**Lutwama v Uganda**

**Division:** High Court of Uganda at Kampala

**Date of judgment:** 19 October 1973

**Case Number:** 123/1973 (9/74)

**Before:** Saied J

**Sourced by:** LawAfrica

*[1] Evidence – Witness – Interested in outcome of traffic prosecution – Evidence can be accepted.*

*[2] Evidence – Witness – Policeman – Sketch plan rejected – Rest of evidence can be accepted.*

**Editor’s Summary**

The appellant was convicted of careless driving and on his appeal contended that as the magistrate had rejected the sketch plan prepared by the policeman he should have rejected all his evidence, and that the evidence of the complainant as an interested witness should have been rejected.

**Held –**

(i) the rejection of a sketch plan does not mean that the policeman’s oral evidence must be rejected;

( ii) the evidence of an interested witness can be accepted if the court is satisfied that it is reliable;

(iii) on the facts the appellant was properly convicted.

Appeal dismissed.

**Cases referred to Judgment:**

(1) *R. v. Wallace*, [1958] E.A. 582.

(2) *Russell v. R*. (1968), 52 Cr. App. R. 147.

(3) *Tejani v. Uganda* (1968), H.C.B. 5 (unreported).

(4) *Jesani v. Republic*, [1969] E.A. 600.

(5) *Angile v. Uganda* (1971), H.C.B. 67 (unreported).

(6) *Ali Masembe v. Uganda* (1972), H.C.B. 54 (unreported).