



Men close the entrance to the Fort Portal Remand Home in 2022. PHOTO/ FILE

What next as juveniles rot in jail over petty offences?

The Auditor General's report shows that overcrowding has serious implications for the welfare of children, including inadequate sleeping space, limited access to health-care, and strained rehabilitation.

BY YAHUDU KITUNZI

Juveniles accused of minor and other offences are increasingly spending prolonged periods in remand homes across Uganda, raising serious concerns about violations of children's rights and the effectiveness of the juvenile justice system.

Uganda has eight remand homes that accommodate children in conflict with the law, but these facilities face several challenges. These include inadequate funding to feed the children, difficulties in transporting them to courts of law, overcrowding within the homes, and a lack of vehicles to facilitate court appearances, among other issues.

A report by the Auditor General (AG) of 2025 shows that the situation in remand homes and rehabilitation centres remains alarming, with widespread overcrowding and prolonged detention of children beyond legally prescribed timelines. The findings highlight systemic gaps that continue to undermine the protection, welfare, and rehabilitation of young offenders.

According to the law, particularly Section 94(5) of the Children Act, Cap 62, juveniles charged with minor offences should not be held on remand for more than three months. However, the report indicates that this provision is frequently violated. From a sample of 82 juveniles with minor

offences, 34—representing 41 percent—had been remanded for more than the recommended three months.

The situation is equally concerning for juveniles facing capital offences. Out of a sample of 44 juveniles, 20—representing 45 percent—had been held on remand for more than six months, exceeding the legal limit. These prolonged detentions not only contravene the law but also expose children to psychological distress, disrupt their education, and significantly reduce their chances of rehabilitation.

Governance failure

The Police Annual Crime Report for 2025 recorded 3,308 juveniles involved in various crimes, with 2,908 boys and 400 girls.

Data from the Ministry of Gender, Labour and Social Development shows that more than 1,184 children are currently held in Uganda's eight remand homes, including 1,136 boys and 48 girls. Among the most common offences committed by these children are murder, rape, theft, robbery, and defilement.

According to the Auditor General's report, six out of eight Remand Homes and Rehabilitation Centres—representing 75 percent—are operating beyond their recommended capacities.

Capacity levels in these facilities range from 110 percent to as high as 229 percent, indicating a system under immense pressure. The most affected centres include Fort Portal and Mbale remand homes, which are currently housing juvenile populations far above their intended capacity.

Each of the two facilities was designed to accommodate 45 juveniles, but they are now operating at 129 percent and 122 percent above their recommended holding capacities, respectively.

The AG's report shows that overcrowding has serious implications for the wel-

fare of children, including inadequate sleeping space, poor sanitation, limited access to healthcare, and strained rehabilitation services. It also hampers effective supervision and reduces the ability of staff to provide individualised care and guidance.

"In criminal justice, children should not be charged with certain offences, and even when they do commit offences, they should not be imprisoned alongside adults. Their cases should be handled swiftly to avoid prolonged suffering," Mr Peter Walubiri, a senior constitutional lawyer, tells *Weekend Monitor*.

He says the Justice minister is supposed to issue orders regarding the disposal of criminal juvenile cases. However, there has been, he says, an institutional breakdown: remand homes are very few, courts fail to provide timely information to the minister, and the minister often does not know how to proceed.

Mr Walubiri notes that many juvenile offenders come from slums and economically broken communities, stressing that this is not merely a legal problem; it goes beyond the law and requires a holistic approach.

Urgent action needed

Delays in handling juvenile cases are often attributed to case backlog, insufficient judicial personnel, and logistical challenges such as transporting juveniles to court. In some instances, children remain in custody simply because their cases have not been heard in time.

"There is a need to strengthen alternative justice mechanisms that focus on rehabilitation rather than punishment," Ms Judith Yeko, a child rights advocate, notes. "Keeping children in overcrowded remand homes for extended periods only worsens their situation and increases the risk of reoffending."

Children aged 12-18 who find themselves on the wrong side of the law, committing crimes that require more than just a caution, are detained in one of six remand homes gazetted for that purpose.

The offending children are placed in Gulu, Mbale, Arua, Fort Portal, Masindi or Naguru remand homes. It is only children who have been tried and sentenced who are imprisoned at the National Rehabilitation Centre in Kampiringisa in Mpigi District.

Human rights lawyer Ladislaus Rwakafuzi explains that the Children Act requires the minister of Justice and the Attorney General to issue an order, depending on the

circumstances, before children are released. However, he notes that ministers have often failed to take up this responsibility because no one reminds them to act.

"Yet, the law enforcing human rights took many years to be enacted, and it only passed through a private member's Bill. Now, the Attorney General is challenging some of its provisions—an unfortunate situation, given that the Attorney General was supposed to introduce the law in the first place," says Mr Rwakafuzi.

"During Prof Kiddu Makubuya's tenure as Attorney General between 2005 and 2011, there was a serious problem of children spending many years on remand without ministerial action. Unlike his predecessors, Makubuya intervened to address the issue," he adds.

Ms Hellen Nabwire, a human rights activist, has urged the government to transfer the management of remand homes from the Ministry of Gender to the Uganda Prisons Service. Currently, juvenile offenders are held in remand homes overseen by the ministry of Gender. However, Ms Nabwire says the ministry is under-resourced "when it comes to facilities for the management of child offenders, who are present in every district."

The experts are now calling for urgent reforms to address the crisis. These include strengthening the juvenile justice system, increasing the number of judicial officers handling children's cases, and expanding the use of non-custodial measures.

"We are also calling for improved coordination among key institutions, including police, courts, and probation officers, to ensure that cases involving children are handled expeditiously," Ms Yeko says.

Improvement areas

The AG's findings further underscore the importance of community involvement in addressing juvenile delinquency. Families, community leaders, and local authorities are being encouraged to play a more active role in prevention and reintegration efforts.

"Every time these children return to the community, they serve as examples, showing potential offenders that prison is not easy and discouraging them from crime. They also act as counsellors within society. Children with minor cases should be released," Mr Yusuf Muziransa, a senior communications officer at the Equal Opportunities Commission, emphasises.

Mr Aggrey David Kibenge, the ministry of Gender Permanent Secretary (PS), acknowledges that under the ministry's oversight, remand homes are supposed to ensure that children are committed to court so their cases can be disposed of.

"Transport remains a major challenge. Many remand homes have buses and vehicles meant to transport children to court, but most have broken down, and there is no money to repair them. Encouragingly, the Judiciary has now designated all remand homes as Magistrate Grade One courts, meaning cases will soon be heard within the remand homes themselves," Mr Kibenge says.

Mr Kibenge adds that the budget for remand homes has nearly doubled—from Shs600 million to Shs1.2 billion—helping to address the chronic food shortages that previously plagued the system.

There is, however, a lot of work to be done on other fronts, including what Ms Lydia Nakirya, a retired teacher, calls "serious parental failure" that has handed many children a raw deal.