**BERONDA V UGANDA**

**Division:** Court of Appeal at Kampala

**Date of judgment:** 31 January 1974

**Case Number:** 117/1973 (15/74)

**Before:** Sir William Duffus P, Spry V-P and Mustafa JA

**Sourced by:** LawAfrica

**Appeal from:** High Court of Uganda – Musoke, J

*[1] Evidence – Confession – Recorded by magistrate alone – Proceeding proper – Police officer’s*

*presence undesirable – Evidence Act* (*Cap.* 43), *s.* 24 (*U.*).

**Editor’s Summary**

A confession had been made to a magistrate who was alone with the accused apart from the interpreter.

The trial judge stated that a police officer should have been present.

**Held –**

(i) The procedure adopted by the magistrate was wholly correct;

( ii) it is undesirable that a police officer should be present while a confession is recorded.

Order accordingly.

**No cases referred to in judgment**