

Balancing Justice: A Critical Analysis of Plea Bargaining's Impact on Uganda's Criminal Justice System

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Abstract : Plea bargaining, a practice often associated with more developed legal systems, has emerged as a significant tool within Uganda's criminal justice system despite its absence in formal legal structures inherited from its colonial past. Initiated in 2013 with the aim of reducing case backlogs, expediting trials, and addressing prison congestion, plea bargaining reflects a pragmatic response to systemic challenges. While rooted in international statutes and domestic constitutional provisions, its implementation relies heavily on the Judicature (Plea Bargain) Rules of 2016, which outline procedural requirements and safeguards. Advocates argue that plea bargaining has yielded tangible benefits, including a reduction in case backlog and efficient allocation of resources, with notable support from judicial and prosecutorial authorities. Case examples demonstrate successful outcomes, with accused individuals benefitting from reduced sentences in exchange for guilty pleas. However, challenges persist, including procedural irregularities, inadequate statutory provisions, and concerns about coercion and imbalance of power between prosecutors and accused individuals. To enhance efficacy, recommendations focus on establishing monitoring mechanisms, stakeholder training, and public sensitization campaigns. In conclusion, while plea bargaining offers potential advantages in streamlining Uganda's criminal justice system, addressing its challenges requires careful consideration of procedural safeguards and stakeholder engagement to ensure fairness and integrity in the administration of justice.

Keywords : plea-bargaining, criminal-justice system, uganda, efficacy

Conference Title : ICILHRDP 2024 : International Conference on International Law, Human Rights and Democratic Principles

Conference Location : Toronto, Canada

Conference Dates : June 13-14, 2024