

Brief facts: The exhibits are not in court. I pray for adjournment.

Court: Brief facts for 11/11/2020. Accused further remanded.

Sgd

Ayo Miriam E. Okello

Chief Magistrate

2/11/2020

Brief facts:

On 20/10/20, D/IP Tukubirwe acting on intelligence. That there were 2 people in possession of ivory. Proceeded to Ntinda Shell Petrol Station with Mangeni Naome. While at Shell, they arrested the 2 accused and they had 4 pieces of ivory in their possession in a scale. They were taken to Ntinda and charged accordingly. They were transferred to CPS. The accused did not have a license. The ivory has exhibited. The expert examined the ivory and made a report and the fact that 2 elephants were killed.

Counsel for Accused: No objection.

Court: The exhibit slips and the 4 pieces of ivory admitted and marked PG.1-4. Expert report dated 22/10/2020 & marked P.EX5.

Sgd

Ayo Miriam E. Okello

Chief Magistrate

A1: The facts are correct.

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Court: Both A1 and A2 are convicted on their own plea of guilty.

Reasons: No previous criminal record. The offence is rampant. This needs the intervention of court to stop it. A1 is a young man who has started engaging in such acts. He needs to reform. I pray for a deterrent sentence.

2 elephant were involved. There is a loss and the tourism sector is affected. The revenue collection is also affected. Service delivery is also affected. The offence carries life imprisonment. I propose 5 years custodial terms. I pray for an order handing over the ivory to the Executive Director, UWA.

Mitigation:

Counsel for A1 and A2: The accused do first offenders. No criminal record. A1 is a 24 years student Nsambya Hospital. He is capable of reforming. It's not only on custodial sentence. The someday can reform. I pray court cautions accused or pays a fine which is fair. A2 has no past record. He is a father with responsibilities.

Sentence:

The two accused are first offenders who realized their mistakes and pleaded guilty. This offence is rampant within the jurisdiction. There is need to join hands and stop it. The two convicts were looking at how they can earn big. They have killed elephants. The government spends a lot to keep them. Such selfish must be condemned. Government losses a lot of revenue if such act are condoned.

They convicts must re-visit their ways of earning a living. A1 should study hard and not to mix the two. For A2, it's not through such business that you can sustain a family.

The offence carries a maximum of life imprisonment. I have taken into account the fact that the 2 convicts are first offenders and 2 elephants lost life. I have

considered both the defence and state's prayer. Court therefore finds sentence of 4 years imprisonment or a fine of 4 million each appropriate both A1 and A2. I so order.

Sgd *M Okello*

Ayo Miriam E. Okello

Chief Magistrate

2/11/2020

Court: let the 4 pieces of ivory be handed over to Executive Director, UWA.

Sgd *M Okello*

Ayo Miriam E. Okello

Chief Magistrate

2/11/2020