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## ABBREVIATIONS AND ACRONYMS

ACA	-	Administrative Control Authority, Egypt
Ag	-	Acting
AG	-	Auditor General
AOMA	-	African Ombudsman and Mediators Association
AVSI	-	The Association of Volunteers in International Service
CAA	-	Civil Aviation Authority
CADP	-	Corporate and Development Plan
CAO	-	Chief Administrative Officer
CDO	-	Community Development Officer
CEO	-	Chief Executive Officer
CFO	-	Chief Finance Officer
CID	-	Criminal Investigations Department
CPS	-	Central Police Station
DANIDA	-	Danish International Development Agency
DAPCB	-	Departed Asians Property Custodian Board
DEI	-	Directorate of Ethics and Integrity
DEO	-	District Education Officer
DFID	-	Department for International Development
DHO	-	District Health Officer
DIGG	-	Deputy Inspector General of Government
DPP	-	Director of Public Prosecutions
DSC	-	District Service Commission
EAAACA	-	East African Association of Anti-Corruption Authorities
EPRA	-	Extended Participatory Rural Appraisal
ESC	-	Education Service Commission
F/Y	-	Financial Year
GOU	-	Government of Uganda
HCC	-	High Court Case
IAACA	-	International Association of Anti-Corruption Authorities
IDA	-	International Development Fund

IG	-	Inspectorate of Government
IGG	-	Inspector General of Government
ISO	-	Internal Security Organization
KCC	-	Kampala City Council
LC	-	Local Council
LDU	-	Local Defence Unit
LGDP	-	Local Government Development Programme
MOES	-	Ministry of Education and Sports
MOFED	-	Ministry of Finance and Economic Development
MOLG	-	Ministry of Local Government
MOPS	-	Ministry of Public Service
MOU	-	Memorandum of Understanding
MP	-	Member of Parliament
NAADS	-	National Agricultural Advisory Services
NAADS	-	National Agricultural Advisory Services
NARO	-	National Agricultural Research Organization
NDA	-	National Drug Authority
NFA	-	National Forest Authority
NGO	-	Non Governmental Organization
NPART	-	Non Performing Assets Recovery Trust
NSSF	-	National Social Security Fund
NUSAF	-	Northern Uganda Social Action Fund
NWSC	-	National Water and Sewerage Corporation
PPDA	-	Public Procurement and Disposal of Public Assets Authority
PS	-	Permanent Secretary
PSC	-	Public Service Commission
S.S	-	Secondary School
S/C	-	Sub-county Chief
SAFAC	-	Southern African Forum Against Corruption
SFG	-	School Facilities Grant

TAAC	-	Transparency, Accountability and Anti- Corruption Programme
UNBS	-	Uganda National Bureau of Standards
UNCAC	-	United Nations Convention Against Corruption
UNHCR	-	United Nations High Commission for Refugees
UNICEF	-	United Nations International Children's Education Fund
UNRA	-	Uganda National Roads Authority
UPDF	-	Uganda Peoples Defense Forces
URA	-	Uganda Revenue Authority
UWA	-	Uganda Wildlife Authority
UWEC	-	Uganda Wildlife Education Centre

## EXECUTIVE SUMMARY

### 1.1 Introduction

Under Article 231 of the 1995 Uganda Constitution, the Inspectorate of Government (IG) is required to submit to Parliament at least once in every six months, a report on the performance of its functions, making recommendations which the office considers necessary for the efficient performance of public institutions; and to provide any other information that Parliament may require. The functions of the Inspectorate of Government as spelt out in Article 225(1) of the Constitution are:

- (a) To promote and foster strict adherence to the rule of law and principles of natural justice in administration.
- (b) To eliminate and foster the elimination of corruption, abuse of authority and of public office.
- (c) To promote fair, efficient and good governance in public offices.
- (d) To supervise the enforcement of the Leadership Code of Conduct.
- (e) To investigate any act, omission, advice, decision or recommendation by a public officer or any other authority to which this Article applies, taken, made, given or done in exercise of administrative functions.
- (f) To stimulate public awareness about the values of constitutionalism in general and the activities of its office, in particular, through any media or other means it considers appropriate.

In order to fulfill its mandate, the Inspectorate of Government is granted special powers under Article 230 of the Constitution and Section 14(5) of the Inspectorate of Government Act 2002. These powers include the following:

- Power to investigate, cause investigation, arrest, cause arrest, prosecute or cause prosecution in respect of cases involving corruption, abuse of authority or of public office;
- Power to make orders and give directions where necessary and appropriate;
- Power to enter and inspect premises or property of any department of Government, person or authority and to examine or retain any documents found therein;

This is the 24<sup>th</sup> report of the Inspectorate of Government to Parliament. It is a summary of the performance of the Inspectorate of Government during the period July - December 2010.

## 1.2 Structure of the Report

The report comprises of eight chapters on various aspects of the Inspectorate of Government's (IG) constitutional mandate.

**Chapter One** gives a brief account of the jurisdiction and independence of the offices. The chapter also gives a summary of IG's strategic objectives as contained in the IG Corporate and Development Plan (CADP) 2004-2009. The chapter further lays out the organization structure of the IG.

**Chapter Two** covers the measures used by the institution in implementation of its anti-corruption functions. These include Investigations of complaints or suspicion of corruption in public institutions; monitoring and supervision of NUSAF II funds; Arrests and Prosecution of people investigations reveal to

have been involved in corruption malpractices. The chapter also highlights the civil suits that the IG handled during the period.

**Chapter Three** highlights the activities carried out by the IG in its implementation of Ombudsman function. The chapter also gives a brief account of the Policy and System Studies that were carried out during the period.

**Chapter Four** looks at activities carried out by IG in enforcing the Leadership Code of Conduct.

**Chapter Five** focuses on the preventive measures used by the office to curb corruption and promote good governance in public offices.

**Chapter Six** looks at the training activities that were carried out for the officers of the Inspectorate of Government during the period and highlights the activities to enhance National and International cooperation between the IG and other stakeholders.

**Chapter Seven** highlights the challenges the Inspectorate of Government faced in the implementation of its orders and recommendations and commends some of the Ministries, Institutions and Action Officers who implemented IG recommendations during the period under review and lists some of those who did not act.

**Chapter Eight** highlights the general operational constraints and challenges faced by the IG. The chapter further outlines the future plans of the office and makes recommendations to Government on ways that could make the office more efficient and effective.

### **1.3 Summary of Achievements of the Inspectorate of Government in the period July - December 2010**

### 1.3.1 Investigations

The Inspectorate of Government receives or initiates and investigates complaints of corruption; arrests and prosecutes those implicated in corruption malpractices and these continue to be the major activities of the office.

During the period under review, the Inspectorate of Government handled a total of 4,422 complaints. Out of these 3,351 were brought forward from the previous reporting period, while 1,042 were received or initiated by the Inspectorate of Government and 29 were Audit reports received within the reporting period. A total of 557 complaints were investigated, completed and 113 reports were issued. A total of 444 complaints were handled, finalized and results communicated without reports. 127 complaints were processed and later referred to other Institutions.

The nature of complaints that were investigated and completed by percentage of the total were as follows:

Mismanagement and Misappropriation of public resources 19.4%; Abuse of office 15.6%; Non-payment of Salaries and other benefits 12.6%; Property disputes 4.8%; Victimisation/Oppression 5.2%; Delay of service delivery 6.3%; Forgery and uttering of false documents 3.6%; Tenders and Contracts 5.6%; Bribery 1.1%; Extortion 2.0%; Conflict of interest 2.3%; Embezzlement 3.8%; Corruption 4.1%; False claims 1.4%; Tax evasion 0% and others 12.2%.

### 1.3.2 Arrests and Prosecutions

The powers of the Inspectorate of Government to investigate or cause investigation, arrest or cause arrest, prosecute or cause prosecution in respect of cases involving corruption and Abuse of authority are stipulated under article 230 of the 1995 Constitution of the Republic of Uganda and Sec.14(5) of the Inspectorate of Government Act 2002.

During the period under review, twenty six (26) public officers were arrested for various corruption offences and are now being prosecuted in courts of law. The Inspectorate of Government had one hundred seventeen (117) ongoing prosecution cases out of which ninety one (91) were carried forward from the previous period and twenty six (26) were new cases lodged in courts during the reporting period. Thirteen (13) cases resulted in convictions, including five (5) appeals where convictions were upheld, eight (8) were withdrawals, three (3) resulted in acquittal, one (1) abated, four (4) cases were dismissed and the rest are at different stages of prosecution.

### **1.3.3 Civil cases**

As part of its mandate, the Inspectorate of Government handles civil suits, including civil applications and constitutional petitions instituted by or against the Inspectorate in courts of Judicature. During the period under review IG handled four (4) civil suits, twenty seven (27) civil applications and one (1) mediation proceeding. Details of the civil cases IG handled are found in chapter two of this report.

### **1.3.4 Promoting the Rule of Law and Administrative Justice (Ombudsman Function)**

The 1995 Constitution of the Republic of Uganda empowers the Inspectorate of Government not only to curb corruption but also to oversee the activities and operation of public authorities and offer redress where there is any form of mal-administration.

During the period under review, the Inspectorate of Government received various complaints against public officers which included employment disputes; Non-payment or delayed payment of salary and other benefits; inheritance disputes and administration of estates; property disputes; victimization, abuse of office and irregularities in procurement procedures.

In the reporting period, complaints under this category accounted for 26.4% of all complaints handled by the office and the majority of these were complaints against Ministry of Lands and Administrator General's office.

#### **1.4.2 Policy and System Studies**

The 1995 Constitution of the Republic of Uganda and the Inspectorate of Government Act 2002, empower the Inspectorate of Government to promote fair, efficient and good governance in public offices. Given that strengthening of institutions is a key anti-corruption measure, the Inspectorate of Government carries out studies into operations, policies, systems, procedure and legislation of various Government Departments and Institutions with a view to identify weak areas that may be conducive to corruption and make recommendations, for remedial measures.

The Institutions to be studied are selected on the basis of information the Inspectorate of Government receives through public complaints, media reports and periodic surveys.

During the period under review, the Inspectorate of Government carried out three system studies into the procurement of Textbooks in Ministry of Education and Sports, Management of Uganda Broadcasting Corporation and causes of gratuity and pension arrears in the Ministry of Public Service. The study into the procurement of Textbooks, Ministry of Education and Sports was completed and the other two will be completed during the next reporting period.

## 1.5 Enforcement of the Leadership Code of Conduct

The 1995 Constitution of the Republic of Uganda and the Leadership Code Act, 2002 mandate the Inspectorate of Government to ensure that specified leaders declare their incomes, assets, and liabilities from time to time explaining how they acquired or incurred them respectively. The aim is to ensure that leaders adhere to a standard of behaviour that promotes integrity, transparency and accountability in their conduct of public affairs. The Code imposes penalties on the leaders who breach it.

In enforcing the Code, the IG carried out the following activities during the reporting period:

- Verification of leaders' declaration of incomes, assets and liabilities and investigations of allegations of the breach of the code continued. Fourteen (14) verifications/investigations were completed. One hundred fifteen (115) properties of the leaders were physically verified and seventy two (72) Bank Inspections were carried out, statements examined and the leaders queried. In two (2) verification/investigation cases money was recovered from two leaders.

In accordance with the Leadership Code of Conduct a leader declared a gift that was given to him and he was accordingly advised on what to do with the gift.

## 1.6 Preventive Measures

Although enforcement measures tend to attract more public attention, in the long run preventive measures are deemed to be more effective than enforcement measures in combating corruption, promoting the rule of law, and administrative justice. Hence during the period under review, in its

endeavour to fight corruption and promote good governance in public institutions, the Inspectorate of Government continued to carry out public awareness programmes as highlighted below:

### **1.6.1 Public Awareness Programmes**

The Inspectorate of Government is constitutionally mandated to sensitize and educate the public about the values of constitutionalism in general and the activities of the Inspectorate of Government in particular, through any media or any other means it considers appropriate. The public is educated about their constitutional right to access public services without having to pay bribes and made aware of their civic duties and responsibilities to demand for accountability from their leaders, value for money and to report corrupt practices to the Inspectorate of Government.

During the period under review, the IG continued to carry out public awareness programmes through workshops for student leaders, radio and TV talk-shows and publications of booklets and inserts which were placed in the print media. The youth were also educated about the evils of corruption through film shows which were screened for schools in Fort Portal and Kaliro districts and more shows are scheduled to be screened in selected schools all over the country.

The IG also promotes and supports the establishment of Integrity Clubs in Tertiary Institutions whose members act as Ambassadors for Anti-Corruption crusade among the youth in the various Institutions they attend. During the reporting period IG facilitated the launching of Integrity Clubs at Kabale University and Mutesa I Royal University.

## **1.7 Capacity Building through Training and International Cooperation**

The Inspectorate of Government is committed to strengthening and building capacity of its staff through training in order to equip them with knowledge, skills and attitudes to enhance their performance.

During the reporting period, therefore, some Inspectorate of Government staff attended training programmes which among others included the following; Promoting Government Integrity and Anti-corruption; Training in Recovery and Forfeiture in Stolen Assets and training in Combating Corruption and Developing Organisational Integrity.

### **1.7.2 National and International Cooperation**

The IG appreciates the fact that the war against corruption and the promotion of good governance can only be won through the cooperation, support and exchange of ideas with other stakeholders both at the national, regional and international levels. This has been done through participation of some IG senior staff in conferences, workshops and exchange programmes and collaboration with local, regional and international anti-corruption agencies.

## **1.8 Major Constraints and Challenges**

Despite the continued support by Government and donors to strengthen the Institution, which is highly appreciated, the IG continues to face a number of constraints and challenges, some of which arise from inadequate funding and others from external sources. These constraints and challenges adversely affect the IG's effective implementation of its mandate of combating corruption, Abuse of office/Authority and enforcing the Leadership Code of Conduct.

The challenges and constraints include; inadequate funding; inadequate remuneration; understaffing; operating in rented premises; limited legal reference materials; court delays and hostile witnesses; lack of computerized

data in other Institutions; inadequate institutional support in the fight against corruption; sophistication in corruption practices; negative societal attitudes and high expectations from the public to deal with their complaints expeditiously.

## **1.9 Recommendations**

In order to overcome the constraints mentioned above and to fulfill IG mandate, the following recommendations are submitted to Government through Parliament.

- (i) Where Institutions or action officers especially District Administrators ignore to implement IG recommendations for no good reason, such officers should be summoned to answer before the relevant Parliamentary Committees.
- (ii) Government should adequately fund and make timely release of funds to its Ministries, Departments and Agencies, to enable speedy resolution of payment related complaints and avail adequate facilities like computers to improve record keeping and ease data storage/retrieval in public institutions.
- (iii) Computerization of the Land Registry should be completed to help speed up the verification of the leaders' declaration and the problems resulting from manual records and procedures will also be minimized.
- (iv) Government has to appreciate that IG is a national cross-cutting institution responsible for three major functions of promoting good governance, preventing and combating corruption and enforcing the Leadership Code of Conduct. Each of these functions should be funded as a separate vote.

## **CHAPTER ONE: INTRODUCTION**

### **1.1 CONSTITUTIONAL REQUIREMENT**

The Inspectorate of Government (IG) is a constitutional body mandated under Chapter 13 of the Constitution of the Republic of Uganda to promote good governance, fight corruption, and enforce the Leadership Code of Conduct. Article 231 of the Constitution requires the Inspectorate of Government to submit to Parliament at least once in every six months a report of the performance of its functions, making such recommendations as it considers necessary and containing such information as Parliament may require.

This is the 24<sup>th</sup> report of the Inspectorate of Government to Parliament. It is a summary of the performance of the Inspectorate of Government during the period July-December 2010.

### **1.2 JURISDICTION AND INDEPENDENCE OF THE INSPECTORATE OF GOVERNMENT**

Articles 226 and 227 of the Constitution provide the Inspectorate of Government with areas of authority and independence. The jurisdiction of the Inspectorate of Government covers officers or leaders whether employed in the public service or not, and also such institutions, organizations or enterprises as Parliament may prescribe by law. The Anti-Corruption Act, 2009 has prescribed the jurisdiction of the Inspectorate of Government to cover both the public and the private sector in order to effectively combat and prevent corruption. The IG is independent in the performance of its functions and is only responsible to Parliament and its functions are prescribed under article 225 of the Uganda Constitution, the Inspectorate of Government Act 2002 and the Leadership Code Act 2002.

### 1.3 STRATEGIC OBJECTIVES OF THE INSPECTORATE OF GOVERNMENT (2004 - 2009)

Having launched the Inspectorate of Government Corporate and Development Plan (2004 - 2009)<sup>1</sup> in April 2005, the Inspectorate set out to realize its mission with the following strategic objectives:

- To strengthen and build the capacity of the IG to meet its legislative mandate;
- To investigate and prosecute corruption related cases and enforce the Leadership Code of Conduct.
- To enhance and promote the rule of law and justice in public offices.
- To monitor the utilization of public funds in all Central and Local Government Departments/Institutions;
- To sensitise, educate and enlist public support against corruption; strengthen weak systems and policies in Government Institutions and to monitor levels of corruption through periodic integrity surveys;
- To promote and foster strategic partnerships to fight corruption, abuse of office and administrative malpractices; and
- To represent IG in courts of judicature in matters of civil suits in which the IG is a party.
- To restructure and streamline Inspectorate of Government operations and systems.

### 1.4 ORGANIZATION OF THE INSPECTORATE OF GOVERNMENT

Article 223 of the Constitution provides for the Leadership of the Inspectorate of Government which comprises the Inspector General of Government (IGG) and two

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<sup>1</sup> The Inspectorate of Government Corporate and Development Plan 2010-2014 was launched on 22<sup>nd</sup> December 2010.

Deputy Inspector Generals of Government (DIGGs). The Inspector General of Government and the Deputy Inspector Generals of Government are appointed by the President with the approval of the Parliament of Uganda. The Secretary to the Inspectorate of Government is the Accounting Officer and is appointed by the President on the advice of the Public Service Commission.

For purposes of implementing its functions and objectives the Inspectorate of Government is structured into a Department, Directorates and Units as follows:

#### **Department of Finance & Administration**

Headed by the Secretary to the Inspectorate of Government, who is the Accounting Officer. Provides policy direction for the Inspectorate of Government, budgetary control, and provides effective coordination of the activities of the office and manages and coordinates the administrative matters of the Institution.

#### **Directorate of Operations**

Headed by a Director, the Directorate of Operations is responsible for ensuring accountability and transparency in public offices through the investigation of corruption and enforcement of the law.

#### **Directorate of Legal Affairs**

Headed by a Director, the Directorate of Legal Affairs is responsible for ensuring that the Inspectorate of Government executes its functions and exercises its powers in accordance with the law by rendering legal advice to the Inspectorate of Government. The Directorate enhances transparency and accountability in public offices through prosecution of suspects of corruption and abuse of office and represents IG in Courts of Judicature in civil suits where the IG is a party or has an interest.

#### **Directorate of Education and Prevention of Corruption**

Headed by a Director, the Directorate of Education and Prevention of Corruption is responsible for stimulating public awareness about the values of Constitutionalism and the activities of the Inspectorate of Government through workshops/seminars, articles

in the print media and other means the Inspectorate of Government considers appropriate.

#### **Directorate of Leadership Code**

The Directorate of Leadership Code is headed by a Director who ensures that the principles and values of integrity, transparency and accountability among leaders in public institutions as specified in the Leadership Code Act are adhered to. This is done by ensuring that the leaders declare their income, assets and liabilities. The Directorate also investigates leaders who engage in conduct prohibited by the Leadership Code of Conduct in addition to verification of leaders' declarations.

#### **Directorate of Regional Offices and Follow Up**

Headed by a Director, the Directorate of Regional Offices and Follow Up improves efficiency in service delivery by taking the services of the Inspectorate of Government nearer to the people and ensuring the implementation of recommendations of the IGG by public officials/institutions. The Directorate coordinates Regional Offices and provides statistical information on the output of the Inspectorate of Government.

#### **Directorate of Ombudsman Affairs**

Headed by a Director, the Directorate of Ombudsman Affairs is charged with addressing issues of mal-administration in public offices through the handling of complaints involving administrative injustice. The Directorate also carries out system studies in various departments/Institutions that are continuously complained about by the general public, with a view of identifying long term solutions.

#### **Information & Internal Inspection Unit**

Headed by a Senior Principal Inspectorate Officer who reports directly to the Inspector General of Government, the Information and Internal Inspection Unit ensures efficiency, transparency and accountability among staff of the Inspectorate of Government by detecting and curtailing possible corruption among staff. In addition

it gathers information on corruption in the country. The Unit also vets newly recruited staff and ensures that they have genuine academic documents and a clean record.

### **Public and International Relations Unit**

Headed by a Principal Inspectorate Officer who reports directly to the Inspector General of Government, the Unit ensures that there is a well Co-ordinated, effectively managed communication system that is responsive to diverse information needs of IG staff and the general public. The Unit is also in charge of the International relations and networking of the institution with sister institutions.

## **1.5 REGIONAL INSPECTORATE OF GOVERNMENT OFFICES**

To take its services closer to the people, the Inspectorate of Government established 14 Regional Offices headed by Principal Inspectorate Officers. The Inspectorate of Government Regional Offices are structured to handle Districts in the following manner:

- **Arua Regional Inspectorate Office** handles complaints from Koboko, Arua, Nebbi, Zombo and Maracha districts.
- **Fort Portal Regional Inspectorate Office** handles complaints from Bundibugyo, Kabarole, Kamwenge, Kyenjojo, Kasese, Kyegegwa and Ntoroko districts.
- **Gulu Regional Inspectorate Office** handles complaints from Gulu, Kitgum, Pader, Amuru, Agago, Lamwo and Nwoya districts.
- **Hoima Regional Inspectorate Office** handles complaints from Hoima, Kibaale, Kiboga, Buliisa, Masindi and Kiryandongo districts.

- **Jinja Regional Inspectorate Office** handles complaints from Kaliro, Bugiri, Jinja, Kamuli, Iganga, Mayuge, Buyende, Buikwe, Luuka, Namutumba and Namayingo districts.
- **Kabale Regional Inspectorate Office** handles complaints from Kanungu, Kisoro, Rukungiri and Kabale districts.
- **Kampala Office/Headquarters** handles complaints from Kampala, Kayunga, Luwero, Mpigi, Mityana, Nakaseke, Mukono, Mubende, Nakasongola and Wakiso districts and cases referred from the various Regional Inspectorate Offices.
- **Masaka Regional Inspectorate Office** handles complaints from Kalangala, Masaka, Sembabule, Rakai, Bukomansimbi, Kalungu and Lwengo districts.
- **Mbale Regional Inspectorate Office** handles complaints from Bukwo, Kapchorwa, Mbale, Sironko, Budaka, Pallisa, Bulambuli, Kween and Kibuku districts.
- **Mbarara Regional Inspectorate Office** handles complaints from Ibanda, Isingiro, Bushenyi, Mbarara, Kiruhura, Ntungamo, Rubirizi, Mitooma, Kibingo and Nsika districts.
- **Soroti Regional Inspectorate Office** handles complaints from Amuria, Kaberamaido, Katakwi, Kumi, Soroti, Bukedea, Ngora and Serere districts.
- **Moroto Regional Inspectorate Office** handles complaints from Moroto, Abim, Nakapiripirit, Kotido, Kaabong, Napak and Amudat districts.
- **Lira Regional Inspectorate Office** handles complaints from Lira, Apac, Oyam, Dokolo, Amolatar, Otuke, Aleptong and Kole districts.
- **Tororo Regional Inspectorate Office** handles complaints from Tororo, Busia, Butaleja, Manafwa and Bududa districts.

- Moyo Regional Inspectorate Office handles complaints from Yumbe, Moyo and Adjumani districts.

## CHAPTER TWO: IMPLEMENTATION OF THE ANTI-CORRUPTION FUNCTION

### 2.1 INTRODUCTION

The Inspectorate of Government is mandated to fight corruption and abuse of office and authority and to promote good governance in public Institutions by the Uganda Constitution and the Inspectorate of Government Act 2002. In particular the Inspectorate of Government has the mandate to investigate, arrest and prosecute persons who investigations establish to have been involved in offences involving corruption.

In the implementation of the Anti-Corruption function the IG also carries out investigations where commission of any offence under the Anti-Corruption Act 2009 is alleged. Where the subject of an investigation is found to have committed a criminal offence, investigations may result in arrest and prosecution. Where the culprit is found to have breached the Leadership Code or was involved in administrative malpractice, disciplinary action in varying degrees from a warning to dismissal may be recommended. Assets may also be confiscated from a leader who investigations establish to have acquired them through corrupt means.

This Chapter, therefore, highlights the investigations, arrests and prosecutions that were carried out during the reporting period.

### 2.2 INVESTIGATIONS

During the period July - December 2010, the complaints handled were as follows:

Table I: Workload for the periods January - June 2010 & July - December 2010

	<i>Jan - June 2010</i>	<i>July - December 2010</i>
Complaints B/F (a)	2,938	3,351
Audit Reports	111	29
New complaints received (b)	1,040	1,042

	<i>Jan - June 2010</i>	<i>July - December 2010</i>
Total workload (c) = a + b	4,089	4,422
Investigated & completed (d)	629	557
Referred to other Institutions (e)	109	127
Total complaints concluded (f) = d + e	738	684
Carried forward (g) = c - f	3,351	3,738

Out of 4,422 complaints that were available for investigations, a total of 557 were investigated and completed out of which 113 reports were issued while 444 complaints were handled, finalized and results communicated without issuing reports. Preliminary inquiries were carried out for 127 complaints which were later referred to other institutions for appropriate action.

During the previous period, a total of 629 complaints were investigated and completed compared to 557 complaints that were investigated during the current period accounting for 11.4% reduction in the complaints investigated. The new complaints received increased from 1,040 (in the previous period) to 1,042 in the current period accounting for 0.2% increment. A total of 3,738 complaints were carried forward to the next period.

Of the total number of new complaints received by the Inspectorate of Government, 454 (43.6%) were received at the Headquarters in Kampala while 588 (56.4%) were registered at the Regional Offices.

**Table II: Complaints registered by the IG offices (July - December 2010)**

<i>S/NO.</i>	<i>Office</i>	<i>No. of Complaints</i>	<i>Percentage</i>
1.	Kampala	454	43.6%
2.	Gulu	99	9.5%
3.	Fort Portal	74	7.1%
4.	Jinja	67	6.4%
5.	Mbale	54	5.2%
6.	Soroti	53	5.1%
7.	Kabale	43	4.1%
8.	Arua	42	4.0%
9.	Mbarara	40	3.8%
10.	Masaka	39	3.7%
11.	Moyo	22	2.1%
12.	Tororo	19	1.8%
13.	Hoima	17	1.6%

<i>S/NO.</i>	<i>Office</i>	<i>No. of Complaints</i>	<i>Percentage</i>
14.	Lira	14	1.3%
15.	Moroto	5	0.5%
	<b>TOTAL</b>	<b>1,042</b>	<b>100%</b>

### 2.2.1 INSTITUTIONS/DEPARTMENTS MOST COMPLAINED AGAINST - JULY - DEC 2010

Analysis of the complaints received against Government Departments/Institutions during the period July - December 2010 indicate that most complaints received by the Inspectorate of Government were those against District Administrations which were 181 complaints accounting for 17.4% of the complaints that were received. The common nature of complaints against district Administrators include Mismanagement and Misappropriation of public funds/resources, Abuse of office, Embezzlement and Mishandling of tenders and contracts.

Complaints against individual public officials ranked the 2<sup>nd</sup> highest category of complaints received constituting 11.0% (115 complaints) of the total complaints received. These are officials who have individually continued to use their offices for private gain. The nature of cases mostly reported in this category include abuse of office, conflict of interest, forgery and uttering false documents and victimization/oppression of other staff.

The 3<sup>rd</sup> ranked category was that of Municipal Councils/Town Councils accounting for 10.7% (112 complaints) of the total complaints received. The nature of complaints in this category included mishandling of tenders/contracts, conflict of interest, abuse of office, embezzlement and property disputes. Most complaints in this category were registered at the regional offices.

Complaints against police were the 4<sup>th</sup> highest accounting for 6.3% (66 complaints) of the total complaints received. Most complaints against Police involved mismanagement, bribery, delay of service delivery, victimization/oppression, conflict of interest and general misconduct.

Complaints against school authorities both primary and secondary schools ranked 5<sup>th</sup> accounting for 6.0% (63 complaints) of the total complaints received. The nature of complaints in this category remains mismanagement and misappropriation, abuse of office, forgery and uttering of false documents. Majority of these complaints were registered at Regional Offices.

District Service Commissions were the 6<sup>th</sup> ranked category mostly complained against accounting for 3.5% (36 complaints) of the total complaints received. The complaints against the District Service Commission relate mainly to unfair recruitment of staff to district service jobs.

The details of departments/institutions complained against during the period July - December 2010 are contained in Appendix B of this report.

### **2.2.2 ENSURING TRANSPARENCY AND ACCOUNTABILITY IN NUSAF II**

The Lord's Resistance Army (LRA) activities took a tremendous toll on the population and the economy of the northern region, making it the poorest region in Uganda. The gap between the North and National poverty level widened from 17% in 1992 to 30% in 2005/6.

To alleviate the poverty level in the region, a US Dollar 100 million - **Northern Uganda Social Action Fund Project (NUSAF I)**, funded by IDA as part of GOU broader Northern Uganda Reconstruction Programme was launched in February, 2003 and closed in March, 2009.

Although NUSAF I made a significant contribution, widespread poverty, vulnerability and service delivery challenges remained. Hence NUSAF II is expected to contribute to resolving some of the challenges by building on the lessons learnt in NUSAF I.

One of the Sub-components of NUSAF II is Transparency, Accountability and Anti-Corruption Programme (TAAC). This component is aimed at strengthening

transparency, accountability and anti-corruption in the north using the project as an entry to the development of improved system for use by the communities, local authorities and others with a mandate to promote improved governance in development.

To ensure independence, the (TAAC) sub-component is being implemented by the Inspectorate of Government which is expected to use both enforcement and preventive/proactive measures.

In the reporting period, the following TAAC activities were undertaken by IG:-

- IG has sensitized stakeholders through workshops and radios on implementation of NUSAF II and IG role in ensuring Transparency, Accountability and integrity in implementation of the programme.
- Various papers on implementation of NUSAF II have been presented to District Trainers (TOTs), members of District Executive Committees, members of Sub-county, Executive Committees, Technical staff and Extended Participatory Rural Appraisal (EPRA) facilitators for NUSAF II by IG staff.
- IG hosted a team from the World Bank, Office of the Prime Minister, AVSI, DFID and UNHCR who were assessing and evaluating the office's preparedness to handle the TAAC component and there after the office participated in a NUSAF II workshop organized by the same team in Soroti.
- IG staff have been hosted on various radio stations to talk about implementation of NUSAF II and the implementation by the IG of the Transparency, Accountability and Anti-Corruption (TAAC) component.
- A few investigations on complaints regarding mismanagement of NUSAF II have been carried out and completed.

## 2.3 ARRESTS MADE

The IG has powers to arrest or cause arrests of people who investigations reveal to have engaged in offences involving corruption and abuse of office or authority, or who for no good reason refuse or ignore to respond to IG summons. During the period under review, the following officials were arrested and are being prosecuted in various courts of law.

TABLE III

### ARRESTS EFFECTED BETWEEN JULY - OCTOBER 2010

S/N	REFERENCE	TITLE OF ACCUSED	OFFENCE(S)
1.	FP/CF/04/07	Esau Willy Nsbabiirwe, DEO, Bundibugyo District.	Abuse of office, causing financial loss.
2.	FP/CF/04/07	Joshua Byomukama, former Sub-county Chief Ndugutu in Bundibugyo District (Clerk to Council)	Abuse of office, causing financial loss.
3.	JNJ/08/07/10	Mutesi Harriet, Police Officer, CPS, Kamuli Police Station, Kamuli District.	Corruptly soliciting and receiving gratification.
4.	TS.136.2008	Bugeza Joseph, Councillor for Goma Sub-county in Mukono District.	Warrant of arrest for disobedience of summons on inquiry on abuse of office.
5.	TS.82.2010	Asiimwe Vincent, Secretary Land Board, Kibaale District Local Government.	Abuse of office, corruption, false claim by officials.
6.	ARU/CF/29/08	Onzu Musa Ismail, Ag. Chief Administrative Officer, Koboko District Local Government.	Embezzlement and corruption.
7.	ARU/CF/29/08	Banda Josiah, Chief Finance Officer, Koboko District Local Government.	False claim by officials.
8.	ARU/CF/29/08	Zainab Khemis, Senior Accounts Assistant, Koboko District Local Government.	Embezzlement, corruption, false claim by officials.
9.	KBL/CF/11/09	Dr. Sebudde Stephen, District Medical Officer, Kanungu District Local Government.	Embezzlement and false accounting by public officer.
10.	KBL/CF/11/09	Sandibiri Peter, Engineer, Kanungu District Local Government.	Embezzlement and false accounting by public officer.
11.	GUL/CF/16/10	Otto W. Francis, Water Officer, Pader District Local Government.	Corruption, bribing a public officer.
12.	KBL/CF/04/10	Mweheire Constance, Accounts Assistant, Kanungu District Local Government.	False accounting by public officer.

S/N	REFERENCE	TITLE OF ACCUSED	OFFENCE(S)
13.	TS.95.2009	Ategeka James, Health Assistant, Kampala City Council, Nakawa Division.	Embezzlement and false accounting by public officer.
14.	ARU/CF/29/08	Bagarukayo Charles, Computer Operator, Ministry of Finance, Kampala.	Corruption.
15.	TS.35.2010	Catherine Lubega, Records Officer, Local Government Finance Commission.	Failure to honour summons.
16.	TS.56.2010	Yedidah Biribonwa Sentongo, Principal Mulago Hospital	Abuse of office, diversion of public resources.
17.	GUL/CF/16/10	Wilfred Nyeko, District Community Development Officer, Pader District.	Abuse of office, diversion of public resources.
18.	TS.73.2005	Nestor Machumbi Gasasira, Principal Accountant in Public Service of Uganda.	Illicit enrichment.
19.	HMA/CF/06/2010	Muhereza Christopher Tibemanya, Senior Community Development Officer, Masindi District.	Abuse of office, causing financial loss and corruption.
20.	MBR/CF/27/2008	Asiimwe Annah, Assistant Chief Administrative Officer, Isingiro District.	Forgery
21.	LIR/CF/03/2010	Acuman Godfrey, Bursar, Lango College in Lira District.	Embezzlement, False accounting by public officer and Abuse of office.
22.	LIR/CF/03/2010	Adimo Alaba Mark, Headmaster, Kaabong Senior Secondary School, Kaabong District.	Embezzlement and abuse of office.
23.	Gulu	Constable Odongo Quinto	Soliciting a bribe.
24.	ARU/CF/28/2008	Abiriga John, Senior Accounts Assistant, Adjumani District.	Soliciting a bribe.
25.	ARU/CF/20/2007	Aluma Joseph, Librarian.	Forged documents
26.	ARU/CF/2003	Gule Musa Nuru	Illegal sale of an access road to the abattoir.

## 2.4 PROSECUTIONS

### 2.4.1 Introduction:

The powers of the Inspectorate of Government to prosecute or cause prosecution of cases involving corruption and abuse of office are derived from the Constitution of the Republic of Uganda which provides in Article 230 that:

*“The Inspectorate of Government shall have power to investigate, cause investigation, arrest, cause arrest, prosecute or cause prosecution in respect of cases involving corruption, abuse of authority or of public office”.*

During the period under review, IG prosecuted one hundred and sixteen (116) cases, out of which ninety (90) were carried forward from the previous period and twenty six (26) were new cases registered in courts of law during the reporting period. Thirteen (13) cases resulted into conviction, including five (5) appeals that were convictions upheld, three (3) were acquittals, including one (1) appeal, eight (8) withdrawals, one (1) case abated and four (4) cases were dismissed but re-instated.

Below is a summary of cases that were prosecuted during the period and their status.

TABLE IV:

**SUMMARY OF FINALISED PROSECUTION CASES DURING THE PERIOD JULY - DECEMBER 2010**

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED	OUTCOME
1.	Bwire Ssali, Office Attendant DPP's office, Bugiri.	JNJ-CR-20-2010	Soliciting and receiving a gratification.	Convicted.
2.	Chemisto Alfred, former Town Clerk, Kapchorwa, Swami Martin a former Accounts Assistant, Sammy Nelson former Treasurer, Kapchorwa Town Council and Andrew Kulany, a businessman.	KAP-CO-128-2008	Abuse of office, causing financial loss and theft.	Convicted, the three and Andrew Kulany was acquitted.
3.	Dr. Ogaram, Commissioner Labour and Wasswa, Labour Officer, Kampala.	BUG-CR-413-2007	Abuse of office.	Dismissed and re-instated.
4.	Cheptuke Kaye David, Grade I Magistrate, Kisoro.	ACD-CSC-121-2010	Soliciting and receiving a gratification.	Convicted.
5.	Kayongo Male, former Chief Administrative Officer Kiboga and Akuta Oluput, former Chief Finance Officer, Kiboga.	KBG-CR-365-2007	Abuse of office, causing financial loss, embezzlement and false accounting by public officials.	Dismissed and re-instated.
6.	Abiriga John, Senior Accounts Assistant, Adjumani Town Council.	ACD-CSC-44-2010	Bribing a Government Officer.	Convicted.
7.	Chebet Wilfred, former Town Clerk, Kapchorwa	KAP-CO-CR-0001-2010	Abuse of office, forgery and uttering false	Convicted.

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED	OUTCOME
	Town Council.		document.	
8.	Onegi Obel, former Chairman Board of Directors NSSF.	HCT-00-ACD-CSC-153-2010	Causing financial loss, abuse of office and corruption.	Dismissed but re-instated.
9.	Stanley Mugenyi	MBR-075-09	Corruptly soliciting and receiving a bribe.	Convicted.
10.	Masaba Richard	MBL-511-2010	Abuse of office, causing financial loss and forgery.	Acquitted.
11.	Amuge Angela, Court Clerk, Kayunga.	MKN-060-2010	Soliciting and receiving a bribe.	Convicted.
12.	Sandibiri Peter, Water Officer, Kanungu.	CSC-151-2010	Embezzlement and false accounting by public officer.	Convicted.
13.	Silas Katonyera, former Financial Officer, ASPS-DANIDA	ACD-CSC-83-2010	Embezzlement.	Dismissed but re-instated.
14.	Mugyema Grevas, Cadet ASP and Munonya Emmanuel, Detective Police Officers.	CR-748-2009	Corruptly soliciting and receiving a gratification.	Withdrawn.
15.	Mugabi Pius Katuramu, Senior Water Officer, Kabarole District Local Government and Nkojo Robert, Chief Finance Officer Kabarole and Kalibwanyi Solomon Ag. CAO Kabarole.	FTP-CO-121-2010	Embezzlement and abuse of office.	Withdrawn.
16.	Dr. Mudioppe Peter, former Medical Superintendent, Busolwe Hospital, Tororo.	TOR-CC-309-2007	Embezzlement, causing financial loss and abuse of office.	Acquitted.
17.	Tumushangye Dismas, Rushenyi County Water Officer.	MBR-CR-0986-2007	Causing financial loss and abuse of office.	Withdrawn.
18.	Mpaata Saleh, District Internal Auditor Mayuge District.	ACD-CSC-462-2010	Forgery and uttering a false document.	Withdrawn.
19.	Lugumya Monday, L.C. III Chairperson, Kyotera Town Council.	MSK-129-2010	Embezzlement and abuse of office.	Withdrawn.
20.	Rubaihayo Stephen, Kalibwanyi Solomon and Mugarura Edward A1 Assistant CAO, A2 CAO and A3, Court Bailiff.	FTP-CO-122-2010	Embezzlement and abuse of office.	Withdrawn.

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED	OUTCOME
21.	Basaba Samuel, Senior Accounting Officer, Kabarole Local Government.	FTP-CR-318-2010	Embezzlement and false accounting by public officer.	Withdraw
22.	Mweheirwe Constance, Store Keeper Kanungu.	CSC-149-2010	Embezzlement.	Withdrawn
23.	Bindeba Godfrey Christmas, Grade II Magistrate, Kajjansi.	BUG-CR-43-2010	Soliciting and receiving a gratification.	Abated.

**TABLE V: SUMMARY OF CRIMINAL APPEAL CASES CONCLUDED DURING THE PERIOD JULY - DECEMBER 2010**

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED	OUTCOME
1.	Bongomin Richard Akal, Senior District Planner, Pader.	PDR-CO-166-2008	Abuse of office, causing financial loss, Embezzlement, forgery of documents, falsifying documents and uttering false documents.	Conviction upheld on appeal.
2.	Bwanika Godfrey and others	HCT-JNJ-CSC-7-2007	Causing financial loss, embezzlement, abuse of office and fraudulent accounting by a public officer.	Conviction upheld on appeal.
3.	Achiga Chaiga, District Engineer, Moyo District.	HCT-ACD-7-2010	Abuse of office and causing financial loss.	Conviction upheld on appeal.
4.	Gashenyi John Wycliffe, Town Clerk Kiboga.	HCT-ACD-CA-10-2010	Abuse of office and neglect of duty.	Conviction upheld on appeal.
5.	Achiga Chaiga, District Engineer, Moyo District.	HCT-ACD-CSC-5-2010	Abuse of office and causing financial loss.	Conviction upheld on appeal.
6.	Franklyn Kansiime	HCT-ACD-15-2009	Embezzlement, causing financial loss and abuse of office.	Acquitted

**TABLE VI**

**ON-GOING PROSECUTION CASES BY THE END OF DECEMBER 2010**

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED
1.	Onegi Obel, former Chairman Board of Directors NSSF.	HCT-ACD-CSC-153-2010	Causing financial loss, abuse of office and corruption.
2.	Ganafa George, Goma Sub-county Accountant.	MKN-CR-CO-878-08	Embezzlement and abuse of office.
3.	Akankwasa Damian, former	ACD-CR-70-2010	Abuse of office and causing

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED
	Executive Director NFA and others.		financial loss.
4.	Twine Naboth, former Headteacher Kitamba Primary School, Kazo Mbarara.	MBR-CR-1138-2009	Abuse of office and causing financial loss.
5.	Bakera Stephen, Officer in charge of salaries, Jinja Referral Hospital.	JNJ-CR-290-2008	Abuse of office and causing financial loss.
6.	Akuta Olupot, former Chief Financial Officer, Kiboga district, Kateregga Mustapha, former Acting District Accountant and Kyeyune Mohammed, former Acting District Accountant.	KBG-CR-CC-222-2007	Abuse of office, causing financial loss and Embezzlement.
7.	Muhereza Christopher Tibenya, Senior Community Development Officer, Masindi.	CR-184-2010	Causing financial loss, false accounting by public officer, corruption and abuse of office.
8.	Wonyema James Masaba, Assistant Town Clerk, Mbale.	MBL-CR-CO-801-2007	Abuse of office and causing financial loss.
9.	Nyeko Wilfred, Community Development Officer, Pader.	CR-179-2010	Diversion of public resources and abuse of office.
10.	Rose Ochom, former CAO Kumi, Johnson Opolot, former Assistant CAO, Charles Okalebo, former Principal Accounts Assistant, Amos Stanley Omongo, former Internal Auditor and Benjamin Ailak, former DEO Kumi District.	CR-CO-412-2008	Abuse of office and causing financial loss.
11.	Nabeta Tibiita Joseph, Primary School teacher, Kiyagi Primary School, Mukono.	BUG-CR-382-2006	Embezzlement.
12.	Omagor Dick Mark, former Personnel Officer, Mbale Regional Referral Hospital.	CR-134-2010	Abuse of office and causing financial loss.
13.	Tumushangye Dismas, Assistant Engineering Officer of Ntungamo district.	MBR-CR-CO-0970-2006	Abuse of office, causing financial loss and Embezzlement.
14.	Asiimwe Anna T, Assistant Administrative Officer, Isingiro Local Government.	CSC-185-2010	Uttering false documents and false information.
15.	Ozelle Eriam, District Engineer, Kura Vasco, Education Officer, Okite George, Engineering Assistant, Okech Oloya, Sub-county Chief and Iwupat David, a Headmaster.	NBB-CC-0169-2006	Abuse of office and causing financial loss.

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED
16.	John Rubabanza and Syson Kekuruso 1. John Rubabanza, Deputy DISO Mpigi District. 2. Syson Kekuruso, Lawyer and Resident in Kampala District.	BUG-CR-711-2007	Forgery and uttering false document.
17.	Oboth S.P.O., former CAO, Tororo.	TOR-CC-106-2007	Causing financial loss and abuse of office.
18.	Proscovia Mbabazi, Goma Sub-County Cashier in Mukono District.	MKN-CR-819-2008	Embezzlement and abuse of office.
19.	Matovu Emmanuel, former Prisons Commander, Mukono District.	MKN-CR-251-2007	Causing financial loss and abuse of office.
20.	Apumwize Nads, District Economist of Kabale District.	KBL-CO-493-2006	Causing financial loss, false accounting and embezzlement.
21.	Gizibui Sam, Sub-county Chief, Buwalasi Sub-county and Mataka Geoffrey, the Sub-Accountant, Sironko District.	MBL-32-CV-34-2008	Abuse of office, causing financial loss, Embezzlement and false accounting by a public officer.
22.	Gamusi Ronald, Teacher Bishop Primary School.	BUG-CR-0358-2009	Causing financial loss.
23.	Mutesi Harriet, Detective Police Constable attached to CPS, Kamuli.	CSC-117-2010	Corruptly soliciting and receiving a gratification.
24.	Musinguzi Balaam, Assistant Agricultural Officer, Ntungamo and Faith Najjuko, Cashier Mbarara National Agricultural Research centre.	MBR-CR-0969-2006	Causing financial loss, abuse of office and false accounting.
25.	Bufumbo Moses, Headteacher Namulonge Primary School Mpigi district.	NK-CR-71-2004	Causing financial loss, abuse of office and making false claims.
26.	Adimo Alaba Man and Auma Godfrey, A1, Headteacher Kabong S.S.S, A2, Bursar Lira.	ACD-192-2010	Embezzlement and abuse of office.
27.	Muwonge Andrew, Secretary, Eflance Kiwanuka, Ag. Secretary, David Ssalongo Kanakulya, Head of Finance, Sebunya Herbert, Internal Auditor, Suzan Wanume, Senior Assistant Electoral Officer and Aida Nankumba, Assistant Electoral Officer, all former employees of the Uganda Electoral Commission.	BUG-CR-1695-2001	Causing financial loss and abuse of office.

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED
28.	Nyete Japheth, Health Inspector, Water Department, Ntungamo District.	MBR-CR-1045-2007	Causing financial loss, false accounting and abuse of office.
29.	Acuma Godfrey, Bursar, Lira Town College.	CSC-180-2010	Embezzlement, abuse of office, false accounting by a public officer.
30.	Godfrey Ntale, Personal Assistant to the Vice Chairman D.P.	JNJ-CR-048-2010	Soliciting and receiving a gratification.
31.	Inziku Paul, former Ag. Town Clerk, Arua Municipal Council and 2 others	ARUA-CR-0117-2010	Abuse of office and causing financial loss.
32.	Toko Aleni, Accounts Assistant, Arua.	ARUA-CR-0117-2010	Abuse of office and causing financial loss.
33.	Okongo Denis Assistant Town Clerk Gulu Municipal Council and Kilara Benson, Deputy Mayor Gulu Municipal Council.	GUL-CR-1619-2009	Abuse of office, and causing financial loss.
34.	Tumushangye Dismas, Assistant Engineering Officer of Ntungamo district.	CR-493-2010	Causing financial loss, Embezzlement, Abuse of office and false accounting by a public officer.
35.	Yotaliwa Eunice, Accounts Assistant, Iganga.	IG-CR-CS-130-2010	Abuse of office and causing financial loss.
36.	Akankwasa Damian, former Executive Director NFA and others.	ACD-CR-70-2010	Abuse of office and causing financial loss.
37.	Tumushangye Dismas, Assistant Engineering Officer of Ntungamo district.	MBR-CR-0970-2006	Causing financial loss, embezzlement, abuse of office and Embezzlement.
38.	Uganda -Vs- Okitwi Odutu, Magistrate G.II, Jinja.	CSC-118-2010	Corruptly soliciting and receiving a gratification.
39.	Tumushangye Dismas, Assistant Engineering Officer of Ntungamo district.	CR-492-2010	Causing financial loss, Embezzlement, Abuse of office and false accounting by a public officer.
40.	Nestor Machumbi Gasasira, Principal Accountant in Public Service of Uganda.		Illicit enrichment.
41.	Okuku Waida Steven, State Prosecutor KCC City Hall Court, Kampala and Ngobi George, Law Enforcement Officer KCC, George Prosecutor at KCC, Kampala.	BUG-CR-57-2010	Soliciting and receiving a gratification.
42.	David Nyimbwa Kiyingi, Assistant Commissioner for Procurement, MOFED, formerly of MOES.	CSC-34-2010	Abuse of office and causing financial loss.
43.	Eng. W. Otto, District Water Engineer, Gulu.	ACD-CSC-147-2010	Offering a bribe and giving a bribe.

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED
44.	Ekungu Simon Peter, Sub-county Chief, Ngora Sub-county, Kumi District.	SRT-CO-283-2010	Corruption.
45.	Odong Christopher, Assistant Town Clerk, Gulu Municipal Council.	ACD-CSC-462-2010	Causing financial loss and false accounting.
46.	Rwabukuku Joseph, former Ag. CAO Kabarole.	FTP-CO-123-2010	Abuse of office and causing financial loss
47.	David Chandi Jamwa, former Managing Director (CEO), NSSF.	ACD-CSC-87-2010	Causing financial loss and abuse of office.
48.	Sister Kakongoro Beatrice, Senior Nursing Officer, Masindi District.	MSD-CR-CO-032-2010	Embezzlement.
49.	Tumushangye Dismas, Assistant Engineering Officer of Ntungamo district.	CR-491-2010	Causing financial loss, Embezzlement, Abuse of office and false accounting by a public officer.
50.	Justine Ocan, LC V Councillor Pajule Sub-county, Pader District.	ACD-CSC-88-2010	Abuse of office and conflict of interest.
51.	Eng. Kinyera Isaac, District Engineer Pader District.	ACD-CSC-89-2010	Abuse of office.
52.	Onzu Ismail and 3 others, CAO, Koboko, Zainab Khemis, Accounts Assistant, Koboko, Bagarukayo Charles, Computer Supervisor in Ministry of Finance.	ACD-CSC-127-2010	Embezzlement, Corruption and false claim.
53.	Allan Nayenga, Police Constable attached to Kamuli Police Station.	JNJ-CR-CO-457-2010	Soliciting for and receiving gratification.
54.	Yedida Biribonwa Sentongo, Principal, Mulago School of Nursing and Midwifery.	CR.SC 174/2010	Abuse of office and causing financial loss.
55.	Namirembe Philomena, Sub-county Chief/Senior Assistant Secretary, Mpigi District.	ACD-CSC-68-2010	Soliciting and receiving a gratification.
56.	Odoch Willy, Businessman/ Supplier Agent of ODFA Holdings Ltd, Odongo Okino the Financial Controller, the Northern Uganda Reconstruction Programme and Martin Gwokto, former CAO, Arua district.	BUG-CR-792-1999	Abuse of office, causing financial loss, obtaining money by false pretence, forgery of documents and uttering false documents.
57.	Major General Muhwezi Jim, former Minister of Health, Captain Mike Mukula, Dr. Kamugisha Alex and Ms. Alice Kaboyo - Former State Ministers of Health and an Aide in President's Office.	ACD-CSC-97-2010	Embezzlement, causing financial loss and abuse of office.

S/N	NAME OF ACCUSED	COURT REFERENCE NUMBER	OFFENCE COMMITTED
58.	Akankwasa Damian, former Executive Director NFA.	ACD-CSC-69-2010	Abuse of office and causing financial loss.
59.	Ategeka James, Health Assistant, Nakawa Division, KCC.	ACD-CSC-152-2010	Embezzlement and false accounting.
60.	Ssebudde Stephen, Medical Officer, Kanungu.	CSC-131-2010	Embezzlement and false accounting.
61.	Odong Christopher, former Advisor Restoration of Agriculture Livelihood in Northern Uganda Component.	ACD-CSC-462-2010	Causing financial loss and false accounting.
62.	Odong Christopher, former Advisor Restoration of Agriculture Livelihood in Northern Uganda Component.	ACD-CR-136-2010	Causing financial loss and false accounting.
63.	Odong Christopher, former Advisor Restoration of Agriculture Livelihood in Northern Uganda Component.	CR-135-2010	Causing financial loss and false accounting.
64.	Odong Christopher, former Advisor Restoration of Agriculture Livelihood in Northern Uganda Component.	CR-138-2010	Causing financial loss and false accounting.
65.	Nyete Japheth, Health Inspector, Water Department, Ntungamo District.	MBR-CR-1046-2007	Causing financial loss, false accounting and abuse of office.
66.	Nyete Japheth, Health Inspector, Water Department, Ntungamo District.	MBR-CR-988-2007	Causing financial loss, false accounting and abuse of office.
67.	Kayongo Male, former CAO, Kiboga and Akuta Olupot, former CFO, Kiboga.	KBG-CR-365-2007	Abuse of office, causing financial loss, embezzlement and false accounting by public officials.

TABLE VII

APPEALS DURING THE PERIOD JULY - DECEMBER 2010

S/N	NAME OF APPELLANT OR RESPONDENT	COURT REFERENCE NUMBER	OFFENCE COMMITTED
1.	Eng. Sentumwe and Eng. Mugisha Shilling -Vs- Uganda	COA-CA-32-2005	Corruption, abuse of office and conspiracy to defeat justice.
2.	Uganda -Vs- Bagalana Suleiman, Agricultural Extension Coordinator Jinja, Criminal Appeal 14/2007.	HCT-JNJ-CA-14-2007	Charges of abuse of office and false accounting by public officer.
3.	Bwanika Godfrey and two others -Vs- Uganda.	HCT-JNJ-CSC-7-2007	Causing financial loss, embezzlement and abuse of

S/N	NAME OF APPELLANT OR RESPONDENT	COURT REFERENCE NUMBER	OFFENCE COMMITTED
			office.
4.	Cheptuke Kaye David -Vs- Uganda, Magistrate Grade I, Kisoro.	HCT-CSC-121-2010	Corruptly soliciting and receiving a gratification.
5.	Mwanja Charles -Vs- Uganda District Prisons Commander, Kasese.	CR-APP-005-2010	Abuse of office and causing financial loss.
6.	Uganda -Vs- Epaju Pius, Town Clerk, Pallisa Town Council.	CR-APP-25-2008	Embezzlement, causing financial loss and abuse of office.
7.	Ndifuna Moses -Vs- Uganda M Grade II, Mbarara.	COA-CR-205-2009	Soliciting and receiving a bribe.
8.	Uganda -Vs- Eng. P.K. Waiswa, District Engineer, Iganga District.	CR-482-2006	Causing financial loss and abuse of office.
9.	Uganda -Vs- Eng. Wanjusi Fabian, District Engineer, Iganga District.	CR-481-2006	Causing financial loss and abuse of office.
10.	Uganda -Vs- Turyamwesiga Vance, District Engineer, Kabale Local Government.	0494-2006	Causing financial loss and convicted for abuse of office.
11.	Uganda -Vs- Epaju Pius, Town Clerk, Pallisa Town Council.	CR-APP-24-2008	Embezzlement, causing financial loss and abuse of office.
12.	Sabila Herbert, Sammy Nelson and Chelimo Nathan - Vs- Uganda MP Tingey County, A2 Treasurer Kapchorwa Town Council, Privately employed as an Education Consultant.	HCS-COA-CR-22-2010	Corruption charges.
13.	Stanley Mugenyi -Vs- Uganda Principal Staff Surveyor, Mbarara District Land Office.	CR-076-2009	Abuse of office and corruptly soliciting and receiving a gratification.
14.	Bongomin Richard Akal -Vs- Uganda.	CR-166-2008	Embezzlement, abuse of office, false accounting, forgery and uttering false document.
15.	Kobusinge Margaret and Wanyana -Vs- Uganda Senior Economist/Desk Officer in charge of the Water and Sanitation Sector with Ministry of Finance, A2 was a Senior Assistant Engineering Officer with Ministry of Works.	COA-CR-30-2008	Abuse of office.
16.	Okello and others -Vs- Uganda	HCT-ACD-008-2010	Embezzlement, causing

S/N	NAME OF APPELLANT OR RESPONDENT	COURT REFERENCE NUMBER	OFFENCE COMMITTED
			financial loss and abuse of office.
17.	Uganda -Vs- Senyondo Francis, Kapipa Isaac and Kabagambe Samuel.	Crim. Appeal No. 5 of 2010.	Abuse of office, causing financial loss and giving false certificates.
18.	Uganda -Vs- Maurice Robert Kairania, Kapipa Isaac and Pastor Bamwiterebye.	Crim. Appeal No. 4 of 2010.	Abuse of office and causing financial loss.
19.	Gashenyi John Wycliffe -Vs- Uganda.	COA-CR-APP-240-2010	Abuse of office.
20.	Chemisto A.M. , Sammy Nelson, Swami Martin - Vs- Uganda.	COA-CSC-APP-205-2010	Abuse of office and causing financial loss.

#### 2.4.2 Constraints encountered by the Inspectorate of Government in Prosecution of Cases

##### Internal factors

- ***Inadequate facilitation***

- (a) Funds for fuel, subsistence and witness allowance are still limited and sometimes late in coming, making it difficult to carry out prompt prosecutions especially in upcountry courts.
- (b) There are no sufficient funds to cater for continuous training and improved motivation.

- ***Limited Legal reference materials***

The Inspectorate Library has limited reference materials. The situation has not improved in the period under review.

##### External factors

Although the Inspectorate of Government continues to face problems associated with court delays and hostile witnesses in some cases, IG is happy to note that cases that

have been referred to the Anti-Corruption Division of the High Court have been expeditiously handled.

### 2.4.3 FUTURE PLANS

- The quality of prosecutions is to be improved through both on-job practical training and skills development courses for the prosecutors, attachment to other prosecuting agencies.

### 2.4.4 CIVIL CASES

As part of its mandate and functions, the Inspectorate of Government handles civil suits, constitutional petitions and any other civil applications that are instituted by or against the Inspectorate of Government in Courts of Judicature. These include; Civil Suits, Civil Applications, Constitutional Petitions, Constitutional Applications and Mediation Proceedings.

For the period under review, (July - December 2010), the Inspectorate of Government handled a total of thirty (30) civil cases which included:-

- Twenty five (25) civil applications.
- Four (4) civil suits.
- One (1) Arbitration and Mediation Proceeding.

### 2.4.5 SUMMARY REPORT OF THE CIVIL CASES HANDLED DURING THE PERIOD JULY - DECEMBER 2010 AND THEIR STATUS

TABLE VIII:

#### SUMMARY OF ON-GOING CIVIL CASES DURING THE PERIOD JULY - DECEMBER 2010

NO.	CASE REF.NO.	NAME OF THE PARTIES	CAUSE OF ACTION	STATUS
1.	HCCS NO. 349/2007	Dr. Arinaitwe and 37 others versus the Inspectorate of Government.	The IG was sued by its 38 former employees seeking to recover Ug.shs.686,972,828.80/= and general damages for the purported unlawful termination of their	Waiting for a hearing date to be fixed by Court.

NO.	CASE REF.NO.	NAME OF THE PARTIES	CAUSE OF ACTION	STATUS
			employment contracts by the IG.	
2.	HCCS NO. 223/2009	Mohammed Saru t/a Moonlight Transporters versus Jinja Central Division Council and the Inspectorate of Government.	The IG was served with a 3 <sup>rd</sup> Party notice for the indemnification of Jinja Central Division of Ug. Shs.283,653,557 arising out of an order made by the IG to cancel a building contract between Jinja and the plaintiff.	Waiting for court to fix a scheduling conference.
3.	Miscellaneous cause No. 36/2010	Paulo Musoke versus the Inspectorate of Government.	The applicant is challenging the IGG's directive barring him to execute the duties of the Chairperson LC III of Njeru Town Council arising out of a report which established that he had not declared his Assets and wealth as LC III Chairperson.	Waiting to be served with a hearing notice.
4.	Miscellaneous cause No. 53/2010	Wakiso Transporters and 5 others versus the Inspectorate of Government and Wakiso District Local Government.	Application challenging the IG report which recommended cancellation of the applicant's tenders with Wakiso District Local Government.	Hearing of the case has been fixed on the 6 <sup>th</sup> April, 2011.
5.	Misc. Application No. 62/2009	Mudangi Zaddock and Mariam Lumonya versus the Inspectorate of Government.	Judicial review application challenging the IG report and the recommendations made against the applicants.	Waiting for a hearing notice.
6.	Misc. Application No. 007/2010	Inspectorate of Government versus Wereba Kiara Amos and Attorney General.	Application filed by the IG to be joined as a 2 <sup>nd</sup> defendant, since the dismissal of the 1 <sup>st</sup> respondent was recommended by the IG.	IG is yet to apply for a hearing date to be fixed.
7.	Miscellaneous cause No. 41/2010	Dr. Wasswa Balunywa and Makerere University Business School versus the Inspectorate of Government.	Judicial review application seeking court to quash the IG report which recommended to the Education Service Commission to rescind the appointment of Mr. Wasswa Balunywa as Principal of MUBS.	Waiting for a hearing date to be fixed by court.

NO.	CASE REF.NO.	NAME OF THE PARTIES	CAUSE OF ACTION	STATUS
8.	Misc. Application No. 009/2009	Joe Mukisa versus the Inspectorate of Government , Rakai District and Attorney General	Application challenging the IG report and recommendations seeking to remove the applicant/Speaker from the office of the Speaker for abuse of office and misconduct.	This case will be coming up for further hearing on 18 <sup>th</sup> April, 2011.
9.	Miscellaneous cause No. 07/2010	Mawerere Tonny versus Jinja Municipal Council and the Inspectorate of Government.	This application is seeking court to quash the IG report and recommendations directing the cancellation of the allocation of a road reserve to the applicant to construct buildings thereon.	First hearing of this case is due on the 28 <sup>th</sup> March, 2011.
10.	Misc. Application No. 060/2009	Francesca Mugisha versus the Inspectorate of Government and Kisoro District Local Government	Application challenging the directive of the IG to dismiss the applicant from the service of Kisoro District Service Commission for abuse of office and forgery.	Hearing was concluded and the matter is pending delivery of the judgement.
11.	Misc. Application No. 225/2010	The Inspectorate of Government versus Nester Gasasira	Application filed by the IG seeking for a stay of execution of the order <u>vide</u> C.A. No. 62/2009 which was decided against the IG, pending the final determination of the pending appeal by the IG .	Waiting for hearing date to be fixed.
12.	Miscellaneous cause No. 07/2007	Godfrey Lwasa versus the Inspectorate of Government.	Application seeking court to compel the IG to pay the applicant a reward of 5% of the amount of money allegedly recovered by the Government basing on the information supplied by the applicant as an informer.	First hearing of the case is due on the 5 <sup>th</sup> April, 2011.
13.	Misc. Application No. 579/2008	Kanakulya Ibrahim versus the Inspectorate of Government.	Judicial review applications challenging the IG report and the recommendations made against the applicant.	Waiting for a hearing notice to be served.

TABLE IX

SUMMARY OF THE CONCLUDED CIVIL CASES DURING THE PERIOD JULY - DECEMBER 2010

NO.	CASE REF. NO.	NAME OF THE PARTIES	CAUSE OF ACTION	OUT COME
1.	Miscellaneous cause No. 262/2010	Wakiso Transporters and 5 others versus the Inspectorate of Government and Wakiso District Local Government.	Application for an injunction restraining the IG and others from implementing the recommendations contained in the report until the determination of the main application for Judicial review.	Injunction granted by court.
2.	Miscellaneous cause No. 26/2010	Hajji Edrisa Mutaasa and 4 others versus the Inspectorate of Government and Lyantonde District Local Government.	Application seeking court to issue an injunction restraining the 2 <sup>nd</sup> respondent from removing the applicants from their employment as members of Lyantonde District Service Commission until the final determination of the main application for Judicial review	Injunction granted by court.
3.	Miscellaneous cause No. 219/2010	Damian Akankwasa versus the Inspectorate of Government.	Application seeking court to issue an injunction restraining the IG from prosecuting the applicant for the offences arising out of the IG report on National Forestry Authority until the determination of the main application for Judicial review.	Injunction granted by court.
4.	Miscellaneous cause No. 256/2010	Inspectorate of Government versus Damian Akankwasa	Application filed by the IG seeking court to set aside the injunction which was granted by court stopping the IG from prosecuting the applicant.	Case was not heard since it was over taken by the hearing of the main application for Judicial review.
5.	Misc. Application No. 0051/2010	Nkojo Robert and 3 others versus Sydney Asubo, Raphael Baku and Attorney General.	Application for Judicial review seeking court to quash the prosecution of the applicants by the IG.	Withdrawn and dropped against Sydney Asubo and Raphael Baku.

NO.	CASE REF. NO.	NAME OF THE PARTIES	CAUSE OF ACTION	OUT COME
6.	Miscellaneous cause No. 0052/2010	Rubaihayo and 3 others versus Sydney Asubo, Raphael Baku and Attorney General.	Application challenging the prosecution of the applicants by the IG.	Withdrawn and dropped against Sydney Asubo and Raphael Baku.
7.	Miscellaneous cause No. 539/2010	Liver Cot Impex Ltd. Versus the Inspectorate of Government and Your Choice Ltd.	Judicial review application seeking court to quash the IG report regarding ownership of land at Namanve Industrial Business Park.	The IG was dropped and Attorney General took over conduct of the case.
8.	C.S. No. 223/2009	Mohammed Saru t/a Moonlight Transporters versus Jinja Central Division Council and the IG (3 <sup>rd</sup> Party).	The IG was served with a 3 <sup>rd</sup> Party Notice intended to indemnify the 1 <sup>st</sup> Defendant should the case be decided against it, having acted on the directives of the IG to cancel a building contract it has executed with the plaintiff. The matter was forwarded for arbitration.	The arbitration and mediation proceedings were abandoned when the suit was fixed to be heard by the Judge.
9.	Misc. Application No. 32/2010	Ssebudde Joseph versus the Inspectorate of Government.	Judicial review application seeking court to quash the IG report and recommendations made against the officials of Luwero District Local Government.	Application decided against the IG with costs.
10.	Civil Appeal No. 06/2008	Gordon Sentiba and 2 others versus the Inspectorate of Government.	This was an appeal from the decision of the Court of Appeal whereby court dismissed the Appeal by the Applicants against the respondent on points of law regarding the respondent's locus standi in this matter.	Case decided against the IG and no costs were awarded against the IG.
11.	Misc. Application No. 152/2010	Alfred George Abore versus the Inspectorate of Government and Attorney General.	Judicial review application was seeking court to quash the IG report and recommendations for the applicant to vacate his office as LC III	Application dismissed for being incompetent and time barred and costs were awarded to the respondents. IG has filed a bill of

NO.	CASE REF. NO.	NAME OF THE PARTIES	CAUSE OF ACTION	OUT COME
			Chairman for having breached the Leadership Code of Conduct and be prosecuted for embezzlement and abuse of office.	costs which is pending determination.
12.	Misc. Application No. 06/2010	Hajji Edrisa Mutaasa and 4 others versus the Inspectorate of Government and Lyantonde District Local Government.	Judicial review application was seeking court to quash the IG report which recommended the dismissal of the Applicants from the membership of Lyantonde District Service Commission for being incompetent.	Application dismissed by the Judge for being incompetent and costs were awarded to the IG. IG has filed a bill of costs.
13.	Misc. Application No. 114/2010	Inspectorate of Government versus Baswari Kezaala.	Taxation hearing of the applicant's bill of costs arising out of the Judicial review application which was decided against the IG with costs.	Successfully obtained an order staying the execution of the court ruling/order pending the final determination of the appeal.

TABLE X

SUMMARY OF THE CIVIL APPEALS DURING THE PERIOD JULY - DECEMBER 2010

NO.	CASE REF. NO.	NAME OF THE PARTIES	CAUSE OF ACTION	STATUS
1.	Civil Appeal No. 35/2009	American Procurement Co. Ltd (AMPROC) versus Attorney General and the Inspectorate of Government.	This Appeal arose out of C.S. No. 735/06 wherein the plaintiff had sued the Attorney General seeking to recover Ug. Shs. 4.6 billions as payment of a service contract. When the IG was joined to the suit, it was dismissed for being premature since the subject matter was under investigation by the IG.	Appeal filed by AMPROC in the Court of Appeal is pending hearing.
2.	Civil Appeal No. 63/2010	The Inspectorate of Government versus Hajji Mohammed Baswari Kezaala.	Appeal arising out of Misc. Application No. 28/2009. The IG report and recommendations to	Appeal filed by the IG in the Court of Appeal is pending hearing.

NO.	CASE REF. NO.	NAME OF THE PARTIES	CAUSE OF ACTION	STATUS
			prosecute the applicant for abuse of office, causing financial loss and vacation of the office of Mayor for breach of the Leadership Code were all quashed by Court and the IG was ordered to pay costs to the applicant.	
3.	Civil Appeal No. 91/2010	The Inspectorate of Government versus Eng. Thomas Mulondo.	In a judicial review application, court quashed the IG report made against the applicant to vacate the office of Chairperson of Kayunga District for having breached the Leadership Code Act.	Appeal filed by the IG in the Court of Appeal is pending hearing.
4.	Civil Appeal No. 98/2010	The Inspectorate of Government versus Nestor Machumbi Gasasira.	Court quashed the IG report and recommendations made against the applicants arising out of a breach of the Leadership Code Act.	IG filed an appeal in the Court of Appeal now pending hearing.

#### 2.4.6 CONSTRAINTS ENCOUNTERED BY THE IG IN LITIGATION OF CIVIL CASES

The recent pronouncement by the Supreme Court in Civil Appeal No. 06 of 2008 - Gordon Sentiba and 2 others versus the Inspectorate of Government, wherein the Supreme Court criticized the decision of the Constitutional Court in the case of IGG versus Kikonda Butema Farm Ltd and Attorney General (Constitutional Application No. 13/06) where the Constitutional Court held that the Inspectorate of Government was for all intents and purposes a Corporate body, was arrived at in error, has caused confusion in respect of the legal status of the Inspectorate of Government.

The confusion arises from the fact that although the Supreme Court criticized the decision of the Constitutional Court in the case of Kikonda Butema Farm, which was not appealed, it did not in specific terms reverse the Constitutional Court decision.



The Supreme Court also conceded in the same judgment that, the Inspectorate of Government can make applications to Court which implies that it can also respond to applications made against it in Court. The Inspectorate of Government is, therefore, awaiting opportunity to resolve this matter either through further judicial interpretation or legislation.

## CHAPTER THREE: IMPLEMENTATION OF OMBUDSMAN FUNCTION

### 3.0 INTRODUCTION

3.1 The Ombudsman function of the Inspectorate of Government is derived from Article 225(1) of the Uganda 1995 Constitution and Section 8 of the Inspectorate of Government Act, 2002. Both sections outline the functions of the Inspectorate of Government.

The Inspectorate of Government fulfills the Ombudsman function through investigation of maladministration and administrative injustice in public offices and recommends corrective actions.

3.2 During the period under review, the nature of complaints handled included;

- Employment disputes e.g. irregular recruitment, unfair dismissals, victimization and sexual harassment.
- Non-payment or delayed payment of salary, salary arrears, leave allowances, pension, gratuity and terminal benefits.
- Administration of estates.
- Property disputes.
- Irregularities in procurement procedures.
- Delay in handling complaints by some Government Institutions.

Ombudsman complaints during the reporting period accounted for 59.6% (621) of all complaints handled by the office. Eighty (80) of these complaints were investigated and completed while two (2) complaints were referred to other Institutions. Majority of these were against Ministry of Lands, Kampala office in particular the Acting Commissioner for Land Registration and Administrator General's department.

### 3.2.1 Challenges in implementation of Ombudsman functions

- Under funding of the IG slows down the pace of work; for instance inadequate transport to follow up complaints and inadequate office facilities like photocopiers, telephone/fax machines and computers.
- Understaffing which has led to a high officer/complaint ratio resulting in case backlog and work overload.
- Limited funding in Government departments negatively affects resolution of cases involving payment of salary arrears, pensions, terminal benefits, etc. It also causes delays in data retrieval due to lack of facilities like computers which are necessary for fast retrieval of data required by investigating officers.
- Some Institutions/officials are very bureaucratic and take unnecessarily long to provide the required information.
- There is poor record keeping in some Government Institutions and lack of computerized data, hence slowing down the investigations.
- Inadequate support and good will from other Government Institutions in the fight against corruption greatly slows down and frustrates the investigation process.

### 3.3 Specific recommendations to Government

- Action officers who ignore to implement IG recommendations, orders and directives for no good reason, should be summoned to answer before the relevant Parliamentary Committees.
- Government should adequately fund its departments to enable speedy resolution of payment related complaints and availability of adequate facilities like computers to ease information management.

- Government Departments should prioritise response to IG complaints to avoid being inconvenienced by issuance of summons/or warrants of arrests.

### 3.4 Policy and Systems Studies

Given that strengthening of institutions is a key anti-corruption measure, the Inspectorate of Government carries out studies into operations, policies, systems, procedure and legislation of various Government Departments and Institutions with a view of identifying weak areas that may be conducive to corruption and make recommendations for remedial measures. This is a preventive measure that the IG adopted in its overall strategy of promoting good governance and efficiency in public offices.

The institutions to be studied are selected on the basis of information the Inspectorate of Government receives in form of public complaints, media reports and periodic surveys.

During the period under review, IG carried out system studies in the following Government Institutions;

- (i) Management of Uganda Broadcasting Corporation
  - (ii) Study into causes of gratuity and pension arrears, Ministry of Public Service.
- The study into the management of Uganda Broadcasting Corporation will be completed and a report issued out by the end of January 2011.
  - The study on causes of pensions and gratuity arrears is on-going and should be completed by the end of March 2011.

### 3.4.1 Constraints encountered in Policy and System studies

In the course of conducting the above studies, numerous constraints were encountered; and they included the following;

- (i) Lack of co-operation from Government Departments that are subject of the studies. This is as a result of failure to distinguish a study from other investigations carried out by the institution.
- (ii) Lack of skilled manpower to handle system studies since it requires multi-disciplinary approach and a wider scope of inquiry.

### 3.4.2 Future Plans

- (a) IG intends to reduce the time taken to complete a system study in order to cover many more Government Departments.
- (b) IG also intends to conduct workshops for affected stakeholders to enable smooth implementation of its recommendations.

## **CHAPTER FOUR: ENFORCEMENT OF THE LEADERSHIP CODE**

### **4.0 The Constitutional Mandate to enforce the Leadership Code of Conduct**

Article 225(1) (d) and 234 of the Constitution of the Republic of Uganda, section 3 (1) of the Leadership Code Act 2002 and S.8 (1) (d) of the Inspectorate of Government Act, 2002 mandates the Inspectorate of Government to enforce the Leadership Code of Conduct.

The Leadership Code Act, 2002 provides for a minimum standard of behaviour and conduct for leaders; it requires all specified leaders to declare their Incomes, Assets and Liabilities to the Inspector General of Government. The Code prohibits conduct that is likely to compromise the honesty, impartiality and integrity of leaders or conduct that leads to corruption in public affairs and it imposes penalties on leaders who breach the Code.

Section 37 of the Leadership Code Act 2002, provides that the Inspectorate shall include in its Statutory Report to Parliament a report on its enforcement of the Code.

### **4.1 Activities carried out during the period July - December 2010**

#### **4.1.1 Verification of leaders' declaration of incomes, assets and liabilities and investigations of allegations of breaches of the Leadership Code**

4.1.2 During the period under review, out of the targeted twenty five (25) verifications/investigations, Fourteen (14) were completed. 115 properties of the leaders were physically verified in the Districts of Kampala, Wakiso, Njeru, Kyenjojo, Kabarole, Kisoro, Luwero, Kiruhura, Gulu, Jinja, Kamuli, Buyende, Pallisa, Mukono, Nebbi and Lira.

4.1.3 In one investigation and verification case;

A leader was required to refund a total of Ug.Shs.27,020,745/= for holding two jobs. So far Shs.20,000,000/= has been recovered and paid to the IG Asset Recovery Account. The balance is to be paid by end of February 2011.

4.1.4 In another investigation case;

A total of Shs.40,168,480/= and Shs.7,500,000/= are to be recovered from two leaders for overpayment of salary to a public officer and payment to a non-existent firm respectively.

**4.2 Examination of submitted leaders' declarations of income, assets and liabilities for the period of March 2010**

During the period under review, 93% declaration of incomes, assets and liabilities' forms of leaders submitted in 2010 were examined and processed.

**4.3 Updating the leader's register and processing declarations of income, assets and liabilities for March 2011 declaration:**

During the period under review 13,315 names of new leaders were received from 198 Ministries, Districts and Institutions; these were updated in the register in preparation for the 2011 declarations.

**4.4 Preparation and distribution of declaration of assets, income and liabilities forms to the leaders that are to declare by March 2011**

During the period under review, out of a total of about 21,108 leaders country wide expected to declare, 5,018 leaders were served declaration forms in a total of 45 (District, Government Ministries and Public bodies).

#### 4.5 Gifts declared by leaders

Section 10 (1) of the Leadership Code Act, 2002 requires a leader to declare to the Inspector General of Government a gift or donation received on any public or ceremonial occasion, or a commission on any transaction.

During the period under review; The 1<sup>st</sup> Deputy Prime Minister and Minister of EAC Affairs declared a gift of a Television Screen received from Star DTV (U) Co. Ltd.

#### 4.6 Constraints faced in enforcing the Leadership Code of Conduct

Enforcement of the Leadership Code has been adversely affected by the recent court judgements. For example the case of Nester Gasasira, where the High Court declared that Gasasira was not given a fair hearing, simply because he was not given opportunity to challenge evidence collected against him during investigations; in that the leader did not cross examine witnesses as is the practice in courts of law.

- Complexity of verification due to the following factors, among others;
  - (i) Poor or no record keeping by the leaders;
  - (ii) Tracing and locating assets takes a long time;
  - (iii) Difficulties in identifying undeclared assets;
  - (iv) Most assets are not registered, therefore not easy to link to the particular leaders under investigation.

#### 4.7 Future Plans

- Completion of 60 cases of investigations of breach of the Code and verification of leaders' Incomes, Assets and Liabilities in the next reporting period.
- Process and issue declarations of Income, Assets and Liabilities forms to the remaining 16,090 leaders that are to declare by March 2011.
- Receive and examine the submitted declarations of Income, Assets and Liabilities by leaders.

## **CHAPTER FIVE: PREVENTIVE MEASURES**

### **5.1 INTRODUCTION**

Although enforcement measures tend to attract more public attention, preventive measures are deemed to be more effective in combating corruption in the long-run, promoting the rule of law, administrative justice and good governance. Hence in the endeavour to curb corruption and promote good governance in public institutions, the IG has developed a strategy which includes public awareness programmes and research into policies and systems of public institutions. During the period under review the following preventive measures were carried out:

### **5.2 PUBLIC AWARENESS PROGRAMMES**

Under the Constitution of the Republic of Uganda, the Inspectorate of Government is mandated to sensitize and educate the public about the values of constitutionalism in general and the activities of the office in particular, through any media or any other means it considers appropriate. The public is also educated about their Constitutional right to access public services without having to pay bribes or any other extra costs and made aware of their civic duties and responsibilities to demand for accountability of public funds from their leaders, value for money and to report corrupt practices, mismanagement or abuse of public office to the IG. The public awareness programmes continue to prompt the public to report corrupt practices and to form partnership with the Inspectorate of Government in the fight against corruption. The Inspectorate of Government continued to carry out Public Awareness Programmes during the period under review, through workshops, radio programmes, TV programmes, publication of booklets and inserts placed in the print media.

#### **5.2.1 Public Awareness in Tertiary Institutions**

The IG is not only involved in sensitizing the youth about issues of corruption through seminars and workshops but promotes and supports the establishment of integrity clubs in Universities and tertiary institutions whose members act as ambassadors for

Anti-corruption crusade in the various institutions they attend. During the period under review IG organized and conducted two student leaders' workshops in Western Uganda at St. Joseph's Inn Virika, Fort Portal on 13<sup>th</sup> and 14<sup>th</sup> November 2010 and Kampala International University Western Campus on 30<sup>th</sup> October 2010. Students also organized and attended anti-corruption seminars at Bishop Stuart University, Mbarara University of Science and Technology respectively and a public debate under the theme *"We can have a corruption free society; what are the challenges and the way forward to this road?"* was held at Gulu University. An action plan was drawn at the end of each seminar through which the participants committed themselves to be partners with the IG in the fight against corruption. They all resolved to go back and form Integrity Clubs in their various Institutions.

Also during the period under review two Integrity Clubs were launched at Kabale University and Mutesa I Royal University.

### 5.2.2 Media and communications programmes

The Inspectorate of Government recognizes that in Uganda, radio broadcast is the most efficient, cheapest, flexible and accessible mass medium. The IG therefore uses radio talk shows to educate the public about the office and the evils of corruption. During the period under review, various IG senior officers appeared on a number of radio and TV talk shows as highlighted below.

### 5.2.3 Radio programs

Buddu Broadcasting Services - Masaka, Radio One, CBS, Vision Voice, BFM - Bushenyi, Voice of Kigezi, Radio Pacis - Arua, Nile Broadcasting Services - Moyo, Etop FM - Soroti, Open Gate radio - Mbale, Spice Radio - Hoima, Radio Simba - Kampala, Rock FM - Tororo, Mega FM - Gulu, Unity FM - Lira and Bunyoro Broadcasting Services - Masindi.

Most of these have been one hour radio programs focusing on educating the citizens on what the office does and the challenges it faces and Northern Uganda Social Action Fund (NUSAF II) project implementation.

IG also participated in TV discussions on NTV and Record TV.

#### 5.2.4 Newspaper inserts, press releases and articles

The Inspectorate of Government made relevant press releases in the print media for instance, during the International Anti-Corruption week, the IG released a supplement in the *New Vision* and the *Daily Monitor* on the theme *“Don’t let Corruption kill Development”*.

#### 5.2.5 Film shows

The Inspectorate of Government, during 2010, broadened its public awareness campaign through the use of audio-visual methodology of short anti-corruption films and spot messages. For instance, during the period under review, films tailored for schools were shown in Fort Portal Schools and colleges. On 26<sup>th</sup> and 27<sup>th</sup> December, the film *“Roots of Corruption”* was also shown to the citizens of Namusisi and Nawandala villages in Kaliro District.

The main purpose of the film shows and spot messages has been to trigger and promote debate among people on issues of accountability, corruption, administrative injustice, the rule of law and ethics. In so doing IG hopes to stir hatred in their minds against corruption so they become better future leaders.

The major constraint the IG has had in running its public awareness programmes is lack of adequate funds.

## CHAPTER SIX: CAPACITY BUILDING THROUGH TRAINING AND INTERNATIONAL COOPERATION

### 6.1 Introduction

The Inspectorate of Government is committed to strengthening and building capacity of its staff by organizing relevant training programs and study tours both at individual and group levels. IG further appreciates that the war against corruption and promotion of good governance can only be won and achieved through the cooperation, support and exchange of ideas with other relevant institutions both at the national and international levels. IG therefore, interacts with as many stakeholders as possible. This is done by not only organizing meetings, workshops and conferences for selected stakeholders but by also attending and participating in those organized by other stakeholders. IG also interacts with other stakeholders through exchange of visits and study tours.

### 6.2 Training

During the reporting period IG carried out the following local training programs:

Table XI Staff training for the period July - December 2010

No. of Staff	Course	Duration	Venue	Purpose
14	Induction course for new IG staff.	20 <sup>th</sup> - 24 <sup>th</sup> September 2010	IG Library	Orientate new staff into IG system.
8	Promoting government integrity and anti-corruption.	6 <sup>th</sup> - 17 <sup>th</sup> December 2010	DANIDA Fellowship Centre and International Law Institute.	To provide participants with strong insight in sources of corruption and good governance.

### 6.3 International Cooperation

IG also participated in the following international events, to enhance international cooperation and contribute to the fight against corruption and promotion of good governance at the international level.

#### **Visit of a delegation from the Ethics and Integrity Tribunal of the Republic of Tanzania, 21<sup>st</sup> - 24<sup>th</sup> September 2010:**

The IG hosted a delegation from the Ethics and Integrity Tribunal of the Republic of Tanzania led by the Chairman of the Tribunal. The area of focus was to share experience and expertise with IG in relation to the handling of cases for unethical conduct by leaders and implementation of the Leadership Code of Conduct.

#### **African Ombudsman and Mediators Association (AOMA) Executive Meeting**

The Inspectorate of Government hosted the Executive Committee of the African Ombudsman and Mediators Association (AOMA) meeting at the Commonwealth Resort, Munyonyo from 29<sup>th</sup> - 30<sup>th</sup> July 2010. The meeting was attended by the Ombudsman from Angola (Chairperson), Uganda (1<sup>st</sup> Vice Chairperson), Mali (2<sup>nd</sup> Vice Chairperson), South Africa (Secretary General), Ethiopia, Mauritius, Sudan and Zambia (Members).

AOMA was created by Ombudsman and Mediators from all over Africa, with among others, the objective: "To further mutual support, co-operation and joint activity through information sharing, training and development of Ombudsman and staff".

#### **Memorandum of Understanding (MOU) between Inspectorate of Government and Ministry of Supervision of the Peoples Republic of China**

The Inspectorate of Government and the Ministry of Supervision of the People's Republic of China signed a Memorandum of Understanding sealing a new partnership between the two countries on 17<sup>th</sup> August 2010. The Inspectorate of Government and

the Ministry of Supervision have the legal mandate to promote good governance, foster strict adherence to the rule of law and eliminate corruption and maladministration and abuse of office in public offices in their respective countries. The major objective of this partnership is to enhance the cooperation and relations between the two institutions in the areas of interest with the aim that this reciprocal exchange of expertise, views and information enhances the work of both institutions. The areas of focus for the partnership include; Exchange of Information and Exchange of Delegations. The Delegation from the Ministry of Supervision of the Republic of China was led by the Vice Minister for Supervision.

Table XII

Foreign Training and International co-operation for the period July - December 2010

Staff	Venue	Duration	Purpose
Hajji Abon Muzamil Ms. Twine K Annet	Singapore	6 <sup>th</sup> - 17 <sup>th</sup> Dec. 2010	Attendance of Japan - Singapore Partnership Program for the 21 <sup>st</sup> Century Governance for African Countries.
Mr. Mugambwa Robert Ms. Nabatanzi S. Olivia Mr. Bukenya Robert	Cairo, Egypt	28 <sup>th</sup> Nov. - 4 <sup>th</sup> Dec. 2010	Educational Exchange visit to the Administrative Control Authority of Egypt.
Mr. Asubo Sydney Ms. Brenda Rita Kimbugwe Mr. Wycliffe John Mutabule Mr. Binega Rogers Kinobe	Sutton, United Kingdom	1 <sup>st</sup> - 12 <sup>th</sup> Nov. 2010	Combating Corruption and Developing Organizational Integrity course.
Mr. Maningi Jamil Ms. Birungi Sarah	Mombasa, Kenya	19 <sup>th</sup> - 23 <sup>rd</sup> Sept. 2010	Training of Trainers in Recovery and Forfeiture of stolen Assets.
Ag. IGG	Washington D.C.	5 <sup>th</sup> - 10 <sup>th</sup> Dec. 2010	Conference on Joining Forces to Combat Transnational Bribery.
Ag. IGG	Vienna, Austria	28 <sup>th</sup> Nov. - 2 <sup>nd</sup> Dec. 2010	Meeting of the Implementation Review Group of the United Nations Convention Against Corruption (UNCAC).
Ag. IGG Hajji Abon Muzamil Mr. Kasirye K. Steven Mr. Kajura O. Simon	Nairobi, Kenya	24 <sup>th</sup> - 28 <sup>th</sup> Nov. 2010	4 <sup>th</sup> Annual General Meeting of the East African Association of Anti-Corruption Authorities

Staff	Venue	Duration	Purpose
			(EAACA).
Ms. Bisharira Susan Mr. Mugume Wilbert	Nairobi, Kenya	20 <sup>th</sup> -28 <sup>th</sup> Nov. 2010	4 <sup>th</sup> Annual General Meeting of the East African Association of Anti-Corruption Authorities (EAACA).
Ag. IGG Mr. Bageya Waiswa	Bangkok, Thailand	9 <sup>th</sup> - 14 <sup>th</sup> Nov. 2010	4 <sup>th</sup> International Anti-Corruption Authorities Conference (IACC).
Ag. IGG Mr. Nsubuga M. Stanley	Macao, China	2 <sup>nd</sup> - 5 <sup>th</sup> Nov. 2010	4 <sup>th</sup> International Association of Anti-Corruption Authorities Conference (IAACA).
Hajji Abon Muzamil	Addis Ababa, Ethiopia	2 <sup>nd</sup> - 5 <sup>th</sup> Nov. 2010	Workshop based on a Commissioned Study on Democracy, Governance and Elections in the IGAD Region.
Ms. Bisharira S.	Gauteng Province, South Africa	20 <sup>th</sup> - 22 <sup>nd</sup> Oct. 2010	Review Mechanism for the Implementation of the United Nations Convention Against Corruption (UNCAC)
Munira Ali	Addis Ababa	27 <sup>th</sup> - 30 <sup>th</sup> Oct. 2010	An Ad hoc Experts Group Meeting on Strengthening Popular Participation and Good Governance in Africa.
Mr. Kasujja Vincent	Arusha, Tanzania	3 <sup>rd</sup> - 9 <sup>th</sup> Oct. 2010	Preparatory meeting of the 10 <sup>th</sup> meeting of the Sectoral Council on Legal and Judiciary Affairs.
Ag. IGG	Cape Town, South Africa	2 <sup>nd</sup> - 8 <sup>th</sup> Oct. 2010	Inaugural Open Governance Leadership Programme.
Ag. IGG	Namibia	13 <sup>th</sup> - 16 <sup>th</sup> Sept. 2010	Presentation of a paper on the Battle Against Corruption in Uganda.
Ag. IGG	Cambridge, United Kingdom	5 <sup>th</sup> - 10 <sup>th</sup> Sept. 2010	The 28 <sup>th</sup> Cambridge International Symposium on Economic Crime.
Ag. IGG	Vienna, Austria	2 <sup>nd</sup> - 3 <sup>rd</sup> Sept. 2010	Signing an Agreement for the Establishment of the International Anti-Corruption Academy. The Agreement will see staff of

Staff	Venue	Duration	Purpose
			Anti-Corruption Agencies in Uganda trained at the Academy.
Mr. Asubo Sydney	Lilongwe, Malawi	30 <sup>th</sup> Aug. - 3 <sup>rd</sup> Sept. 2010	Meeting of the 10 <sup>th</sup> Council of Ministers and 20 <sup>th</sup> Anti-money Laundering Group (ESAAMLG) Taskforce of senior officials.
Ag. IGG Ms. Susan Bisharira	Arusha, Tanzania	23 <sup>rd</sup> - 25 <sup>th</sup> Aug. 2010	Annual General Meeting for the Southern African Forum Against Corruption (SAFAC) - 2010.
Ag. IGG	Nairobi, Kenya	19 <sup>th</sup> - 21 <sup>st</sup> Aug. 2010	2 <sup>nd</sup> East African Community Conference on Good Governance.

## CHAPTER SEVEN: IMPLEMENTATION OF INSPECTORATE OF GOVERNMENT'S RECOMMENDATIONS/DIRECTIVES

### 7.0 INTRODUCTION

The Inspectorate of Government appreciates cooperation from Institutions and Action Officers who have implemented its recommendations. However, there are some Institutions and Action Officers who ignore, delay or refuse to implement IG's recommendations without giving credible reasons. This greatly undermines the effectiveness of the office. There is, therefore, need for the Parliament and the Executive to support IG in ensuring that its recommendations are implemented.

Below is a summary of outcomes of implemented recommendations during the period under review.

Table XIII: Summary of outcomes of implemented recommendations during the period July - December 2010

Outcome	Quantity
Money saved as a result of investigations	210,931,091
Money recovered/refunded	110,733,600
Cancelled appointment letters of public servants	21
Warned public officers	08
Officers submitted to Commissions (e.g. DSC) for disciplinary action	05
Interdicted public officers	04
Dismissed officers	05
Re-advertised posts	03
Public officers deleted from payrolls	05

Outcome	Quantity
Rescinded decisions on the allocation of plots of land	02
Public officers exonerated by IG of the allegations against them	03
Reinstatement	01
Officers who were advised	05
Public officers arrested by the IG	29
Public officers under prosecution by the IG.	26

Below are institutions and Action Officers that IG would like to commend for implementing its recommendations and those it would like to criticize for failing to do so.

#### 7.1 COMMENDATION OF MINISTRIES, DEPARTMENTS AND OFFICIALS FOR IMPLEMENTING IG RECOMMENDATIONS

The Inspectorate of Government appreciates cooperation exhibited by the following Ministries, Departments and officials who implemented IG recommendations during the period July to December 2010.

Ministry of Education and Sports, Ministry of Health, CAO Kiruhura, CAO Ntungamo, CAO Isingiro, CAO Mbarara, CAO Masaka, CAO Kanungu, CAO Kisoro, CAO Namutumba, CAO Koboko, CAO Amuria, the Chairperson Public Service Commission, CAO Moyo, the Town Clerk Lira Municipal Council, CAO Soroti, CAO Kitgum, CAO Bududa, CAO Rakai, the Town Clerk, Moroto Municipality, CAO Bugiri, CAO Iganga, CAO Kamwenge, Ministry of Local Government and CAO Bundibugyo, to mention but a few.

#### 7.2 MINISTRIES, DEPARTMENTS, INSTITUTIONS AND ACTION OFFICERS WHO HAVE NOT IMPLEMENTED IG RECOMMENDATIONS

Some of the implementing authorities who have not implemented IG recommendations include;

### **Arua District Local Government**

The office of the Chief Administrative Officer, Arua; in a report ARU/CF/14/2006 about alleged unfair award of bursary by Uleppi Sub-county, it was recommended that:-

- Uleppi Sub-county Local Government compensates the student all the money that he spent in the academic year 2006, while in Mandela S.S. totaling to Shs.410,000/=. This is because the sub-county irregularly and unfairly denied him the bursary, yet he was the best PLE male student and needy. The refund should be communicated to the IG.
- Uleppi S.S. should refund Shs.270,000/= which it irregularly received from Ministry of Education and Sports in the names of Ajizion Harrison as fees for the beneficiary of the school bursary scheme for the year 2005, yet Ajizion was neither the beneficiary nor a student of Uleppi S.S. The refund should be made in way of a bank draft in favour of the IG Assets Recovery Account.

This recommendation has not yet been implemented.

### **Kabarole District Local Government**

In the report reference FP/09/10/2008 about alleged abuse of office by the Chairperson of Kasenda Sub-county in Kabarole District the CAO Kabarole District Local Government was to:-

- Ensure that Sub-county projects are implemented by the most competent and efficient firms to realize value for money.

- Ensure that projects allocated at Sub-county level are effectively and regularly monitored by the responsible officers for proper implementation.
- Issue of warning to the Assistant Engineering Officer, Ms. Naome Basoona for issuing certificates of works and authorizing payments before the work was completely done.

The above recommendations have not yet been implemented.

In another report referenced as FP/09/10/2009 about alleged abuse of office and conflict of interest by the Supervisor of Works, Kabarole district, it was directed that the CAO Kabarole submits the Supervisor of Works, Kabarole to the DSC for dismissal from service for having engaged in a situation of conflict of interest and breach of the Leadership Code Act and the Local Government PPDA Regulations. This recommendation has also not been implemented.

In a report reference FP/03/2010 about the alleged irregular recruitment of a Senior Procurement Officer by Kasese DSC, it was recommended that the appointment of the Senior Procurement Officer, Kasese District Local Government be rescinded and the post be re-advertised. This recommendation has not been implemented by the CAO Kasese DLG.

In a report reference FP/03/06/2010, about the alleged victimization of a public officer by Fort Portal Municipal Council, it was recommended that the Town Clerk Fort Portal Municipal Council initiates and makes arrangements to pay the officer his dues. The recommendation has not yet been implemented.

In a report reference FP/CF/17/2009, about the alleged abuse of office by the Town Clerk and Urban Physical Planner of Kasese Town Council, now Kasese Municipal Council, it was recommended that the Town Clerk of Kasese Municipal Council be submitted to the Public Service Commission for appropriate disciplinary action with a view of dismissing him for gross misconduct. The recommendation has not yet been implemented.

## Gulu District Local Government

In a report GUL/CF/01/2010 about alleged irregular sale of Laroo division land and embezzlement of Shs.18m by a public officer, it was recommended that:-

- The officer refund Shs.8m to Gulu Municipality Council which he misused from the sale of Laroo division's land.
- The Town Clerk of Gulu Municipal Council submits the officer to the DSC, Gulu for appropriate disciplinary action.

The above recommendations have not been implemented.

In a report reference GUL/CF/03/2010 about alleged irregular deployment and payment of salaries to a Health Assistant, Gulu Municipal Council, it was recommended that:-

- The Town Clerk of Gulu Municipal Council recovers Shs.1,900,996/= from the Health Assistant being the money paid to him for the period he had not reported for duty. Deposit this money on the IG Assets Recovery account for further transmission to the consolidated fund.
- The Town Clerk ensures that daily attendance registers for all Gulu Municipal Council staff are opened and strictly adhered to so that employee attendance is monitored.

The recommendations have not been implemented.

The Inspector of Courts, Kampala

In a report reference HMA/CF/28/2007 about the alleged abuse of office and diversion of funds by the Chief Magistrate's Court, Masindi, it was recommended that:-

- The Chief Magistrate's Court in Masindi pays an officer the difference of Shs.270,000/= that remained in court.
- The conduct of the then Court Clerk should be brought to the attention of the Judicial Service Commission for appropriate disciplinary action.
- Civil suit No. 0045 of 2005 (a Pseudo case hatched with the sole intention of intimidating the officer and denying him his money) should be reviewed with a view to have it closed with costs in favour of the officer for inconvenience occasioned to him.
- The Kagwa-Balisanyuka and Co. Advocates should face disciplinary action for professional misconduct.
- The Shs.1,029,000/= being money irregularly withdrawn from the Chief Magistrate's court, should be paid back to the rightful owner.

The above recommendations have not been implemented by the Inspector of Courts.

### **Kamuli District Local Government**

In a report reference JNJ/CF/11/2007 about the alleged presence of ghost teachers on the payroll of Nawangaiza Primary School and irregular recruitment of a Senior Personnel Officer, Kamuli District, it was recommended that:-

- The Senior Personnel Officer should be absolved of the allegation that she was recruited as Personnel Officer. She was recruited through a competitive system having

applied for the job which had been advertised, and she had the minimum required qualifications for the job.

- The CAO Kamuli submits a teacher to the DSC for dismissal because she was recruited as a Grade III teacher on the basis of presentation of forged documents and she should be forwarded to the district CID Officer, Kamuli District for further investigation with the view to prosecuting her.
- The CAO Kamuli makes a follow-up with the Ministry of Education and Sports on the problem of double coded schools, coded private and non-existent schools to ensure that the problem is solved once and for all and also submits to the IG a report on the action taken by the Ministry in this regard.

The above recommendations have not been implemented.

### **The Permanent Secretary, Ministry of Education and Sports**

In a report reference LIR/CF/08/2009 about the alleged mismanagement of government funds by the Administration of Fatima Aloji Comprehensive S.S., it was recommended that:-

- The Permanent Secretary, Ministry of Education and Sports submits the Headteacher Fatima Comprehensive S.S. in Lira to the Education Service Commission for appropriate disciplinary action for failure to follow the Permanent Secretary's instruction on utilization of the Shs.19,258,750/=.
- The Headteacher should provide appropriate accountabilities for the Shs.7,338,000/= that was spent but did not have supporting documents, failure of which she should personally refund the money.
- The School Management Committee should ensure that in future transactions, the PPDA Act, Regulations and guidelines are strictly complied with.

The above recommendations have not been implemented.

### **Masaka District Local Government**

In a report reference MSK/CF/11/2009 about the alleged non-payment of salary and unfair deletion from the payroll of a teacher at Nabingo Primary School, Sembabule district, it was recommended that:-

- The CAO Masaka submits the teacher to the DSC for dismissal from service since he is not qualified to be a teacher and for forgery and presentation of false documents upon which he was recruited by Sembabule DSC.
- The district CID Officer, Sembabule should take up the case of personation, forgery and utterance of false documents with a view to having him prosecuted.
- The DEO Sembabule Local Government, all other district officials and the Headmaster of Nabingo P/S, Sembabule district should be absolved of any wrongdoing as they did not persecute the teacher as alleged.

The above recommendations have not been implemented.

### **The Permanent Secretary, Ministry of Public Service**

In a report reference MBL/CF/03/2008 about the alleged irregular payments at Mbale Regional Referral Hospital, it was recommended that:-

- The Permanent Secretary, Ministry of Public Service submits the hospital employees to the PSC for dismissal for the part they played in originating, and processing fraudulent salary claims amounting to Shs.93,104,303/=.
- The thirteen hospital employees who received the illegitimate payments to the tune of Shs.93,104,303/= should refund the money to the IG within ninety days from the date of issue of the report.
- There is a dire need to step up or even create an effective monitoring and supervision of batch process at Uganda Computer Services. Stringent checks and control system should be enhanced such as use of stamps and codes on control sheets and pay change reports.
- Clear and tight guidelines and criteria for approving or rejecting batches should be formulated to guide all stakeholders involved in the payroll management system. In addition, a mechanism to check the processing of batch control forms, right from the point of printing be instituted to avoid the likely tampering of these critical documents by the unscrupulous staff.
- The Commissioner, Uganda Computer Services should be relieved of his duties for his failure to put in place adequate controls and checks at the batch processing unit, thus creating an easy passage for fraudulent claims to be infused into the payroll system, like it was the case of the three fraudulent batches which were fed into the system and eventually paid.
- It is imperative for the Ministry of Finance, Planning and Economic Development to re-assess the adequacy of the current software controls at the UCS to ensure effectiveness and reliability and safeguard the integrity of the payroll management system in the Ministry.

The above recommendations have not been implemented.

### **Kotido District Local Government**

In a report reference SRT/CF/31/2007 about the alleged mismanagement of SFG funds and non-remittance of URA deductions by Kotido district, it was recommended that:-

Shs.35,865,283/= being the balance of money not yet refunded should be refunded to the SFG account to facilitate the SFG activities, as duly planned and in accordance with relevant laws and regulations.

The CAO Kotido was required to submit to IG a report of recovery with documentary evidence within four months from the date of the directive.

The recommendations have not yet been implemented.

### **Nakapiripirit District Local Government**

In a report reference MRT/CF/01/2009 about the alleged misappropriation of Shs.7m meant for purchase of books under UNICEF program by the DEO Nakapiripirit district, it was recommended that the DEO should be submitted to the DSC to be demoted to a lower rank of Senior Education Officer for:

- Failing to register and enrolling P1 pupils in the district as he did not avail in time the registration books meant for the exercise, yet he had been advanced funds to purchase those books.
- Flouting Regulation 33(1) (3) and 40(2) of the Local Government PPDA Regulations, 2006 and guidelines regarding the thresholds for procurement of supplies.

The above recommendation has not been implemented by the CAO Nakapiripirit.

## Manafwa District Local Government

In a report reference TOR/CF/03/2010 about the alleged abuse of office by Local Council III Chairperson, Lwakhakha Town Council, Manafwa District, it was recommended that:-

- The CAO, Manafwa district submits the Town Clerk Lwakhakha Town Council to the DSC for appropriate disciplinary action for spending over and above the budget contrary to the Local Governments Financial and Accounting Regulations, 2007.
- The Town Treasurer, Lwakhakha Town Council should be submitted to the DSC for a formal warning for failing to ensure that revenue collectors submitted promptly revenue due to the Council and failing to ensure that the revenue was banked intact.
- All officials who went to Malaba for a study tour should be made to refund allowances for the two nights less the salary day allowance for which they were paid but did not stay in Malaba Town Council, and instead returned to Lwakhakha Town Council the same day.
- Lwasakasa Enterprises should be blacklisted for a period of one year for lack of credibility and seriousness while carrying out its business and for using agents who are not registered shareholders and who do not have powers of attorney to conduct company business.
- The Town Agent Lwakhakha Town Council should refund Shs.440,000/= which was given to him for Lwakhakha market but was not handed over to the Town Treasurer for banking.
- An LDU should cease to be a Town Council LDU since his name was not approved by the Council.

The above recommendations have not been implemented.

### **The Uganda Police Headquarters**

The Uganda Police Headquarters has not been supportive in implementing the IG recommendations. During the period under review, it was established that the Uganda Police did not implement any of the recommendations in the six reports which had been issued to them. For example;

In a report referenced MBR/CF/55/2004 about the alleged diversion of funds meant for training new recruits by the then OC LAP Ntungamo, it was recommended that:-

- The Inspector General of Police refers the then O/C LAP Ntungamo currently O/C LAP Mbarara district to Uganda Police Council for dismissal from service for forgery and false accounting
- The examiner of accounts should be severely reprimanded by the DSC Ntungamo for negligence, having failed to detect forgeries of accountabilities presented by the above said officer.

The above recommendations have not been implemented.

In another report referenced HMA/CF/03/2009 about the alleged irregular recruitment of local administration police officers in Kiboga District, it was recommended that the services of both Okello and Semakula be terminated from the police force.

The above recommendations have not been implemented.

## **CHAPTER EIGHT: GENERAL CONSTRAINTS, CHALLENGES, FUTURE PLANS AND RECOMMENDATIONS**

### **8.1 INTRODUCTION**

Despite the continued support by Government and development partners to strengthen the institution, which is highly appreciated, the IG continues to face several external challenges as well as operational problems, some of which arise from inadequate resources. This chapter highlights some of the challenges and constraints faced by the IG, make recommendations and outline the future plans of IG.

### **8.2 CHALLENGES AND CONSTRAINTS FACED BY THE IG IN ACHIEVING STRATEGIC OBJECTIVES**

#### **8.2.1 Inadequate funding:**

Funding provision under the IG ceiling is insufficient compared to the operational cost of investigations, prosecutions, verification of declarations and public awareness programmes. The Inspectorate of Government needs more funds to finance its Regional Offices which are currently insufficiently resourced. The mandate of the IG has been broadened to cover the Private Sector following enactment of the Anti-Corruption Act and this calls for increased expenditure.

#### **8.2.2 Under staffing:**

Additional staff are required especially in all Regional Offices. Insufficient staff in the regional offices has led to high officer/complaint ratio, which results in case backlog as officers in the regions cannot cope with the volume of work.

### **8.2.3 Operating in rented premises**

The IG is currently renting office premises. The cost of renting office premises in the Regional Offices and Headquarters is expensive. The IG needs to construct its own office premises so as to give it independence and the right profile.

### **8.2.4 Limited legal reference materials**

The Inspectorate Library needs to be stocked with recent Statutes, Statutory Instruments and Regulations and other essential legal reference materials to facilitate its work.

### **8.2.5 Inadequate institutional support in implementation of IG recommendations**

Lack of cooperation, corruption and negative attitude in some institutions that are supposed to be partners with the IG in the fight against corruption has remained a concern.

There is need to ensure full implementation of IG recommendations. There are instances when some institutions have deliberately ignored or delayed implementation of the IG recommendations or availing required information for successful investigations and this, undermines the effectiveness of the institution and hinders the realization of desired results.

### **8.2.6 External delays**

Lack of computerized data and poor record keeping in most Government Ministries/Departments causes delays in the retrieval of information required for verification and investigations e.g. from the Land office, Uganda Registration and Services Bureau and District Administrations.

### **8.2.7 High public expectations of better outcomes in fighting corruption**

There is high public expectation for the IG to handle complaints expeditiously, yet the financial, human and material capacities to meet this challenge are limited, resulting into a backlog of cases and loss of public trust and confidence.

#### **8.2.8 Keeping ahead of sophistication in corruption techniques**

Corrupt persons have developed advanced methods of defrauding the public and this requires IG staff to be technically advanced and to have specialized training in order to keep ahead in the fight against corruption. The challenge, however, is inadequate funding to carry out the necessary training. The IG also needs to purchase modern equipment such as surveillance equipment, radios, cameras, etc. to be used during investigations.

#### **8.2.9 Acceptance of corruption by the public**

The society seems to have accepted corruption as a way of life and some people are not keen on reporting corruption cases. The challenge is to get the public support in the fight against corruption.

### **8.3 RECOMMENDATIONS**

In order to overcome the above constraints and be able to fulfill IG mandate, the following recommendations are hereby submitted to Government through Parliament:

#### **8.3.1 Failure to implement the IG recommendations**

Where the institutions or action officers especially District Administrators ignore to implement the IG recommendations for no good reason, such officers should be summoned to answer before the relevant Parliamentary Committees.

### **8.3.2 Effective enforcement of the Leadership Code Act**

- Computerization of the Land Registry should be completed to help speed up the verification of the leaders' declaration as the problems of manual records and procedures will be minimized. Corruption in the department and incidents of fake and missing Land Titles will also be reduced.

### **8.3.3 Inadequate funding**

Government has to realise that IG is a national cross-cutting institution responsible for three major functions of promoting good governance, preventing and combating corruption and enforcement of the Leadership Code of Conduct. Each of these functions should be funded as a separate vote function to be adequately provided for, unlike the current practice under which only the anti-corruption function is provided for as a vote function.

## **8.4 FUTURE PLANS**

### **8.4.1 Improved investigations and prosecutions**

IG will continue to improve efficiency and effectiveness in investigations and prosecutions through specialized training, on-the-job training and attachment of lawyers to other prosecuting agencies.

### **8.4.2 Training**

Continue to improve on skills of IG staff through training and sharing information and experiences with other anti-corruption institutions, especially in investigations of corruption offences.

### **8.4.3 Construction of IG premises in Kampala**

The IG plans to construct its own premises. This will give IG the right profile in accordance with the Constitution. The IG is currently renting offices at the Jubilee Insurance Centre and

in the Regions. The rent for these offices is too high and adversely affects prioritization for effective outcomes.

#### **8.4.4 Strengthening and consolidating the IG**

The office will focus its efforts on strengthening and consolidating its position and the Regional Offices by providing better facilitation and training in order to effectively discharge its functions.

#### **8.4.5 Education and sensitization of the public**

IG will continue to educate and sensitize the public and civil society organizations on the issues of corruption, good governance and implementation of the Leadership Code Act, using the print and electronic media, seminars and workshops.

#### **8.4.6 Investigations, prosecutions and verification of leaders' assets**

IG will continue with physical verification of leaders' assets, updating leaders' register and distributing declaration of income, assets and liabilities forms to leaders in accordance with the Leadership Code Act, 2002.

8.4.7 The IG will when necessary invoke the provision of S.35(c) of the Inspectorate of Government Act against those who fail to comply with its orders and directions by prosecuting them in accordance with the law.

## **APPENDIX A**

STATISTICAL ANALYSIS AND GRAPHICAL PRESENTATION OF THE IG ACTIVITIES FOR THE  
**PERIOD JULY – DECEMBER 2010**

During the period July – December 2010, the Inspectorate of Government handled a workload of 4,422 complaints. A total of 3,351 complaints were brought forward from the previous period, the new complaints were 1,042 and a total of 29 new audit reports were received. The figure below illustrates how the complaints were handled during the reporting period.

**Figure 1:** Work load July – December 2010

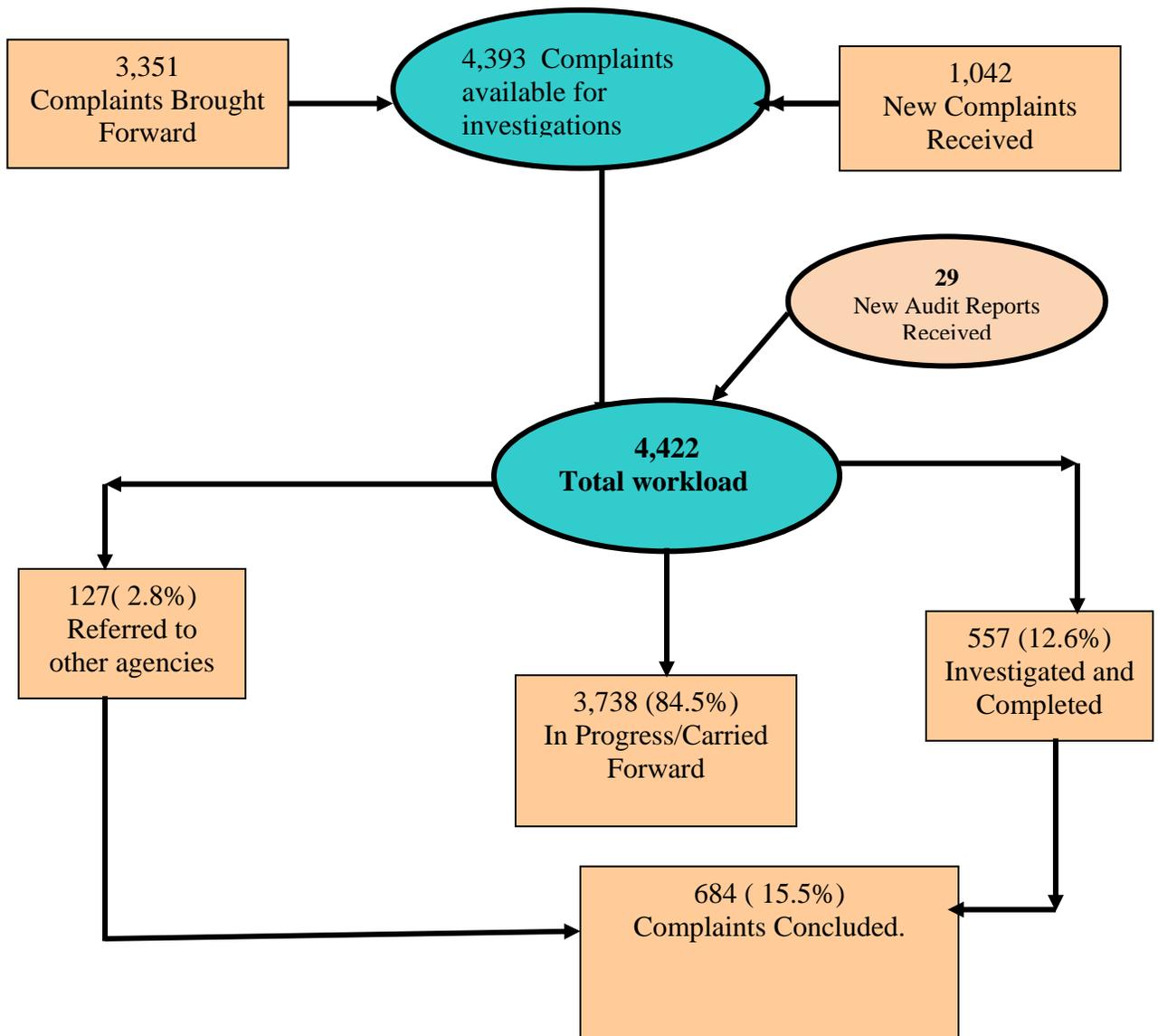
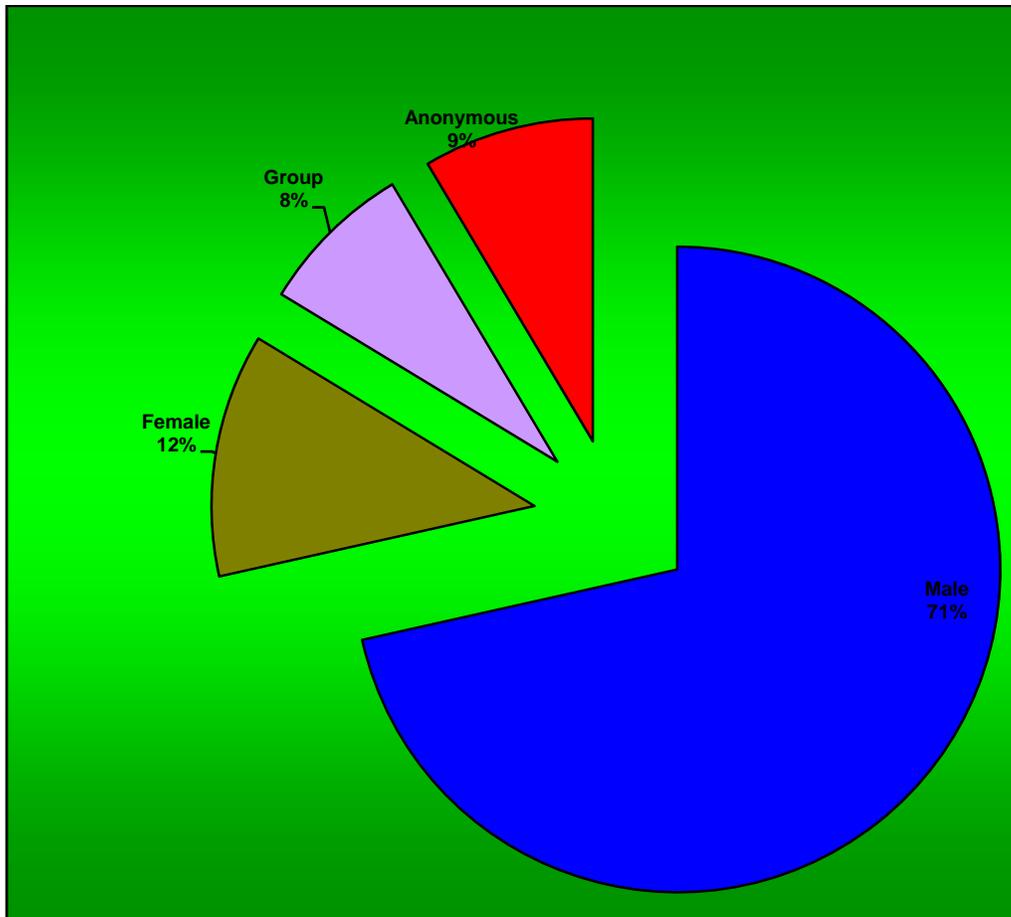


Figure 2

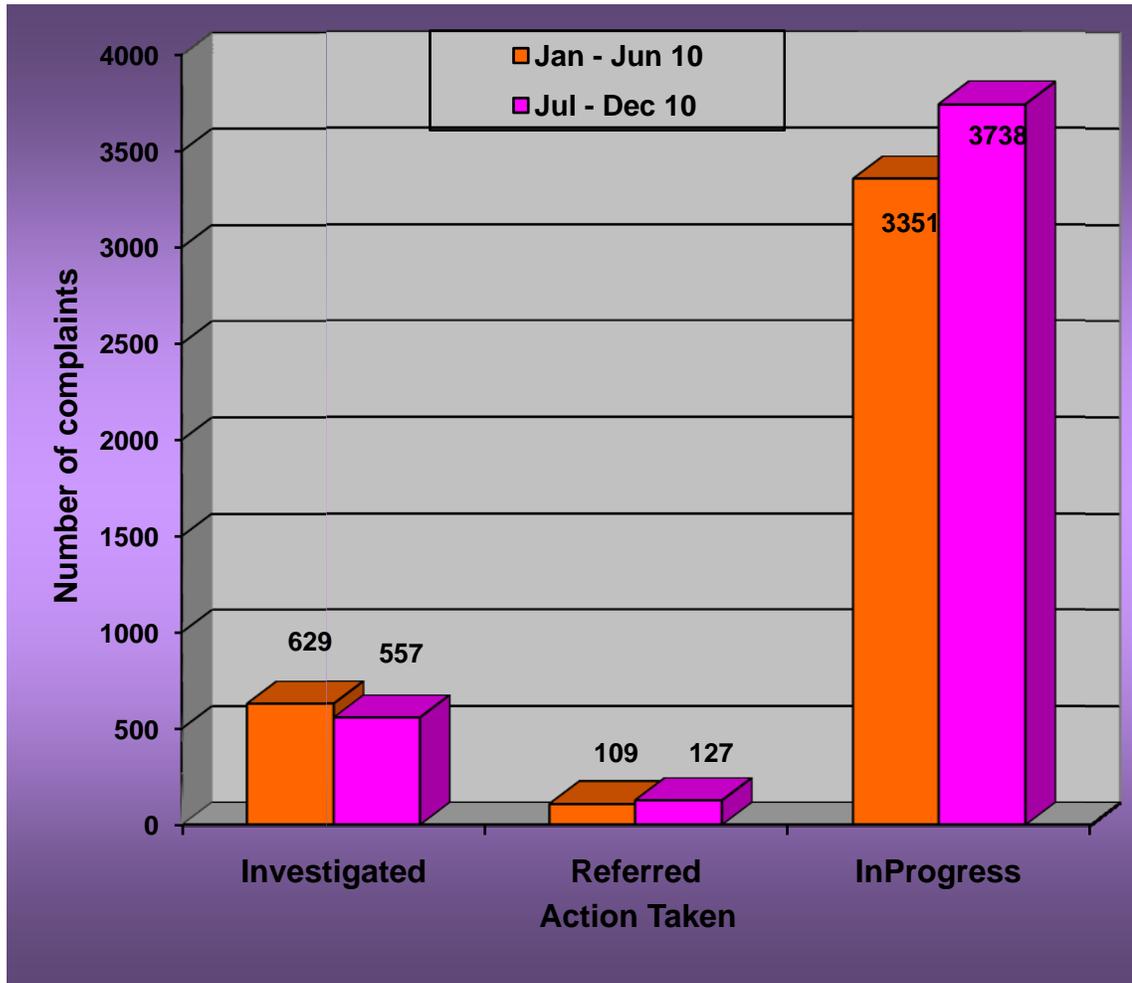
**Categorization of Complaints Registered by Gender for the period July – December 2010**



*The chart above illustrates that only a small fraction of the complaints (12%) were received from women. The majority of the complaints (71%), were received from men and those that came from groups of individuals were 8%. Only 9% of the complainants did not disclose their identities.*

Figure 3

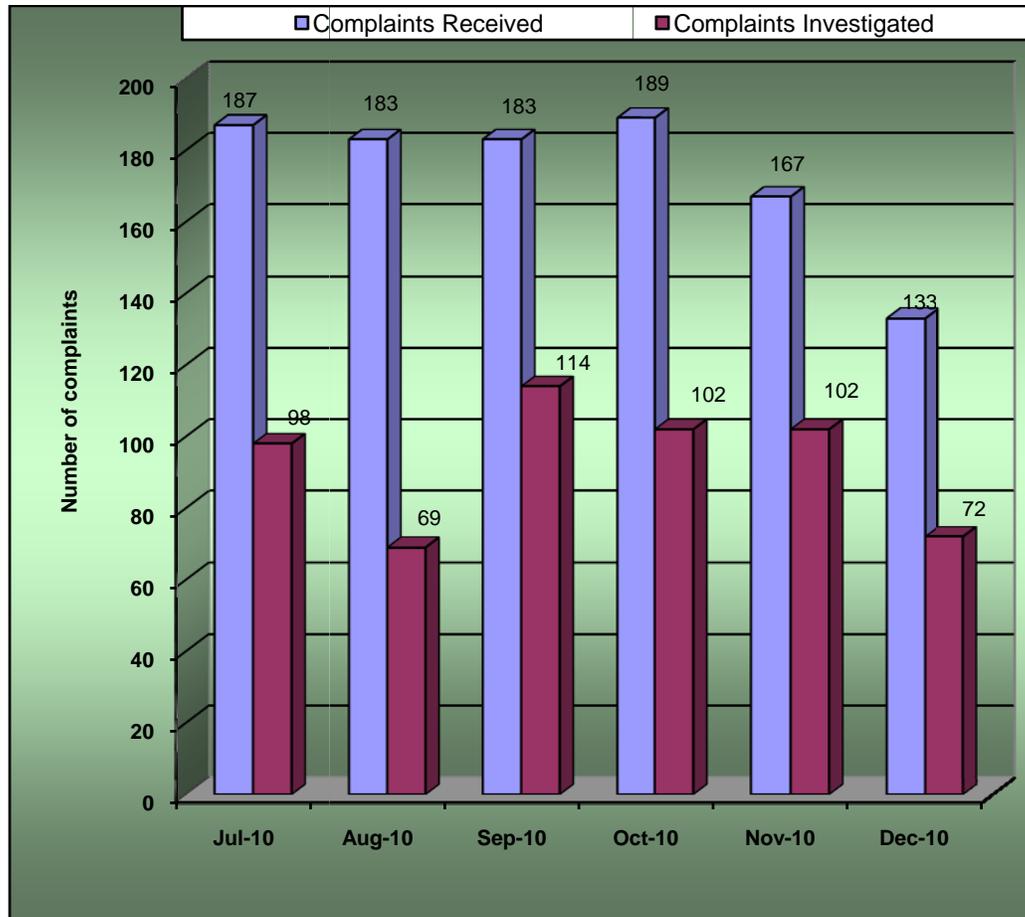
**Comparison of Investigations for the Periods January- June 2010 and July – December 2010**



*The diagram above shows that the total number of complaints which were investigated & completed reduced from 629 complaints during the period January – June 2010 to 557 during the period July – December 2010. The complaints that were processed and referred to other institutions slightly increased from 109 to 127. The number of complaints carried forward increased from 3,351 to 3738.*

Figure 4

**Comparison of the new complaints received and those that were investigated during the period July – December 2010**



*The figure above shows that the highest number of complaints was received in the month of October 2010 (189 complaints) while the highest number of complaints investigated & completed (114 complaints) was in the month of September 2010.*

**Table XIV**  
**Trend of the complaints Registered at the Kampala Headquarters and Regional Offices**  
**for the Periods Jan 2000 – December 2010**

Period	Kampala HQs	Regional Offices	Total Complaints
Jan - Jun 2000	1336	1057	2393
Jul - Dec 2000	1333	1083	2416
Jan - Jun 2001	830	846	1676
Jul - Dec 2001	736	882	1618
Jan - Jun 2002	664	837	1501
Jul - Dec 2002	683	1284	1967
Jan - Jun 2003	617	963	1580
Jul - Dec 2003	711	1235	1946
Jan- June 2004	630	1054	1684
Jul – Dec 2004	430	805	1235
Jan – June 2005	416	741	1157
Jul – Dec 2005	386	600	986
Jan – Jun 2006	279	408	687
Jul – Dec 2006	380	495	875
Jan – June 2007	450	647	1097
Jul – Dec 2007	496	495	991
Jan – Jun 2008	557	363	920
Jul – Dec 2008	466	388	854
Jan – Jun 2009	363	376	739
Jul – Dec 2009	418	409	827
Jan – June 2010	487	553	1040
Jul – Dec 2010	454	588	1042

Table XV

**Complaints received according to the Districts for the period July – December 2010**

S/No	District	Number of Complaints	Percentage
1.	Kampala	254	24.4%
2.	Gulu	61	5.9%
3.	Kabarole	52	5.0%
4.	Arua	32	3.1%
5.	Jinja	32	3.1%
6.	Kabale	31	3.0%
7.	Mbale	31	3.0%
8.	Soroti	28	2.7%
9.	Masaka	26	2.5%
10.	Mbarara	26	2.5%
11.	Kasese	18	1.7%
12.	Tororo	18	1.7%
13.	Pader	17	1.6%
14.	Moyo	15	1.4%
15.	Amuru	14	1.3%
16.	Kamwenge	14	1.3%
17.	Iganga	13	1.2%
18.	Kitgum	13	1.2%
19.	Mukono	13	1.2%
20.	Lira	12	1.2%
21.	Manafwa	12	1.2%
22.	Mpigi	12	1.2%
23.	Wakiso	12	1.2%
24.	Rakai	11	1.1%
25.	Hoima	10	1.0%
26.	Kanungu	10	1.0%
27.	Kumi	10	1.0%
28.	Sironko	10	1.0%
29.	Kisoro	9	0.9%
30.	Amuria	8	0.8%
31.	Koboko	8	0.8%
32.	Yumbe	8	0.8%
33.	Isingiro	7	0.7%
34.	Kapchorwa	7	0.7%
35.	Kibaale	7	0.7%
36.	Mubende	7	0.7%
37.	Budaka	6	0.6%
38.	Kaliro	6	0.6%
39.	Kamuli	6	0.6%
40.	Masindi	6	0.6%

S/No	District	Number of Complaints	Percentage
41.	Mityana	6	0.6%
42.	Rukungiri	6	0.6%
43.	Sembabule	6	0.6%
44.	Agago	5	0.5%
45.	Kaberamaido	5	0.5%
46.	Kalangala	5	0.5%
47.	Kyenjojo	5	0.5%
48.	Lyantonde	5	0.5%
49.	Pallisa	5	0.5%
50.	Bududa	4	0.4%
51.	Bukedea	4	0.4%
52.	Bundibugyo	4	0.4%
53.	Adjumani	3	0.3%
54.	Bulambuli	3	0.3%
55.	Bugiri	3	0.3%
56.	Bushenyi	3	0.3%
57.	Busia	3	0.3%
58.	Kaabong	3	0.3%
59.	Kyegegwa	3	0.3%
60.	Mayuge	3	0.3%
61.	Moroto	3	0.3%
62.	Nakasongola	3	0.3%
63.	Nebbi	3	0.3%
64.	Ntungamo	3	0.3%
65.	Buikwe	2	0.2%
66.	Bukwo	2	0.2%
67.	Buliisa	2	0.2%
68.	Butaleja	2	0.2%
69.	Ibanda	2	0.2%
70.	Katakwi	2	0.2%
71.	Kayunga	2	0.2%
72.	Kiruhura	2	0.2%
73.	Mitoma	2	0.2%
74.	Ngora	2	0.2%
75.	Nwoya	2	0.2%
76.	Rubirizi	2	0.2%
77.	Serere	2	0.2%
78.	Foreign Country	2	0.2%
79.	Apac	1	0.1%
80.	Busembatya	1	0.1%
81.	Dokolo	1	0.1%
82.	Kibingo	1	0.1%
83.	Kiboga	1	0.1%
84.	Kiryandongo	1	0.1%

S/No	District	Number of Complaints	Percentage
85.	Kole	1	0.1%
86.	Lamwo	1	0.1%
87.	Luuka	1	0.1%
88.	Luwero	1	0.1%
89.	Nakapiripirit	1	0.1%
90.	Namutumba	1	0.1%
91.	Namayingo	1	0.1%
92.	Oyam	1	0.1%
93.	Otuke	1	0.1%
94.	Not given	9	0.9%
	<b>Total</b>	<b>1042</b>	<b>100.0%</b>

Table XVI

**The Nature of Complaints Received during the period July – December 2010**

Nature of complaint	Number of Complaints	Percentage
<b>Corruption Complaints</b>		
Abuse of office	199	19.1%
Forgery and Uttering false Documents	61	5.9%
Embezzlement	31	3.0%
Bribery	29	2.8%
Misappropriation of Public Resources	21	2.0%
Conflict of Interest	20	1.9%
Corruption	19	1.8%
False Claims	15	1.4%
Audit queries	14	1.3%
Extortion	7	0.7%
<b>Sub Total</b>	<b>416</b>	<b>39.9%</b>
<b>Ombudsman Complaints</b>		

Mismanagement	249	23.9%
Non payment of salaries and other benefits	103	9.9%
Property Dispute	63	6.0%
Tenders & Contracts	48	4.6%
Delay of service delivery	46	4.4%
Victimization/ Oppression	45	4.3%
Tax evasion	4	0.4%
Others	63	6.0%
<b>Sub Total</b>	<b>621</b>	<b>59.6%</b>
<b><i>Breach of Leadership Code Complaints</i></b>		
Amassing wealth	5	0.5%
<b>Sub Total</b>	<b>5</b>	<b>0.5%</b>
<b>Overall Total</b>	<b>1042</b>	<b>100.0%</b>

*The table above, shows that most of the complaints received during the period July – December 2010 were ombudsman complaints(59.6%) especially those involving mismanagement of public resources/affairs. Corruption complaints accounted for 39.9% of the total complaints and those that are in the category of the breach of leadership code of conduct accounted for 0.5% of the total complaints.*

Table XVII

**The Nature of complaints Investigated during the period**

July – December 2010

<b>Nature of Complaint</b>	<b>Number of Complaints</b>	<b>Percentage</b>
Mismanagement & Misappropriation of public resources	108	19.4%
Abuse of office	87	15.6%
Non payment of salaries and other benefits	70	12.6%
Delay of service delivery	35	6.3%
Tenders & Contracts	31	5.6%
Victimization/ Oppression	29	5.2%
Property Dispute	27	4.8%
Corruption	23	4.1%
Embezzlement	21	3.8%
Forgery & uttering of false documents	20	3.6%
Conflict of Interest	13	2.3%
Extortion	11	2.0%
False Claims	8	1.4%
Bribery	6	1.1%
Nepotism	0	0.0%
Tax evasion	0	0.0%
Others	68	12.2%
<b>Total</b>	<b>557</b>	<b>100.0%</b>

Table XVIII

Departments/Institutions complained against during the period July – December 2010

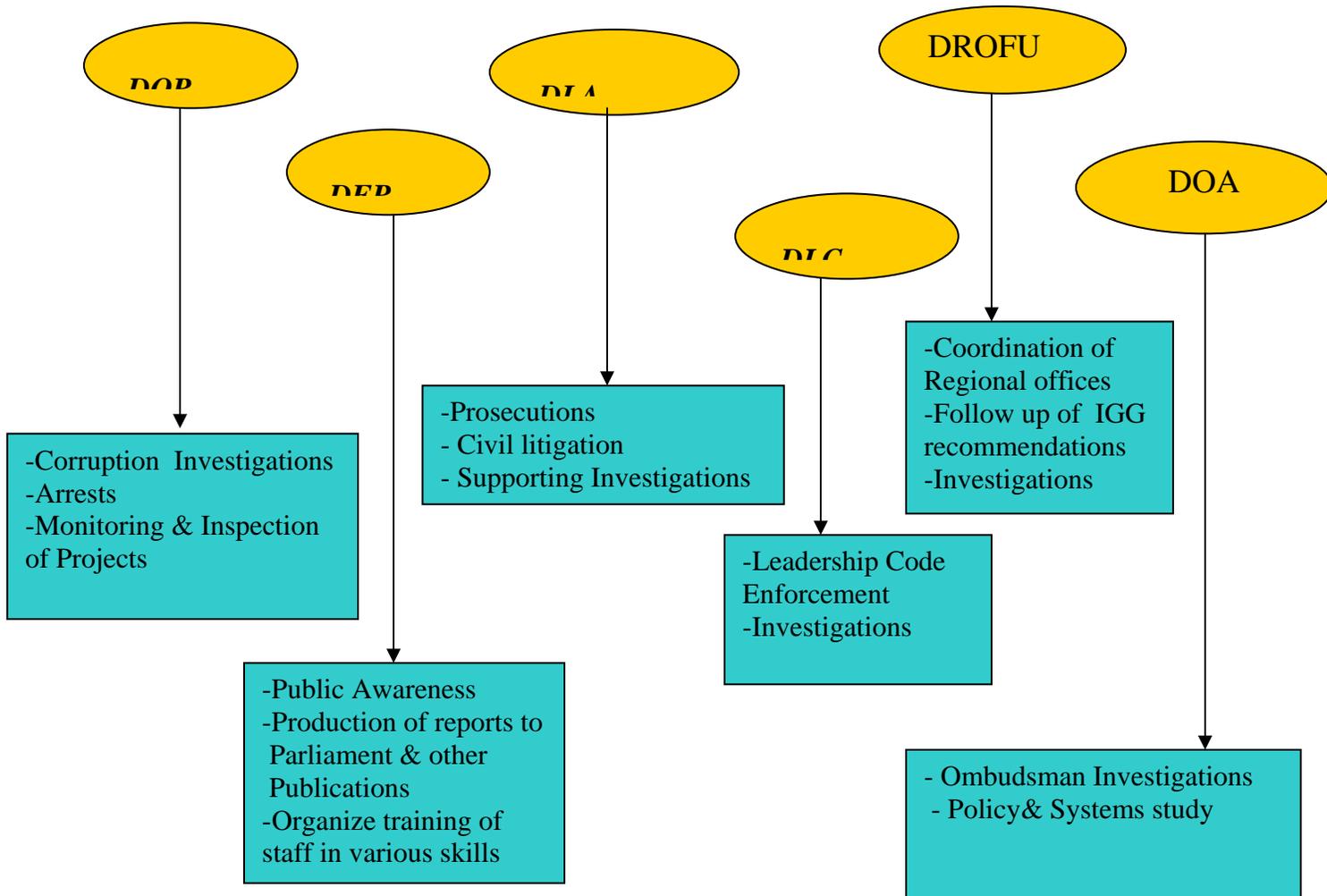
S/No	DEPARTMENT/INSTITUTION	Number of Complaints			
		Kampala Hqts	Regional Offices	Total Complaints	% age
1.	District Administration	51	130	181	17.4%
2.	Individuals (Public officials)	3	112	115	11.0%
3.	Municipal & Town Councils	28	84	112	10.7%
4.	Police	27	39	66	6.3%
5.	Head Teachers (Primary & Secondary schools)	21	42	63	6.0%
6.	Judiciary	17	23	40	3.8%
7.	District Service Commissions	13	23	36	3.5%
8.	Sub county Chiefs	7	28	35	3.4%
9.	Lands Office	24	4	28	2.7%
10.	LCs	8	15	23	2.2%
11.	Private companies /Organizations	11	12	23	2.2%
12.	Contract committees	7	9	16	1.5%
13.	Ministry of Public Service	8	8	16	1.5%
14.	Tertiary Institutions	10	6	16	1.5%
15.	Colleges/institutes	8	7	15	1.4%
16.	KCC	12	0	12	1.2%
17.	Ministry of Education	8	2	10	1.0%
18.	Administrator General	9	1	10	1.0%
19.	NGOs	5	5	10	1.0%
20.	Land Board	6	4	10	1.0%
21.	DEOs	3	5	8	0.8%
22.	Hospitals	4	2	6	0.6%
23.	Ministry of Works	5	1	6	0.6%
24.	Electoral Commission	3	3	6	0.6%
25.	DPP	4	1	5	0.5%
26.	NAADS	3	2	5	0.5%
27.	Public Service Commission	5	0	5	0.5%
28.	Uganda Land Commission	4	1	5	0.5%
29.	UMEME	4	1	5	0.5%
30.	UNRA	4	1	5	0.5%

S/No	DEPARTMENT/INSTITUTION	Number of Complaints			
		Kampala Hqts	Regional Offices	Total Complaints	% age
31.	Prisons	3	1	4	0.4%
32.	District Engineers	1	3	4	0.4%
33.	NFA	3	1	4	0.4%
34.	NEMA	4	0	4	0.4%
35.	ISO & UPDF	1	2	3	0.3%
36.	IG	3	0	3	0.3%
37.	Uganda Railways Corp	3	0	3	0.3%
38.	NSSF	2	1	3	0.3%
39.	Resident State Attorneys	3	0	3	0.3%
40.	Cooperatives	3	0	3	0.3%
41.	URA	2	0	2	0.2%
42.	Labour Office	2	0	2	0.2%
43.	Banks	2	0	2	0.2%
44.	Ministry of Health	2	0	2	0.2%
45.	UWEC	2	0	2	0.2%
46.	CAA	2	0	2	0.2%
47.	Ministry of Foreign Affairs	2	0	2	0.2%
48.	NARO	2	0	2	0.2%
49.	National Council for Higher Education	2	0	2	0.2%
50.	UNBS	2	0	2	0.2%
51.	DEI	2	0	2	0.2%
52.	Uganda Road Fund	2	0	2	0.2%
53.	DPACB	0	1	1	0.1%
54.	DDHS	0	1	1	0.1%
55.	Education Service Commission	1	0	1	0.1%
56.	Posta (U) Ltd	1	0	1	0.1%
57.	Security Organizations	1	0	1	0.1%
58.	Privatization Unit	1	0	1	0.1%
59.	UHRC	1	0	1	0.1%
60.	NPA	1	0	1	0.1%
61.	Ministry of Water and Environment	1	0	1	0.1%

S/No	DEPARTMENT/INSTITUTION	Number of Complaints			
		Kampala Hqts	Regional Offices	Total Complaints	% age
62.	State House	1	0	1	0.1%
63.	Ministry of Gender	0	1	1	0.1%
64.	Ministry of Energy	1	0	1	0.1%
65.	NPART	1	0	1	0.1%
66.	NWSC	1	0	1	0.1%
67.	MPs	1	0	1	0.1%
68.	DISO/GISO	1	0	1	0.1%
69.	Attorney General	1	0	1	0.1%
70.	Diary Development Authority	1	0	1	0.1%
71.	Ministry of Internal Affairs	1	0	1	0.1%
72.	NDA	1	0	1	0.1%
73.	Presidential Land Task Force	1	0	1	0.1%
74.	Ministry of finance	1	0	1	0.1%
75.	Judicial Service Commission	1	0	1	0.1%
76.	UWA	1	0	1	0.1%
77.	Auditor General	1	0	1	0.1%
78.	Parish chiefs	0	1	1	0.1%
79.	Others	5	5	10	1.0%
	<b>Total</b>	<b>454</b>	<b>588</b>	<b>1042</b>	<b>100.0%</b>

Figure 5

Functions of the Inspectorate of Government by Directorates



**Key:**

*DOP – Directorate of Operations*

*DEP – Directorate of Education and Prevention of Corruption*

*DLA - Directorate of Legal Affairs*

*DROFU – Directorate of Regional Offices and Follow Up.*

*DL/C – Directorate of Leadership Code*

*DOA- Directorate of Ombudsman Affairs*

Figure 6

## Functions of the Department of Finance and Administration

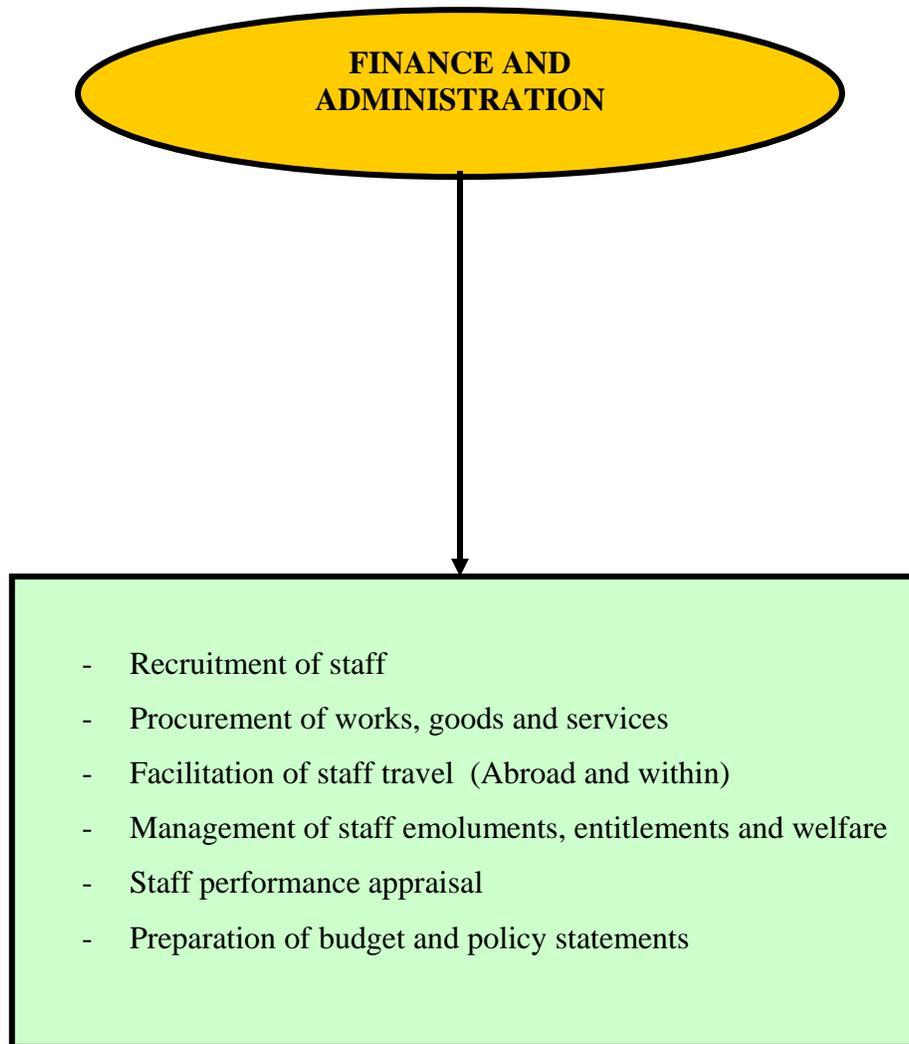


Figure 7

**Function of the IGG/ DIGG**



- Receipt of complaints
- Authorization and supervision of investigations
- Issuing of results or reports of Investigations
- Issuing of Bank Inspection Orders
- Issuing of Witness Summons
- Issuing of Warrants of Arrests
- Authorizing Prosecutions
- Issuing Orders/ Directives in the Course or as a consequence of Investigations.
- Authorization of closure of investigations
- Approving the Annual Budgets of the Inspectorate
- Issuing Parliamentary Reports
- Participation in Public Awareness Programmes, meetings, conferences and international events on behalf of IG

**Table X IX**

**A SAMPLE OF THE COMPLAINTS CONCLUDED JULY – DECEMBER 2010**

S/N	File Ref	Subject Matter
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1.	TS/42/2009	Alleged shoddy construction works on a Multi- Purpose Conference Hall in Bushenyi district
2.	TS/55/2010	Alleged irregularities in procurement of consultancy services in the Prime Minister's Office
3.	TS/10/2010	Alleged misappropriation of property by NAADS officials in Kiboga district
4.	TS/37/2010	Alleged financial irregularities by the Director Budget of Parliament of Uganda.
5.	TS/118/2010	Alleged termination of the contracts committee of UNRA by the Executive Director
6.	<b>ARU/CF/15/2008</b>	<b>Alleged irregular recruitment by the Nebbi District Service Commission and fraudulent amassing of wealth by the Secretary for Finance, Nebbi District.</b>
7.	ARU/CF/29/2008	Alleged diversion of salary arrears meant for primary school teachers by Koboko district officials
8.	<b>ARU/SF/95/206/01</b>	<b>Alleged non remittance to Pride Micro Finance salary deducted from primary school teachers meant for loan repayment.</b>
9.	<b>ARU/SF/95/325/01</b>	<b>Alleged delay of service delivery on criminal case No. 109/08: Uganda Vs Bolingo and others by Chief Magistrates' court – Arua.</b>
10.	<b>ARU/SF/243/244/01</b>	Alleged non refund of bail money by the High Court of Arua arising from High Court case No. ARU/0505/2004 (Uganda Vs Taban Simon).
11.	<b>ARU/SF/213/254/01</b>	Alleged mismanagement of UPE funds for Wangkawa P/S Pakwach Town Council by the H/teacher.
12.	<b>FP/CF/09/09</b>	Alleged abuse of office and conflict of interest by the Supervisor of Works of Kabarole District.
13.	FP/CF/17/09	Alleged abuse of office by the Town Clerk and Urban Physical Planner of Kasese Town Council (now Kasese Municipal Council).
14.	FP/CF/13/09	Alleged misappropriation of LGDP funds in Kamwenge District Kahunge Sub county.
15.	GUL/CF/03/2010	Alleged Irregular Deployment and Payment of Salaries to Health Assistant, Gulu Municipal Council
16.	GUL/CF/17/2009	Alleged Abuse of Office and Causing Financial Loss by Magistrate Grade 1, Pader Magistrate's Court.
17.	GUL/01/02/2010	Alleged Inflation of Costs for the Renovation of the RDC's Block by Gulu District and NUTI Officials.

18.	GUL/CF/5/2010	Alleged embezzlement of funds by the District Community Development Officer and District Cashier - Pader District
19.	GUL/CF/14/2010	Abuse of office by Town Clerk & Municipal Engineer- Gulu District
20.	HMA/CF/01/2010	Alleged corruption by Masindi District Service Commission during the recruitment of the Inspector of schools.
21.	HMA/CF/07/2010	Alleged irregular sale of public land by the Chairperson LCV Kiboga District.
22.	HMA/CF/02/2010	Alleged shoddy work done in the construction of Kisiabi P/S Classroom block by the District Engineer, Buliisa District.
23.	HMA/02/09/2007	Alleged non payment of salaries and other benefits by the headteacher Buyanja Secondary School Kibaale District.
24.	HMA/CF/30/2007	Failure to account for shs 49,062,100/- by an official of Masindi district
25.	HMA/4/12/2010	Bribery and extortion by the Principal Internal Auditor Buliisa district
26.	JNJ/CF/015/09	Alleged corruption and abuse of office by the principal Bishop Willis Core PTC Iganga
27.	JNJ/CF/20/10	Alleged delay of service delivery and abuse of office by the Senior Land management Officer
28.	JNJ/CF/027/2010	Alleged irregular recruitment of the senior land management officer and the secretary District Land Board
29.	JNJ/15/07/2010	Alleged non-payment of salaries by NSSF Jinja Manager
30.	JNJ/09/03/08	Alleged non payment of teacher's arrears in Nawaikoke primary school Bugiri District
31.	KBL/CF/10/10	Alleged Mismanagement and abuse of Office by District Officials of Kanungu District.
32.	KBL/01/12/06	Alleged encroachment of Kamuganguzi Health Centre land by the Chairperson LCIII Chairperson
33.	KBL/CF/11/09	Alleged mismanagement and embezzlement of funds in the Health Department in Kanungu District.
34.	KBL/CF/25/10	Alleged non payment of salary arrears to Mugisha J by the CFO Rukungiri
35.	LIR/CF/06/2010	Alleged lack of the requisite academic qualifications for the post of District Vice Chairperson of Otuke District
36.	LIR/CF/03/2008	Embezzlement of shs.47 million by officials of Lira Municipal council

37.	HQT/54/02/2007	Mismanagement of NUSAF1 funds by Lira officials
38.	HQT/15/04/2007	Abuse of office & mismanagement by Lira district officials
39.	MSK/CF/34/03	Alleged diversion of school funds by the Administrators of Masaka School of Comprehensive Nursing.
40.	MSK/CF/24/10	Alleged abuse of office by officials of Masaka Land Office.
41.	MSK/CF/06/2010	Irregularities in award of contract to operate water systems for Kyotera
42.	MSK/06/06/10	Alleged bribery and extortion by Masaka District Labour Officer.
43.	<b>MBL/04/02/10</b>	<b>Alleged mismanagement of tender for grading Budaka Market by the District Officials</b>
44.	<b>MBL/CF/02/09</b>	<b>Alleged flawed procurement of a vehicle and irregular interdiction of the CFO, Kapchorwa DLG</b>
45.	<b>MBL/CF/14/04</b>	<b>Alleged shoddy work and delay in completion of Bukyambi P/S, Sironko by M/S Macie Contractors.</b>
46.	<b>MBR/CF/08/2009</b>	Alleged holding two government jobs as Health Assistant Mbarara District and Health Inspector Isingiro District.
47.	<b>MBR/01/03/2009</b>	Alleged non payment of salary and allowances to an employee of Mbarara Feeder roads Mechanical Workshop.
48.	SRT/CF 30/07	Alleged Irregularities in the Evaluation of tenders by Nakapiripirit District-FY 2006/2007
49.	SRT/CF/36/07	Alleged Irregular Award of contract for construction of Kotido Health Centre IV & Abuse of office by the Ag CAO Kotido Districts
50.	MRT/CF/1/2009	Alleged misappropriation of Shs 7m meant for purchase of books under UNICEF program by DEO Nakapiripirit
51.	MRT/CF/8/2010	Alleged conflict of interest by Moroto District and Municipal Council Authorities
52.	MOY/CF/03/2010	Alleged irregularity in the shortlisting of candidates for Adjumani district vacant posts
53.	HQT/25/05/08	Alleged Influence Peddling by the District Chairperson, Kumi and lack of the Requisite Academic Qualifications by the Chairperson, Kumi D S C.
54.	TS/110/2004	Failure to supply 588 desks to Kumi district
55.	SRT/CF/04/2010	Extortion by sub county chief of Ngora, Kumi District

56.	TOR/CF/01/08	Alleged shoddy work on Molo Health Centre III, Tororo District.
57.	TOR/CF/09/2010	Alleged conflict of interest and abuse of office by the Headteacher and Bursar of Lumino High School, Busia District
58.	TOR/CF/16/09	Alleged inflated costs for various projects under the Peace Recovery and Development Plan by Bududa District Officials.