

## **Introduction:**

The Directorate of Public Prosecutions held its annual training workshop for all State Attorneys and Senior Administration Staff on 22<sup>nd</sup> to 26<sup>th</sup> March 2011. The workshop was held at Mbale Resort Hotel and it was opened by the Director of Public Prosecutions, Mr. Richard Buteera. It was attended by..... participants.

The main objective of the workshop was to share ideas, experiences, observations and concerns in service delivery with a view of continuous improvement.

The workshop was premised on a theme; “*Towards a Better Customer Management System through Improved Systems and Processes*”. Presentation of papers was in line with this theme followed by plenary discussions. Resolutions and Recommendations were identified from the discussions, questions and answer sessions.

## **The Annual Training Workshop**

**DAY ONE:** Tuesday 22<sup>nd</sup> March 2011

Arrival and check in by participants. The workshop was residential and majority of the participants reported on this day.

**DAY TWO:** Wednesday 23<sup>rd</sup> March 2011

## **Opening Ceremony:**

*Administrative Announcements by Mr. Vincent Wagona, PSA.*

Mr. Wagona welcomed all participants to the workshop and informed them that the workshop was to run from Tuesday 22<sup>nd</sup> to Saturday 26<sup>th</sup> March 2011. He briefed participants about their welfare during the workshop. He explained that it was the Directorate’s wish to accommodate all participants in one hotel but this was not possible due to the increased number of staff in the Directorate. He assured participants that the organizers did everything

possible to ensure parity between participants who were accommodated at the workshop venue and those accommodated in the neighboring hotels. He, however, encouraged participants to notify the organizers in case of any complaints.

He informed participants about the theme and objective of the workshop before inviting the Deputy Director of Public Prosecutions to make his remarks.

Remarks by the D/DPP, Mr. Amos Ngolobe.

Mr. Ngolobe welcomed participants to the workshop and encouraged them to interact and share professional experiences with a view to improving service delivery in the Directorate.

He invited the DPP to address the participants and officially open the workshop.

Opening Remarks by the Director of Public Prosecutions

The DPP welcomed all participants to the Annual Training Workshop. He informed them that the preparatory process had been lengthy and faced with financial challenges. He noted that previously, when the Directorate had only 16 stations country wide and about 22 lawyers, workshops were held more regularly. He indicated that the Directorate has since grown to over 160 lawyers and 84 stations, thus posing challenges in having regular meeting forums for all lawyers. He was optimistic that regular annual workshops for all state attorneys will be held more regularly.

The DPP informed participants that the purpose of the workshop was to afford them opportunity to know each other as members of one family and to share their experiences and challenges. He noted that the Directorate is constituted of both lawyers and non-lawyers who perform complementary roles. He encouraged participants to interact and use the workshop as an avenue to understand what has to be done, why it has to be done, when and how it is to be done, so that effective services are delivered to the public.

He reminded participants that there are many stakeholders in the cases they handle. That such stakeholders include; criminals, victims of the crime and the public. The DPP noted that criminals have become more sophisticated and employ complex methods to perpetrate crime and to hide their tracks, which requires prosecutors to be well equipped in detecting and prosecuting them. He indicated that some of the victims are banks, companies and institutions that employ their own lawyers, auditors and other professional staff. He called upon prosecutors to always keep up to the pace so that they instill confidence in the complainants.

He reminded the participants that the public is watching and that they are interested in proper handling of criminal cases. He explained that this means that the public expects criminals to be apprehended and to pay for their crimes and also expect that innocent people will not be victimized. The DPP emphasized that the conduct and presentation of the prosecutor is of utmost importance. He advised prosecutors to always question themselves; on whether they adequately prepare for their cases, whether they prepare witnesses for court and whether they brief complainants about the progress of their cases. He called upon participants to improve on their public relations and customer management.

Likewise, the DPP urged participants to improve on how they interact with one another as members of the Directorate. He noted that while the Directorate is one family, there are instances when the conduct and correspondences of State Attorneys do not reflect this. He gave an example of files that are forwarded to Headquarters by RSA's without any opinion or comment on the case stage, even where it is clear that such a comment may guide Headquarters on the need to expedite handling of these files. For cases that are at advanced stage of hearing, the DPP advised field officers to always first discuss with the officers at the complaints' desk before forwarding the files to avoid delays, which may be interpreted in favour of the accused persons. The DPP also advised field officers to notify Headquarters about files, which have delayed at headquarters so that remedial action is taken.

On quality of the Directorate's work, the DPP informed participants that inspections is one of the avenues through which the Directorate trains its staff. He remarked that regular inspections of field offices have shown that quality is a matter of serious concern. He gave an example of cases where a file is sanctioned and when the suspects are due to appear for plea, the RSA changes his mind and instructs Police not to produce the suspects because the offence took place on a market day. He gave another example of where a file is not sanctioned because the victim of defilement is said to be aged 13 and yet the medical report shows that she is 14 years. The DPP observed that state attorneys making decisions of this nature are clearly incompetent and action will be taken against them. He informed participants that the Directorate was going to send Senior State Attorneys to field stations to study case files and see the quality of decisions that are taken and where necessary advise the field officers on the spot. He said that state attorneys who deliberately take irregular decisions shall not be tolerated. He, however, pointed out that genuine mistakes will be treated as they are.

On data, the DPP told participants that there is a need to justify the Directorate's existence by providing accurate statistics about the cases that are handled. He emphasized the importance of data that is submitted by field stations. He, however, noted that some of this data has been found to be inaccurate and unrealistic. He called upon participants to improve on data management.

He informed participants that the Directorate is recruiting more data entry clerks to bolster record management. He urged RSA's, who have problems with accurate data management to notify headquarters such that registry staff can be dispatched to their stations to ensure that statistics are properly captured.

The DPP also informed participants about the quick win sessions, which have been widely successful. He said that figures from prisons now indicate that the remand prisoners are fewer than the convicts in prison. The period spent on remand by prisoners has also reduced. He commended the J/LOS institutions for working together on the quick win programs and noted that if

this cooperation continues, cases will be disposed of faster. He noted that the quicker criminal cases are handled, the more justice is dispensed.

With those remarks, the DPP thanked all the participants for coming and declared the workshop open.

## **SESSION ONE**

**Topic:** 'Handling of High Court Criminal Session'.

**Presenter:** Hon. Justice Eldard Mwangusya.

**Chair:** Mr. Michael Wamasebu, A/DPP

**Objective of the Topic:** To highlight critical areas for improvement by the Directorate in handling of High Court Criminal Sessions.

While making his presentation, the Judge referred to his earlier paper, on the topic '*Preparation and Presentation of Criminal Cases in the High Court*', which he presented during the DPP Annual Workshop for State Attorneys at the Hotel Triangle on 26<sup>th</sup> May 2005.

He told participants that the Directorate is the best training ground for lawyers equipping them with the best skills. He noted that State Attorneys play a very crucial role in the criminal trial and that preparation and presentation of the case cannot be over emphasized. His presentation was divided into two major sub-topics, namely; Preparation for Prosecution of a Case before High Court and Procedure at the Trial and Procedure at the Trial.

### **Preparation for Prosecution of a Case before High Court**

His Lordship discussed this part of his presentation under the following sub-topics:

*(i) Perusal of the Police File*

- He urged prosecutors to always read police file cover to cover noting that there may be useful comments made in the diary of investigations or written or attached on the file as a document by the investigators. He warned that failure to study the file as a whole may lead to unnecessary directions for further investigations and uninformed decisions.
- He warned that when a case is weak on paper, it will also be weak upon presentation in Court. He urged prosecutors to ensure that the case papers are strong in terms of evidence implicating the accused.
- He cautioned participants about the contents of Police Form 16 (summary of the facts by the police). He said that these could be misleading and should therefore, not be taken on face value.

*(ii) Chain of Evidence*

- Prosecutors must ensure that they maintain the chain of evidence. Where there are any gaps, prosecutors should direct further investigations to fill these gaps. Regarding this issue, His Lordship urged prosecutors to read the case of *Alfred Tajar*.

*(iii) Summary of the facts*

- He advised that state attorneys should prepare committal papers in such way that, the presiding judge is able to establish the case against the accused person and the nature of the available evidence from the committals.

**Procedure at the Trial**

On procedure, the Judge guided the prosecutors as follows;

- He referred to Section 66 of the Trial on Indictment Act, which provides for admission of facts, which are not in contention. He emphasized that medical reports should be legible and authors

properly identifiable. Further that in cases where Doctors use medical terms that are not easily understood, it is advisable to summon them to explain their reports.

- It is very crucial that the prosecutor has the case on his fingertips so that he appropriately guides the Court and present evidence.
- Evidence of motive is very crucial although the law states that it is irrelevant. Where it exists, it should be adduced and will strengthen the prosecution case.
- Evidence of the witness who visited the scene of crime is very important and must be adduced.
- He recommended that prosecutors familiarize themselves with the decision of the Supreme Court in the case of *Festo Asenua Androa* in respect of the procedure for the recording of confessions.
- Examination in chief should be used to direct the witness but not lead him to answer.
- Prosecutors should not use cross examination to go on a futile “fishing expedition”. He warned that cross examination can be a double edged sword so the prosecutors should be careful.
- Re-examination should not be as a matter of course. It should be used to repair the prosecution case without getting the witness entangled in issuing a third version of events.
- Submissions should be used to hit the nail on the head. Prosecutors were also advised to address weaknesses of their cases during submissions.

- When a prosecutor falters, he or she should apply to court to recall a witness, for instance, where he or she forgets to tender exhibits through a particular witness.

***Issues Arising From the Presentation:***

It was noted that exhibits are always tampered with and in some cases given to complainants without any guarantee that they would return them. Prosecutors were called upon to fight the problem of tampering with and disappearing of exhibits with police.

Where police uses a translator to interpret a charge and caution statement, the person who recorded the confession and the one who interpreted it should both testify on the circumstances under which the confession was recorded and translated, for purposes of maintaining the chain.

In cases where suspects are confessing to the commission of the offences, it is advisable that such confessions be recorded by magistrates to avoid allegations of torture and coercion.

State Attorneys should pay attention to the quality of committal papers by ensuring the indictments comply with the legal provisions, the summaries are written in good English and capture all the relevant facts on which prosecution intends to rely.

**SESSION TWO**

- Topic:** 'Brief Report: Prosecutions – How we Stand'
- Presenter:** Mrs. Damalie N. Lwanga, A/DPP
- Chair:** Mr. Charles Elem Ogwal, A/DPP (Prosecutions)
- Objective of the topic:** To update participants on the present and future key activities of the prosecution department.

Mrs. Lwanga presented a report on the prosecution department, citing the mission statement as follows; “to handle, supervise and coordinate perusal of police files and prosecution of criminal cases in all Courts in Uganda”. She highlighted the units under the prosecution departments, discussed coordination with other agencies and educated attorneys on opportunities for training and conferences in the Directorate. On the latter issue of training, she informed participants that there is a training policy in place and a training committee that considers the applications for sponsorship. She referred them to the Principal Personnel Officer for further information on this matter. She reported that the recent case backlog reduction program was successful with 1,479 cases prosecuted in the High Court and 1,815 cases concluded in Magistrates court. 1,902 cases were weeded out.

She informed Prosecutors about the amendments to the Penal Code Act and Magistrates Courts Act which are crucial for their day to day work. She availed them with copies these amended laws. In addition, the A/DPP availed participants with copies of the Prohibition of Female Genital Mutilation Act, 2010 and the Prevention of Trafficking in Persons Act, 2009 which criminalize certain acts. She decried the lack of knowledge of these laws by both Prosecutors and Police. She called upon Prosecutors to read and internalize these laws for better service delivery.

### **Issues Arising From the Presentation:**

1. It was emphasized that the RSA’s have no power to amend capital cases to lesser offences e.g. murder to manslaughter. Such files should at all times be forwarded to DPP for possible withdrawal of capital offences. However, where an accused person wants to plead to a lesser offence during his trial, the RSA can amend charges in deserving cases.
2. There are some cases that can not be withdrawn even where the accused and the complainants are said to have reconciled. Such cases include; murder, aggravated robbery and aggravated defilement. It was emphasized that the DPP is mandated to act in the interests of the

public and that where the withdrawal clashes with public interest, the cases shall not be withdrawn.

### **SESSION THREE**

**Topic:** 'The Working Relationship between Police and the DPP's Office'.

**Presenter:** Mr. Edward Ochom, Director CID.

**Chair:** Mr. Charles Elem Ogwal, A/DPP.

**Objective of the Topic:** To expose participants to the main areas of concern by the police in the working relationship between and DPP's office with a view to improvement.

The Director CID thanked the Directorate of Public Prosecutions for inviting him to present a paper at the workshop, noting that the two institutions are inter linked and need other to perform their functions as mandated under the Constitution.

He highlighted the mandate and functions of the Uganda Police Force as provided for under the Article 212 of the Constitution, the Police Act and Police Standing Orders. He outlined the 10 Directorates that now constitute the Uganda Police Force, with particular focus on the Directorate of Intelligence and Criminal Investigations (CID), which he heads. He explained how the CID carries out investigations through the various specialized units under it.

He indicated that in executing its functions, Police relates with a number of institutions including the office of the DPP. He mentioned that the working relationship between Police and DPP starts when a Police file is submitted to the DPP for legal advice. He, however, proposed that this practice be changed such that prosecutors get involved in criminal cases right from the start. He applauded the practice of case conferencing and prosecution led

investigations that have been adopted in high profile cases such as; Global Fund, NAADS and CHOGM.

The presenter identified the following challenges in police's working relationship with the DPP's office:

- Lack of RSA's in some stations,
- Delay in handling cases submitted to DPP/RSA's,
- Lack of skills by some State Attorneys,
- Use of out dated legal provisions,
- Witnesses summoned are not given time to testify; and
- Conflict of interest.

The presenter made the following recommendations on the way forward:

- There is need to promote communication, coordination and cooperation between the DPP and Police,
- Promotion of Prosecution led investigations; and
- Joint training programs and workshops for both DPP staff and Police.

### **Issues Arising from the Presentation**

1. The presenter acknowledged that there were problems with the handling of cases by the Rapid Response Unit (RRU), especially when it comes to the admissibility of confessions recorded by them. He, however, assured participant that there are efforts being made to correct the wrongs in RRU.
2. The practice of prosecution led investigations should be extended to field stations.
3. The Director CID advised RSAs to call him directly and seek his intervention in cases where there are delays in the submission of

expert reports and generally where they face challenges in their coordination with police.

4. Police officers who are dissatisfied with the decision of the RSAs should be encouraged to submit the files to headquarters for a second opinion.
5. On the issue of delaying with police files, it was clarified that there Directorate of Public Prosecutions has time limits, within which State Attorneys are supposed to handle files.
6. In the various DPP stations where the police have complained about the backlog of files in the custody of the RSAs, such as Tororo, it was resolved that these files be returned to the police. Where witnesses can still be traced the files should be reactivated and cases be fixed for hearing.

## **SESSION FOUR**

**Topic:** 'The Quality of Committal Papers to High Court.'

**Presenter:** Mr. Michael Wamasebu, A/DPP.

**Chair:** Mr. Vincent Okwanga, SPSA.

**Objective of the Topic:** To highlight the shortcomings in the quality of committal papers with a view to improving the quality of prosecutions.

The A/DPP premised his presentation on the legal provisions relating to committal papers. He highlighted the rules of framing indictments as stipulated under Section 25 of the TIA. He clarified that felonies can be committed together with misdemeanors in accordance with Section 23(1) of the TIA. He emphasized that indictments must be in the name of the

Director of Public Prosecutions. On the format of indictments, the presenter informed participants that the Directorate uses a standardized PROCAM generated format, which bears the Uganda Court of Arms.

On summary of the case, the presenter highlighted the provisions of Section 168 of the Magistrates Court Act, which provides for the content and legal basis for summary of the case. He urged State Attorneys to always first read and understand case files before embarking on preparing committal papers. He advised that committals should be prepared in such a way that an accused person is able to know the charges and the nature of evidence against him. He stressed that committal papers should only be prepared and signed by officers of the rank of State Attorney and above. He specified that under no circumstance should State Prosecutors or other lay members of staff ever sign committal papers.

The presenter pointed out common mistakes that are made by State Attorneys in preparing committals and urged them to avoid these mistakes. He called upon State Attorneys to always pay attention to the quality of committal papers by ensuring that indictments comply with the legal provisions, the summaries are written in good English and capture all the relevant evidence on which prosecution intends to rely

### ***Issues Arising from the Presentation***

- There have been experiences that show that it is not prudent to disclose the evidence contained in the extra judicial statement earlier than is necessary. An example was given of the case of Tigawalana Ikooba where a confession statement was disclosed and the maker was murdered before the confession could be tendered. State Attorneys were advised not to attach confession statements onto their committal papers until advised otherwise.
- The defense case, as far as is disclosed by the evidence on file, should be indicated in the summary as it helps Court know the accused's possible defences in advance and also enables the accused person to prepare for his defence.

- Where committals are undertaken to beat deadlines (e.g. where an accused is spent a mandatory period on remand and the expert's report is not yet received and there is other evidence implicating him), it should be indicated in the summary that such a report shall be relied upon.

**DAY THREE: Thursday 24<sup>th</sup> March 2011.**

### **SESSION FIVE**

**Topic:** 'Result Oriented Management (ROM) and Performance Appraisal'

**Presenter:** Mr. Godfrey Ezati, PPO, Ministry of Public Services.

**Chair:** Mr. George Kasajja, Under Secretary.

**Objective of the Topic:** To expose participants to the salient features of ROM and Performance Appraisal.

The presenter highlighted the salient features of Performance Appraisal Forms and educated them on them on the process of performance appraisal, with particular emphasis on performance planning, performance monitoring, performance evaluation and performance improvement. He explained that performance appraisal is based on the principles of fairness, transparency, objectivity, openness and participatory.

The presenter identified the key players in this exercise as including the Appraisee, Appraiser, Line Managers, Heads of Departments, Heads of Personnel Section, responsible officers and ministry of public service. He further explained the roles and benefits of each of these key players in the performance appraisal exercise. He indicated that performance appraisal can lead to key human resource management decisions, such as, confirmation, promotion, identification of training needs and disciplinary proceedings.

The presenter emphasized the significance of performance appraisal in public service and warned that there are sanctions for non-compliance with this exercise. He urged participants to ensure that they comply with the performance appraisal exercise.

### **Key Issues Arising from the Presentation**

1. Where an appraisee is not satisfied with the process of appraisal and believes the assessment of his supervisor to be unfair, he should not append his signature on the appraisal form and utilize the appeals process. Such complaints can, however, be avoided where the two parties plan the process together including the preparation of performance plans. In addition, the appraiser and appraisee should be objective and realistic when setting targets. Supervisors were urged to note critical events that occur during the appraisal period so that they can justify their awards.
2. It was clarified that reduction in rank as a disciplinary measure is provided for under Article 173 of the Constitution. However, this can only be done where there is a just cause. An officer dissatisfied with the reduction can also follow the established procedures on appeal.
3. It was further clarified that performance appraisal is dependent on what an officer actually does as opposed to what is indicated in the schedule of duties.
4. It is wrong for a supervisor not to allocate work to the supervisee because performance appraisal is based upon what two parties have agreed upon.

### **SESSION SIX**

**Topic:** 'Terms and Conditions of Service Expectations and Obligations of Government and Public Officers.'

**Presenter:** Mr. J.J. Nanseera, Commissioner Human Resource, Ministry of Public Service.

**Chair:** Mr. George Kasajja, Under Secretary.

**Objective of Topic:** To expose participants to the terms and conditions of service relevant to them.

The presenter explained that public service terms and conditions of service are regulations, rules and procedures, which govern the public service and that they constitute an employment contract between government (employer) and public servants (employees). He educated participants about their obligations as public officers and also informed them about the obligations of government as their employer.

He explained that public service terms and conditions of service are contained in appointment letters and the legislation or any other documents referred to in these letters. He noted such legislation always includes; the Constitution, the Public Service Act, Public Service Commission Regulations, Pension Act, Code of Conduct and Ethics for the Public Service, Employment Act, Workers Compensation Act and Government Standing Orders. He emphasized that it is important for all public officers to know their rights and obligations and that ignorance of any regulation is not an excuse. He therefore, argued participants to read the afore-cited laws so as to acquaint themselves with their obligations and rights.

He stressed that public officers hold office in public trust and they are accountable to the public for both their actions and inactions. He called upon participants to serve their customers with fairness, transparency, promptness and courtesy.

### **Key Issues Arising From the Presentation**

1. Appointment letters usually cite various laws, which the employee is expected to read and internalize.

2. It was clarified that certain allowances, such as lunch allowances are not absolute and are paid depending on the availability of funds. However, a public officer should be paid allowances for work done or while on duty, e.g. subsistence allowance.

## **SESSION SEVEN**

**Topic:** 'JLOS: Its roles and Strategies.'

**Presenter:** Mr. Sam Wailagala.....J/LOS Secretariat.

**Chair:** Mr. Amos Ngolobe, D/DPP.

**Objective of the Topic:** The objective of the topic was to sensitize participants on the strategic role of J/LOS.

Referring to the theme of the workshop, the presenter challenged participants to examine themselves on what they supply to the public. He advised them not to look at the quantity alone, but also at the quality of their services; specifically on how they prosecute, the quality of advice given and how they handle or deal with members of the public.

On his presentation, Mr. Wailagala gave a background to the formation of the Justice Law and Order Sector (JLOS). He informed participants that JLOS was formed to bring together all institutions charged with the administration of justice, maintenance of law and order and of late, human rights. He highlighted the institution that constitute JLOS and pointed out that the underlying concept behind JLOS is that justice is a chain and can only work efficiently if all the agencies are effective and work in a coordinated manner guided by communication, cooperation and coordination.

The presenter informed participants that the **mission** of JLOS is to ensure that all people in Uganda live in a safe and just society; and its **goal** is to enhance the quality of life and ensure that poverty in Uganda is eliminated.

The **purpose** of JLOS is to improve the safety of the person, security of property and access to justice in order to encourage economic development and benefit poor and vulnerable people.

He stressed that from its mission, goal and purpose, JLOS is a reform programme, whose overarching objective is to improve the administration of justice by ensuring that all stakeholders, who are part of the justice chain function efficiently respond to the needs of the public. He informed participants that JLOS programmes are aimed at:

- Ensuring that key stakeholders in the chain of justice are present, accessible, functional and well resourced to carry out their mandates,
- Promotion of communication, coordination and cooperation between the institutions to enhance operational and functional efficiency,
- Promotion of a common planning framework for all institutions with a view to having holistic sectoral budgets, which address all issues facing the chain of justice,
- Supporting the judiciary's mission of dispensing justice to all people in Uganda through timely adjudication of disputes without discrimination,
- Promotion of legal and justice reforms; and
- Promotion of strong DCC.

The presenter informed participants that execution of JLOS programmes is guided by a common strategic investment plan, SIPII, which is expiring in June 2011. He highlighted the five strategic objectives of SIPII, which are aptly referred to as the key result areas for driving forward JLOS mission, vision and goal.

### **Issues Arising from the Presentation**

1. The presenter admitted that there are challenges to timely completion of JLOS structures. He noted that some delays are at the institutional level while others are caused by the constructors. However, the

- presenter assured participants that JLOS is trying to address these problems on case by case basis.
2. Participants were informed that the Sector is negotiating with Ministry of Finance to secure funding to Courts so as to enable them feed prisoners who go to Court.
  3. State Attorneys were advised to use the DCCs to raise issues that affect their work at the various stations.
  4. Juvenile justice is still a problem. However, participants were informed that the Sector is proposing construction of more regional remand homes. The Sector has already constructed remand homes in Fort portal, Lira and Gulu. The Sector is also providing transport to different remand homes to enable them transport juveniles to courts.
  5. Participants were further informed that money will be released to DCCs depending on their effectiveness.
  6. RSAs were advised to use the money allocated to witnesses on their imprest, to pay transport refund to witnesses who go to their offices to discuss cases in preparation for court. However, payments after the witness has testified should be made by courts.

## **SESSION EIGHT**

**Topic:** 'The Present Status of Data and Statistics, and Methods and Challenges of Data Collection and Use in the DPP's Office.'

**Presenter:** Mr. Richard Kirungi Ndyababo, Senior Statistician, Directorate of Public Prosecution.

**Chair:** Mr. James Odumbi, SPSA.

**Objective of the Topic:** To present a report of the current state of data and statistics, to share ideas on the methods and challenges of data collection and use and make suggestions for improvement to ensure availability and reliability of statistics.

The presenter made a report on the current state of statistical returns from the DPP stations and units. He noted that the most common data collected within the Directorate of Public Prosecutions includes; records and number of files received from police, number of files sanctioned, number of public complaints received and handled among others. He indicated that it is from such raw data that the Directorate should be able to produce statistics that can be submitted to JLOS and MOFPED for reporting on performance and policy measures.

The presenter used tables to demonstrate the current trend of statistics in the Directorate. He reported that stations have managed to submit their data returns to headquarters averagely well with 97.3% success. He explained that the remaining percentage is expected to be accomplished within one month. The presenter pointed out stations that were not up date with their monthly returns and called upon the RSAs and supervisors of these stations to ensure that returns are effectively submitted. He, however, commended stations that have maintained a high level of performance in preparation and submission of monthly returns. He urged RSAs to always ensure that monthly data is submitted to headquarters by 15<sup>th</sup> of every new month.

He used tables to demonstrate the performance of the Directorate during the calendar year 2009, showing that a total of 62,723 cases were sanctioned, 15,377 files were closed and a conviction rate of 55% was attained. He further reported that in 2010, 91,984 files were sanctioned, 23,524 files closed while 18,984 convictions were registered resulting in a conviction rate of 49.1%. He reported that of the offences sanctioned in 2010, the most prevalent offence was criminal trespass followed by theft and embezzlement. The least among the registered offences was reported to be

corruption with 15 cases contributing to 0.02%. He reported that only 8487 complaints were registered from the public in 2010.

The presenter identified the following challenges that are experienced in collecting data:

- Limited capacity (number and quality) of data collectors and producers in most DPP stations,
- Non-collection of data, particularly in stations where prosecutions are conducted by police prosecutors, which distorts and compromises actual returns,
- Incorrect data submitted by some stations,
- Failure by some staff to keep proper records and delay in providing court returns for ease of compilation,
- Insufficient physical resources, including; deficiencies in office space, lack of computers, vehicles and other tools,
- The system of receiving and registering public complaints is still wanting; and
- Unclear performance standards on how many cases should a prosecutor handle depending on the gravity of the case.

He made the following recommendations:

- The Directorate should be restructured to set up a statistical unit within the Policy and Planning Department fully equipped with staff and resources to ably provide mandatory analyzed statistical reports that are useful in the public prosecution service,
- Training of data entry personnel and all officers responsible for data collection and production of relevant statistics,
- Equipment and retooling and;

- A thorough analysis should be conducted to capture the biggest number of offences that are reported in the ‘others’ category. Less occurring offences such as, offences under the Fish/ Crocodile Act and possession of fire arms should be included in the ‘others’ category and replaced by common offences.

He concluded his presentation by emphasizing the importance of data noting that major policy documents and reports such as the Budget Framework Papers, Ministerial Policy Statements and National Development Plans must be based on comprehensive, accurate and timely data. He added that good statistics provide a sound basis for making choices over competing demands and for deciding overall allocation of scarce resources.

**Issues Arising From the Presentation:**

1. Officers were cautioned against submitting inaccurate data and were informed that the Directorate is going to start auditing their returns. Participants were also informed that during inspections, Inspectors will be taking with them, copies of their filed monthly returns for verifications with the actual data at the station. RSAs were therefore, called upon to always verify their monthly returns before signing and submitting them to headquarters so as to ensure their accuracy.
2. Action Officers at headquarters should start filing returns.

**SESSION NINE**

**Topic:** ‘Records Management and File Movement in the Directorate of Public Prosecutions.’

**Presenter:** Ms. Joy Nantongo, Senior Records Officer, Directorate of Public Prosecutions.

**Chair:** Mr. Michael Wamasebu, A/DPP.

**Objective of the Topic:** To share challenges that still exist in records management and movement of files in DPP and make suggestions for improvement.

The presenter highlighted the types of files that are kept by the DPP registry and she educated participants on the purpose and use of each of these files. She also informed participants on the movement of these files depending on their types. The presenter shared the following challenges that are faced by Registry in the management and movement of files:

- Some files are received from stations without mentioning reasoning why they are sent to head office. She noted that such files become hard to handle since the perusing officers always need copies of both the complaint and calling letter before making their decisions.
- Some officers mishandle police files during hearing after which, they dump them in registry in pieces,
- Dumping police files in the registry by some officers on conclusion of criminal sessions without updating them,
- Refusal by some officers and mostly secretaries of the managers to sign on the file transit sheets running to avoid committing themselves to having the files in their custody,
- Conversion of the Records Center into a store,
- Difficulties in delivering allocated files to action officers since most of their work is out in courts and it is not safe to leave files on their desks,
- Delay in handling and dispatch of police files by some action officers,
- Loss of PROACAM file folders by some officers,
- Refusal by some up country officers to carry files that belong to their stations claiming that the files are heavy and lack of transport and at the same time complain that files have delayed at headquarters; and
- Lack of transport to deliver files that are destined to various stations.

### **Issues Arising from the Presentation**

1. Field officers were advised to always check in their pigeon holes for files or correspondences whenever they bring returns to or pick imprest from headquarters,
2. The Records Center will strictly be used for record management purposes,
3. Correspondences will be sent by post to various DPP stations in order to circumvent delays in dissemination of information; and
4. The Directorate is planning a training for upcountry staff who have problems with the production and handling of data.

### **SESSION TEN**

**Topic:** 'The Public Relations Function.'

**Presenter:** Mrs. Jane Okuo Kajuga, PSA/ PRO - Directorate of Public Prosecutions.

**Chair:** Mr. Charles Elem Ogwal, A/DPP

**Objective of the Topic:** To share experiences of the Public Relation (PR) function and make suggestions for managing the DPP corporate image through the Public Relations.

The presenter informed participants that the PR desk was established in 2007 and that it falls directly under the office of the Director of Public Prosecutions. She, however, pointed out that there other desks or committees through which the public relation function is handled, namely; the complaints' desk, establishment and management of the DPP website and publication of the DPP Magazine.

Referring to the theme of the workshop, the presenter emphasized the significance of creating a good public image by all DPP staff. She explained that a good public image is created by the manner in which they execute their mandate as prosecutors, how they relate to or handle customers, punctuality in Court and office and how they relate with other stake holders in the Justice Law and Order Sector. She stressed that RSAs are DPP's representatives in the stations that they head and must conduct themselves in a manner that portrays a good image and ensure that the staff under their supervision follow suit. The presenter outlined several ways through which, the RSAs can create awareness for their offices.

She reminded participants that the core function of the DPP is prosecution of criminal cases and told them that for this reason, the public relation approach is designed not to prejudice this function. She therefore, cautioned participants against discussing ongoing cases in the media as this can prejudice the trial process.

She reported on what has so far been by the PR desk and also highlighted challenges that have been faced by the desk. The presenter made the following recommendations for improvement of the PR function:

- Increased presence in the public through regular structured radio presentations,
- Publication of DPP statistics,
- Improvement of the DPP website,
- Use of notice boards to communicate to the public; and
- Improved use of complaints' boxes as an essential feedback tool.

**Issues Arising From the Presentation:**

1. Before addressing the media, State Attorneys should always seek clearance from headquarters through the PRO.
2. State Attorneys can only state facts and should avoid discussing evidence in the media.

## **SESSION ELEVEN**

**Topic:** 'A Presentation about SACCOs'.

**Presenter:** Mr. Patrick Kabahanga Mbonye.

**Chair:** Mr. Emmanuel Muwonge, SSA.

**Objective of the Topic:** To sensitize and interest participants in the advantages of forming a SACCO.

The presenter emphasized the significance of saving, noting that, the main notion of saving is coming to terms with the fact that a time will come when one will have needs to meet but will not be earned. He therefore, encouraged participants to start saving. He informed participants that SACCOs is one of the saving vehicles and encouraged them to form one. He explained to participants on how they can form a SACCO and stressed that for one to become a SACCO Member, one has to own the SACCO, use it, benefit from it and control it. He also outlined the essential conditions for a successful SACCO and informed participants about the benefits of a SACCO.

**DAY FOUR**                      **Friday, 25<sup>th</sup> March 2011**

## **SESSION TWELVE**

**Topic:** 'Managing Stress'.

**Presenter:** Dr. Basangwa.

**Chair:** Mrs. Damalie Lwanga, A/DPP.

**Objective of the Topic:** To sensitize participants on the latest developments on the causes of stress and how to manage stress.

## **SESSION THIRTEEN**

**Topic:** 'Managing Retirement'.

**Presenter:** Mr. Bwisho Michael, IFE Consultant.

**Chair:** Mr. Charles Elem, A/DPP

**Objective of the Topic:** To sensitize participants on life after retirement.

The presenter educated participants on how to prepare for retirement. He explained that retirement means cessation of employment or opting out of the labour force. He, however, clarified that in reality, retirement is a mere career transition. He encouraged participants to adopt a culture of saving and investing for their retirement. He stressed that the way one is and plans for one's future determines how bright one's future will be. He encouraged participants to discover who they really are, realize that they have unique talents and use them to serve mankind.

## **SESSION FOURTEEN**

**Topic:** 'Brief Report: Inspection and Quality Assurance – Strategic Agenda and Handling of Issues Raised in the Inspection Reports'.

**Presenter:** Mr. Michael Wamasebu, A/DPP.

**Chair:** Mr. Charles Elem, A/DPP

**Objective of the Topic:** To update participants on the present and future key activities of the Inspection and Quality Assurance Department.

The presenter informed participants that the aim of the DPP inspections is to monitor and evaluate performance of staff, assess the working environment

and its suitability, guide staff where need be on how to improve on their performance and meeting of the stakeholders in the criminal justice system with a view to getting feedback on the performance of the DPP staff. He indicated that such stakeholders include; JLOS agencies, DCCs, political and civic leaders and members of the general public.

The presenter highlighted thematic areas of the DPP inspections and he identified various issues that emerge from these inspections. He called for team spirit across the entire spectrum of the Directorate.

### **Issues Arising From the Presentation**

Participants were advised to refer complex legal issues to the research department of the DPP for relevant advice.

Participants were urged to improve on their customer care relationship by treating customers and subordinate staff with courtesy and humility.

It was emphasized that field officers must hold monthly staff meetings and ensure that issues arising out of these meetings are followed. Similarly, field officers were urged to ensure that minutes of these meetings are sent to headquarters.

Field offices should be availed with signage.

## **SESSION FIFTEEN**

**Topic:** 'Communication and Management of Work between Field Offices and Headquarters'.

**Presenter:** Mr. Asiimwe John Baptist, PSA.

**Chair:** Ms. Betty Khisa, SPSA.

**Objective of the Topic:** To highlight the critical challenges in communication and management of work between

field offices and headquarters and to make suggestions for improvement.

Mr. Asiimwe made a presentation on the challenges in communication and management of work between DPP field offices and headquarters.

Referring to Article 120 of the Constitution, the presenter specified that the Constitution empowers the DPP to delegate his powers to officers authorized by him, save for withdrawal of cases. He added that DPP has several field offices that are manned by Resident State Attorneys and Resident State Prosecutors authorized by him. He explained that these field offices were established to ensure that the DPP performs his duties and functions efficiently. He clarified that although field officers take independent decisions in performance of their work, they are answerable to the DPP (Headquarters). He therefore, emphasized that the manner in which field offices relate to headquarters has a significant impact on the management of their work. He, however, noted that there are some challenges to effective communication between field offices and headquarters. Notable among the identified issues were:

- Delay of files that are called at headquarters for perusal,
- Lack of effective communication system between headquarters and field offices; and
- Lack of recent legislations and court decision at some stations,

The presenter made the following suggestions:

- Mechanisms should be put in place to ensure that decisions which affect the management of work at the field offices are communicated in time,
- Mechanisms should be put in place to give feedback, quick response and commending officers for work well done,

- Filed stations should be facilitated to deliver urgent files to Headquarters,
- Management should put in place a mechanism to minimize the delay of files that are sent to Headquarters for perusal,
- All necessary legal materials and reports should be availed to field offices,
- Office imprest should be released in time,
- Standardized allocation of stationary to field offices depending on the workload for each station,
- Internet facilities should be extended to RSA offices,
- Office equipment should regularly be serviced

**Issues Arising From the Presentation:**

1. For purposes of improving communication between headquarters and field offices, correspondences will be posted to field stations, however, RSAs were urged to always check in their pigeon holes whenever they come to headquarters.
2. Field Officers should not hesitate going to any office for assistance.

**SESSION SIXTEEN**

**Topic:** ‘The Activities of the War Crimes and Anti Terrorism Division of the Directorate of Public Prosecutions’.

**Presenter:** Mrs. Joan Kagezi, SPSA (Head of the Division).

**Chair:** Mr. Michael Wamasebu, A/DPP.

**Objective of the Topic:** To update participants on the present and future key activities of the War Crimes Division.

The presenter made a report on activities of the War Crime Crimes Division of the Directorate of Public Prosecutions. She reported that the prosecutors and investigators attached to this Division have been extensively trained in the handling of cases on terrorism and war crimes. She highlighted some of the achievements of this Division since its formation in 2008. She reported that the Division has carried out investigations and indicted Thomas Kwoyelo, who is one of the top LRA commanders to the War Crimes Division of the High Court. She also reported that the Division re-opened investigations in the Kasese Kichwamba massacre and registered charges against Jamiru Mukuru of the Allied Defence Forces. She further reported that the Directorate has successfully established communication structures with the ICC and that a prosecutor and an investigator have been attached to the ICC OTP for two weeks to share best practices.

The presenter highlighted several challenges including:

- Difficulties in tracing for witnesses and assembling evidence since the war crimes were committed years back,
- The witnesses are traumatized and need counseling and rehabilitation,
- With regard to terrorism, offences are committed with such high sophistication and usually planned outside the country,
- Lack of legislation on witness protection,
- Improper handling of suspects and evidence by some arresting officers (especially army men),
- Lack of coordination between the army, police and prosecution,

- Some witnesses are fatigued by interviews from NGOs, ICC and scholars.

## **SESSION SEVENTEEN**

**Topic:** 'Brief Report: The Anti Corruption Division: The Lilestonea and Where We are Headed'.

**Presenter:** Mr. James Odumbi Owere, SPSA.

**Chair:** Mr. Michael Wamasebu, A/DPP.

**Objective of the Topic:** To update participants on the present and future key activities of the Anti Corruption Division and challenges of implementing the new Anti Corruption Act.

Mr. Odumbi made a report on the activities of the Fraud Unit and the Anti Corruption Unit. He highlighted some of the achievements of these units including successful prosecution of Global Fund cases and CHOGM cases through prosecution led investigations. He also highlighted some of the vague provisions of the Anti Corruption Act, which have made the implementation of this Act difficult.

## **OFFICIAL CLOSING CEREMONY**

The workshop was closed Friday 25<sup>th</sup> March 2011 by the Hon. Principal Judge, Justice Yorokamu Bamwine.

The Principal Judge (PJ) congratulated participants upon completion of the training workshop, noting that it had been designed to enable them improve their effectiveness and efficiency so that access to justice by all citizens is improved. He reminded participants that the Directorate of Public Prosecutions is a major component in the administration of justice.

Referring to the theme of the workshop, the PJ informed participants that their main customers are the victims of the wrongs; and that their prime consideration should be maximizing satisfaction of these customers. He noted that their business, image and credibility depend on keeping their customers happy. He emphasized that customer care is a crucial element of business success and that it comprises of good manners, politeness, positive attitude, care, friendliness, courtesy, understanding, communication skills and patience.

He informed that customer care requires that:

1. Knowing who your boss is. He urged participants to always know what the customers want, noting that they are the ones who pay their salaries and make their existence possible.
2. He also encouraged participants to be good listeners and advised them to take time to identify their customer needs by asking them what they want. He noted that most organizations now have user committees, which he remarked, are very good management tools and recommended the Directorate to adopt. He explained that it is through such committees that the Directorate will get the aspirations of the people.
3. Identifying and anticipating needs. He informed participants that customers do not merely buy products or services. That they buy good feelings and solutions to problems. He noted that the more you know your customer, the better become at anticipating their needs.
4. Making customers feel important and appreciated. He advised participants to always treat customers as individuals and to be sincere with them.
5. He argued participants to help customers understand the systems of the Directorate. He explained that the Directorate may have good

- systems but if customers do not understand them, they will always despise them. He warned that the systems should not reduce the element of the Organization.
6. The PJ advised participants to always appreciate the power of ‘Yes’. He advised them to always look for ways of helping their customers but warned them to desist from using up-handed methods of doing so.
  7. He further urged participants to know how to apologize when something goes wrong. He noted that saying ‘sorry’ is a great management tool. He also encouraged participants to value their customer’s complaints; noting, that much as we dislike them, complaints give us opportunity to improve.
  8. Participants were also advised to give more than expected and to always to their best.
  9. They were also advised to get regular feedback and to welcome suggestions on how to improve. The PJ noted that the District Co-ordination Committees are the best avenues for this type of thing.
  10. Finally, the PJ advised participants to treat their employees well. He remarked that fellow staff are internal customers and that they need a regular dose of appreciation. He advised that fellow staff should be reprimanded when they mess up things but that they should be thanked when they do impressive work.

In his concluding the remarks, the PJ thanked the facilitators who sacrificed their intellect time and effort to prepare papers for presentation at the workshop. He thanked participants for turning up and actively participating in the workshop. He also thanked the organizers for inviting him to close the workshop.

He officially closed the workshop and wished participants safe journey back home.