



THE REPUBLIC OF UGANDA

REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF
OFFICE OF THE DIRECTORATE OF PUBLIC PROSECUTIONS
FOR THE YEAR ENDED 30TH JUNE 2019

OFFICE OF THE AUDITOR GENERAL
UGANDA

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LIST OF ACRONYMS

Acronym	Meaning
AAPSCOM	Association of African Public Service Commissions
DSC	District Service Commission
IFMS	Integrated Financial Management System
ISSAIs	International Standards of Supreme Audit Institutions
ICT	Information Communication Technology
LGs	Local Governments
MDAs	Ministries, Departments and Agencies
MoFPED	Ministry of Finance, Planning and Economic Development
TAI	Treasury Accounting instructions
PFMA	Public Financial Management Act
PPDA	Public Procurement and Disposal of Assets
ODPP	Office of the Directorate of Public prosecution

REPORT OF THE AUDITOR GENERAL ON THE AUDIT OF FINANCIAL STATEMENTS
OF OFFICE OF THE DIRECTORATE OF PUBLIC PROSECUTIONS
FOR THE YEAR ENDED 30TH JUNE, 2019

THE RT. HON. SPEAKER OF PARLIAMENT

Opinion

I have audited the accompanying financial statements of Office of the Directorate of Public Prosecutions which comprise the statement of Financial Position as at 30th June 2019, the Statement of Financial Performance, Statement of Changes in Equity and Statement of Cash Flows together with other accompanying statements for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In my opinion, the financial statements of Office of the Directorate of Public Prosecutions for the year ended 30th June 2019 are prepared, in all material respects, in accordance with section 51 of the Public Finance Management, 2015 and the Financial Reporting Guide, 2018.

Basis for Opinion

I conducted my audit in accordance with International Standards of Supreme Audit Institutions (ISSAIs). My responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of my report. I am independent of the Directorate in accordance with the Constitution of the Republic of Uganda 1995 (as amended), the National Audit Act, 2008, the International Organization of Supreme Audit Institutions (INTOSAI) Code of Ethics, the International Ethics Standards Board for Accountants Code of Ethics for Professional Accountants (Parts A and B) (IESBA Code), and other independence requirements applicable to performing audits of Financial Statements in Uganda. I have fulfilled my other ethical responsibilities in accordance with the IESBA Code, and in accordance with other ethical requirements applicable to performing audits in Uganda. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Key Audit Matter

Key audit matters are those matters that, in my professional judgment, were of most significance in my audit of the financial statements of the current period. These matters were addressed in the context of my audit of the financial statements as a whole, and in forming my opinion thereon, and I do not provide a separate opinion on these matters. I have determined the matters described below to be key audit matters communicated in my report.

1.0 Implementation of the approved budget

Section 45 of the Public Finance and Management Act, 2015, requires the Accounting Officer to control the regularity and proper use of the money appropriated to the vote.

According to Section 45 (3) of the same Act, the Accounting Officer shall enter into an annual performance contract with the Secretary to Treasury which shall bind the

Accounting Officer to deliver on the activities in the work plan for the vote for the financial year. Work plans are based on outputs to be achieved for the financial year, and during implementation, effort is required to achieve the agreed objectives/targets for the entity within the available resources.

It has been observed over the years that planned and budgeted for activities of a number of Government entities are not implemented thereby affecting service delivery.

In the overall office wide planning, I assessed risks like inadequate release of funds and failure to undertake budget monitoring and supervision that are likely to be the causes of failure to implement entity planned activities. The focus was put on the planned outputs of the entities which greatly impact on the wellbeing of communities.

Consequently, I developed procedures in order to address the performance of the budget of the entity:

- Ascertaining the amount received by the entity and the source of the funding
- Inquiring from management of off-budget financing received and ascertaining the basis for the off-budget financing, if any.
- Comparing the approved budget against the actual receipts
- Comparing the planned vote function outputs against the actuals and determining the variances
- Reviewing utilisation of the funds.

Based on the procedures performed, I observed Office of the Directorate of Public Prosecutions has a constitutional mandate to direct the police to investigate any information of a criminal nature, institute criminal proceedings against any person or authority in any court other than a court-martial and to discontinue at any stage before judgment any criminal proceedings. In order to achieve its mandate, the ODDP planned to implement and achieve a number of both recurrent and development deliverables under various programmes and projects.

In order to achieve the mandate, the ODPP planned to implement and achieve a number of both recurrent and development deliverables under various programmes. A review of the entity's ministerial statements, approved work-plans and budgets revealed that the entity had an approved budget of UGX.34,549,245,974 out of which UGX.34,549,244,997 was released. The key deliverables for the financial year 2018/19 are detailed in the table below.

Table: Showing key deliverables for ODDP for the year

Sn	Key deliverables	Amount	Cumulative percentage of the approved budget
i	Inspection and Quality Assurance Services	1,285,396,585	3.72
ii	Criminal Prosecution Services.	9,004,779,708	29.26
iii	General Administration and Support	17,803,717,525	80.79
iv	Capital Purchases	6,455,351,179	100
	Total	34,549,244,997	100

The ODDP planned to achieve the above deliverables through implementation of 19 outputs. I reviewed the 19 outputs with a budget of UGX.34,549,244,997 representing 100% of the total budget and below are the findings.

	Observation	Recommendation												
1.1	<p><u>Revenue performance</u></p> <p>I reviewed the NTR estimates, revenue sources and rates charged at vote level for the financial year 2018/2019 and noted that a sum of UGX.12,350,000 was collected during the financial year 2018/2019 and was accordingly transferred to the consolidated fund. However, there was no set target against which the NTR performance could be measured.</p> <p>Without set targets for revenue, there is a risk of revenue underperformance which may consequently affect implementation of planned activities.</p> <p>The Accounting Officer explained that these funds related to sale of bids for boarded off vehicles that were declared obsolete in the FY 2017/18. The authority to board off these vehicles was obtained in 2018/19.</p>	<p>I advised the Accounting Officer to ensure that projections for revenue collections during the budgeting process are undertaken to enable proper capture in the PBS and the financial statements.</p>												
1.2	<p><u>Under absorption of funds</u></p> <p>I observed that:</p> <ul style="list-style-type: none"> • The entity budgeted to receive UGX.34,549,245,974, and UGX.34,549,244,997 was warranted resulting into a 100% revenue performance. • Out of the warrants of (UGX.34,549,244,994), UGX.33,664,947,715 was spent by the entity resulting in an unspent balance of UGX.884,297,282 representing absorption level of 97.4%. The unspent balance at the end of the financial year was subsequently swept back to the consolidated fund account. Refer to table below; <table border="1"> <thead> <tr> <th>ODPP</th> <th>APP EST (A) (billions)</th> <th>RELEASE (B) (billions)</th> <th>Variance C=(A-B) (billions)</th> <th>Expenditure (D) (billions)</th> <th>Unspent (B-D) (billions)</th> </tr> </thead> <tbody> <tr> <td>2018/ 2019</td> <td>34,549,245,974</td> <td>34,549,244,994</td> <td>0</td> <td>33,664,947,715</td> <td>884,297,282</td> </tr> </tbody> </table> <p>Failure to spend funds resulted in partial or non-implementation of planned activities.</p> <p>The Accounting Officer explained that the balances on salaries and wages were caused by the delays in the promotional and recruitment processes. Further, the balances on Gratuity Expenses were caused by the failure by the retirees to provide the required documents to access their entitlements.</p>	ODPP	APP EST (A) (billions)	RELEASE (B) (billions)	Variance C=(A-B) (billions)	Expenditure (D) (billions)	Unspent (B-D) (billions)	2018/ 2019	34,549,245,974	34,549,244,994	0	33,664,947,715	884,297,282	<p>I advised the Accounting Officer to always plan early and ensure all planned activities are implemented.</p>
ODPP	APP EST (A) (billions)	RELEASE (B) (billions)	Variance C=(A-B) (billions)	Expenditure (D) (billions)	Unspent (B-D) (billions)									
2018/ 2019	34,549,245,974	34,549,244,994	0	33,664,947,715	884,297,282									
1.3	<p><u>Non-Quantification of outputs/activities</u></p> <p>A review of the 19 outputs assessed revealed that 9 outputs representing 47% of the total outputs were not quantified to enable measurement of performance. Details in Appendix I.</p> <p>I observed that, in these cases, management reported in generic ways, i.e. in percentages; 70% of CG & S offences investigations to be concluded within 30 business days, 70% of GC & S offences prosecutorial decisions to be made within 15 business days and 80% of GC & S offences case files to be sanctioned within two (2) business days among others</p>	<p>I advised the Accounting Officer to institute measures to ensure that outputs and activities are properly quantified when preparing the annual plans and budgets.</p>												

	<p>Failure to plan and report on the quality/quantity of activities implemented renders it difficult to establish individual activity costs for each planned output, and this curtails effective accountability when funds are subsequently spent, Further, without clearly spelt out planned outputs, I could not ascertain whether funds appropriated by Parliament and released were actually spent and the intended objectives achieved.</p> <p>The Accounting Officer explained that at planning level, it poses difficulty in determining the number of new cases that will be registered in a given financial year. However, at reporting level, the number of cases received plus cases carried forward from previous financial years is quantified to determine actual performance.</p>																	
<p>1.4</p>	<p><u>Implementation of the quantified planned outputs</u></p> <p>An analysis of the outputs that were quantified revealed that although the entity absorbed (97.4%) of the funds that were released, some of the activities remained partially implemented.</p> <p>Out of the 10 quantified outputs assessed, 4 outputs representing 40% were fully implemented, and 6 outputs representing 60% were partially implemented. Details are in Appendix I. Below is a table showing a summary of the implementation status.</p> <p><u>Table showing the level of implementation of quantified outputs</u></p> <table border="1" data-bbox="338 1059 1160 1182"> <thead> <tr> <th>S/n</th> <th>Reporting</th> <th>Outputs</th> <th>Performance in %</th> </tr> </thead> <tbody> <tr> <td>i</td> <td>Fully Implemented</td> <td>4</td> <td>40%</td> </tr> <tr> <td>ii</td> <td>Partially Implemented</td> <td>6</td> <td>60%</td> </tr> <tr> <td></td> <td>Total outputs</td> <td>10</td> <td>100</td> </tr> </tbody> </table> <p>Partial-implementation of planned activities implies that the expected services to the beneficiary communities were not attained. For example the partially implemented activities included; automation of 20 Field Offices with PROCAMIS however only 15 Field Offices were automated with the Management Information System. The entity also planned to establishment 5 Field offices however only 1 Field office was established.</p> <p>The Accounting Officer explained that Performance was affected by understaffing, inadequate funding, the complexity of cases, and appeal processes.</p>	S/n	Reporting	Outputs	Performance in %	i	Fully Implemented	4	40%	ii	Partially Implemented	6	60%		Total outputs	10	100	<p>I advised the Accounting Officer to liaise with the relevant stakeholders regarding the challenges identified in order to ensure that activities are planned as implemented timely.</p>
S/n	Reporting	Outputs	Performance in %															
i	Fully Implemented	4	40%															
ii	Partially Implemented	6	60%															
	Total outputs	10	100															

Emphasis of Matter

Without qualifying my opinion, I draw attention to the following matters.

2.0 Domestic arrears

2.1 Outstanding domestic arrears

Section 21(2) of the Public Finance management Act, 2015 states that a vote shall not take any credit from any local company or body unless it has no un paid domestic arrears from a debt in the previous financial year; and it has capacity to pay the expenditure from the approved estimates as appropriated by Parliament for that financial year.

Furthermore paragraph 10.10.17 of the Treasury Accounting Instructions 2017 states that "An Accounting Officer will ensure that no payments due in any financial year remain unpaid at the end of that year.

A trend analysis of the domestic arrears showed a movement of arrears from UGX.332,526,489 in the previous year to UGX.151,366,693 in the year under review, a decrease of 54.4 %. The arrears remained unsettled at the close of the year. The table below shows the trend analysis of the domestic arrears for the past three years:

No	Year End	Amount (UX)	% increase/decrease
1	30 th June 2017	233,581,922	
2	30 th June 2018	332,526,489	42.3%
3	30 th June 2019	151,366,693	-54.4%

I noted that the arrears were a result of failure to adhere to the commitment control system.

Accrued domestic arrears adversely hamper budget performance in the subsequent year as outputs anticipated in the appropriated budget cannot be attained due to settlement of the arrears. This may also result in litigation for non-payment of services already consumed.

The Accounting Officer explained that domestic arrears were largely in respect of rent arrears owing to NSSF for office space on Workers House and death gratuity arrears for a claimant whose family has failed to provide the necessary documents to facilitate payment. ODPP is committed to adhering to the commitment control system.

I advised the Accounting Officer to ensure that sufficient budget provisions are made in 2019/20 to enable settlement of the outstanding domestic arrears.

2.2 Failure to Budget for Domestic Arrears

Section 13(10) (a) (iv) of the Public Finance Management Act, 2015 defines an annual budget as the financing estimates for the financial year to which the budget relates, including a plan for Government debt and any other financial liabilities for the financial year to which the annual budget relates.

Office of the Directorate of Public prosecution had arrears to the tune of UGX.332,526,489 outstanding from the prior year. A review of the approved budget estimates of the entity for the financial year under review indicated that no budget provisions were made towards settlement of domestic arrears.

Failure to budget for domestic arrears exposes the entity to a risk of nugatory expenditures in the future as a result of likely litigation from suppliers. There is also a risk of diverting funds from items for which they were appropriated.

The Accounting Officer explained that by disclosing UGX.332,526,489 as total liabilities as at 30th June 2018, management had envisaged that these funds would be provided for by MoFPED in the financial year 2018/19 to settle the liabilities. However, MoFPED appointed Ernst & Young to carry out independent verification of all the declared domestic arrears before providing funds for their settlement.

I advised the Accounting Officer to seek further guidance in respect of budgeting for arrears as resources allocated on other budgeting lines are for activities appropriated for the year.

2.3 Unauthorized Payment of rent arrears

Section 13(10) (a) (iv) of the Public Finance Management Act, 2015 defines an annual budget as the financing estimates for the financial year to which the budget relates, including a plan for Government debt and any other financial liabilities for the financial year to which the annual budget relates.

The review of the approved estimates for the Office of the Director of Public prosecutions revealed that no budget provision was made towards the settlement of domestic arrears. However, it was noted that ODPP paid rent arrears totaling to UGX.21,999,632 implying that the arrears were irregularly paid from other budget lines.

There is a risk of diverting funds from items for which they were appropriated.

The Accounting Officer explained that the money was paid towards the outstanding rent obligation to NSSF as reported in the 2017/18 financial statements

Recommendation

The Accounting Officer was advised to liaise with the relevant authority to adequately budget for domestic arrears and settle the outstanding commitments.

Other Information

The Accounting Officer is responsible for the other information. The other information comprises the statement of responsibilities of the Accounting Officer and the commentaries by the Head of Accounts and the Accounting Officer, and other supplementary information. The other information does not include the financial statements and my auditors' report thereon. My opinion on the financial statements does not cover the other information and I do not express an audit opinion or any form of assurance conclusion thereon.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially consistent with the financial statements or my knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

Management Responsibilities for the Financial Statements

Under Article 164 of the Constitution of the Republic of Uganda, 1995 (as amended) and Section 45 of the Public Finance Management Act, 2015, the Accounting Officer is

accountable to Parliament for the funds and resources of the Office of the Directorate of Public Prosecutions.

The Accounting Officer is also responsible for the preparation of financial statements in accordance with the requirements of the Public Finance Management Act, 2015 and for such internal control as management determines necessary to enable the preparation of financial statements that are free from material misstatement whether due to fraud or error.

In preparing the financial statements, the Accounting Officer is responsible for assessing the Directorate's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the Accounting Officer has a realistic alternative to the contrary.

The Accounting Officer is responsible for overseeing the Directorate's financial reporting process.

Auditor's Responsibilities for the audit of the Financial Statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement, when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users, taken on the basis of these financial statements.

As part of an audit in accordance with ISSAIs, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:-

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Directorate's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Directorate's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Directorate to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accounting Officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I also provide the Accounting Officer with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence, and where applicable, related safeguards.

From the matters communicated with the Accounting Officer, I determine those matters that were of most significance in the audit of the financial statements of the current period and are therefore the key audit matters. I describe these matters in my auditor's report unless law or regulation precludes public disclosure about the matter or when, in extremely rare circumstances, I determine that a matter should not be communicated in my report because the adverse consequences of doing so would reasonably be expected to outweigh the public interest benefits of such communication.

Other Reporting Responsibilities

In accordance with Section 19 (1) of the National Audit Act, 2008, I report to you, based on my work described on the audit of Financial Statements, that; except for the matters raised in compliance with legislation section below, and whose effect has been considered in forming my opinion on financial statements, the activities, financial transactions and information reflected in the financial statements that have come to my notice during the audit, are in all material respects, in compliance with the authorities which govern them.

Report on the Audit of Compliance with Legislation

The material findings in respect of the compliance criteria for the applicable subject matters are as follows:

3.0 Staff Performance Management Initiatives

The Government of Uganda has been implementing Public Service Reforms since the 1990's geared towards cultivating a performance culture focused on results, excellence and professionalism.

Consequently, a number of performance management initiatives have been introduced for enhancing performance and service delivery in the Public Service. These include: Open Performance Appraisal System, Rewards and Sanctions Framework, Client Charters and Service Delivery Standards and Performance Agreements/Plans among others.

To implement the staff performance management initiatives, public service issued Circular Standing Instructions No. 1 of 2010, Circular Standing Instruction No. 1 of 2016, Public Service Standing Orders, Circular Standing Instruction No.1 Of 2011 to offer guidance to MDAs and Local Governments in undertaking the different activities on staff performance management.

The Directorate of Public Prosecution has an approved organization structure comprising of 1334 staff out of which 518 posts have been filled, leaving a balance of 816 posts vacant. I undertook a review of the ODPP staff in post to examine how the entity has implemented the above initiatives and I noted the following;

3.1 Performance Agreements

I noted that none of the fifty three (53) members of Senior Management had completed Performance Agreements as at 31st July 2018 contrary to Section 1.3 of the circular standing instructions No. 1 of 2010. The absence of Performance Agreements limits effective accountability and demonstration of commitment to the government's strategic goals as specified in the National Development Plan.

3.2 Performance plans

I noted that none of the staff had signed performance plans for the year under review. The practice limits effective accountability and demonstration of commitment to government's strategic goals as specified in the National Development Plan. In the circumstances, the basis against which individual performance achievements can be measured at the end of the assessment period is not provided.

3.3 Quarterly reviews

I noted that there were no quarterly performance reviews undertaken for 518 staff in post during the year under review contrary to Section 2.6 (d) of the Circular Standing Instruction No. 1 of 2016. This inhibited management from evaluating and identifying performance constraints to take remedial action.

3.4 Performance appraisals

I noted that out of 518 staff in post at the beginning of the financial year, only 128 staff had completed and signed off performance appraisals as at 31st July 2019 contrary to Section 2.6 (e) of the Circular Standing Instruction No. 1 of 2016. In the circumstances, management is unable to determine the extent to which set performance targets are achieved and is also unable to enforce the rewards and sanctions guidelines as they largely depend on the performance appraisal process.

3.5 Performance Improvement Plans

Section 8 of the Public Service Standing Orders require that where performance targets have not been met; performance improvement initiatives shall be inbuilt in the performance plan for the subsequent year, to address those challenges. Although there was a training plan for 2019/20, the performance gaps were not identified through the appraisal process that required training during the year under review and as such management did not prepare performance improvement plans. In the circumstance, management is unable to identify the capacity needs and analyse the underlying reasons for inadequate performance.

3.6 Submission of reports to Ministry of Public Service (MoPS)

The reports on performance agreements, performance appraisals and performance improvement plans were not submitted to MoPS contrary to the set timelines. The non-submission of reports makes it difficult for the Ministry of Public Service to carry out the monitoring process.

3.7 Mechanism of staff attendance

I noted that much as the Directorate has instituted a mechanism to monitor staff attendance. A number of deficiencies were noted; there were no standard departure registers, the register has no marked fields and analysis is not being made for the attendance and there is no evidence of action taken for absenteeism. Ultimately there is lack of follow up by management and non-submission of reports on absenteeism to the ministry.

3.8 Functionality of the rewards and sanctions committee

I however noted that although a rewards and sanctions committee is in existence, consisting of eight (8) members, the committee has only met once on 18th February within the financial year 2018/19 and had last met in November 2016 before then.

3.9 Timeliness on conclusion of disciplinary cases

A review of disciplinary committee minutes revealed that 12 cases were received during the year, no cases were resolved and it was unclear how long the cases had been pending since they were reported as no records were available by human resource clearly outlining the background facts on each case.

I also noted that for the year under review there was no report on discipline that was submitted to the Ministry of Public Service as required.

3.10 Clients Charter

Section 27 of the Public Service Standing Orders requires Ministries, Departments and Local Governments to develop and publish service delivery standards with regard to the respective services they provide by establishing a client charter. The entity last had a client charter in financial year 2014-15. The charter has not been given priority in funding.

The Accounting Officer attributed the above shortcomings to the increase in cases coupled with gross under-staffing of the Directorate resulting into inadequate supervision and follow up to ensure timely reporting.

I advised the Accounting Officer to follow up the appraisal system by setting internal deadlines to completion of appraisal activities and also to ensure submission of the required reports to the Ministry of Public Service (MoPS)

4.0 Non-implementation of the approved structure

Paragraph A-c (4) of the Uganda Public Service Standing Orders, 2010 provides that any approved post for which funds are provided in the budget shall be submitted to the relevant Service Commission for filling within one month. In case the post is no longer critical in relation to the mandate of the Ministry or Department or Local Government, the Responsible Officer shall seek authority from the Responsible Permanent Secretary to either trade off or freeze or abolish the post.

I noted that the Office of the Directorate of Public Prosecutions has an approved organization structure comprising of 1334 staff, out of which 518 posts have been filled leaving a balance of 816 posts vacant. This represents a staffing gap of 61%.

On the contrary, the posts for State Prosecutor, Principal Accountant, Accounts Assistant, Principal Personal Secretary, Stenographer Secretary and Senior Office Supervisor were overstaffed by 71 people as compared to the approved establishment.

The inconsistency in staff recruitment as compared to the approved establishment impacts negatively on service delivery as planned activities may not be implemented.

The Accounting Officer explained that the new structure was issued on the basis that the cadre of the state prosecutor is being phased out and that at the time of issuing the new structure the Principal Accountant was in post. It was an omission to exclude the position in the approved structure. Management undertakes to liaise with relevant stakeholders to review the establishment.

I advised the Accounting Officer to prioritize the engagements with relevant stakeholders to review the establishment and also fill the vacant posts.



John F.S. Muwanga
AUDITOR GENERAL

KAMPALA

13th December, 2019

Appendix I: Implementation of Budget

Programme/Project	Output/Activities	Planning		Release of funds and Implementation								Monitoring and Evaluation	Reporting	
		Are there clear targets and performance indicators to measure progress (Yes/No) If no give reasons	Are the resources allocated/estimated based on realistic assumptions (Yes/No) If no give reasons	Planned Target for the Financial year	Budgeted amount UGX ('000')	Amount Revised UGX ('000')	Amount released UGX ('000')	Amount spent UGX ('000')	Achieved Target by Financial year end @ performance report	Variance	Causes for the variances			Audit conclusion Fully, partially, or Not implemented
1260 Inspection and Quality Assurance Services	Observance of human rights and fight against corruption promoted													
	126005 Inspection and Quality Assurance			-174 ODPP offices & Agencies with delegated prosecutorial function adhering to the set minimum Performance standards. -Produce 4 reports on inspection of ODPP offices & Agencies With delegated prosecutorial function.	760,088,081	760,088,081	760,088,081	654,081,304	-123 ODPP offices & Agencies with delegated prosecutorial function adhering to the set minimum Performance standards. -4 reports on inspection of ODPP offices & Agencies With delegated prosecutorial function reports	A variance of 51 noted		Partially Implemented UGX. 106,006,777 remained unspent. This relate to General		

				-95% Proportion of Public Complaints on prosecution against Criminal justice attended to.					-88% Proportion of Public Complaints on prosecution against criminal justice attended to	7%		Staff Salaries. Further, Management expensed 86 % of the funds released however didn't Attain 52 of the planned 174 ODPP offices & Agencies with delegated prosecutorial function adhering to the set minimum Performance standards .		
	126004 Trained Professionals and Research	yes	Yes	-Train 10 ODPP staff -Produce 2 Research Reports on criminal law, procedure and Practice. -Produce 1 Report on public satisfaction of ODPP services.	443,908,505	443,908,505	443,908,504	342,138,026	40 ODPP staff trained -2 Research Reports on criminal law, procedure and practice produced -1 Report on public satisfaction of ODPP services produced	30 increment		Fully implemented UGX. 101,770,478 remained unspent. This relate to General Staff Salaries.	yes	Yes
	126006 Internal Audit	yes	Yes	-Produce 4 audit reports	81,400,000	81,400,000	81,400,000	58,417,000	-4 audit reports produced	0		Fully implemented although UGX. 22,983,	yes	Yes

													000 remained unspent. This relate to General Staff Salaries.		
1261 Criminal Prosecution Services.	Commercial justice and the environment for competitiveness strengthened														
126101 Gender, Children and Sexual offences cases prosecuted	YES	YES	70% of CG & S offences investigations to be concluded Within 30 business days. -70% of GC & S offences prosecutorial decisions to be made within 15 business days -80% of GC & S offences case files to be sanctioned within 2 business days	1,450,000,000	1,450,000,000	1,450,000,000	1,390,501,676	68% of CG & S offences investigations concluded within 30 business days -68% of GC & S offences prosecutorial decisions made within 15 business days 80% of GC & S offences case files sanctioned within 2 business days	2% Variance 2% Variance		Not Quantified UGX. 59,498,324 relating to General Staff Salaries remained unspent.	YES	YES		
126102 Lands Crimes cases Prosecuted	yes	Yes	- concluded within 110 business days 60% of Prosecution-Led Investigations in land Crimes. -70% Land crimes cases prosecutorial decisions to be made within 44 business days. -80% of Land crimes cases files to be sanctioned within 2 business days.	1,150,000,000	1,150,000,000	1,150,000,000	1,061,158,635	-59% Prosecution-Led Investigations in land Crimes concluded within 110 business days. -64% of the Land crimes cases prosecutorial decisions made within 44 business days. -69% of Land crimes cases files sanctioned within 2 business days.	1% 6% 11%		Not quantified UGX. 88,841,365 relating to General Staff Salaries remained unspent. Further, Management expensed 92% of the funds released however didn't sanction	yes	Yes		

												11% of the planned 80% of the Land crimes cases files within 2 business days		
	126103 Anti-Corruption Cases Prosecuted	yes	Yes	-10% of proceeds of crime to be recovered out of orders Issued. -75% Proportion of Prosecution-Led investigations into Corruption & money-laundering crimes to be concluded within 132 business days. -75% of Corruption and money-laundering cases prosecutorial decisions to be made within 55 business days.	2,290,000,000	2,290,000,000	2,290,000,000	2,289,975,751	3% of proceeds of crime recovered out of orders issued -27% of Prosecution-Led investigations into Corruption & money-laundering crimes concluded within 132 business days. -60% of Corruption and money-laundering cases prosecutorial decisions made within 55 business days.	-7% 48%		Not quantified Management expensed 99.9% of funds released however didn't conclude 48% of the planned 75% Prosecution-Led investigations into Corruption & money-laundering crimes. Further, 7% of the planned 10% of proceeds of crime were not recovered out of orders issued	yes	Yes

126104 International Crimes cases Prosecuted	yes	Yes	<p>-70% of registered international criminal cases to be prosecuted</p> <p>-80% of registered international crime cases to be handled by way of prosecution-led</p> <p>-To participate in 60 inter-agency engagements on international crimes.</p>	1,900,000,000	1,900,000,000	1,900,000,000	1,899,900,000	<p>85% of registered international criminal cases prosecuted</p> <p>-53% of registered international crime cases handled by way of prosecution-led</p> <p>-Participated in 35 inter-agency engagements on international crimes.</p>	<p>-15% increment</p> <p>Variance of 27%</p> <p>25</p>		<p>Not Quantified</p> <p>Management expensed 99.9% of funds released however didn't participate in 25 inter-agency engagements on international crimes that were planned.</p> <p>Further, 27% of registered international crime cases were not handled.</p>	yes	Yes
126105 General Casework handled	YES	YES	<p>60% of Prosecution-Led Investigations into General crimes to be concluded within 60 business days.</p> <p>60% of General case files' prosecutorial decisions to be made within 20 business days</p> <p>-80% of General case files to be sanctioned within 2 business days</p>	1,200,000,000	1,200,000,000	1,200,000,000	1,099,965,796	<p>-55% of Prosecution-Led Investigations into General crimes conclude within 60 business days</p> <p>62% of General case files' prosecutorial decisions made within 20 business days</p> <p>-73% of General case files sanctioned within 2 business days</p>	5%		<p>Not Quantified UGX. 100,034,204 relating to General Staff Salaries remained unspent.</p>	YES	YES

	126106 Appeals & Miscellaneous Applications	YES	YES	-85% of appeals to be prosecuted. -90% of miscellaneous criminal causes application argued.	1,014,779,708	1,014,779,708	1,014,779,708	1,013,459,683	-71% of appeals prosecuted. 82% of miscellaneous criminal causes application argued.	14% not achieved 8% not achieved		Not quantified Management didn't prosecute appeals of 14% and not achieved and 8% of miscellaneous criminal causes application not argued.		
1262 General Administration and Support	01 Financial & Administrative Services Provided	yes	Yes	-Produce 6 performance reports -Secure 10 Land titles for office premises secured. -Produce 2 Policy Planning documents	7,810,708,454	7,810,708,454	7,810,707,478	7,609,673,671	-6 performance reports -No Land titles for office premises secured. -2 Policy Planning documents produced			Partially implemented All the 10 Land titles for office premises not secured. UGX. 200,634,158 relating to Gratuity Expenses not utilized. Further, performance report indicate a total of UGX.8.27 bn as total expenditure for this output	yes	NO

	02 Automated Prosecution Services	yes	Yes	To equip 20 Offices	818,440,047	818,440,047	818,440,047	813,702,004	10 Offices equipped and internetworked	10		Partially implemented Management didn't internet work and equip 10 Offices regardless of 99.9% payment made. Only UGX. 4,738,043 relating to General staff salary remained unspent.	yes	Yes
	03 Field Operations services	yes	Yes	-Establish 5 Field offices	6,740,200,000	6,740,200,000	6,740,200,000	6,709,499,447	-1 Field offices established	4		Partially implemented Management didn't establish a total of 4 Field offices regardless of 99.6% payment made. Only UGX. 30,700,553 relating to General staff salary remained unspent.	yes	Yes

	126204 Human Resource and Administration support	yes	Yes		99,370,000	99,370,000	99,370,000	73,744,675	Not reported on			Not Quantified Not reported on by management UGX. 25,625,325 relating to General staff salary remained unspent.	yes	Yes
	126205 International cooperation maintained	yes	Yes	-Process 65% of the registered extradition requests. -Process 65% of the registered Mutual Legal Assistance requests -Participate in 2 collaborations in criminal matters.	210,000,000	210,000,000	210,000,000	84,507,543	63% of the registered extradition requests processed -75% registered Mutual Legal Assistance requests Processed. -Participated in 2 collaborations in criminal matters.	2% not achieved Increment of 10%		Not Quantified UGX. 125,492,457 Relating to General staff salary remained unspent.		
	126206 Witnesses & Victims of Crime protected	yes	Yes	Protect 5 Witnesses & Victims-of-crime	2,125,000,000	2,125,000,000	2,125,000,000	2,112,865,224	27 Witnesses & Victims-of-crime protected	-22		Fully implemented UGX. 12,134,776 Relating to General staff salary remained unspent.	yes	Yes

	12627 2 Government Buildings and Administrative Infrastructure	yes	Yes	-To Construct of Lira and Kabale buildings -To renovate 3 ODPP owned office premises	800,000,000	800,000,000	800,000,000	800,000,000	Construction of Lira and Kabale -01 ODPP Kapchorwa residential building renovated	Renovations of 2 ODPP offices	Resources allocated to finish up construction of Lira office building	Partially implemented According to the annual performance report, UGX.500M was spent on construction of Lira and Kabale Regional offices contrary to the BIG reports and the payment file that indicate UGX. 591,961,225 leading to a variance of UGX. 91,961,225. Refer to appendix II Further UGX300M was planned and released for renovations of 3 ODPP offices however according to annual performance	yes	NO
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												nce report only ODPP Kapchorwa was renovated regardless of 100% expenditure for this item.		
	126275 Purchase of Motor Vehicles and Other Transport Equipment	yes	Yes	To procure 3 Motor vehicles procured	600,000,000	600,000,000	600,000,000	600,000,000	4 pick-ups procured	-1	No management response	Not quantified Unit cost not quantified in the annual procurement plan, annualized plan relate to JLOS SWAP of UGX1.8N , this procurement not provided for in the procurement plan.	yes	Yes
	126276 Purchase of Office and ICT Equipment, including Software	yes	Yes	To automate 20 Field Offices with management information systemic equipment and to roll out PROCAMIS procured	4,100,000,000	4,100,000,000	4,100,000,000	4,096,006,101	15 Field Offices automated with Management information system.		Under performance was due to high unit cost of the computer compared to the approved	Partially implementation According to JLOS SWAP PROJECT, Management Planned to automate 17 districts and achieved automatio	yes	Yes

											budget in the FY 2018-19.	n of 6 districts with works on one district ongoing, This is however inconsistent with what is reported in the GOU annual performance report. Further, the performance report has not highlighted the planned and rolled-out districts.		
	126278 Purchase of Office and Residential Furniture and Fittings	yes	Yes		300,000,000	300,000,000	300,000,000	300,000,000				Fully implemented Furniture Purchased as planned.	yes	Yes
TOTAL					34,549,245,974	34,549,245,974	34,549,244,997	33,664,947,715						

FINANCIAL STATEMENTS