

The Inspectorate of Government Adopts Prosecution-Guided Investigations

The IG's Prosecutions Unit has taken inspiration from SUGAR TAF on prosecution-guided investigations and started rolling out to all Directorates and Divisions

The Prosecutions Unit at the Inspectorate of Government is responsible for reviewing cases investigated by the IG and recommending whether they should be addressed via administrative sanctions or criminal prosecutions. If they proceed with prosecutions, they take the cases to court. The Unit is staffed by 15 technical officers (Legal Officers) and typically handles about 100 cases per year.

The Unit has received support from SUGAR TAF based on consultations during SUGAR TAF's design phase. Since 2015, SUGAR TAF has provided training and advice in gathering and organizing evidence, financial profiling, and asset recovery; it has also helped them automate some of their file management and has provided mentoring to some of the Unit's officers. Ms. Brenda Kimbugwe, who heads the unit, notes that all of this support has been immensely helpful. However, one area stands out to her as being game-changing, and that is SUGAR TAF's focus on improving the relationship between prosecutors and investigators.

“The core of our efficiency lies in the aspect of the investigation relationship. Where that is strong, it makes a big difference.”

- Ms. Brenda Kimbugwe,
Head of Prosecutions, IG

Ms. Kimbugwe recalls the relationship between prosecutors and investigators prior to SUGAR TAF was fraught: “We used to sit down here in our offices, they'd sit up in the 7th floor, and bring the results of their investigations to us, and we'd write back and say, 'This evidence is inadequate, we advise that you go back and do the following,' and sometimes it would be too late to secure the relevant evidence as the culprits often anticipate our next actions and prepare accordingly. The investigators would get frustrated in handling the files that they had previously considered to be concluded.” This meant that preparing cases for trial was slow and difficult.

SUGAR TAF organised joint trainings for both the investigators and the prosecutors to help build a more collegial relationship based on shared understanding. They organised several retreats for both groups to come together and discuss their working relationship. They introduced the concept of prosecutor-guided investigations, wherein prosecutors are assigned to and engaged on the case from the start. The result, Ms. Kimbugwe explains, is, “Now, we're constantly interacting with each other, and coordinating with each other, so by the time the file officially comes to us, we're already aware and on the same page.”

Since then, the Prosecutions Unit has been able to leverage and build on SUGAR TAF's support. Ms. Kimbugwe says, “SUGAR TAF focused specifically on our relationship with the Directorate of Special Investigations, but we've been able to bring that approach to the other departments.” This includes the Directorate of Regional Offices, which investigates other corruption cases across the country, and which provides the Prosecution Unit with most of its cases. They're finding that the stronger evidence base that results from prosecutor-led investigations is more likely to convince the defendant to plead guilty and settle out of court, reducing congestion in the court system.

While the shift to prosecution-guided investigations is still formative, Ms. Kimbugwe and the prosecution team are beginning to see systemic change as a result of these efforts: “The spill-over effect is real...and

that is why we're now getting more files." A Prosecution-Guided Investigation Manual that the IG has been developing with the support of SUGAR TAF has proven a helpful resource in introducing the approach to other departments. The IG plans to finalise the Manual and use it to formalise their use of prosecutor-guided investigations.