



Tax and Legal Consultants,  
Intellectual Property Attorneys, Company Secretaries,  
Investments & Property Consultants.

Plot 77 Buganda Rd  
Kimujo House, 1st Floor  
P. O. Box 101811 Kampala, Uganda  
Tel No. 0393248806

Ref: HAS/GEN/06.06.2022

6<sup>th</sup> June 2022.

The Office of Director of Public Prosecutions  
Kampala.

Attn: Lady Justice Jane Frances Abodo

RE: COMPLAINT VIDE MASAKA CRB 124/2022 & CRB 203/2022

The above captioned subject matter refers;

We act for and on behalf of **TUSHABE BRUCE NZABANITA** herein referred to as our client on his instructions we address as hereunder;

1. That the complainant in the above files is one by names of **Namere Justine** the Senior Presidential Advisor in Greater Masaka.
2. That our client is the executive/head **VOLUNTEER UGANDA EXTRA LTD** which is a dully incorporated body under the laws of Uganda operating within Uganda encapsulated with the mandate of protecting human rights, fighting corruption, ensuring transparency and accountability of public funds, Legal protection, and rule of law.
3. That the complainant reported a case of forgery of academic documents against our client at Masaka Central Police Station where he recorded a statement. The file straight away from Police was taken to Regional DPP greater Masaka for sanctioning without the input of Resident State Attorney.
4. That our client upon realizing the irregularities and mishandling of the file, made a complaint to the IGG about mishandling of file and abuse of Office.
5. That the IGG Masaka wrote to Regional DPP requesting for a Certified Copy of the same file which she surrendered and instead of handling the matter, the file was sent to the Office of DPP Kampala to be worked on, a conduct that is considered prejudicial to the core Mandate of IGG.
6. That when the complainant realized that the file on forgery of academic documents had been forwarded to head Office, she quickly filed malicious charges of offensive communication/cyber harassment **Vide MSK CRB/203/2022**, which charge/file was supersessionally handled without sufficient evidence, sanctioned and our client was brutally arrested using flying squad as if he was a dangerous high-profile criminal moreover on misdemeanour charges.

7. That our client was detained at Masaka Police Post from **8<sup>th</sup> April 2022 - 11<sup>th</sup> April 2022** without being informed what the charges were, and no police bond which was beyond the 48 hours constitutionally established rule. He was later taken to court and remanded by the Chief Magistrate Masaka from 11 April 2022 up to 29 April 2022 after his Bail Application and was further remanded.
8. That our client through his former Lawyers, further applied for Court bail which was rejected by the Chief magistrate and further remanded and re-allocated the file to the Magistrate Grade I who eventually granted our client bail on 30<sup>th</sup> May 2022 when he was already **49 (Forty-nine) days** on remand almost close & precisely remaining with only 11 days to clock 60 mandatory days constitutionally mandated for automatic bail.
9. That institutions in the criminal justice system like the Uganda Police Force and Uganda Prisons Masaka were unduly influenced by the complainant so as to lend a hand in torturing our client and fighting his right to bail. This is reflected by a letter written by the OC prisons addressed to the Chief magistrate Masaka piling a lot of Malicious allegations against the Accused in order to create bias in Courts decision on bail which was considered in his denial of bail. This also reflected by the Officer of Police Swearing a malicious affidavit all intended to deny our client Bail. (**Copies of the letter written by OC prisons to court is attached as "A.1" and the Affidavit of a police officer is attached as "A.2"**)
10. That our client through his former Lawyers made a complaint on 11<sup>th</sup> of April 2022 and addressed it to both Resident State Attorney Masaka and Regional DPP Masaka about the anomalies to be addressed but both neglected him which put the rights of our client at a crossroad. (**A copy of the complaint referenced SCA/11/006 is attached for ease of reference and marked "B"**)
11. That when our client failed to get help from the above Offices, while on remand at Masaka Prisons through his former Lawyers wrote a complaint dated 12<sup>th</sup> April 2022, Referenced SCA/12/004 addressed to the Office of DPP complaint desk about the same specific issues as in the earlier Complaint. Surprisingly and quite unusual to our client, despite having received, it was shelved and there is no reply up today for reasons not known by our client but best known by the aforementioned offices. (**A copy of the complaint is hereto attached and marked "C"**)

My Lord it should be brought to your attention that the complainant is allegedly using her Office to influence every Officer and all institutions involved in criminal justice to perpetrate a witch hunt, torture, mistreatment, and all form of injustice against our client with keen intentions to perpetuate her vendetta against our client.

My lord the right to liberty is constitutional and sacrosanct to the extent that no single person or institution should be given an opportunity to trample on the rights of others.

Without prejudice to the foregoing, our client's intimate that owing to the prevailing circumstances as to the history given above, his trust and confidence now ultimately lies in your office personally and not anyone else, which is the reason this complaint is addressed to Your attention.

Our client therefore to ensure justice with due respect requests as follows,

- (i) That both files referenced above, be called, and perused together for a proper and balanced opinion.
- (ii) That it should be established why the file on forgery started with Police and was taken to Regional DPP instead of the Resident State Attorney, and why it was forwarded to DDP Office Kampala.
- (iii) The reason why when our client made a complaint on the same file, the Complaint Desk did not make any reply indefinitely which was unfair and prejudicial to him.
- (iv) That it should be established why the alleged offence of forgery been cleared to be sanctioned without a forensic report on file yet it's a requirement.
- (v) That alleged document forged is a UNEB O'Level Pass slip. How could the accused have forged a document that he cannot originate instead he should have uttered it instead of forgoing it.
- (vi) That the alleged document that was forged was UNEB pass slip, yet the accused sat for S.4 at Mbirizi Modern and he has O' level pass slip and Certificate. How could he choose to forge a document, yet he lawfully possesses a genuine one? His document is on file.
- (vii) The complainant alleges in that the accused forged academic documents in order to get good grades and to secure a job as a political talk show at her TV Station but there is no evidence of any job advert where the TV station was particular to the type of grades that were needed that could have lured the accused to forge the document.
- (viii) That the document is alleged to have been forged from Kinoni Integrated Secondary School, but the Index number reflects the names of a female student who registered S.4 and never sat. How did the complainant come to know that accused forged the document?
- (ix) That if the interest of accessed to forge was to get good grades, why didn't he forge from his index number & school where he sat from.
- (x) That the IGG requested for a certified copy of the file of forgery which the Regional DPP surrendered, so why did she continue to work on the same file and forward it to Kampala when it was in her knowledge that the file was under investigation by IGG an obligation that falls within the constitutional and statutory mandate of ombudsman.

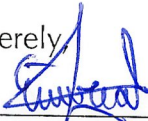
My Lord, the chronology of events above what can inferred is deliberate infringement of the accused's human rights by the complainant through influencing officers of the state and relevant institutions to come up with such malicious charges.

**PRAYERS**

1. That our client herein prays that the two files be called and perused together since the complainant is the same and the files are built on close and related facts so that a proper opinion be formed.
2. Without prejudice this Office should form the opinion of withdrawing such charges from the accused should your humble office find it trumped up and baseless if justice is to prevail.
3. That our client kindly requests for an appointment to meet you together with his Lawyers and explain his issues properly and extensively.

Hoping for a positive and timely response

Yours sincerely,



M/S HILLS ADVOCATES AND SOLICITORS



- cc. Client
- cc. IGG Masaka
- cc. State House Anti-corruption Unit

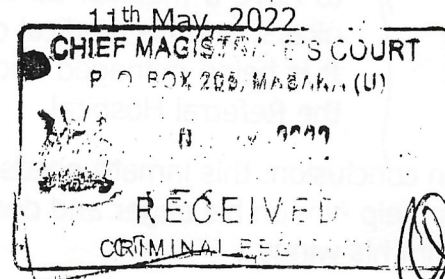
TELEGRAMS: "SUPRISONS"  
TELEPHONES: (MOB) 0718-495623  
(OFF) 0414-673209  
EMAIL: masakaprison@gmail.com

A REPLY TO THIS LETTER SHOULD BE ADDRESSED TO  
THE OFFICER IN CHARGE U.G. PRISON MASAKA MAIN  
AND THE FOLLOWING REFERENCE NO. QUOTED:  
**MSA/ADM/11**



**U.G. PRISON MASAKA (M),  
P.O. BOX 580,  
MASAKA- UGANDA**

The Chief Magistrate,  
**Masaka Court.**

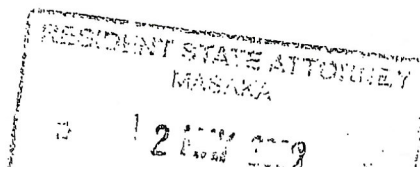


**RE: STATEMENT ON THE MISCONDUCT AND BAD DISCIPLINE OF REMAND PRISONER MSA NO. 307/2022 TUSHABE BRUCE.**

The above named prisoner is a remand appearing before your honorable court on charges of offensive communication C/S 25 of the computer misuse Act, and was remanded to prison on 11/04/2022.

Ever since his being remanded we started facing challenges with him which include but not limited to:

1. On the day of being remanded he refused to walk to prison with the prison staff. I had to hire a staff car to pick him from court.
2. Within the first 03 days he had clashed with my medical team claiming he is not being attended to and threatened to deal with the nursing officer after his release.
3. His lawyer made bail applications alleging prison claims not to have capacity to handle his health condition. An application I did not commission since we had not claimed so. Cases we cannot manage are referred by us to the Government Regional Referral Hospital (MRRH)
4. While in the sick bay, he fought with the inmates' leader who tried to prevent him from breaking prison rule of leaving the counting line, ward yard and file assigned. He was charged, found guilty and given a punishment (See attached)
5. While in another ward, he fought the leader and he was again charged, adjudicated and found guilty but given a caution.
6. He has gone ahead to allege that one of my staff is behind his being beaten due to fighting. He has advised the wife to write to Human Rights alleging torture in Prison which is not true.

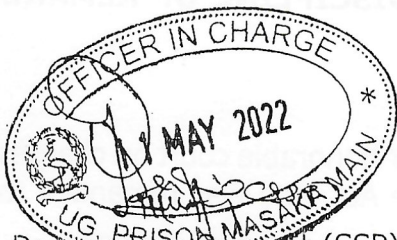


"A.A."

7. While in court before you on 05/05/2022, he alleged he is being tortured which is not true.

**NOTE:** This remand inmate has remained very aggressive, abusive, demeaning, and disrespectful to everybody and rules, full of frivolous complaints. He claims to have a medical condition but our medical team says it's a UTI & Duodenal ulcers, and his medical condition is not alarming. It is being managed and no call for alarm. Where need be we shall refer him to the Referral Hospital.

In conclusion, this inmate needs a lot of attention (psychological, Psycho-Social support) to help him on his anger and demeaning personality. Prison is one of those that can help trim his wings.



Deogracious Gowapit (SSP)

**OFFICER IN CHARGE U.G PRISON MASAKA MAIN**

Copied to: The Resident State Attorney

"A.2"

THE REPUBLIC OF UGANDA

IN THE CHIEF MAGISTRATES COURT AT MASAKA

MISC. CRIM. APPN. NO. 45 OF 2022

ARISING FROM CRIMINAL CASE NO. 22 OF 2022



TUSHABE BRUCE NZABANITA:.....:APPLICANT

VERSUS

UGANDA :.....:RESPONDENT

AFFIDAVIT IN REPLY

I, *No.34360 D/SGT KARAMBUZU IGNATIUS C/o Masaka Central Police* do solemnly take oath and state as follows:

- 1. That I am an adult male Ugandan of sound mind.
- 2. That I am a Detective Police Officer attached to CPS MASAKA.
- 3. That I am the Investigating Officer in MASAKA CRB No. 203 of 2022 out of which this bail application arises and as such am possessed with facts to depone this Affidavit.
- 4. That during investigations of this case file, I learnt that the Applicant has other pending files against him among which is a case file of Forgery and uttering false Documents vide MASAKA CRB 124/2022.

*prosecution  
by contempt of  
court*

- 5. That the Applicant defied a Court Order vide Misc. Cause No. 438/2018(Copy is hereto attached and marked annexure "A").
- 6. That I inquiries in this matter are complete and the trial of the Applicant can commence expeditiously.

- 7. That once the Applicant is granted bail, there is a high likelihood that he will abscond. *prosecution - Pending investigations - has never reported to police.*

- 8. That the Applicant is high handed and full of antics and releasing him will interfere with state witnesses. (A copy of the summons and threats dated 11<sup>th</sup>/ 2/2022 marked annexure 'B') *prosecution (interfere with witnesses if granted bail.*

*unsatisfactory - The nature of offences. It is on record.*

*violence takes different forms including verbal violence.*

- 9. That arresting of the Applicant was very difficult, he was very violent and when they got to learn about the charges against them, he went into hiding.
- 10. That the Applicant is so undisciplined even when in lawful custody. ( see the copy of the communication from Uganda Prison DATED 11<sup>th</sup> May 2022 ).
- 11. That it is in the interest of justice that the Applicants/accused persons be denied bail.
- 12. That I have sworn this Affidavit believing that every therein to be true to the best of my knowledge.

*- verbal - its unknown in our criminal law.*

*Administrative nature.*

Sworn by the said **D/SGT KARAMBUZU IGNATIUS** at .....this  
30<sup>th</sup> day of **MAY** .....2022.

*[Signature]*

**DEPONENT**

*Market contents*

**BEFORE ME;**

*[Signature]*

**ACOMMISSIONER FOR OATHS**

DRAWN AND FILED BY

**D/SGT KARAMBUZU IGNATIUS**  
**C/O CPS MASAKA.**

**A.2**

*- Rights of accused -  
- Application 5/1/2022  
\* Applying for habeas corpus  
x Jurisdiction to try the criminal proceedings.  
x These are rights granted by the country  
- contests jurisdiction of court standards.*



"B"



**SEBANJA**  
**& CO. ADVOCATES**

CHAMBERS

Plot No. 47, Kampala Road  
Mabirizi Complex Level 6, Office AP11  
P.O. Box 71120, Kampala  
Tel: +2565759632393

Our Ref: **SCA/11/006**

Date: **11th April, 2022**

Your Ref:.....

TO:

1. **The Resident DPP**  
**Masaka.**

2. **The Regional DPP**  
**Greater Masaka**

11 APR 2022  
SIGN: *[Signature]*

RESIDENT STATE ATTORNEY  
MASAKA  
11 APR 2022  
*[Signature]*

**RE: COMPLAINT VIDE MSK CRB 203/2022(cyber harassment)**

We act for and on behalf of **TUSHABE BRUCE NZABANITA** herein after referred to as our client on whose instructions we address you as here under as per the letter and the spirit of the subject herein above captioned but briefly in the terms here bellow articulated for your most urgent attention.

1. That our client was arrested inhumanly arrested by Masaka flying Squad unit of police on 8<sup>th</sup> April 2022 on Friday evening while at Mbirizi to date he is in police cell having been denied police bond even after he had recorded statement.
2. That the complainant herein **NAMERE Justine (Senior Presidential Advisor)** reported our client at Masaka central police station 9<sup>th</sup> march 2022 and the offence of cyber harassment was preferred against him. That the same complainant had previously reported our client on issues of forgery of academic documents and charges of forgery were preferred against our client on 26<sup>th</sup> January 2022 **VIDE SD REF 64/26/01/22022.**
3. That our client complained to a number of offices including the office of IGG, regional DPP Masaka in Oder for him to get justice as he was skeptical of the apparent influence in handling of the file by police in alleged support of the complainant.
4. That the aforementioned file **VIDE SD REF 64/26/01/22022** is under investigation by the office of IGG and at the same time the file was submitted by the Regional DPP to the office of DPP Kampala for opinion for opinion.
5. That the complainant having noticed sluggish success on the above file now opens another file of Cyber harassment **VIDES MSK CRB 203/2022.** We are allegedly informed that the complainant through police want to irregularly

influence and mislead the office of DPP Masaka to sanction the file even when the file is still scanty with a view of remanding our client. Our simple prayer in the interest of justice is as follows:-

- a) That since the facts of files in **MSK CRB 203/2022. And VIDE SD REF 64/26/01/22022** are almost built on same facts and originate from the same series of transaction we pray that the same files be consolidated and perused together for an opinion. And since the previous file was taken to office of DPP we would pray that the latest file be taken to DPP for consolidation and opinion.
- b) We are allegedly informed that the complainant who alleges cyber harassment refused to surrender her phone to police for forensic investigations to establish the truth. We pray that she submits her telephone number on which she was cyber harassed.
- c) Our client claims alleges that that even the telephone number on which the complainant alleges cyber harassment has never been his phone number and it is not in his names.
- d) Police has never secured any court order in order to investigate the affairs of electronic transactions on both the telephone number of the suspect or the complainant.
- e) Our view is that the conduct of police in rushing to submit such a raw file to the learned state Attorney for sanctioning has reasons to subject it into interrogation.
- f) We humbly pray that such a file in a raw state even within the knowledge of police should not be sanctioned in a premature stage. Police should take its time and investigate for sufficient evidence to implicate the suspect and cause the sanctioning of the file. The right to liberty is constitutional and so dear and sacrosanct that no man/woman should have the right to trample on the liberty of another without a justifiable cause.

Sincerely,

  
FOR SEBANJA & CO. ADVOCATES

**Copy to:**

- *The Inspector General Government Masaka/Kampala*
- *The DPP Kampala*



**SEBANJA  
& CO. ADVOCATES**

CHAMBERS:

Plot No. 47, Kampala Road  
Mabirizi Complex Level 6, Office AP11  
PO Box 71120, Kampala  
Tel: +256752632595

Our Ref: **SCA/12/004**

Date: **12th April, 2022**

Your Ref:.....

54  
56

**TO:**

**COMPLAINT DESK  
OFFICE OF DPP  
KAMPALA.**

**RE: COMPLAINT VIDE MSK CRB 203/2022 & POSSIBLE WITHDRAWAL OF  
CRIMINAL CHARGES**

We act for and on behalf of **TUSHABE BRUCE NZABANITA** herein after referred to as our client on whose instructions we address you as here under;

1. That the complainant herein **NAMERE Justine** reported our client at Masaka central police station **9<sup>th</sup> march 2022** and the offence of cyber harassment was preferred against him. That the same complainant had previously reported our client on issues of forgery of academic documents and charges of forgery were preferred against our client **VIDE SD REF 64/26/01/22022.** <sup>C23</sup> 2024/2022 Masaka
2. That our client complained to a number of offices including the office of IGG, regional DPP Masaka in Oder for him to get justice as he was skeptical of the apparent influence in handling of the file by police in alleged support of the complainant.
3. That the aforementioned file **VIDE SD REF 64/26/01/22022** is under investigation by the office of IGG and at the same time the file was submitted by the Regional DPP to the office of DPP Kampala for opinion.
4. The complainants having noticed sluggish success on the above file now opens another file of cyber harassment VIDE **MSK CRB 203/2022**. We are reliably informed that this file was sanctioned without sufficient evidence the suspect was taken to court and remanded on 11/4/2022.

OFFICE OF THE DIRECTOR OF  
PUBLIC PROSECUTIONS - REGISTRY

5. Our simple prayer in the interest of justice is as follows;
- a) That since the facts of files in **MSK CRB 203/2022 And VIDE SD REF 64/26/01/22022 which is already in your office** are almost built on same facts and originate from the same series of transaction we pray that the same files be consolidated and perused together for an opinion .And since the previous file was taken to office of DPP we would pray that the latest file be taken to DPP for consolidation and opinion.
  - b) We are allegedly informed that the complainant who alleges cyber harassment refused to surrender her phone to police for forensic investigations to establish the truth. We pray that she submits her telephone number on which she was cyber harassed.
  - c) Our client claims that even the telephone numbers on which the complainant alleges cyber harassment has never been his phone numbers and it is not in his names.
  - d) Police has never secured any court order to investigate the affairs of electronic transactions on both the telephone numbers of the suspect or the complainant.

We humbly pray that since the accused person took plea and the matter is in court we think this office has the mandate to call this file and make proper opinion.

The suspect had complained to the Resident DPP and regional DPP but was not listened to. A copy of the complaint is attached.

Sincerely,

  
FOR SEBANJA & CO. ADVOCATES

**Copy to:**

- *The Inspector General Government Masaka/Kampala*