *Judicature (Supreme Court Rules) Directions SI 13-11* to provide for appellate mediation and the use of the new technology in case management.
- We have taken note of the plight of inmates on *death row*. Pursuant to the supervisory powers conferred upon the Supreme Court under Article 22(1) of the Constitution, we intend to consider the cases on death row, irrespective of whether the convict has appealed or not.



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APPRECIATION

- I wish to applaud the Hon. the Chief Justice for providing strategic leadership to the Court.
- I thank my colleagues - the Justices - for their extreme cooperation and commitment towards achieving our goals. My work as an Administrator has been made that much easier.
- The Registrars – for slowly becoming the gate keepers at the Registry.
- The Research Officers – for their passion towards learning.
- And all the Staff attached to the Court.



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Special Thank You: ending the song?

- **Notices of Criminal Appeals without records from the COA**
- In a special way, I wish to acknowledge His Lordship Justice Frederick Egonda-Ntende for assisting us in tracing and submitting a total of 117 casefiles from the Court of Appeal to the SC - which we needed in order to handle Criminal Appeals by the indigent.
- A promise made at the Judges Conference last year followed through ...
- Some of the matters have already been dealt with and completed as a result.



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Thank
you!!!

