



## **PRESIDENT'S REMARKS AT THE AFRICAN LEGAL INNOVATION WEEK 2020 VIRTUAL CONFERENCE**

### **THEME: "JUSTICE IN THE DIGITAL AGE"**

John F. Kennedy rightly stated that, "Change is the Law of life. And those who look at the past or present are certain to miss the future." I am one of the firm proponents that believe that the law cannot be law if it's socially disconnected and acting outside the ambit of the society it serves. Aristotle once stated, "At his best, man is the noblest of the animals; separated from the law and justice, he is the worst." Today, we stand amidst the CoVID-19 pandemic, a real challenge to Mother Nature today as we know it. It has been a real game changer in many sectors of the world and the legal sphere is no stranger to these changes which have not only changed the way legal business is conducted, but also the way justice in this new digital age is dispensed.

If we are to achieve the said justice in this era, service models and priorities must be targeted, designed and delivered to meet the specialized needs of our communities. In dissecting this point allow me have reference to the new teleconferencing system applied by the judiciary as well as the Electronic Court Case Management Information System (ECCMIS) which is being applied partly in pilot phases. These are all very good efforts of ensuring that access to justice is brought closer to the persons in need given the current COVID-19 pandemic. However, I implore pivot stakeholders like the judiciary to educate the public on how these mechanisms work and can be of better help to the public just as their goal in this regard is. Why? For an important service provider like the judiciary, the adoption of technology proves that they ready to live in sync with the modern times, but we would also like them to accommodate the illiterate victims that step in those halls of justice seeking the swift arm of the law.

Access to reliable information and assistance about legal processes and sources of self-help should be made available. This is another firm point of reference if we are to experience a significant chance in our justice system. It is not a given that at every turn the legal support will be readily available. It therefore becomes a good practice to train the society in what we can call legal self-help. This can be done through sensitization, publishing of tailor made simpler versions of the statutes and promoting easier technological

approaches. The “Puliddawo App” of the Uganda Law Society, for instance, is one of these innovations that forms a pioneer in such an initiative with an interface of both a smart phone and the ordinary analog phones. These services empower people to handle simple legal issues and also appreciate the mechanics of the justice system in this digital era.

Information is a significant issue: the Access to Information Act, 2005 forms a foundational bedrock for our right to accessing information under Article 41 of the 1995 Constitution. However, people do not understand legal events, what to do or where to seek assistance. People do not seek traditional legal advice, but rely on non-professional sources of advice and generally available information. Access to legal knowledge is a fundamental element of the social pact. It is my fundamental belief and goal that in creating more info-centric points in our communities we can better understand and appreciate people’s demands so that we channel the justice system to this tuning.

People do not generally seek to use courts or formal justice mechanisms as a means of obtaining assistance in relation to legal issues. This plays an important role both as to what challenge it poses to us as stakeholders and what opportunities it provides as professionals. People centered justice should not only be geared towards looking at the formal kind of legal systems such as courts as these at times scare away potential justice seekers. A good example to this is the small claims procedure system where an informal system is adopted to harmonize the court process to the level of a layman in that it doesn’t require formal legal representation. Facilities such as these tune the legal system to a people centered setting which is favorable.

More information should be made available and it is important to find ways to encourage more people to rely on the existing resources that are available to them. This is another crucial point to the effect that the lack of readily available relevant legal information creates a big gap between the society’s ability to act from an informed point of view and the much needed justice struggle that prevails to date. A clear example to this is the inadequate circulation of the Uganda Gazette which is the Government official Newspaper and the lack of translated versions of the constitution and other important human rights statutes that are vital for an individual’s understanding. They have led to a big misconception of these important laws and documents without appreciating their importance. This can be changed with the new digital era where such can be brought closer to them by a click of a button.

Multiple, diverse, and integrated access points and service responses are needed: access to a wider range of entry points is key. Access to law relay points to ensure all access to law mechanisms is very pertinent in ensuring that we can achieve this goal. In order to view this through a different spectrum, we can create access points in various locations including social action municipal centers and mobile support for instance a “justice bus” run which can be linked to professional associations available to provide closer people centered justice to the society. More tailored legal services are required; in our search for justice system in the Digital era, legal services are the primary recourse for all victims of injustice. Therefore, a great need to have a system that appreciates and understands the layman’s appreciation of an injustice is key. The rationale for this is simple the person seeking justice should be able to fill that the law is in sync with their needs and that they can be active players in this pursuit. As Uganda Law Society for instance, we have the duty counsel and pro-bono schemes that are tailor made to handle those persons that are unable to find a lawyer or afford legal services. Furthermore, we also encourage self-representation of clients in simple legal matters to help them demystify the court process and appreciate the pursuit of justice.

Additional support to lawyers and paralegals who provide essential services to low- and middle-income people is essential. This is another serious challenge faced by us the professionals eager to extend the much needed justice to the society. With a population of a staggering 40+ million people to only a hand full of about 3,000 lawyers in the country, the ratio of the citizen to the legal professional become minimal every growing second. Therefore, more support in terms of training of paralegals, engagement with the law enforcement agencies and other stakeholders is key to help us ensure a people centered justice system in Uganda.

I conclude by saying that the journey we’re pondering upon is one that requires dedication through being faithful to our goals, sacrifice in our availability to the cause and adaptation while being teachable.

Thank you!

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