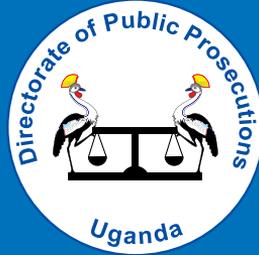




THE REPUBLIC OF UGANDA



DPP

CLIENT CHARTER 2014-2015

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ACRONYMS

A/DPP	Assistant Director of Public Prosecutions
CIID	Criminal Investigations and Intelligence Department
DPP	Directorate of Public Prosecutions/Director of Public Prosecutions
D/DPP	Deputy Director of Public Prosecutions
ICC	International Criminal Court
IGG	Inspectorate of Government/Inspector General of Government
JLOS	Justice Law and Order Sector
MOFPED	Ministry of Finance Planning and Economic Development
NDP	National Development Plan
PRO	Public Relations Office
RO	Regional Office
RSA	Resident State Attorney
RSP	Resident State Prosecutor

FOREWORD

The 1995 Constitution of the Republic of Uganda establishes the office of the Director of Public Prosecutions to deliver a public service that includes the guiding of criminal investigations conducted by the police and the prosecution of criminal cases on behalf of the public. In order to deliver this Constitutional mandate in an effective and efficient manner, there is need for coordination with the public and other stakeholders who consume this service.

The purpose of this client charter is to improve service delivery by providing our clients with vital information about the services we offer, their obligations and how they can access these services as a right. It sets out the standards for the performance of these functions and creates a mechanism for client enforcement, complaint handling and feedback.

This Charter has been developed in line with Government Public Service Reform Programme (PSRP) in consultation with the Ministry of Public Service, other stakeholders and our staff in the various field stations spread countrywide. A great appreciation goes to all those who were involved in its development.

We, the staff of the office of the Director of Public Prosecutions are committed to the full implementation of this social contract and call on all our clients to use its provisions in accessing our services, so as to foster good governance and contribute to the efficient administration of criminal justice.



Mike J. Chibita

Director of Public Prosecutions

PREAMBLE

The clientele of the office of the Director of Public Prosecutions have a right to expect a quality and responsive prosecution service. Through this charter, we reaffirm our commitment to delivering the same in accordance with our core values, principles and ethical code of conduct.

We lay out, in this charter, our vision and mission, the standards of service expected of us and an elaborate appellate mechanism to address issues of quality service delivery. Complements and complaints will help us gauge our performance and periodically review the client charter to respond to new opportunities and emerging challenges.

To help us meet these commitments, we request our different clients to internalise the charter and fulfill the obligations ascribed to them. We undertake to disseminate it.

It is our hope that this charter will lead to the realization of our cherished vision of, “A crime free society”

1.0 INTRODUCTION

1.1 Purpose of this client charter

This Charter lays down the services provided by the Directorate to her clients, the standard of such services and mechanisms for channeling complaints and feedback.

The purpose of this Charter is to ensure good governance practices such as transparency, accountability and responsiveness of administration of criminal justice. This is aimed at empowering our clients with knowledge on the services we provide. This charter will also enable our clients appreciate and assert their rights and serve as a tool for continuous performance improvement.

1.2 Background

The Directorate of Public Prosecutions (DPP) is a service provider in the administration of criminal justice. It is established under Article 120 of the Constitution of Uganda. The DPP is an autonomous institution not subject to the direction or control of any person or authority. The exercise of the DPP's authority and mandate should have regard to public interest, the interest of the administration of justice and the need to prevent abuse of legal process. The Directorate of Public Prosecutions is a member institution of the Justice Law and Order Sector (JLOS) whose policies are focused on the NDP's theme of "*Growth, employment and socio-economic transformation for prosperity*". The Directorate contributes to this theme through effective prosecution of criminal cases to deter and reduce crime while enhancing access to justice for all in society. It is only with the prevalence of peace, law and order that investments and economic transformation can be achieved. The role played by the Directorate consequently contributes to the stated NDP goal, "*strengthening of good governance and human security*". The NDP recognizes that upholding the rule of law and human rights; strengthening JLOS institutions; institutionalizing zero tolerance to corruption and protection of rights and civil liberties are critical to good governance, growth and socio-economic transformation for prosperity.

1.3 Mandate

The constitutional mandate of the DPP is “to prosecute criminal cases in any court in Uganda except a court martial, and to direct police to investigate information of a criminal nature”.

The functions of the Directorate are;

- a. to direct the police to investigate any information of a criminal nature and to report to him or her expeditiously;
- b. to institute criminal proceedings against any person or authority in any court with competent jurisdiction other than a court martial;
- c. to take over and continue any criminal proceedings instituted by any other person or authority;
- d. to discontinue at any stage before judgment is delivered, any criminal proceedings to which this article relates, instituted by himself or herself or any other person or authority; except that the Director of Public Prosecutions shall not discontinue any proceedings commenced by another person or authority except with the consent of the court.

1.4 Vision

Our vision is to strive towards **“a crime free society”**.

1.5 Mission

Our mission is **“To handle and prosecute criminal cases in the country, having regard to public interest, fair administration of justice and the need to prevent abuse of the legal process”**

1.6 Core Values and Principle services

We shall be guided by the following Provisions of prosecution services which will be based on the core values and principles of;

a) **Professionalism**

We shall deliver effective and efficient prosecution services in accordance with our stipulated ethical code of conduct. We shall observe not only the specific rules of the code but shall also observe the spirit of the code.

- b) Impartiality**
We shall provide prosecution services without discrimination.
- c) Objectivity**
We shall prosecute all criminal matters in accordance with the established laws and human rights principles.
- d) Responsiveness**
We shall adequately respond to complaints, complements and other concerns from our clients.
- e) Integrity and Honesty**
In exercising our discretion of whether or not to prosecute, we shall adhere to ethical and moral standards.
- f) Openness**
We shall disclose all relevant materials as required while ensuring fair trial and provide necessary information to our stakeholders where appropriate.
- g) Client focus**
We shall exercise our mandate with regard to public interest in conformity with the law without fear or favor.
- h) Partnership**
We shall engage our partners in JLOS, Regional and International organizations, private sector as well as other stakeholders in the dispensation of criminal justice.
- i) Accountability**
As public officials, we shall be accountable to the citizens while executing our mandate. We shall ensure that public funds and other resources are used efficiently and effectively.
- j) Privacy and confidentiality**
We shall respect the confidentiality of information received from our clients and other partner agencies involved in the prosecution process subject to the law.
- k) Zero tolerance to corruption**
As public officials, we shall have zero tolerance to corruption.

1) Observance of Human Rights

As Public officials, we shall have strict observance of the principles of Human Rights.

2.0 Key result areas/ outputs and targets

These are the key resultant areas of the Directorate of Public Prosecutions

- a) Coordination and management of prosecution of criminal cases in the country.
- b) Provision of legal advice relating to criminal law reform and other legislations.
- c) Quality of prosecution services ensured.
- d) Coordination of international cooperation in criminal matters.
- e) Information linkages with the public are built.
- f) Provision of legal advice and guidance in the investigation of criminal issues.
- g) Provision of logistical, administrative, human resources, financial management and other support services, essential for the efficient and effective criminal prosecutions operations

3.0 Commitments

While exercising our mandate, we commit ourselves to the following among others;

3.1 Coordination and management of prosecution of criminal cases in the country

In fulfilling our obligations towards the achievement of the Directorate's mandate,
We shall;

- a) Guide Investigations of criminal cases within a duration of 120 days on average.

- b) Ensure that Prosecution-led investigations Case files pending a decision to prosecute or not are perused in an average of 30 days.
- c) Peruse case files for sanctioning within a duration of 2 days on average.
- d) Ensure Police Case files pending a decision to prosecute or not are perused within an average of 30 days.
- e) Prosecute Criminal cases in Magistrates Courts within an average of 30 days.
- f) Critically examine criminal cases before they are registered in court.
- g) Coordinate and manage 100% of criminal cases that go to court (i.e. criminal prosecutions, appeals, criminal revisions, miscellaneous applications and committals)
- h) At all times work closely with the Police and where appropriate with the Office of the Auditor General and Inspector General of Government in corruption cases while ensuring that quality evidence is presented to court.
- i) Hold quarterly DPP/Police CIID top management meetings to develop, maintain coordination, cooperation and communication with other criminal justice agencies by handling matters of mutual concern, to come up with best practices in criminal justice operations.
- j) Establish and operationalise Regional Offices.

3.2 Provision of legal advice relating to criminal law reform and other legislations

In fulfilment of our obligation towards the achievement of our mandate, we undertake to continuously advise for the enactment of new laws and amendment of existing ones to cope with the changing global crime trends.

3.3 Quality of prosecution services ensured

In the pursuit of efficiency for the attainment of our institutional goals and objectives, we shall:

- a) Conduct quarterly countrywide inspections of all DPP stations and prepare inspection reports for action by Top management.
- b) Ensure that at least 70% of the Directorate's officers meet minimum performance standards (quality of legal opinions).
- c) Conduct ad-hoc inspections to attend to urgent problems which may not await routine inspections.
- d) Ensure at least 80% of complaints against staff performance and conduct are addressed.
- e) Make certain that at least 95% of public complaints against criminal justice processes are addressed.
- f) Undertake internal research and ensure that at least 75% of recommendations of internally generated research is implemented.
- g) Continuously participate in research and law reform initiatives.
- h) Provide quarterly technical backstopping through provision of advice to our field staff while undertaking criminal prosecutorial activities.
- i) Carryout 4 nationwide field offices' performance planning, staff mentoring and performance assessment visits

3.4 Coordination of international cooperation in criminal matters

We shall:

- a) Respond to all incoming Mutual Legal Assistance Requests within an average of 30 days
- b) Prosecute 50% of reported cross-border cases prosecuted

- c) Ensure that not less than 30% of registered international crimes and terrorism cases are sanctioned
- d) Collaborate effectively with prosecution partners nationally, regionally and internationally
- e) Whenever necessary, examine, develop and recommend improved and sustainable systems for prosecution of transnational crimes such as cyber crime, corruption, drug and human trafficking.

3.5 Information linkages with the public built.

In keeping the public at the same pace with our activities, we shall:

- a) On quarterly basis sensitize the public about the Directorate's operations and activities.
- b) Hold annual DPP Open fora to interact with the public and share information.
- c) Annually publish information on the Directorate operations through the DPP Magazine and other media.
- d) Continuously improve information flow between the Directorate, other stakeholders and the general public through print and electronic media including telephone, television, emails, radio broadcasts, the DPP website and press conferences.

3.6 Provision of logistical, administrative, human resource, financial management and other support services, essential for the efficient and effective criminal prosecutions operations

In order to ensure that legal operations are smoothly carried out, we will:

- a) Produce the Directorate's Policy Statement spelling out what has been done (annual performance) in the past financial year and the costed plans for the following year within the available resource allocation, by July every year,

- b) Issue quarterly performance reports, for both financial and physical targets by the 15th day of the month of the preceding quarter,
- c) Issue semi-annual performance reports on both financial and physical targets by the end of the following month,
- d) Initiate proposals for staff recruitment, confirmation, promotions and terminal benefits within 10 working days of receipt.
- e) Issue appointment letters within 21 days from the date of receiving approved instrument
- f) While ensuring transparency and accountability in the use of the public funds, we shall
 - i. Produce 4 Quarterly accountability reports , Quarterly compliance to procedures/ regulations reports, 4 field inspection reports, 4 Payroll verifications, 2 special assignments/special audits, 4 Fixed Assets review, 4 Procurement audit reports,
 - ii. Make immediate responses to enquiries made by clients (especially goods and services providers) in relation to their payments.

4.0 General standards

- a) We shall follow the Prosecutor's Code of Conduct while handling and prosecuting criminal matters.
- b) Report for duty from Monday to Friday starting at 8:00pm to 12:45 and 2:00pm to 5:00pm, excluding public holidays.
- c) Suggestion boxes shall be opened quarterly during inspection of field stations
- d) Complaints shall be handled promptly

5.0 Clients: their rights, expectations and obligations

5.1 Our clients

Our clients include, but are not limited to Victims of crime and persons accused of crime, stakeholders involved in the criminal justice system such as Police, Judiciary, Prisons, Ministry of Justice and Constitutional Affairs, Ministry of Public Service, Ministry of Finance, Planning and Economic Development (MOFPED), Inspectorate of Government (IGG), Uganda Law Society International Criminal Court, Interpol and other sister Institutions.

5.2 Clients Rights and Expectations

Our clients have a right to;

- a) Quality and responsive prosecution services
- b) Lodge complaints
- c) Gender sensitiveness in delivery of prosecution services
- d) Non prejudiced prosecution services
- e) Fairness and transparency
- f) Timely delivery of prosecution services.
- g) Prevention of abuse of legal process such as malicious prosecution
- h) Ask for and receive information with-in the ambit of the law.
- i) Feedback on issues raised by them.
- j) Accountability.
- k) Prevention of abuse of Human Rights.

5.3 Clients Responsibilities

Our clients have the following obligations;

- a) Cooperate with the Directorate staff and follow established procedures.
- b) Provide correct and consistent information promptly.
- c) Not to offer gifts, favors or inducement to the Directorate

staff, or to solicit the same.

- d) Respond to requests for accurate and timely information by the Directorate.
- e) Give feedback on staff performance in respect of service delivery.
- f) Comply with the DPP's laid down procedures.

6.0 Feedback from clients

For continuous improvement on our services, we expect feedback from our clients. This can be sent to the Director of Public Prosecutions through ROs, RSAs /RSPs in field offices and where one is not contented with the response given, he/she can write to the Director on this address;

Directorate of Public Prosecutions
Plot 1 Pilkington Road,
Workers' House
P.o. Box1550
KAMPALA
Fax: 256 41 250 128

Or hand delivery to DPP Headquarters, Workers' House Plot 1 Pilkington Road, 11th and 12th Floor, or the RSA/RSP in the area of jurisdiction, using suggestion boxes in field stations across the country or emailing us on: **admin@dpp.go.ug** and or calling the PRO's office on 041-332 533

7.0 Managing complaints and Appeal Mechanism

Complaints are handled both at our field offices and Headquarters through the Complaints Desk. All complaints to the Directorate are lodged in writing to the DPP, RSA's Office and or through suggestion boxes/complaints boxes, etc. The complaints boxes are prominently positioned in front of the offices and are accessible even on weekends. Complaints/suggestions received through these boxes will be attended to promptly. Where appropriate, feedback on the complaints will be given within one week of receipt. For this reason, persons lodging complaints are advised to provide their

contact information. The complaints office is open during official working hours.

7.1 Who may lodge a complaint?

Any dissatisfied member of the public may lodge a complaint. The nature of the complaint may arise from;

- a) Dissatisfaction with the prosecution of a particular case.
- b) Professional misconduct by the staff of the Directorate, such as poor handling of prosecution cases
- c) Discontent with a decision taken in a particular matter, especially on issues regarding investigation of criminal cases.
- d) Harassment of prosecution clients.

8.0 Appeal process/ mechanism

Where the client is not satisfied with the response from the head of complaint's desk, the RSA or RSP, he/she can refer the matter to the RO and then the Director.

9.0 Accountability-HOW WE WILL BE ACCOUNTABLE

We as staff of DPP, commit ourselves to do the following:

- a) Monitor our performances against the standards set out in this Charter, and publish the results thereof in our Annual Policy Statement,
- b) Publish Annual Performance Report and other publications such as the DPP magazine. This information will be availed on our website: www.dpp.go.ug and disseminated through the media and barazars.

10. Performance Improvement

We as staff of DPP are committed to continuously address areas that are not adequately handled to the satisfaction of clients and this will be through;

- a) Improvement of communication channels and feedback mechanisms. Basing on the information received, we shall initiate improvements in the delivery of quality prosecution services.
- b) Annual review of performance standards set out in this charter involving all stake holders as a method of monitoring, evaluating and reviewing performance of the prosecution process.
- c) Regular supervision, monitoring and evaluation of our services.



Directorate of Public Prosecutions

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