

MALIK FAHAD JJINGO

MASAKA. The High Court in Masaka has deferred the hearing of a case in which students of St Bernard Secondary School, Many, in Rakai District are facing charges in connection with a dormitory fire that claimed the lives of 10 students.

Appearing before Masaka Resident Judge Lady Justice Victoria Nakintu Katamba on Tuesday, the prosecution informed the court that the scheduled witnesses had failed to appear and requested an adjournment.

State prosecutor Deborah Itawu said she needed more time to present the witnesses.

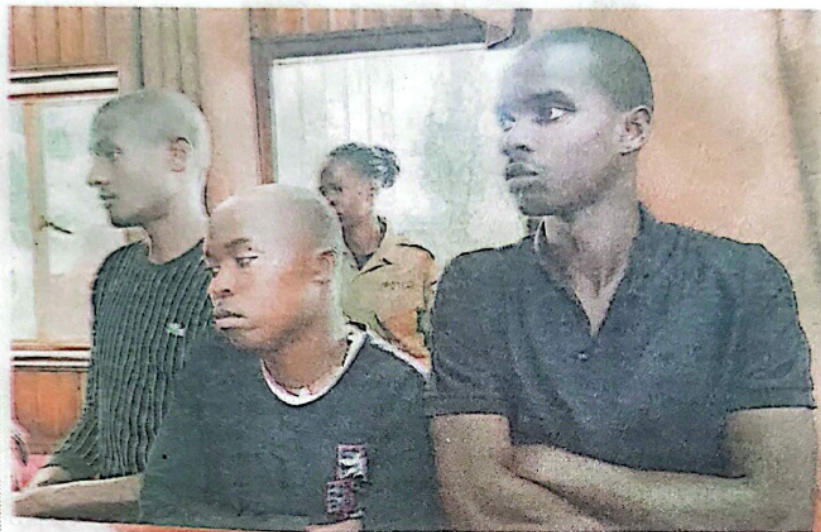
However, defence lawyer Sam Ssekya-wa objected to the request, arguing that the State had already been given sufficient time to present its witnesses but had failed to do so.

He said if the prosecution is granted more time, it should be the last adjournment.

Mr Ssekya-wa also asked the court to consider hearing the accused persons' bail application, noting that they have been on remand for seven years.

The prosecution alleges that Henry Taremwa, 18, a resident of Many Trading Centre in Rakai District, Alex Mugarura, 18, a resident of Kihinga Village, Kasaana Sub-county in Sheema

Rakai school fire suspects return to court a year after colleague's acquittal



St Benard SS dormitory fire suspects in court on February 18. The accused persons have been on remand for over seven years. PHOTO/MALIK FAHAD JJINGO

District, Dickson Kisuule, 18, a resident of Kifamba Sub-county in Rakai District, all students at the same school, and Edi-

son Niyo, alias Edie, 22, a self-employed resident of Many Trading Centre, together with others still at large, on No-

vember 11, 2018, at St Bernard's SS, Many, in Rakai District, killed Remigious Tamale and nine other students in a school fire.

In her ruling, Justice Nakintu said the State had not provided specific reasons for the absence of the witnesses, despite the tight hearing schedule. She observed that the prolonged remand of the accused persons infringes on their rights, including the right to a fair and speedy trial.

"The accused persons have been on remand for seven years, four months and six days. In the circumstances, I am

Not happy.
We expected the trial to kick off, but unfortunately the State didn't have the witnesses. This is a matter that has been the system since 2018. If they have failed to present the witnesses, the State should close its case
- Sam Ssekya-wa, defence lawyer.

allowing the adjournment. However, on the next sitting date, should the State fail to present its witnesses without reasonable cause, this court will consider a bail application by the accused persons. The matter is adjourned to March 4, for hearing," she ruled.

According to the amended charge sheet, three students and one resident of Many Trading Centre are facing 48 counts, including 10 counts of murder, 36 counts of attempted murder, one count of arson and one count of attempted arson.

Speaking to journalists after the court session, Mr Ssekya-wa said the defence had long awaited the hearing of the case and was surprised that the State was still not ready to proceed.

"We expected the trial to kick off, but unfortunately the State didn't have the witnesses. This is a matter that has been in the system since 2018. If they have failed to present the witnesses, the State should close its case," he said.

In 2024, the court acquitted ses Taremwa, who had been jointly charged with the trio, after finding his detention for more than five years exceeded the maximum sentence a juvenile could serve.

The court ordered his release, noting that he had been a juvenile at the time of his arrest and that his human rights had been grossly violated during his arrest.