

Court halts law institute repeat-class 'radical' rules

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and Michael Odeng

Court has halted implementation of 'radical' repeat-class rules instituted by Law Development Centre (LDC).

Yesterday, Justice Lydia Mugambe, of the Civil Division of the High Court in Kampala, stopped the implementation of the rules until the main case is heard and a verdict delivered.

Specifically, Mugambe halted the contentious July 10, 2019 management committee decision.

A group of over 250 aggrieved bar course students petitioned court last month, accusing LDC and its director, Nigel Othiemi, of introducing draconian rules.

The student class action

representatives are Godfrey Akampurira and Simon Peter Oriokot.

The resolution requires students who have failed a subject to repeat the entire subject. Previously, a student was required to repeat the component of a failed subject, for example fourth term examinations.

However, Mugambe said it is prudent that the decision is halted, so that the main case is not rendered useless.

"A temporary injunction is hereby issued halting the implementation of the first respondent's management committee decision, made on July 10, 2019, which is challenged by the applicants in the main suit, pending

determination of the main suit," Mugambe ruled.

Present in court were the aggrieved students with their lawyers Isaac Ssemakadde and Majda Aturinda. The defendants were represented by John Musiime and Isaac Kyakagaba.

Mugambe also struck Othiemi off the list of defendants. This implies that LDC is the only defendant.

Main case

The students allege LDC management fraudulently and deliberately records lower marks in the supplementary exams with intention of charging sh2.5m as fees for repeating failed subjects.

They purport LDC deliberately

administered supplementary exams in February, long after other students had done theirs.

They lament that supplementary exams fees were increased by 200% in December, without their knowledge, and after other students had written theirs.

The aggrieved allege LDC introduced supplementary exams and weekly individual tests and gave them to a few selected students, including those who passed the major exams, with an intention of defrauding them.

The petitioners explain that they signed rules that would govern contractual obligations for the course, and that they were given the fees structure and the supplementary

examination charge, which was sh100,000 per subject.

They say on June 14, Othiemi convened a meeting after receiving a notice of intention to sue and informed students to begin studies with the objective of repeating subjects the failed in the fourth term.

"We followed Othiemi's directive and commenced studies until July 12 when the second defendant surprised them with an email advising them to stop attending classes, wait and apply to be admitted for the academic year 2019/20 upon paying an admission fee of sh200,000," Akampurira said. The petitioners were admitted to the bar course on September 27, 2017, for the academic year 2017/18. The applicants,

however, say few of them were allowed to continue with their studies upon payment of re-admission fees.

Akampurira said LDC has continued to charge admission fees purporting to be re-admission to already admitted students.

They also accuse LDC of delaying to release exams in addition to the introduction of rules that provide for the examination of subjects not taught and payment of tuition before the commencement of the term.

They are seeking an order compelling LDC to produce their examination answer scripts for corporate and commercial practice written in August last year.