

INSPECTORATE OF GOVERNMENT

REPORT TO PARLIAMENT JULY - DECEMBER 2011

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THE REPUBLIC OF UGANDA

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3rd May 2012

**Rt. Hon. Rebecca Kadaga
Speaker
Parliament of the Republic of Uganda**

Honourable Speaker

**THE INSPECTORATE OF GOVERNMENT'S REPORT TO PARLIAMENT: JULY –
DECEMBER 2011**

In accordance with Article 231 of the Constitution of the Republic of Uganda 1995, I have the honour to submit to you the 26th Report of the Inspectorate of Government, covering activities of the Inspectorate for the period July – December 2011.

We request that the report be laid before Parliament for discussion in accordance with Article 231(3) and (5) of the Constitution.

Yours faithfully

**Baku Raphael Obudra
AG. INSPECTOR GENERAL OF GOVERNMENT**

c.c. His Excellency Yoweri Kaguta Museveni
President of the Republic of Uganda

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Inspectorate of Government

The Inspectorate of Government is a Constitutional Body with the following attributes:

Mandate

To eliminate corruption, promote and foster the rule of law and principles of natural justice in public offices and enforce the Leadership Code of Conduct.

Vision

Good Governance with an ethical and corruption free society.

Mission

To promote good governance through enhancing accountability and transparency; and enforcement of the rule of law and administrative justice in public offices.

Values;

The values of the IG are a guide to behavior, growth and development of its leaders and staff, and ultimately, organizational

culture. Systems and processes target individual and team behaviour to achieve a working environment that supports the following values:

Integrity

Impartiality

Professionalism

Gender equality and equity

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ABBREVIATIONS AND ACRONYMS

AMPROC - American Procurement Co. Ltd

AOMA - African Ombudsman & Mediators Association

AORC - African Ombudsman Research Centre

ARU - Arua

CAA - Civil Aviation Authority

CADP - Corporate and Development Plan

CAO - Chief Administrative Officer

CHOGM - Common Wealth Heads of Government Meeting

CID - Criminal Investigations Department

COMP - Complaint

CPCs - Community Procurement Committees

CPMC - Community Project Management Committee

D/CPL - Detective Corporal

DAPCB - Departed Asians Property Custodian Board

DEI - Directorate of Ethics and Integrity

DEO - District Education Officer

DEP - Directorate of Education

DIGG - Deputy Inspector General of Government

DISO - District Internal Security Officer

DLA - Directorate of Legal Affairs

DLC - Directorate of Leadership Code

DOA - Directorate of Ombudsman Affairs

DOP - Directorate of Operations

DPP - Director of Public Prosecutions

DROFU - Directorate of Regional Offices and Follow-up

DSC - District Service Commission

EAAACA - East African Association of Anti-Corruption Authorities

EARC - East African Railways Corporation

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EPRA - Extended Participatory Rural Appraisal

EPRC - Economic Policy Research Centre

FP - Fort Portal

FUFA - Federation of Uganda Football Association

GISO - Gombolola Internal Security Officer

GUL - Gulu

HMA - Hoima

HQT - Headquarters

IAACA - International Association of Anti-Corruption Authorities

IAC - Integrity Ambassadors' Club

ICT - Information and Communication Technology

IGG - Inspector General of Government

IOI - International Ombudsman Institute

ISO - Internal Security Organization

JCRC - Joint Clinical Research Centre

JNJ - Jinja

KBL - Kabale

KCCA - Kampala Capital City Authority

LIR - Lira

LRA - Lord's Resistance Army

MBR - Mbarara

MP - Member of Parliament

MSC - Micro Finance Support Centre

MSK - Masaka

NAADS - National Agricultural Advisory Services

NARO - National Agricultural Research Organization

NCHE - National Council for Higher Education

NDA - National Drug Authority

NEMA - National Environment Management Authority

NFA - National Forest Authority

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NGO - Non Governmental Organization

NHCC - National Housing and Construction Corporation

NMS - National Medical Stores

NPA - National Planning Authority

NSSF - National Social Security Fund

NUSAF - Northern Uganda Social Action Fund

NWSC - National Water and Sewerage Corporation
OPM - Office of the Prime Minister
PMA - Plan for Modernisation of Agriculture
PPDA - Public Procurement and Disposal of Public Assets Authority
PSU - Payment Solutions Uganda
RDC - Resident District Commissioner
SACs - Social Accountability Committees
SRT - Soroti
TAAC - Transparency, Accountability and Anti- Corruption Programme
TOR - Tororo
UBC - Uganda Broadcasting Corporation
UBOS - Uganda Bureau of Statistics
UEDCL - Uganda Electricity Distribution Company Ltd.
UIA - Uganda Investment Authority
UNBS - Uganda National Bureau of Standards
UNCST - Uganda National Council for Science and Technology
UNEB - Uganda National Examinations Board
UNICEF - United Nations International Children's Education Fund
UNRA - Uganda National Roads Authority
UPDF - Uganda Peoples Defense Forces
UPE - Universal Primary Education
UPPC - Uganda Printing and Publishing Corporation
URA - Uganda Revenue Authority
URSB - Uganda Registration Services Bureau

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UTL - Uganda Telecom Ltd

UWA - Uganda Wildlife Authority

UWEC - Uganda Wildlife Education Centre

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EXECUTIVE SUMMARY

1.1 Introduction

Under Article 231 of the 1995 Uganda Constitution, the Inspectorate of Government (IG) is required to submit to Parliament at least once in every six months, a report on the performance of its functions, making recommendations which the office considers necessary for the efficient performance of public institutions; and to provide any other information that Parliament may require. The functions of the Inspectorate of Government as spelt out in Article 225(1) of the Constitution are:

(a) To promote and foster strict adherence to the rule of law and principles of

natural justice in administration.

(b) To eliminate and foster the elimination of corruption, abuse of authority and of public office.

(c) To promote fair, efficient and good governance in public offices.

(d) To supervise the enforcement of the Leadership Code of Conduct.

(e) To investigate any act, omission, advice, decision or recommendation by a public officer or any other authority to which this Article applies, taken, made, given or done in exercise of administrative functions.

(f) To stimulate public awareness about the values of constitutionalism in general and the activities of its office, in particular, through any media or other means it considers appropriate.

In order to fulfill its mandate, the Inspectorate of Government is also granted general and special powers as highlighted in Chapter One of this report.

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This is the 26th report of the Inspectorate of Government to Parliament and the 2nd report submitted to the 9th Parliament. It is a summary of the performance of the Inspectorate of Government during the period July – December 2011.

1.2 Structure of the Report

The report comprises of seven chapters on various aspects of the Inspectorate of Government's (IG) constitutional mandate.

Chapter One gives a brief account of the jurisdiction and independence of the office.

The chapter also gives a summary of IG's strategic objectives as contained in the IG Corporate and Development Plan (CADP) 2010-2014. The chapter further lays out the organization structure of the IG.

Chapter Two covers the measures used by the institution in implementation of its anticorruption

functions. These include Investigations of complaints or suspicion of corruption in public institutions; monitoring and inspection of NUSAF II project implementation activities; Arrests and Prosecution of people investigations reveal to have been involved in corruption offences. The chapter also highlights the civil suits that the IG handled during the period.

Chapter Three highlights the activities carried out by the IG in its implementation of the Ombudsman function. The chapter also gives a brief account of the Policy and System Studies that were carried out during the period.

Chapter Four looks at activities carried out by IG in enforcing the Leadership Code of Conduct.

Chapter Five focuses on the preventive measures used by the office to curb corruption and promote good governance in public offices.

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Chapter Six looks at the training activities that were carried out for the officers of the Inspectorate of Government during the period and highlights the activities to enhance National and International cooperation between the IG and other stakeholders.

Chapter Seven highlights the general operational constraints and challenges faced by the IG. The chapter further outlines the future plans of the office and makes recommendations to Government on ways that could make the office more efficient and effective.

1.3 Summary of Achievements of the Inspectorate of Government in the period July – December 2011

1.3.1 Investigations - General

The Inspectorate of Government receives complaints or initiates investigations into suspicions of corruption, maladministration, breach of Leadership Code of Conduct and arrests and prosecutes those implicated in corruption offences. These continue to be the major activities of the institution.

During the period under review, the Inspectorate of Government had a total workload of 5,385 complaints including leaders' verifications. Out of these 4,120 were brought forward from the previous reporting period. 1,254 complaints were received or initiated by the Inspectorate of Government including 72 investigations that arose from 163 audit reports. A total of 898 complaints and verifications were investigated and completed while 138 complaints were processed and later referred to other Institutions. The table below shows the workload during the period July – December 2011.

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**Table I: Workload during the period July – December 2011
July – December 2011**

Complaints brought forward (a)	4,120
Investigations from Audit Reports (b)	72
New complaints received (c)	1,254
New verifications of leaders' declarations (d)	11
Total workload (e) = a + b + c + d	5,385
Investigated & completed (f)	898
Referred to other Institutions (g)	138
Rejected complaints (h)	12
Total complaints concluded (i) = f + g + h	1,048
Carried forward (j) = e – i	4,337

The nature of complaints that were investigated and completed by percentage of the total were as follows: - Mismanagement 17.9%; Non-payment of Salaries and other benefits 16.0%; Abuse of office 14.1%; Corruption 6.8%; Delay of service delivery 5.9%; Property disputes 5.1%; Victimisation/Oppression 4.2%; Tenders and Contracts 4.0%;

Misappropriation of public resources 3.5%; Forgery and uttering of false documents 3.5%; Embezzlement 3.4%; Audit investigations 2.9%; Bribery 3.4%; Conflict of interest 2.0%; Amassing wealth 1.6%; Extortion 1.0%; False claims 0.9%; Nepotism 0.1%; Tax evasion 0.1% and others 3.6%.

1.3.2 Corruption Investigations

The powers of the Inspectorate of Government to investigate or cause investigation, arrest or cause arrest, prosecute or cause prosecution in respect of cases involving corruption and Abuse of authority are stipulated under article 230 of the 1995 Constitution of the Republic of Uganda and Sec.14(5) of the Inspectorate of Government Act 2002 and the Anti-corruption Act, 2009.

Corruption is not unique to Uganda. Indeed it is now recognized as a serious and pervasive international problem with diverse political, economic and social implications. For poor people and poor countries like Uganda, the effect of corruption

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is adversely negative leading to economic stagnation, political instability and increased social inequality and marginalization.

Practices that are deemed by the law under Anti-Corruption Act 2009 as corrupt include such acts as bribery, extortion, diversion of public resources, influence peddling, conflict of interest, abuse of office, loss of public property, sectarianism, nepotism, embezzlement, causing financial loss, false assumption of authority, fraudulent disposal of trust property, false accounting, false claims, false certificates by public officers and illicit enrichment.

Therefore, in the implementation of the Anti-Corruption functions, the IG carries out investigations where commission of any offence under the Anti-Corruption Act 2009 or the Inspectorate of Government Act 2002 is alleged. Where the subject of an investigation is found to have committed a criminal offence, investigations may result in arrest and prosecution.

During the period July – December 2011, the Inspectorate of Government received 836 corruption complaints which accounted for 66.7% of the total complaints that were received. 428 (50.5%) complaints were received at the Headquarters in Kampala while 408 (49.5%) were registered at the Regional offices. A total of 369 corruption complaints were investigated and completed while 47 complaints were processed and referred to other institutions.

1.3.2.1 Arrests and Prosecutions

During the period under review, sixty four (64) public officers were arrested for various corruption offences and were charged in courts of law. IG had one hundred forty nine (149) cases under prosecution, out of which one hundred and ten (110) were carried forward from the previous period and thirty nine (39) were new cases registered in

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courts of law during the reporting period. 29 cases were concluded in court resulting into twenty (20) convictions, including two (2) appeals where convictions were upheld and two (2) convictions overturned and substituted with acquittals; and seven (7) acquittals including three (3) appeals where acquittals were upheld and one (1) acquittal overturned and substituted with conviction; while five (5) cases were withdrawn/ discontinued and one (1) case dismissed. One hundred twenty one (121) cases were on-going at first trial and twenty five (25) cases were on appeal, as at 31st December 2011

Table II: Summary of outcomes of implemented recommendations during the period July – December 2011

Outcome Quantity

Money saved as a result of investigations 5,595,838,764

Money recovered as a result of investigations
(On IG Asset Recovery Account)

151,447,923

Public officers under prosecution by IG 162

Public officers arrested by the IG 64

Warned public officers 40

Officers who were advised 25

Cancelled appointment letters of public servants 11

Officers submitted to Commissions (e.g. DSC) for disciplinary
action

42

Interdicted public officers 61

Dismissed officers 21

Re-advertised posts 4

Public officers who were demoted 29

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TABLE III

Below are the details on Money Saved as a result of investigations

Reference Subject Matter Amount saved

(Ug Shs)

TS 124/2010 Alleged financial loss to government arising from the
decision to invest in private hotels during the
preparations for CHOGM 2007

4,200,000,000

KBL/CF/30/2010 Alleged property disputes and failure to compensate
people by the Ministry of Defence 793,009,168

FP/08/10/10 Alleged deduction of an employee's salary by
Bundibugyo District Local Government 32,000,000

COMP 41/1/08 Alleged failure to pay Terminal Benefits by Njeru
Town Council 25,000,000

FP/CF/30/07 Alleged abuse of office and mismanagement at

Nyakasura School, Kabarole District 9,494,154
 FP / CF/11/09 Alleged abuse of office and embezzlement of public funds by the former head teacher of Kyabenda SS, Kamwenge District
 9,068,600
 HQT/50/02/10 Alleged embezzlement by an employee of Post Bank - Fort Portal 9,000,000
 ARU/05/01/2007 Alleged mismanagement of funds in Nebbi District vide the Audit Report for the 4th Quarter ended June 2006
 8,089,275
 FP/CF/03/11 Alleged abuse of office and mismanagement of funds at KatweKabatoro Town Council in Kasese District 7,667,000
 ARU/10/10/2008 Alleged non-payment of Shs. 6.2 million to Uganda Humanitarian Development Association by Arua District Local Government
 6,200,000
 COMP 118/1/08 Alleged mismanagement of Estate by Administrator General 5,904,762
 COMP 26/4/08 Alleged non-payment of death benefits 5,640,000
 FP/04/03/11 Alleged mismanagement at Kyenjojo Secondary School 5,204,176
 Others (several cases of less than 5m/= each) 479,561,629

Total 5,595,838,764

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1.3.2.2 Civil cases

As part of its mandate of fighting corruption and defending its actions, the Inspectorate of Government has been handling civil suits, including civil applications and constitutional petitions instituted by or against the Inspectorate in courts of Judicature. During the period under review IG handled three (3) civil suits, twenty three (23) civil applications, and two (2) Constitutional petitions. Details of the civil cases IG handled are found in chapter two of this report.

1.3.3 Promoting the Rule of Law and Administrative Justice (Ombudsman Function)

The Constitution of the Republic of Uganda empowers the Inspectorate of Government not only to curb corruption but article 225 (1) also empowers the IG to ensure strict adherence to the rule of law and principles of natural justice in administration; to promote fair, efficient and good governance in public offices; and to investigate any act, omission, advice, decision or recommendation by a public officer or any other authority to which article 225 applies, taken, made, given or done in exercise of administrative functions.

1.3.3.1 Ombudsman Investigations

During the period under review, the Inspectorate of Government received various

complaints against public officers which included mismanagement of public funds and property, non-payment or delayed payment of salaries and other benefits, delay of service delivery, victimization/oppression, irregularities in procurement and award of contracts and tenders, property disputes and others such as employment disputes and unfair dismissal.

The Inspectorate of Government had a total workload of 1,100 ombudsman complaints. 414 of these were received during the period while 686 were complaints carried

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forward from the previous period. Out of 414 complaints received, 12 complaints were found to be baseless, 91 complaints were processed and referred to other institutions while 501 complaints were investigated and completed and 496 complaints were carried forward.

1.3.3.2 Policy and System Studies

The 1995 Constitution of the Republic of Uganda and the Inspectorate of Government Act 2002, empower the Inspectorate of Government to promote fair, efficient and good governance in public offices. Given that strengthening of institutions is a key anticorruption measure, the Inspectorate of Government carries out studies into operations, policies, systems, procedures and legislation of various Government Departments and Institutions with a view to identify weak areas that may be conducive to corruption and make recommendations, for remedial measures.

The Institutions to be studied are selected on the basis of information the Inspectorate of Government receives through public complaints, media reports and periodic surveys. During the period under review, the Inspectorate of Government carried out four system studies into: the Management of the Micro Finance Support Centre Ltd; the Management of the District Quota Admissions to Public Universities; the Management of the National Council for Higher Education and Suspension of Busitema University Students by the University management. Details of these studies are found in chapter three of this report.

1.3.4 Enforcement of the Leadership Code of Conduct

The 1995 Constitution of the Republic of Uganda and the Leadership Code Act, 2002 mandate the Inspectorate of Government to ensure that specified leaders declare their incomes, assets, and liabilities from time to time explaining how they acquired or

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incurred them respectively. The aim is to ensure that leaders adhere to a standard of behaviour that promotes integrity, transparency and accountability in their conduct of public affairs. The Code imposes penalties on the leaders who breach it.

1.3.4.1 Management of Declarations

During the period under review 6,910 declarations were examined and the data was

entered into the database. 3,514 declaration forms were issued to newly elected leaders and submissions received.

1.3.4.2 Verifications

Assets and liabilities of eleven (11) leaders were verified and a total of fifty one (51) properties were inspected and eighteen (18) bank accounts were inspected and no anomalies were established.

1.3.4.3 Investigations into complaints of breach of the Code

Fourteen (14) investigations were completed and no breach of the Code was established.

1.3.5 Public Awareness Programmes

The Inspectorate of Government is constitutionally mandated to sensitize and educate the public about the values of constitutionalism in general and the activities of the Inspectorate of Government in particular, through any media or any other means it considers appropriate. The public is educated about their constitutional right to access public services without having to pay bribes and made aware of their civic duties and responsibilities to demand for accountability from their leaders, value for money and to report corrupt practices to the Inspectorate of Government.

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During the period under review, the IG continued to carry out public awareness programmes through supporting the launching of integrity clubs in Tertiary Institutions and newspaper supplements.

1.3.6 Capacity Building through Training and International Cooperation

1.3.6.1 Training

The Inspectorate of Government is committed to strengthening and building capacity of its staff through training in order to equip them with knowledge, skills and attitudes to enhance their performance.

During the reporting period, therefore, some Inspectorate of Government staff attended training programmes which among others included the following; Forensic Audit and Investigation and Strategic Management. IG officers also participated in training programmes organised by other Institutions.

1.3.6.2 International Cooperation

The IG appreciates the fact that the war against corruption and the promotion of good governance requires the cooperation, support and exchange of ideas with other stakeholders both at the national, regional and international levels. This has been achieved through participation of some IG senior staff in conferences, workshops and exchange programmes and collaboration with local, regional and international anticorruption agencies.

1.4 Major Constraints and Challenges

Despite the continued support by Government and donors to strengthen the Institution, which is highly appreciated, the IG continues to face a number of constraints and

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challenges, most of which arise from inadequate funding and others from external sources. These constraints and challenges adversely affect the IG's effective implementation of its mandate of combating corruption, maladministration and enforcing the Leadership Code of Conduct.

The challenges and constraints include; inadequate funding; understaffing; operating in rented premises; court delays; lack of computerized data in other Institutions; inadequate institutional support in the fight against corruption; sophistication in corruption practices; negative societal attitudes, high expectations from the public to deal with their complaints expeditiously, lack of a leadership Code Tribunal and challenges of acts of the Inspectorate of Government in courts of law for not being properly constituted.

The Inspectorate of Government appreciates cooperation from Institutions and Action Officers who have implemented its recommendations. However, there are some Institutions and Action Officers who ignore, delay or refuse to implement IG's recommendations without justifiable reasons. This greatly undermines the effectiveness of the office. The Inspectorate of Government takes very serious view of defiance of its orders, directions and recommendations. The IG, will therefore, start prosecution of those who defy its orders and directives in accordance with the law.

1.5 Future plans

- ☐ Increase number of staff
- ☐ Increase number of cases investigated and prosecuted.
- ☐ Improve quality of investigations and prosecutions through professional training and on-the-job training of IG staff.
- ☐ Begin work on construction of IG's own office premises.

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1.6 Recommendations

In order to overcome the constraints mentioned above and to fulfill IG mandate, the following recommendations are submitted to Government through Parliament.

- (i) Parliament should debate the IG reports and make recommendations for more effective discharge of the functions of IG.
- (ii) More resources should be provided to IG in order to recruit, train and retain adequate staff and procure requisite equipment to enable IG discharge its functions efficiently and effectively.
- (iii) Government has to appreciate that IG is a national cross-cutting institution responsible for three major functions of promoting good governance, preventing and combating corruption and enforcing the Leadership Code of Conduct. Each of these functions should be funded as a separate vote function.
- (iv) Government should adequately fund and make timely release of funds to its Ministries, Departments and Agencies, to enable speedy resolution of payment

related complaints and avail adequate facilities like computers to improve record keeping and ease data storage/retrieval in public institutions.

(v) Government, through the Ministry of Public Service, should formulate recruitment guidelines for semi-autonomous institutions so as to harmonise recruitment procedures in these institutions and reduce on the growing number of complaints in that regard.

(vi) The Appointing Authority should fully constitute the Inspectorate of Government in accordance with the law.

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(vii) The Leadership Code Act, 2002 amendment should be approved and passed and the Leadership Code Tribunal should be established as soon as possible for efficient enforcement of the Code.

(viii) There should be proper urban planning. Roads should be properly marked and named and this should be captured in a computerized system and be shared by relevant institutions.

(ix) The Ministry of Lands should develop a client's charter as soon as possible so as to guide clients on the services to expect from the ministry officials.

Computerization of the Ministry should also be given priority.

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CHAPTER ONE: INTRODUCTION

1.1 CONSTITUTIONAL REQUIREMENT

The Inspectorate of Government (IG) is a constitutional body mandated under Chapter 13 of the Constitution of the Republic of Uganda to promote good governance, fight corruption, and enforce the Leadership Code of Conduct. Article 231 of the Constitution requires the Inspectorate of Government to submit to Parliament at least once in every six months a report of the performance of its functions, making such recommendations as it considers necessary and containing such information as Parliament may require.

This is the 26th report of the Inspectorate of Government to Parliament and the 2nd report submitted to the 9th Parliament. It is a summary of the performance of the Inspectorate of Government during the period July – December 2011.

1.2 FUNCTIONS OF THE INSPECTORATE OF GOVERNMENT

The functions of the Inspectorate of Government as spelt out in the Constitution of Uganda Chapter 13, Article 225 and Part III Section 7(1) of the Inspectorate of Government Act, are:

(a) To promote and foster strict adherence to the rule of law and principles of natural justice in administration.

- (b) To eliminate and foster the elimination of corruption, abuse of authority and of public office.
- (c) To promote fair, efficient and good governance in public offices.
- (d) To supervise the enforcement of the Leadership Code of Conduct.

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- (e) To investigate any act, omission, advice, decision or recommendation by a public officer or any other authority to which this Article applies, taken, made, given or done in exercise of administrative functions.
- (f) To stimulate public awareness about the values of constitutionalism in general and the activities of its office, in particular, through any media or other means it considers appropriate.

1.3 GENERAL POWERS OF THE INSPECTORATE OF GOVERNMENT

For the purposes of performing its functions, the Inspectorate has the following powers under S.8 of the Inspectorate of Government Act, 2002

- (a) to authorize in writing any officer under its charges to conduct an inquiry or investigation into an allegation of corruption, abuse of office and neglect of duty, and any other aspect that the Inspectorate is empowered to investigate into;
- (b) to require a public officer or any other person to answer questions concerning his or her duties or those of another person;
- (c) to require any person in charge of a public office to produce or furnish within a specified time, any document or certified true copy of such document which is in his or her possession or under his or her charge; and
- (d) to do any other thing necessary for the performance of the functions of the Inspectorate under this Act.

Further, Subject to the provisions of any law, the Inspectorate has power to enter and inspect the premises or property of any department of Government, person or of any authority; to call for, examine and where necessary, retain any document or item in connection with the case being investigated, found on the premises; and may, in those premises, carry out any investigation for the purpose of its functions.

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1.4 SPECIAL POWERS OF THE INSPECTORATE OF GOVERNMENT

The Inspectorate of Government is granted special powers under Article 230 of the Constitution and Section 14(5) of the Inspectorate of Government Act 2002. These powers include the following:

- ☐ Power to investigate, cause investigation, arrest, cause arrest, prosecute or cause prosecution in respect of cases involving corruption, abuse of authority or of public office;

- Power to make orders and give directions where necessary and appropriate in the course of its investigations or as a consequence of its findings;
- Power to enter and inspect premises or property of any department of Government, person or authority and to examine or retain any documents found therein;

1.5 JURISDICTION AND INDEPENDENCE OF THE INSPECTORATE OF GOVERNMENT

Articles 226 and 227 of the Constitution provide the Inspectorate of Government with areas of authority and independence. The jurisdiction of the Inspectorate of Government covers officers or leaders whether employed in the public service or not, and the institutions, organizations or enterprises Parliament has prescribed under S.9 of the Inspectorate of Government Act; and these include the Cabinet, Parliament, a Court of law, etc. The Anti-Corruption Act, 2009 has prescribed the jurisdiction of the Inspectorate of Government to cover both the public and the private sector in order to effectively combat and prevent corruption. The IG is independent in the performance of its functions and is only responsible to Parliament and its functions are prescribed under article 225 of the Uganda Constitution, the Inspectorate of Government Act 2002 and the Leadership Code Act 2002.

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1.6 STRATEGIC OBJECTIVES OF THE INSPECTORATE OF GOVERNMENT (2010 – 2014)

Having launched the Inspectorate of Government Corporate and Development Plan (CADP) in December 2010, the IG set out to realize its mission with the following strategic objectives:

- To strengthen and build capacity of the Inspectorate of Government to deliver on its legislative mandate and obligations;
- To monitor the utilization of funds in Government Institutions (MDAs and LGs);
- To sensitize, educate and enlist public support against corruption;
- To strengthen weak systems, structures and policies in Government Institutions and monitor levels of corruption through periodic surveys;
- To promote and foster strategic partnerships to fight corruption, abuse of office and administrative malpractices.

1.7 ORGANIZATION OF THE INSPECTORATE OF GOVERNMENT

Article 223 of the Constitution provides for the Leadership of the Inspectorate of Government which comprises the Inspector General of Government (IGG) and two Deputy Inspectors General of Government (DIGGs). The Inspector General of Government and the Deputy Inspectors General of Government are appointed by the President with the approval of the Parliament of Uganda. The Secretary to the Inspectorate of Government is the Accounting Officer and is appointed by the President on the advice of the Public Service Commission.

For purposes of implementing its functions and objectives, the Inspectorate of

Government is structured into a Department, six Directorates and two Divisions as follows:

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Department of Finance & Administration

The department is responsible for coordination and provision of administrative support services to the technical Directorates, Divisions and Units; and efficient management of the financial resources to enhance smooth running of the Inspectorate of Government. The department is headed by the Secretary to the Inspectorate who is the Accounting Officer for the Inspectorate of Government.

Directorate of Operations

The Directorate is headed by a Director and is responsible for carrying out field operations and ensures accountability and transparency in public offices through investigation of corruption in Central Government Institutions, Ministries, Departments and projects.

Directorate of Legal Affairs

The Directorate is headed by a Director who is the Principal Legal Advisor to the Inspectorate and ensures that the Inspectorate of Government exercises its powers in conformity with the law. The Directorate enhances transparency and accountability in public offices through prosecution of suspects of corruption and abuse of office and represents IG in Courts of Judicature.

Directorate of Education and Prevention of Corruption

The Directorate is headed by a Director and is responsible for stimulating public awareness about the values of Constitutionalism and the activities of the Inspectorate of Government through workshops/seminars, print media and any other means the Inspectorate of Government considers appropriate.

Directorate of Leadership Code

The Directorate is headed by a Director and is responsible for carrying out field operation, monitoring and enforcement of the Leadership Code of Conduct to ensure integrity, transparency and accountability among leaders specified under the Leadership Code Act of 2002; ensures that all leaders declare their income,

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assets and liabilities; and investigates allegations of breach of Leadership Code by leaders.

Directorate of Regional Offices

The Directorate is headed by a Director, and its role is to ensure accountability and transparency in public offices through investigating mal-administration and unfair treatment, corruption and allegations of breach of leadership code by leaders in Local Governments. The Directorate is in charge of Regional Inspectorate operations, coordination and follow-up functions and improves efficiency in service delivery by taking the services of the Inspectorate of Government nearer to the

people through regional offices. The Directorate therefore, coordinates Regional Offices and provides statistical information on the outputs of the Inspectorate and ensures implementation of the IG recommendations by leaders and institutions in local Governments.

Directorate of Ombudsman Affairs

The Directorate is headed by a Director and is in charge of investigating Public complaints; maladministration and Policy and Systems Study. The Directorate is responsible for promoting the culture of administrative justice and transparency in public officers through investigations of complaints of mal-administration; carrying out studies on identified systems, practices, procedures and policies that may be conducive to maladministration, and make informed recommendations.

Information & Internal Inspection Division

The Division is headed by a Senior Principal Inspectorate Officer who reports directly to the IGG; ensures efficiency, transparency and accountability among staff of the Inspectorate of Government by detecting and curtailing possible corruption among them, vetting the newly recruited staff and conducting investigations.

Public and International Relations Division

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Public and International Relations Division

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The Division is headed by a Senior Principal Inspectorate Officer who reports directly to the IGG, the Division carries all the protocols of International relations and issues of Public relations in the Inspectorate.

1.8 REGIONAL INSPECTORATE OF GOVERNMENT OFFICES

To take its services closer to the people, the Inspectorate of Government has so far established sixteen (16) Regional Offices headed by Principal Inspectorate Officers. The Inspectorate of Government Regional Offices are structured to perform the functions of IG as follows:

1. Arua Regional Inspectorate Office handles complaints from Koboko, Arua, Nebbi, Zombo and Maracha districts.

2. Fort Portal Regional Inspectorate Office handles complaints from Bundibugyo, Kabarole, Kamwenge, Kyenjojo, Kasese, Kyegegwa and Ntoroko districts.

3. Gulu Regional Inspectorate Office handles complaints from Gulu, Kitgum, Pader, Amuru, Agago, Lamwo and Nwoya districts.

4. Hoima Regional Inspectorate Office handles complaints from Hoima, Kibaale, Kiboga, Buliisa, Masindi and Kiryandongo districts.

5. Jinja Regional Inspectorate Office handles complaints from Kaliro, Bugiri, Jinja, Kamuli, Iganga, Mayuge, Buyende, Buikwe, Luuka, Namutumba and Namayingo districts.

6. Kabale Regional Inspectorate Office handles complaints from Kanungu, Kisoro, Rukungiri and Kabale districts.

7. Masaka Regional Inspectorate Office handles complaints from Kalangala, Masaka, Sembabule, Rakai, Bukomansimbi, Kalungu and Lwengo districts.

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Inspectorate of Government

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8. Mbale Regional Inspectorate Office handles complaints from Bukwo, Kapchorwa, Mbale, Sironko, Budaka, Pallisa, Bulambuli, Kween and Kibuku districts.

9. Mbarara Regional Inspectorate Office handles complaints from Ibanda, Isingiro, Bushenyi, Mbarara, Kiruhura, Ntungamo, Rubirizi, Mitooma, Kibingo and Nsika districts.

10. Soroti Regional Inspectorate Office handles complaints from Amuria, Kaberamaido, Katakwi, Kumi, Soroti, Bukedea, Ngora and Serere districts.

11. Moroto Regional Inspectorate Office handles complaints from Moroto, Abim, Nakapiripirit, Kotido, Kaabong, Napak and Amudat districts.

12. Lira Regional Inspectorate Office handles complaints from Lira, Apac,

Oyam, Dokolo, Amolatar, Otuke, Aleptong and Kole districts.

13. Tororo Regional Inspectorate Office handles complaints from Tororo, Busia, Butaleja, Manafwa and Bududa districts.

14. Moyo Regional Inspectorate Office handles complaints from Yumbe, Moyo and Adjumani districts.

15. Mukono Regional Inspectorate Office handles complaints from Nakasongola, Kayunga, Nakaseke, Luwero, Buvuma, Buikwe and Mukono districts.

16. Kampala Regional Inspectorate Office handles complaints from Kampala, Luwero, Wakiso, Mpigi, Mityana, Mubende, Butambala, Gomba, Nakaseke and Nakasongola districts.

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CHAPTER TWO: IMPLEMENTATION OF THE ANTI-CORRUPTION FUNCTION

2.1 INTRODUCTION

Article 225 (b) and (e) of the Uganda Constitution mandates the IG to eliminate and foster the elimination of corruption, abuse of authority and of public office. The Inspectorate of Government is also mandated to investigate any act, omission, advice, decision or recommendation by a public officer or any other authority and has powers to arrest and prosecute persons who investigations establish to have been involved in corruption offences.

In the implementation of the Anti-Corruption function the IG carries out investigations where commission of any offence under the Anti-Corruption Act 2009 or the Inspectorate of Government Act 2002 is alleged. Where the subject of an investigation is found to have committed a criminal offence, investigations may result in arrest and prosecution. Disciplinary action in varying degrees from a warning to dismissal may be recommended; and assets may also be confiscated from a public official who investigations establish to have acquired them through corrupt means.

This Chapter, therefore, highlights the investigations, arrests and prosecutions that were carried out during the reporting period.

2.2 INVESTIGATIONS

During the period July – December 2011, the Inspectorate of Government received 836 corruption complaints which accounted for 66.7% of the total complaints that were received. A total of 369 corruption complaints were investigated and completed while 33 complaints were processed and referred to other institutions. Of the total number of new corruption complaints received by the Inspectorate of Government, 428 (51.2%) were received at the Headquarters in Kampala while 408

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(48.8%) were registered at the Regional Offices. The table below shows the corruption complaints that were received by the Inspectorate offices during the period July – December 2011.

**Table IV: Corruption Complaints registered by the IG offices
(July – December 2011)**

S/NO. Office No. of Complaints Percentage

1. Kampala 428 51.2%
2. Gulu 58 6.9%
3. Lira 44 5.3%
4. Mbarara 43 5.1%
5. Jinja 41 4.9%
6. Mbale 36 4.3%
7. Soroti 32 3.8%
8. Masaka 28 3.3%
9. Arua 22 2.6%
10. Fort Portal 21 2.5%
11. Kabale 20 2.4%
12. Moyo 17 2.0%
13. Moroto 16 1.9%
14. Mukono 11 1.3%
15. Tororo 10 1.2%
16. Hoima 9 1.1%

TOTAL 836 100%

2.2.2 ENSURING TRANSPARENCY AND ACCOUNTABILITY IN NUSAF II PROJECT

The Lord's Resistance Army (LRA) activities took a tremendous toll on the population and the economy of the northern region, making it the poorest region in Uganda.

To alleviate the poverty level in the region, a US Dollar 100 million – **Northern Uganda Social Action Fund Project (NUSAF I)**, funded by IDA as part of GOU broader Northern Uganda Reconstruction Programme was launched in February, 2003 and closed in March, 2009.

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Although NUSAF I made a significant contribution, widespread poverty, vulnerability and service delivery challenges remained. Hence, NUSAF II was formulated to contribute to resolving some of the challenges by building on the lessons learnt in NUSAF I.

One of the Sub-components of NUSAF II is Transparency, Accountability and Anti-Corruption Programme (TAAC). This component is aimed at strengthening transparency, accountability and anti-corruption measures in the implementation of the programme.

To ensure independence, the (TAAC) sub-component is being implemented by the

Inspectorate of Government which is expected to use both enforcement and preventive/proactive measures to ensure that the programme is not riddled with corruption or other malpractices.

2.2.2.1 Monitoring and Inspection of NUSAF II Project

A joint NUSAF II Project monitoring by World Bank representatives, district representatives and IG office was conducted on some sampled sub-projects in the region and it was evident that the involvement of IG from the initial stages of the project was appreciated and IG participation was applauded for contributing greatly to the successful implementation of most of the NUSAF II sub-projects in the region.

During the period, IG also carried out NUSAF II Project inspection in the districts of Dokolo, Amolatar, Oyam, Apac and Adjumani.

During the monitoring exercise, a number of issues were raised by the various stakeholders, as great hindrance to the smooth implementation of the program.

This include among other constraints;

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□ Lack of vehicles/transport in the districts of NUSAF II activities, which had affected the smooth coordination and supervision of NUSAF II activities by NUSAF Desk Officers.

□ High turnover of Extended Participatory Rural Appraisal (EPRA) facilitators as they are not facilitated to carry out the activities. They only get paid after the sub-projects they generate are funded. This discourages them since the projects take long to be approved and funded.

□ Lack of office supplies and consumables such as computers, furniture, stationary and filing cabinets for storage of files/data generated when appraising sub-projects.

□ It was also indicated that the Office of the Prime Minister (OPM) takes long to release Operational Funds (which the districts say is also inadequate especially for training) and as such it affects sub-project generation and implementation.

2.2.2.2 Training of NUSAF II Project Personnel and Communities

□ The IG also carried out training of NUSAF II Community Procurement Committees (CPCs) and Social Accountability Committees (SACs) on Transparency, Accountability and Anti-Corruption matters; and the role of IG in the implementation of NUSAF II Projects.

□ Radio talk shows were also carried out to sensitise the communities on Transparency, Accountability and Anti-Corruption matters in the implementation of NUSAF II Project.

2.2.2.3 Investigation into NUSAF II Project malpractices

Also in the reporting period, the IG conducted investigations into alleged irregularities in the implementation of NUSAF II projects in Amuru and Nwoya

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districts. There were allegations that some of the generated sub-projects in Amuru and Nwoya Districts were “ghost” projects and that the funds that were remitted to these Districts for NUSAF II operational activities were mismanaged. During the inquiry, it was established that CID had investigated the allegation on mismanagement of the operational funds. IG investigation was therefore focused on the “ghost” sub-projects.

The following were the findings:

□ Out of the 119 proposed sub-projects for NUSAF II for the Districts of Amuru and Nwoya, 117 sub-projects were genuine and were generated with the involvement of the community interest group. All the sub-projects had the relevant committees in place and were waiting for funds to start implementation.

□ Bibia Primary School had three different Community Infrastructure Rehabilitation (CIR) sub-projects (for fencing, Shs.27m; for classrooms, Shs.68m and for staff houses, Shs.49m) totaling Shs.144m. According to the guidelines, the maximum cost of a CIR sub-project that can be approved at the District level is USD 30,000, beyond which, approval of OPM is required. Even then, the absolute threshold for a CIR is USD 50,000. The splitting of the school sub-project into three was, in our view, intended to defeat the set control on approval limits.

□ Photographs of the members of Paminyai Primary School teachers’ house construction and that for Got-Ringo Community road construction subproject appeared to be the same yet names of the group members were different.

In view of the above findings, the following recommendations were made:

□ To avoid further delays in sub-project implementation, the genuine projects be funded.

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The three sub-projects for Bibia Primary School be merged into one subproject and submitted to the Office of the Prime Minister for approval.

Funding for Paminyai Primary School teachers’ house construction and that for Got-Ringo Community road construction be withheld pending the outcome of further investigation by the Inspectorate of Government.

2.3 ARRESTS MADE

The IG has powers to arrest or cause arrests of people who investigations reveal to have engaged in offences involving corruption and abuse of office or authority, or who for no good reason refuse or ignore to respond to IG summons. During the period under review, the following officials were arrested and charged in various courts of law.

TABLE V

ARRESTS EFFECTED BETWEEN JULY – DECEMBER 2011

S/N REFERENCE TITLE OF ACCUSED OFFENCE(S)

1. GUL/CF/16/2009 Ocen George Albert, Town Clerk, Kitgum Town Council.
Abuse of office
 2. SRT/08/06/11 No. 27463 Cpl Oulo Joseph, Police Officer attached to Serere Police Station.
Corruptly soliciting for and receiving a gratification
 3. Comp. No. 70/01/2011
Dr. Mwanja Wilson, Chief Fisheries Officer, Ministry of Agriculture and Fisheries, Entebbe.
Abuse of office
 4. JNJ/CF/031/09 David Bashakara, former Town Clerk, Jinja Municipal Council.
Abuse of office
 5. Comp. No. 12/07/2011
Namulondo Sarah, Resident State Attorney, Bugiri.
Corruptly soliciting for and receiving a gratification
 6. TS.125.2010 Eng. Peter Kikuyo, Chief Electrical Engineer, Ministry of Works and Transport.
Abuse of office and causing financial loss
 7. TS.125.2010 Eng. Bernard K. Mwerinde, Principal Electrical Engineer, Ministry of Works and Transport.
Abuse of office and causing financial loss
 8. TS.125.2010 Eng. Waiswa Naluwairo, Principal Electrical Engineer (retired), Kampala City Council.
Abuse of office and causing financial loss
 9. MSK/02/07/2011 No. 23146 Cpl. Rajah John Bosco, Police Officer attached to Masaka Police Station.
Corruptly soliciting for and receiving a gratification
 10. TS.29/2010 Kiyingi Henry, a sportsman/footballer, a resident of Buyembe, Kavule in Mayuge district.
Theft
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11. SRT/CF/06/2010 Opolot Julius, Audit Assistant, Kumi Town Council.
Uttering false documents
 12. TS.92.2010 Bamwira John Richard, former Finance

Officer, Kampala Central Division, Kampala.

Embezzlement, false
accounting by a public
officer

13. Comp. No.

IG/5/11/2010

Asalu Amos, Principal of National
Meteorological Training School, Entebbe.

Abuse of office

14. TOR/CF/2/10 Aperu Catherine, Town Treasurer, Malaba
Town Council.

Causing financial loss.

15. TS.170.2011 Ssemambo Stephen, Director of General
Construction and Maintenance Company Ltd,
Kampala.

False statements by
officials of companies,
Uttering false
documents.

16. MBR/02/09/2011 Atweta George, LC III Chairperson, Kayonga
Sub-county in Ntungamo District.

Corruptly soliciting for
and receiving
gratification.

17. HQT/25/09/2011 Atube Charles, Assistant Engineering Officer,
Abim Town Council.

Corruptly offering a
bribe to IG staff.

18. MBR/06/09/2011 Aloysius Ka Office, LC III Chairperson,
Kikagate Sub-county, Isingiro District

Corruptly soliciting for
and receiving
gratification.

19. Complaint No.

49/09/2011

Mwesige Stephen Kaberinde, Mechanic in
Fort Portal Town.

Embezzlement and
abuse of office.

20. Complaint No.

09/03/2011

Nsekanabo Margaret, No. 20998 W/SGT,
Police Officer attached to Kira Road Police
Station, Kampala.

Abuse of office.

21. Complaint No.

09/03/2011

Debo Beatrice, No. 24572 W/SGT, Police
Officer attached to Kira Road Police
Station, Kampala.

Abuse of office, theft.

22. TS.124.2010 Hon. Sam Kutesa, Minister for Foreign Affairs,
Kampala.

Abuse of office and
causing financial loss.

23. TS.124.2010 Hon. John Nasasira, Government Chief Whip.
Abuse of office and causing financial loss.
24. TS.124.2010 Hon. Rukutana, Minister for Labour, Gender and Social Development, Kampala.
Abuse of office and causing financial loss.
25. GUL/CF/02/2011 Salwa Sadat, Teacher, Obiya Primary School, Gulu Municipality.
Uttering a false document.
26. GUL/CF/02/2011 Lanyero Evelyn Onok, Teacher of Laliya Primary School, Gulu district.
Uttering a false document.
27. TS.148.2010 Apili Evelyn, Agricultural Economist, Project Coordinator, Ministry of Agriculture and Economic Development.
Abuse of office.
28. JNJ/09/06/2011 Dr. Katende Joseph Sekikubo, Medical Officer, Jinja Hospital.
Abuse of office,
Conspiracy to defraud,
forgery.
29. JNJ/09/06/2011 Waiswa Peter, Casual labourer at Jinja Municipal Council, Jinja district.
Conspiracy to defraud,
uttering a false document.
30. FP/CF/10/2011 Angel Monica Kabasumbi, Office Typist/Secretary, Fort Portal Municipal Council.
Uttering a false document.
31. HQT/30/06/2010 Oketayot Christopher, Town Clerk, Pader Town Council.
Abuse of office and causing financial loss.
32. HQT/30/06/2010 Orach Augustine, Vice Chairperson Abuse of office and
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Local Council III, Pader Town Council. causing financial loss.
33. HQT/30/06/2010 Babia John Ocen, Secretary/Finance, Pader Town Council.
Abuse of office and causing financial loss.
34. TS.98.2008 Odok Peter W'Oceng, former Chairperson, Pader District Local Government.
Abuse of office and conspiracy to defraud.

35. TS.98.2008 Etot Paul Peter, Managing Director,
M/S Rising Star Transporters Ltd.
Conspiracy to defraud.

36. MBR/CF/18/09 Kamugisha Gaston, GII Magistrate,
Ntungamo Magistrate's Court,
Ntungamo District.
Corruptly soliciting for
and receiving
gratification.

37. SRT/10/10/2011 Egiru Alex, Records Assistant in Soroti
District Local Government.
Corruptly soliciting for
and receiving
gratification.

38. TS.91.2009 Afaro Gilbert, a resident of Seme A,
Buhasaba Parish, Buhehe Sub-county,
Busia.
Obtaining goods by
false pretence and
uttering false
documents.

39. HQT/37/11/2011 Angulo Otim Bonney, Driver, Inspectorate of
Government attached to Head Office,
Kampala.
Uttering false
documents.

40. HQT/37/11/2011 Otim Peter, Driver, Inspectorate of
Government, attached to Hoima
Regional Office.
Uttering false
documents.

41. HQT/37/11/2011 Oyer Charles, Driver, Inspectorate of
Government, attached to Hoima
Regional Office.
Uttering false
documents.

42. HMA/CF/06/2009 Irumba Mbabali Ancletus, Senior Town
Engineer, Hoima Municipal Council.
Causing financial loss
and abuse of office.

43. MBR/01/11/2011 Mugisha Jonathan (ASP), District Police
Commander, Shema District.
Corruptly soliciting for
and receiving a
gratification.

44. TOR/01/11/2011 Jennifer Namae, Court Clerk, Bududa
Grade I Magistrate's Court.
Corruptly soliciting for
and receiving a
gratification.

45. Comp. No.
22/01/2011
Rosette Birungi, Administrator in
charge of Human Resource, College of
Computing and Information Sciences,

Makerere University.

Disobedience of IG

Summons.

46. Comp. No.

38/05/2011

Lt. Santos Okot Lapolo, RDC, Kitgum

District.

Embezzlement and

abuse of office.

47. HQT-00-ACD

202/2011

Sara Kulata, Commissioner, Land

Registration.

Abuse of office.

48. MSK/03/11/2011 Karakere Stephen, Grade II Magistrate,

Lyantonde Magistrate's Court.

Corruptly soliciting for

and receiving a

gratification.

49. KBL/04/11/2011 Tukamuhabwa Moses, Health Assistant,

Kabale Municipal Council.

Corruptly soliciting for

and receiving a

gratification.

50. MBR/06/11/2011 Muhumuza Abel, D/C No.35407, Police Officer

attached to Rubaya Police Post, Mbarara Polic

Station.

Corruptly soliciting for

and receiving a

gratification.

51. MBR/02/11/2011 No. 26948 D/CPL Tumusiime Daniel, Police

Officer attached to Bushenyi Police

Station.

Corruptly soliciting for

and receiving a

gratification.

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52. TOR/03/11/2011 Adea Ouma, District Chairperson Busia

District.

Corruptly soliciting for

and receiving a

gratification.

53. TOR/03/11/2011 Auya Milton, Driver, Busia District Local

Government.

Corruptly soliciting for

and receiving a

gratification.

54. JNJ/17/11/2011 Anguyo Jimmy, Claims Officer, Bujagali

Hydro Power Project.

Corruptly soliciting for

and receiving a

gratification.

55. TOR/CF/06/2010 Mawanga Peter Patience, Water

Engineer, Lwakhakha Town Council,
Manafwa District.

Abuse of office and
causing financial loss.

56. GUL/CF/06/2009 Oola Eugene, District Planner, Kitgum
District Local Government, Kitgum
District.

Uttering false
documents.

57. GUL/CF/06/2009 Ocaya George, Procurement Officer,
Kitgum District Local Government,
Kitgum District.

Uttering false
documents.

58. M BR/02/11/2011 No. 26288 D/SGT Mujuni Julius, Police
Officer attached to Bushenyi Police
Station, Bushenyi District.

Corruptly soliciting for
and receiving a
gratification.

59. FP/CF/12/2011 Monday Stephen, Deputy Chief
Administrative Officer, Mubende District.

Abuse of office and
giving false
information.

60. FP/CF/12/2011 Kobusinge Betty, teacher of Kyantambara
Primary School, Kabarole.

Uttering false
documents and making
false statements.

61. MBR/01/12/2011 No. 23508 CPL Ayebazibwe Labuteriano,
Police Officer attached to Rushere Police
Station in Kiruhura District.

Corruptly soliciting for
and receiving a
gratification.

62. MBR/01/12/2011 No. 16527 SPC Kambaho David, SPC
attached to Rushere Police Station in
Kiruhura District.

Corruptly soliciting for
and receiving a
gratification.

63. HQT/51/12/2011 Kabito Robert Pam, Accountant/
Administrator, Ministry of Agriculture,
Animal Industry and Fisheries, Kampala.

Corruptly soliciting for
and receiving a
gratification.

64. HQT/51/12/2011 Lule Mathias, State Prosecutor, Kayunga
Resident State Attorney's office, Kayunga
District.

Corruptly soliciting for
and receiving a
gratification.

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2.4 PROSECUTIONS

2.4.1 Introduction:

The powers of the Inspectorate of Government to prosecute or cause prosecution of cases involving corruption and abuse of office are derived from the Constitution of the Republic of Uganda which provides in Article 230 that:

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“The Inspectorate of Government shall have power to investigate, cause investigation, arrest, cause arrest, prosecute or cause prosecution in respect of cases involving corruption, abuse of authority or of public office”.

During the period under review, IG had one hundred forty nine (149) cases under prosecution, out of which one hundred and ten (110) were carried forward from the previous period and thirty nine (39) were new cases registered in courts of law during the reporting period. 29 cases were concluded in court resulting into twenty (20) convictions, including two (2) appeals where convictions were upheld and two (2) convictions overturned and substituted with acquittals; and seven (7) acquittals including three (3) appeals where acquittals were upheld and one (1) acquittal overturned and substituted with conviction; while five (5) cases were withdrawn/ discontinued and one (1) case dismissed. One hundred nineteen (119) cases were ongoing at first trial and twenty five (25) cases were on appeal, as at 31st December 2011.

2.4.2 Below is a summary of cases that were under prosecution during the period and their status.

TABLE VI:

SUMMARY OF CONCLUDED PROSECUTION CASES DURING THE PERIOD JULY – DECEMBER 2011

S/N

NAME OF ACCUSED

COURT REFERENCE

NUMBER OFFENCE COMMITTED

OUTCOME

1. Ampumwize Nad,

District

Environmentalist,

Kabale.

KBL 493/2006 Causing financial loss, false
accounting and
embezzlement.

Convicted

2. Ozelle Eriam, District

Engineer, Kura Vasco,

Education Officer,

Okite George,

Engineering Assistant,

Okech Oloya, Subcounty

Chief and

Iwupat David, a

Headmaster.

CR CS 169/2006 Causing financial loss and
Abuse of office.

Acquitted

3. Ogaram David and
Waswa Nyanzi

CC 273/2007 Abuse of office. Acquitted

4. Nyeko Wilfred, ACD 179/2010 Diversion of public Convicted

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S/N

NAME OF ACCUSED

COURT REFERENCE

NUMBER OFFENCE COMMITTED

OUTCOME

Community

Development Officer,

Pader.

resources and abuse of
office.

5. Okitwi Odutu,

Magistrate G. II, Jinja.

ACD CSC 22/2010 Corruptly soliciting and
receiving a gratification.

Convicted on all

counts.

6. Inziku Paul, Aderubo

Vincent, Toko Aleni

A1 former Town Clerk,

Arua, A2 former CFO,

A3 former Accounts

Assistant

CSC 117/2010 Causing financial loss and

Abuse of office.

Convicted

7. Inziku Paul, Toko Aleni

and Aderubo Vincent

A1 former Town Clerk,

Arua, A2 Accounts

Assistant CFO, A3

Senior Accounts

Assistant, Arua

CSC 116/2010 Causing financial loss and

Abuse of office.

Convicted

8. Namirembe Philomena,

Sub-county

Chief/Senior Assistant

Secretary, Mpigi

District.

CSC 68/2010 Soliciting and receiving
gratification.

Convicted

9. Allan Nayenga, Police

Constable attached to

Kamuli Police Post.

JNJ/02/06/10, CO

457/2010

Soliciting and receiving
gratification.

Convicted

10. Angulo Otim Bonney,

Driver, Inspectorate

of Government

attached to Head

office, Kampala.

BUG.RD.CR.1049/2011 Uttering false documents. Convicted on
plea of guilty

11. Oyer Charles, Driver,

Inspectorate of

Government attached

to Lira Regional

office.

BUG.RD.CR.1048/2011 Uttering false documents. Convicted on
plea of guilty

12. Acen Esther,

Teacher, Alebtong

District.

LIR.CR.1058/2011 Uttering false documents. Convicted on
plea of guilty

13. Otim Peter, Driver,

Inspectorate of

Government attached

to Hoima Regional

office.

BUG.RD.CR.1047/2011 Uttering false documents. Convicted on
plea of guilty

14. Ajoka Williams Opio,

Chief Finance Officer,

Dokolo.

CSC 58/2011 Embezzlement and abuse
of office.

Acquitted

15. Asha Nahabo,

Secretary, Jinja District

Land Board.

ACD 001/2011 Uttering false documents. Convicted

16. Cissy Nakabugo,

Accounts Assistant,

Law Development

Centre

ACD-CSC-11/2011 Theft of cheque leaf and
attempted theft of cash.

Convicted

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S/N

NAME OF ACCUSED

COURT REFERENCE**NUMBER OFFENCE COMMITTED****OUTCOME**

17. Odyek Omol,
Chairperson of Dokolo
District Music
Association.

ACD-CSC-8/2011 False accounting and abuse
of office.

Convicted

18. Opolot Julius, Assistant
Auditor, Kumi Town
Council.

CSC 136/11 Uttering false documents. Convicted

19. Opolot Julius, Assistant
Auditor, Kumi Town
Council.

CSC 137/11 Embezzlement and
Uttering false documents.

Convicted

20. Olea Martin, Ogwete
Christopher and Okello
Josephine teachers in
Olel Primary School in
Lira.

ACD 99/2011 Uttering false documents. A1 – Dismissed

A2 – Convicted

on plea of
guilty, A3-
reported
deceased.

S/N**NAME OF ACCUSED****COURT REFERENCE****NUMBER OFFENCE COMMITTED****OUTCOME**

1. Byarugaba Beatrice,
Head of Marketing and
Production Department,
Mbarara District Local
Government.

ACD-CSC 67/2010 Conflict of interest Withdrawn

2. Byaruhanga Charles
Nathan, the District
Agricultural Officer,
Mbarara.

ACD-CSC 68/2010 Forgery Withdrawn

3. Kamabare Moses and
others, General
Manager, National
Medical Stores.

ACD 188/2011 Abuse of office and
causing financial loss.

Withdrawn

4. Hon. Balibaseka

Bukenya, MP, Busiro
North, former Vice
President.

CSC 94/2011 Abuse of office. Withdrawn

5. Hon. Balibaseka
Bukenya, MP, Busiro
North, former Vice
President and Motor
Care (U) Ltd.

CSC 95/2011 Abuse of office and
fraudulent practice.

Acquitted

6. Nadiope Eric and Dr.
Mwanja Wilson,
Principal Inspector and
Commissioner,
Fisheries.

ACD-CSC 118/2011 Abuse of office. Withdrawn

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TABLE VII

SUMMARY OF PROSECUTION CASES WITHDRAWN/DISCONTINUED DURING THE PERIOD JULY – DECEMBER 2011

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TABLE VIII: SUMMARY OF CRIMINAL APPEAL CASES CONCLUDED DURING THE PERIOD JULY – DECEMBER 2011

TABLE IX

ON-GOING PROSECUTION CASES BY THE END OF DECEMBER 2011

S/N

NAME OF ACCUSED

COURT REFERENCE

NUMBER

OFFENCE

COMMITTED

OUTCOME

1. Epaju Pius, Town Clerk,
Pallisa Town Council.

MBL CR-APP- 24/2008 Embezzlement, causing
financial loss and abuse
of office.

The trial Judge
upheld the acquittal
of the accused by
the lower court.

2. Odyek Omol, Head
teacher, Atabu Primary
School, Dokolo.

ACD-CA-20/11 False accounting. The trial Judge
overturned the
conviction of the
lower court and the

accused was
acquitted.

3. Wonyema James
Masaba, Assistant Town
Clerk, Mbale.

ACD CA 15/2011 Abuse of office and
causing financial loss.

The trial Judge
upheld the acquittal
of the accused by
the lower court.

4. Ampumwize Nad,
District
Environmentalist,
Kabale.

ACD CA 26/2011 Causing financial loss,
embezzlement, false
accounting and abuse of
office.

The trial Judge
upheld the
conviction of the
accused by the
lower court.

5. Waida Stephen Okuku,
State Prosecutor City
Hall court

ACD CA 13/2011 Soliciting and receiving
a gratification.

The trial Judge
overturned the
acquittal and
convicted the
accused.

6. Twine Naboth, former
Head teacher, Kitamba
Primary, Kazo, Mbarara

ACD CA 001/2011 Abuse of office and
causing financial loss.

The trial Judge
overturned the
conviction of the
lower court and the
accused was
acquitted.

7. Matovu Emmanuel,
former Prisons
Commander, Mukono
District.

Causing financial loss
and abuse of office.

Conviction of the
lower court upheld
on appeal.

8. Okongo Denis and Clara

Benson, Deputy Mayor
and Town Clerk of Gulu
Municipality.

ACD-CRIM-APPEAL NO.
06/2011

Abuse of office and
causing financial loss.

High Court upheld
their acquittal on
both charges.

**S/N NAME OF ACCUSED COURT REFERENCE
NUMBER**

OFFENCE COMMITTED

1. Odoch Willy, Businessman/ Supplier
Agent of ODFA Holdings Ltd, Odongo
Okino the Financial Controller, the
Northern Uganda Reconstruction
Programme and Martin Gwokto,
former CAO, Arua district.

BUG-CR-792-1999 Abuse of office, causing
financial loss, obtaining
money by false pretence,
forgery of documents and
uttering false documents.

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2. Muwonge Andrew, Secretary, Eflance
Kiwanuka, Ag. Secretary, David
Ssalongo Kanakulya, Head of Finance,
Sebunya Herbert, Internal Auditor,
Suzan Wanume, Senior Assistant
Electoral Officer and Aida Nankumba,
Assistant Electoral Officer, all former
employees of the Uganda Electoral
Commission.

BUG-CR-1695/2001 Causing financial loss and
abuse of office.

3. Bufumbo Moses, Head teacher
Namulonge Primary School
Mpigi district.

NK-CR-71-2004 Causing financial loss,
abuse of office and
making false claims.

4. Tumushangye Dismas, Assistant
Engineering Officer of Ntungamo
district.

MBR/0970/2006 Abuse of office, causing
financial loss and
Embezzlement.

5. Nabeta Tibiita Joseph, Primary
School teacher, Kiyagi Primary
School, Mukono.

BUG-CR-382-2006 Embezzlement.

6. Musinguzi Balaam, Assistant

Agricultural Officer, Ntungamo and Faith Najjuko, Cashier Mbarara National Agricultural Research centre.

MBR-CR-969/2006 Causing financial loss, abuse of office and false accounting.

7. Rose Ochom, former CAO Kumi, Johnson Opolot, former Assistant CAO, Charles Okalebo, former Principal Accounts Assistant, Amos Stanley Omongo, former Internal Auditor.

CR 412/2007 Abuse of office and causing financial loss.

8. John Rubabanza, Deputy DISO Mpigi District and Syson Kekuruso, Lawyer and Resident in Kampala District.

BUG 711/2007 Forgery and uttering false document.

9. Akuta Olupot, former Chief Financial Officer, Kiboga district, Kateregga Mustapha, former Acting District Accountant and Kyeyune Mohammed, former Acting District Accountant.

KBG-CR-CC-222-2007 Abuse of office, causing financial loss and Embezzlement.

10. Keturutso and Anor CSC 711/2007

11. Gizibui Sam, Sub-county Chief, Buwalasi Sub-county and Mataka Geoffrey, the Sub-Accountant, Sironko District.

MBAL-32-CV-34-2008 Abuse of office, causing financial loss, Embezzlement and false accounting by a public officer.

12. Gamusi Ronald, Teacher Bishop Primary School.

BUG-CR-358/2008 Causing financial loss.

13. Bakera Stephen, Officer in charge of salaries, Jinja Referral Hospital.

JNJ CR 280/2008 Abuse of office and causing financial loss.

14. Ganafa George, Goma Sub-county Accountant.

MKN 878/2008 Embezzlement and abuse of office.

15. Muhereza Christopher Tibemenya, Senior Community Development Officer, Masindi.

ACD CSC 184/2010 Causing financial loss,

abuse of office,
corruption and false
accounting.

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16. Akankwasa Damian, former Executive
Director NFA and others.

ACD-79/2010, ACD

69/2010, ACD 70/2010,

ACD 80/2010

Causing financial loss,

Abuse of office,

corruption, illicit

enrichment and false

accounting.

17. Nyeko Wilfred, Community

Development Officer, Pader.

ACD 179/2010 Diversion of public

resources and abuse of

office.

18. Nestor Machumbi Gasasira, Principal

Accountant in Public Service of

Uganda.

ACD-CSC-183/2010 Illicit enrichment.

19. Asimwe Anna T, Assistant Administrat

Officer, Isingiro District Local Governm

ACD 185/2010 Uttering false documents

and false information.

20. Mutesi Harriet, Detective Police

Constable attached to CPS, Kamuli.

ACD 117/2010 Corruptly soliciting and

receiving a gratification.

21. Adimo Alaba Mark and Auma Godfrey,

A1, Head teacher Kabong S.S.S, A2 ,

Bursar Lira.

ACD 192/2010 Embezzlement and abuse

of office.

22. Acuma Godfrey, Bursar, Lira Town

College.

ACD 180/2010 Causing financial loss,

abuse of office,

corruption and false

accounting.

23. Bagarukayo Charles, Computer

Supervisor, Ministry of Finance.

ACD-CSC-127/2010 Embezzlement,

corruption and false

claim.

24. Kayongo Male Ganalema Nathan,

Akutta Olupots Justine

CSC-114/2010 Causing financial loss,

abuse of office and false

accounting.

25. Omagor Dick Mark, former Personnel Officer, Mbale Regional Referral Hospital.
ACD 134/2010 Abuse of office and causing financial loss.

26. Ssebudde Stephen Medical Officer, Kanungu
ACD 131/2010 Embezzlement and false accounting.

27. Ategeka James, Health Assistant, Nakawa Division KCC
ACD 152/2010 Embezzlement and false accounting.

28. Onzu Ismail and 3 others, CAO, Koboko, Banda Yasia, CFO Koboko, Zainab Khemis, Accounts Assistant, Koboko, Bagarukayo Charles, Computer Supervisor in Ministry of Finance.
ACD 727/2010 Embezzlement, Corruption and false claim.

29. Namirembe Philomena, Sub-county Chief/Senior Assistant Secretary, Mpigi District.
68/2010 Soliciting and receiving gratification.

30. Sr. Kakongoro Beatrice, Senior Nursing Officer, Masindi
CR SC 124/2010 Embezzlement and false accounting.

31. Hon. Bihande Yokasi Bwambale, MP, Bukonzo East.
ACD 90/2011 and ACD 91/2011
Embezzlement and uttering false documents.

32. Justine Ocan, LC V Councillor Pajule Sub-county, Pader District.
CSC 88/2010 Abuse of office and conflict of interest.

33. Eng. Kinyera Isaac, District Engineer Pader District.
CSC 87/2010 Abuse of office.

34. Akankwasa Damian, former Executive Director NFA.
ACD-CSC-70/2010 Causing financial loss.

35. Major General Muhwezi Jim, former ACD-CSC-557/2010 Embezzlement, causing

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Minister of Health, Captain Mike Mukula, Dr. Kamugisha Alex and Ms.

Alice Kaboyo – Former State Ministers of Health and an Aide in President's Office.

financial loss and abuse of office.

36. Akankwasa Damian, former Executive Director NFA.

ACD-CSC-69/2010 Causing financial loss.

37. Akankwasa Damian, former Executive Director NFA.

ACD-CSC-80/2010 Causing financial loss.

38. Onegi Obel, former Chairman Board of Directors NSSF, Leornard Mpuuma, former Managing Director, NSSF and James Isabirye, a Businessman.

HCT-ACD-CSC-153-2010 Causing financial loss, abuse of office and corruption.

39. Odong Christopher (four files), former Advisor Restoration of Agriculture Livelihood in Northern Uganda Component RALNUC DANIDA.

ACD 135/2010

ACD 136/2010

ACD 137/2010

ACD 130/2010

Causing financial loss and Embezzlement.

40. Muhingirehe Stephen Bakaine, Chief Internal Auditor, Bulisa

ACD-CSC 208/2010 Corruptly soliciting and receiving a gratification.

41. Yedidah Biribonwa Sentongo, Principal, Mulago School of Nursing and Midwifery.

ACD CSC 174/2010 Abuse of office and causing financial loss.

42. Olet Serafino, Physical Planner, Masak Municipal Council.

ACD CSC 89/2011 Soliciting and receiving gratification.

43. Wogabaga Stephen, Court Clerk GI Court, Sironko

ACD 83/2011 Soliciting and receiving gratification.

44. Nandawula Lillian, State Attorney, Jinja.

ACD 101/2011 Soliciting and receiving gratification.

45. Kabandize Daniel, Court Clerk GII Court, Kiruhura

ACD 055/2011 Soliciting and receiving gratification.

46. Opolot Johnson and Petero Gahafu,

CFO and Ag. CAO Bukedea District
ACD 063/2011 Causing financial loss and
abuse of office.

47. Charles Ojono, Ag. Chief Finance
Officer, Bukedea District Local
Government and Opolot Johnson,
Ag. CAO Bukedea District.
ACD 062/2011 Causing financial loss and
abuse of office.

48. Maliisa Ziphora, Principal Personnel
Officer, Abim District.
ACD 06/2011 Uttering forged
documents.

49. Agaba Simon, Fisheries Officer. ACD 34/2011 Corruptly soliciting and
receiving a bribe.

50. Oluca Hillary Wes, Systems
Administrator, Directorate of Ethics
and Integrity, Office of the President.
ACD 07/2011 Embezzlement and abuse
of office.

51. Drakuma Collins, A1 Store Keeper,
Jinja Hospital, Wadidi Patrick, A2
Cleaner, Jinja Hospital
Kaiza David A3 Businessman, Iganga
District.

CSC 112/2011 Corruptly diverting drugs,
theft and abuse of office.

52. Obore George, former LC III
Chairperson, Malaba Town Council,
Tororo, Opolot Phillip, Town Clerk,
Malaba Town Council and Samuel
Baker Okallany, Deputy Town Clerk,
Malaba Town Council.

CR CSC 211/2011 Abuse of office, causing
financial loss and
Embezzlement.

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53. Lule Mathias, State Prosecutor,
Kayunga
ACD-CSC-240/2011 Soliciting and receiving
gratification.

54. Opolot Philip Gonzaga, Town
Clerk, Malaba Town Council and
Obore George, Chairperson
Malaba Town Council.

ACD 36/2011 Abuse of office and
causing financial loss.

55. Byaruhanga Moses, District
Agricultural Officer.

ACD-CSC-069/2011 Forgery

56. Kasiko Pelda, Senior Accounts
Assistant, Jinja Municipal Council.

CR 066/2011 Embezzlement, causing

financial loss and abuse
of office.

57. Silas Katonyera, Finance Officer,
DANIDA

CSC 22/2011 Embezzlement in the
alternative causing
financial loss.

58. Etukoit Phillip, Teacher, Dada
Primary School, Katakwi.

CSC ACD 24/2011 Causing financial loss and
abuse of office.

59. Edison Kagubare, National
Advisor, DANIDA.

ACD 26/2011 Embezzlement and
causing financial loss.

60. Bakanya Alison, former Enrolled
Midwife, Itojo Hospital,
Ntungamo District and
Mugumya R., Personnel Officer,
Ntungamo.

ACD 053/2011 Neglect of duty and
uttering false documents.

61. Atuhaire George, Senior Assistant
Secretary, Directorate of Ethics and
Integrity, Office of the President.

ACD 09/2011 Embezzlement and abuse
of office.

62. Atuhaire George and Kitooke David
A1 is a Senior Assistant Secretary,
Directorate of Ethics and Integrity,
Office of the President and A2 is a
Senior Accountant, Directorate of
Ethics and Integrity, Office of the
President.

ACD 08/2011 Embezzlement and abuse
of office.

63. Atuhaire George, Senior Assistant
Secretary, Directorate of Ethics and
Integrity, Office of the President and
Okello Eludai, Senior Accounts
Assistant, Directorate of Ethics and
Integrity.

ACD-CSC-10-2011 Embezzlement and abuse
of office.

64. Mutesasira John Drink Water,
Assistant Engineer, Bombo Town
Council.

ACD CSC 14/2011 Abuse of office, false
accounting by Public
Officer.

65. Nadiope Eric, Principal Inspector and
Dr. Mwanja Wilson, Commissioner
Fisheries.

ACD CSC 118/2011 Abuse of office.

66. Nahabo Asha, Secretary, Jinja District

Land Board.

ACD 001/2011 Uttering forged documents.

67. Atuhairwe Flugence, teacher, Lunoni Primary School.

ACD 44/2011 Personating a public official.

68. Byarugaba Beatrice, Production Officer and Chairperson Contracts Committee.

ACD 068/2011 Abuse of office.

69. Mutesasira John Drink Water, Assistant Engineer, Bombo Town Council.

ACD-CSC-13/2011 Abuse of office, Embezzlement and false accounting by Public

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Officer.

70. Opio Ajoka William, Chief Finance Officer, Dokolo and Odyek Omollo, Teacher, Dokolo.

ACD 58/2011 Embezzlement, abuse of office and false accounting.

71. Nulu Nantume, former Internal Auditor, Bombo Town Council.

ACD 32/2011 Causing financial loss and abuse of office.

72. D/CPL Ocan Odiya Gabriel, Police Officer, Lira Police Station

ACD CSC 107/2011 Soliciting and receiving a gratification.

73. Turyomunsi Richard, Police Officer, Nyendo Police Station.

ACD CSC 81/2011 Corruptly soliciting and receiving a gratification.

74. Wanyisi Joseph, Senior Law Enforcement Officer, Mbale Municipal.

CSC 43 2011 Uttering false documents.

75. Michael Kakonge, Overseer/Foreman of Jinja Municipal Council.

CSC 103/2011 Embezzlement and false accounting.

76. Nabihamba Ernest, Environment Officer, Jinja Municipal Council.

CSC 102/2011 Embezzlement and false accounting.

77. Wamuzibira Dathan, Engineer, Jinja Municipal Council.

CSC 105/2011 Embezzlement and false

accounting.

78. Agaba Simon, Athorised Officer,
Fisheries.

ACD-CSC 034/2011 Soliciting and receiving a
gratification.

79. Mubbala K.S.B, Secretary,
Uganda Land Commission.

ACD-CSC 114/2011 Disobedience of IGG
orders.

80. Ocen George Albert, Town Clerk,
Kitgum Town Council.

CSC 116/2011 Abuse of office.

81. No. 27463 Cpl Oulo Joseph, Police
Officer attached to Serere Police
Station.

CSC 117/2011 Corruptly soliciting for
and receiving a
gratification.

82. David Bashakara, former Town Clerk,
Jinja Municipal Council, Jinja District
Local Government.

CSC 119/2011 Abuse of office.

83. Namulondo Sarah, Resident State
Attorney, Bugiri.

CR SC 120/2011 Corruptly soliciting for
and receiving a
gratification.

84. Eng. Peter Kikuyo, Chief Electrical
Engineer, Ministry of Works and
Transport.

Eng. Bernard K. Mwerinde, Principal
Electrical Engineer, Ministry of Works
and Transport and

Eng. Waiswa Naluwairo, Principal
Electrical Engineer (retired), Kampala
City Council.

CSC 127/2011 Abuse of office and
causing financial loss.

85. No. 23146 Cpl. Rajah John Bosco,
Police Officer attached to Masaka
Police Station.

129/2011 Corruptly soliciting for
and receiving a
gratification.

86. Bamwira John Richard, former
Finance Officer, Kampala Central
Division, Kampala.

CSC 138/2011 Embezzlement, false
accounting by a public
officer.

87. Asalu Amos, Principal of National
Meteorological Training School,
Entebbe.

CS SC 140/2011 Abuse of office.

88. Ssemambo Stephen, Director of

General Construction and
BUG RD 762/2011 False statements by
officials of companies,

Inspectorate of Government

INSPECTORATE OF GOVERNMENT

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Maintenance Company Ltd, Kampala. Uttering false documents.

89. Atweta George, LC III Chairperson,
Kayonga Sub-county in Ntungamo
District.

CSC 171/2011 Corruptly soliciting for
and receiving
gratification.

90. Aloysius Ka Office, LC III Chairperson,
Kikagata Sub-county, Isingiro District

CSC 183/2011 Corruptly soliciting for
and receiving
gratification.

91. Kafeero Edward, Plumber with
National Water and Sewerage
Corporation, Kampala.

CSC 187/2011 Embezzlement and abuse
of office.

92. Nsekanabo Margaret, No. 20998
W/SGT, Police Officer attached to
Kira Road Police Station, Kampala.

Debo Beatrice, No. 24572 W/SGT,
Police Officer attached to Kira Road
Police Station, Kampala.

CSC 186/2011 Abuse of office.

93. Hon. Sam Kutesa, Minister for Foreign
Affairs, Kampala.

Hon. John Nasasira, former Minister
for Works, Housing and Transport,
Kampala.

Hon. Rukutana, Minister for Labour,
Gender and Social Development,
Kampala.

CSC 184/2011 Abuse of office and
causing financial loss.

94. Salwa Sadat, Teacher, Obiya Primary
School, Gulu Municipality.

GUL CR CA 1075/2011 Uttering a false
document.

95. Lanyero Evelyn Onok, Teacher of
Laliya Primary School, Gulu district.

GUL CR CA 1074/2011 Uttering a false
document.

96. Dr. Katende Joseph Sekikubo,
Medical Officer with Jinja Hospital.

Waiswa Peter, Casual labourer at
Jinja Municipal Council, Jinja district.

CRC 190/2011 Abuse of office,
Conspiracy to defraud,

forgery, uttering a false document.

97. Angel Monica Kabasumbi, Office Typist/Secretary, Fort Portal Municipal Council.

FP CR CA 634/2011 Uttering a false document, giving false information.

98. Odok Peter W'Oceng, former Chairperson, Pader District Local Government.

Etot Paul Peter, Managing Director, M/S Rising Star Transporters Ltd.

Otai Peter, formerly CAO, Pader.

CSC No. 197/2011 Causing financial loss, Abuse of office and conspiracy to defraud.

99. Kamugisha Gaston, GII Magistrate, Ntungamo Magistrate's Court, Ntungamo District.

CR SC 198/2011 Corruptly soliciting for and receiving gratification.

100. Egiru Alex, Records Assistant in Soroti District Local Government.

CR SC 205/2011 Corruptly soliciting for and receiving gratification.

101. Afaro Gilbert, a resident of Seme A, Buhasaba Parish, Buhehe Sub-county, Busia.

BUG RD CR CA 1041/2011 Obtaining goods by false pretence and uttering false documents.

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102. Irumba Mbabali Ancletus, Senior Town Engineer, Hoima Municipal Council.

CSC 207/2011 Causing financial loss and abuse of office.

103. Mugisha Jonathan (ASP), District Police Commander, Shema District.

CSC 210/2011 Corruptly soliciting for and receiving a gratification.

104. Lt. Santos Okot Lapolo, RDC, Kitgum District.

CSC 200/2011 Embezzlement and abuse of office.

105. Sarah Kulata, Commissioner, Land Registration.

CSC 202/2011 Abuse of office.

106. Karakire Stephen, Grade II Magistrate, Lyantonde Magistrate's Court.
CSC 217/2011 Corruptly soliciting for and receiving a gratification.

107. Tukamuhabwa Moses, Health Assistant, Kabale Municipal Council.
CSC 220/2011 Corruptly soliciting for and receiving a gratification.

108. Muhumuza Abel, D/C No.35407, Police Officer attached to Rubaya Police Post, Mbarara Police Station.
CSC /2011 Corruptly soliciting for and receiving a gratification.

109. No. 26948 D/CPL Tumusiime Daniel, Police Officer attached to Bushenyi Police Station.
No. 26288 D/SGT Mujuni Julius, Police Officer attached to Bushenyi Police Station, Bushenyi District.
CSC 223/2011 Corruptly soliciting for and receiving a gratification.

110. Adea Ouma, District LC V Chairperson for Busia District.
CSC 225/2011 Corruptly soliciting for and receiving a gratification.

111. Mawanga Peter Patience, Water Engineer, Lwakhakha Town Council, Manafwa District.
ACD CSC 229/2011 and
ACD CSC 230/2011
Abuse of office and
causing financial loss.

112. Cpl Oola Joseph, Police Officer, Soroti District.
CSC 117/2011 Uttering false documents.

113. Monday Stephen, Deputy Chief Administrative Officer, Mubende District.
Kobusinge Betty, teacher of Kyantambara Primary School, Kabarole.
ACD CSC 235/2011 Abuse of office, giving false information by public officer, uttering false documents and making false statements.

114. No. 23508 CPL Ayezabizwe Labuteriano, Police Officer attached to Rushere Police

Station in Kiruhura District.
No. 16527 SPC Kambaho David,
SPC attached to Rushere Police
Station in Kiruhura District.
ACD CSC 237/2011 Corruptly soliciting for
and receiving a
gratification.

115. Cpl Marando Abraham, O/C
Kanyaryeru Police Post, Kiruhura
District.

CSC 241/2011 Corruptly soliciting for
and receiving a
gratification.

116. Kagubare Edison, Advisor, DANISH
Support to Development
Assistance for Refugees Hosting
Area Programme.

CSC 25/2011

CSC 26/2011

Embezzlement, abuse of
office and fraudulent
false accounting.

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117. Kabito Robert Pam, Accountant/
Administrator, Ministry of
Agriculture, Animal Industry and
Fisheries, Kampala.

CSC /2011 Corruptly soliciting for
and receiving a
gratification.

118. Ocaya George, Procurement
Officer, Kitgum District Local
Government.

Oola Eugene, District Planner,
Kitgum District.

KT-00-CO-746/2011 Uttering false documents.

119. Kiyingi Henry, Sportsman/
footballer, a resident of
Buyembe, Kavule in Mayuge
District.

CR Case No. 133/2011 Theft.

TABLE X

CRIMINAL APPEALS BY THE END OF DECEMBER 2011

**S/N NAME OF
APPELLANT
NAME OF
RESPONDENT
OUTCOME OF
THE PREVIOUS
TRIAL
COURT**

**REFERENCE
NUMBER
OFFENCE
COMMITTED**

1. Eng. Sentumbwe
and Eng. Mugisha
Shilling
Uganda(IG) Application for
review on
whether
prosecution of the
case should
continue resolved
in IGG's favour
COA-CA-32-
2005
Corruption,
Abuse of office
and Conspiracy
to defeat justice.
2. Uganda Eng. Wanjusi
Fabian, Mayuge
District
Acquitted by trial
court
CR-481-2006 Causing Financial
Loss and
convicted for
Abuse of office.
3. Uganda Eng. P.K.
Waiswa,
District
Engineer,
Iganga District
Acquitted by trial
court
CR-482-2006 Causing Financial
loss and Abuse of
office.
4. Turyamwesiga
Vanance, District
Engineer, Kabale
Local Government
Uganda(IG) Convicted by trial
court
CR APP 494-
2006
Causing Financial
Loss and
convicted for
Abuse of office.
5. Uganda Bagalana
Suleiman,
Agricultural
Extension

Coordinator
Jinja
Acquitted by the
Trial court
HCT-JNJ-CA-
14-2007
Charges of Abuse
of office and
False Accounting
by public officer.
6. Margaret
Kobusingye and
Wanyana, Senior
Economist/Desk
Officer in charge of
the Water and
Sanitation Sector
with Ministry of
Uganda(IG) Convicted by the
trial court
COA-CR-30-
2008
Abuse of office.

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Finance, A2 was a
Senior Assistant
Engineering Officer
with Ministry of
Works
7. Ndifuna Moses,
Magistrate GII
Mbarara
Uganda(IG) Convicted by the
trial court
COA-CR-205-
2009
Soliciting and
receiving a bribe.
8. Stanley Mugenyi,
Principal Staff
Surveyor, Mbarara
District Land office
Uganda(IG) Convicted by trial
court, conviction
upheld by High
Court, appellant
filed an appeal in
Court of Appeal
CR-076-2009 Abuse of office
and corruptly
soliciting and
receiving a

gratification.
9. Bwanika Godfrey
and others
Uganda (IG) Convicted by trial
court, conviction
upheld by High
court, appellant
filed an appeal in
Court of Appeal
COA CR
APPEAL No.
241/2010
Causing Financial
loss, Abuse of
office and
embezzlement.
10. Gashenyi John
Wycliff, Former
Town Clerk Kiboga.
Uganda(IG) Convicted by trial
court, conviction
upheld by High
court, appellant
filed an appeal in
Court of Appeal
COA-CR-APP-
240-2010
Abuse of office.
11. Cheptuke Kaye
David, Magistrate
Grade I Kisoro
Uganda(IG) Convicted by the
Trial Court
HCT-CSC- 121-
2010
Corruptly
Soliciting and
receiving a
gratification.
12. Chemisto A.M,
Sammy Nelson,
Swami Martin
Uganda(IG)
Convicted by the
trial court
COA-CSC- 205-
2010
Abuse of office,
Causing Financial
loss.
13. Mwanja Charles
District Prisons
Commander-Kasese
Uganda(IG) Convicted by the
trial court

HC CRIMINAL

APPEAL No.

005/2010

Abuse of office
and Causing
financial loss.

14. Achiga John

Chaiga

District Engineer,

Moyo

Uganda(IG) Convicted by trial

court, conviction

upheld by High

court, appellant

filed an appeal in

Court of Appeal

COA CRIMINAL

APPEAL No.

295/2010

Abuse of office

and Causing

financial loss.

15. Uganda Waidha Okuku

Stephen and

another

Acquitted by trial

court

HCT-00-ACD –

CR

SC021/2010

Soliciting and

receiving a bribe.

16. Okello and others Uganda(IG) Convicted by trial

court

HCT-ACD-008-

2010

Embezzlement,

Causing Financial

loss and Abuse of

office.

17. Sabila Herbert

former MP, Tingey

Sammy Nelson,

Treasurer

Kapchorwa,

Chelimo Nathan

Uganda(IG) Convicted by trial

court

COA APPEAL

No. 22/2010

Corruptly

offering

gratification.

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18. David Chandi

Jamwa, Former

MD NSSF

Uganda(IG) Convicted by the
Trial court

APPEAL No.

77/2011

Causing Financial
loss, Abuse of
office

19. Uganda Ekungu Simon

Peter, Sub-

County Chief,

Ngora Sub-

County in Kumi

District

Acquitted by Trial
court

ACD CR CA

19/2011

Soliciting and
receiving
gratification.

20. Bongomin Richard

Akal

District Planner,
Pader

Uganda(IG) Convicted by trial
court, conviction

upheld by High

court, appellant

filed an appeal in

Court of Appeal

COA CRIMINAL

APPEAL No.

96/2011

Embezzlement,
Abuse of office,
False Accounting,
Forgery and
Uttering False
document.

21. Uganda Mungoma John

Willy, Health

Educator,

Tororo District

Acquitted by the
trial court

CR. No.

16/2011

Embezzlement,
forgery and false

accounting.

22. Uganda Okongo Denis
and Kilara

Benson

Town Clerk,

Gulu and

Deputy Mayor,

Gulu

Acquitted by trial
court

CR. APPEAL

No. 6/2011

Abuse of office

and Causing

Financial Loss.

23. Matovu Emmanuel

District Prisons

Commander-

Mukono

Uganda(IG) Convicted by trial
court

CRIMINAL

APPEAL No.

09/2011

Causing Financial

Loss and Abuse

of office.

24. Inziku Paul,

Aderubo Vincent,

Toko Aleni, former

Town Clerk, Arua,

former CFO and

former Accounts

Assistant

respectively.

Uganda Convicted by trial
court

ACD APP

31/2011

Embezzlement,

causing financial

loss and abuse of

office.

25. Inziku Paul,

Aderubo Vincent,

Toko Aleni, former

Town Clerk, Arua,

former CFO and

former Accounts

Assistant

respectively.

Uganda(IG) Convicted by trial
court

ACD APP

31/2011

Embezzlement,
causing financial
loss and abuse of
office.

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Inspectorate of Government

2006 2007 2008 2009 2010 2011

Table XI

Arrests and Prosecutions for the years 2006 - 2011

Arrests Made 12 31 26 24 70 120

Prosecutions 44 60 64 70 116 154

Concluded cases 7 12 16 11 30 61

Convictions 2 4 10 1 18 37

Dismissals 0 3 0 4 2 2

Acquittals 5 2 6 1 3 14

2.4.3 Constraints encountered by the Inspectorate of Government in Prosecution of Cases

Internal factors

Inadequate facilitation

□ Funds for fuel, subsistence and witness allowance remain still limited, making it difficult to meet witnesses early enough to prepare for prosecution and to carry out prompt prosecutions especially in up country courts.

□ There are insufficient funds to cater for continuous training and improved motivation of prosecutors.

External factors

Court delays in both the Court of Appeal and the Supreme Court. Appeals filed in both courts take long to be disposed of, coupled with constitutional petitions or references and appeals filed in either of the two courts for determination before prosecution in the lower court continues.

2.4.4 FUTURE PLANS

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Court delays in both the Court of Appeal and the Supreme Court. Appeals filed in both courts take long to be disposed of, coupled with constitutional petitions or references and appeals filed in either of the two courts for determination before prosecution in the lower court continues.

2.4.4 FUTURE PLANS

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Recruitment/deployment of more staff in the Prosecution Unit.

Further improvement of the quality of prosecutions through on-job and structured prosecutorial training and skills development for prosecutors.

2.5 CIVIL CASES

As part of its mandate and functions, the Inspectorate of Government has been handling civil cases and any other civil applications that are instituted by or against

the Inspectorate of Government in Courts of Judicature. These include; Civil Suits, Civil Applications, Constitutional Petitions, Constitutional Applications and Mediation Proceedings.

For the period under review, (July – December 2011), the Inspectorate of Government had a total of twenty eight (28) civil cases which included:-

Twenty three (23) civil applications.

Three (3) civil suits.

Two (2) Constitutional Petitions.

2.5.1 SUMMARY STATUS REPORT OF THE CIVIL CASES HANDLED DURING THE PERIOD JULY - DECEMBER 2011

TABLE XII: SUMMARY OF ON-GOING CIVIL CASES DURING THE PERIOD JULY – DECEMBER 2011

NO.	CASE REF.NO.	NAME OF THE PARTIES	CAUSE OF ACTION	STATUS
------------	---------------------	----------------------------	------------------------	---------------

7.	Miscellaneous			
----	---------------	--	--	--

	cause No.			
--	-----------	--	--	--

	07/2007			
--	---------	--	--	--

	Godfrey Lwasa –Vs- the			
--	------------------------	--	--	--

	Inspectorate of			
--	-----------------	--	--	--

	Government.			
--	-------------	--	--	--

	Application seeking to be paid			
--	--------------------------------	--	--	--

	a reward as an informer.			
--	--------------------------	--	--	--

	Hearing the case is			
--	---------------------	--	--	--

	due on 29 th March			
--	-------------------------------	--	--	--

	2012.			
--	-------	--	--	--

1.	Civil Suit No.			
----	----------------	--	--	--

	162/2009			
--	----------	--	--	--

	Wereba Kiara –Vs- IG			
--	----------------------	--	--	--

	and Attorney General.			
--	-----------------------	--	--	--

	Suit challenging the IG report. The case has not			
--	--	--	--	--

	been fixed for			
--	----------------	--	--	--

	hearing.			
--	----------	--	--	--

2.	Misc. Application			
----	-------------------	--	--	--

	No. 033/2010			
--	--------------	--	--	--

	IG –Vs- Wereba Kiara			
--	----------------------	--	--	--

	and Attorney General			
--	----------------------	--	--	--

	Application by the IG			
--	-----------------------	--	--	--

	seeking to be joined as a			
--	---------------------------	--	--	--

	2 nd respondent.			
--	-----------------------------	--	--	--

	Waiting for a			
--	---------------	--	--	--

	hearing date to be			
--	--------------------	--	--	--

	fixed by court.			
--	-----------------	--	--	--

4.	Miscellaneous			
----	---------------	--	--	--

	Application No.			
--	-----------------	--	--	--

	219/2010			
--	----------	--	--	--

	Damian Akankwasa –			
--	--------------------	--	--	--

	Vs- IG			
--	--------	--	--	--

	Application seeking court to			
--	------------------------------	--	--	--

	quash the IG report made			
--	--------------------------	--	--	--

	against the applicant.			
--	------------------------	--	--	--

	Court is yet to fix a			
--	-----------------------	--	--	--

	hearing date.			
--	---------------	--	--	--

Republic of Uganda

Inspectorate of Government

Recruitment/deployment of more staff in the Prosecution Unit.

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Three (3) civil suits.

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2.5.1 SUMMARY STATUS REPORT OF THE CIVIL CASES HANDLED DURING THE PERIOD JULY - DECEMBER 2011

TABLE XII: SUMMARY OF ON-GOING CIVIL CASES DURING THE PERIOD

JULY – DECEMBER 2011

NO.	CASE REF.NO.	NAME OF THE PARTIES	CAUSE OF ACTION	STATUS
-----	--------------	---------------------	-----------------	--------

7.	Miscellaneous			
----	---------------	--	--	--

	cause No.			
--	-----------	--	--	--

	07/2007			
--	---------	--	--	--

	Godfrey Lwasa –Vs- the			
--	------------------------	--	--	--

	Inspectorate of			
--	-----------------	--	--	--

	Government.			
--	-------------	--	--	--

	Application seeking to be paid			
--	--------------------------------	--	--	--

	a reward as an informer.			
--	--------------------------	--	--	--

	Hearing the case is			
--	---------------------	--	--	--

	due on 29 th March			
--	-------------------------------	--	--	--

	2012.			
--	-------	--	--	--

1.	Civil Suit No.			
----	----------------	--	--	--

	162/2009			
--	----------	--	--	--

	Wereba Kiara –Vs- IG			
--	----------------------	--	--	--

	and Attorney General.			
--	-----------------------	--	--	--

	Suit challenging the IG report. The case has not			
--	--	--	--	--

	been fixed for			
--	----------------	--	--	--

	hearing.			
--	----------	--	--	--

2.	Misc. Application			
----	-------------------	--	--	--

	No. 033/2010			
--	--------------	--	--	--

	IG –Vs- Wereba Kiara			
--	----------------------	--	--	--

	and Attorney General			
--	----------------------	--	--	--

	Application by the IG			
--	-----------------------	--	--	--

	seeking to be joined as a			
--	---------------------------	--	--	--

	2 nd respondent.			
--	-----------------------------	--	--	--

	Waiting for a			
--	---------------	--	--	--

	hearing date to be			
--	--------------------	--	--	--

	fixed by court.			
--	-----------------	--	--	--

4.	Miscellaneous			
----	---------------	--	--	--

Application No.
219/2010
Damian Akankwasa –
Vs- IG
Application seeking court to
quash the IG report made
against the applicant.
Court is yet to fix a
hearing date.

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**NO. CASE REF.NO. NAME OF THE
PARTIES**

CAUSE OF ACTION STATUS

3. Miscellaneous

Application No.
53/2011
Ssebudde Joseph –Vs-
Attorney General and
IG.
Execution proceedings to
issue against the Attorney
General to recover costs
awarded against the IG.
Waiting for a
hearing date to be
fixed.

5. Miscellaneous cause

64/2011
Katamba Fred –Vs- IG Application challenging
the IG's awarded costs.
Hearing date is yet
to be fixed.

6. Miscellaneous Applic

413/2011
IG –Vs- Nestor Gasasira
and Bank of Uganda
IG seeking court to set
aside an order absolute
for the attachment of
money on its Bank
Account to pay for the
taxed costs.

Case heard by the
Judge and we are
waiting for the
ruling.

8. Miscellaneous

cause No.
154/2011
Hared Petroleum Ltd –
Vs- Attorney General
and IG.
Application seeking court to

quash the IG report.

First hearing is due

on the 16th

February 2012.

9. Miscellaneous

Application No.

022/2011

Nassolo Asiat –Vs-

Sembabule District and

IG.

Application challenging the IG

report for alleged illegalities.

Case is to be heard

on the 25th

January, 2012.

TABLE XIII

SUMMARY OF THE CONCLUDED CIVIL CASES DURING THE PERIOD JULY – DECEMBER

2011

NO. CASE REF.

NO.

NAME OF THE

PARTIES

CAUSE OF ACTION OUT COME

1. Miscellaneous

Application

No. 109/2004

Kiara Amos Wereba –

Vs- Arua Municipal

Council and IG.

The Application seeking to

set aside the IG report was

dismissed and costs were

awarded to the IG. A Bill

of costs of

Ug.Shs.29,109,000/= was

filed.

Waiting for the

taxation ruling to be

delivered by the

Registrar.

2. Miscellaneous

Application

No. 12/2005

Kiara Amos Wereba –

Vs- Arua Municipal

Council and IG.

Application for leave to

appeal a ruling vide MA

109/11 was dismissed and

costs awarded to the IG.

Waiting for the

delivery of the taxation

ruling of the filed Bill

of costs.

3. Miscellaneous

Application
No.
American Procurement
Co.
Ltd (AMPROC) –Vs- the
Inspectorate of
Government.
Application challenging the
delayed release of
investigation report against
the applicant.
Application withdrawn
since at the hearing
the report had been
released.

4. Miscellaneous
Application
No. 002/2008
Masaba Richard –Vs-
Attorney General
and IG.
Application sought to set
aside the IG directive which
suspended the applicant
from the public office. The
case was dismissed and
costs awarded to the IG.
IG filed a Bill of costs
amounting to
Ug.Shs.38,000,000/=
which is due for tax
ruling.

5. Constitutional
Petition
No. 04/2008
Kikonda Butema Farm
Ltd, -Vs- IG
Petition challenging the
actions of the IG of
reviewing the Attorney
General's opinion and
The petition was
withdrawn because
the IG does not have
the capacity to sue or

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stopping the Minister of
Finance from paying the
petitioner Ug.
Shs.1,084,707,837/=.

be sued.

6. High Court

Civil Suit
NO. 223/2009
Mohammed Saru –Vs-
Jinja Central Division
Council and the
Inspectorate of
Government (3rd
party).

The IG was served with a
3rd Party Notice to
indemnify the plaintiff
should the case be
decided against it arising
out of the IG's
actions/directives.

IG was dropped
from the case and
substituted by
Attorney General
due to lack of
corporate status.

7. Miscellaneous
Application
No. 91/2009

Katamba Fred –Vs-
Mukono District and
IG.

Application sought court to
quash the IG's directive
interdicting the public
officer from office. The
case was dismissed with
costs.

Filed a Bill of costs of
Ug.Shs.36,602,000/=
which is awaiting a
taxation ruling.

8. Miscellaneous
Application
No. 52/2009

Kangaho Silver –Vs- IG. The Application was
seeking to quash the IG's
decision which
terminated the
applicant's employment
contract with the IG.

The application was
withdrawn because
the IG does not have
the corporate status
to sue or be sued.

9. Miscellaneous
Application
No. 009/2009

Joe Mukisa –Vs- Rakai

District and IG.

Application seeking to quash
the IG report and
recommendations.

Case withdrawn from
court.

10 Miscellaneous

Application

No. 039/2009

Banya Natal –Vs-

Koboko District Service

Commission and IG.

Application seeking for a
stay of the

implementation of the IG
recommendations against
the applicant.

Case dismissed for
want of prosecution.

11 Miscellaneous

Application

No. 110/2010

Hajji Edrisa Mutaasa

and 4 others versus

the Inspectorate of

Government and

Lyantonde District

Local Government.

Application seeking court
to quash the IG report
which recommended the
dismissal of the members of
Lyantonde District Service
Commission for being
incompetent.

Submissions made
before the judge and
awaiting for the
ruling/judgement.

12 Miscellaneous

Application

No. 32/2010

Ssebudde Joseph –Vs-
IG.

Judicial Review application
seeking to quash the IG
report and or
recommendations made
therein was decided against
the IG.

The Bill of costs was
taxed and IG ordered
to pay Ug.Shs.6.2m.

13 Miscellaneous

Application

No. 221/2011

Dr. Arinaitwe and
38 others versus the
Inspectorate of
Government.

The IG was sued vide
HCCS No. 349/2007 for
alleged unlawful
termination of its
employee's employment
contracts and this
application was seeking
court to substitute IG
with Attorney General
because IG does not have
the corporate status.
The IG was dropped
and struck off the
case for lack of
corporate status and
Attorney General took
over the case.

14 Miscellaneous

Cause No.

Afric Co-operative
Society Ltd. –Vs- IG
Application seeking court to
quash the IG report which
The case was
dismissed for lack of

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52/2011 and Attorney
General

halted the payment of
interest to the applicant
arising out of the forged
consent judgement.
merit.

15 Miscellaneous

Application

No. 171/2011

Nestor Gasasira –Vs- the
IG and Bank of
Uganda.

Application for Garnishee
proceedings to issue against
the IG.

An order absolute was
granted to attach the
IG's Bank Account held
in Bank of Uganda.

16 Miscellaneous

Application
No. 276/2011
Paul Musoke –Vs- IG
and Attorney General.
Application seeking to
reinstate the application
of judicial review which
had been dismissed for
want of prosecution.
IG struck off the case
for lack of corporate
personality and
Attorney General was
left to defend the
case.

TABLE XIV

SUMMARY OF THE CIVIL APPEALS DURING THE PERIOD JULY - DECEMBER 2011

NO. CASE REF. NO. NAME OF THE PARTIES CAUSE OF ACTION STATUS

1. Constitutional

Petition

No. 15/2007

Syson Kekutso and
Rubabanza –Vs-
Attorney General and
IG.

Constitutional Petition
challenging the arrest,
detention and the
subsequent prosecution of
the petitioners by the IG.

The Constitutional
Court dismissed the
petition for lack of
any merit and
ordered the
petitioners to pay
costs to the
respondents.

2. Civil Appeal No. 32/2009

American Procurement
Co. Ltd. –Vs- IG and
Attorney General.

The appellant had sued the
IG and Attorney General
seeking to recover
Ug.Shs.4.6 billions but the
case was dismissed for lack
of merit. The appellant
has thus appealed.

The appeal is
pending hearing at
the Court of Appeal.

3. Civil Appeal No. 63/2010

IG –Vs- Hajji
Mohammed Baswale
An Appeal against a ruling
vide M.A 28/2009 wherein
the court quashed the IG
report which was made
against the respondent.
The appeal is
pending hearing at
the Court of Appeal.

2.5.2 CHALLENGES ENCOUNTERED BY THE IG IN DISENGAGING FROM CIVIL LITIGATION

In spite of the holding of the Supreme Court in the case of ***Gordon Sentiba and others Vs. Inspectorate of Government*** (Civil Appeal No. 6 of 2008) that the IG is not a body corporate, therefore it cannot sue or be sued IG has continued engaging in litigation of Civil cases because in some of the Civil cases where the IG has been a party to the suit, Courts have ordered that the IG should continue as a party, while in others IG has been substituted by the Attorney General.

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CHAPTER THREE: IMPLEMENTATION OF OMBUDSMAN FUNCTION

3.0 INTRODUCTION

3.1 The Ombudsman function of the Inspectorate of Government is derived from Article 225(1) (a) (c) and (e) of the Uganda 1995 Constitution and Section 8 of the Inspectorate of Government Act, 2002. Both provisions outline the functions of the Inspectorate of Government as follows;

(a) To promote and foster strict adherence to the rule of law and principles of natural justice in administration.

(b) To promote fair, efficient and good governance in public offices.

(c) To investigate any act, omission, advice, decision or recommendation by a public officer or any other authority to which this article applies, taken, made, given or done in exercise of administrative functions.

The Inspectorate of Government fulfills the above functions and the Ombudsman function through investigation of maladministration and administrative injustice in public offices and recommends corrective actions.

3.2 During the period under review, the Inspectorate of Government had a total of 1,100 ombudsman complaints. 686 of these were received during the period while 400 were complaints carried forward from the previous period. Out of 414 complaints received, 12 complaints were found to lack merit. 91 complaints were processed and referred to other institutions, while 501 complaints were investigated and completed and 496 complaints were carried forward. The nature of complaints received were as follows:

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- Mismanagement – 124 (30%)
- Non-payment or delayed payment of salaries and other benefits – 100 (24.2%)
- Delay of service delivery – 57 (13.8%)
- Victimization/oppression – 32 (7.7%)
- Property disputes – 34 (8.2%)
- Tenders and Contracts – 37 (8.9%)
- Others – 30 (7.2%)

3.3 Below are summaries of some of the ombudsman complaints that were investigated and completed.

□ **Alleged unfair suspension of a Senior Financial Accountant, National Forestry Authority (NFA) - Comp. 9/5/11.** The complainant alleged that she had been unfairly suspended from her position at NFA without getting a fair hearing. IG intervened and she was invited to defend

herself before the NFA Disciplinary Committee after which she was cleared of the allegations that had been leveled against her.

▣ **Alleged unpaid Faculty Allowances - Comp. 16/7/11.** The complainants, Makerere University students on government sponsorship alleged that the special faculty allowance they were entitled to, had not been paid by the concerned university officials despite repeated requests. IG intervened and the said allowances were paid.

▣ **Alleged unlawful stay of renewal of Annual Practising Certificate - Comp. 55/7/10.** The complainant, an Environmental practitioner, alleged that his Annual Practising Certificate had been stayed unlawfully. Upon intervention of IG the Committee of Environmental Practitioners of Uganda conducted a hearing of the disciplinary case against him and made a ruling to the effect that upon compliance with the sentence he should be restored to the Register of Environmental Practitioners.

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▣ **Alleged mishandling of estate by the CAO Wakiso - Comp. 9/9/10.** It was alleged that the ACAO Wakiso was mishandling the estate of the complainant's relative. The matter was referred to the Administrator General and four members of the deceased's family were granted letters of no objection to apply for letters of administration by the Administrator General.

▣ **Alleged illegal operation of Makeshift Garage - Comp. 25/9/10.** The complainants alleged that an illegal makeshift garage was being operated in Ntinda residential area and making their lives uncomfortable. The matter was raised with the concerned KCC officials and the makeshift garage was removed.

▣ **Alleged deletion from Payroll - Comp. 25/8/10.** The complainant, a teacher at St. Peter's Matala Primary School alleged that he had been deleted from the payroll since April 2010. IG intervened and he was reinstated.

▣ **Alleged failure to Pay Salary Arrears by Ministry of Public Service – Comp. 40/12/10.** The complainant alleged that the Ministry of Public Service had refused to pay him salary arrears despite several demands for the same. IG intervened and the Ministry of Public Service confirmed having received the arrears claim form and forwarded it to the Ministry of Finance for payment.

▣ **Alleged failure to provide transport money by Uganda Police - Comp. 8/10/09.** The complainant retired from the Police Force on 8th April 2009 but claimed he had failed to return home because he had not been provided with transport allowance. The matter was followed up with Police and he was paid.

□ **Alleged deletion from payroll - Comp. 40/11/09.** The complainant alleged that he had been irregularly deleted from the payroll. IG

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intervened and he was reinstated on the payroll and paid salary arrears for one financial year.

□ **Alleged Mismanagement of Estate by the Administrator General - Comp. 118/1/08.** The complainant alleged that the Administrator General had failed to give him his share of his late father's estate. IG intervened and the Administrator General undertook to pay Ug.Shs.5,904,762/= in one million cheques bi-annually.

□ **Alleged non-payment of Death benefits - Comp. 26/4/08.** The complainant alleged that Uganda Electricity Board had failed to pay the death benefits of his late father. IG intervened and the complainants were advised to apply for letters of administration so as to be able to access the benefits which were already available with the Privatisation Unit.

□ **Alleged mismanagement of Criminal case by DPP - Comp. 21/6/08.** It was alleged that the RSA Iganga was mismanaging a criminal case CRB 1434/2006. IG intervened and the DPP called for the file from Iganga, perused it and took action by consenting to the charges.

□ **Alleged deletion from Payroll - Comp. 30/5/06.** The complainant alleged that he was irregularly deleted from the payroll. IG intervened and pay change forms were submitted to the Ministry of Finance.

□ **Alleged irregular recruitment of University Secretary, Makerere University – Comp. 5/10/10.** Investigations established that the person complained against was not qualified but could not be removed because of lack of proper definition of Senior Managerial level which was one of the requirements for the position. The University Administration was advised to come up with a clear definition of what constitutes Senior Managerial level so as to avoid such anomalies for future recruitment exercises.

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□ **Alleged failure by Uganda Police to deduct salary despite Court Order – Comp 21/2/11.** The complainant, a Police Officer's wife got a court order instructing Police to make monthly deductions from the Officer's salary to cater for maintenance of his family. However, Police failed to implement the said court order. IG intervened and Police immediately started to make monthly deductions from the officer's salary and remit them to the wife's account.

□ **Alleged failure to pay Terminal benefits – Comp. 41/1/08.** The

complainant alleged that Njeru Town Council had failed to pay him terminal benefits. IG intervened and he was paid Ug.Shs.25,000,000/=.

□ **Alleged Non-payment of Death benefits – Comp. 22/5/08.** IG intervened and the complainant was paid Ug.Shs.6,600,000/= by the Administrator General.

□ **Alleged Non-payment of Terminal benefits by the Ministry of Public Service – Comp. 41/1/09.** IG intervened and the complainant was paid terminal benefits worth Ug.Shs.240,770/= by the Ministry of Public Service.

□ **Alleged unpaid Salary Arrears – Comp. 40/10/06.** IG intervened and the complainant was paid salary arrears worth Ug.Shs.3,426,827/=.

□ **Alleged Irregular holding of two offices by the Chairperson Uganda Human Rights Commission – Comp. 57/7/11.** The complainant alleged that the Chairperson Uganda Human Rights Commission was irregularly holding the position of Vice Chairperson, Kyambogo University Council contrary to provisions of the University and other Tertiary Institutions Act. Following the intervention of this office, the Chairperson UHRC tendered in his resignation as the Vice Chairperson, Kyambogo University Council.

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3.4 Policy and System Studies

Pursuant to the provisions of Article 225 of the Constitution of the Republic of Uganda and Sections 8 (i) and (ii) of the Inspectorate of Government Act, 2002, and given that strengthening of institutions is a key anti-corruption and good governance measure, the Inspectorate of Government carries out studies into operations, policies, systems, procedures and application of laws, procedures and established guidelines by various Government Departments and Institutions with a view of identifying weak areas that may be conducive to corruption and maladministration, and make recommendations for remedial measures. This is a preventive measure that the IG adopted in its overall strategy of promoting good governance and efficiency in public offices.

The institutions to be studied are selected on the basis of information the Inspectorate of Government receives in form of public complaints, media reports and periodic surveys.

During the period under review, the IG carried out system studies in Government Departments that were reported to be corruption prone and had mal-administration complaints raised against them. They included the following:

- (i) Management of District Quota Admissions to Public Universities.
- (ii) Management of the Microfinance Support Centre Ltd by the Board of Directors.
- (iii) Management of recruitment process for staff of National Council for Higher Education.
- (iv) Suspension of Busitema University Students by the University Management

3.4.1 Management of District Quota Admissions to Public Universities

The overall finding was that, Uganda National Examinations Board (UNEB) had generated inaccurate data on which basis some ineligible students had been admitted

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at Makerere and Kyambogo University. The mistake was acknowledged and rectified by UNEB.

3.4.2 Management of the Microfinance Support Centre Ltd (MSC) by the Board of Directors

In ascertaining the veracity of allegations of mismanagement at the Microfinance Support Centre Ltd, the study established that:

□ A candidate that was recruited for the position of the Deputy Executive Director lacked the requisite academic qualifications for the position and his Masters Degree from Kampala International University was irregularly awarded. The Board of Directors did not carry out due diligence to ascertain the validity of his academic qualifications before appointing him despite the red flag highlighted by the Consultants from Uganda Management Institute (UMI) in their report.

□ The Board of Directors of MSC mismanaged the recruitment process of the Deputy Executive Director in the following ways:

a) The recruitment method of “**Head hunt**” adopted by the Board was not provided for in the Human Resource Manual at the time of the recruitment although later it was provided for by the same Board. It also contradicted the general policy of transparency inherent in open competition.

b) The candidate, a former member of the Board, was recruited as the Deputy Executive Director before he resigned his position as a Board member creating conflict of interest. This conflict of interest was apparent in the fact that he continued to attend key Board meetings where decisions about the recruitment process were made even after he had made a written application for the position of Deputy Executive Director.

c) The Board created the second position of Deputy Executive Director deliberately to accommodate one of their own who had been beaten in the interviews by another candidate. It was IG considered view that the

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creation of the position of second Deputy Executive Director was not done in good faith. It is likely, given the Board’s obvious interference in what should have been management matters, that the Board wanted him on the management team simply as a means of exerting more control over MSC after their proposal to be made into an Executive Board was rejected. Independent decision making at managerial level was already suffering due to the Board’s over-bearing approach.

d) The Board ignored key evidence of the said candidate’s ineligibility even

after the UMI consultants had pointed out that he did not have a Bachelors Degree and ended up engaging someone without requisite qualifications. This was most likely an intentional oversight meant to serve the Board's own interests.

e) In what appeared to be a premeditated scheme by the Board to exert more control over day to day management at MSC, they immediately appointed the person who was their colleague on the Board as Acting Executive Director notwithstanding the fact that he lacked managerial experience, was the second best in the interviews, and had no requisite academic qualifications for the job.

f) The said candidate was appointed to the position of Acting Executive Director when he was still on probation contrary to Section 5.8(b) of the Human Resource manual which provides that *"Only confirmed staff are eligible for acting appointments."*

g) When the position of Executive Director fell vacant, it should have been advertised, internally or externally to allow for competition in view of the fact that both of the Deputy Directors were newly appointed.

□ The said candidate's interest in the position of Deputy Executive Director was not declared and he never resigned as a member of the Board. He participated in Board meetings that made vital decisions regarding the position for which he was applying. His failure to excuse himself strongly

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suggested that he took advantage of his position on the Board and as such benefited from this position of trust and was therefore in conflict of interest. This contravened Section 9(1) & (2) of the Anti-Corruption Act, 2009.

□ The procurement of Consultancy Services for the Risk Assessment at the Microfinance Support Centre Ltd did not comply with the Public Procurement and Disposal of Public Assets Act and Regulations, 2003. Under the PPDA Act and Regulations, a procurement of this magnitude (UGX 78,920,000/=) should have been advertised under Open Domestic bidding procedures. However, this was not the case; instead Direct Procurement/sole sourcing was used. In the event that MSC had reasons to deviate from the normal procurement procedures they should have applied for approval of the deviation from the PPDA Authority as provided under Section 339 and section 340(1) of PPDA Regulations, 2003.

□ Failure to comply with the provisions of the PPDA Act and Regulations means that the procurement of Consultancy Services for the Risk Assessment by the Microfinance Support Centre Ltd was devoid of transparency and fair competition contrary to the PPDA Act section 45 and 46.

□ The Contracts Committee erred in awarding the contract without either subjecting the process to open competitive bidding or a waiver from the PPDA Authority in the case of direct procurement. The contract was therefore not only illegal but could not be assessed to determine value for

money. The Contracts Committee and in particular the Committee Chairperson and Secretary therefore abdicated their functions when they caused an irregular award of contract.

□ The consultant who was hired to carry out the Risk Assessment had previously worked with a son and a business associate to the Board Chairperson. Despite the fact that there was no evidence that the Board Chairperson exerted pressure on the Contracts Committee to flout procurement procedures, it was too much of a coincidence that the Consultancy Company which was brought on board outside procurement

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procedures just happened to have her business partner and son on board. It is also pertinent to note that the Board Chairperson had expressed interest in undertaking the consultancy herself until she was advised against it. It is therefore very likely that the choice of consultant was a result of undue influence by the Board. The consultancy contract was also found to have been awarded in contravention of Article 9(g) of the MSC Articles of Association due to the fact that it was executed with the assistance of a business associate of the Board Chairperson along with a son of the Board Chairperson.

□ The Memorandum and Articles of Association of MSC specify a minimum of at least one meeting per quarter implying that the frequency of meetings to be held are decided upon by the Board depending on the volume of work/business before the Board thus there is no maximum limit of the number of Board meetings that can be held in a quarter. There was therefore no manifest irregularity in the frequency of Board meetings.

□ The Board involvement in routine management activities like the preparation of the Strategic Plan, Critical Path Analysis and Human Resource Manual, among others, caused the managers at MSC to form the perception that the Board was interfering with their work. Indeed the Board was working as if they were fulltime employees of the company. The Board was no longer steering policy but was essentially managing MSC and taking executive decisions. A clear example of this was when the Board initiated the process of recruitment of a consultant for the Risk Assessment study. While management was amenable to Board guidance which included a review of the Company Strategic Plan and Manuals, Critical Path Analysis, it is clear that the Board overstepped its roles and responsibilities and actually reinvented itself as an Executive Board. This state of affairs is probably what led to a standoff between senior managers and the Board at the time that this investigation was launched.

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□ The frequency with which the Board Chairperson made claims for allowances on account of work allegedly done for MSC was unusually high to say the least. For example between the months of August 2009 to November 2009 the Board Chairperson collected allowances between 7.5 to 9.4 Million shillings per month. In the said period she claimed allowances for 53 activities she allegedly carried out on behalf of MSC and out of those the Inspectorate of Government found funds in respect of only 12 of the said activities to have been properly accounted for. The payments made to her in any given month by way of allowances rivaled that of some of the highest paid managers at MSC which begs the question as to whether the Chairperson's role had not essentially become managerial or whether the Chairperson was deliberately interfering in what would ordinarily be MSC managerial duties for financial gain. This suspicion is further strengthened by the fact that the Chairperson could not provide adequate accountabilities in the form of reports or minutes of meetings to prove that the allowances paid to her were actually for MSC work.

□ The Board acted irregularly to allocate an MSC operations vehicle and an office to the Chairperson of the Board, because this is not provided for in the Memorandum and Articles of Association neither was this among the terms and conditions of her appointment. As a Chairperson of the Board she did not require a vehicle and an office because her role was not expected to be of a full-time nature. MSC resources were therefore irregularly allocated to the detriment of routine MSC operations.

□ The Board Members and Chairperson were not approved by the Annual General Meeting of shareholders after the expiry of their first term of office. Their re-appointment process was not yet legally complete. The letter by the Hon. Minister declaring the intention to re-appoint them for another term of three (3) years remained merely an intention to be effected through the shareholders at their Annual General Meeting.

In light of the findings above, the Inspectorate of Government recommended that:

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1. The candidate in question should show cause to the Inspectorate of Government why he should not be prosecuted for acting in conflict of interest contrary to Section 9 of the Anti-Corruption Act of 2009 when he failed to excuse himself from Board proceedings concerning a job for which he had already expressed interest.
2. His appointment should be terminated since he does not have the requisite academic qualifications for the position.
3. The position of Executive Director should be advertised and subjected to open competition to attract qualified persons to the position.
4. The second position of Deputy Executive Director should be reviewed by management of MSC and a new Board of Directors given the fact that it

appeared to have been created to accommodate the candidate in question as opposed to practical necessity.

5. Given the improprieties perpetrated by the former Board of MSC, a new Board be appointed to replace the previous Board. The new Board should also be advised to adhere to their stipulated functions and leave the day to day administration of MSC to the managers.

6. The members of the Contracts Committee that awarded the illegal contract for the Risk Assessment study without following PPDA guidelines should be cautioned for their conduct and advised to desist from such malpractices in the future.

7. The Memorandum and Articles of Association of MSC should be reviewed by the shareholders in order to clearly delineate the functions of the Board against those of the executive managers of MSC so as to avoid undue recurrence of Board involvement in management functions.

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8. The Minister of Finance Planning and Economic Development should require the Board Chairperson to either fully account for the monies remaining unaccounted for amounting to the sum of UGX 58,300,000/= within one month from the date of receipt of this report or to make immediate arrangements to refund the same to MSC.

9. The Human Resource Manual of MSC should be reviewed to remove those provisions that limit transparency and open competition without proper justification such as the provision for “**head hunt**” method of recruitment.

10. Kampala International University should recall and revoke the Master’s Degree erroneously awarded to the selected candidate to stop him from wrongfully benefiting from its entitlements.

11. National Council for Higher Education (NCHE) should establish a programme of periodic inspection of admissions to Universities to ensure that minimum standards set for admissions are complied with.

3.4.3 Management of recruitment process for staff of National Council for Higher Education

The overall finding was that the Human Resource Policy of the Institution empowered the Executive Director to appoint staff at Middle Management level on temporary basis. The appointment of such staff would later be formalized by council, thus contravening principles of transparency and fair competition. It was recommended that the Human Resource Manual be amended by Council to close the loophole.

3.4.4 Suspension of Busitema University Students by the University Management

The overall finding was that the University Students’ Rules and Regulations of 2009 had a number of loopholes that could have led to an impasse and communication breakdown between students and University administration. On the basis of the

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aforementioned finding, it was recommended that the University Students' Rules and Regulations of 2009 be amended to eliminate loopholes that can lead to conflicting interpretation of the same or lack of clarity. And that the rules should be specific on procedures of carrying out demonstrations and the procedure of appealing against any punishment be provided for.

3.5 Challenges in implementation of Ombudsman Investigations

□ Inadequate funding of Government departments negatively affects resolution of cases involving payment of salary arrears, pensions, terminal benefits, etc. It also causes delays in data retrieval due to lack of facilities like computers which are necessary for fast retrieval of data required by investigating officers.

□ Some Institutions/officials are very bureaucratic and take unnecessarily long to provide the required information, demonstrating reluctance to work with IG in fighting maladministration.

□ There is poor record keeping in some Government Institutions and lack of computerized data, hence slowing down the investigations.

□ There is ignorance of the jurisdiction and mandate of the Inspectorate of Government by a number of people and as a result complaints which are already in courts of law, are private in nature, or should have been resolved by other government agencies are lodged with the IG.

3.6 Challenges in carrying out Policy and System studies

In the course of conducting the above studies, numerous constraints were encountered; they included the following;

□ Lack of co-operation from Government Departments that are subject of the studies. This is as a result of failure to distinguish a study from other investigations carried out by the institution.

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□ Due to the wider scope of inquiry, system studies take a long period of time to be completed.

□ System studies require a lot of financial resources which are insufficient

3.7 Recommendations to Government

□ Government through the Ministry of Public Service should formulate recruitment guidelines for semi-autonomous Institutions so as to harmonize recruitment procedures in these Institutions and reduce on the growing number of complaints in that regard.

□ Every government department should have an Inspectorate of Government liaison officer for purposes of speeding up response to inquiries by the IG.

□ Government should adequately fund its departments to enable speedy resolution of payment related complaints and avail adequate facilities like computers to ease data storage and retrieval.

□ The Ministry of Lands should develop a client's charter as soon as possible so

as to guide clients on the services to expect from the ministry officials. Computerization of the Ministry should also be given priority.

3.8 Future Plans

IG intends to complete the inquiry into the alleged Misappropriation of the ten (10) Billion Shillings under the Presidential Initiative to Markets and small Business operators.

IG will also carry out the following System studies:

□ A System study into the Management of the Uganda National Council for Science and Technology (UNCST).

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□ A System study into the Management of Electricity Regulatory Authority (ERA).

In addition to the system studies, the IG intends to conduct dissemination workshops for the affected stakeholders to enable smooth implementation of its recommendations.

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FOUR: ENFORCEMENT OF THE LEADERSHIP CODE OF CONDUCT

4.0 The Constitutional Mandate to enforce the Leadership Code of Conduct

Article 225(1) (d) and 234 of the Constitution of the Republic of Uganda, section 3 (1) of the Leadership Code Act 2002 and S.8 (1) (d) of the Inspectorate of Government Act, 2002 mandate the Inspectorate of Government to enforce the Leadership Code of Conduct.

The Leadership Code Act, 2002 provides for a minimum standard of behaviour and conduct for leaders; it requires all specified leaders to declare their Incomes, Assets and Liabilities to the Inspector General of Government. The Code prohibits conduct that is likely to compromise the honesty, impartiality and integrity of leaders or conduct that leads to corruption in public affairs and it imposes penalties on leaders who breach the Code.

Section 37 of the Leadership Code Act, 2002 provides that the Inspectorate shall include in its Statutory Report to Parliament a report on its enforcement of the Code.

4.1 Activities carried out during the period July – December 2011

□ **Management of leaders' declarations of incomes, assets and liabilities forms:**

Under S.3 of the Leadership Code Act, 2002 one of the functions of Inspectorate of Government is to receive and examine declarations from leaders and during the reporting period 6910 declarations were examined, data of leaders was entered into the database and acknowledgement slips processed and issued.

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□ Declarations of newly elected leaders:

During the period under review, 3,514 declarations of incomes, assets and liabilities' forms were issued to the newly elected leaders that include District Councillors and Sub-County leaders. So far 358 new leaders have submitted their declarations to the Inspector General of Government during the period under review and the process is still on-going.

Non-declaration:

Seventeen (17) leaders in the category of MP's, District Chairpersons and Judges were identified as not having declared their income, assets and liabilities. Letters requiring them to show cause why measures stipulated under the Leadership Code should not be taken against them were sent to them. Fourteen (14) of them responded and gave reasonable excuse to the IGG and their declarations have been received. The three (3) leaders who have not responded are yet to be served with last reminders.

4.2 Verification of leaders' declarations of Incomes, Assets and Liabilities and investigations into allegations of the breach of the Leadership Code:

□ During the period under review, assets and liabilities of fourteen (14) leaders were verified and a total of fifty one (51) properties were inspected and no anomalies were established. Eighteen (18) of their bank accounts were also inspected.

□ During the period under review thirteen (13) investigations were completed and no breach of the Code was established against any of the leaders investigated.

□ No money was recovered during the period under review. However, the recovery of the balance of Shs.23,167,904/= from the previous period is still ongoing.

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4.3 Gifts declared:

During the period under review, one gift of a black berry phone was declared by the Prime Minister Hon. Amama Mbabazi and he was advised that the phone presented to him was a gift to the office of the Prime Minister and should, therefore, be registered in the office inventory and utilized by him in that capacity.

4.4 Constraints faced in enforcing the Leadership Code of Conduct

- The amendment of the Leadership Code Act, 2002 has not been completed to align with the current court judgements.
- The Leadership Code Tribunal is not yet in place which makes it difficult to fully enforce the Code.
- Complexity of verification due to much cash transactions involving large sums; poor or no record keeping by the leaders; non registration of assets upon transfer to new owners as well as failure to update registries in the different government departments.

4.5 Future Plans for the period January – June 2012

- Verify 50 declarations of leaders and investigate and complete at least 20 complaints of breach of the Leadership Code.
- Process and issue 1,370 declarations of Income, Assets and Liabilities forms to the leaders whose declarations are due by the next reporting period.
- Carry out data entry of the declarations.
- Sensitize approximately 4,203 leaders.
- Operationalise the Fast Track Screening Tool (FTST).

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4.6 Recommendations to Government

- The Leadership Code Act amendment should be approved and passed as soon as possible for efficient enforcement.
- The Leadership Code Tribunal should be established so as to enable the full implementation of the Code.
- All Government records in Central and Local Governments should be computerized and frequently updated to enable a quick search for relevant information.
- There should be proper urban planning. Roads should be properly marked and named and this same information should be captured through a computerized network to be shared with the land registries so that proper records are kept.

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CHAPTER FIVE: PREVENTIVE MEASURES

5.1.1 PUBLIC AWARENESS PROGRAMMES

Pursuant to Article 225 (1) (f) of the Constitution of Uganda and Section 8(f) of the Inspectorate of Government Act, 2002, the Inspectorate of Government is mandated ***“to stimulate public awareness about the values of constitutionalism in general and the activities of its office in particular, through any media or any other means it considers appropriate.”*** Hence the Inspectorate of Government Corporate and Development Plan (CADP) (2010-2014) recognizes the need to enhance the Inspectorate’s image and regional presence in more parts of

the country to deliver services to grass root citizenry and to formulate partnership and collaborative efforts with various sections of the public in order to achieve its mandate of fighting corruption, abuse of office and administrative malpractice. Under public awareness programmes, the IG educates the public about their constitutional rights, their civic duties and responsibilities and the activities of the Inspectorate of Government.

The IG during the reporting period carried out public awareness programmes through sensitization of students in tertiary institutions and inserts placed in the print media.

5.1.2 Public Awareness in Institutions of learning

The IG is not only involved in sensitizing the youth about issues of corruption through seminars and workshops but also promotes and supports the establishment of integrity clubs in universities and tertiary institutions whose members act as ambassadors for Anti-corruption crusade in the various institutions they attend. During the reporting period, IG supported and launched integrity clubs in Nkumba University, Wakiso district and Mutesa 1 Royal University, Mengo, Kampala district. The Director of Education and Prevention of Corruption also made a presentation

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on ***“Youth integrity and looking to the future”*** in the

Annual Integrity and Public Award ceremony organized by Africa Challenge Foundation UCU Chapter. This annual function is an award ceremony to public officials perceived to have served the country with integrity. The survey is done among the youth throughout the country.

On 27th August, 2011, the Director of Education and Prevention of Corruption made a presentation at the Gulu University Students’ Symposium organised by Directorate of Information and National Guidance under the theme ***“the role of the youth in the struggle against corruption.”***

5.1.3 Sensitization of other public servants

□ The Ag. IGG made a presentation on ***“Corruption and its effects on National Economy with emphasis on the Leadership Code”*** at a Police Cadet Officers training at Kabalye.

□ The Director of Education and Prevention of Corruption made a presentation on ***“Promotion of Constitutionalism and Good Governance in Uganda”*** at a Civil Society Capacity Building workshop for District Leaders of Kiryandongo District.

□ Training of Journalists which was organised by Uganda Media Development Foundation (UMDF) on the theme ***“Reporting for Corruption”***.

□ Training of Trainers workshop and Induction of newly recruited staff of Ministry of Public Service.

5.2 Publications

During the period under review, the Inspectorate of Government published the 2nd Annual report on Corruption Trends using the Data Tracking Mechanism and issued it to various stakeholders. The report was launched on 15th November, 2011 and

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disseminated to IG staff and other stakeholders on 9th December, 2011 during the celebrations to mark the International Anti-Corruption Day.

5.3 Media and Communications programmes

During the period, the IG continued to have various press interactions to inform as well as clarify on various issues particularly those arising out of cases being prosecuted by the IG.

The major constraint facing IG in its public awareness programmes is inadequate funds.

5.4 Future plans:

□ Strengthening of Integrity Ambassadors Clubs (IAC) through organizing regular workshops and availing them with anti-corruption reading materials

aimed at inculcating values of constitutionalism, good governance and accountability.

□ Making IAC self-sustaining by encouraging them to come up with income generating projects.

□ To embark on data collection for the third Data Tracking Mechanism Report and ensure its launch by 15th November 2012.

□ Funds allowing, to produce Information, Education and Communication (IEC) materials and distribute them to all ministries and the general public.

□ To embark on Inspection of NUSAF II sub-projects and training of Social Accountability Committees (SAC) so as to ensure a smooth running of these sub-projects.

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CHAPTER SIX: CAPACITY BUILDING THROUGH TRAINING AND INTERNATIONAL COOPERATION

6.1 Introduction

The Inspectorate of Government is committed to strengthening and building capacity of its staff by organizing relevant training programs and study tours both at individual and group levels. IG further appreciates that the war against corruption and promotion of good governance requires cooperation, support and exchange of ideas with other relevant institutions both at the national and international levels. IG therefore, interacts with as many stakeholders as possible. This is done by not only organizing meetings, workshops and conferences for selected stakeholders but by also attending and participating in those organized by other stakeholders. IG also interacts with other stakeholders through exchange of visits and study tours.

6.2 Local and International Training Programmes

TABLE XV: LOCAL TRAINING AND INTERNATIONAL CO-OPERATION PROGRAMMES FOR THE PERIOD JULY – DECEMBER 2011

No. of Sta_ Course/Purpose Duration Venue

Twenty eight (28) IG
officers

Forensic Audit and
Investigation.

19th – 28th September
2011

National

Leadership

Institute,

Kyankwanzi

Mr. Kasirye K. Stephen Strategic Management. 5th – 16th December
2011

Malaysia

Ms. Glory Ana un Training in Public Service
Management.

20th – 25th November

2011
 Kigali, Rwanda
 Ag. IGG
 Mr. Kajura O. Simon
 Attend 5th Annual Conference
 and General Meeting of the
 conference of State Parties
 of the International
 Association of Anti-
 Corruption Authorities
 (IAACA) and 4th session of the
 Conference of United Nations
 Convention Against
 Corruption (UNCAC).
 22nd – 23rd October
 2011
 Marrakech,
 Morocco
 Ag. IGG Attendance of the 4th 12th – 17th September Addis Ababa,

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No. of Sta_ Course/Purpose Duration Venue

Executive Committee
 Meeting of the African
 Ombudsman and Mediators
 Association as well as the
 African Ombudsman Research
 Centre Board of Directors'
 meeting.
 2011 Ethiopia
 Attendance of the Resumed
 Second Session of the United
 Nations Convention Against
 Corruption, Implementation
 Review Group.
 6th – 10th September
 2011
 Vienna, Austria
 21st East and South African
 Anti-Money Laundering Group
 Taskforce of Senior Officials
 meeting.
 30th August – 11th
 September 2011
 Port Louise,
 Mauritius

Exchange Return visit to the
Ministry of Supervision of the
People's Republic of China.
29th August – 6th
September 2011
Beijing, China
Attendance of 6th Annual
Africa Prosecutors
Association Conference and
Annual General Meeting.
9th – 13th August 2011 Kigali, Rwanda
Attendance of the 3rd
International Anti-Corruption
Authorities seminar.
3rd – 6th July 2011 Shangai, China.
Ag. IGG
Mr. Asubo Sydney
Ag. IGG
Mr. Bageya Waiswa
Mr. Penywii O. James
Ms. Birungi Sarah
Ag. IGG

6.3 International visitors

IG also during the reporting period hosted the following officials;
A delegation from South Sudan Anti-Corruption Commission visited the IG and the area of focus was the Legal Framework, Investigations and Prosecution of Corruption related cases.
A delegation from the Federal Ethics and Anti-Corruption Commission of Ethiopia visited the IG and the area of interest was enforcement of the Leadership Code of Conduct.
The Deputy National Ombudsman of the Office of the National Ombudsman of the Netherlands visited the IG to exchange and share experiences.

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□ IG received a delegation from Burkina Faso Anti-Corruption Authority whose area of interest was the Data Tracking Mechanism. The delegation was able to attend the launch of the 2nd Annual Report on Corruption Trends using the Data Tracking Mechanism on 15th November 2011.

□ The 5th EAAACA Annual General Meeting was hosted by the Inspectorate of Government from 20th – 23rd November 2011 at Imperial Resort Beach Hotel. Delegations from Rwanda, Burundi, Kenya, Tanzania, South Sudan and Ethiopia attended the meeting as well as a representative from SIDA in Nairobi. During the meeting the Ag. Inspector General of Government of Uganda was elected the President of the Association.

IG continues to be a member of both International and Regional Anti-Corruption Associations. These include the International Association of Anti-Corruption Authorities (IAACA), the African Ombudsman and Mediators Association (AOMA), the International Ombudsman Institute (IOI) the East African Association of Anti-

Corruption Authorities (EAAACA), and the International Association of Prosecutors.

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CHAPTER SEVEN: GENERAL CONSTRAINTS, CHALLENGES, FUTURE PLANS AND RECOMMENDATIONS

7.1 INTRODUCTION

Despite the continued support by Government and development partners to strengthen the institution, which is highly appreciated, the IG continues to face several external challenges as well as operational problems, most of which arise from inadequate resources. This chapter highlights some of the challenges and constraints faced by the IG, makes recommendations and outlines the future plans of IG.

7.2 CHALLENGES AND CONSTRAINTS FACED BY THE IG IN ACHIEVING STRATEGIC OBJECTIVES

7.2.1 Inadequate and declining funding:

Funding provision under the IG ceiling is insufficient compared to the operational costs required for investigations, prosecutions, verification of declarations and public awareness programmes. The areas of critical need include travel inland, fuel, lubricants and oils, payments to suppliers, provision of funds to construct IG office premises and procurement of office equipment. The problem has been made even worse by inflation that peaked at 30.4% in the period under consideration.

7.2.2 Under staffing:

Additional staff are required especially in the Regional Offices. Insufficient staff especially in the Regional Offices has led to high officer/complaint ratio, which results in case backlog as officers in the regions cannot cope with the volume of work. This has been further complicated by the creation of new districts, a situation that increases the number of accounting units and hence the associated increase in the volume of work.

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7.2.3 Operating in rented premises

The IG is currently renting all office premises. This has led to the challenge of meeting the ever increasing overhead cost of renting office premises for both the Headquarters and Regional Offices. The IG needs to construct its own office premises so as to give it independence, the right profile and free up more resources for implementation of its mandate.

7.2.4 Court delays

Appeals, constitutional petitions/ references and Applications filed in both the Court of Appeal and the Supreme Court take long resulting in delay to dispose of the cases; and where they arise from prosecutions, thereby delaying the original prosecutions

7.2.5 Corruption and negative attitudes

Corruption and negative attitudes in the institutions that are supposed to be partners with the IG in the fight against corruption, affect successful prosecution of some cases and delays in handling others. Some institutions/officials take unnecessarily too long or just ignore to provide the required information, until coercive measures are taken.

7.2.6 Poor Records in Government Institutions

Lack of computerized data in Government Ministries/Departments causes delays in the retrieval of information required for verifications and investigations e.g. from the Land office and Company Registry.

7.2.7 Inadequate institutional support in implementation of IG recommendations

Lack of cooperation, corruption and negative attitude in some institutions that are supposed to be partners with the IG in the fight against corruption, greatly undermine the effectiveness of the office. There are instances when some institutions have deliberately ignored or delayed implementation of the IG recommendations, which undermines the effectiveness of the office and hinders the realization of desired results.

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7.2.8 High public expectations of better outcomes in fighting corruption

There are high public expectations for the IG to handle complaints expeditiously, yet the financial, human and material capacities to meet this challenge are limited, resulting in a backlog of cases.

7.2.9 Keeping ahead of sophistication in corruption techniques

The corrupt use sophisticated techniques to engage in fraud and other corruption malpractices. There is, therefore, need for the IG staff to have advanced and specialized training in order to keep ahead in the fight against corruption. The challenge, however, is inadequate funding to carry out the necessary training. There is also need to purchase modern surveillance equipment to be used during investigations.

7.2.10 Leadership of the Inspectorate of Government

The Inspectorate of Government has since 2002 not had all the three top leadership offices of; the Inspector General of Government and two Deputy Inspectors General of Government filled. This has led to overload of work for the two or one appointee at the given times. Furthermore, in the period under review, the failure to have a substantive Inspector General and two Deputies has been grounds for litigation by some of those the Inspectorate of Government has been prosecuting. All these constrain operations of the institution.

7.2.11 Absence of a Leadership Code Tribunal

The absence of a Leadership Code Tribunal as prescribed under Chapter 14, Article 235A of the Constitution of the Republic of Uganda, has undermined the enforcement of the Leadership Code of Conduct. This is because the IG cannot implement decisions against leaders who are found in breach of the Leadership Code of Conduct.

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7.2.12 Inadequate funding of Government Departments

Inadequate funding of government departments negatively affects resolution of cases involving payment of salary arrears, pensions, terminal benefits, etc. It also causes delays in data retrieval due to lack of facilities like computers which are necessary for fast retrieval of data required by investigating officers from the IG and for purposes of proper management of the affairs of the concerned institutions.

7.3 RECOMMENDATIONS

In order to overcome the above constraints and be able to fulfill IG mandate, the following recommendations are hereby submitted to Parliament and the Executive:

7.3.1 Recommendation for effective enforcement of the Leadership Code Act

The IG recommends that Parliament as prescribed by law expedites the establishment of a Leadership Tribunal so as to facilitate the IG's mandate in as far as enforcing the Leadership Code of Conduct is concerned. The Executive should accordingly draft and submit to Parliament the required bill for enactment by Parliament.

7.3.2 Recommendations for substantive appointments

7.3.3 Failure to discuss IG reports

Parliament should debate the IG reports expeditiously as required under Article 231(5) of the constitution so that it comes up with recommendations on issues raised in the reports and for more effective performance of the functions of IG. IG also recommends that the Appointing Authority should fully constitute the Inspectorate of Government by having all three positions of leadership of the Inspectorate of Government duly filled. Consideration should also be given to making the appointments of IGG & DIGGs not to expire at the same time. This would provide continuity as well as avoid emergence of vacuum due to the terms of all principal officers of the institution expiring at the same time.

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7.3.4 Inadequate funding

Since IG is a national cross-cutting institution responsible for three major functions of promoting good governance, preventing and combating corruption and enforcement of the Leadership Code of Conduct, each of these functions should be funded as a separate vote function, to be adequately provided for, unlike the current practice under which only the anti-corruption function is provided for as a vote function.

7.4 FUTURE PLANS

7.4.1 Improved investigations and prosecutions

IG will continue to improve efficiency and effectiveness in investigations and prosecutions through on-the-job training and attachment of investigators and/or prosecutors to other prosecuting agencies.

7.4.2 Training

Continue to improve on skills of IG staff through training and sharing information and experiences with other anti-corruption, ombudsman and ethics institutions.

7.4.3 Construction of IG premises in Kampala

The IG plans to construct its own offices, starting with headquarters. This will give IG the right profile in accordance with the Constitution. The IG is currently renting offices at the Jubilee Insurance Centre and in the Regions. The rent for these offices is very high and cuts into operational funds.

7.4.4 Strengthening and consolidating the IG

Funds allowing, IG will focus its efforts on strengthening itself by recruiting more staff, equipping staff with appropriate tools and skills to become an elite institution that operates efficiently and effectively deals with corruption, malpractices in public administration and breaches of the leadership code of conduct.

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7.4.5 Education and sensitization of the public

IG will continue to educate and sensitize the public and civil society organizations on the issues of corruption, maladministration, implementation of the Leadership Code Act and NUSAF II Project monitoring programs using the print and electronic media, seminars and workshops.

7.4.6 Investigations, prosecutions and verification of leaders' assets

IG will continue with investigations, prosecution and physical verification of leaders' assets, updating leaders' register and distributing declaration of income, assets and liabilities forms to leaders in accordance with the Leadership Code Act, 2002.

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APPENDIX A

STATISTICAL ANALYSIS AND GRAPHICAL PRESENTATION OF THE IG ACTIVITIES

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During the period July – December 2011, the Inspectorate of Government had a workload of 5,385 investigations. A total of 4,120 complaints were brought forward from the previous period including 74 verifications. A total of 1,254 new complaints were registered that included 72 investigations that arose from 163 audit reports. The figure below illustrates how the workload was handled during the reporting period.

Figure 1: Work load July – December 2011

4,120
Complaints Brought
Forward including
74 verifications
1,254
New Complaints
Received
138(2.6%)
Complaints
referred to other
agencies 4,266 Complaints &
71 verifications
In progress- 80.5%
884 complaints and
14 verifications
Investigated and
Completed - (16.7%)
1,048 (19.5%) Files
Concluded.

**WORKLOAD = 5,385
INVESTIGATIONS**

*5,300 complaints &
85 verifications*
163

Audit Reports
reviewed resulting in
72 investigations
12(0.2%)

Complaints
Rejected
11

New verifications of
leaders' declarations
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Table XVI

Trend of the complaints Registered at the Kampala Headquarters and Regional Offices for the Periods Jan 2000 – December 2011

Period Kampala HQs Regional Offices Total Complaints

Jan - Jun 2000 1336 1057 2393
Jul - Dec 2000 1333 1083 2416
Jan - Jun 2001 830 846 1676
Jul - Dec 2001 736 882 1618
Jan - Jun 2002 664 837 1501
Jul - Dec 2002 683 1284 1967
Jan - Jun 2003 617 963 1580
Jul - Dec 2003 711 1235 1946
Jan- June 2004 630 1054 1684
Jul – Dec 2004 430 805 1235
Jan – June 2005 416 741 1157
Jul – Dec 2005 386 600 986
Jan – Jun 2006 279 408 687
Jul – Dec 2006 380 495 875
Jan – June 2007 450 647 1097
Jul – Dec 2007 496 495 991
Jan – Jun 2008 557 363 920
Jul – Dec 2008 466 388 854
Jan – Jun 2009 363 376 739
Jul – Dec 2009 418 409 827
Jan – June 2010 487 553 1040
Jul – Dec 2010 454 588 1042
Jan – June 2011 522 593 1115
July – Dec 2011 613 641 1254

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Table XVII

Complaints received according to the districts for the period July - December 2011

**S/No. District Number of
Complaints
Percentage**

1. Kampala 337 26.9%
2. Jinja 39 3.1%
3. Arua 38 3.0%
4. Mbale 38 3.0%
5. Kabale 35 2.8%
6. Lira 32 2.6%
7. Kabarole 30 2.4%
8. Masaka 29 2.3%
9. Gulu 28 2.2%
10. Wakiso 26 2.1%
11. Mbarara 24 1.9%
12. Moyo 23 1.8%
13. Hoima 22 1.8%
14. Ngora 22 1.8%
15. Ntungamo 18 1.4%
16. Amuru 16 1.3%
17. Iganga 16 1.3%
18. Amuria 15 1.2%
19. Sironko 15 1.2%
20. Kasese 14 1.1%
21. Soroti 13 1.0%
22. Tororo 13 1.0%
23. Kaabong 12 1.0%
24. Oyam 12 1.0%
25. Mukono 11 0.9%
26. Pader 11 0.9%
27. Kitgum 10 0.8%
28. Masindi 10 0.8%
29. Mubende 10 0.8%
30. Bushenyi 9 0.7%
31. Isingiro 9 0.7%
32. Kaberamaido 9 0.7%

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**S/No. District Number of
Complaints**

Percentage

33. Kumi 9 0.7%
34. Luwero 9 0.7%

35. Nakapiripirit 9 0.7%
36. Pallisa 9 0.7%
37. Abim 7 0.6%
38. Agago 7 0.6%
39. Budaka 7 0.6%
40. Bukedea 7 0.6%
41. Kaliro 7 0.6%
42. Kamuli 7 0.6%
43. Kiryandongo 7 0.6%
44. Lamwo 7 0.6%
45. Manafwa 7 0.6%
46. Mayuge 7 0.6%
47. Moroto 7 0.6%
48. Nebbi 7 0.6%
49. Buikwe 6 0.5%
50. Busia 6 0.5%
51. Kyenjojo 6 0.5%
52. Rakai 6 0.5%
53. Rukungiri 6 0.5%
54. Apac 5 0.4%
55. Buhweju 5 0.4%
56. Kamwenge 5 0.4%
57. Kibaale 5 0.4%
58. Kyegegwa 5 0.4%
59. Maracha 5 0.4%
60. Mityana 5 0.4%
61. Mpigi 5 0.4%
62. Adjumani 4 0.3%
63. Alebtong 4 0.3%
64. Bududa 4 0.3%
65. Buliisa 4 0.3%
66. Dokolo 4 0.3%
67. Kayunga 4 0.3%
68. Kibuku 4 0.3%

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S/No. District Number of Complaints

Percentage

69. Kween 4 0.3%
70. Nwoya 4 0.3%
71. Sembabule 4 0.3%
72. Yumbe 4 0.3%
73. Amolatar 3 0.2%
74. Bulambuli 3 0.2%
75. Bugiri 3 0.2%

76. Butambala 3 0.2%
77. Ibanda 3 0.2%
78. Kalangala 3 0.2%
79. Katakwi 3 0.2%
80. Kiruhura 3 0.2%
81. Kole 3 0.2%
82. Lyantonde 3 0.2%
83. Lwengo 3 0.2%
84. Mitoma 3 0.2%
85. Napak 3 0.2%
86. Sheema 3 0.2%
87. Bukomansimbi 2 0.2%
88. Bundibugyo 2 0.2%
89. Butaleja 2 0.2%
90. Kanungu 2 0.2%
91. Kapchorwa 2 0.2%
92. Luuka 2 0.2%
93. Nakaseke 2 0.2%
94. Ntoroko 2 0.2%
95. Rubirizi 2 0.2%
96. Serere 2 0.2%
97. Zombo 2 0.2%
98. Amudat 1 0.1%
99. Bukwo 1 0.1%
100. Buyende 1 0.1%
101. Kalungu 1 0.1%
102. Kisoro 1 0.1%
103. Koboko 1 0.1%
104. Kotido 1 0.1%

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S/No. District Number of

Complaints

Percentage

105. Namutamba 1 0.1%
106. Namayingo 1 0.1%
107. Outside Uganda 1 0.1%

Total 1254 100.0%

Table The Nature of Complaints Received/ initiated during the period July – December 2011

Number of

complaints

Percentage

Corruption Complaints

Abuse of office 269 21.5%

Corruption	145	11.6%
Forgery & uttering false documents	96	7.7%
*Audit Investigations	72	5.7%
Misappropriation of public resources	63	5.0%
Embezzlement	58	4.6%
Bribery	52	4.1%
Conflict of interest	35	2.8%
Extortion	18	1.4%
False Claims	16	1.3%
Causing Financial Loss	7	0.6%
Nepotism	3	0.2%
Influence peddling	1	0.1%
False Accounting	1	0.1%
Sub Total	836	66.7%

Table XVIII

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Ombudsman Complaints

Mismanagement	124	9.9%
Non payment of salaries & other benefits	100	8.0%
Delay of service delivery	57	4.5%
Tenders & Contracts	37	3.0%
Property Disputes	34	2.7%
Victimization/ oppression	32	2.6%
others	30	2.4%

Sub Total 414 33.0%

Leadership code complaints

Amassing wealth	3	0.2%
Failure to declare	1	0.1%

Sub Total 4 0.3%

Total 1254 100.0%

* Audit investigations as a result of Audit Queries raised by the Auditor General

The table above, shows that most of the complaints received during the period July – December 2011 were corruption complaints (66.7%) especially those involving abuse of office. Ombudsman complaints (Administrative injustice) complaints accounted for 33.0% of the total complaints and breach of leadership code of conduct complaints accounted for 0.3% of the total number of complaints.

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Table XIX

The Nature of complaints Investigated and completed during the period

July – December 2011

Nature of Complaint Number of Complaints Percentage

Corruption Complaints

Abuse of office 125 14.1%
Corruption 60 6.8%
Forgery & uttering of false documents 31 3.5%
Misappropriation of public funds 31 3.5%
Embezzlement 30 3.4%
Bribery 30 3.4%
Audit investigations 26 2.9%
Conflict of interest 18 2.0%
Extortion 9 1.0%
False Claims 8 0.9%
Nepotism 1 0.1%

Sub Total 369 41.7%

Ombudsman Complaints

Mismanagement 158 17.9%
Non payment of salaries & other benefits 141 16.0%
Delay of service delivery 52 5.9%
Property Disputes 45 5.1%
Victimization/ oppression 37 4.2%
Tenders & Contracts 35 4.0%
Tax Evasion 1 0.1%
others 32 3.6%

Sub Total 501 56.7%

Table XIX

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Leadership code complaints

Amassing wealth 14 1.6%

Sub Total 14 1.6%

Total 884 100.0%

Table XX

The Nature of complaints referred to other institutions during the period July – December 2011

Number of Complaints Percentage

Corruption Complaints

Forgery & uttering false documents 13 9.4%
Abuse of office 11 8.0%
False Claims 9 6.5%
Audit Queries 7 5.1%
Corruption 3 2.2%
Extortion 2 1.4%
Misappropriation of public resources 1 0.7%
Conflict of interest 1 0.7%

Sub Total 47 34.1%

Ombudsman Complaints

Mismanagement 25 18.1%
 Non payment of salaries & other benefits 24 17.4%
 Delay of service delivery 17 12.3%
 Property Disputes 10 7.2%
 Tenders & Contracts 4 2.9%
 Victimization/ oppression 1 0.7%
 others 10 7.2%
Sub Total 91 65.9%
Total 138 100.0%

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Table Departments/Institutions complained against during the period July – December 2011

Number of Complaints

**S/No. DEPARTMENT/ INSTITUTION Kampala Hqts Regional
 Offices**

Total

Complaints

% age

1. District Administration 83 133 216 17.2%
2. Individuals (Public officials) 47 96 143 11.4%
3. Municipal & Town Councils 43 73 116 9.3%
4. Police 26 57 83 6.6%
5. Schools (UPE and USE) 23 51 74 5.9%
6. Private companies /Organizations 9 42 51 4.1%
7. District Service Commissions 21 27 48 3.8%
8. Local Councils 14 33 47 3.7%
9. Lands Office 27 7 34 2.7%
10. Sub county Chiefs 11 20 31 2.5%
11. Ministry of Public Service 25 5 30 2.4%
12. Judiciary 15 15 30 2.4%
13. Hospitals & health centers 19 7 26 2.1%
14. Colleges/institutes 14 4 18 1.4%
15. Universities 13 4 17 1.4%
16. Land Board 11 6 17 1.4%
17. Ministry of Education 14 2 16 1.3%
18. KCCA 14 0 14 1.1%
19. Contract committees 5 7 12 1.0%
20. NAADS 9 3 12 1.0%
21. Resident State Attorneys 9 3 12 1.0%
22. UNRA 8 3 11 0.9%
23. Administrator General 9 1 10 0.8%
24. NSSF 6 3 9 0.7%
25. MPs 9 0 9 0.7%

- 26. DPP 1 7 8 0.6%
- 27. District Engineers 2 5 7 0.6%
- 28. NGOs 6 1 7 0.6%
- 29. Uganda Land Commission 5 2 7 0.6%
- 30. Ministry of finance 5 1 6 0.5%
- 31. IG 4 1 5 0.4%
- 32. Ministry of Health 1 4 5 0.4%

Table XXI

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Number of Complaints

**S/No. DEPARTMENT/ INSTITUTION Kampala Hqts Regional
Offices**

Total

Complaints

% age

- 33. UWA 5 0 5 0.4%
- 34. URA 3 1 4 0.3%
- 35. ISO & UPDF 1 3 4 0.3%
- 36. Education Service Commission 4 0 4 0.3%
- 37. Ministry of Water and Environment 3 1 4 0.3%
- 38. Cooperatives 4 0 4 0.3%
- 39. Prisons 3 0 3 0.2%
- 40. DPACB 3 0 3 0.2%
- 41. Ministry of Works 3 0 3 0.2%
- 42. PMO 1 2 3 0.2%
- 43. Electoral Commission 1 2 3 0.2%
- 44. NUSAF 0 3 3 0.2%
- 45. DEOs 1 1 2 0.2%
- 46. Banks 2 0 2 0.2%
- 47. State House 2 0 2 0.2%
- 48. NFA 2 0 2 0.2%
- 49. Ministry of Local Government 2 0 2 0.2%
- 50. NWSC 2 0 2 0.2%
- 51. National Medical Stores 2 0 2 0.2%
- 52. UBC 2 0 2 0.2%
- 53. Public Service Commission 2 0 2 0.2%
- 54. Parish chiefs 0 2 2 0.2%
- 55. Land Tribunals 1 0 1 0.1%
- 56. NHCC 1 0 1 0.1%
- 57. UWEC 1 0 1 0.1%
- 58. Posta (U) Ltd 1 0 1 0.1%
- 59. Privatization Unit 1 0 1 0.1%
- 60. CAA 1 0 1 0.1%
- 61. Ministry of Agriculture 1 0 1 0.1%

62. Immigration Department 1 0 1 0.1%

63. Ministry of Gender 1 0 1 0.1%

64. JCRC 1 0 1 0.1%

65. Ministry of Energy 1 0 1 0.1%

66. NARO 1 0 1 0.1%

67. DISO/GISO 1 0 1 0.1%

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Number of Complaints

**S/No. DEPARTMENT/ INSTITUTION Kampala Hqts Regional
Offices**

Total

Complaints

% age

68. Law Council 1 0 1 0.1%

69. Ministry of Tourism 1 0 1 0.1%

70. NEMA 1 0 1 0.1%

71. UPPC 1 0 1 0.1%

72. Presidential Land Task Force 1 0 1 0.1%

73. PPDA 1 0 1 0.1%

Total 613 641 1254 100.0%

The table above indicates that the most complaints received by the Inspectorate of Government during the period July – December 2011 were those against District Administrations which accounted for 17.2% of the total complaints. The common nature of complaints against district Administrators are Mismanagement and Misappropriation of public funds/resources, Abuse of office, Embezzlement and Mishandling of tenders and contracts.

Complaints against individual public officials ranked the 2nd highest category of complaints received constituting 11.43% of the total complaints received. These are public officials who are alleged to have used their offices for private gain. The nature of cases mostly reported in this category are abuse of office, conflict of interest, forgery and uttering false documents.

The 3rd ranked category was that of Municipal Councils/Town Councils accounting for 9.3% of the total complaints received. The nature of complaints in this category included mishandling of tenders/contracts, conflict of interest, abuse of office, embezzlement and property disputes. Most complaints in this category were registered at the regional offices.

Complaints against police were the 4th highest accounting for 6.6% of the total complaints received. Most complaints against Police involved mismanagement, bribery, delay of service delivery, victimization/oppression, conflict of interest and general misconduct.

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Figure 5

Functions of the Inspectorate of Government by Directorates

Key:

DOP – Directorate of Operations

DEP – Directorate of Education and Prevention of Corruption

DLA - Directorate of Legal Affairs

DROFU – Directorate of Regional Offices and Follow Up.

DL/C – Directorate of Leadership Code

DOA- Directorate of Ombudsman Affairs

DOP

DEP

DLA

DLC

DROFU

-Corruption Investigations in
central Government

Institutions

-Arrests

-Monitoring & Inspection of
Projects

-Public Awareness

-Production of reports to

Parliament & other

Publications

-Organize training of staff
in various skills

-Prosecutions

- Civil litigation

- Supporting Investigations

-Leadership Code

Enforcement

-Investigations/

verification of

declarations

-Coordination of

Regional offices

-Investigations in local

Governments

- Ombudsman Investigations

- Policy& Systems study

DOA

Figure 5

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Figure 6

Functions of the Department of Finance and Administration

FINANCE AND ADMINISTRATION

- Recruitment of staff
- Procurement of works, goods and services
- Facilitation of staff travel (Abroad and within)
- Management of staff emoluments, entitlements and welfare
- Staff performance appraisal
- Preparation of budget and policy statements

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Figure 7

Function of the IGG/ DIGG

IGG/DIGG

- Receipt of complaints
- Authorization and supervision of investigations
- Issuing of results or reports of Investigations
- Issuing of Bank Inspection Orders
- Issuing of Witness Summons
- Issuing of Warrants of Arrests
- Authorizing Prosecutions
- Issuing Orders/ Directives in the Course or as a consequence of Investigations.
- Authorization of closure of investigations
- Approving the Annual Budgets of the Inspectorate
- Issuing Parliamentary Reports
- Participation in Public Awareness Programmes, meetings, conferences and international events on behalf of IG

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APPENDIX B

SOME OF THE LETTERS OF APPRECIATION

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Ref:.....

Date:.....

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