

**THE REPUBLIC OF UGANDA  
IN THE HIGH COURT OF UGANDA AT KAMPALA  
CRIMINAL REVISION NO. 8 OF 2020**

**(Arising from Criminal Case No. 379 of 2020 of Chief Magistrates  
Court of Buganda Road at Buganda Road)**

1. KEYI ROGERS
2. ACEN JOSEPANTY → Nakasongola
3. AKAO BRENDA → Nakasongola
4. ACIRO LILY → Kiigo
5. ACEN JOSEPHINE → Nakasongola
6. ALEPER BEN
7. GASI MADALENA → Kiigo
8. ALUMAI JAMAL JAMES
9. OWORI KERRY → Nakasongola
10. NAMBI MARY → Nakasongola
11. MWANJE AKRAM
12. BURUSI JOHNPAUL
13. NYEKO FELIX
14. KAMWAGA JACKSON
15. MUWANGUZI DANIEL
16. KAZIBA TONY
17. WAPISA ISA
18. ANGUZO HASSAN
19. ATOROTI BENERD
20. WALUSIMBA

**APPLICANTS**

**VERSUS**

**UGANDA .....**

**RESPONDENT**

**BEFORE HON. MR. JUSTICE J.W. KWESIGA**

**RULING**

I have studied and examined the proceedings of the Applicants' before the Senior Grade 1 Magistrate of Buganda Road Chief Magistrates Court on 3<sup>rd</sup> April 2020 where all the 20 accused persons/now applicants were summarily convicted on plea of guilty and sentenced to three(3) months imprisonment.

I have read the letter of M/s Women's Probono Initiative dated 19<sup>th</sup> May 2020 highlighting the irregularities in the lower court's proceedings on behalf of the Applicants.

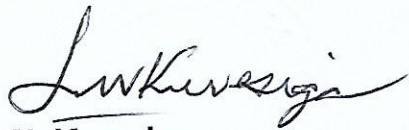
The Director of Public Prosecution was served for purposes of allowing the Respondent an opportunity to be heard but have not appeared.

In my view this is a good case for this court to write a more detailed ruling to guide the lower courts in similar cases which appear to be on increase during this COVID-19 Lockdown period. This requires some more time than I have today. However the Applicants, in my view, are vulnerable people whose justice demands for expedited relief.

In view of the above suffice to rule that the learned Magistrate procedurally erred when she failed to follow the settled rules of procedure of recording pleas of guilty laid down by East African Court of Appeal in Adan vs Republic (1973) EA 446 at page 446 and many others.

The irregularities caused a miscarriage of justice and illegal conviction and sentences. Therefore the convictions of each Applicant is hereby quashed and the sentence set aside. Each of the Applicant's liberty shall immediately be restored.

Dated this 22<sup>nd</sup> day of May 2020



**J.W. Kwesiga**

**Judge**

**22/5/2020**