

Lawyer Mabirizi, magistrate clash over fresh charges

BY JULIET KIGONGO

KAMPALA. Drama unfolded at Buganda Road Chief Magistrate's Court on Wednesday as lawyer Male Mabirizi Kiwanuka clashed with presiding magistrate Ritah Neumbe Kidasa after the State withdrew earlier charges against him, only to introduce fresh ones moments later.

The tense proceedings began on a seemingly positive note for Mr Mabirizi, who had been facing four counts under the Computer Misuse Act.

Chief State Attorney Richard Birivumbuka told the court that the Director of Public Prosecutions (DPP) had decided to discontinue the case following a recent Constitutional Court ruling that nullified key provisions of the law.

Mr Mabirizi, who had denied the initial charges, appeared poised for release following the development.

However, the situation took a dramatic turn shortly after the charges were formally withdrawn, when the prosecution presented a new charge sheet.

As the fresh charges were read, Mr Mabirizi declined to take plea and instead demanded that the magistrate recuse herself from handling the matter.

"I need a recusal of the judicial officer, double jeopardy and lack of jurisdiction," he repeatedly told court.

The request triggered a heated exchange, with Ms Kidasa cautioning Mr Mabirizi over his conduct.

Mr Mabirizi fired back, accusing the court of unfair treatment.

"This court has several judicial officers, including another chief magistrate. Why don't you hand over my file? Why are you always handling my matters?" he asked, also referencing a previous denial of bail.

Ms Kidasa, however, stood her ground.

"I am the administrator of this court," she said. The exchange intensified when Mr Mabirizi questioned the constitutional basis of the proceedings.

Despite his objections, the magistrate proceeded to read out the new charges. According to the charge sheet, Mr Mabirizi is accused of publishing false information on his TikTok account, alleging that Chief Justice Flavio Zeyi is "a conman, a fraudster" who secured his position through bribery.

New charges

He faces a second count of making similar allegations against Court of Appeal Justice Musa Ssekana. A third charge relates to alleged broadcasting without a licence, contrary to the Uganda Communications Act.

When asked whether he understood the charges, Mr Mabirizi declined to respond directly, instead repeating his de-

mand for recusal and raising objections of double jeopardy and lack of jurisdiction.

In her ruling, Ms Kidasa directed that the objections be handled in accordance with the law. The case was adjourned to April 15 for a ruling on the objections.

However, Mabirizi protested the directive, saying his detention at Luzira Prison would make it difficult to file submissions. "I can ably make my submissions now," he said.

"I am not in position to take your submissions now," the magistrate replied.

As proceedings closed, Mabirizi made a final remark: "I do not wish to meet you again."

"It is well," Ms Kidasa responded.

Courtroom silence followed as the visibly frustrated lawyer was led away.