



# Delayed access to justice for Sexual Violence cases in Uganda

Presented at a Policy Dialogue

Hotel Africana

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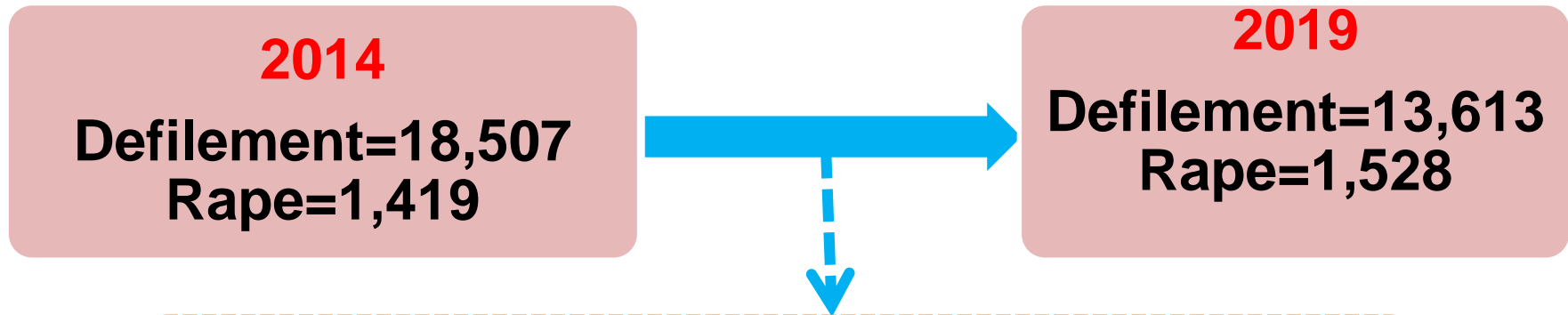
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# 1. Introduction

Sexual offence cases, mainly defilement and rape remains large in Uganda.



## Leading to;

- Low attainment of national development aspirations
- SDG5-5.2 targets, and SDG 6
- Negative consequences: Injuries, STDs, forced marriage, teenage pregnancies etc.

## 2. Approach

- Desk review and Analysis of secondary data
  - UPF- Annual Crime reports
  - JLOS- Annual Performance Reports
  - UBOS -Annual statistical abstracts
  - Secondary data:
    - ODPP, UPF, and UBOS

# 3. Findings

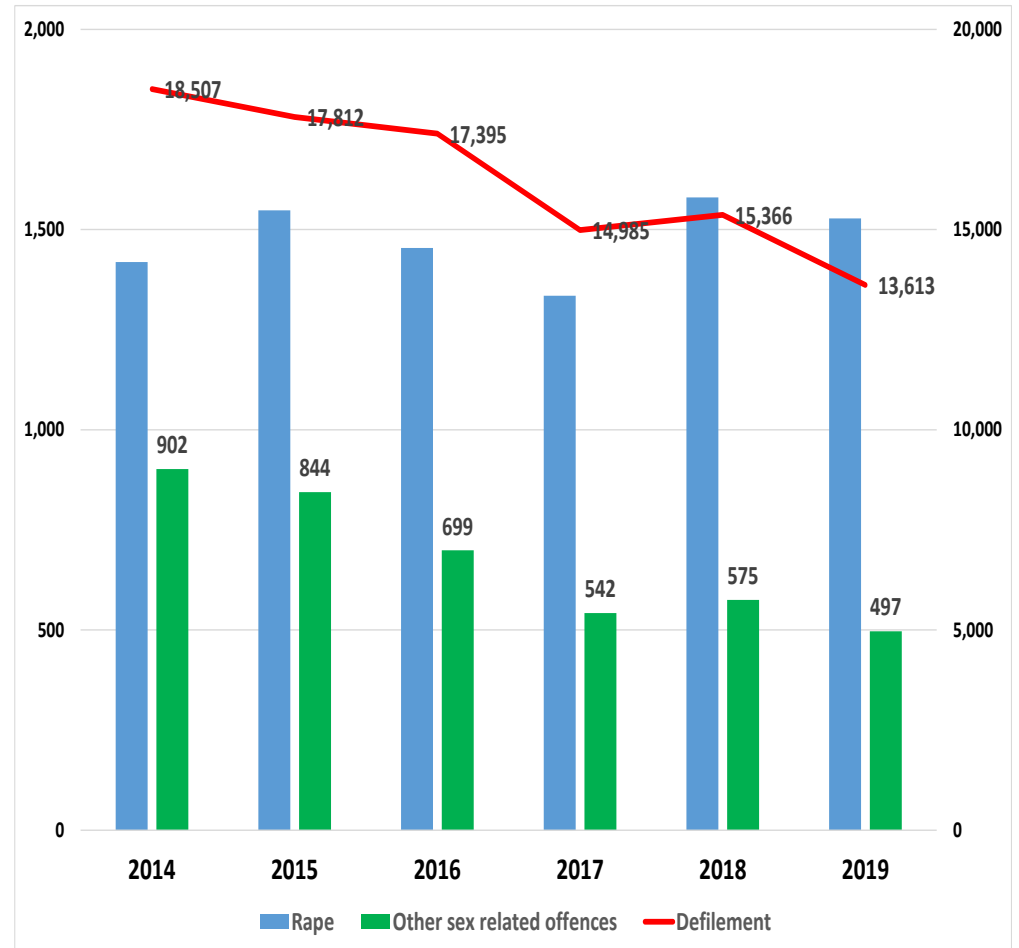
Number of sexual related cases reported: 2014-2018



**Defilement is the most commonly reported sexual related offence**



**at least 77 per cent of the victims of defilement cases reported were young girls aged 15-17 years**

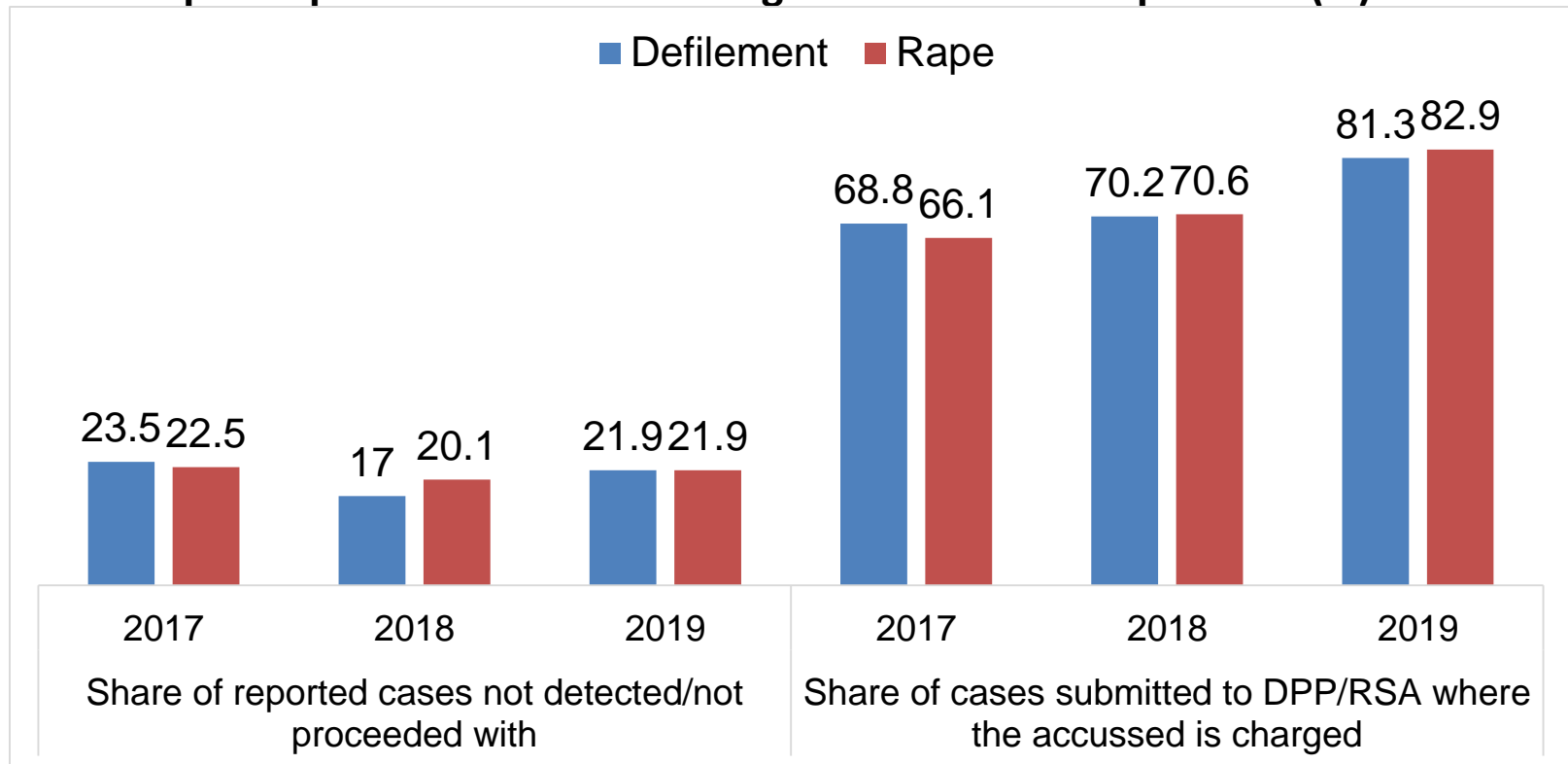


# Handling of defilement and rape cases

On average, 21% of reported SGBV crimes go undetected by police

- *Why? Limited CID officers to investigate the case; Lack of specialised officers to handle SGBV cases; Interference by family members of perpetrators and victims; Delayed medical examination*

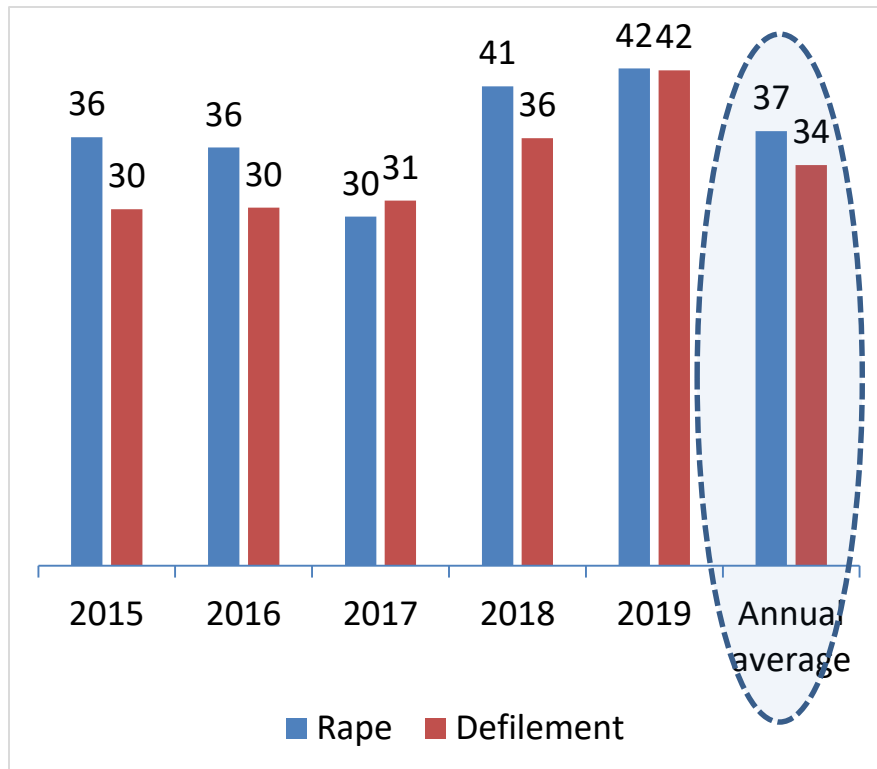
## Trends in police performance in handling defilement and rape cases (%)



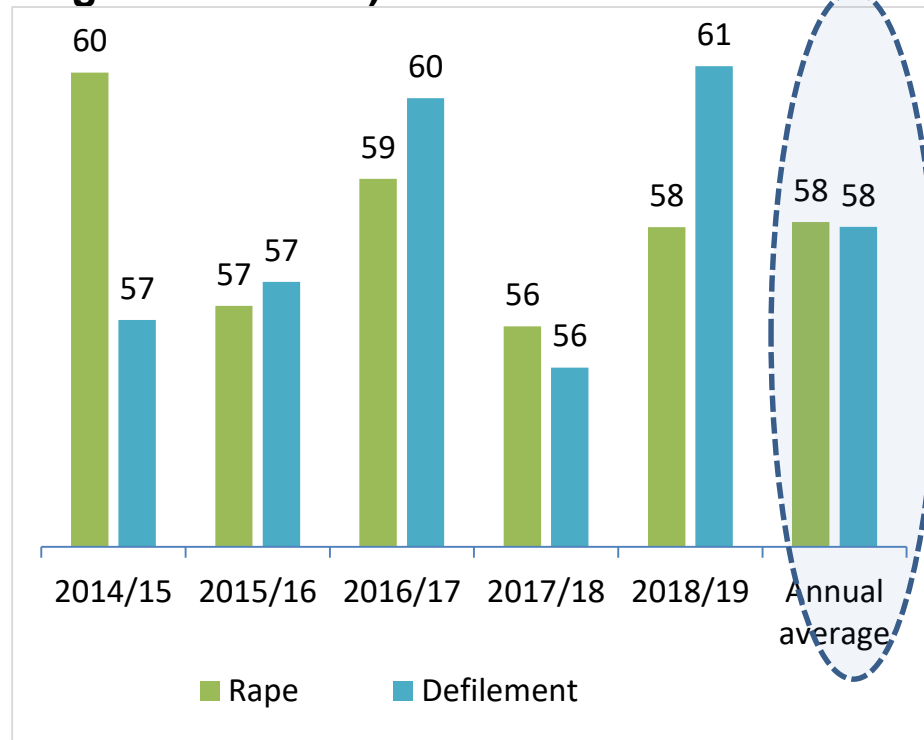
## The rate of prosecutions and sanctions for rape and defilement cases are still low

- Only 37% of rape and 34% of defilement cases reported are forward for prosecution annually; 58% of rape and defilement are sanctioned .

**Cases forwarded for prosecution (% of reported cases)**



**Cases sanctioned annually (% of newly registered cases)**





**Table: Status of completed cases (%)**

Action /Case(s)	2015/16	2016/17	2017/18	2018/19	Annual average
<i>Conviction rate</i>					
Rape	38.4	63.7	55.8	44.4	<b>49.4</b>
Aggravated					
Defilement	64.2	69.9	52.5	67.3	<b>62.1</b>
Simple Defilement	43.8	47.6	45.6	48.7	<b>45.9</b>
<i>Dismissal rate</i>					
Rape	58.7	30.8	39.6	48.1	<b>45.9</b>
Aggravated					
Defilement	31.9	26.8	43.2	31.7	<b>34.7</b>
Simple Defilement	53.8	49.6	50.8	48.2	<b>51.0</b>
<i>Acquittal rate</i>					
Rape	2.9	5.6	4.6	7.4	<b>4.7</b>
Aggravated					
Defilement	4.0	3.3	4.3	1.0	<b>3.2</b>
Simple Defilement	2.4	2.9	3.6	3.1	<b>3.1</b>
<i>Closed cases</i>					
Rape	334	271	292	111	<b>266</b>
Aggravated					
Defilement	399	421	392	250	<b>397</b>
Simple Defilement	1,405	1,021	1,046	939	<b>1,150</b>

*When prosecuted, rape and defilement cases also suffer from high rates of dismissal and low overall conviction rate*

*Conviction rate for rape cases declined by 19.3pp while the dismissal rate increased by 17.3pp points between 2016/17 and 2018/19*

*A large numbers of sexual offenses are closed annually due to lack of evidence*

## 4. Conclusion

- Rape and defilement cases are the most commonly reported sexually related offences.
- Defilement is the second highest crime after common assaults reported in Uganda.
- However, less than 4 in every 10 of these cases are forwarded by police for prosecution with an equally low sanction rate.
- Worse still, fewer cases are convicted and many more dismissed or closed at the onset — due to factors such as absence of substantial evidence, intimidation of victims by perpetrators or society, limited staffing and financial resource by JLOS.
- Pursuance of justice by victims (mainly women) is also undermined by financial constraints.

## 5. Policy Recommendations

Strengthen community capacity to demand for human rights protection and to pursue justice to its logical conclusion

- Sensitization to reduce stigma among the victims and encourage reporting
- Support witnesses to testify

Enhance specialised technical capacity across the JLOS system to handle SGBV cases in a gender-sensitive and victim-friendly manner

Allocate adequate budget to strengthen the infrastructure for investigation, prosecution and adjudication of sexual violence cases

MOH should;

- Enhance training for medical officers on filling the Police Form 3,
- institute measures to handle medical officers who demand payments from survivors
- Increase access to Post-Exposure Prophylaxis (PEP) for HIV prevention and emergency Contraceptive pills in case of rape.

Strengthen data generation and management capacity across all JLOS institutions mandated to handle SGBV

Coordination among formal justice actors to ensure effective management of GBV cases.

**Thank you for listening**