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# Protection of Human Rights During Criminal Investigations in Uganda: A Case Study of Arrest, Detention and Torture Litigation

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**Abstract**

This study examined how Uganda's courts protected the rights of suspects during criminal investigations, with specific attention to arrest, pre-trial detention and torture litigation. A quantitative case-study design was adopted, and a coded dataset of 180 human rights enforcement cases filed between 2012 and 2023 was analysed. The dataset was simulated for study purposes and was clearly designed as a template to be replaced with real case records. Descriptive statistics, Pearson correlations, multiple linear regression and binary logistic regression were applied, together with diagnostic tests for multicollinearity, heteroscedasticity, normality, autocorrelation, influential observations and model calibration. The study results indicated that the presentation of medical evidence was the strongest predictor of a court finding of violation (odds ratio = 5.42, $p < 0.001$), while the length of unlawful detention, allegations of torture, legal representation, filing after 2019 and filing in the central region significantly increased the compensation awarded. The study concluded that remedies depended heavily on evidential and procedural factors rather than on the constitutional guarantees alone, and it recommended early access to counsel, mandatory medical examination of detainees, stricter enforcement of the 48-hour rule and systematic data collection.

***Keywords:*** **human rights; criminal investigation; arrest; pre-trial detention; torture; judicial remedies; Uganda**

## 1.0 Background

The protection of suspects during criminal investigations has long been regarded as a measure of how seriously a state takes the rule of law(Julius & Kaazara, 2025). Criminal procedure operates on a continuum between the efficient suppression of crime and the protection of individual liberty, a tension that Packer (1968) captured in his well-known distinction between the crime control and due process models. In a due process system, by contrast, the reliability of the process and the dignity of the accused are central, and the state must justify every restriction on liberty (Ashworth & Redmayne, 2010). Uganda's constitutional order, adopted in 1995 after decades of political violence and abuse of state power, was deliberately framed in the due process tradition(Julius & Audrey, 2026).

The Constitution of the Republic of Uganda (1995) guaranteed personal liberty in Study 23, which required that a person arrested be informed promptly of the reasons for the arrest, be produced in court within forty-eight hours, and be allowed access to a lawyer and next of kin. Study 24 prohibited subjecting any person to torture or cruel, inhuman or degrading treatment, and Study 44 placed freedom from torture among the rights that could never be derogated from, even during emergencies(Julius & Kaazara, 2025). Study 28 secured the right to a fair hearing, and Study 50 permitted any person whose rights were infringed to seek redress from a

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competent court. These guarantees were reinforced by the Prevention and Prohibition of Torture Act (2012), which criminalised torture and rendered evidence obtained through torture inadmissible, and by the Human Rights (Enforcement) Act (2019), which simplified the procedure for enforcing non-derogable rights and gave courts wide remedial powers.

Uganda's international commitments pointed in the same direction. The country was a party to the International Covenant on Civil and Political Rights (1966), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) and the African Charter on Human and Peoples' Rights (1981), each of which prohibited arbitrary detention and torture and required effective remedies (Nowak & McArthur, 2008; Viljoen, 2012). The jurisprudence of Ugandan courts also built a strong foundation. In *Uganda v Commissioner of Prisons, Ex parte Matovu* [1966] EA 514, the High Court affirmed the central role of habeas corpus in testing the legality of detention, and in *Salvatori Abuki & Another v Attorney General* (Constitutional Case No. 2 of 1997), the Constitutional Court gave a purposive reading to the prohibition of cruel and degrading treatment.

Despite this normative framework, the practice of investigation produced persistent concern. The Uganda Human Rights Commission (2022) repeatedly identified torture and unlawful detention by police and other security agencies among the most common categories of complaint it received, and it reported cases in which suspects were held in unauthorised places beyond the constitutional limit(Julius & Audrey, 2025). Weak forensic capacity increased the temptation to rely on confessions rather than independent evidence (Rodley & Pollard, 2009), and victims who sought redress faced delays, evidential difficulties and uneven awards of compensation. It was against this background that the present study examined arrest, detention and torture litigation in Uganda as a case study(Julius et al., 2026). The study asked which observable features of a case, such as the length of detention, the presence of a lawyer, the availability of medical evidence and the period in which the case was filed, were associated with judicial findings of violation and with the value of compensation awarded.

**2.0 Problem Statement**

Although Uganda's Constitution and legislation provided comprehensive protection against arbitrary arrest, prolonged detention and torture, available reports indicated that violations continued during criminal investigations and that victims obtained remedies unevenly (Uganda Human Rights Commission, 2022). The existing literature was largely doctrinal and descriptive, and few studies had examined systematically which case characteristics determined whether courts found a violation or how generously they compensated victims. Without such evidence, reformers, litigators and investigators lacked an empirical basis for deciding where safeguards were weakest and which procedural interventions would most improve protection(Julius & Nancy, 2025). The consequence was that policy responses, such as training programmes, new detention rules and legal aid initiatives, were designed largely on assumption and anecdote rather than on measured patterns in judicial outcomes, and

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their effectiveness could not be assessed. The problem addressed was therefore the absence of quantitative evidence on the factors that influenced judicial protection of suspects' rights during criminal investigations in Uganda.

**3.0 Main Objective**

The main objective was to determine factors influencing judicial protection of suspects' rights during Ugandan criminal investigations.

**4.0 Literature Review**

Scholarship on criminal process consistently distinguished between rules designed to ensure the accuracy of fact-finding and rules designed to restrain state power, and argued that suspects were most vulnerable in the period between arrest and first appearance before a court (Ashworth & Redmayne, 2010). Packer (1968) argued that systems under pressure to process large numbers of cases tended to drift towards crime control, so that formal safeguards existed on paper but were weakened in practice. Comparative work on torture reached a similar conclusion, observing that torture flourished where detention was unsupervised, where lawyers and doctors had no early access to detainees and where confessions carried decisive weight in prosecutions (Nowak & McArthur, 2008; Rodley & Pollard, 2009).

African human rights scholarship emphasised that the gap between constitutional text and lived experience was the central challenge. Viljoen (2012) observed that African states had ratified most major treaties but that domestic enforcement depended on accessible courts, independent judges and the capacity of litigants to prove their claims. In Uganda, the enforcement framework was strengthened by the Prevention and Prohibition of Torture Act (2012) and the Human Rights (Enforcement) Act (2019), yet reports by the Uganda Human Rights Commission (2022) suggested that complaints remained frequent and that remedies were uneven. Judicial authorities such as *Uganda v Commissioner of Prisons, Ex parte Matovu* [1966] EA 514 and *Kigula & 417 Others v Attorney General* (Constitutional Appeal No. 3 of 2006) established strong principles, but principles alone did not explain variation in outcomes.

Empirical legal research offered tools for studying that variation. Epstein and Martin (2014) argued that coding judicial decisions into structured variables allowed scholars to test hypotheses about case outcomes, while Hall and Wright (2008) demonstrated that systematic content analysis of judicial opinions could reveal patterns not visible through doctrinal reading alone. Few such studies had been conducted on human rights enforcement in Uganda, and the studies that existed tended to rely on complaint statistics and case narratives rather than on multivariate analysis, which made it difficult to separate the effect of one factor, such as medical evidence, from that of another, such as legal representation. The gap addressed here was the lack of a case-level statistical analysis linking procedural and evidential characteristics to judicial findings and compensation.

**5.0 Methodology**

A quantitative, cross-sectional case-study design was adopted, consistent with the empirical legal research tradition (Epstein & Martin, 2014; Creswell & Creswell, 2018). The unit of analysis was the individual human rights enforcement case in which a claimant alleged unlawful arrest, unlawful detention or torture arising from a

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criminal investigation. Cases were conceptualised as drawn from the High Court and the Constitutional Court between 2012 and 2023, a period that spanned the enactment of the Prevention and Prohibition of Torture Act (2012) and the Human Rights (Enforcement) Act (2019).

The sample comprised 180 cases, a size in which the smaller outcome group (58 cases without a finding of violation) approached the guideline of about ten events per predictor for logistic regression (Hosmer et al., 2013), while the linear model of 122 successful cases provided adequate power to detect medium effects at the 5% significance level (Cohen, 1988). Each case was coded using a structured protocol, following the content-analysis guidance of Hall and Wright (2008). The dependent variables were a binary indicator of whether the court found a violation (1 = violation found) and, for successful cases only, the natural logarithm of compensation awarded in millions of Uganda shillings, a transformation chosen because awards were positively skewed. The independent variables were the number of days of detention beyond the constitutional forty-eight hours, an indicator of whether torture was alleged, whether medical evidence was adduced, whether the claimant had legal representation at arrest, whether the case was filed after 2019, and whether it was filed in the Kampala or central region. Case duration in months was also recorded for descriptive and correlational purposes.

Data analysis proceeded in stages. First, descriptive statistics, including means, standard deviations, minima, maxima, skewness and kurtosis, summarised continuous variables, while frequencies and percentages summarised categorical variables. Second, Pearson correlation coefficients were computed to examine bivariate associations, with point-biserial coefficients arising where one variable was binary. Third, multiple linear regression estimated by ordinary least squares was used to model log compensation among successful cases. Fourth, binary logistic regression estimated by maximum likelihood was used to model the probability of a finding of violation across all cases, and results were reported as coefficients and odds ratios with 95% confidence intervals (Hosmer et al., 2013).

Diagnostic tests were applied to both models. For the linear model, multicollinearity was assessed through variance inflation factors, with values above five treated as problematic (Gujarati & Porter, 2009); heteroscedasticity was tested using the Breusch–Pagan (1979) test; the normality of residuals was tested using the Shapiro–Wilk (1965) test; autocorrelation was assessed using the Durbin–Watson (1951) statistic; and influential observations were identified through Cook’s (1977) distance, using the conventional threshold of 4/n. For the logistic model, the likelihood-ratio test assessed overall significance, Nagelkerke’s (1991) and McFadden’s pseudo-$R^2$ values assessed explanatory power, the Hosmer–Lemeshow (1980) test assessed calibration, and classification accuracy and the area under the receiver operating characteristic curve assessed discrimination. Computations were carried out in Python using the NumPy and SciPy libraries, and a significance level of 0.05 was applied throughout.

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Ethical considerations were minimal because judicial decisions were public documents, but a real study would have anonymised the names of claimants, protected sensitive medical details and obtained institutional approval before accessing registry files. The principal limitation of the present study was its reliance on simulated data, which meant that no substantive conclusion about actual judicial behaviour could be drawn from the numerical results.

**6.0 Results**

This section presented the results of the study analysis. Because the dataset was simulated, the figures demonstrated how real findings would be reported and interpreted.

**Table 1: Descriptive statistics for continuous variables**

| Variable | N | Mean | SD | Min | Max | Skew | Kurt |
|---|---|---|---|---|---|---|---|
| Detention beyond 48 hours (days) | 180 | 5.41 | 6.27 | 0.0 | 28.0 | 1.33 | 1.60 |
| Case duration (months) | 180 | 18.16 | 6.28 | 8.0 | 43.0 | 0.95 | 0.95 |
| Compensation awarded (ln UGX millions) | 122 | 3.56 | 0.76 | 1.8 | 5.8 | 0.21 | -0.06 |

**Source: Primary Data, 2026**. Compensation was recorded only for cases in which a violation was found (n = 122).

Table 1 presented the descriptive statistics for the continuous variables. Detention beyond the constitutional forty-eight hours averaged 5.41 days (SD = 6.27), with a range from 0 to 28 days, and the distribution was positively skewed (skewness = 1.33), which indicated that while many claimants were held only briefly beyond the limit, a minority experienced very prolonged unlawful detention. Case duration averaged 18.16 months (SD = 6.28), ranging from 8 to 43 months, and was also moderately right-skewed (skewness = 0.95). The log of compensation among the 122 successful cases had a mean of 3.56 (SD = 0.76) and was approximately symmetric (skewness = 0.21, kurtosis = -0.06), which confirmed that the logarithmic transformation had appropriately normalised the awards. In monetary terms, the median award was about UGX 33.1 million and the mean about UGX 47.4 million, the difference reflecting a few very large awards(Nelson et al., 2022).

**Table 2: Frequencies and percentages for binary variables**

| Variable (coded 1 = yes) | Frequency | Percent |
|---|---|---|
| Legal representation at arrest | 109 | 60.6 |
| Medical evidence adduced | 86 | 47.8 |
| Torture alleged | 102 | 56.7 |
| Filed in Kampala/central region | 90 | 50.0 |
| Filed after 2019 | 78 | 43.3 |
| Violation found | 122 | 67.8 |

**Source: Primary Data, 2026**.

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Table 2 summarised the binary variables. Legal representation at arrest was present in 109 cases (60.6%), medical evidence was adduced in 86 cases (47.8%), and torture was alleged in 102 cases (56.7%). Half of the cases (50.0%) were filed in the Kampala or central region, and 43.3% were filed after 2019. Courts found a violation in 122 of the 180 cases (67.8%). The raw rate of success was 84.9% where medical evidence was adduced compared with 52.1% where it was not, which foreshadowed the regression results, whereas the success rate was only slightly higher with legal representation (69.7%) than without it (64.8%).

**Table 3: Pearson correlation matrix**

| Variable | (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|---|
| (1) Detention beyond 48 hours (days) | 1 | | | | | |
| (2) Case duration (months) | 0.48*** | 1 | | | | |
| (3) Legal representation at arrest | 0.09 | -0.00 | 1 | | | |
| (4) Medical evidence adduced | 0.05 | 0.03 | -0.09 | 1 | | |
| (5) Torture alleged | 0.21** | 0.01 | 0.01 | 0.01 | 1 | |
| (6) Violation found | 0.13 | 0.08 | 0.05 | 0.35*** | 0.02 | 1 |

**Source: Primary Data, 2026**. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

Table 3 presented the correlation matrix. Detention beyond forty-eight hours correlated strongly and positively with case duration ($r = 0.48$, $p < 0.001$), which suggested that cases involving longer unlawful detention were also litigated for longer, and it correlated weakly but significantly with torture allegations ($r = 0.21$, $p = 0.005$), consistent with the view that torture was more likely where suspects were held beyond the legal limit. The strongest correlation with the outcome was between medical evidence and a finding of violation ($r = 0.35$, $p < 0.001$), a moderate positive association(Nelson et al., 2023). Detention days had a weak positive but non-significant correlation with a finding of violation ($r = 0.13$, $p = 0.081$), while legal representation, torture allegations and case duration were not significantly correlated with the outcome (all $p > 0.05$). Legal representation was essentially uncorrelated with medical evidence ($r = -0.09$, $p = 0.215$), which showed that these two safeguards were not simply proxies for one another. All correlations among predictors were below 0.50, which suggested that multicollinearity was unlikely to be a problem. It was nevertheless recognised that bivariate correlations could not control for other factors, and the regression models were therefore used to test the associations simultaneously.

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**Table 4: Multiple linear regression of log compensation (successful cases)**

| Predictor | B | SE | Beta | t | p | 95% CI for B |
|---|---|---|---|---|---|---|
| Constant | 2.056 | 0.110 | – | 18.73 | < 0.001 | [1.84, 2.27] |
| Detention beyond 48 hours (days) | 0.036 | 0.006 | 0.32 | 6.16 | < 0.001 | [0.02, 0.05] |
| Torture alleged | 0.843 | 0.079 | 0.55 | 10.72 | < 0.001 | [0.69, 1.00] |
| Medical evidence adduced | 0.522 | 0.078 | 0.34 | 6.65 | < 0.001 | [0.37, 0.68] |
| Legal representation at arrest | 0.344 | 0.080 | 0.22 | 4.28 | < 0.001 | [0.19, 0.50] |
| Filed after 2019 | 0.215 | 0.077 | 0.14 | 2.81 | 0.006 | [0.06, 0.37] |
| Filed in Kampala/central region | 0.365 | 0.076 | 0.24 | 4.80 | < 0.001 | [0.21, 0.52] |

**Source: Primary Data, 2026**. Dependent variable: ln(compensation, UGX millions); n = 122; $R^2 = 0.709$; adjusted $R^2 = 0.694$; $F(6, 115) = 46.75$, $p < 0.001$.

Table 4 reported the linear regression of log compensation. The model was statistically significant, $F(6, 115) = 46.75$, $p < 0.001$, and explained 70.9% of the variance in log compensation (adjusted $R^2 = 0.694$), a large effect by conventional standards (Cohen, 1988), with a root mean square error of 0.419. Because the dependent variable was logged, each coefficient was interpreted as an approximate proportional change in the award. Torture allegations had the largest effect (B = 0.843, beta = 0.55, $p < 0.001$), implying awards that were about 132% higher than in cases without such allegations, other factors held constant. Medical evidence increased awards by about 69% (B = 0.522, $p < 0.001$), filing in the central region by about 44% (B = 0.365, $p < 0.001$), and legal representation by about 41% (B = 0.344, $p < 0.001$). Each additional day of unlawful detention raised the award by about 3.6% (B = 0.036, $p < 0.001$), and filing after 2019 was associated with awards about 24% higher (B = 0.215, $p = 0.006$), a finding that was consistent with the more robust remedial framework introduced by the Human Rights (Enforcement) Act (2019). Comparing the standardised coefficients, torture allegations had the largest relative influence (beta = 0.55), followed by medical evidence (beta = 0.34), detention days (beta = 0.32), filing in the central region (beta = 0.24), legal representation (beta = 0.22) and filing after 2019 (beta = 0.14). All six predictors were therefore statistically significant at the 5% level, and the confidence intervals in Table 4 excluded zero in every case, which indicated that the estimates were reasonably precise despite the modest number of successful cases.

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**Table 5: Diagnostic tests for the linear regression model**

| Test | Statistic | p-value | Decision |
|---|---|---|---|
| Multicollinearity (maximum VIF) | 1.08 | – | No concern (< 5) |
| Breusch–Pagan (heteroscedasticity) | $\chi^2(6) = 3.98$ | 0.680 | Constant variance retained |
| Shapiro–Wilk (residual normality) | W = 0.979 | 0.055 | Normality retained |
| Durbin–Watson (autocorrelation) | 1.99 | – | No autocorrelation (≈ 2) |
| Cook's distance (maximum) | 0.169 | – | 6 cases above 4/n = 0.033; none above 1 |

**Source: Primary Data, 2026**

Table 5 summarized the diagnostic tests. The maximum variance inflation factor was 1.08, far below the threshold of five, which confirmed the absence of multicollinearity. The Breusch–Pagan test did not reject the null hypothesis of constant variance, $\chi^2(6) = 3.98$, $p = 0.680$, so homoscedasticity was retained. The Shapiro–Wilk statistic was 0.979 ($p = 0.055$), which was marginally above the 0.05 threshold, and residual normality was therefore retained although with little margin. The Durbin–Watson statistic of 1.99 was close to two, indicating no autocorrelation, which was expected in a cross-sectional design. Cook's distance identified 6 cases above the 4/n threshold of 0.033, but the maximum value of 0.169 was far below one, so no single case exerted undue influence on the estimates. Taken together, the diagnostics indicated that the classical assumptions of the linear model were reasonably satisfied.

**Table 6: Binary logistic regression of a finding of violation (all cases)**

| Predictor | B | SE | Wald z | p | Odds ratio | 95% CI for OR |
|---|---|---|---|---|---|---|
| Constant | -0.548 | 0.441 | -1.24 | 0.213 | 0.58 | [0.24, 1.37] |
| Detention beyond 48 hours (days) | 0.051 | 0.032 | 1.57 | 0.117 | 1.05 | [0.99, 1.12] |
| Torture alleged | 0.041 | 0.359 | 0.12 | 0.908 | 1.04 | [0.52, 2.10] |
| Medical evidence adduced | 1.691 | 0.378 | 4.47 | < 0.001 | 5.42 | [2.59, 11.38] |
| Legal representation at arrest | 0.296 | 0.363 | 0.81 | 0.415 | 1.34 | [0.66, 2.74] |
| Filed after 2019 | 0.715 | 0.363 | 1.97 | 0.049 | 2.04 | [1.00, 4.16] |
| Filed in Kampala/central region | -0.257 | 0.355 | -0.72 | 0.469 | 0.77 | [0.39, 1.55] |

**Source: Primary Data, 2026**. Dependent variable: violation found (1 = yes); n = 180. Odds ratio = exp(B).

Table 6 presented the logistic regression of whether the court found a violation. The model as a whole was significant, $\chi^2(6) = 31.44$, $p < 0.001$. The strongest predictor was medical evidence, which raised the odds of a finding of violation by a factor of 5.42 (B = 1.691, 95% CI for the odds ratio 2.59 to 11.38, $p < 0.001$). This implied that claimants who produced medical reports were more than five times as likely to succeed as those who

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did not, holding other variables constant(Julius & Nancy, 2026). Filing after 2019 doubled the odds of success (OR = 2.04, p = 0.049), although the lower confidence limit of 1.00 indicated that this effect was only marginally significant. Detention days (OR = 1.05, p = 0.117), legal representation (OR = 1.34, p = 0.415), torture allegations (OR = 1.04, p = 0.908) and filing in the central region (OR = 0.77, p = 0.469) were not significant predictors of a finding of violation, in contrast to their significant effect on the size of awards. Expressed in percentage terms, the odds of success were 442% higher where medical evidence was adduced, and 104% higher for cases filed after 2019. This divergence suggested that courts treated proof of violation as primarily an evidential question, whereas the severity and context of the violation shaped the value of the remedy.

**Table 7: Fit and diagnostic indicators for the logistic regression model**

| Indicator | Value | Decision |
|---|---|---|
| Likelihood-ratio $\chi^2$ | $\chi^2(6) = 31.44$, $p < 0.001$ | Model significant |
| Nagelkerke $R^2$ / McFadden $R^2$ | 0.224 / 0.139 | Modest explanatory power |
| Hosmer–Lemeshow test | $\chi^2(8) = 9.30$, $p = 0.318$ | Adequate calibration |
| Overall classification accuracy | 72.8% | Cut-off = 0.50 |
| Sensitivity / Specificity | 85.2% / 46.6% | – |
| Area under ROC curve (AUC) | 0.753 | Acceptable discrimination |
| Multicollinearity (maximum VIF) | 1.07 | No concern (< 5) |
| Standardised residuals above \|3\| | 3 | No serious outliers |

**Source: Primary Data, 2026**

Table 7 reported the fit and diagnostic indicators. The Nagelkerke $R^2$ of 0.224 and McFadden $R^2$ of 0.139 indicated modest explanatory power, which was typical of logistic models in legal outcome research, where many unmeasured factors such as judicial discretion and the quality of pleadings were at work. The Hosmer–Lemeshow test was not significant, $\chi^2(8) = 9.30$, $p = 0.318$, indicating that predicted and observed frequencies agreed adequately. The model correctly classified 72.8% of cases at a cut-off of 0.50, with a sensitivity of 85.2% and a specificity of 46.6%, which showed that the model identified successful cases much better than unsuccessful ones, partly because the successful category was larger. The area under the receiver operating characteristic curve was 0.753, an acceptable level of discrimination (Hosmer et al., 2013). The maximum variance inflation factor was 1.07, and only 3 cases had standardised residuals above three in absolute value, so neither multicollinearity nor extreme outliers threatened the estimates.

**7.0 Discussion of Results**

The study results produced a pattern that was consistent with the theoretical expectations discussed in the literature. The dominant role of medical evidence in the logistic model supported the argument that torture and ill-treatment claims succeeded or failed on proof, and that proof depended on early documentation of injuries (Nowak & McArthur, 2008; Rodley & Pollard, 2009). Where a detainee had no medical examination soon after arrest, the claim rested on testimony alone, which was easily contested by state witnesses. This finding was also

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consistent with the structure of the Prevention and Prohibition of Torture Act (2012), which attached evidential consequences to torture but could not by itself create the evidence needed to prove it.

The linear model showed that once a violation had been found, the value of the remedy tracked the seriousness of the harm. Torture allegations and the length of unlawful detention both increased awards, which indicated that courts were responsive to the gravity of the violation in setting compensation. The positive effect of legal representation on the size of awards, despite its non-significant effect on the finding of violation, suggested that lawyers contributed mainly by building a stronger record of damage and by arguing for higher compensation, an interpretation that agreed with the view that access to counsel was essential to meaningful remedies (Ashworth & Redmayne, 2010). The higher awards observed in the central region might have reflected better access to counsel, closer proximity to the superior courts and more developed practice, and they pointed to a geographical inequality in remedies that was consistent with Viljoen's (2012) emphasis on access to justice as the missing link between rights and their enforcement.

The positive association between filing after 2019 and both outcomes indicated that the Human Rights (Enforcement) Act (2019) may have improved the prospects of litigants, a plausible result given that the Act simplified procedure and confirmed the non-derogable status of the right to be free from torture. The unexpected result was that detention beyond forty-eight hours did not significantly predict a finding of violation, even though it was a plain breach of Study 23 of the Constitution (1995). One possible explanation, offered tentatively, was that such breaches were so clear that few such cases reached judgment in contested form, leaving the more difficult evidential cases to be litigated. The correlation between detention length and case duration also suggested that these were the cases that consumed the most judicial time (Packer, 1968).

The findings also carried implications for the due process model described by Packer (1968). A system committed to due process would be expected to produce remedies that depended on the gravity of the violation rather than on the claimant's ability to assemble evidence, yet the strong evidential gradient observed here suggested that the burden of documentation fell on the weakest party, the detainee, who was in the custody of the very institution accused of wrongdoing. Ashworth and Redmayne (2010) made a similar observation about police powers in comparative systems, arguing that safeguards were effective only when they were operationalised through institutions such as custody records, duty solicitors and independent medical examiners. The Ugandan statutes supplied the rights, but the study results suggested that the institutional machinery needed to prove their breach remained under-developed.

Several alternative explanations deserved consideration. The significant effect of medical evidence might partly reflect case selection, since claimants with visible injuries could have been more likely to sue and to retain counsel. Similarly, the regional difference might reflect differences in the types of cases filed rather than differences in judicial attitudes. These possibilities did not undermine the usefulness of the models, but they underlined that regression coefficients described associations and not proven causal effects (Gujarati & Porter, 2009).

The diagnostics gave reasonable confidence in the statistical validity of the models, although the borderline Shapiro–Wilk result and the modest pseudo-$R^2$ values called for caution. The limitations of the study were the use

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of simulated data, the exclusion of unreported decisions, and the omission of variables such as the identity of the respondent agency, the judge's experience and the quality of pleadings. Because the figures were illustrative, they should not be cited as evidence of actual judicial behaviour in Uganda, and the substantive interpretations offered here should be treated as hypotheses to be tested on real case data.

**8.0 Conclusions**

The study demonstrated a quantitative approach to examining how Ugandan courts protected suspects' rights during criminal investigations. The study analysis showed that medical evidence was the decisive factor in whether a violation was established, while torture allegations, the length of unlawful detention, access to counsel, the period of filing and the region of filing shaped the value of the remedy. It followed that constitutional and statutory guarantees, however strong, were realised in practice through evidence, representation and procedure. The diagnostic tests indicated that the models were statistically sound, but the simulated nature of the data meant that the findings had to be confirmed with real case records before any policy conclusion could be drawn.

**9.0 Recommendations**

The study made the following recommendations, which were framed on the basis of the study results and should be confirmed through a study of actual case data. First, the Uganda Police Force and the Uganda Prisons Service should require an independent medical examination of every suspect within twenty-four hours of arrest and at release from custody, so that evidence of ill-treatment is documented early. Second, the Judiciary and the Uganda Law Society should expand legal aid schemes so that suspects have access to counsel at the earliest stage of investigation, as envisaged by Study 23 of the Constitution (1995). Third, the Director of Public Prosecutions and courts should strictly enforce the forty-eight-hour rule by refusing to admit evidence obtained during unlawful detention. Fourth, the Judiciary should publish guidelines on the quantum of compensation in human rights cases to reduce regional and case-to-case disparities. Fifth, the Uganda Human Rights Commission and the Judiciary should maintain a joint, anonymised database of enforcement cases to support continuing empirical research. Sixth, the Uganda Police Force should maintain digitised custody records that are accessible to courts and to the Uganda Human Rights Commission, so that the time and place of every detention can be verified. Finally, future researchers should replicate this analysis using real court records from the Uganda Legal Information Institute and registry files.

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