

NATIONAL COMMUNITY SERVICE COMMITTEE

SPEECH DELIVERED BY THE HONOURABLE, THE DEPUTY CHIEF JUSTICE OF UGANDA DELIVERED AT THE LAUNCHING OF THE COMMUNITY SERVICE ORDERS IN UGANDA

6TH NOVEMBER 2001, MUKONO DISTRICT

The Honourable Minister, Your Lordships, Your Worships, Honourable members of Mukono District Administration, ladies and gentlemen.

I have the pleasure to express my joy at this occasion when we finally implement the Community Service law, which was passed last year. Community service is part of penal reform in this country, which will ultimately contribute to the improvement of the rule of law in the country. The decision to include community service among punishments for offences in the crime was taken for various reasons.

At the top of the list was the need to decongest prisons. The state of prisons in Uganda has been a major concern both for the government and human rights bodies. Lack of space in prisons has led to prisoners to be kept under inhumane conditions like sleeping on the floor, lack of proper feeding, rapid spread of diseases, and mixing of hardcore prisoners with petty offenders. Community service was thus envisaged as a way of reducing numbers that are being sent to the prisons.

There is also the issue of looking for cost effective ways of administering justice in the country. The economic situation in the country cannot allow for the availing of enough resources to the Prison Service to meet the growing numbers of prisoners. On the other hand it also unfair to the taxpayer to feed, clothe and maintain unproductive people in the prisons. Zimbabwe has successfully introduced community service in its justice system. The cost per offender per month in that country is \$20 for community service as against \$120 for prison. It is also reported that community service in Zimbabwe has reduced the prison population from 22,000 to 18,000 between the inception time in 1992 and 1998.

On the other hand community service will not only bring relief to the prisons but to the whole of the justice, law and order sector. We, in the Judiciary have been concerned with the lack of prison space in the prisons where we send offenders and repeat offenders appearing before us, each time for different offences. These repeat offenders pick up new habits out of associating with hard-core criminals in the prisons. In the eyes of the prison warders we were inconsiderate in sending people on remand or sentencing people when we were aware that there was no space in the prison.

It also assumed that police work would be made easier. Petty offenders will be quick to acknowledge that they have committed an offence and plead guilty rather than wasting police and courts in investigations and long hearings by denying the offence for fear of being sent to prison.

Other reforms are also underway to improve the administration of justice in this country. The Justice sector has been for over two years been involved in reducing the case backlog. This is a major project intended to dispose of all those cases that have gone beyond their statutory time. I am happy to report that currently we have managed to reduce the case backlog by ...%.

The Judiciary is committed to making a major contribution to the success of this program. There are statutory responsibilities of the Chief Justice in community service such as gazetting areas to implement community service and appointing the Chairpersons of both the National and District Committees. However, we have decided to get involved beyond these statutory duties by offering direct support to the program. You will find the Community Service Secretariat adjacent to the DANIDA Judiciary Program and these two offices share facilities. The DANIDA Judiciary Program has included community service as a fourth component. We have also taken it upon ourselves to include community service training in most of the capacity building programs for the Magistrates.

I am happy to be present at this occasion because it is testimony that the National and District Committees, which, I had the honour to swear into office, this May have taken their responsibilities seriously by doing what is required of them as Committee members. Congratulation to you all who have worked to ensure that the program gets to this stage.

However, as a word of caution, this is the most important stage of the program. We get to see whether this concept of community service is viable in the country. I am sure it is but there has to be a

lot of hard work and commitment on all stakeholders to make it work. I take this opportunity to pledge the continued support of the Judiciary. I have no doubt that the other stakeholders have a similar pledge because we, in the justice sector have already seen the benefits of working together in a sector – wide plan.

I now declare the Community Service Orders launched.

Thank you.