

LAND DISPUTES OVERFLOW WAKISO HIGH COURT

PHOTO BY MPALANYI SSENTONGO

By Farooq Kasule

Land disputes account for 54% of the 5,470 cases that have been filed before the High Court in Wakiso since its operationalisation last year.

High Court Judge Sarah Langa Siu made the revelation during the court's open day yesterday.

Langa attributed the statistics to the rapid growth of the district, coupled with increased pressures on the land.

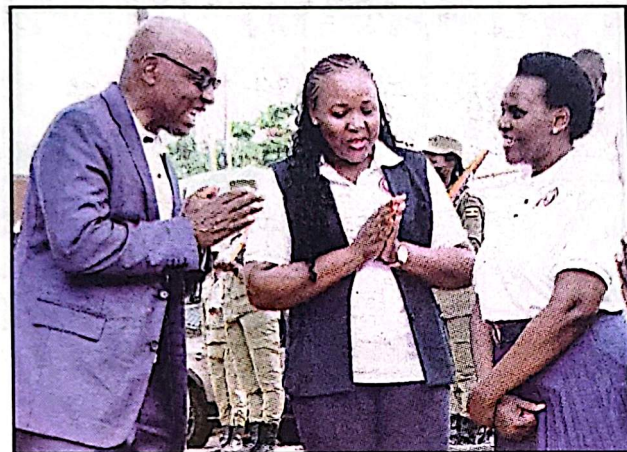
BACKLOG CASES

"We have disposed of 1,322 cases and 4,151 cases are pending disposal," Langa said.

She, however, noted that only 93 of the cases are categorised as backlog, accounting for 22% of the court's case workload.

A case is considered backlog if it has been spent in the judicial system for more than two years without being resolved.

On the good feedback given by the court users, Langa said it is because they have branded the court as a corruption-free zone. Langa appealed to the court users to report to them anybody



L-R: Chief Justice Zeija, Langa and Lady Justice Dr Flavia Grace Lamuno at Nabweru during the Wakiso High Court open day, yesterday

who attempts to solicit bribes in the name of any judge at the court. "If anybody asks you for money in our names, don't pay it because we don't take bribes to do our work," Langa said.

Langa also implored those seeking bail to wait, until the court announces the figure and pay to avoid being fleeced of

their money by unscrupulous people.

ALTERNATIVE MECHANISMS

Presiding over the court open day, the Chief Justice Dr Flavian Zeija appealed to the litigants to embrace Alternative Dispute Resolution (ADR) mechanisms for swift justice.

"I urge you to embrace ADR because courts have never resolved disputes, but they only decide them and that is why you see people appealing against the decisions of the court even when they shouldn't, which is not the case with mediation, where parties reach an agreement by consensus," Zeija said.

Using an example of the 16 cases of the Bugwere cultural institution leadership, which are being resolved through mediation, Zeija said mediation restores harmony in society.

Zeija also appealed to the judges at the Wakiso High Court to champion ADR because it offers swift justice.

"If you see a matter that can be solved through ADR, please refer them to mediation for swift justice," Zeija said.

DELAYED TRIALS

On the issue of delayed trials raised by Nansana Municipality MP Zambali Bulasio Mukasa, who was among the participants, Zeija said this is caused by inadequate staffing resulting from budgetary constraints.

"It is good you are an MP. Please help us to get our budget increased because that is where the problem comes. Currently, I have 88 High Court judges out of the 150. In the next financial year, I am not going to recruit any judicial officers because the budget has not been provided. Therefore, this is a budget issue," Zeija said.

"Our budget has always been 0.3% of the national budget and it has just been increased to 0.6%, but the one of Parliament, where you can even spend one year without attending and get paid, is 1.6%, which is more than twice ours. So, if I can get the required budget, you would see wonders."

Drawing from the feedback from the court users, Zeija commended the judges at Wakiso High Court for shunning corruption.

NEW SENTENCING GUIDELINES

Advocate Vincent Mugisha urged the judiciary to come up with new sentencing guidelines on plea bargaining, saying it is being abused by some of

the judicial officers. Mugisha claimed that some of the judicial officers colluded with state attorneys to impose lenient sentences.

ESCALATING LAND CONFLICTS

Land-related disputes are among the most prevalent types of disputes occurring with and among communities in Uganda, both in rural and urban areas.

In 2016, President Yoweri Museveni set up a judicial commission of inquiry into land matters to address escalating land conflicts, rampant illegal evictions and systemic corruption within land administration.

The commission that was chaired by now Supreme Court justice Catherine Bamugemereire recommended sweeping legal and institutional reforms, including consolidating land management into two super bodies, reducing land tenure types and digitising all records to curb fraud. It also proposed a strict anti-corruption framework and increased use of alternative dispute resolution.