By Henry Nsubuga

Blind man sentenced to seven years over defilement

Mukono Chief Magistrate Paul Matyama has sentenced a 44-year-old blind man to seven years in prison after he pleaded guilty to defilement.

Ivan Birungi, a resident of Kasana East Ward in Mubende district, pleaded guilty to defiling a 15-year-old girl whom he transported from Kanyegalamire village in Kakumiro district to help him with domestic chores.

Prosecution led by the Mukono Senior Resident State Attorney Josephine Nanyonga told court that Birungi hired a teenage girl as his helper due to his visual limitations, but on the day he received her from the village (February 2), he hired a lodge from where he sexually abused her.



Prisons officers leading Birungi out of court shortly after he was sentenced to seven years in prison for defiling a 15-year-old girl

HOW IT HAPPENED

The victim told court that Birungi forced the girl into sexual intercourse three times, two in Kampala and one in Mukono district where he shifted after she demanded for transport to return home in Kakumiro district.

"Through our neighbour called Gift, Birungi had promised to pay me sh150,000. I was, however, disappointed because before running away from my parents, Gift had promised me that the blind person I was going to take care of was a woman, only to find a man. I had asked him to pay for two rooms, one for me and another one for him, but he declined. He said I would sleep outside if I didn't want to sleep in the same room with him," the victim narrated from the magistrate's chambers.

The girl went on: "Though I had slept on the floor and Birungi in bed, at around 10:00pm, he left the bed, came where I had slept and forced me into sex. I tried to resist, but he overpowered me. He boasted after realising that I was a virgin, saying he would take care of me because he had money."

VICTIM'S FATHER NARRATES

The girl's father, (name withheld), a resident of Kanyegalamire village in Kakumiro, told court that his daughter disappeared from their home at night without their consent. He said they got relief when she called four days later to inform them that she was in Kampala working.

"The second phone call I received was from Mukono Police Station telling me that my daughter had been defiled by the person she was taking care of. It was at that time that I realised that our neighbour, Gift, masterminded her disappearance," the father said.

NOT A FIRST-TIME OFFENDER

Prosecution asked court to give Birungi a deterrent sentence of [redacted] years given the fact that he is not a first-time offender, contrary to his submission before court.

"He was previously charged with similar offences of defilement and trafficking in persons at the Mubende Chief Magistrate's Court. However, after being granted bail, Birungi absconded, which led to the dismissal of the case on July 19, 2024, pending his re-arrest," prosecutor Nanyonga said.

However, Birungi's lawyer, Lydia Nanyombi asked for a lenient sentence, saying Birungi was a first-time convict.

On his knees, Birungi pleaded for leniency, saying he did not realise the victim was under-age.

But the girl told court that upon meeting Birungi in the taxi park, he asked for her age and she told him she was 14.

"I acknowledge and regret the mistake I committed. I am blind and entirely dependent on others for assistance and I cannot manage life in prison," Birungi said.

7-YEAR SENTENCE

Magistrate Matyama noted that Birungi is 44 years old while the victim is 15, an age difference significant enough that he could be her father.

He said Birungi had a duty to protect the girl, but acted in direct violation of that responsibility.

He said though prosecution had asked for a sentence of 14 years, it would be harsh for Birungi considering that he did not waste court's time by pleading guilty and that he showed remorse.

Matyama said Birungi's 7-year sentence was intended to protect him from his other potential victims.

Meanwhile, Birungi is also facing another charge of trafficking in persons, to which he pleaded not guilty. Birungi will be brought back to court for hearing of this case on March 16.