



STATEMENT ON DISRUPTIVE EVENTS WHICH TRANSPIRED AT THE SUPREME COURT ON 8TH JUNE 2023 IN THE CONTEXT OF SCCA NO. 51 OF 2021, HAM ENTERPRISES LTD AND 2 OTHERS vs DIAMOND TRUST BANK (U) LTD AND ANOTHER

On the morning of 8th June 2023, proceedings at the Supreme Court of Uganda were disrupted in the matter of *Ham Enterprises Ltd and 2 others vs Diamond Trust Bank (U) Ltd and another* (Supreme Court Civil Application No. 51 of 2021) when the Applicants and their supporters in the Court precincts exhibited unruly behaviour including but not limited to having discourteous exchanges with the Court, heckling, attacking Counsel for the Respondents, making *prima facie* unfounded allegations, and generally interrupting the orderly business of the Court.

A careful consideration of the transpired events strongly suggests that the disruptive conduct was premeditated, orchestrated, and executed with a view to undermining the authority of the Court and the integrity of opposing parties and Counsel in the matter.

ULS adds its voice to the Judiciary in condemning these actions. Courts of law are temples of justice and wield constitutional authority deserving of respect. They should not be scandalised, subjected to conduct that undermines their authority and integrity, or improperly interfered with in their execution of judicial functions.

So important is the duty to respect the authority and functions of Courts of Law that the Constitution of Uganda, 1995 recognises their power to punish offenders for “contempt of court”. Criminal contempt of court has in particular been defined as conduct that obstructs justice or attacks the integrity of the Court including conduct that scandalises the court, physically interferes with the course of justice,

or prejudices the fair adjudication of a dispute.

Litigants and their Counsel are warned against adopting such conduct and are urged, in the event of dissatisfaction with any judicial result, outcome, directive or decision to use the appropriate legal channels for redress. Resorting to premeditated riotous behaviour and personalised attacks on Judicial Officers, opposing parties and their Counsel is unacceptable and unlawful as a means of bringing about a desired adjudication outcome.

If left to continue, such conduct will erode the public's confidence in the judicial system and the Bar, leaving the dispute resolution system impaired and unable to efficiently serve the nation.

ULS further emphasises that all advocates are officers of Court and have a right to practise their profession by diligently representing their Clients without being attacked or impeded by opposing litigants (who are themselves equally entitled to legal representation) or opposing Counsel. The growing trend in which individual advocates are therefore vilified for acting for opposing litigants is strongly denounced. All litigation should be conducted with mutual respect amongst Courts, litigants, and Counsel.

ULS therefore calls for restraint and maintenance of the principles of respect, professionalism, and civility when expressing grievances and concerns in the legal/dispute resolution context.

As Uganda's Bar Association, ULS advocates for the highest ethical standards, professionalism, and respect for the Rule of Law including the promotion of an independent and effective Judiciary.



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