



THE REPUBLIC OF UGANDA

COURTS OF JUDICATURE

SECOND REPORT

OF THE

JUDICIAL MONITORING COMMITTEE

NOVEMBER 2004

## SECOND REPORT OF THE JUDICIAL MONITORING COMMITTEE

**This is the second report** of the Judicial Monitoring Committee (**JMC**). It is a follow up o the First one which came out in October 2004. It now includes the Resolutions and Recommendations of the 6<sup>th</sup> Annual Judges Conference of 2003 which by then had not been considered.

### 1. Introduction:

The Judicial Monitoring Committee (**JMC**) was established by the Hon. the Chief Justice (CJ) on 31st December 2003 through the **Administrative Circular NO: 2 of 2003 (The Circular)**. It began its work after it had received from the Chief Registrar (CR) copies of past resolutions and recommendations. These documents were circulated to all members (**see: paragraph 3 below**).

A preliminary discussion was held then between the Chairperson and the Secretary to chart the ‘modus operandi’ of the committee. Arising from the discussion, it was agreed that due to similarities and repetitiveness of some of the resolutions and recommendations, the cut of point for action of the committee would be considerations of those for 2002, 2003 and 2004. Upon this direction, the first meeting of the committee was set.

### 2. Terms of Reference:

**The circular** provided the following as functions of the JMC;

- a. To monitor the implementation of the recommendations made at the Annual Judges Conference of similar conferences.
- b. To advise the administration and all those involved in the implementation of the recommendations, on the methodology and resources needed to implement the recommendations.
- c. To report to the Annual Judges Conference steps that have been taken to implement the recommendations.

### 3. Membership:

The membership of the committee is composed as directed in the Administrative Circular No. 2 as follows:

- (i) Hon. Justice Karokora – Chairperson/Representative of the Supreme Court,
- (ii) Hon. Justice Engwau – member/Representative of the Court of Appeal,

- (iii) Hon. Justice Bamwine – member/ Representative of the High Court,
- (iv) Hon. Geoffrey. Kiryabwire - member/Representative of the High Court,
- (v) Mr. Godfrey Namundi - member /Representative of the Chief Registrar,
- (vi) Mr. James Eceret - member /Representative of the Secretary to the Judiciary,
- (vii) Mr. Henry Adonyo – Registrar Research and Training /Secretary.

#### 4. Operations :

The committee has held four meetings since its inception and has considered several recommendations and resolutions.

These are presented as follows;

#### 4.1: Recommendation/Resolutions of the 5<sup>th</sup> Annual Judges Conference held at Imperial Botanical Beach Hotel, Entebbe 17<sup>th</sup> to 19th December, 2001.

S/No.	Recommendation/Resolutions	Action
<b>Judicial Ethics and Integrity</b>		
1.	The Uganda Judicial Code of Conduct be revisited with the view of making it up-to date and have it codified into a statute. All stakeholders such as Magistrates and Registrars were to be consulted.	This activity is completed. All stakeholders were involved in updating the Code.
2.	Judicial Ethics and Integrity be taught as a compulsory course at the Faculty of Law, Makerere University and other law teaching institutions in Uganda.	This activity is yet to be implemented. The Judicial Training Committee is to follow up the matter and report to the Committee.
3.	A peers ethics committee be formed at every court level to advise on matters of Judicial Conduct	The activity has since been carried out.
4.	A public complaints office (r) be established at every	The Inspector of Courts is

	court level.	tasked to put in place an internal mechanism of dealing with complaints
<b>5(a).</b>	All Judges to adhere to the time limit of 60 days set out in the Judicial code of conduct within which to deliver judgments.	This is ongoing. To invite all Registrars to forward monthly returns of pending judgements for monitoring purposes.
<b>5(b)</b>	Judicial officers to minimize postponement of rulings on preliminary objectives.	The resolution is to be circulated to all judicial officers to ensure compliance.
<b>5(c)</b>	Each judge must have a work plan or work schedule in performance of duties.	All judges to be informed accordingly. The Registrar, Research and Training to provide sample Work Plans to all concerned.
<b>6</b>	Any legislation identified that hinders expeditious disposal of case backlog should be reformed immediately.	Laws for reform have been identified and forwarded to the Ministry of Justice for action.
<b>7</b>	A law should be put in place to designate some senior most magistrates with extended jurisdiction to hear and determine specified offences and some appeals from junior magistrates, which are otherwise handled by High Court.	The Chief Registrar to provide update.
<b>8.</b>	A law be made to provide for the appointment of Commissioners of Assize to deal with case backlog at identified High Court Centres like the case in Tanzania	The Chief Registrar to provide update to the Committee so that it can make recommendations to

		the Hon. The Chief Justice.
9.	The number of Supreme Court Justices be increased to at least (9) Supreme Court, Court of Appeal (13) thirteen and High Court Judges to (50) fifty. The number of Registrars and Magistrates also be increased to correspond to the proposed increased jurisdiction.	Government had taken action on this matter.
10.	Section 163A of Magistrates Courts Act be amended immediately so that summary of evidence in committal proceedings gives a comprehensive position of the case to the court.	The Chief Registrar to provide update. The Uganda Law Reform Commission to take up the amendment of Section 163A of the Magistrates Act.
11.	The Rules Committee to spearhead the process of simplifying legal technical terminology in court procedures.	The Uganda Law Reform Commission to be asked to give an update.
12.	Rules Committee should formulate rules governing ADR (scheduling Conferences)	This is now in place.
13.	Rules committee to determine the format of the summary of evidence for attaching on pleadings as per SI 1998 No. 26.	The Rules committee to give an update.
<b>Administrative Reforms</b>		
14.	All courts should be provided with functional modern court equipments	The PIMO to update the committee on progress in

		this area.
<b>15.</b>	All Resident Judges' stations should be equipped with faxes to ease communication problems.	The Secretary to Judiciary to provide an update.
<b>16.</b>	Certified copies of judgments of the courts of record be availed to all court libraries and individual judicial officers.	Registrars of the Supreme Court and the Court of Appeal to implement.
<b>17.</b>	A quarterly Forum for all High Court judges to be instituted to discuss High Court business.	The Hon. Principal Judge is to be requested to institute this forum.
<b>18.</b>	A Common Room be created at the Headquarters for Resident Judges.	A common room is in place.
<b>19.</b>	The operation funds of all courts should be increased	The Secretary to the Judiciary to implement.
<b>20.</b>	All courts of record to have Research Assistants and all judges to have trained Personal Secretaries	The CJ, SJ and CR to lobby for the implementation of the resolution.
<b>21.</b>	All courts be housed in Judiciary's own estate	The Planning and Development Committee to update on both progress and time frame.

22(a)	The Principal Information Management Officer and Data centre should start to collect analyze and disseminate information (data) to all users.	The PIMO to give an explanation on this matter.
22(b)	Registrars must regularly send accurate returns to Judges and Headquarters.	The PIMO is to give an update .
23.	A Family Division of the High Court to be created with its own Head, Judges, Registrars and staff, latest March, 2004.	A Family Division exist and Hon. Justice Bamwine to give an update.
24.	All courts libraries to be equipped with relevant books and sufficient trained staff.	The exercise is ongoing now at the level of Chief Magistrates' court.
25.	There should be regular Law Reporting of all decisions of courts.	The Chief Registrar to ensure regular Law reporting.
26.	Before any decision to dissolve Court of Appeal is made, wide consultations be made with the stakeholders.	Court of Appeal to continue operating.
27.	Chain Link practices be adopted countrywide.	This has been implemented.
<b>Personnel and Staffing</b>		
28.	Terms and conditions of all judicial officers and support staff to be improved	Terms and Conditions of Service committee to update on any progress.

29.	All Judiciary's support staff should be recruited on permanent terms by Judicial Service Commission and not Ministry of Public Service Commission.	The CR to give an update.
30.	In order to minimize waste of time Magistrates are to stop moving on circuits but only operate at fixed duty stations	The CR to give an update.
<b>Training Related Activities</b>		
31.	Training of Judges and Advocates in ADR should be conducted regularly. Joint training preferable.	The Judicial Training Committee to update.
32.	Planning and Development committee to be responsible for ensuring implementation and resolutions made at Annual Judges Conferences and make reports to the subsequent conferences.	The Judicial Monitoring Committee now in place for this.

#### 4.2 Recommendation/Resolutions of the Appellate Supreme Court Justices Retreat of 8 – 10<sup>th</sup> August 2002

S/No.	Recommendation/Resolutions	Action
1.	There is a real need for at least three Research Assistants each for the Court of Appeal and for the Supreme Court. Therefore appointment of the Assistants be effected immediately.	The Judicial Service Commission and Judiciary Administration to act and get three G.1s for each of the Appellate Courts.

2.	The Law Reports are very important tool for judicial officers. The law reporting in Uganda must be revived immediately.	The CR and the Libraries committee to update on action taken.
3.	The vacant post of Assistant Registrar to the Supreme Court be filled to assist the Registrar in the management of business of the court.	CR to give an update.
4.	It was resolved that writing of judgements of the two courts should be precise and concise.	The CJ to ask judges of highest Court to be asked to lead in this aspect
5.	Clear and concise language should be used in writing judgements	The CJ to ask judges of highest Court to be asked to lead in this aspect
6. A.	A standard form judgement in appeal should include the following: i) Summary of the case; ii) Relevant background facts; iii) Grounds of appeal (grounds of objection); iv) Relevant arguments of counsel for both sides; v) Reference to relevant law and authorities; and vi) Issues calling for decision and reasons for the decision of the Court on those issues	This is a legal requirement. The Hon. The Chief Justice to issue a direction to be followed by all judicial officers
B.	The Constitutional Court writes judgements in Petitions as a Trial Court. On Appeal, the Supreme Court writes judgements as in 6.(A).	This is a legal requirement. The Hon. The Chief Justice to issue a direction to be followed by all

		judicial officers
7.	In determination of Civil and criminal cases, both the Supreme court and the Court of Appeal to administer substantive justice taking into account the current values, norms and aspirations of the people of Uganda.	This is a legal requirement. The Hon. The Chief Justice to issue a direction to be followed by all judicial officers
8.	The Justices of the Supreme Court and the Court of Appeal are encouraged to adopt a uniform approach to decision making in all types of cases but with flexible rules to allow departure.	The CJ to ask judges of highest Court to follow this approach.
9.	The current rules in respect of dissenting judgements be maintained. However, Justices in both Courts are encouraged to attempt reaching consensus whenever possible.	This is now a practice in the two appellate courts.
10.	Lengthy concurring judgments, which do not introduce new points of jurisprudential value, should be discouraged.	The Hon. The Chief to issue a practice direction.
11.	The Chief Justice was requested to issue a practice direction to the effect that written submissions by counsel be precise and relevant. Long-winded and circumlocutory written submissions by Advocates delay judgement writing.	The Hon. The Chief to issue a practice direction.
12.	In their responses to questionnaire of the Chairman – Judicial Training Committee, some lawyers were critical of the manner and style of judicial intervention during oral	The Hon. The Chief to issue guidance to All judicial officers to

	submissions by counsel. It was resolved that there was need for relevant Judicial interventions to lawyers' submissions. Such interventions ought to be courteous.	be courteous to all court users and court officers.
13.	Collegiality should be the basis of work in both Courts	Judicial Integrity Committee to spearhead this acceptable behaviour throughout the Judiciary.
14.	To enhance collegiality among judicial officers, gender and social issues as well as cultural changes be taken into account in the performance of judicial work.	Judicial Officers are to pursue the creation of a judicial social club to enhance this positive behaviour.
15.	Case Management methods be introduced in both the Supreme Court and the Court of Appeal. Also resolution of some civil appeals by ADR such as mediation may be attempted in the two Courts.	The Judicial Training Committee to organise training programmes in this respect.
16.	The appointing authorities to increase Justices of the Supreme Court by two and of the Court of Appeal by four	The appropriate authorities have taken up the matter.
17.	Justices of both courts be consulted by management whenever provisions of facilities of courts are to be effected.	Implemented.
18.	Suspicious based on sectarianism, cliques, tribal, regional or religious grounds and marginalisation in any manner must be discouraged among Judicial Officers.	This negative behaviour is to be encouraged.

19.	The Registrars of the two Courts are directed to distribute the certified judgements of the two courts soon after delivery of judgements.	Registrars take action in this direction.
20.	User Committee bodies be established in both the Supreme Court and Court of Appeal	The Hon. The Chief Justice to issue a direction all courts to establish "Court Users committees."
21.	Registrars in both Courts ought to assist the Justices by preparing digests and summaries of judgements, and drawing attention of relevant judgements and laws to justices	Research Assistants to be recruited to carry out this activity.
22.	The Law relating to Defilement and Rape cases should be amended so as to curb backlog.  a) Defilement and rape be tried by Chief Magistrates and appeals there from should stop in Court of Appeal.	A Draft Bill is in Parliament.
23.	Production of the records of the High Court has been generally poor and quite often such records are illegible. All Registrars must ensure that typed records are clear and legible, and all relevant proceedings and relevant documentary exhibits must be properly filed on appeal records.	The Registrars take both proceeding files to Judges for proof reading before sending files to appellate courts.
24.	The Constitutional decision outlawing the corporal punishment for convicts should be disseminated to the general public	CR and the Registrar Public Affairs to be directed to disseminate it throughout the

		country.
25.	The retreat was very useful. It was therefore agreed that there should be a retreat of Justices of Appellate Courts, at least once a year.	The CR is to lobby for funds for future retreats.

### 4.3 Recommendations and Resolutions of the 6<sup>th</sup> Annual Judges Conference 27<sup>th</sup> to 30<sup>th</sup> January 2003

S/No.	Recommendations/Resolutions	Action
	<p><b>1.1 <i>Revision of The Draft Judicial Code of Conduct</i></b></p> <p>The Draft Code of Conduct was revised and named, “The Uganda Judicial Code of Conduct.”</p> <p>Categorization of officers was to be ignored in the code to collectively refer to them as judicial officers.</p> <p>A peer committee was to be established for disciplinary measures.</p> <p>The Code of Conduct was to be formally launched and Publicised.</p> <p>The Code would be widely distributed to allow its access to all judicial officers. It was to be operationalized but pending the consideration and approval of Magistrates’ Association.</p> <p><b>1.2 <i>Draft Judicial Report to The Constitution Review</i></b></p>	<p>Done</p> <p>Okay, done</p> <p>Done</p> <p>Done</p> <p>Done</p>

	<p><b>Commission</b></p> <p>1.2.1 The Court of Appeal to be retained as provided by the constitution.</p> <p>1.2.2 The Judicial Service Commission to be retained.</p> <p>1.2.3 The Administrative and Support staff to be de-linked from Public Service as a matter of JSC urgency to avoid divided loyalty.</p> <p>1.2.4 Retirement age of all judges should be uniform at 70 years.</p> <p>1.2.5 Article 137(5) should be amended to remove a requirement for the Supreme Court to refer questions of Constitutional interpretation to the Constitutional Court.</p> <p>1.2.6 More subordinate courts should be created to reduce case backlog.</p> <p>1.2.7 Articles 130 (b) and 134 (1) (b), of the Constitution be amended to allow parliament increase the number of judges if this is resolved by the Judicial Service Commission.</p> <p>1.2.8 The Constitution should be amended to provide that once a person is proved to have committed an electoral offence, then he/she should be barred from standing in subsequent elections for a specified period of time.</p>	<p>In the 'White Paper' awaiting government process. Done</p> <p>In the 'White Paper' awaiting government process.</p> <p>-do-</p> <p>-do-</p> <p>-do-</p> <p>No action yet. The Hon. CJ to make a follow up</p> <p>In the 'White Paper' awaiting government process.</p> <p>No action yet. The Hon. CJ to make a follow up.</p>
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	<p><b>2.3.0 Time Management &amp; Stress</b></p> <p>2.3.1 Recreational facilities like GYM should be provided for exercises for judges to reduce stress and keep them healthy.</p> <p>2.3.2 All judicial officers should undergo periodic medical check-up at the expense of government.</p> <p>2.3.3 Judicial officers should schedule their work properly to avoid congestions, which may lead to stress</p> <p>2.3.4 Allocation of work should be rationalised to reduce stress</p> <p>2.3.5 Judges should promote collegiality among themselves to foster their welfare.</p> <p>2.3.6 Working environment for judges should be improved to reduce their stress. Standards of cleanliness to be upgraded.</p>	<p>SJ to provide one.</p> <p>SJ to establish/identify a place for medical check-up.</p> <p>CR to engage an expert to assist in identifying sabbaticals needs.</p> <p>CR to engage an expert to assist in identifying sabbaticals needs.</p> <p>It is ongoing – to be encouraged – brotherhood.</p> <p>SJ to provide this especially in Judiciary own buildings.</p>
	<p><b>2.4.0 Scheduling Conference &amp; Judicial Work Schedules</b></p> <p>2.4.1 Scheduling conference is compulsory under XB rule 1. Scheduling conferences must be held by all trial courts in respect all suits before S1 26 of 1998 was enacted.</p>	<p>CR to update on application in all courts.</p>

	<p>2.4.2 Judges should take charge of scheduling their work in an orderly manner</p> <p>2.4.3 Draft guidelines from the Chief Justice dated 23<sup>rd</sup> January must be followed in conducting scheduling conferences.</p> <p>2.4.4 Trial judges should enforce time standards in S1 26 of 1998.</p> <p>2.4.5 Scheduling conference to be held on different dates from those for trials to avoid congestion.</p> <p>2.4.6 Continuous training for all players in ADR must be encouraged.</p> <p>2.4.7 The Chief Justice should urgently put in place guidelines for better carrying out of ADR</p> <p>2.4.8 All Resident Judges to be availed with computers to expedite case management.</p>	<p>This is now in place</p> <p>-do-</p> <p>-do-</p> <p>-do-</p> <p>Judicial Training Committee to undertake.</p> <p>Done</p> <p>SJ to report on the status.</p>
	<p><b>2.0 Performance of Courts</b></p> <p>2.1 Division Heads should hold regular meetings to map out strategies for disposing off work.</p> <p>2.2 It is the duty of courts to serve all processes in criminal appeals and avail all proceedings to the convicted appellants</p> <p>2.3 Judges notes should be legible and proof read by registrars for record keeping purposes</p>	<p>Hon. PJ to establish the mechanism for doing so.</p> <p>CR to inform all courts accordingly.</p> <p>The Hon CJ to issue guidelines to encourage</p>

	<p>2.4 The number of judges and justice should be increased.</p> <p>2.5 The Courts of Judicature should be housed in their own premises to guarantee their independency and integrity.</p> <p>2.6 Law reporting should be revitalized and streamlined.</p>	<p>Judges/Mag. To proofread their own writing.</p> <p>Government has done so.</p> <p>The Hon CJ to spearhead the implementation.</p> <p>The Hon CJ to spearhead the implementation .</p>
	<p><b>3.0 Administration of Judiciary</b></p> <p>3.1 The Judges are not liable to pay taxes on their emoluments according to the Constitution of Uganda.</p> <p>3.2 The Chief Justice should put in place a mechanism of monitoring the implementation of the Resolutions and Recommendations.</p>	<p>This is the current position.</p> <p>The Judicial Monitoring Committee is now in place to carry out this activity.</p>

#### 4.4 Recommendations and Resolutions of the 7<sup>th</sup> Annual Judges Conference 4<sup>th</sup> to 8<sup>th</sup> January 2004

S/No.	Resolution/Recommendation	Action
<b>Best Practices</b>		

1.	Avoid unnecessary adjournments. The advocate should provide evidence or be penalised in costs. The court should have convincing reasons even when the two parties have agreed within themselves.	The Hon. Chief Justice to issue a practice direction.
2.	Comply with the Code of Judicial Conduct which provides for 60 days within which judgements should be delivered.	The Hon. Chief Justice to issue an administrative direction to all Judges, Registrars and magistrates to follow the Code of Judicial Conduct.
3.	Handling of cases on the first come basis is a good way of dealing with cases promptly but exceptions should be made where a party is ready to proceed with his/ her case.	The Hon. Chief Justice to issue a practice direction to all Judges, Registrars and magistrates to follow.
4.	Avoid inconsistent decisions in all criminal cases	The Hon. Chief Justice to issue a practice direction to all Judges, Registrars and magistrates to follow.
5.	The law regulating bail should be applied consistently	The Hon. Chief Justice to issue a practice direction to all Judges, Registrars and magistrates to follow.

6.	Avail court users guides to the public duly translated into all major local languages	The CR, the Registrar High Court and Inspector of Courts to implement.
7.	Increase the use of IT in communication	CR to ensure that all Registrars and Magistrates implement this activity.
8.	Give on spot decisions in some cases e.g. Applications	The Hon. Chief Justice to issue a practice direction to all Judges, Registrars and magistrates to follow.
9.	A flexible approach be adopted in implementing the Mediation Pilot Project rules	The Hon. Chief Justice to issue guidelines to all Judges and Registrars to follow.
10.	The litigants / public should be sensitised about the role of court to promote reconciliation	The Registrar Public Relations to carry out the necessary sensitisation
11.	Agreed that there should be Mediation and Arbitration for all Suits and not Commercial suits only	The Hon. Chief Justice to issue a practice direction to all Judges, Registrars

		and magistrates to follow.
12.	In all civil suits, in the High Court and Commercial court, the Attorney General and Solicitor General should be seen to have consented to a consent judgement before court seals such a judgement	The Hon. Chief Justice to issue a practice direction to all Judges, Registrars and magistrates to follow.
13.	Registrars to discuss with State Attorneys the cause lists before trial to iron out the non court cases	The CR is to inform Registrars to follow.
14.	The system of paying counsel for state brief to be streamlined so that not only are they paid adequately but the payment should not differ greatly i.e. between circuit advocates and Headquarter advocates.	The Secretary to the Judiciary and the Chief Registrar to implement.
15.	The institution of Assessors should be kept intact but appointment and retention should be streamlined to eliminate the concept of Professional assessors	The Hon. Chief Justice to issue a practice direction
16.	Prioritise disputes by establishing small claim civil sessions where no elaborate procedures are required.	The Hon. Chief Justice to issue a practice direction.
17.	Notice of application for letters of administration or probate may be placed at LC offices, court premises, gazette and newspapers	The Hon. Chief Justice to issue guidelines.
18.	Grantees of letters of administration or probate should be sensitised on the legal consequences of grants i.e. accountability, distribution of property etc.	Registrars and Magistrates are to be issued with

		instructions by the Chief Registrar to act.
19.	Rules of procedure should issue providing for mode of applying for appointment of an administrator pending litigation in contentious issues	Registrars and Magistrates are to be issued with instructions by the Chief Registrar to act.
20.	Practice of holding civil sessions to be encouraged at the circuits	The Hon. Chief Justice to issue a practice direction to all Judges and Registrars at the circuits to carry out.
<b>Recommendations on Information Technology (IT)</b>		
1.	Expand the Data Centre structure to correspond with the demand for its services.	The Secretary to Judiciary and the PIMO to implement.
2.	The programme for computerisation of Judiciary should be expedited.	The Secretary to Judiciary and the PIMO to implement
3.	Sensitise staff on the benefits of IT specifically to them as individuals as well as the Judiciary.	The PIMO to implement.
4.	Adequate funds be set aside for IT Source for funds to procure IT equipment procurement	The Secretary to Judiciary and the PIMO to implement.

5.	Intensify training of judges in IT	The Secretary to Judiciary and the PIMO to implement.
6.	Recommend increase in the staffing of IT department. Further recommend that trained staff be retained.	The Secretary to Judiciary and the PIMO to implement.
7.	Where court recording has been installed it should be utilised.	The Hon. Chief to issue instructions to Judges, Registrars and magistrates to take keen interest.
7.	There should be increased use of CASS by Judges	The Hon. Chief Justice to issue instructions to Judges and Registrars to take keen interest.
8.	The Judicial Committee on IT should be represented on the Planning and Development Committee.	The Secretary to Judiciary and the PIMO to implement
<b>General Recommendations:</b>		
1.	Steps should be taken to establish a Law Report System.	The Hon. Chief Justice is to issue instructions to commence this action.
2.	There should be adequate funding of the operations of the	The Secretary to

	Courts of Record.	Judiciary and the Chief Registrar to implement.
3.	The Judicial Training Committee, in conjunction with the CID Headquarters and DPP should organise joint training sessions to improve the standards of investigation and prosecution of criminal cases.	The Chief Registrar to implement.
4.	The Judiciary should secure space in widely read newspapers for publishing key decisions.	The Chief Registrar to implement.
5.	There should be a Public Relations Officer for the Judiciary to disseminate decisions of the courts of record.	The Chief Registrar and the Secretary to Judiciary to implement.
6.	On the job training of all staff should be emphasized and tailored to the needs of the specific courts.	The Judicial Training Committee to implement.
7.	Library facilities at the circuits should be improved and proper librarians recruited and trained.	The Secretary to Judiciary and the Chief Registrar to implement.
8.	Judgements of the Courts of Records should be circulated directly to Deputy Registrars at circuits.	The Chief Registrar to be informed to implement.
9.	The issue of funds released by JLOS to other justice	The Chief Registrar to

	<p>departments should be taken up by the Advisory Board of the Chain linked Initiative.</p> <p>The A chain of command to be followed in courts where there are both Registrars and Judges.</p>	be informed to implement.
10.	There are no generalised problems existing between Resident Judges and Registrars but where they do exist, the chain of command should be followed.	The Chief Registrar to be informed to implement.
11.	There should be increased number of judges at the circuits.	Relevant authorities have considered positively this matter.
12.	Staffing at circuits should be rationalised so that competent staff are posted and retained.	The Secretary to the Judiciary to implement.
13	Recommend that jurisdiction of Magistrates in Administration Causes be enhanced.	Relevant authorities have been informed to take action.
14.	The DPP should be made aware of the weaknesses of some of the State Attorneys and how this negatively impact on the Criminal Justice process.	The Chief Registrar to be informed to implement.
15.	Advocates should be sensitised on the need to change attitudes to state briefs	The Chief Registrar to implement.
16.	There is need to mount workshops and seminars on judgement writing not only for Criminal cases but other divisions as well.	The Judicial Training Committee to implement.

17.	An audit for application of Order XB of the Civil Procedure rules in Chief Magistrates' courts should be carried out.	The Chief Registrar to implement.
18.	There is need for consistency and predictability hence a Practice Direction on Scheduling Conferences based on the Arach Amoko model should issue.	The Hon. Chief Justice is to issue a practice direction.
19.	Resolution 23 of 2001 on establishment of a fully fledged Family Division be implemented immediately.	This resolution has been implemented.
20.	Recommend that Section 6 of the Administrator's General Act be deleted.	The Rules Committee is to examine and recommend to relevant authorities.
21.	Recommend that office of the Administrator General be decentralised.	The Chief Registrar to contact the Solicitor General to take action.
22.	Recommend for a unified legislation to regulate activities of auctioneers and bailiffs.	The Chief Registrar to be informed to implement as a draft bill drawn by a task force is in place.

#### 4.5 Conclusions

The Secretary of the committee has now embarked on writing to action persons to carry out recommended activities.

The committee also intends to carry out monitoring actions soon to ensure compliance with the resolutions and recommendations.