

GGABA MURDER: WHY COURT

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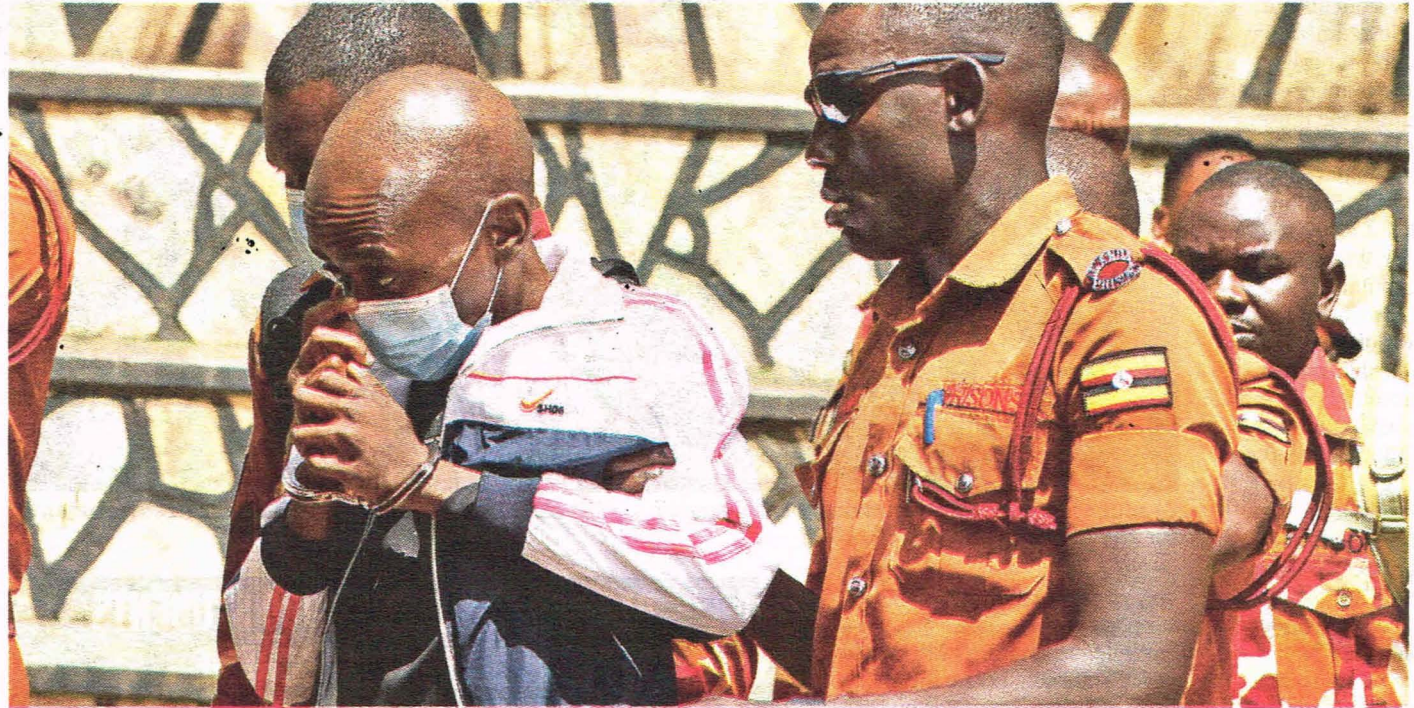
COURT

On Thursday, April 30, the High Court condemned Christopher Onyum Okello to death after finding him guilty of killing four toddlers at Ggaba Early Childhood Development Centre on April 2. This was after the court trashed his defence of insanity. While the 39-year old Okello was given a chance to address court, he declined. Okello appeared dejected. Okello was found guilty of stabbing to death Ryan Odeke (1.5 years), Keisha Agenorwoth Otim (2 years), Gideon Eteku (2.5 years) and Ignatius Sseruyange (2.5 years) on April 2, this year in a manner many people have described barbaric. The parents and community members expressed satisfaction with the sentence. **Farooq Kasule** and **Barbra Kabahumuza** bring you the court proceedings verbatim as the court condemned Okello to death after categorising of his actions rarest of the rare.

Judge Alice Komuhangi

Khaukha: Good afternoon. We are going to another stage and this is the sentencing hearing and this is the final stage in the criminal trial where the presiding officer imposes a punishment on a person convicted of a criminal offence. It involves balancing the seriousness of the crime, the impact the crime has had on the victims, the impact on the community and the public at large including the impact on other stakeholders in the administration of justice and this punishment is arrived at after hearing from the prosecution telling the court what has been the impact of this offence and also hearing from the convict and his lawyers.

Sentencing is very important because this is where all of us give accountability. As judicial officers



Okello, the prime suspect in the murder of four toddlers at Ggaba Early Childhood Development Programme School in Kampala, appears for judgment during a public High Court session at Ggaba Community Church on Friday

we exercise this authority on behalf of the people and it is also derived from the people as per the constitution. So, it is not, until a crime has been punished that the people will not feel there has been an accountability for the crime. So, I am going to ask the prosecutor to address the court giving me indications on what they believe is the punishment that suits the crime or crimes for which the convict has been convicted.

Likewise, I would expect to hear from counsel for the convict on why they think the court should be lenient to the convict and I will also hear from the convict.

Prosecutor Jonathan

Muwaganya: My lord we are well pleased with the verdict of court on each of the four counts. As prosecution we want to begin by thanking the court for the time, patience and effort exhibited in the process. As prosecutors, we are advocates for the people and I am instructed to thank the court and the judiciary administration for bringing justice closer to the people on whose behalf the court derive judicial power under article 126 of the Constitution. My lord, the parents of the deceased victims, as well as other relatives are present in court and we want to thank them and entire community for the resilience and co-operation throughout this justice seeking process.

My lord, under section 172 of the Penal Code Act, a person who has been convicted of murder is



Legal officer Awelo

liable to suffer death. My lord we are aware that Uganda no longer has a mandatory death penalty but the death sentence is still good law and even though the courts are not mandated to pass a death sentence as must, they can still do so in deserving cases. My lord, we are guided by the Constitution sentencing guidelines for the courts of judicature practice directions, which under paragraph 17 provide that the court may pass the sentence of death in exceptional circumstances in the rarest of the rare cases where alternative imprisonment for life

or other custodial sentences are demonstrably inadequate.

My lord in this case, the victims were attacked from one of the safest places in our communities. A day care centre is supposed to be a sanctuary, a place of laughter, learning and absolute safety. To the contrary the convict turned the centre into a scene of a well calculated massacre, which caused an imaginable terror in the community and the country at large. My lord, the convict participated in an extremely violent crime. We submit that you are now enjoined with the noble duty to administer a sentence that is commensurate with the crime committed, a sentence that must serve an equivalent punishment that was occasioned. My lord, under paragraph 18 of the sentencing guidelines, the rarest of the rare cases among others include cases where the court is satisfied that the commission of the offence was planned or meticulously premeditated and executed.

My lord you are also required to consider the use and nature of a weapon. We submit that a knife is one of older deadly weapons in human history and a person who applies a knife on another deserves no mercy. My lord, the court should consider whether the offender deliberately targeted and caused death of a vulnerable victim. All the four victims in this case were children under three years, defenceless minors and most innocent in our communities.

The court should also consider whether the offence was committed in the presence of another person like a child. My lord, the convict never minded about the presence of other children and their caretakers. The children that witnessed the execution of the four will permanently live with that trauma all through their lives and the same applies to the caretakers and the entire Ggaba community.

We submit that almost all aggravating factors under paragraph 20 of the sentencing guidelines are not relevant and not in favour of the convict and for that reason, it is our considered submission that there has never been a better case in our recent history to fit within the category of the rarest of the rare than the present case.

I want to end with the observations that were made by his lordship justice Mike Chibita while sentencing Kato Kajubi on July 26, 2012. When he was passing as sentence for life he said: "I want the children of Uganda to go to bed to night happy in the knowledge that one of their tormentors is safely locked up." In Kajubi case, the court sentenced him to life imprisonment for killing one baby. The convict before you killed not one, but four babies. We believe if this court is pleased issue the highest sentence, our beloved children of this nation will be safer because their tormentor would have been permanently eliminated from circulation. My lord, if you are not persuaded to issue the

CONDEMNED OKELLO TO DEATH

highest sentence of death, at least be pleased to pass a sentence of imprisonment for life so that the convict stays behind the bars all his natural life, it is only our society will be safer without him.

Makindye divisional probation officer Peter Lwanga Mayanja: My lord, I spoke with the parents of the deceased, grandparents, area chairpersons, few community members.

Judge: How did you make the selection of the few?

Mayanja: The chairperson took me around and said these are our community members, but all of them were in great shock. They informed me that they had never seen anything like this in their community and they requested for the highest punishment.

Judge: Thank you very much. I would like to see the parents of these children. Where is Stella Apolot?

Muwaganya: She is not here, but other family members are around.

Judge: Where is the father of Keisha Otim? Are you satisfied with the submissions of the prosecution? Has the prosecutor represented you?

Otim: Yes, my lord.

Judge: Mr Okello, this is your time to speak to the court. You have been convicted of four murder crimes and the punishment is death. The prosecutor has asked the court to give you the maximum punishment which is death. Before I pronounce the sentence, I would like to know why I shouldn't pass a death?

Okello: No my lord, I am not going to say something today. I have nothing to say my lord.

Judge: You don't even want to apologise to Ugandans or the parents of the victims and the community?

Okello: I have nothing to say my lord.

Judge: Can I hear from your lawyers.

Sarah Awero: My lord, we appreciate this honourable court for respecting and upholding the convicts right to a full trial. We appreciate the community for holding on to their patience, until this time. Children are angels and in the Bible Jesus said let the little children come to me. We pray that the souls of the children rest in peace and we seek healing from the community.

As state brief advocates, the Constitution gives us the mandate



Members of the public react after Okello the prime suspect in the murder of four toddlers at Ggaba Early Childhood Development Programme School in Kampala, was convicted

to represent anyone who has committed a capital offence and cannot afford a lawyer and we do this such that the court reaches a verdict and justice prevails.

Under paragraph 21 (f) of the sentencing guidelines, the convict is a first offender with no previous conviction, suffers from sickle cell and under paragraph 21(o) of the sentencing guidelines, he can still be productive to community, we have seen buying land in Nwoya district to farm. Under paragraph 60, it is our duty to inform court about the offender's social background. We shall give what we know. He comes from a broken dysfunctional family, even the siblings don't talk to each other. As a society we need to work hard and see that every family that is dysfunctional gets together. Finally, we pray that the period the convict has spent on remand is taken into account. We believe that this honourable shall come up with a fair and just sentence. We so pray.

Judge: Mr Okello before I finally pronounce the sentence, do you still insist you have nothing to tell this court?

Okello: I don't have anything to say my lord.

Judge: This is the sentence and the reasons for it. The convict has been convicted on four counts of murder and each count carries a maximum sentence of death. We have the sentencing guidelines which you heard the lawyers quoting and these are the Sentencing Guidelines under the Judicature (Sentencing Guidelines) Practice Directions, 2013. These guidelines offer particular sentence

that should be given for particular offences. For the offence of murder, these guidelines offer a starting point and for the offence of murder for which the convict has been convicted is 35 years. You can either go up or down depending on the aggravating and mitigating factors.

Counsel for the state/prosecutor has submitted or provided what he believes are the factors that aggravates the sentence that would call for the maximum sentence which is death. The summary of his submissions are that the offences were committed in a very cruel manner, the injuries inflicted on the children were extremely severe, they were attacked in their safest place, and the person who attacked them was fit to be their father and, instead of protecting them murdered them in a brutal and very gruesome manner.

The prosecution further submitted that the offence brought terror not only to the families of the victims, but also to the community of Ggaba and the nation at large. According to them, the crime falls within the category known as the "rarest of the rare," thus warranting the highest sentence. They also referred to statistics indicating that unlawful killings are on the increase and that if the trend is not addressed, the country is effectively losing the equivalent of about four villages each year. They argued that this rise in crime may be due to inadequate punishment.

In mitigation, the court invited the convict to speak, but he chose to remain silent. His counsel, Awero, offered condolences and

prayed for healing for the country, and then mitigated on behalf of the convict. Paragraph 74 of the Sentencing Guidelines provides that a court may only impose the death sentence in exceptional circumstances commonly referred to as the "rarest of the rare" where life imprisonment or any other custodial sentence would be manifestly inadequate. Paragraph 18 further explains that such cases include those where the offence was planned or meticulously premeditated and executed.

I have considered the submissions made by counsel for the convict, to the effect that the convict comes from a broken and dysfunctional family and himself is a dysfunctional person. I am required to weigh these mitigating factors against the aggravating factors raised by the prosecution.

In my judgment, I emphasised how gruesome and brutal this offence was. Not only are the families of the deceased children still grieving, but the entire community continues to mourn the loss of four innocent lives whose destinies were cut short by the barbaric actions of the convict.

I have considered the fact that the convict, with a high degree of sophistication, planned and premeditated this offence. I have also considered that he attacked defenceless and innocent children who depend on adults for their protection and survival. He deliberately targeted them in their vulnerable state and slaughtered them in a brutal manner.

I have further considered that the offence was committed in broad daylight, showing no fear, shame,

or regard for human life. If the convict had not been apprehended, it is possible that he would have killed more victims.

I have also considered that the offence was committed in the presence of other people including caretakers and co-ordinators individuals who had previously shown him kindness. Additionally, I have considered that the convict has shown no remorse whatsoever. He did not offer any apology to the families of the victims. He appeared indifferent to their suffering including the distress shown by the mother of one of the victims during her testimony.

I have also considered the impact of the offence on the families. On April 2, 2026, what began as an ordinary day ended in unimaginable tragedy when parents dropped off their children at school and later received their lifeless bodies. The pain they are experiencing is profound, and no amount of time can fully heal it.

While I have considered the claim that the convict comes from a broken background, I do not accept that this justifies the killing of innocent children.

I have also considered his denial that the killings were for human sacrifice. However, I am inclined to believe that this may have been the motive, based on what he told Dr Emmanuel Nuwamanya. I find no other reasonable explanation for such acts. I agree with the prosecution that this case falls within the "rarest of the rare" category. It is unprecedented for one individual to kill four children within such a short time in such circumstances. The sentence must not only punish the convict but also serve as a warning to others who may engage in similar acts including his friends he never mentioned and those who believe in ritual sacrifice for wealth. They must understand that such crimes will be detected and punished, and they will not escape the law.

I, therefore, find no reason not to impose the maximum sentence. The convict has not shown any kind of remorsefulness, I expected an apology to the parents of the children whose children he slaughtered like chicken or goats. Accordingly, I sentence the convict to death on all four counts of murder in a manner authorised by law. The convict has a right to appeal both the conviction and the sentence within 14 days from today to the Court of Appeal.