

Assessors advise court to convict Nandutu in iron sheets case

BY JULIET KIGONGO

KAMPALA. Three court assessors have advised the Anti-Corruption Division of the High Court to convict the former State Minister for Karamoja Affairs, Ms Agnes Nandutu, in the ongoing Karamoja iron sheets scandal.

The assessors; Rose Joanittah, Bob Nabende and Sarah Namayanja, told the court yesterday that the prosecution had proved the offence of dealing with suspect property beyond reasonable doubt.

Delivering their joint opinion before Justice Jane Kajuga, Ms Namayanja said the evidence adduced by the prosecution demonstrated that Ms Nandutu had possession of the iron sheets and was aware of the irregular circumstances under which they were acquired.

"Your Lordship, it is our opinion that the accused is guilty of the offence as charged," Ms Namayanja submitted on behalf of the panel.

The assessors noted that the burden was on the prosecution to prove that Ms Nandutu dealt with stolen or suspect property and that she knew, or had reason to believe, that the items had been unlawfully obtained.

According to the panel of assessors, the testimony of the 10 prosecution witnesses outweighed that of the defence, which called three witnesses.

Court heard that the case revolves around 2,000 pre-painted iron sheets, packed in bundles of 12, which had been procured for vulnerable communities in the Karamoja Sub-region.

The assessors pointed to evidence showing that the iron sheets were received on Ms Nandutu's behalf by her assistant, Evelyn Bazibu, before they were later recovered from her farm.

"This shows that she dealt with suspect property," Ms Namayanja told court.

Backing

They also relied on the testimony of the investigating officer, who said Ms Nandutu admitted receiving the iron sheets, claiming they were intended for landslide victims in Bududa District.

However, the panel observed that no evidence was presented to show that the former minister formally requisitioned the iron sheets from the Office of the Prime Minister (OPM), raising questions over the legality of the acquisition.

"The accused does not show any evidence of how she came into possession of the iron sheets she was supposed to give to the people of Bududa," Ms Namayanja said.

The assessors further noted that although Ms Nandutu argued that proper procedures had been followed, documentary evidence from OPM indicated that the iron sheets formed part of the consignment earmarked for Karamoja.



Agnes Nandutu

They cited records showing that Ms Nandutu's name had been listed among the beneficiaries by then minister Mary Goretti Kitutu, which they said weakened her defence.

When Justice Kajuga sought clarification on whether the panel was satisfied that Ms Nandutu knew the iron sheets had been improperly acquired, the assessors maintained their position.

"After weighing the evidence, the accused, being a State minister, knew that what she was doing was wrong since she did not requisition the iron sheets for the people of Bududa," Ms Namayanja said.

The panel also dismissed Ms Nandutu's defence that she had a strained working relationship with her senior minister, saying it did not absolve her of responsibility.

The assessors further faulted the defence witnesses, including landslide victims from Bududa, noting that while their testimony highlighted their suffering, it did not establish any lawful process through which the iron sheets were obtained.

"There was no evidence of formal requisition from OPM to assist her constituency," they concluded.

Justice Kajuga said the assessors' opinion would be considered before delivery of the final judgment.

"I will take your opinion into consideration," the judge said, before setting April 8, as the date for judgment.

The case arises from the wider Karamoja iron sheets scandal, in which relief items meant for vulnerable communities in the sub-region were allegedly diverted from government stores in 2022.

During her defence, Ms Nandutu blamed her predicament on alleged marginalisation within the ministry and lack of guidance from her superiors.

The prosecution, however, maintains that she knowingly dealt with government property that had been diverted from its intended beneficiaries.

However, the assessors opinion is not binding on the judge, she/he can depart from it if there is need to do so.