

# **A CRITICAL ANALYSIS OF THE LAW RELATING TO BAIL IN CONTEMPORARY UGANDA**

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## **ABSTRACT**

Although all offences are bailable under current Ugandan law, the law relating to bail has been characterized by two distinct and not necessarily compatible sets of concern: First, a recognition of the hardships of custodial remands and a corresponding desire to ensure that they are imposed only where strictly desirable; and second, anxiety in connection with the perceived incidence of offending carried out by the offenders granted bail. This analysis shows that just like most rights in the Constitution, the right to bail is subject to a number of challenges which ultimately render it a sham. Some of these challenges are discussed. It is shown that the bail practice has been stringent in the military courts, which has sparked off serious constitutional litigation. The practice of police bond is also examined and found deficient. A number of recommendations are made towards a rights-sensitive approach to bail.