

# The

# Network

Volume 2. Issue 4 | Jul - Dec 2015

A Voice for the indigent persons in Uganda



Legal Aid Stakeholders in a group photo with Justice Remy Kasule at the Access to Justice Conference held on 22nd October, 2015 at Serena Hotel.

## Launch of the Access to Justice Manifesto

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A publication of:

# LASPNET

LEGAL AID SERVICE PROVIDERS' NETWORK

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## MESSAGE FROM THE EXECUTIVE DIRECTOR



I welcome you to the holiday issue of the LASPNET Newsletter where we share with you a wrap up of the various activities that the Network has been undertaking. Our mandate calls for continuous information sharing to aid the advocacy process.

We have commissioned a number of researches on subjects such as; poverty, vulnerability and marginalisation, capacity assessment of Legal Aid Service Providers, cost benefit analysis for the National Legal Aid Policy, and a strategic plan for the next five years. Your acceptance to participate in all of them re-affirmed your commitment to LASPNET and provided guidance on the future prospects of the Network and the access to justice road map.

The 2016 general elections are also fast approaching and some members have been nominated as election observers. We urge all those who fulfilled the requirements to undergo accreditation in preparation for the election observation exercise. Accreditation is

underway at the Ministry of Foreign Affairs in Kampala.

We are in the process of revamping the electronic Information Management System (IMS) and seek your indulgence when approached to provide the necessary information to enable the Secretariat finalise the requirements to have it running smoothly. This also applies to the LASPNET Directory that is due for updating given that the membership has grown and some of you have changed location and staff.

I take this opportunity to thank all our members, partners and stakeholders who have carried LASPNET throughout 2015 and look forward to even greater networking, collaboration and partnerships come 2016. Your feedback remains valuable to us as it prompts us to continue aiming for the best in our service to you.

We wish you all a fruitful and blessed festive season.

Aluta Continua!!

**Sylvia Namubiru Mukasa**

**Executive Director - LASPNET**

Thank you for your support in 2015.

We look forward to continuing the journey with you in 2016.

*Merry Christmas and a Happy New year*



# POLITICIANS TASKED ON ACCESS TO JUSTICE

In a bid to propel issues of access to justice onto the agendas for 2016 electoral candidates, LASPNET launched an “Access to Justice Manifesto” at a conference held on 22<sup>nd</sup> October 2015 at the Kampala Serena Hotel. It preceded the 6<sup>th</sup> Annual General Meeting for the Network.

The manifesto which was officially launched and signed off by the Honourable Justice Remy Kasule of the Constitutional Court and Chairperson of the Uganda Law Council called upon all political aspirants to prioritise matters of access to justice in their manifestos. His Lordship urged legal aid service providers to empower the vulnerable so that they are able to speak out if their rights are being violated. “If we turn the other eye, we are not assisting ordinary citizens to fight for their rights”, he said.

“We want to hold those who will be successful in the upcoming elections accountable for the rule of law and good governance hence the manifesto”, said Mr. Samuel Nsubuga the LASPNET Board Chairperson.

“The challenges we face in access to justice are not insurmountable, working together can eliminate some of the barriers”, said Ms. Martha Nanjobe from the Democratic Governance Facility, in her remarks on behalf of development partners. She noted that tensions were rising and would continue to do so as the election season progressed which is why the manifesto was timely to ensure that relevant stakeholders continue to prevent injustice and defend the rights of the marginalised.

Ms. Sylvia Namubiru Mukasa, the LASPNET Executive Director explained that electoral candidates had been focussing on education, health and infrastructure and ignoring access to justice, which is why hindrances to effective legal aid service delivery still persist.

The Conference which was held under the theme, **“Positioning LASPNET as a platform to drive the Rule of Law Agenda for Development”**, was attended by a multiplicity of stakeholders from the Justice Law & Order Sector, academia, legal aid service providers, civil society, development partners and the media ■



**Justice Remy Kasule gets ready to sign the A2J Manifesto at Serena.**



**Ms. Simone Ungersboeck, Austrian Embassy signs on behalf of Development Partners as Mr. Samuel Nsubuga, the Laspnet Board Chairperson looks on.**



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## MANIFESTO TO PROMOTE ACCESS TO JUSTICE FOR THE POOR, VULNERABLE AND MARGINALIZED

**A call to action for candidates vying for political office in 2016 to make access to justice a priority!**

**The Legal Aid Service Providers Network (LASPNET)**, a non-state organization of 47 member organizations providing legal aid services across Uganda, together with its key stakeholders, **calls on all candidates vying for political office to:**

1. Ensure that access to justice is upheld during free and fair elections,
2. Include policies addressing access to justice for the poor, vulnerable and marginalized in their manifestos,
3. Continue to advocate for these groups after they are elected into office,
4. Commit to amending the Bill of Rights to include a broad right to legal aid, and
5. Work towards enacting the wide range of pro-poor and vulnerability laws that are currently being delayed.

**“Overcoming poverty is not a gesture of charity. It is an act of justice.”**

- Nelson Mandela

### Why Access to Justice Matters in Uganda

- Access to justice is a critical human right.
- It is “a process which enables people to claim and obtain justice remedies through formal or informal institutions...and in conformity with human rights standards” (United Nations).
- Providing access to justice to all citizens of Uganda would allow those locked in chronic poverty to assert their rights and move towards changing their status quo.

#### **Commitment 1:**

Ensure that access to justice is upheld during elections, including:

- Respecting freedom of association and assembly,
- Avoiding voter intimidation, corruption and bribery, and
- Conceding defeat based on the voters' voice.

#### **Commitment 2:**

Include policies addressing access to justice for the poor, vulnerable and marginalized in their manifestos;

Continue to advocate for them after they are elected into office.

#### **Commitment 3:**

Continue to advocate for these groups after they are elected, including:

- Advocating for the rule of law, and separation of powers
- Supporting a better resourced and independent judiciary.

#### **Commitment 4:**

Commit to amending the Bill of Rights to include a broad right to legal aid as well as to create a National Legal Aid Body.

Taking this action would ensure that Uganda upholds its commitments under international and regional legal frameworks including the United Nation's International Convention on Civil and Political Rights, and the African Charter on Human and Peoples' Rights

#### **Commitment 5:**

Work towards enacting the wide range of pro-poor and vulnerability laws that are currently being delayed including the:

- Marriage and Divorce Bill
- Children (Amendment) Bill
- Legal Aid Policy and Bill
- Succession (Amendment) Bill

# BLOWING THE TRUMPET FOR CHILD JUSTICE IN UGANDA

“When we are constantly conscious and seek to appraise ourselves with the needs of the children who seek our services, when we realize that claims of children cannot compete within a queue of cases in our institutions without deliberate efforts of fast tracking, when we are conscious in our work that children should be diverted as fast as appropriate from the formal justice system and that justice systems should only be invoked as a measure of last resort in case of children; and that indeed the best interests of the child are best served within the family and community structures, we as the Justice Law and Order Sector would have done right by our children”.

- Chief Justice Benjamin Odoki

This above quote formed part of the Executive Director of LASPNET Ms. Sylvia Namubiru Mukasa’s introductory remarks at the National Child Justice Convention held on 24<sup>th</sup> and 25<sup>th</sup> November 2015, at Imperial Royale Hotel in Kampala.

She was appealing to child justice actors from across Uganda to promote restorative and child friendly justice in the country.

The meeting which was convened by Ministry of Gender, Labour and Social Development, in conjunction with Uganda Child Rights NGO Network, and Legal Aid Service Providers Network (LASPNET) and with support from Save the Children was aimed at unifying the efforts of both state and non-state child justice actors to safeguard the future of Uganda through implementing child friendly justice practices.

Mr. Mondo Kyateka, Assistant Commissioner Youth Affairs with the Gender Ministry while opening the convention applauded child justice players for ensuring that children were served differently. “Our children are not only our present but also our future and the kind of justice they receive will determine the kind of people they will be in future”, he said. The Commissioner noted that poor parenting skills had led to an increase in juvenile crimes and urged parents to revisit the old age core principles where it took a village to raise a child.



R-L Mr. James Kabogozza, Assistant Commissioner Children Affairs Ministry of Gender, Hon. Florence Mutwabule, Chairperson Parliamentary Forum for Children, Ms. Sylvia Namubiru Mukasa, Executive Director LASPNET and Ms. Rhonah Babweteera, UCRNN, attend a press conference at the sidelines of the National Child Justice Convention.

Child justice practitioners decried the limited number of remand homes, the unfair conditions therein and the long distances from the courts which hampered the realisation of timely justice for children. They called on government to ensure that all regions have a remand home with a rehabilitation annex to address some of these challenges.

Making a case for restorative justice, Dr. Zahara Nampewo, the Director Human Rights and Peace Centre, Makerere University explained that the practice was not applicable to every case which is why a legislative framework was necessary to make a proper diagnosis. The Practice, she said, required both the offender and the victim to desire it to be used.

Mr. James Kaboggoza, the Assistant Commissioner, Children Affairs at the Gender Ministry recommended regular interaction among child justice actors as a way of getting feedback on agreed positions. "It is through nurturing children that we can realize social transformation in our country", the Commissioner stated.



**Dr. Zahara Nampewo presenting at the convention.**

The Chairperson for the Parliamentary Forum for Children, Hon. Florence Mutwabule appreciated the conveners for recognizing Parliament as a key contributor to ensuring child friendly justice in Uganda. She reported that Parliament was in the process of amending the Children's Act to ensure timely and effective justice for all Ugandan children. Hon. Mutwabule called for restriction of custodial sentences for children and urged practitioners to seek alternative means of rehabilitating them, especially since the country only has four remand homes, which is very minimal for all the 111 districts.

She closed the convention with a signature line; "I shall be the voice for children in Uganda, what about you?"

The convention was attended by government officials, child rights activists, civil society, development partners, academia and the media.



**ABOVE: Mr. Mondo Kyateka, Assistant Commissioner Youth Affairs Ministry of Gender speaks at the Opening of the convention.**

**BELOW: Child Justice Actors in a parallel session during the convention.**



## MEETING WITH ROLE UK

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**O**n 17<sup>th</sup> September 2015, LASPNET met with a team from Role UK which is conducting research into areas prioritized for development in the rule of law space in Uganda and to identify Ugandan project partners they may be able to work with. The team consisted of Nigel Priestly, Ranjit Uppal and Charlotte Cracombe.

The LASPNET team consisted of Ms. Sylvia Namubiru Mukasa, the Executive Director, and Ms. Berna Bakidde Kiberu, the Programmes Manager.

The discussion centered on equipping lawyers, psycho social experts, paralegals, community legal volunteers and other professionals with skills to effectively handle reported and unreported cases through public interest litigation.

The Rule of Law Expertise Programme (ROLE UK) is a new initiative funded by the UK's Department for International Development (DFID) which aims to support rule of law programming internationally. Support is provided by facilitating access to UK legal experts (judges, solicitors, barristers, legislative draftsmen, magistrates and UK government) to provide specialist information, advice, mentoring, training or other assistance to improve the policies, capacity and practices underpinning the rule of law. The programme also shares lessons and best practices to improve the co-ordination of the international pro-bono legal sector. ■



**L-R: Mr. Migel Priestly, Ms. Sylvia Namubiru, E.D LASPNET, Mr. Ranjit Uppal and Ms. Bakidde Berna, Programmes Manager LASPNET during the meeting at the LASPNET secretariat.**

**Legal Aid Service Providers at Piato Restaurant on 28<sup>th</sup> October 2015 for the Capacity Assessment Validation Meeting.**



## MEMBERS

# VALIDATE TWO KEY RESEARCHES

**O**n 28<sup>th</sup> and 29<sup>th</sup> October 2015, LASPNET held two meetings at Piato Restaurant in Kampala where members received two researches for validation.

The research on the capacity assessment of legal aid service providers across Uganda was validated on 28<sup>th</sup> October 2015 after a motion was moved by Mr. Edward Kywalyanga from the Law Development Centre Legal Aid Clinic, and seconded by Ms. Lucy Peace Nantume from Foundation for Human Rights Initiative.

Ms. Sylvia Namubiru Mukasa, the Executive Director for LASPNET while opening the discussion explained that the capacity assessment focussed on issues of governance, resources, laws and regulations, staffing, geographical location and thematic areas, things that are key for the operations and sustainability of members.

The General Secretary, LASPNET, Mr. Fredrick Walulya assured members that the assessment conducted by BDO Consultancy was aimed at building their capacity and ensuring that LASPNET remains relevant to them.

The findings from the assessment indicated; weak documentation practices, failure by LASPs to reach set targets due to reduced donor funding, reluctance by Muslim legal aid service providers to represent clients for fear of being branded supporters of terrorism in light of increased cases of Islamic extremism, people taking legal aid as a last resort and mediation as one of the best approaches to resolving civil matters, among others.

His Worship Samuel Emokor, the Chief Magistrate of Fort Portal cautioned LASPs against non-compliance with regulations saying it should be a thing of the past. He applauded them for their presence which he said indicated their readiness to sacrifice for a bigger cause.

The research on Poverty, Vulnerability and Marginalisation was conducted by Pro-Initiatives and sought to establish who a poor person is to enable LASPs know their target audience for improved service delivery. This is because the Constitution of the Republic of Uganda, 1995, limits legal aid services to indigent persons.

“If you are poor, you are more likely to be vulnerable and marginalised”, said Robert Mugaga who presented the research findings to LASPNET members on 29<sup>th</sup> October 2015, on behalf of Pro-Initiatives.

It was also noted that lawyers in private practice are reluctant to provide pro-bono services. On this note however, the LASPNET Executive Director called on members to market themselves given their relevance and importance in social justice and development “We are more relevant than lawyers in private practice since we take a human rights based approach to development”, she said.

Mr. Musa Ntambi from Muslim Centre for Justice moved the motion to validate the Poverty, Vulnerability and Marginalisation research study which was seconded by Ms. Josephine Kalege from Defence for Children International.

**Mr. Fredrick Walulya (standing) addresses members during the Validation Meeting for the Poverty, Vulnerability and Marginalisation Research.**





# L A S P N E T H O L D S 6<sup>T H</sup> A G M

Members of the Legal Aid Service Providers Network converged at Kampala Serena Hotel on 23<sup>rd</sup> October 2015 for their 6<sup>th</sup> Annual General Meeting. The meeting sought to review progress achieved in the period July 2014 to June 2015 and set the pace for the activities in July 2015 to June 2016.

While opening the meeting, Mr. Samuel Herbert Nsubuga, the Board Chairperson commended members for making the Access to Justice Conference a success. The Conference had been held the previous day on 22<sup>nd</sup> October 2015 at Serena. He reminded them of the new corporate strategic plan (2015-2020) that they had validated earlier on 8<sup>th</sup> October 2015 at Silver Springs Hotel in Kampala and assured them of a final copy which would be shared after the board's approval.

The chairperson called for a frank and candid discussion on the issues affecting the Network so as to chart a way forward for its sustainability.

Members received the Annual report for 2014/15, the audited accounts, among other reports which provided details on the activities undertaken by the Network that year, the challenges faced and suggestions for better performance.

After thorough deliberations and voting, the general assembly agreed to increase subscription fees from UG.SHS. 100,000 to 200,000/= taking effect immediately. This as explained by Mr. Gard Benda, the LASPNET Vice Chairperson was aimed at supporting the Network advance towards self-sustainability in light of limitation in funding from donors.

Nomination and voting was done for the position of Eastern Region representative on the LASPNET board, which was taken unopposed by Ms. Priscilla Aling from Land and Equity Movement Uganda (LEMU).



LASPNET Members voting on raising subscription fees during the 6th AGM at Serena.



**ABOVE: R-L Mr. Gard Benda, the Vice Chairperson LASPNET congratulates Ms. Priscilla Aling on her election as Eastern Region Representative on the LASPNET Board.**

Mr. Richard Nsumba Muganzi, the former LASPNET Executive Director was presented with an award in recognition of his years of service to the Network. In his acceptance speech, Mr. Muganzi noted the special contribution made by a number of individuals towards the establishment and growth of LASPNET. They included; Dr. Katja Kerschbaumer from the Judiciary, Mr. Musa Mudoi of J-LOS for ensuring that the Secretariat was physically in place, Ms. Theodora Webale,

**BELOW: R-L Mr. Samuel Nsubuga, the LASPNET Board Chairperson hands over an appreciation award to Mr. Richard Muganzi, former Executive Director, LASPNET.**



the first Chairperson of the Network and MS. Berna Bakidde from the LASPNET Secretariat for the technical support. He dedicated the award to all Legal Aid Service Providers for their varying efforts taken to serve the indigent.

Members were reminded to support Uganda Christian Lawyers Fraternity (UCLF) in commemorating 10 years of existence at their anniversary dinner that was due on 13<sup>th</sup> November, 2015.

# HIGHLIGHTS OF THE STAFF TRAINING

**O**n 9<sup>th</sup> till 11<sup>th</sup> September 2015, LASPNET held a three day residential training for all staff at Esella Country Hotel in Najeera.

The training which was facilitated by Mr. Godfrey Bwanika from Uganda Management Institute was aimed at equipping staff with the latest skills needed to propel the activities of the Secretariat forward and serve members more efficiently and effectively.

Staff were taken through a number concepts and key subjects such as; team building, financial management for non-financial managers, project planning and management as well as resource mobilization. Other subject matters included; research and advocacy, communication and social media plus monitoring and evaluation. This was conducted by a mix of presenters who are experts in those areas.

An action plan with set priorities for each department was developed at the end of the training from which individual staff will be appraised as per the set deadlines.

Mr. Fredrick Walulya, the LASPNET Board General Secretary who represented the Chairperson at the closure of the training called on staff to be driven by desire to realize access to justice for all as their motivating factor.

He commended Mr. Bwanika for facilitating the training. "A combination of all the knowledge acquired here plus the new corporate strategic plan will pull LASPNET to greater heights", he said in reference to the training.

The General Secretary also urged staff to aim for minimal supervision so as to reduce the work load of the Executive Director.

The training was also a form of orientation for two new staff who had just joined the Secretariat in the positions of Communication and Documentation as well as Research and Advocacy.

It was rounded off with a cocktail.

**Ms. Sylvia Namubiru Mukasa, ED LASPNET (extreme left), Mr. Paul Kavuma, Central Region Rep. on LASPNET Board (4th from left), Mr. Fredrick Walulya, General Secretary LASPNET (2nd right) and LASPNET staff after the training.**





R-L: Ms.Sylvia Namubiru, the LASPNET Executive Director receiving a certificate of recognition from a Uganda Child Rights NGO Network (UCRNN) member for her work as a Child Rights Advocate. This was during the UCRNN AGM held on 1st December 2015 at Pope Paul Memorial Center, Kampala.



# OBITUARY



## Ms. Juliet Opoka

who was a Senior Legal Officer and head of the Legal Aid Project, Uganda Law Society in Gulu passed away in November 2015.

As a Legal Aid Service Advocate, she contributed selflessly and with commitment to the cause of the poor and vulnerable in Uganda. Her friendly character and hard work endeared her to so many in the legal aid fraternity.

We celebrate her life and pray that God grants her eternal rest!

**RIP Julie**

# UPCOMING EVENTS

EVENT	DATE	VENUE
Launch of the Research on Poverty, Vulnerability and Marginalisation	15 <sup>th</sup> December 2015	Imperial Royale Hotel
Trial Advocacy Training	11 <sup>th</sup> -15 <sup>th</sup> January 2016	To be confirmed
Trial Advocacy Training	18 <sup>th</sup> -20 <sup>th</sup> January 2016	To be confirmed
Validation Meeting for the Cost Benefit Analysis Research	21 <sup>st</sup> January 2016	To be confirmed
Board and Staff Retreat	27 <sup>th</sup> - 29 <sup>th</sup> January 2016	To be confirmed



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