

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA SITTING AS A
MOBILE COURT AT GGABA COMMUNITY CHURCH GROUNDS
CRIMINAL SESSION CASE NO. 0132 OF 2026

5

UGANDA PROSECUTOR

VERSUS

CHRISTOPHER OKELLO ONYUM ACCUSED

10 **BEFORE: HON. LADY JUSTICE ALICE KOMUHANGI KHAUKHA**

JUDGMENT

Introduction

15 This Judgment relates to a criminal hearing conducted at a Mobile Court convened at the Ggaba Community Church grounds, located at Ggaba Trading Zone, Ggaba Parish, Makindye Division, Kampala District. In accordance with the Constitution (Operation of Mobile Courts) (Practice) Directions, 2026, the Hon. The Chief Justice of the Republic of Uganda appointed me to operate the Mobile Court by an Instrument of Appointment dated 9th April 2026.

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The Accused person is indicted on four (4) counts of Murder contrary to Sections 171 and 172 of the Penal Code Act, Cap. 128.

Count 1: Murder contrary to Sections 171 and 172 of the Penal Code Act, Cap.

25 **128.**

It is alleged that Christopher Okello Onyum on the 2nd day of April 2026 at Ggaba Early Childhood Development Centre, Ggaba Trading Zone, Ggaba Parish,



Makindye Division, Kampala District, with malice aforethought, unlawfully caused the death of Eteku Gideon.

Count II: Murder contrary to Sections 171 and 172 of the Penal Code Act, Cap. 128.

It is alleged that Christopher Okello Onyum on the 2nd day of April 2026 at Ggaba Early Childhood Development Centre, Ggaba Trading Zone, Ggaba Parish, Makindye Division, Kampala District, with malice aforethought unlawfully caused the death of Keisha Agenorwoth Otim.

Count III: Murder contrary to Sections 171 and 172 of the Penal Code Act, Cap. 128.

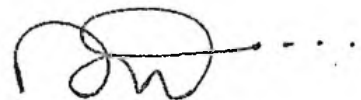
It is alleged that Christopher Okello Onyum on the 2nd day of April 2026 at Ggaba Early Childhood Development Centre, Ggaba Trading Zone, Ggaba Parish, Makindye Division, Kampala District, with malice aforethought unlawfully caused the death of Sseruyange Ignitius.

Count IV: Murder contrary to Sections 171 and 172 of the Penal Code Act, Cap. 128.

It is alleged that Christopher Okello Onyum, on the 2nd day of April 2026 at Ggaba Early Childhood Development Centre, Ggaba Trading Zone, Ggaba Parish, Makindye Division, Kampala District, with malice aforethought unlawfully caused the death of Odeke Ryan.

Representation

At the hearing of this case, the Prosecution was represented by Mr. Jonathan Muwaganya and Ms. Anna Kiiza both Chief State Attorneys for the Director of



Public Prosecutions, while the Accused person was represented by Mr. Kumbuga Richard and Ms. Awelo Sarah on State Brief. On watching brief on behalf of the families of the deceased children were Mr. Stanley Oketcho, Mr. Roger Mugabi, and Mr. Pius Katumba Busobozi, all from M/S Gems Advocates. Both Counsel for the
5 Prosecution and the Accused made oral submissions citing court decisions which have been considered and relied upon in this Judgment.

The Prosecution Case

The deceased persons, namely: Eteku Gideon, aged 2 years and 6 months; Keisha
10 Agenerwoth Otim aged 1 year and 11 months; Ignitius Sseruyange, aged 2 years and 4 months; and Odeke Ryan, aged 1 year and 3 months were under the care of Ggaba Early Childhood Development Centre (hereinafter referred to as “**the Centre**”), a Day Care facility under the management of Ggaba Community Church, at Ggaba Trading Zone, Ggaba Parish, Makindye Division, Kampala District. Ggaba Early
15 Childhood Development Project is run by Ggaba Community Church and operated at Ggaba Early Childhood Development Centre located at Ggaba Trading Zone, Ggaba Parish, Makindye Division, Kampala District.

Keisha Agenerwoth Otim was female while the three deceased persons were male.
20 The Center was founded by Ggaba Community Church and operates a Day Care and Early childhood programme for the vulnerable and malnourished children who are identified from the community. The children under the Day Care programme pay a monthly fee of UGX 120,000 (Uganda Shillings One Hundred and Twenty Thousand only) while the vulnerable do not pay any fee. Ignitius Sseruyange and
25 Gideon Eteku were among the vulnerable, while Odeke Ryan and Keisha Agerwroth Otim were under the Day Care Program.



Christopher Okello Onyum (hereinafter referred to as “the Accused person”) is a male adult, an American citizen by nationality, and a Ugandan by birth; a holder of two American passports: No. 683248027, issued on 2nd June 2022 and valid until 1st June 2032, and No. A81859365, issued on 7th July 2025 and valid until 6th July 2035, both of which were admitted in Court and marked as PEX 11(b) and PEX 11(a), respectively.

On 31st March 2026, the Accused person hired a motor vehicle, Rav 4 (but whose Registration number plate has not been disclosed in this judgement for purposes of protecting the business but the same is contained in the court record), for self-drive. On Wednesday, 1st April 2026, the Accused person drove from Namugera close, Kyanja, where he was residing, to the Center where he met one of the caretakers, Ms. Phoebe Namutebi who testified as PW6. He remained outside the gate, and Ms. Namutebi went to the gate to find out whether he needed help. The Accused person informed her that he had a child aged 3 years and required an admission for her. He asked for the requirements, was informed, and promised to go prepare and return to make the necessary payments.

The next day on 2nd April, 2026, at about 11:00 am, the Accused person returned to the Centre, and when Namutebi saw him, she went to gate and the Accused person informed her that he had returned to make the payments as he had promised the previous day. PW6 opened the gate for the Accused person and brought him to the office of the coordinator of the Centre known as Ms. Annet Odong Agoye who testified as PW7. PW6 introduced the Accused to PW7 and informed her of their encounter and conversation, the previous day. PW7 welcomed him and also interviewed pertaining to the details of the child to be enrolled. The Accused person inquired about the requirements, and he was informed that he needed to pay UGX

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190,000 (Uganda shillings One Hundred Ninety Thousand only) which would cover the registration, day care fees, and uniform. The Accused person who said he had no cash, asked whether he could pay using mobile money and he did so on the Telephone number of PW7. PW7 then asked PW6 to issue the Accused person with
5 a receipt and the same was issued to him, with Receipt No. 2958 in the name of Zuriel Onyum. The Accused then left the office promising to return with the child and the mother on Tuesday, the next week. I take judicial notice of the fact that this was the week of Easter, and the next working day was Tuesday of the following week.

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The Accused person then walked out heading towards the gate as PW6 who was still in PW7's office bent down to keep the receipt booklet in the drawer. At that time, some children were in the compound playing, and as PW6 rose up to look towards the gate so as to go and open for the Accused person to exit the Center, she saw the
15 Accused person bending while holding a child, and she thought that he was beating the child. She ran outside to establish why he was beating the child only to reach there and found that the Accused person who was holding a knife had already cut the neck of one child (Keisha Agenorwoth Otim) and she was lying in a pool of blood and the Accused person was reaching out for another child.

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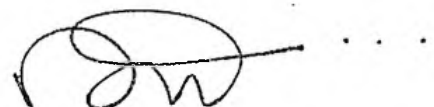
PW6 asked the Accused person why he was cutting the children and she also threw one of the children's bicycles which were in the compound at him to scare him off. The Accused person left the child and ran after her threatening to cut her as well. PW6 ran away from the Accused person while making an alarm but she fell down.
25 The Accused person ran back to the children very fast and by the time PW6 returned to prevent/stop him from cutting the children, she found when he had cut the second child and she again threw a bicycle at him as he was pursuing the third child.

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The Accused person again ran after PW6 and when she fell down, he drew the knife threatening to cut her. The Accused person then left her and went back to the children and when she rose up, PW6 found him cutting the last child named Odeke Ryan. At that time, PW7 who also witnessed the cutting of some of the children together with the other caretakers were making alarms which attracted one named Cyrus Bukenya, who arrested the Accused person. He was joined by Moses, the security guard, Bashir, and Timothy. When he was being arrested, the Accused person threw the knife over the chain link fence. The Accused was immediately locked up in the guard house at the gate to keep him away from the angry crowd which had formed at that time. Upon his arrest, the Accused person was found with two other new knives in his socks, and they were recovered.

Three of the attacked children, namely: Eteku Gideon, Keisha Agenwroth Otim, and Ignitius Sseruyange, were rushed to Wendz Medical Centre, which is about 300 metres away from the Centre, hoping to save their lives. However, they were pronounced dead on arrival. Ryan Odeke, who was clearly dead, was left at the verandah but was also later taken to Wendz Medical Centre by Police. The dead bodies of the four children were taken to Mulago, Kampala Capital City Mortuary by Police and a post mortem examination was done on them by Dr. Katongole Abdul who described the injuries on all the bodies of the four children which were on the necks, and he concluded that the cause of death for the four children as hypovolemic shock due to deep cut injuries to the neck.

The Police Officers from Kabalagala Divisional Police, visited the Centre which they termed as “**the primary scene of crime**” and recovered the killer knife and the other two knives and a backpack which was also recovered on the Accused person; picked some suspected blood from the compound; among others. The samples

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recovered were subjected to DNA analysis and the Report was admitted in evidence. The Police Officers also removed the Accused person from the guard house at the Centre amidst the angry crowd which desired to lynch him and took him to Kabalagala Police Station.

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On 3rd April 2026, the Accused person led the investigating team to his house/room that he had rented in Kyanja, at Namugera Close, Katumba Zone. A search was conducted in the Accused's house and a number of items were recovered which included: electronic devices (two (2) laptops, two (2) mobile phones and three (3) hard drives) which were subject for forensic analysis and the Digital Analysis Report was admitted. The other items recovered were, two American passports, a Driver's licence from the state of Virginia, a Sanity Report dated 30th December 2025, five new knives, among others. The Accused was also examined on Police Form 24 (PF24) by Dr. Emmanuel Nuwamanya (PW11) and found to be mentally normal.

15 The Accused was then indicted for murder in four counts, hence this case.

The Defence Case

The Accused person gave an unsworn statement and called two witnesses in his defence. He had mentioned four witnesses, but provided only the telephone numbers but without any physical addresses. Only two witnesses were reached using the telephone numbers provided by the Accused person and efforts to trace the two were futile because the phone numbers were not on. Suffice to note, is that one of the two telephone numbers that could not be reached was an American number.

In his defence, the Accused did not deny killing the four children but stated that he did not act intentionally or deliberately. He stated that, although there were claims that he was completely mentally okay, there may have been other mental challenges that may have gone undetected and could have contributed to the death of the



children. He said he was not mentally okay. He also denied being fore minded in the killing of the children. In respect to this, he referred to the book about “war” which was part of the evidence of SP Kenneth Henry Angullo (PW18) who analyzed his flash disc and found he had saved a book entitled “THE ART OF WAR”, by SunTzu.” He said that he saved that file long before, and it cannot be said to apply to the killing of the children. He also denied being deliberate and with forethought while making reference to the Prosecution evidence of PW18, which revealed that using his phone, the Accused person had made Google searches on subjects, including “ISIS beheading” and for schools that teach young children. He said that, although these searches suggest he did it deliberately, there were factors that forced him to conduct them.

During his testimony, the Accused person further stated that he was under the control of some people whom he occasionally called friends, and that they fell into three categories. He stated that between January and March 2026, he entered an especially distressing period because he was contending with some people who were surveilling him, making many demands of him, and threatening to kill him. They began demanding money, and he noticed that they had all the capabilities. As a result, he left the Bunga neighborhood where he was staying and began sleeping on the streets.

He stated that because of this, he tried to end it some way and somehow. According to him, he tried several things to bring the whole thing to an end, including fleeing the country, robbing the bank, and killing his brother’s family. He then concluded by saying that those said people, whose names he chose not to disclose to the Court influenced his actions of the 2nd of April 2026. He concluded his testimony by inviting the Court not to honor the charges for murder against him because there

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were some circumstances that forced him to act the way he did on 2nd April 2026 (the day of the incident).

Burden and Standard of Proof

5 The Prosecution has the burden of proving the case against the Accused person beyond reasonable doubt. The burden does not shift, and the Accused person can be convicted only on the strength of the Prosecution's case, not because of any weaknesses in his defense. (See: *Ssekitoleko versus Uganda [1967] EA 531*). Proof beyond reasonable doubt does not mean proof beyond a shadow of a doubt. The
10 standard is satisfied once all evidence suggesting the Accused's innocence, at its best, creates only a fanciful possibility, not any probability, that the Accused is innocent. (See: *Miller versus Minister of Pensions [1947] 2 ALL ER 372*)

This standard of proof of "beyond reasonable doubt" is grounded on a fundamental
15 societal value determination that it is far worse to convict an innocent person than to let a guilty man go free. A reasonable doubt exists when the Court cannot say with moral certainty that a person is guilty or that a particular fact exists. It must be more than an imaginary doubt, and it is often defined judicially as "such a doubt as would cause a reasonable and prudent person, in one of the graver and more important
20 transactions of life, to pause or hesitate before or taking the represented facts as true and relying and acting thereon." (See: *Clarence Victor, Petitioner 92-8894 versus Nebraska, 511 U.S. 1 (1994)*; *Rex versus Summers, (1952) 36 Cr App R 14*; *Rex versus Kritz, (1949) 33 Cr App R 169*, *R. versus Hepworth [1950] 1 KB 82* and *R. versus Feamley, [1955] 2 All E.R. 918*).

25 Proof beyond a reasonable doubt does not mean proof beyond all possible doubt. Possible doubts or doubts based purely on speculation are not reasonable doubts. A



reasonable doubt is a doubt based on reason and common sense. It may arise from the evidence, the lack of evidence, or the nature of the evidence. It is proof which is so convincing that persons would not hesitate to rely and act on it in making the most important decisions in their own lives.

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Beyond reasonable doubt is proof that leaves the Court firmly convinced that the Accused person is guilty. Reasonable doubt is a real and substantial uncertainty about guilt which arises from the available evidence or lack of evidence, with respect to some element of the offence charged. It is the belief that one or more of the essential facts did not occur as alleged by the Prosecution and consequently there is a real possibility that the Accused person is not guilty of the crime. This determination is arrived at when after considering all the evidence, the Court cannot state with clear conviction that the charge against the Accused person is true since an Accused person may not be found guilty based upon a mere suspicion of guilt.

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Ingredients of the offence of Murder

Section 171 of the Penal Code Act, Cap. 128 which defines the offence of murder provides that:

20 *“Any person who with malice aforethought causes the death of another person by an unlawful act or omission commits murder.”*

For the Accused person to be convicted of murder, the prosecution must prove each of the following essential ingredients beyond reasonable doubt:

1. Death of a human being occurred;
2. The death was caused by some unlawful act;
- 25 3. The unlawful act was actuated by malice aforethought; and
4. That it is the Accused who caused the unlawful act of death.



I will discuss all the four counts together because they are supported by the same evidence. However, the 3rd ingredient of the unlawful act being actuated by malice aforethought shall be addressed last.

5 **1. Death of a human being (s)**

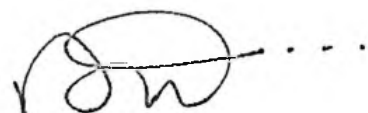
Death may be proved by production of a Postmortem Report or evidence of witnesses who state that they knew the deceased and attended the burial or saw the dead body.

10 In the instant case, the fact that the infants Eteku Gideon, Keisha Agenorwoth Otim, Ignitius Sseruyange and Odeke Ryan are dead is not in dispute. In proof of this, the Prosecution adduced the evidence of Dr. Katongole Abdul (PW1) who performed post mortem examinations on the bodies of the four deceased children named above and confirmed that they were dead. The parents of the children, namely: Ms. Apolot
15 Stella (PW2), Mr. Komaketch Marvin (PW3), Mr. Mbazira Lawrence (PW4), and Mr. Okurut Simon (PW5), respectively, also confirmed that their respective children were dead.

The evidence of one of the caretakers at the Center, Ms. Namutebi Phoebe (PW6),
20 and the coordinator of the Center, Ms. Annette Agoye Odong (PW7), who were the eyewitnesses to the attack on the children that resulted in their death, confirms that they are dead. The Prosecution also adduced the evidence of the D/CID Officer-Kabalagala Eserait James (PW15) and Scenes of Crime Officer (SOCO) (PW14) who testified that they saw the bodies of the four children.

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Having considered the evidence, and in agreement with the joint opinion of the three Assessors, I find that the Prosecution has proved beyond reasonable doubt that the

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four infants, namely: Eteku Gideon, Keisha Agenorwoth Otim, Sseruyange Ignitius and Odeke Ryan are dead.

2. The death was caused by some unlawful act.

5 The Prosecution had to prove further that the death of the four infants, namely: Eteku Gideon, Keisha Agenorwoth Otim, Sseruyange Ignitius and Odeke Ryan was unlawfully caused. It is the law that any homicide (the killing of a human being by another) is presumed to have been caused unlawfully unless it was accidental or it was authorized by law. (See: *R versus Gusambizi s/o Wesonga (1948) 15 EACA*
10 *65*)

In the instant case, the Prosecution adduced evidence from two eyewitnesses to the crime, namely: Ms. Namutebi Phoebe (PW6) and Ms. Annette Agoye (PW7), who testified about how the attack on the children was carried out. The D/CID-
15 Kabalagala and the SOCO described the primary scene of the crime at Ggaba Early Childhood Development Centre, where the crime is alleged to have occurred, and the secondary scene at Wendz Medical Centre, where three badly injured children were taken and announced dead, on arrival. The SOCO took photographs of both scenes, including photographs of the children's bodies, all of which were included in
20 the Scene of Crimes Report. The Postmortem Reports regarding the four deceased children were also admitted in evidence and indicated that the cause of death for all the children was hypovolemic shock due to injuries to the necks.

Having considered the evidence, and in agreement with the joint opinion of the three
25 Assessors, I find that the Prosecution has proved beyond reasonable doubt that the deaths of all the four children, namely: Eteku Gideon, Keisha Agenorwoth Otim, Sseruyange Ignitius and Odeke Ryan were caused by an unlawful act.



3. Participation of the Accused person

There should be credible direct or circumstantial evidence placing the Accused person at the scene of the crime as an active participant in the commission of the offense. In the instant case, the participation of the Accused person in unlawfully
5 causing the death of the four children was not contested.

From the adduced evidence, the offence occurred in broad daylight, specifically at 11:00 am or thereabout. The accounts of the eyewitnesses to the crime, namely Ms. Namutebi Phoebe (PW6) and Ms. Annet Odong Agoye (PW7), the caretaker and
10 coordinator at the Center, respectively, reveal that the Accused person, with whom they had just been interacting with in PW7's office, was seen gruesomely and brutally cutting the four children with a sharp knife, which he threw out of the chain-link fence upon seeing the first responders to the scene.

15 The Prosecution further adduced the evidence of the Scenes of Crimes Officers, Mr. Mutaka Jim (PW14) and D/ASP Eseriat James (PW15) who testified to the effect that they responded and went to the Centre which they referred to as the primary scene and they found the Accused person who had been arrested by the first responders and was being kept in the guard house to keep him away from the angry
20 mob that wanted to lynch him. PW15 re-arrested him and took him to Kabalagala Police Station.

The Prosecution also adduced forensic evidence that implicates the Accused person by placing him at the scene of the crime, namely: the evidence of AIP Odongo
25 Emmanuel (PW13), a CCTV Analyst, who testified that Police CCTV cameras on the roads and some private CCTV cameras showed that a motor vehicle Rav 4 was seen driving from Kyanja, where the Accused person was residing through Nakawa



until it reached Renewal SACCO in Ggaba, where it was captured by the private camera of Renewal SACCO on 1st April 2026. This Court takes judicial notice that Renewal SACCO, which is part of the Ggaba Community Church Complex, is directly behind the Center.

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Upon parking the motor vehicle in the parking yard of Renewal SACCO, the Accused Person was seen alighting from the Vehicle and walking towards the Center. This corroborates the evidence of PW6 who testified that the Accused person had come to the Center on the 1st of April 2026 and had approached the gate of the
10 Centre on foot. The Accused person remained at the gate from where he had a conversation with PW6 regarding the requirements of enrolling his child at the Centre. The CCTV Report was admitted as PEX 9(a) while the flash disk with the footage was marked as PEX9 (b).

15 The CCTV Analysis Report also revealed the Accused person being ridden on a boda boda on the day of the incident, 2nd April 2026 at 10:16:13 a.m., carrying a black backpack. Police Cameras captured this at Ggaba Kawuku junction 1 and 2. While in Court, PW13 played the footage and the images, which clearly confirmed the movement of the motor vehicle on 1st April 2026 and the boda boda carrying the
20 Accused person on 2nd April 2026. Whereas the Defence Counsel during his submissions claimed that the images were not clear, it is not true because the Accused could be clearly identified when he alighted the Vehicle at Renewal SACCO on 1st April 2026 and also while on a boda boda on 2nd April 2026.

25 The Prosecution had earlier adduced evidence of PW8 (Hashim Juma), one of the directors of Trip Car Rental Uganda who testified that the motor vehicle belongs to his Company and the Accused had hired it from him to be used on the 1st and 2nd of

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April 2026 on self-drive. However, the Accused person used the motor vehicle only on 1st April 2026 because it got mechanical defects. This testimony was corroborated by the CCTV evidence where the Accused person was seen in the footage of 1st April 2026 pushing the said vehicle at Shell Kitgum House (Shell Jinja Road) at 14:45:49
5 hrs and 15:03:20 hrs, with the assistance of the staff of Shell. The Accused had earlier on called PW8 and told him about the faulty car and he had advised him to park it at Shell Kitgum House (Shell Jinja Road).

In the footage of 2nd April 2026, the Accused could be easily identified putting on a checkered (black, white and grey) shirt and black sunglasses. This is corroborated
10 by the evidence of the SOCCO (PW14) and investigator who recovered the said sunglasses stained with blood at the primary scene and took the said shirt from the Accused person upon his re-arrest and submitted both items to the DNA Analyst. The DNA Analysis Report that was admitted in Court and marked as PEX 16
15 authored by ASP Harelimana Barnabas (PW17) revealed that the cuttings from the shirt contained the DNA of the Accused person, while the sunglasses, which were stained with blood, had a mixed DNA of both the Accused person and of Keisha Agenorwoth Otim, whose body had been labeled as “body 39” by the SOCO as per PEX 16. Both the said shirt and blood-stained sunglasses were admitted and marked
20 as PEX 16 (a).

Prosecution also adduced evidence that the Accused person was cutting the children with a knife, which he threw over the chain-link fence upon seeing the first responders at the scene. The knife was recovered by the SOCO (PW14). It was a
25 kitchen knife with a silver handle and a black blade with a label reading “mingfeng”. At the laboratory, a swab from the knife handle was taken and was marked 164Y26S021, while a swab from the blade was marked 164Y26S022. It was



established that the knife handle had a male DNA profile, and the blade had a mixed DNA profile with at least one male contributor.

It was further found that the blood stains on the blade were for body 3 and 37. Body 3 was for Odeke Ryan while Body 37 was for Sseruyane Ignitius. It was also a finding from the DNA Analysis that specimen OK-5, which were cuttings obtained from the knee area of a black trouser belonging to the Accused, had a mixed DNA profile with at least one male contributor. It was established that body 37 (Sseruyange Ignitius) was the contributor to the mixed DNA found on the said black trousers that were labeled as OK-5.

The Accused himself, in his unsworn statement did not deny killing or causing the death of the four children but repeatedly stated that he did not do it intentionally and deliberately. His defence will be discussed at length while discussing the last ingredient of malice aforethought. During submissions, Counsel for the Accused attempted to suggest that the Accused person was not adequately implicated for the offence. His argument was based on the fact that whereas PW6 and PW7 testified that there were first responders, namely: Cyrus and Moses, among others, who are said to have apprehended the Accused person and kept him in the guard house, none of those first responders was called as a witness. He wondered where exactly the Police found the Accused person to re-arrest him.

Whereas it was prudent to have one of those witnesses come to Court, failure to have them did not affect the Prosecution evidence. At least PW6 and PW7 testified that they saw the Accused being apprehended and being kept in the guard house and PW15 and PW14 who are Police Officers from Kabalagala Police Station confirmed finding the Accused person having been arrested and kept in the guard house. That



evidence was not challenged at all in cross examination and in light of all the other evidence placing the Accused person at the primary scene of crime, it is my finding that the evidence that the Accused was apprehended in the act of slaughtering the children, kept in the guard house and later picked up by Police is true.

5

In light of the above, it is the finding of this Court and in agreement with the joint opinion of the Assessors that the Prosecution has proved beyond reasonable doubt that the Accused person caused the death of the four children, namely: Eteku Gideon, Keisha Agenorwoth Otim, Sseruyange Ignitius and Odeke Ryan.

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4. The unlawful act was actuated by malice aforethought

Section 174 of the Penal Code Act defines malice aforethought. It provides that:

“Malice aforethought shall be deemed to be established by evidence provided for by the following circumstances-

15 (a) *An intention to cause the death of any person whether that person is the person actually killed or not; or*

(b) *Knowledge that the act or omission causing death will probably cause the death of some person, whether that person is the person actually killed or not, although the knowledge is accompanied by indifference whether death is caused or not, or by a wish that it may*
20 *not be caused.”*

Malice aforethought, being a mental element, is difficult to prove by direct evidence but may be inferred from the nature of the weapon used, the part of the body targeted, the nature of injuries, and the conduct of the Accused person before, during, and
25 after the commission of the offense. (See: *R versus Tubere S/O Ochen (1945)*¹² *EACA 63 that was cited with approval in Uganda versus Mwesigwa Ivan, Criminal Session Case No. 0269 of 2011.*) Prior planning and or prior threats, of the Accused the may be used to infer malice aforethought.



To prove this ingredient, the Prosecution adduced evidence from eyewitnesses to the offense (PW6 and PW7), who testified that they saw the Accused person aggressively and gruesomely cut the necks of the four children with a knife. This evidence was corroborated by the findings of the Postmortem examinations of the
5 four children's bodies and by the testimony of Dr. Katongole Abdul, who examined all of them and described the injuries on the deceased as follows:

Eteku Gideon is said to have had a 14 cm long open wound on the right side of the neck Located at 66 cm from the right hem of the neck. The wound was longer than
10 its depth, characterized by smooth edge, regular margins, no bridging fibers, marginal contusion nor contusion of the underlying soft tissues. The wound was deep, transecting through the oesophagus, trachea, internal jugular vein, vagus nerve, cut fractures of C6 vertebrae. However, the spinal cord, cricoid cartilage, hyoid bone, and common carotid artery was intact. The airway was clogged with
15 frothy blood. The above descriptions were consistent with deep cut wounds.

Keisha Agenorwoth Otim was said to have had a 9cm long open wound on the right side of the neck at 67cm from the right hem and 1cm from the anterior midline. This wound was longer than it was deep. The wound was characterized by smooth
20 edges, regular margins, but there were no marginal contusions nor bridging fibers. The wound was big, transecting through the skin, underlying neck muscles, the trachea, oesophagus, major neck vessels and nerves. There were cut fractures of the C5 vertebrae. There was a rupture of the intervertebral disc and transection of the spinal cord. The doctor noted that these findings were consistent with deep cut
25 wounds.



Sseruyange Ignitius was said to have had a 14cm long open wound on the right side of the neck, which was longer than it was deep. This wound was protected at 69cm from the right hem and 4cm from the anterior midline. The wound was characterized by smooth edges and regular margins. The wound extended to the back of the neck in a horizontal plain. The wound was deep, transecting through the skin fascia and underlying neck muscles, injuring the internal jugular vein, vagus nerve and branches of the subclavian artery and vertebrae artery in the neck. He found that the above descriptions were consistent with deep cut injuries. He also found that there was another 4cm long cut wound located on the right submandibular region at just 3cm above the deep cut wound described above. This wound was only superficial involving the skin and a superficial fascia.

Odeke Ryan was said to have had a 9cm long deep cut wound located on the right side of the neck in an oblique fashion at 60cm from the right hem, stretching from the anterior midline. This wound was found to be longer than it was deep. The wound was characterized by smooth edges, regular margins, no marginal contusions nor branching fibers. It was a deep cut wound bisecting through the underlying neck muscles, neck vessels, traches, oesophagus, cut fractures of C4 vertebrae and transection of a spinal code. The cause of death for all the children was established to be hypovolemic shock due to deep cut wounds to the neck. The Postmortem Reports were admitted and marked PEX1, PEX2, PEX3 and PEX 4 respectively.

This evidence is further corroborated by the evidence of the Scene of Crimes Officer (SOCO), D/AIP Mutaka Jimmy (PW14) who visited the primary scene of crime (the Center) immediately after the commission of the crime, processed it and made a Report which was admitted and marked as PEX 10. He testified that he found the body of an infant on the verandah at the primary scene (the Center), and it was



identified to him as that of Odeke Ryan, and he was uniquely marked as 3. He observed one deep cut injury on the right side of the neck with cuttings through the neck bones and muscles as indicated on pages 11 and 12 of the Report. Shortly thereafter, he went to Wendz Medical Center (secondary scene) where he found the
5 bodies of the three children which were identified to him as Eteku Gideon, who was uniquely labeled as Body 32, Sseruyange Ignitius, who was labeled as Body 37, while the body of Keisha Agenorwoth Otim was labeled as Body 39.

PW14 further testified that all presented similar fresh injuries of deep cuts on the
10 right side of the neck, which went through the muscles and bones. This Court observed the photographs of the bodies of the four infants and confirmed the gruesomeness of the attack on all of them as evidenced by the nature of the injuries. The murder weapon (knife) which caused those grave and fatal injuries on the children was also recovered at the primary scene of crime, just behind the chain link
15 fence after being thrown by the Accused person. It was also admitted and marked PEX 16 (a).

The above evidence would be sufficient to prove malice aforethought because there would be no other inference that a person pounces on defenceless, innocent babies
20 and goes ahead to cut their necks, as if slaughtering a goat or a chicken in that accurate and precise manner, other than that of malice aforethought. However, the defence heavily contested this ingredient and insisted that the Accused person was not in a right state of mind to form an intention to commit the offence of murder.

25 The Accused person in his unsworn statement, stated that he did not act intentionally or deliberately, and although there were claims that he was completely mentally okay, there may have been other mental challenges that may have gone undetected



which could have contributed to the death of the children. He said he was not mentally okay.

The Accused also denied being fore minded in the killing of the children. In respect
5 to this, he made reference to the book about war which was part of the evidence of
PW18 who analyzed a flash disc recovered from the home of the Accused person
during the search and found that he had saved a book entitled “Sun Tzu on the Art
of War”. He said that book/file was saved long before and it cannot be said to apply
to the killing of the children.

10 He also denied being deliberate and with forethought while making reference to the
evidence of Google searches that he made using his phone, as testified by PW18 and
specifically the search for “ISIS beheading” and for schools that teach young
children. He said that whereas these searches may suggest that he did it deliberately,
15 there were other factors forcing him to make those searches, which factors he chose
not to disclose to the Court.

The Accused person further stated that he was under the control of some people
whom he occasionally referred to as “friends” and were in three categories. He also
20 alluded to the fact that between January 2026 to March 2026, he entered an
especially distressing period because he was contending with some people who were
surveilling him, made many demands from him and they threatened to kill him. They
began demanding for money and he noticed that they had all the capabilities and
they were following him closely. As a result, he left the neighborhood of Bunga
25 where he was staying and resorted to sleeping on the streets.



The Accused person stated that as a result of this, he tried to end it some way and somehow so as to bring the whole thing to an end. According to him, he tried to flee the country, tried to rob a bank, and tried to kill his brother's family. He then said that those people whom he at times referred to as his friends during his testimony had something to do with his actions on 2nd April 2026. He invited the Court not to honor the charges for murder because there were some circumstances that forced him to act the way he did on 2nd April 2026 (the day of the incident). Unfortunately, he neither stated the circumstances he claimed forced him to act that way nor did he disclose the identities of his friends who may have compelled his actions on 2nd April 2026. Because he made an unsworn statement in his defence, he could not be probed to give more information.

By the above claim, the Accused raised a defence of insanity. The defence of insanity is provided for under Section 11 of the Penal Code Act, Cap. 128. It provides that:

15 *"A person is not criminally responsible for an act or omission if at the time of doing the act or making the omission he or she is through any disease affecting his or her mind incapable of understanding what he or she is doing or of knowing that he or she ought not to do the act or omission, although his or her mind is affected by disease, if that disease does not in fact produce upon his or her mind one or other of the effects mentioned in this section in reference to that*

20 *act or omission."*

While interpreting the above provision of the law, the Court of Appeal in the case of *Jumba Joshua a.k.a Sulaiman a.k.a Kirabo versus Uganda, Criminal Appeal No. 0087 of 2021* (which the Prosecution relied on) stated thus:

25 *"The above section is to the effect that a person is not criminally responsible for an act or omission if at the time of doing the act or making the omission he or she is through any disease, was incapacitated to understand what they were doing or omitted to do. However, on the other*



hand, one will be held liable if that disease does not in fact incapacitate the person from understanding what they are doing.”

In the case of *Leonard Mwangemi Munyasia versus Republic, 2015 eKLR*, the
5 Court held:

“It is a rule of universal application that a man cannot be condemned if it is proved that at the time of the offence, he was not a master of the offence...” [Emphasis is mine]

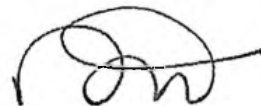
For the offence of insanity to stand, the Accused person must satisfy the grounds set
10 out under the M'Naughten Rule as was established in the case of *R versus M'Naughten (1843) CI*. The test is purely cognitive and the defence must show whether the Accused understood his/ her actions or that his or her actions were wrong. The defence of insanity is twofold. First, an insane Defendant does not have control over his or her conduct. This is similar to a Defendant who is hypnotized or
15 sleepwalking. Secondly, an insane Defendant does not have the ability to form a criminal intent. Without the ability to control conduct, or the understanding that conduct is evil or wrong by society's standards, an insane Defendant presumably will commit crimes again and again.

20 The M'Naughten Rules require that the following three tests should be proved:

- 1) That an individual suffers from a defect of reason;
- 2) That it was caused by a “disease of mind”;
- 3) That as a result, he or she does not know the “nature and quality” of the act or that it is wrong.”

25

In *Uganda versus Afeku Moses, Criminal Session Case No. 0098 of 2014* (High Court, Arua), Hon. Justice Stephen Mubiru emphasized that:



“The unsoundness of mind must relate to the time of the offence and the inquiry must be in relation to the Accused’s mental condition as at the time of the alleged offence with which he is being tried as distinct from his mental condition at the time of trial”

(See: Tarino versus R [1957] EA 553)

5

The Defence of insanity seeks to do away with an essential requirement of malice aforethought. It seeks to prove that the Accused person did not have the intention to cause death neither did he have knowledge that such an act or omission would cause death. This is because of the presumption of sanity provided for in Section 10 of the

10 Penal Code Act, Cap. 128 which states that:

“Every person is presumed to be of sound mind, and to have been of sound mind at any time which comes in question, until the contrary is proved.”

The presumption of sanity puts the burden on any one who claims insanity as a
15 defence to prove that he or she was not in the right mental state at the time of the act or omission. *(See: Jumba Joshua aka Sulaiman a.k.a Kirabo versus Uganda, Criminal Appeal No. 0087 of 2021, Supra).*

When insanity is advanced by the defence, the burden of proof is on the defence
20 although it is not a heavy one, as Windham, JA (as he then was) stated in the case of *Nyinge s/o Suwatu versus R [1959] EA 974*. He held that:

“However, he is not required to prove the same beyond reasonable doubt, but satisfy the preponderance of probabilities.”

25 In *Godiyano Barongo s/o Rugwire versus Rex (1952) EACA 229*, Court held that:

“...the burden resting upon the Accused when attempting to rebut a natural presumption of which must prevail unless the contrary is proved will never be so heavy as that which rests upon the Prosecution to prove the facts which they have to establish, and it will not be higher than



the burden which rests on the Plaintiff or Defendant in civil proceedings. It must, however, at least establish the probability of what is sought to be proved.”

Having laid down the above principles from the law and the decided cases, I will
5 proceed to evaluate the evidence adduced by the Accused person in a bid to prove
the claim and/or the defence of insanity. I will need to establish whether the Accused
person was suffering from the disease of the mind at the time he committed the
offence; whether that disease of the mind rendered him incapable of knowing the
nature and quality of his actions; and whether he knew or did not know that what he
10 was doing was wrong by reason of that disease of the mind.

From the onset, I need to state that the Accused person was the only one who testified
that on 2nd April 2026 when he committed this heinous crime, he was not mentally
okay. As already indicated above, he did not state what he was suffering from apart
15 from the claim that he was under immense stress from the period between the
January 2026 and March 2026 as a result of the people whom he occasionally
referred to as his friends, as he testified but whose identities he chose to conceal
from the Court. I will note at this point that I keenly observed the Accused person as
he gave his evidence and I could see that he was withholding some information,
20 especially when it came to disclosing the names of those people. Apart from this
claim, there is no other evidence that was adduced by the Accused person in a bid to
prove the existence of the disease of the mind to avail him the defence of insanity.

Counsel for the Accused vehemently argued that the Prosecution failed to prove that
25 on 2nd April 2026 when the offence was committed, the Accused was not under the
influence of mental illness. With all due respect, this argument was not legally
backed and was misguided because when the Accused person chose to raise insanity

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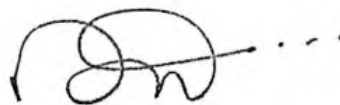
as his defence, the burden to prove the insanity shifted to him in light of the presumption of sanity under Section 10 of the Penal Code Act, Cap. 128.

Counsel for the Accused person further insisted that there was evidence on record
5 from the Prosecution provided by Dr. Nuwamanya Emmanuel (PW11), a Police Surgeon and a Psychiatrist who examined the Accused person on PF 24 on 7th April 2026, and the same was admitted as PEX 7 showing that the Accused person has ever been admitted to Butabika Mental Hospital. Regarding this evidence, I will need to provide context so it is not used to mislead the Court. The evidence of PW 11 as
10 contained in PF 24 and in his oral testimony in Court, is that he examined the Accused person on 7th April 2026, and on his psychiatric and mental assessment of the Accused person, he found the following:

*“He had normal behavior, calm, cooperative, speech was coherent, his memory intact, and he exhibited good judgment. His thought process and content was normal but believed in wealth
15 by human sacrifice. He was able to explain the reason for killing the children as fortune hunting or enrichment. He got the idea on recalling childhood folk tales of getting wealth by sacrificing people.”*

In that report, PW11 made the following note as information from the Accused
20 during the assessment.

*“He had history of past mental illness, treated between 2016 to 2025 for schizophrenia associated with both auditory and visual hallucinations. He killed his 2-3 year-old brother in 2016 or 2017 reportedly to save him from “the troubles of this world”. He also attempted suicide in 2023 and he was also a sickle cell patient on treatment. The findings above are suggestive of
25 a mental condition with psychotic episodes. Further mental assessment is necessary since no medical documents were availed and he was the only source of information.” [Emphasis is Mine]*



From the above information, the word "Butabika" is not mentioned anywhere. Besides, the Accused person, as he gave his evidence never at all mentioned having ever been admitted in Butabika Mental Hospital. It is important to note that the only witness in the entire trial who made mention of Butabika was DW2 (identity
5 concealed for his protection herein but the same is contained in the record of proceedings), a biological elder brother to the Accused person. He testified that in January 2020, he learned that the Accused person was in Butabika mental hospital and when he went to inquire about the reasons for his admission there, he was informed by the in charge of the hospital that the case under which he was admitted
10 in the facility was very sensitive and declined to avail any information.

He further stated during cross-examination that he left without knowing why the Accused person had been admitted in Butabika despite having disclosed to the in charge that the Accused was his young brother. However, during the cross-
15 examination of DW2, the Prosecution had an explanation for the Accused's admission in Butabika at that time, which they put to the witness (DW2). According to the Prosecution, the Accused had murdered his young half-brother called Freeman and to escape criminal culpability, he was taken to Butabika Mental Hospital to disguise as if he killed the child due to mental illness, and from there, he was whisked
20 to the United States of America, where he stayed until sometime in 2025 when he returned to Uganda. DW2 did not deny this proposition and stated that he had since learnt that. I find this proposition credible because if indeed the Accused person had been admitted because of a medical condition, there would be no justification for concealing that from his own brother (DW2). Besides, they would not have informed
25 him that the case under which the Accused person was admitted was very sensitive. The Accused person himself would have mentioned that he had ever been admitted in Butabika either to the Police Surgeon Dr. Nuwamanya Emmanuel (PW11) or to

A handwritten signature in black ink, consisting of a large, stylized initial 'N' followed by a cursive name, possibly 'Nuwamanya Emmanuel', and ending with three dots.

Dr. Roger Agenda (PW12), a psychiatrist at C-Care, International Hospital, Kampala (IHK), who examined him on 30th December 2025, at his own request and instance, but he did not. To the contrary, the Accused person informed Dr. Agenda Roger (PW12) that the consultation with him on 30th December 2025 was his index (first) consultation with a psychiatrist in his whole life. The evidence of PW12 will be discussed in detail later.

I also need to observe that though DW2 is a biological elder brother of the Accused person, he testified that they don't closely relate and he had not seen the Accused person in the last five years but only saw him at Kabalagala Police Station after his arrest in respect of this case. He also did not testify to knowing the Accused person to suffer from any mental illness. In the absence of any medical evidence to support the claim of insanity, this Court would have expected at least evidence from a family member of the Accused person to speak to his alleged mental illness.

DW2 informed the Court that he shares both parents with the Accused person and they are both still alive and they live in Uganda. If it was true that indeed the Accused suffers from any disease of the mind, either his father or mother would have been eager to come to this Court to relay that information with some evidence. It is also important to note that the details of the witnesses who came to testify for the defence were furnished by the Accused himself but he chose not to call any of his parents as his witnesses who would have been better placed to testify to the claim of insanity and or any disease of the mind.

Considering the above, I would proceed to pose this question. *"Supposing it was indeed true that the Accused person has ever been in Butabika in 2020 as stated by his brother (DW2), of what relevance would it be in relation to this offence which is*



alleged to have been committed on 2nd April 2026 given the legal principles regarding the defence of insanity, that the disease of the mind must be present at the time of the commission of the offence and must have prevented one from knowing what he or she is doing and that he/she doing is wrong? "

5

It is my considered view that in the absence of any evidence that the Accused person was suffering from the disease of the mind as at the time of commission of this offence, on 2nd April 2026, his being admitted in Butabika in 2020 would not be of any relevance to this case.

10

I also need to note that in regard to the issue surrounding the admission in Butabika that shortly into the evidence of DW2, when he mentioned that the Accused Person was admitted in Butabika in 2020, Counsel for the Accused person while relying on Article 28 of the Constitution and Section 46(1) of the Trial on Indictments Act, made an Application for an order summoning doctors in Butabika Mental Hospital to inform the Court whether the Accused person has ever been admitted in Butabika and to also inform the Court whether the Accused person had the capacity to stand trial. This was way after the Accused person had already made his defence.

15

This Court found that Application irregular and declined to grant this prayer for the reason that there was no basis for that Application, and the Court noted that throughout the proceedings, the Accused person was very alert and followed keenly, and I had no reason to make any inquiry into his mental capacity to follow proceedings and consequently defend himself. As already observed, that Application was made after the Accused person had already given his defence for consideration during Judgment writing. I gave a detailed Ruling in respect of that on 24 April 2026 in respect of that, and the same is on record.

25



In that Ruling, I further directed DW2 to proceed with his testimony and I would decide whether it was necessary to invite any one from Butabika mental hospital after getting more information from DW2. Upon reading that Ruling, Counsel for
5 the Accused person informed the Court he had no further questions to put to the witness which left me with no further information on which to base to summon any one from Butabika mental hospital. Besides, I have already emphasized that any information regarding the admission of the Accused person in Butabika Mental Hospital in January 2020, would have no relevance to this case which is dealing with
10 the offence committed on 2nd April 2026.

In a further bid to support the claim of being mentally unwell due to the distress said to have been between January and March 2026, the Accused person testified that he abandoned his home in Bunga and started living on the streets. To prove this claim,
15 the defence adduced the evidence of DW3 (identity withheld herein for his protection but the same is on the record of proceedings), who informed the Court that he was 25 years old and living on the street. He stated that he saw the Accused person twice. He testified that he first saw the Accused person on 19th February 2026 when he went to Kisenyi in the Kampala Capital City where he found DW3 with
20 other street children totaling to about forty (40) children aged between 7-10 years.

When the Accused approached them, DW3 greeted him thus: “Uncle, gyebaleko” a Luganda greeting translated as “Uncle, well done.” DW3 proceeded to request for some drinking water from the Accused and the Accused told him that he was not
25 only going to give them water but he would also give them food. DW3 directed the Accused to a nearby food vendor whom he referred to as “Aunt” and told the



Accused person to go and negotiate with “Aunt” which he did and DW3 organized the children and they were given the food which the Accused person paid for.

DW3 further testified that after eating, the Accused person requested to speak to him, and he asked him for his telephone number. They exchanged telephone contacts, and the Accused person told DW3 to save his contact as “Christopher”, and DW3 also told the Accused person to save his as “Sunday”. DW3 further stated that the Accused person informed him that he needed his telephone number to organize the children whenever the Accused person would be coming. According to DW3, the Accused person returned to Kisenyi with a ten-liter jerry can of water and gave it to them, and that was the last time he saw the Accused person.

While relying on this evidence and the claim by the Accused person that he was living on the streets due to the distress, Counsel for the Accused person argued that a mentally sound person could not have resorted to sleeping on the street and becoming a “street child” when he had a house. With all due respect, this argument was not supported by any evidence. DW3 did not state that the Accused person was living with them in Kisenyi or in any other streets of Kampala but only went to them twice. Besides, whereas the Accused person claimed that he abandoned his Bunga home due to distress and went on the streets, there was evidence adduced by Joel Makaye (PW10) to the effect that on 16th March 2026, the Accused person rented a residential house from him and that is where he was residing at the time of the commission of the offence.

In light of the above, the Accused person failed to adduce any evidence to support this claim that he was not mentally okay on 2nd April 2026 when he gruesomely and brutally murdered the innocent infants.



The other probable defence that would be available to the Accused person from his unsworn statement is diminished responsibility. Section 177 (1) of the Penal Code Act provides that:

5 *“Where a person is found guilty of murder or of being a party to the murder of another, and the Court is satisfied that the person was suffering from such abnormality of the mind, whether arising from a condition of arrested or retarded development of mind , or any inherent causes or induced by disease or injury, has substantially impaired his or her mental responsibility for his or her acts and omissions in doing or being party to the murder, the court shall make a*
10 *special finding to the effect that the Accused person was guilty of murder but with diminished responsibility.”*

Subsection 2 thereof provides that:

15 *“On a charge of murder, it shall be for the defence to prove that the person charged was suffering from an abnormality of mind as is mentioned in subsection (1).” [Emphasis is Mine]*

The Accused person did not adduce any evidence to show that he was suffering from any abnormality of the mind arising from a condition of arrested or retarded development of mind, or any inherent causes, induced by disease or injury that may
20 have substantially impaired his mental responsibility for his acts of the 2nd of April 2026. There was sufficient evidence adduced to show that the Accused person suffers from chronic sickle cell disease. He gave this information to the Police surgeon, Dr. Emmanuel Nuwamanya (PW11), Dr. Roger Agenda (PW12) and Dr. Kajoba Charles of Murchsion Bay Hospital Luzira. In a letter dated 16th April 2026,
25 Dr. Kajoba Charles of Murchsion Bay Hospital Luzira, informed the Court that upon admission, the Accused person informed them that he was a patient of sickle cell disease but he had no supporting documents. The doctors at Luzira carried out their



independent laboratory tests and confirmed the disease and put him on treatment to which he has responded positively.

5 When Dr. Roger, Agenda of C-Care IHK, was asked during cross-examination whether sickle cell disease was not an underlying cause of mental illness, he denied it but went on to state that it is a risk factor. He stated that because of the constant pain the disease causes and the strong medication used to treat it, the patients may be depressed and have hallucinations, but hastened to add that when he examined the Accused person on 30th December 2025, the Accused did not present any of those
10 symptoms. It therefore, cannot be said that the sickle cell disease the Accused person suffers from affected his mind and substantially impaired his responsibility for his actions on 2nd April 2026.

Counsel for the Accused vehemently argued that the upon his arrest, the Accused
15 person was found with pain killers, which included diclofenac and this Court should find that this medicine was treatment for mental illness. With all due respect, this argument is not supported by any evidence. In fact, when Counsel for the Accused was asked what kind of mental illness the Accused was treating, he had no answer to that.

20

In light of the above, even the defence of diminished responsibility is not available to the Accused person.


On the contrary, the Prosecution adduced evidence to show that at all material times,
25 the Accused was of a normal mental status and in control of his actions as will be discussed and analyzed below.



The Prosecution adduced evidence of a Sanity Medical Report which had been authored by Dr. Rogers Agenda (PW12), a psychiatrist at C-Care, IHK, which was found in the house of the Accused Person during the search conducted on 3rd April 2026 and admitted as PEX 11 (d). The same was verified and was found to be authentic. Dr. Agenda Rogers testified that on 30th December 2025, he received the Accused person as his client with a request to conduct a sanity examination, and furnish him with a Sanity Report to be submitted to the Ministry of Internal Affairs, the Immigration Department. He went ahead and did a psychiatric and mental examination on the Accused person. The certified copy of the said Sanity Report provided by C-Care IHK to confirm its authenticity was admitted in Court and marked as PEX 8 (a).

According to PW12, the Accused presented himself to the witness as a 38-year-old, single, a Christian by religion, resident of Bunga and self-employed mainly as a commercial farmer. PW12 testified that he carried out a psychiatric interview, which involves asking the client many times open ended questions with the aim of establishing or enlisting whether the client has any mental disorder. Upon examination, the following were his findings:

“He reports no history of excessive sadness or loss of interest in pleasurable activities. He has no history of excessive happiness or increased goal directed activity. He has no history of alcohol or substance use, although he occasionally took alcohol. He denies any history of hearing voices or seeing things others could not see. He has no history of excessive fears or worries and has never had a seizure. He denies any traumatic experiences and sleeps well. This is his index visit to a mental health personnel and has never been on any psychiatric medication. He is a known patient of sickle cell disease and regularly takes his medications. He has no other chronic medical conditions. He is the third born of four children. Both their parents are alive and well. There is no known mental history in the family.”

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The mental status examination revealed the following:

5 *“He is a middle-aged aged man who appears his age. He is well nourished and kempt; he is generally calm and keeps eye contact. No odd behaviour was noted throughout the interview. His speech is of normal rate, tone and volume and is generally coherent and fluent. His thoughts are logical with no preoccupations, overvalued ideas or delusions. He has a euthymic mood congruent with affect and has no perceptual or cognitive disturbance.”*

He concluded his diagnosis as:

10 *“Onyum Christopher Okello has no established mental disorder. I therefore, affirm that Onyum, Christopher Okello is sane and mentally fit to live and work in Uganda.”*

The Prosecution also adduced the evidence from the American Embassy that was marked as PEX 12 (b) confirming the Accused person to be their citizen, that he had no known criminal charge in the United States and that they had no information
15 related to his mental health. It is my considered view that if he had any mental disorder, the American Government would have been aware of it and would not have issued him with a Driver’s licence.

The Prosecution further adduced evidence of Dr. Nuwanya Emmanuel (PW11) who
20 is a Police Surgeon and a psychiatrist who testified that he examined the Accused person on 7/04/2026. Upon examination, these were his findings as per PEX 7:

25 *“He had normal behaviour, calm, cooperative, speech was coherent, his memory intact and exhibited good judgment. His thought process and content was normal but he believed in wealth by human sacrifice. He was able to explain the reasons for killing the children as fortune hunting or enrichment. He got the idea on recalling childhood folk tales of getting wealth by sacrificing people.”*



The Accused person in his testimony stated that from January to March 2026, he underwent distress and encountered people who influenced his actions of 2nd April S2026. I find this move by the Accused person very calculated because he smartly targets a period immediately after his sanity and mental examination done of 30th December 2025 at C-Care IHK at his own request and instance. He intelligently and smartly supposes that his distress happened after that examination which would mean therefore, that the distress after 30th December 2025 is the reason for his actions of 2nd April 2026. He also smartly and intelligently brings this period of his alleged distress to fall before his next Psychiatric and mental examination that was done on 7th April 2026 by Dr. Nuwamanya Emmanuel on Police Form 24.

In light of the above smart move by the Accused person, this Court will proceed to examine and assess his conduct and lifestyle between January and 2nd April 2026 when he committed the offence to determine whether or not he was mentally functional.

Mr. Mukasa Paul (PW9) who was the landlord of the Accused Person in Bunga for a period between November 2025 and March 2026, testified that while he was renting his house, the Accused person was a very good person, relating well with others and that he did not notice anything odd or irregular with his conduct.

According to the evidence of Makaye Joel (PW10) who is a manager of Sanwiza estates Ltd, and the landlord of the Accused person at the time of the commission of this offence, the Accused person approached him for a house to rent on 16th March 2026 and he came with a broker. The Accused entered into a transaction with him to rent a house for four (4) months. He was informed that the monthly house rent was UGX 400,000 (Uganda Shillings Four Hundred Thousand only) and he was



supposed to pay for four (4) months upfront. The Accused was further informed that payment was supposed to be made in the bank. The Accused then requested for the Bank Account details after which he went and paid in the Bank Account and returned a bank slip to PW10.

5

From this evidence, this Court finds that at that point, the Accused person was in very good health, mentally functional, and in control of his actions. Otherwise, how would he even know that he needed a broker to get a house? How would he know how to make payments in the Bank?

10

The Prosecution further adduced the evidence of Hashim Juma (PW8), the director of Trip Car Rental Uganda for self-drive, who testified that the Accused person first contacted his Company via their business WhatsApp number on the 12th of March 2026. He was inquiring about their car hire services. The Accused was using an American number, +15713282409, and he told the witness that he needed the car the next day. The next day, the Accused called the witness and told him he was already at the meeting location, but the witness had not gone there because, when the Accused first contacted them, he had not confirmed. The witness then hurried to take the vehicle to Freedom City Mall where the Accused person was so that he could hand over the car. However, the witness found when the Accused person had already left because he had delayed for about 40 minutes.

20

The Accused person contacted the witness again on 14th March and said that he had left because he was rushing somewhere and couldn't wait but he would rent the car again the following week. The Accused person contacted PW8 again on 31st March 2026 through WhatsApp and told him that he needed to rent the car again for two days that is, 1st April 2026 and 2nd April 2026. The witness then offered to deliver to

25



him the car that evening of 31st March 2026, which the Accused was agreeable to. The witness then requested for directions to the location and he was informed that it was in Kyanja. The witness further asked for a Google pin which the Accused person provided and following the Google pin, the witness was led directly to the house
5 where the Accused was staying in Kyanja and it was about 8:00 pm.

The Accused person received the vehicle and also gave the witness his American passport and American Driving Licence for his identification. The witness took photographs of the said documents and handed them back to the Accused person.
10 Then the Accused asked for the mode of payment and he was told that he could pay with mobile money. The Accused person transferred UGX 388,000 (Uganda Shillings Three Hundred and Eighty-Eight Thousand only) for car hire for two days on self-drive.

15 PW8 further testified that during his interaction with the Accused person both online and physically, the Accused did not present any abnormal behaviour. According to him, a person of unsound mind would not have transacted with him the way he did. That the Accused person if he was of unsound mind, he would not have been able to transact online, use mobile money, would not have been given a driver's licence,
20 among others.

PW8 also testified that later in the night, the Accused person called him asking for the car keys because he had forgotten to give them to him when he delivered the motor vehicle earlier in the evening. The witness then told him that he would send
25 the keys with a boda boda rider, who took the keys to the Accused person as early as 7:00 am on 1st April 2026.



On 1st April 2026 at around 11:00 am, PW8 testified that the Accused called him and told him that the car had mechanical issues and when he was asked where he was, he told the witness that he was around Bunga at a certain school, which name he did not disclose. PW8 then sent his mechanic to Bunga who fixed the car and left it with the Accused person. After about one and a half hours, the Accused person again called the witness and told him that he was at Jinja road, round about, but informed him that the car had failed again. The witness then advised him to drive it to Shell Jinja Road and park the car there, which the Accused person did. PW8 sent someone to Shell Jinja Road to check the car and while there, he spoke with the Accused person on phone and proposed to refund to him the money meant to cover the next day since the motor vehicle had failed, a proposal the Accused person agreed to but did he not send the number on which the refund could be made.

The WhatsApp communication between the Accused person and PW8 regarding the hiring of the motor vehicle was extracted by a Digital Forensic Examiner and the same is included in his Report dated 13th April 2026 and marked PEX 17 from page 19 to 29 and pages 37 to 40. I have closely examined the conversation between the Accused person and the witness, regarding the car hire and I find that it was very accurate and coherent. The Accused person clearly knew what he wanted, clearly directed the witness to his home at Namugera close in Kyanja and even went ahead to give more details that where he resided was the first gate on the left side and that he had told the custodian to wait for him because it was raining.

In addition to that, the Accused person provided a Google pin to his location. The Accused person was actually in total control of his actions and was very mentally functional because his communication was not only coherent but also systematic and logical and had a very good sense of judgment, which negates his claim of being

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under immense distress during this period that prevented him from understanding the nature and quality of his actions on the 2nd of April 2026.

The Prosecution further adduced the evidence of D/AIP Odongo Emmanuel (PW13),
5 CCTV Analyst who testified to the movement of that motor vehicle as captured on
the different CCTV Police cameras and the private cameras. He testified that on 1st
April 2026, the cameras captured the vehicle being driven from Kyanja at 10:17:15
am to Kisaasi via Nakawa Metal Fabrication and Lugogo Rugby through Jinja Road
New Vision junction, Jinja Road Electoral Commission, Daily Monitor junction,
10 Total Kibuli, Kisugu-Kabalagala junction, Kasanga Market (Rubis), Heritage
junction Kansanga, Kabalagala Kitalanga junction, Hass Petrol Station Bunga and
Bunga Market, Ggaba Cape junction and Ggaba National water up to Renewal
SACCO where he parked at 12:04:07 pm where it was parked. This Court takes
judicial notice of the fact that Renewal SACCO is directly behind the Centre (the
15 primary scene of crime).

At Renewal SACCO, the Accused person was captured by a private camera of the
said SACCO as he parked the vehicle. He found other vehicles already parked in the
yard and he manouvered and found a suitable parking slot for the vehicle. As the
20 Accused moved out of the car, he checked the door to confirm that he had locked it.
Upon his return, the Accused checked the left front tyre of the motor vehicle.

Is this conduct of a person who is suffering from a disease of the mind to prevent
him from understanding the nature and quality of his actions and therefore unable to
25 control them? I answer this question in the negative and make a finding that the
Accused person was in full control of his actions and with proper sense of judgment.



The CCTV Analysis Report was admitted and marked as PEX 9(a) and the flash disc on which the footage was stored was admitted and marked PEX 9(b). The footage was played in the Court and this Court confirmed the movement of the car on 1st April 2026 as contained in the CCTV Analysis Report.

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While returning from Renewal SACCO Ggaba, the Accused used a minor road and joined the Ggaba National Water road until he reached Ggaba Shell at 12:31:32 hrs. He was again captured at 14:19:44 hrs at Hass Petrol Station, Bunga. The witness testified that the distance between Ggaba Shell and Hass Petrol Station is about 500
10 meters, but it took him more than an hour to reach. However, this delay was explained by PW8, who informed the Court that the Accused, while in Bunga, called him and informed him that the car had a mechanical problem, and PW8 sent a mechanic to rectify it.

15 The Accused knew who to call when the motor vehicle developed a mechanical problem and it is the finding of this Court that this is not conduct consistent with a person claiming to suffer from a disease of the mind to prevent him from understanding the nature and quality of his actions.

20 After that, the Accused was seen coming out of Kabalagala-Kitalanga junction; Kabalagala-Nsambya Sharing Hall; and Kabalagala Arena Mall through Mukwano road up to Shell Kitgum House/Shell Jinja Road where he was captured by the private camera of Shell Kitgum House. At Shell, the Accused person was seen disembarking the car, interacting with the staff and thereafter, he started pushing the
25 motor vehicle into the parking area with the assistance of the staff of Shell. He was also seen speaking on phone. The fact of the car developing a mechanical problem around Shell and making a phone call is corroborated by PW8 who testified that the



Accused person while at Jinja Road round about informed him that the car had got a mechanical problem and he advised him to go and park it at Shell Jinja road and they spoke on phone while the Accused person was at Shell Jinja Road/ Kitgum House.


5

As already observed, this vehicle had been hired by the Accused person on a self-drive basis, and he was the one driving it at the material time. The witness indicated, and the Court also observed, that the person seated in the driver's seat of this vehicle was very steady in following traffic regulations, including traffic lights. In fact, this Court takes judicial notice that the route taken by the Accused person has many points with traffic lights, requiring steadiness of mind, sound judgment, focus, and the ability to make quick decisions. The Accused person, as he drove along this route, did not cause any trouble on the road, as observed on the CCTV cameras and as correctly observed by this witness.

15

Still, regarding the events of 1st April 2026, the Accused person, after parking the car at Renewal SACCO, he was seen alighting off it, and walking towards the direction of the Centre. He did not miss the direction because PW6 testified that on 1st April 2026, the Accused person approached the gate of the Centre on foot. This confirms that he exactly knew where he was going because the Centre is right before Renewal SACCO. Therefore, the Accused person drove, passed the Centre, went ahead and found an appropriate parking and returned on foot to the Centre, a destination for his intended evil and wicked mission.

25 While at the gate, PW6 testified that the Accused person stood and presented himself as someone who needed something from the Centre. This prompted PW6 to go to the gate to inquire from him how she could be of help. The Accused person then told



her that he had been told that at that Centre, they take care of children. PW6 asked him the age of the child he intended to enroll and he told her that she was about three years. PW6 testified that she told him that the Centre keeps children who are less than three years and proposed to him that they had a nursery section at Maranatha
5 where she proposed to him that he could go and get an admission in Baby class. This Court takes judicial notice that Maranatha Primary School is just below the Renewal SACCO and is part of the complex of Ggaba Community Church.

The Accused then told PW6 that he had already tried to take the child in Baby class
10 but he was advised that the child would not manage Baby class. He further went on to tell her that the child was not social and could not speak very well and he was advised to take the child where there were many children so that she could interact with them and be able to pick up.

15 It was further the testimony of PW6 that the Accused person told her that when he brings the child, she should monitor her progress and advise him so that he could take her to Baby class the following term. The Accused then proceeded to ask for the requirements needed to enroll the child because his child was going to be enrolled in the Department of those who pay money. PW6 went ahead to tell him that it was
20 UGX 120,000 (Uganda Shillings One Hundred Twenty Thousand only) a month for day care fees, UGX (Uganda Shillings Ten Thousand only) for registration and UGX 60,000 (Uganda Shillings Sixty Thousand only) for uniform, plus a bag for the child's changing clothes.

25 PW6 testified that upon receiving that information, the Accused person promised to go and think about it and return and pay. However, before he left, he asked for the mode of payment and he was told that it was by cash in the office and he asked



whether they do not have an option of mobile money and he was told that they do if he has the money on his mobile phone. The Accused left after that.

5 It is the finding of this Court that this kind of conversation is very coherent, it is focused, well-directed, and responsible. There is absolutely no confusion in this kind of communication by the Accused. He knew what he wanted and even when he faced a roadblock of the Centre not taking in a 3-year-old child, he proposed a remedy of bringing the child for one term as she picked up on her social skills and he would then have her enrolled in Baby class the following term.

10 When the Accused returned, after this conversation, he did not miss the spot where he had parked his hired car that was amidst other vehicles. This shows that the Accused had proper judgment and in control of his actions.

15 I will proceed to the events of 2nd April 2026, the day of this very sad and unfortunate event. PW6 testified that on the next day on 2nd April 2026, at about 11:00 am, the Accused person as a follow up on the previous day's conversation at the Centre, returned. When she saw him at the gate, PW6 approached the gate and when he saw her, he told her that he had come to finalise what they had discussed the previous
20 day and make payments. It was then that she opened for him the gate and he entered carrying a small bag for beginners, which she had told him that was required for carrying the children's clothes.

PW6 then took the Accused person to the coordinator's office (Ms. Annet Odong
25 Agoye) who is testified as PW7, to whom she introduced the Accused person and further informed her of her encounter with the Accused person the previous day and

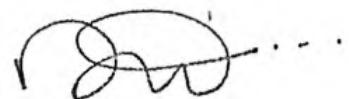


his desire to enroll a child at the Centre. The coordinator welcomed him and gave him a seat and went on to interview him concerning the child in the presence of PW6.

PW7 testified that she interviewed the Accused person concerning the child and asked him the age and the sex of the child and he told her that the child was a girl who about to make three (3) years. The Accused person even had the knowledge of making “his child” to fall under the age category/group that could be acceptable at the Centre. PW7 told him that that age was for nursery school. To this, the Accused person responded that he had attempted to take the child to a nursery school but he was advised to first take her to a day care. He went on to tell her that the child was not social and was living alone with the mother and she could not speak well. He also suggested that the child could be admitted for the first term and if she picks up, he would take her to a nursery school. She accepted his request and went ahead to tell him the requirements of enrollment in a day care.

The Accused’s conversation on 1st and 2nd April 2026 is so consistent. He was very sure and confident of what he wanted, he was logical, very focused and in full control of his actions.

PW7 further testified that the Registration fee was UGX 10,000 (Uganda Shillings Ten Thousand only); the day care fees was UGX 120,000 (Uganda Shillings One Hundred and Twenty Thousand only) and the Accused person himself informed PW7 that had seen children in uniform and asked whether the children are given uniform. When PW7 answered in the affirmative, the Accused person asked how much the uniform cost and she told him UGX 60,000 (Uganda Shillings Sixty Thousand Shillings only). PW7 then picked a calculator to total up the amount, but before she could, the Accused person totaled the amount mentally and told PW7 that



the total was UGX 190,000 (Uganda Shillings One Hundred and Ninety only) and indeed when she used the calculator, PW7 found that the Accused's mental work was very accurate.

- 5 It is the finding of this Court that, the Accused person's quickness of mind is inconsistent with a person suffering from a mental disease or illness and incapable of understanding the nature and quality of his actions.

The Accused person then told PW7 that he had not come with cash and asked if he could pay with mobile money. PW7 allowed him to pay using mobile money and went ahead to give him her mobile number and further requested him to include withdrawal charges to which he responded positively and he transferred UGX 195,000 (Uganda Shillings One Hundred Ninety-Five Thousand only) to her phone number, Uganda Shillings Five Thousand only (UGX 5,000) being withdrawal charges. PW7 then instructed PW6 to issue the Accused person with a receipt. This transaction is reflected on the Report of the analysis of the phone number of the Accused person 0769582620 by D/IP Mpamizo Aggrey (PW16) that was marked as PEX 15 and it shows that the transaction took place on 2nd April 2026 at 11:11:05 am.

20 PW6 testified that when she asked the Accused person the name of the child, he stated it but it was not clear to her and when she asked again, the Accused instead spelt the name as Zuriel Onyum. She then issued him with the original copy of the receipt, numbered 2958 and retained the duplicate copy in the receipt booklet which was admitted as PEX 5. The Accused person upon his arrest was actually found with the original receipt in his backpack. The Accused then promised that he would bring the child with the mother on Tuesday 7th April 2026. This Court takes judicial notice



that this was the week of Easter and the next working day was Tuesday. The Accused was even aware of Easter holidays.

It was shortly thereafter, as PW6 bent down to keep the receipt book in the drawer
5 that the Accused moved out and launched a violent, aggressive and brutal attack on the defenceless and innocent children who were outside playing in the Centre's compound.

The question that this Court asks is: "*How possible is it that somebody who had just*
10 *been conducting business very normally and coherently with PW6 and PW7 regarding the enrollment of the child could lose his mind, almost at the same time and unable to control his actions when it came to his barbaric and aggressive attack on the children?*" I don't find that this was possible. On the contrary, I find that the Accused person had well calculated his moves which unfortunately succeeded,
15 leading to the loss of four (4) innocent lives.

I have considered the argument of Counsel for the Accused person that the Centre Management was criminally negligent because they had no guard at the gate and they left the children unattended to, which led to their death. I find this argument
20 insensitive because the children were in their familiar space and it was never expected that someone would enter the Centre premises disguising himself as a potential parent, only to do what the Accused did to the innocent children.

I have also taken note of the Accused's defence that his actions of 2nd April 2026
25 were influenced by immense distress caused by people whom he referred to as friends whom he claims were monitoring him closely. However, I strongly disbelieve him and find that this was conduct of a person that was fully mentally

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functional and full control of his actions. The adduced evidence reveals that not only did he plan this attack, but the Accused also meticulously premeditated it and this negates any claim of insanity or any other disease of the mind.

5 Besides, during this fatal attack on the innocent children, PW6 and PW7 testified that when they saw him cutting the children and came to intervene, he threatened to cut them as well. When they fled due to fear, the Accused went back to the children until he “slaughtered” four of the children. He was arrested by people who heeded the alarms raised by PW6 and PW7, and, upon sensing danger from the angry mob
10 that had begun gathering, he dialed the Uganda Police help line, 999, using his mobile number 0769582620 at about 11:25:22 am, and the location was Ggaba beach. The Analysis Report on Telecommunication Data marked as PEX 15 that was tendered in by D/IP Mpanizo Aggrey (PW16) confirms that indeed the Accused person dialed the Uganda Police help line at that time.

15 I also need to emphasize that the time frame between the paying of the money on the mobile phone of PW7, to the time of making the emergency call is exactly 14 minutes. If you exclude or deduct the time that was taken to conclude the processes after paying, such as issuing the receipt, and agreeing on the modalities as to when
20 to bring the child, the Accused remained with less than 10 minutes within which he executed his evil mission and immediately thereafter called Police to save him from the angry mob. This actually confirms the evidence of PW6 that the Accused was very fast in whatever he was doing. That precision of the Accused person in the execution of this mission can also be inferred from the nature of the injuries on the
25 bodies of the deceased children because it appeared like, he did not cut them more than once. It is not possible, it is inconceivable, it is incomprehensible that the Accused person could have lost control of his actions and suffered from a disease of

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the mind in such a short period of time when he brutally attacked the defenceless innocent children only to regain his control and gain his sanity the moment he sensed danger that he could remember to dial the Police help line.

5 The evidence of calling the Police emergency line was attacked by Counsel for the Accused during his submissions because it did not record the voice of the Accused person. With all due respect, this argument lacks merit because it was not necessary to have the voice of the Accused person recorded given the fact that in the Report marked PEX 15, it clearly came out that the Accused's telephone number,
10 0769582620, which is not disputed called the Police emergency line and the location of the caller at the time is indicated as Ggaba Beach, which is the nearest mast from where the Accused was at the time. This call to Police was also reflected in the Digital Forensics Examination Report (PEX 17) and alluded to by PW18.

15 Upon his arrest, the Accused confessed during his preliminary interview at Kabalagala Police Station that he knew what he had done and the consequences of it. Counsel for the Accused during his submissions attacked this evidence arguing that it is not true because if it was, D/ASP Eserait James (PW15) and all the other police Officers involved in the investigations would have recorded it in their
20 statements but the same was lacking. However, D/ASP during re-examination explained that not everything they are told during the investigations is noted down or reflected in their statements. Counsel for the Prosecution invited the Court to consider the evidence of the witness (PW15) as given in the Court under oath as opposed to the witness statement of the Police officers that may have omitted some
25 information.



I believed the evidence of PW15 because out of his interface with the Accused person after his re-arrest, the Accused person revealed to him that he was residing in Kyanja. He is also said to have informed him that he had been planning that attack for some time and he had even bought knives to execute the mission. The Accused person himself led the search team to his residence in Katumba Zone, Namugera Close, Kyanja where a search was conducted and a number of items of evidential value were recovered which included: a Sanity Report from C-Care, IHK; 6 knives (5 of which were black in colour and one was grey in colour); 2 American passports, a Certificate of good conduct, among others. A search certificate duly signed by the Accused person was admitted and marked as PEX 11. It is the finding of this Court that a person who claims to have had a disease of the mind would find it hard to locate his home especially where he had been for a very short time.

I have also found it necessary in this Judgment to examine the lifestyle and or actions of the Accused person before this offence to further establish whether he was mentally functional or not. The Prosecution adduced the evidence of PW16, D/IP Mpanizo Aggrey who testified that he was given instructions to process Court Orders in order to process telecommunication data from mobile number 0769582620 and also inspect 3 Bank Accounts held at Stanbic Bank (U) Ltd, Kabalagala Branch, that is: 9030027285324; 9030027285456; and 9030027285413 in the name of Onyum Christopher Okello. PW16's findings were that: Account No. 9030027285324 is a Uganda Shillings Account with an initial deposit of UGX 1,330,800 (Uganda Shillings One Million Three Hundred Thirty Thousand Eight Hundred only); Account No. 9030027285413 is a United States Dollar Account and it had an initial deposit of USD 2,100 (United States Dollars Two Thousand One Hundred only); and Account No. 9030027285456 is also a United States Dollar Account with an initial deposit of USD 3,900 (United States Dollars Three Thousand

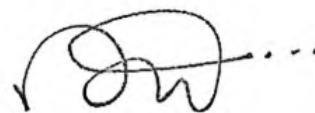


Nine Hundred only). All the said Accounts were opened on 5th November 2025. The Accused person had a Uganda National Identity Card NIN CM87127100CTME. These Bank Accounts were active at the time of his arrest and at the time the investigations were conducted.

5

From 5th November 2026 to 16th April 2026, the Bank Account Statement of Account No. 9030027285413 shows that: on 9/01/2026, the Accused withdrew USD 150 for his living expenses; on 10/01/2026, he withdrew USD 1,000 for his personal expenses; on 21/02/2026, the Accused withdrew USD 60 for home use; on 10 04/03/2026, the Accused withdrew 282.49 for home expenses; on 9/03/2026, the Accused withdrew USD 69 for home expenses; on 10/03/2026, the Accused withdrew USD 120 for home use; on 12/03/2026, he withdrew USD 165 for home expenses and on 17/03/2026, he withdrew USD 189 for rent payments. As at 16/04/2026, the balance was USD 3.8. It is the finding of this Court that during this 15 period, the Accused person who claims to have been under immense distress was busy transacting and managing his financial and home affairs very well and very consciously.

On analyzing the Bank Statement for Account No. 9030027285456, it shows that: 20 on 15/12/2025, the Accused person withdrew USD 600 for farming expenses; on 13/02/2026, the Accused withdrew USD 2,225 for farm investment; on 12/03/2026, the Accused withdrew USD 160 for home expenses; 16/03/2026, the Accused withdrew USD 332 for home expenses; on 17/03/2026, the Accused withdrew USD 168.07 and USD 396.46 for rent. This corresponds with the time he is renting a house 25 from Makaye Joel (PW10) and left no balance on this Account.

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There is a Land Hire Agreement dated 11/12/2025 for land in Nwoya District for a period from 31/01/2026 to 31/01/2027. I observe that during the search, a yellow file folder was retrieved from his house with a number of documents and it was admitted in Court and marked as PEX 11(g). Among the Documents is a Land Hiring Agreement between Admola Philip Patrick (Lessor) and Onyum Christopher (Hirer) for 10 acres of land in Lamoki village, Anaka subcounty, Nwoya District. It is indicated in that document that the full payment for the 10 acres was made in cash upfront for agricultural purposes only, at UGX 1,500,000 (Uganda Shilling One Million Five Hundred Thousand only) per year. This corroborates the evidence of Dr. Rogers Agenda (PW12), who testified that when he examined the Accused person on 30th December 2025, the Accused person told him that he was doing commercial farming. The Accused person himself, in his evidence, stated that he was a farmer in Nwoya District. The thread of these events reveals a person who is fully in control of his actions and with proper judgment. He was even engaging in commercial activities before his arrest.

I have also analyzed the Bank Statement for Account No. 90030027285324 and it shows that: the initial deposit was UGX 1,330,800 on 5/11/2025. On 10/11/2025, the Accused made a wallet-to-account transaction from his number 256769582620 for UGX 4,000,000. From 10/01/2026 to 16/04/2026, this Account was active with withdrawals and deposits (cash, ATM, and wallet). This statement also reveals that on 02/04/2026, the Accused transacted from this Account, “pay MTN wallet USSD: 256769582620 of UGX 200,000”. The inference that can be drawn from this transaction is that, this amount was withdrawn from his Bank to his Mobile Money and used to pay for Zuriel Onyum's enrollment at the Center, valued at UGX 195,000.



Counsel for the Accused attacked the evidence of PW16 and argued that his investigations on 14th April 2026 were carried out after the hearing of this case had commenced. However, at the time when PW16 was giving his evidence, no such issue was raised and the Defence Counsel was fully in possession of the Report that the witness was speaking to, implying he had received the disclosure of that evidence well in time before the witness was put on the stand to give him sufficient time to prepare for any questions in cross examination which he did. I find that though PW16 did some investigations when the hearing of this case had commenced, it did not occasion any miscarriage of justice to the Accused person.

10

The Prosecution also provided evidence of Google searches conducted by the Accused on his mobile phone, and I have found them relevant to this case. PW18 led evidence to the fact that the Accused's devices to wit: 2 laptops and 4 phones that were recovered from him and during the search indicate that the Accused had made searches about "schools near me", Kyanja Junior School, Matuga Pre-School, I am Kindergarten and Day Care, among others; Church close Ggaba. (I take judicial notice that the scene of the crime is on Church Close Ggaba). Other items searched were; rental hours of operation Trip Car Rental Uganda, Entebbe to Kampala Bunga Kilometers, how many kilometers does 14 litres get on 2000 RAV4, Bunga Police Station, isis beheading, how long to get firearm licence Uganda, gun licence requirement.

20

During his defence, the Accused vehemently denied having conducted these searches in preparation for the crime and insisted that the Prosecution had failed to prove that he was fore minded by this. However, there is evidence that he hired a car Trip Car Rental Uganda, which was a RAV4 and this is in tandem with the searches he made on Trip Car Rental, how many kilometers does 14 litres get on a RAV4;

25



there is evidence that he actually went to Church Close Ggaba, while driving the hired motor vehicle and that is where he was arrested from on 2nd April 2026.

There is also evidence of the Accused person beheading the four infants, and it can
5 be safely inferred that his reason for making a search for an item entitled “ISIS
beheading” was in preparation for this brutal attack, and he actually confirmed that
he downloaded those videos. This Court takes judicial notice that ISIS (Islamic State
of Iraq and Syria) is widely recognized by international governments and
organizations as a major terrorist organization and is known for committing
10 atrocities, including: genocide, public beheadings, and conducting targeted violent
attacks. I have no doubt in my mind that the search for “ISIS beheadings” prepared
the Accused person to launch this fatal attack on the defenceless children.

As already observed, and clearly stated by PW6, the attack that led to the death of
15 the four infants took less than seven (7) minutes. It is only a person with specialized
training in beheading and a heart and mind of a terrorist that could do what the
Accused person did. It is my further finding that this very specialized training and
meticulous planning and premeditation strongly negates any claims of insanity. The
Accused person also searched for Bunga Police Station and it is my conviction that
20 this was intended to establish how long it would take Police to respond to any
eventualities.

I have laboured to analyse all the above any evidence to rule out any claims by the
Accused person or any other person that may believe his claim of insanity as his
25 defence to run away from accounting for this heinous crime. Having done that, I
conclusively find that the Accused person was very sane on 2nd April 2026 when he
gruesomely slaughtered four (4) innocent souls. Therefore, neither the defence of

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insanity nor diminished responsibility is available to him. On the contrary, I find, and in agreement with the joint opinion of the three assessors that the Prosecution has proved that the Accused person unlawfully caused the death of the three infants with malice aforethought.

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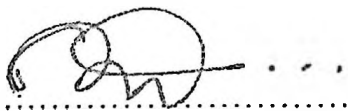
Conclusion

Consequently, this Court finds that the Prosecution has proved all the ingredients of the offence of murder in the four counts against the Accused person, Christopher Okello Onyum. The Accused person is accordingly found guilty of the murder of Eteku Gideon in count 1, Keisha Agenorwoth in count 2, Sseruyange Ignitius in count 3, and Odeke Ryan in count 4.

In agreement with the joint opinion of the Assessors, I hereby convict Christopher Okello Onyum of the offence of Murder contrary to Sections 171 and 172 of the Penal Code Act, Cap. 128, in count 1 for the murder of Eteku Gideon, count 2 for the murder of Keisha Agenorwoth Otim, count 3 for the murder of Sseruyange Ignitius and count 4 for the murder of Odeke Ryan as indicted.

Dated at Kampala, this 30th day of April 2026.

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Alice Komuhangi Khaukha

JUDGE

30/04/2026

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THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA SITTING AS A
MOBILE COURT AT GGABA COMMUNITY CHURCH GROUNDS
CRIMINAL SESSION CASE NO. 0132 OF 2026

5

UGANDA PROSECUTOR

VERSUS

CHRISTOPHER OKELLO ONYUM ACCUSED

10

BEFORE: HON. LADY JUSTICE ALICE KOMUHANGI KHAUKHA

SENTENCE AND REASONS

The convict has been convicted of an offence or offences on four counts and each count carries a maximum death penalty. The death penalty is the maximum. We have
15 the Sentencing Guidelines, which you heard the lawyers quoting. These are the Constitution (Sentencing Guidelines for Courts of Judicature) Practice Directions 2013, and they offer guidance on what sentences should be given for particular offences. For an offence of murder, these guidelines provide for what is referred to as a starting point. Starting point is like a middle point and the starting point for the
20 offence of murder, for which the convict has been convicted, is 35 years in prison or 35 years' imprisonment. From the starting point, you can either go up to death or you can come downwards depending on the aggravating factors and the mitigating factors.

25

Counsel for the state or the Prosecutor has submitted or provided what he believes are the factors that aggravate the sentence for these offences that would call for the maximum sentence which is death. The summary of his submission was that the



offence was committed in a very cruel manner. The injuries that all the children sustained were indeed very grave. They were attacked from their safest place and the person who attacked them was fit to be their father and instead of protecting them he murdered them in a very gruesome and brutal manner. He also stated that this
5 offence brought terror not only to the families of the victims but to the community of Ggaba and to the nation at large. He also submitted that the offences were committed after a meticulous planning and premeditation.

According to him, this crime falls in the category that is known as or referred to as
10 “the rarest of the rare” thereby calling for the very maximum sentence which is death. While comparing the statistics of the murder cases in the Police Crime Report for 2025, with the results of the census by the Uganda Bureau of Statistics (UBOS), he argued that murders or the unlawful killing of persons is on the increase and if it is not addressed, every year we are losing about four villages in such kind of crimes
15 and he also said it is highly likely that because the crime is not punished as much, it is the reason why it has gone on and become more prevalent.

The Accused person in mitigation, the Court asked him to say something in mitigation but he chose to keep quiet. However, his lawyer, Ms. Sarah Awelo, of
20 course first brought condolences and a prayer for healing for this land because of what happened and went ahead to mitigate on behalf of the convict.

Under paragraph 17 of the Sentencing Guidelines, it provides that the Court may only pass a sentence of death in exceptional circumstances in the rarest of the rare
25 cases, where the alternative of imprisonment for life or other custodial sentence is demonstrably inadequate and the rarest of the rare cases is described under paragraph

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18 to include cases where the court is satisfied that the commission of the offence was planned or meticulously premeditated and executed.

Paragraph 20 of the Sentencing Guidelines provides for factors aggravating a death sentence. It provides that:

“In considering imposing a sentence of death, the court shall take into account-

- (a) the degree of injury or harm;*
- (b) the part of the victim’s body where harm or injury was occasioned;*
- (c) sustained or repeated injury to the victim;*
- (d) the degree of meticulous pre-meditation or planning;*
- (e) use and nature of the weapon;*
- (f)*
- (g) whether the offender deliberately targeted and caused death of a vulnerable victim;*
- (h)*
- (i)*
- (j) whether the offence was committed against a vulnerable person or a member of a community like a pregnant woman, child or person of advanced age;*
- (k) whether the offence was committed in the presence of another person like a child or a spouse of the victim;*
- (l)*
- (m) Whether there was an attempt to conceal or dispose of evidence;*
- (n)*
- (o)*
- (p) The impact of the crime on the victim’s family, relatives or the community.”*

I have taken into account the submissions made by Ms. Sarah Awelo on behalf of the convict to the effect the convict is a first offender and suffers from sickle cell disease. I have also considered the submission that the convict’s family is broken and dysfunctional, and as such, he is also a dysfunctional person. I am supposed to



weigh that against the aggravating factors, which the Prosecution raised. While passing the Judgment, I emphasized how gruesome, brutal, and heinous this offence was and not only are the families of the deceased children still grieving, but the entire nation of Uganda still grieves at the loss of four innocent souls, whose destinies were cut short by the barbaric actions of the convict on the 2nd day of April 2026.

I have considered the fact that the convict meticulously and with a lot of sophistication planned and premeditated this offence. I have considered the fact that the convict attacked defenceless innocent children who depend on adults for their protection and survival. I have also considered that he targeted them in their defenceless state and went ahead to slaughter them as animals. And I have also considered the fact that he attacked during broad day light and had no fear, no shame and no consideration of human life.

I have also considered that if he was not apprehended, who knows? He would have killed more than four. And I also considered the fact that when he was committing this offence, other people were watching; the caretakers, the coordinator, meanwhile these are the people that had earlier on shown him kindness by allowing to admit his alleged child when even the age was beyond what they take at the Centre.

I have also considered that the convict has not shown any remorse at all because I would at least have expected an apology from him to the families of the babies whom he hacked and slaughtered like chicken and goats. I realize he does not even imagine how those families are living without their children. I am sure he watched the mother of Gideon collapse or faint as she testified, he must have known that she is going through something that she may never heal from but he chose not to apologize. I have considered the impact this offence has had on the families that lost their babies

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on the 2nd of April 2026, which to them was like any other day. They dropped their children to school only to find dead bodies. That pain, only God will help them to heal.

5 I have considered the statement that the convict comes from a dysfunctional family and he's broken but I do not believe that should be reason for someone to find other people's children and then slaughter them mercilessly. I have also considered that he is a first offender and suffers from sickle cell disease but the aggravating factors weigh much heavier than that. I have also considered his denial that he did not kill
10 these children for human sacrifice but I am inclined to believe that that was the reason because that is what he informed or he told Dr. Nuwamanya Emmanuel. Besides, I find no reason why someone would rise up or leave their homes early morning to come and slaughter children who are in their safe space at school. That is why I am convinced that this was for ritual purposes, blood sacrifice of young
15 children. I agree with the Prosecution that this case or these offences fall in the "rarest of the rare".

Like the Probation Officer informed the Court that when he made inquiries, the people he interviewed said this kind of thing had never happened for four children
20 to be killed just in a very short time by one person.

Having said that, the convict must be given a sentence that will not only speak to him but also to those friends of his whose identities he refused to disclose and any other person in this country who believes in sacrificing blood for wealth. Let them
25 know that it is highly risky because they will be found like Mr. Okello was found and they will not escape the long arm of the law.

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In light of the above, I have found no reason why I should not sentence Mr. Okello with the maximum sentence. I hereby sentence him to suffer death for the murder of Eteku Gideon in count one; Keisha Agernorwoth Otim in count two; Sseruyange Ignatius in count three; and Odeke Ryan in count four in a manner authorized by law.

Mr. Okello you have a right to appeal to the Court of Appeal against both the conviction and the sentence. This you should do within 14 days from today. And that is the Order of the Court.

Dated at Ggaba, Kampala this 30th day of April 2026.



Alice Komuhangi Khaukha

JUDGE

30/04/2026