

What you need to know about Ms. Hellen Obuk's case

On Saturday August 13, 2016, a group of about 6 police officers on 2 patrol pick-ups from Mukono Police Station under the command of the District Police Commander ASP Fred Ahimbisibwe arrested Ms. Hellen Obuk, a private security guard working with Security Group deployed at Stanbic Bank, Mukono.

Ms. Obuk was arrested and charged with the offence of libel at Mukono Police Station. She was later released on police bond. The facts giving rise to the arrest were that she sought to subject a bank customer to a routine security check using a hand-held metal detector before entry into the bank.

POLICE FORM 18

UGANDA POLICE

RELEASE ON BOND

(Sec. 30 Cr. Pro. Code)

I, OBUK HELLEN being charged with the offence of BEING A LIBEL Vide SD Ref: 62/13/08/2016 and after required to appear before the O/C 210 do hereby bind myself to appear at MUKONO at 1100H on the 15th day of August 2016 and shall continue to attend further to answer to the said charges until otherwise directed by the Court.

Dated this 13th day of August 2016.

The customer, who she later learnt was Mr. Ronald Kibuule, the State Minister for Water declined to be checked and launched a verbal assault on the guard, shoved her, and aimed a clenched fist at her missing her narrowly.

At that point, the minister burst into the bank and moments later, 2 patrol pickups arrived at the scene. The DPC quizzed Ms. Obuk demanding that she kneels down and apologizes to the minister. She refused to do so. The minister ordered the DPC to arrest her lest he calls the Inspector General of Police (IGP) personally.

The verbal altercation and police pressure took its toll on Ms. Obuk who collapsed unconscious. She was taken to Mukono Health Centre IV where police stood guard at her bedside until she was later discharged.

5) Examination of the regions of the body. (Carefully document in the table below, the nature, number, position, age, and dimensions of all injuries and show them on the pictogram on page 4).

Type of wound or injury	Part of the body on which injury is inflicted	Size of each injury
Bruises	Cubital fossa	4x4cm
	infrascapular Area	4x4cm

HEALTH CENTRE IV
MUKONO MUNICIPALITY

Medical report signed by a medical doctor at Mukono Health Centre IV obtained indicates that she suffered bruises on the infrascapular area (below the shoulder blade) and the cubital fossa (the elbow pit) each measuring 4x4cms in size. The cause of injury is described as a result of having been hit by a blunt object.

7) What kind of object(s) could have caused the above injury/injuries? *Blunt object* *72 hrs.*

8) Investigations carried out (specify the investigations, report and attach the results if available).

9) Classify the above injury/injuries (as "Harm" or "Grievous Harm" "Dangerous Harm" or "Maim") based on the overall examination in (5) above using the notes at the bottom of this page.

Harm

10) State any other relevant observation

Ms. Obuk filed a criminal case of threatening violence and assault against Mr. Kibuule at Mukono Police Station. The case is registered under SD REF 54/24/08/016. The suspect, Mr. Kibuule has neither been called to the police station to make a statement nor has he made any statement to that effect.

On August 31, 2016, a team of more than 6 people claiming to be emissaries of Mr. Kibuule approached Ms. Obuk and her family to mediate the case. The meeting took place in Mukono. It was inconclusive.

The Prime Minister has since indicated that Mr. Kibuule's conduct is being investigated.

We therefore wish to state the following:-

1. That while the pronouncement by the Prime Minister is welcome, it must not be a substitute for criminal prosecutions for the offences reported at Mukono Police Station against Mr. Kibuule. He must be required to report to Mukono Police Station and record his statement. The case must be prosecuted on its merits.
2. Our lawyers held several meetings with Ms. Obuk and her family, who like many people, are aggrieved of the unbecoming conduct of the minister. They demand nothing less than justice.
3. Undue emphasis has been placed on the CCTV footages from the bank. Footages that are in exclusive control of the bank and have not been made public. The medical evidence and statements of witnesses confirm the circumstances of the minister's unruly behavior. The absence or not of CCTV footages must not undermine the complaint against the minister.
4. Stanbic Bank's conduct ever since the incident has been far from convincing. It shows their support for the minister and their disregard for the security guard. This conduct is unfair and unacceptable of a business entity that has an obligation to treat all fairly.

Chapter Four Uganda, alongside other human rights organisations, has compiled evidence of the incident. We are keenly following the events and providing legal advice to Ms. Obuk and her family. We will not hesitate to institute legal proceedings against all involved in the abuse of Ms. Obuk if the government and police investigations are not transparent and fair.

For more information:

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