

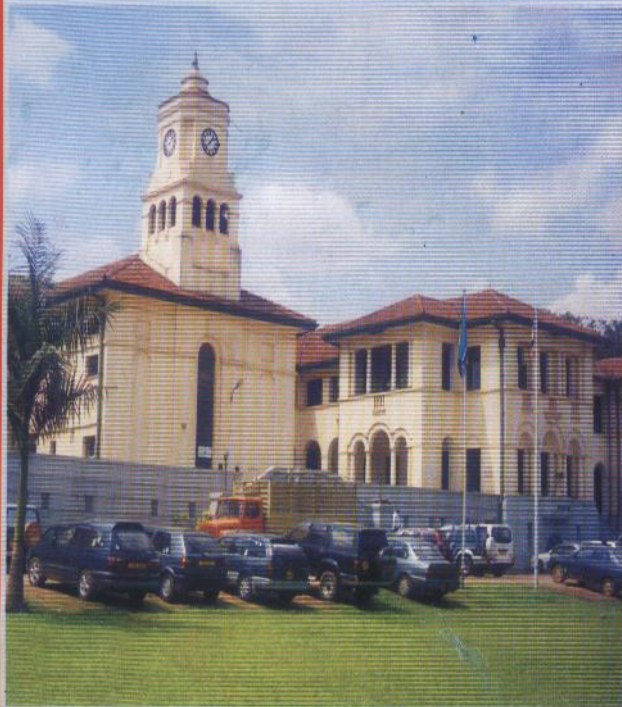
THE REPUBLIC OF UGANDA



THE JUDICIARY

SIMPLIFIED COURT USERS GUIDE

[ENGLISH]



**9 STEPS FROM YOUR ARREST TO
YOUR APPEAL
IN
CRIMINAL CASES**

THE 9 STEPS FROM YOUR ARREST TO YOUR APPEAL

1. Arrest

You can be arrested where reasonable grounds exist that you have committed an offence or are about to. A police officer may use reasonable force. If you offer no violence, the police officer cannot strike you. You will be taken to the police station. If the offence is not a serious one, the police can promptly bail you from the station.

2. Interview

At the police station, you will be interviewed 'under caution.' The purpose of the police interview is to give you an opportunity to answer the police version of events in a formal record that will be placed before the court. It is illegal for the police to torture you or use cruel, inhuman or degrading treatment or punishment such as threatening physical harm in order to make you confess to something you did not do.

If you prefer, you can say nothing and state at the beginning of the interview: I do not

want to say anything and wish to exercise my right to silence.

3. Court

From the police station, the police will take you to court as soon as they can but certainly not later than 48 hours (two days) unless there is a holiday in which case the next day. At court, they will charge you with the offence or request more time to keep you in custody in a police station or prison while they continue their investigations. This may be appropriate in serious and complicated cases but not in simple cases.

4. Remand

At your first appearance in court, it is likely the case will be adjourned (i.e. put over to another date). In which case, the decision will need to be made whether you should be made whether you should be allowed out on bail or remanded in custody.

5. Charge

When you next appear in court, it is likely you will be charged - although this could happen at your first appearance. A charge

Is a formal notice of the offence you are alleged to have committed. This is read out in court. You will need to decide whether you committed the offence set down in the charge or not in which case you will plead Guilty or Not Guilty.

6. Plea

If you plead Guilty (High Court or Magistrate's Court) the prosecution will read out the facts and the magistrate / judge will convict you. Then before sentencing you, the court will ask you to give your account. You will then enter a plea in mitigation, i.e. you put your side of things and ask for mercy from the court.

If you plead Not Guilty the matter will be adjourned for trial.

7. Trial

You trial whenever it is to be heard, in the magistrate's court or the High court, should take place 'within a reasonable time'. At the end of the trial, the court will either find you Not Guilty

of the offence(s) and you will be acquitted' (set free and the matter closed forever); or you will be found Guilty and sentenced.

8. Sentence

If you plead Guilty or you are convicted after a trial, the sentence of the court should be proportionate to the offence you committed. It should also take into account the circumstances in which you committed the offence and your own personal circumstances at the time.

9. Appeal

You have the right, as every convicted person does to appeal either against the sentence passed (it was too much) or against conviction (you maintain your innocence) or both within fourteen (14) days.

**THIS INFORMATION WAS PRINTED
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