

**national**

# Corrupt officials go scot-free- IGG

**Lacking.** A report by IGG says weak investigative capacity is responsible for the result.

BY BENON HERBERT OLUKA  
holuka@ug.nationmedia.com

**KAMPALA.** The majority of suspected corrupt officials walk away scot-free, even when arraigned before courts of law, because of weak investigative capacity by anti-corruption agencies, says the latest report from the Inspectorate of Government.

The report says while the number of convictions in corruption-related cases has gone up, largely as a result of the institution of the Anti-Corruption Court, the number of corruption cases closed due to lack of sufficient evidence or subjected to further investigations, is high.

"Anti-corruption agencies have weak investigative capacity, resulting in high rates of dismissals and lengthy investigative periods. The critical outcome of weak investigation is that a case does not result in prosecution. This has been an area of great frustration to many Ugandans," says the report.

According to the report, which was prepared by researchers from the Makerere University-based Economic Policy Research Centre and launched in Kampala on Tuesday, the two institutions that have been most affected by the capacity constraints are the Police and the Directorate of Public Prosecutions. Others are the IGG and the Judicial Service Commission.

Within the Police's Criminal



Women march during the launch of the Anti-Corruption week in Arua District recently. PHOTO BY TABU BUTAGIRA

Investigations Department, 11.1 per cent of the 18 corruption cases it lodged in 2007 were withdrawn while 88.9 per cent are ongoing with no conviction, the report says.

In 2008, the police secured 17.7 per cent convictions from 17 cases, 5.8 per cent withdrawn, 5.8 per cent dismissed, 29.4 per cent acquitted and 41.2 per cent ongoing.

In 2009, the police managed 3.9 per cent convictions from 77 cases. However, 10.4 per cent of the cases were withdrawn, 18.2 per cent dismissed, 2.6 per cent acquitted, and 62.4 per cent ongoing. Others were either acquitted but appealed, awaiting

"Many times the Police have lost cases they ought not to have lost. Investigations have stagnated for years for want of science and technology in CID."

**REPORT**

judgment, or dismissed but reinstated at the time the IGG's office prepared its report.

The performance did not improve in 2010, with Police getting just 7.9 per cent convictions from 76 cases. By comparison, 2.6 of the cases were withdrawn, 10.5 per cent dismissed, 1.3 per cent acquitted, 1.3 per cent acquitted but appealed, and 76.3 per cent ongoing at the time the report was prepared.

"...The Government Analytical Laboratories have had their fair share of limitations in serving the entire government forensic needs," says the report.

The report, however, notes that the Police Forensic Building has been set up and fully equipped to be operational soon and hopes that its impact will be felt "in the efficient and fast resolution of cases under investigation, and eventually in successful prosecution in court."

In an analysis of the situation at the DPP's office, the report says the DPP "closes or maintains ongoing investigation of a consistently high percentage

of cases". The report explains that in 2008, one out of five cases was dismissed or subject to an ongoing investigation. That number dropped to one in seven by 2010.

The IGG report further notes that a large proportion of cases brought for "causing financial loss" in 2008 and 2009 were either closed or required further investigation (31 per cent and 42 per cent respectively).

"This data supports the assertion by many that government investigative capacity is weak and needs further strengthening," says the report.

Despite the challenges that the anti-corruption agencies face, the report says the opening of the Anti-Corruption Court in 2009 has led to a quicker resolution of graft cases and "sent an important message to public officials that the anti-corruption effort was being taken seriously by the relevant authorities."

However, the doubling of corruption-related convictions has resulted in more cases being referred to the anti-graft court.

"In 2010, so many cases were taken to the Anti-Corruption Court that it became apparent that the capacity of the Court needed to be improved substantially so that it can deal with the increased demand for its services."

**CASES CLOSED, REQUIRING MORE INQUIRY BY DPP**

Type of Corruption	2008	2008	2009	2009	2010	2010
	Number of closed cases requiring further investigations	Percentage of total crime in category	Number of closed cases requiring further investigations	Percentage of total crime in category	Number of closed cases requiring further investigations	Percentage of total crime in category
Embezzlement	1,162	17	541	28	78	23
Forgery	1,075	20	1,054	31	234	13
Corruption	48	16	51	14	16	22
Causing Fin. Loss	43	31	42	42	2	17
Abuse of Office	47	29	29	26	2	13
<b>TOTAL</b>	<b>2,375</b>	<b>19</b>	<b>1,717</b>	<b>29</b>	<b>332</b>	<b>15</b>

SOURCE: SECOND ANNUAL REPORT ON CORRUPTION TRENDS IN UGANDA, NOVEMBER 2011