

**THE REPUBLIC OF UGANDA**  
**IN THE CHIEF MAGISTRATES COURT OF KAMPALA AT BUGANDA ROAD**  
**CRIMINAL OFFENCE NO. 0912 OF 2019**

<b>UGANDA</b>	: : : : : : : : : : :	<b>PROSECUTOR</b>
<b>VERSUS</b>		
<b>SAJJA FAROUK</b>	: : : : : : : : : :	<b>ACCUSED</b>

**PROCEEDINGS**

20/8/2019

Accused present.

Lillian –clerk

No.12552 Warder Nuwasagira Aggrey –runyankole translator.

Gladys –state –NRCN

Silver Guloba –state –NRCN

State: Case for plea.

Court: Charge read and explained to accused in Runyankole a language he understands.

Accused: It is not true.

Count 1:

Court: Plea of not guilty entered.

Count 2:

Accused: It is not true

Court: Plea of not guilty entered.

State: Inquiries complete. I pray for adjourned to 26/8/2019.

Court: Adjourned to 26/8/2019 for hearing. Accused to be remanded till then. Witness summons to issue.

**Sgd**  
**Stella Maria Amabilis**

**Senior Magistrate Grade One**

**20/8/2019**

26/08/2019

Accused present.

Annet for state

Ronnie –court clerk.

State: I am holding brief for Gladys Akello in personal conduct. Matter is for hearing. Trial Magistrate indisposed. We seek an adjournment.

Court: Case is adjourned until 10/09/2019 for hearing. Accused further remanded.

**Sgd**

**Mangeni Marion**

**Magistrate Grade One**

**26/08/2019**

10/09/2019

Accused present

Gladys and Silver for state

Kibuuka –clerk.

State: Case for further hearing. I have no witnesses today. Trial Magistrate is indisposed. I pray for another date.

Court: Case is adjourned till 24/09/2019 for hearing. Accused further remanded.

**Sgd**

**Mangeni Marion**

**Magistrate Grade One**

**10/9/2019**

24/09/2019

Accused present.

Gulooba for state

Kibuuka –clerk

State: Case for hearing. Trial Magistrate indisposed. No witnesses present. I pray for an adjournment.

Court: Case is accordingly adjourned until 8/10/2019 for hearing. Accused further remanded.

**Sgd**

**Mangeni Marion**

**Magistrate Grade One**

**24/09/2019**

8/10/2019

Accused present.

Akello for state

Kibuuka –clerk

State: Case for hearing. Trial Magistrate indisposed. I pray matter be adjourned.

Court: Case adjourned until 22/10/2019 for hearing. Accused further remanded.

**Sgd**

**Mangeni Marion**

**Magistrate Grade One**

**8/10/2019**

22/10/2019

Accused present.

Akello for state

Kibuuka –clerk

State: Case for hearing. I have one witness present however, Trial magistrate is indisposed. I pray for an adjournment.

Court: Case adjourned until 31/10/2019 for hearing. Accused further remanded.

**Sgd**

**Mangeni Marion**

**Magistrate Grade One**

**22/10/2019**

8/11/2019

Accused present.

Micheal –clerk

State Akello & Silver from NRCN –present.

I have a witness but no exhibits.

Court: Adjourned to 10/11/2019 for hearing since exhibits not in court. Accused further remanded. Witness summons to issue.

**Sgd**

**Mangeni Marion**

**Magistrate Grade One**

**8/11/2019**

20/11/2019

Accused present

Lillian –clerk

Annet –state

Case for hearing I have the arresting officer in court. We do not have exhibits.

Court: Adjourned to 3/12/2019 for hearing when exhibits is in court. Accused further remanded. Witness summons to issue.

**Sgd**

**Stella Maria Amabilis**

**Senior Magistrate Grade One**

**20/12/2019**

3/12/2019

Accused present.

Lydia –clerk

State Gladys –absent (indisposed)

Court:

In the absence of the state. Adjourned to 16/12/2019 for hearing. Accused further remanded. Witness summons to issue.

**Sgd**

**Stella Maria Amabilis**  
**Senior Magistrate Grade One**  
**3/12/2019**

16/12/2019

Accused present.

Lillian –clerk

State- UWA (absent)

Court: In the absence of the state -UWA. Adjourned to 23/12/2019. Accused further remanded. Witness summons to issue.

**Sgd**

**Stella Maria Amabilis**  
**Senior Magistrate Grade One**  
**16/12/2019**

23/12/2019

Accused –present.

Ainomugisha Nanda Barnabas –Kinyankole interpreter.

Lillina –clerk

Silver –state

I have one witness in court.

Accused: I understand Luganda.

PW1: NO. 30022 Bansiime Johnson, 48 years. Male adult catholic states resident of Mukono. I am a police officer attached to CPS. I have been a police officer for 5 years. On 12/8/2019 I was at Old Taxi park police post on duty. There again an informer and told me that he found someone selling pieces of ivory and pangolin scales. He came with the person to my office. It was the accused he came with to my office.

The informer told me that he had communicating with the accused. The accused was telling him to buy the ivory and the pangolin scales. The pangolin scales and ivory were in a green polythene bag and they were put in a dark brown bag.

I consulted the O.C post and I advised to charge the accused with being in unlawful possession of protected species. The accused was already in our custody.

I interviewed the accused and he was uncooperative he did not tell me anything. If shown the items I can identify them. Pangolin scales were about 2 kgs. I did not weigh them. The ivory was cut into 4 small pieces. Witness given exhibits to look at and shows court the green polythene he saw show court the 4 pieces of ivory. That they were marked from CP S. Shows court also the pangolin skins. I did not count the pangolin skins.

State: I pray that the exhibit be admitted in court for identification.

Court:

4 pieces of ivory is exhibit ID 1 and pangolin scales is exhibit ID-2, brownish bag is exhibit ID-3.

**Sgd**

**Stella Maria Amabilis**

**Senior Magistrate Grade One**

**23/12/2019**

That's all.

Cross examination by accused –Nil

Re-examination: Nil

State: No witness

Adjourned to 20/1/20 for further hearing. Accused further remanded. Witness summons to issue.

**Sgd**  
**Stella Maria Amabilis**  
**Senior Magistrate Grade One**  
**23/12/2020**

20/1/2020

Accused present.

Lydia –clerk

Gladys & Silver –NRCN

No.14214 warder Twesigye –Runyankole Interpreter.

Gladys: Case for further hearing.

PW2- Rarho Ben 53 years, male adult protestant states resident Komamboka, Kawempe Division, business, Volunteer with Anti-Corruption campaign camp and an informer with police.

I know the accused. Late last year I received a phone call and some introduced self as Faruk. That he had some merchandise. That he got my number from his friend one Shakul.

I asked what goods he wanted to bring to me. He told me it was ivory and some other related things. This was in August 2019 towards midnight.

We agreed to meet at Shoprite near clock tower. I immediately alerted the O.C of Old Park police Post. He advised to disguise as a buyer and have accused arrested I called him back and we agreed to meet the following day at midday at shop rite. The accused had a bag and informed me he had the items. The bag was greyish it looked like a school bag. It had 2 handles. I then lured the accused towards YK restaurant. The accused was scared he was looking left and right.

I saw he was about to run so I grabbed his trouser. I handed him over to a police officer called Bansiime. I opened the bag in presence of the accused and O.C. We found ivory and pangolin scales (many) wrapped in polythene bag greenish. The ivory pieces were four. Photos were taken of accused holding them.

I can identify the ivory they were well cut. The pangolin scales were the size of my thumb. I recorded a statement at police. I had never met Faurok. At Shoprite the accused called on phone. The accused was putting on a shirt similar to that of UWA.

Court:

Adjourned to 31/1/2020 for further hearing for witness to identify the ivory which is locked as exhibit. Accused further remanded.

**Sgd**

**Stella Maria Amabilis**

**Senior Magistrate Grade One**

**20/1/2020**

31/01/2020

Accused in court.

Gladys for state

Ronnie –clerk

State: The trial Magistrate is indisposed. We seek an adjournment. We had one witness today.

Court: Accused further remanded.

**Sgd**

**Magistrate Grade One**

**11/02/2020**

11/2/2020

Accused present.

Lillian –clerk

Gladys –state (NRCN)

Matter for further hearing PW2 however he was not reachable. I pray for a short adjournment.

Court: I adjourn to 25/2/2020 for further hearing in absence of witnesses. Accused further remanded. Witness summons to issue.

**Sgd**

**Stella Maria Amabilis**

**Senior Magistrate Grade One**

**11/12/2020**

25/02/2020

Accused present

Guloba: Holding brief.

Gloria: court clerk.

Mr. Guloba: matter is for hearing and have a witness in court who trial Magistrate is indisposed. Seek adjournment.

Court: Matter is adjourned to 4<sup>th</sup> February, 2020. Accused further remanded.

**Sgd**

**Magistrate Grade One**

**25/02/2020**

4/3/2020

Accused present.

Lillian –clerk

Gladys –state (absent)

Court:

Since state is in court 1 proceeding adjourned to 31/3/2020 for further hearing. Accused further remanded. Witness summons to issue.

**Sgd**

**Stella Maria Amabilis**

**Senior Magistrate Grade One**

**04/03/2020**

29/7/2020

Accused in court.

Guloba –state

Andrew; Counsel for accused

Elizabeth –court clerk.

Prosecution: Its for further hearing. Ready to proceed.

Counsel for accused: Accused intends to charge plea.

Court: Charge read and explained to accused in Luganda.

Accused pleads:

Count 1: Its true. Plea of guilty entered

Count 2: its true. Plea of guilty entered.

Court: Accused further remanded to 5/8/2020 for brief facts.

**Sgd**

**Ayo Miriam E. Okello**

**Magistrate Grade One**

**29/07/2020**

5/8/2020

Accused in court.

Andrew: counsel for accused.

Elizabeth: Court clerk

Gulubo Silver –state

Brief facts: 12/08/2019 at Shoprite, Kampala Central Division. Accused was found in 4 pieces of ivory and 63 pieces of pangolin scales without a wildlife use right. Accused was arrested and brought to CPS, Kampala.

The exhibit was examined by the ivory and pangolin scale dated 14/8/2019. The items were exhibited.

Court: Let the 4 small pieces of ivory by admitted and marked as PG1.

63 pangolin scales. P.GII.

1 small and another big P.EIII.

Exhibit slip dated 12/8/2019 P.GIV

Expert report dated 14/8/2019. P.E5.

**Sgd**

**Miriam E. Okello  
Magistrate Grade One  
05/08/2020**

Accused: Facts correct

Court: Accused is convicted on his own plea of guilty.

Court: Accused is convicted on his own plea of guilty.

Reasons: No past record.

Abused absused his trust. He stole the goods from URSB. Tourism contribute heavily to this sector. I pray for deterrent sentence of 3 years or a fine commensurate to the fine. I pray the exhibits be handed over to UWA.

Mitigation: Accused has been on remand for 1 year. He has reflected that grant and want of money is balance. He was not a poacher. And regrets the same. I pray for leniency.

**Court:** Accused is a first offender who wanted cash from where he did not work for. He should learn that you have to work honestly and get the money. I have considered the one year spent on remand and state's prayer. I sentence him to 2 years imprisonment or pay a fine of 1,000,000/= on count 1

**Count 2:** I sentence him to 2 months or a fine of 200,000/=.

Sgd *M Okello*

**Miriam E. Okello  
Magistrate Grade One  
05/08/2020**

Let the 4 pieces of ivory and 63 pieces of pangolin scales be handed over to the Executive Director, UWA.

Sgd *M Okello*

**Miriam E. Okello  
Magistrate Grade One  
05/08/2020**