

Magistrate probed over tampering with case file

Magistrate Dan Mwesi-ga is accused of creating a duplicate file to enable him handle a case that was not allocated to him.

BY EPHRAIM KASOZI & JALIRA NAMYALO



A gavel hammer used during court proceedings

The Judiciary is investigating a Grade One magistrate in Fort Portal Court on accusations of hearing a case without instructions from his superiors.

It is alleged that in February at the Chief Magistrate's Court in Fort Portal, Magistrate Dan Mwesi-ga ordered clerks in the registry to create a duplicate file, which enabled him to handle a case that was not allocated to him, contrary to judicial practice.

The probe, according to the complaint against the magistrate, is in regard to a criminal case against Peter Alinda and Cyprian Rwaheeru, which had been allocated to Magistrate Elisha Arinaitwe.

Mr Jameson Karemaani, the Judiciary spokesperson, confirmed the magistrate is undergoing a disciplinary process.

"I am aware about the matter and it is before the internal disciplinary committee of the Judiciary. The Judiciary is investigating the allegations," he said by telephone.

case file but when he convened the court session to hear the plea-taking in the matter, court orderlies informed him that the suspects had been released on bail by another magistrate, Mr Mwesi-ga.

"When I inquired about the incident, he (Mwesi-ga) informed me that indeed he had opened up a duplicate file and granted the accused bail. I was shocked and wondered why he had opened up a duplicate file yet there was an original file..."

However, on February 17, Mr Mwesi-ga wrote, saying the allegations against him were false. Mr Mwesi-ga asked the chief magistrate to dismiss the complaint saying the complaints were deliberate lies.

"The whole complaint by Mr Juma (Hussein) is because I granted bail to the accused persons... Fortunately, I already recused myself from hearing the said case and accordingly handed it over to you for allocation," Mr Mwesi-ga wrote to the chief magistrate.

THE CASE

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According to Mr Karemaani, both Mr Mwesi-ga and Mr Arinaitwe have since appeared before the disciplinary committee, which is yet to give its findings and decision. "... Before they (committee) come up with their findings, I cannot give details of the case because it might prejudice their decision," he added.

The disciplinary proceedings were a recommendation by the Inspector of Courts upon a complaint by Mr Juma Hussein. Ssemengo and Company Advocates who represent Mr Hussein in the case against the two suspects say Mr Mwesi-ga's conduct undermined the Judiciary's integrity and court's effectiveness to adjudicate cases effectively.

In a February 16 letter to the Chief Inspector of Courts, Mr Arinaitwe stated that on February 3, while sitting in for the chief magistrate who was off station, called the

Men suffered gender violence in lockdown - Mak research

BY DAMALI MUKHAYE

KAMPALA. Social researchers at Makerere University School of Women and Gender Studies have revealed that men suffered gender-based violence (GBV) during the Covid-19 lockdown.

Releasing the findings from the research they conducted on men and GBV during the lockdown at the weekend, Dr Amon Mwine, said they established that some men stayed at home while their wives went to gardens with children. He said some of the men ate food meant for the family's lunch and this led to fights in the homes.

He claimed some fathers who had stayed away from their homes for work before Covid and had never seen their children, were being welcomed as 'uncles' by their kids who had never seen them since birth.

Dr Mwine said fathers were also mocked by their wives and children at home, which made them walk away from home to avoid their wives and children even when they had nowhere to go.

"Men were now compelled to stay home. Many of the respondents said that they were feared by their children, and they were

neglected in their own homes while the mother and the children were busy having fun," he added.

Dr Mwine said with or without Covid-19, men still had to provide for the families even when they had no money.

He said men should be empowered to also be seen as vulnerable people and be treated equally in their homes.

Dr William Tayebwa, the former head of Makerere University Journalism and Communication Department, said the research was made possible with funding from the government, adding that more research is yet to be done.

He said the government gave Makerere Shs30b for research and part of that money was used by the School of Women and Gender Studies.

In August gender rights activists in Bunyoro Sub-region appealed to government to build more temporary shelters for victims of gender-based violence in order to protect them.

Statistics from Hoima Police Station indicated that in the first half of this year, 595 murders were registered in Bunyoro out of which 10 were a result of domestic violence.

Ms Judith Nakalembe, a gender-based violence specialist, said safety and protection of vulnerable people is essential in addressing the vice.

Ms Nakalembe said some victims sleep at police counters because there are no shelters.

