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DOCUMENTARY SURVEY OF CRIME IN KAMPALA, UGANDA

1956 - 60

by

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(Prepared for the Secretariat of the Economic Commission for Africa.)

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D.J.Stenning

I KAMPALA ^{1,2}

Kampala is the largest town in Uganda and is, in effect, its capital, although Entebbe, twenty miles away on the shore of Lake Victoria is still the administrative headquarters of the country.

Southern Uganda is a land of small hills intersected by swamps. In the area of about three by six miles occupied by Greater Kampala, this, too, is the case, so that writers have likened Kampala to "Rome of the Seven Hills". At the present rate and scale of urban development the hills are the nuclei of quarters or of suburbs. They are in some cases crowned with a distinctive institution - a cathedral or mosque, a college or a hospital. Often, too, the hills hide in their folds the denser and busier parts of the town, which have been reclaimed from the swamps.

A. The Municipality

Greater Kampala is composed of two main areas which differ in their history, administration and social character. These are the Municipality and the Kibuga.

The Municipality has its historic roots in the fort which F.D. (later Lord) Lugard established in 1890 on Kampala Hill, now the centre of Old Kampala. Around it grew the British administrative headquarters, and a commercial centre run largely by Asians. It was not long before this concentration required specifically urban financial, sanitary and other administrative measures. In 1906, it was gazetted a Township, financed and administered by the Protectorate Government, and remained so until 1949, when it attained Municipality status.

For most of the intervening period this part of Greater Kampala was regarded as a European and Asian town, since Africans living and working in it were not formally responsible for the activities which went on there. They held low positions in the socio-economic scale, and a large proportion of them, the labourers, were predominantly migratory. Today, when these conditions have changed and will change increasingly, the Municipality still bears this aspect. Old Kampala is now an Asian residential quarter. One flank of Nakasero Hill is an aging residential suburb, the other holds part of the central shopping, hotel and office area, as well as much of the commercial area. Kololo Hill, to the northwest, was included in the Municipality in 1916 and is now mainly a high-class residential suburb, although its northern flank holds the Kira Road area, mainly an Asian suburb. In 1938 the half of Makerere Hill which houses Makerere University College, was brought into

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1. Much of the material in this section is drawn from Southall, A.W. and P.C.W. Gutkind, "Townsmen in the Making" (East African Studies No.9) 2nd edition, 1957, especially Chapter I.
 2. I am indebted to the East African Institute of Social Research for permission to use the map of Greater Kampala which appeared in Southall and Gutkind, op.cit. The shaded areas are those in which the authors carried out detailed social surveys.

the Municipality, as was the part of Mulago Hill which now houses a large modern hospital. In 1948 the Town and Country Planning ordinance gave the Municipality beneficial control of development in an area to the east. Here new government housing estates, inhabited mainly by Africans, have arisen at Katali and Naguru, while a high-class private housing complex is developing on Mbuya Hill. On the flat land to the south of these areas a large industrial estate has grown up along the railway line to Jinja and Nairobi. Nsambya, housing mainly the Uganda police lines, flanks it.

This continuous development has been specifically urban, and was accompanied by an increase in Municipality authority and revenue. It took place on Crown land to the north and east of the centre of Old Kampala. While there is no specific residential segregation of the races in the Municipality the Africans who live there tend to be in government or commercial employment. The government estates are predominantly for government employees in regular employment. Municipal control is evident in planning and siting, and in the provision of water, light and other services.

B. The Kibuga

To the south and west of the old centre is the Kibuga which, while ecologically part of Greater Kampala, differs from its opposite half in a number of ways.

The Kibuga antedates the Municipality. Kampala lies in Buganda, the most important of the African kingdoms of southern Uganda. In pre-Protectorate times the Kings of Buganda shifted their establishments as occasion demanded, and during the latter half of the nineteenth century located them in the general area of what is now Kampala. When Lugard entered Buganda the King was established at Mengo Hill, where the Palace, Buganda Parliament and Buganda government offices now stand. Lugard sited his fort accordingly. The area adjacent to the King's establishment was known as the Kibuga, or capital.

The Kibuga is part of a wider system of administration. Buganda is divided into counties, and the Kibuga forms a major division of one of these whose headquarters lies some ten miles to the east of Kampala. In turn, the Kibuga and other sub-counties are divided into a number of administrative parishes. Each unit, major or minor, is administered by a chief. This administration is, in general, adapted to rural conditions and that of the Kibuga is, formally, no exception to this, although exceptions will become apparent below. In addition, the administration of the Kibuga is in African hands. Its population is largely African and consists mainly of Baganda. While the land on which the Municipality stands is Crown land, that of the Kibuga is governed by the mailo system, a form of freehold.

For all these differences, much of the Kibuga is functionally part of Greater Kampala. Population densities are, in places, higher than in the Municipality. Overcrowding of urban proportions is present in three or four quarters⁴ adjacent to the

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3. This description in terms of 'hills' is introductory. These areas will be discussed in more detail below, particularly in II Population (p. 5) and V Society and Crime (p. 44).
 4. Of which two, Mulago and Kisenyi, were studied by Southall and Gutkind, op.cit.

Municipality. Parts of the Kibuga can be regarded as urban dormitories, especially for Ganda labourers,⁵ as well as for skilled and professional workers. Conversely there is a steady pressure from non-Africans, particularly Asians, to own or lease land in the Kibuga, a pressure which is to some extent frustrated by both Protectorate and Buganda laws. Land values are, as might be expected, higher than in much of rural Buganda, but no rating system is in force which would contribute to the provision of urban services. Nevertheless, some such services are available from the Municipality. Within the Kibuga there is one area, Namirembe, which is itself a gazetted Township, and adjacent to the Kibuga on the north is another township, Kawempe. Apart from the Buganda government offices, the Palace and the Buganda Parliament, the Kibuga houses other institutions of national importance - one Protestant and two Roman Catholic Cathedrals, and an important Mosque - with their attendant ecclesiastical and educational establishments.

C. Problems

The dual nature of Greater Kampala poses considerable problems in sociological research, as will be evident in the following pages, in which an attempt has been made to give due weight to it.

In practice the considerable opportunities for friction arising from this duality are evident in all kinds of matters from sanitary control to the functions of the police and the administration of justice, which are an important concern of this survey.

1. Police: In essence, the system of administration through chiefs, adapted to cohesive rural populations, includes police functions, although the Buganda government itself has a relatively unspecialised police force. These arrangements tend to be inadequate in urban and peri-urban conditions, where all types of offences become considerably more complex in both commission and detection. In Greater Kampala, the Protectorate police force has in theory been restricted to the maintenance of law and order within the Municipality, and to such matters outside it as involve non-natives. But increasingly, the chiefs of the Kibuga call upon the Protectorate police to deal with crime in their peri-urban areas. Also the Protectorate police finds it necessary to pursue investigations of crimes committed in the Municipality to areas outside it, the Kibuga included. Since 1956 Protectorate police stations in the Municipality have recognised this partial jurisdiction over areas in the Kibuga.

2. Judiciary: This extension of police action is to some extent paralleled in the court system serving Greater Kampala. There are two sets of courts, one Protectorate, one Buganda government. There is a sub-county court of the Kibuga dealing with petty crime as part of Buganda customary law, passing other cases to the three magistrates' courts of the Buganda government. One of these, for the Kibuga, is at Mengo. One lies outside both Municipality and Kibuga boundaries, at Makindye. The third lies inside the Municipality, at Nakawa. These courts deal

5. See Elkan, W., "Migrants and Proletarians", Oxford University Press for East African Institute of Social Research, 1960, pp.45-47.

6. See below Part V, p. 44.

with criminal cases, again, as part of Buganda customary law, in cases involving Africans or where an African is the accused. Above these is the Principal Court of Buganda.

The Protectorate court of Mengo District, and above it the High Court, try criminal cases as part of the Protectorate penal code. The High Court, notwithstanding has some appellate jurisdiction over the Principal Court of Buganda. Apart from this provision these two systems have, in theory, exclusive jurisdiction. In practice, criminal cases investigated by the police in Greater Kampala tend to be brought before the Protectorate courts, although it is sometimes found expedient to bring them before the Buganda courts.

Thus in Greater Kampala the extension of Protectorate police action results, with some exceptions in a widening of the Protectorate court work, and a corresponding impingement of penal code definitions and procedure. There is evidence⁷ that this is indeed occurring in Buganda courts administering customary law. But the fact remains that there is a body of criminal cases dealt with outside the penal code, which it has been impossible to evaluate in the discussion of the incidence of crime below.

D. Future Changes

In the near future the constitutional changes⁸ which will give Buganda federal status in independent Uganda will alter some aspects of the administrative structure of Greater Kampala.

Perhaps the most important of these will be the institution of a Buganda police force, commanded by its own officers but subject to the authority of the Inspector-General of the Uganda police force. This may result in improved police action in the Kibuga in liaison with the national police force.

Also there will be a High Court of Buganda with similar jurisdiction, powers and procedure to the High Court of Uganda.¹⁰ The Principal Court and magistrates' courts will continue their present jurisdiction, but this will be made concurrent with the Protectorate courts.¹¹ Also, some Buganda courts may acquire wider magistrates' powers.¹¹ Proposals for more extensive judicial unification are left for the consideration of the Uganda Legislature.¹² In due course these measures will lead to a clearer relation between the substance of the penal code and the customary laws, and this can only lead to greater judicial efficiency in the field of crime.

The Municipality will be the responsibility of the Uganda government, but, since Kampala lies in Buganda territory, the Buganda government will be associated with its administration, through a joint advisory committee composed of Uganda government, Buganda government and Municipal members.¹³ This measure will certainly bring African interests in the Municipality into clearer focus, and it is to be hoped that, in doing so, will make it possible for the Kibuga to be considered, realistically, as a functional part of Greater Kampala.

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7. See Haydon, E.S., "Law and Justice in Buganda", Butterworth, London, 1960, Chap.17, and Hone H.R., "The Nature of Uganda and the Criminal Law", Uganda Journal, Vol.VI, 1938-39.
 8. Colonial Office "Report of the Uganda Constitutional Conference, 1961", Cmd.1523, H.M.S.O., London, October 1961. These changes came into force formally, if not in practice, on 1st March 1962, when Uganda achieved internal self-government.
 9. Loc.cit. Chap.II, para 103.
 10. Loc.cit. Chap.II, para 96.
 11. Loc.cit. Chap.II, para 98.
 12. Loc.cit. Chap.I, para 73.
 13. Loc.cit. Chap.II, para 125.

II. The Population

A. The Censuses

Population censuses were taken in Uganda in 1948 and 1959; Table I (p. 9) shows the results of these for Greater Kampala. It will be seen that detailed comparisons between the results of the two censuses are difficult, mainly because different enumeration areas were used, or because the boundaries of existing localities were changed between the dates in question. The principal discontinuities in these respects are as follows:-

1) The boundaries of many of the administrative parishes of the Kibuga were redrawn between 1948 and 1959, and there was a general amalgamation of parishes by which the twenty-one parishes of 1948 became fourteen in 1959. While the population structure of these peri-urban units is of the greatest importance in the discussion of crime, a time perspective in this respect becomes impossible. Changes in the Kibuga population cannot be detailed by its component parts, and the Kibuga population has perforce to be expressed as a total for each of the census years.

2) Namirembe was described as "Hospital" in 1948, doubtless because Mengo Mission Hospital is its principal institution. There is no way of knowing whether this entry corresponds with the Namirembe Township entry of 1959.

3) A number of institutions having concentrations of population - such as hospitals, railway quarters, police lines, and educational establishments were enumerated in the Kibuga in 1948, but by 1959 had been brought into the Municipality.

4) There are no detailed areas mentioned for the Municipality in 1948, while for 1959 fourteen such census areas, based on Town Planning criteria, were used. In addition to the institutions mentioned above which were part of the Kibuga in 1948, the government housing estates were at that date outside the Municipality and, indeed, outside the Kibuga also. It is impossible, and possibly useless, to attempt to reconstruct the populations of these areas from the rural returns of 1948. The same applies to Kawempe, which has not been included in the table.

5) While in general the African population is satisfactorily enumerated, the non-African populations provide some difficulties. In 1948 non-Africans were not enumerated for the Kibuga specifically, but for the much wider Mengo District of Buganda in which it lies administratively. Since there are other concentrations of Europeans and Asians elsewhere in this District, the non-African population of the Kibuga can only be roughly calculated for 1948.

B. Population Changes

With these reservations in mind, we are able to note from Table II (p. 10) certain facts about the proportion of the different ethnic groups in the total population. Africans are numerically predominant in Greater Kampala, but this is due largely to the African character of the peri-urban areas of the Kibuga, since they are only marginally greater than the Asians in the Municipality and are in fact outnumbered by non-Africans there. Europeans never exceed about 7% in any of the areas.

(It should be noted, in detail, from Table I, that in their heaviest residential concentration on Kololo Hill, they were still outnumbered by Africans in 1959.) Asians are concentrated in the Municipality, while in Greater Kampala as a whole they do not exceed a quarter of the population.

Changes in these proportions during the decade 1948-59 are significant in a number of ways. The African proportion has decreased overall, although they have increased in the Municipality. Almost certainly this is a result of the establishment of the housing estates to the east of the town. The African proportion has decreased in the mainly African area, the Kibuga, and the corresponding increase is to be found among the Asians there. But note that the Asian proportion has decreased in the Municipality where their commercial interests have been centred. The only uniform increase is that of the Europeans.

A further dimension is given to these changes by reflecting from Table III (p. 10) that the population of Greater Kampala has grown by nearly 72% in the decade. Each area shows an increase in population, while some ethnic populations have doubled. African increase has focussed on the Municipality, as has that of the Europeans, while the Asian increase has been in the Kibuga. Note further that the largest percentage increases are to be found in the European population, which in a period of rapid expansion of specialised institutions has, overall, more than doubled itself.

C. Migration

An urban population increase of the order described above can be due to a number of factors concurrently, which it is important to assess individually. It is of course possible that gross errors in the censuses themselves, which in this case would mean under-enumeration in the 1948 census, might be partly responsible. There is no doubt that the 1959 census was more efficient than its predecessor, but we cannot attach much weight to this factor. In an African country, similarly, natural increase can hardly be held entirely responsible for an increase of this order. Enlargement of boundaries has been noted, but this has brought into the enumeration some 6% of the 1959 population. The principal factor is surely immigration. This applies to the European increase, possibly less so to the Asian, but above all to the African population, which is characterised by the institution of labour migration.

Under these circumstances we would expect, as a preliminary consideration, the African population of Greater Kampala to be characterised by a high proportion of males, a low proportion of children under working age. In a country where tribal affiliations remain strong in spite of the institution of labour migration, we would expect these factors to be confirmed by a certain diversity in the tribal origins of the urban population.

Table IV (p. 11) shows the proportions, in 1959, of the African population of Greater Kampala, by census divisions, in the three age groups 'under 16', '16 - 45' and 'over 45'. These groups are forced upon us by the nature of the census material,

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1. This aspect will be dealt with more fully below (Sections III and V). Some of the basic patterns of labour migration in Uganda are analysed in Richards, A.I. (ed.) "Economic Development and Tribal Change", Heffer, Cambridge, for East African Institute of Social Research, 1955, while **Elkan** has analysed the role of the migrant in the formation of an urban proletariat in Uganda in "Migrants and Proletarians".

and are to some extent unsatisfactory. The age 16 is neither meaningful as the age of marriage (and legitimate procreation), nor is it entirely useful to determine the lower end of the working population, since tax, which is generally the initiatory cause of labour migration, is not demanded until 17 - 18. However there is a proportion of labour migrants under 16, and from the point of view of vital statistics, 16 is a useful lower end of the adult population. Similarly, 45 is by no means the end of a man's working life, although what significance this point has in relation to African wage labour is difficult to determine.

First note that none of the census districts proportioned in this way approximated the estimate for the Uganda Protectorate as a whole, which is, overall, rural and tribal. Next note that while there is no great difference between the results for the Kibuga and for the Municipality, the former, less urban area comes closer to the Protectorate result. The highest proportions of 16 - 45's and the lowest proportions of under 16's are to be found in the Municipality, where the population can be expected to be in employment or of a migrant nature. Extreme examples of this are found, appropriately, in the central and commercial areas, where the African residents are predominantly labourers in Asian concerns; these are also the areas of the Municipality with the highest Asian populations (see Table I). Other high proportions are found, for a slightly different reason, in the European and Asian residential areas of Kololo, Nakasero and Kira Road where a high proportion of the Africans are house servants. But also, significant exceptions occur on the government estates (Nsambya, Nsambya Police Lines, Katali, Nakawa) where Africans who are in more steady and higher paid positions live in a distinctly more familial setting.

It is tempting to equate a high proportion of 16-45's in the Kibuga parishes with proximity to the sources of employment. The highest two parishes in this respect are Mut.IV and VI which both lie adjacent to the Municipal boundary and are certainly dormitory areas for town employment. The lowest two parishes are Mut.VIII and IX which are certainly outlying as are Mut.I and II which also have low 16 - 45 proportions. However a more detailed survey is needed to substantiate this point in which distance is not the sole factor involved. Availability of transport is a further factor, and it must also be remembered that migrant labourers do not work solely in urban employment but seek work on Baganda farms² in the Kibuga as elsewhere in Buganda.

Turning now to the hypothesis that both urban conditions, of themselves, and migrant labour conditions, tend to result in a predominance of males in the working age groups (in this case 16 - 45) of the population, we consider Table V (p. 12). Again there are indications that Greater Kampala conditions are significantly different from the overall Protectorate picture. Also, while still different from it, the Kibuga result comes slightly closer than does that of the Municipality. Note that the proportion of males to females in the Municipality is significantly higher than in the Kibuga, with the notable exception of Mulago, in which the difference is explained by the fact that the hospital there employs a concentration of female staff as nurses and maids. Again the greatest disparities are found

2. Richards, A.I., op.cit.

in the central and commercial, and this time in the industrial, areas of the Municipality; while Kira Road and Kololo are still prominent; and these figures are a corollary of the conclusions drawn from Table IV. The same administrative parishes of the Kibuga are in evidence as showing high proportions of males, as was the case in the 16 - 45 proportions with the addition of Musale, which adjoins the commercial and industrial areas of the Municipality. This parish contains the Kisenyi quarter, selected by Southall³ as a problem area in the discussion of urbanisation in Kampala. With the reservations noted above a similar case can be made for equating distance from employment with a low male proportion. This certainly applies to Mut.IX and II, although Mut.VII is a doubtful case.

This use of the somewhat crude criteria provided by the census material shows that the urban African population of Greater Kampala has qualities of age and sex distribution which sharply distinguish it from the overall result for the rural Protectorate. Within the borders of Greater Kampala there is evidence of a correlation between wage employment opportunities and the incidence of these disparities.

As a rider to these findings we should consider contributing evidence from the tribal distribution of the population of Greater Kampala. Table VI (p.13) sets out the proportion of Baganda to non-Baganda in the Kibuga, the Municipality and Greater Kampala respectively with total figures for Buganda for comparison. The greatest proportion of non-Baganda lies, as might be expected, in the urban area of the Municipality. Note the apparent anomaly that the Kibuga has a higher percentage of Baganda than Buganda itself. Here it should be remembered that Buganda rural areas, with their distinctive social structure, land tenure system and lucrative cash crops⁴ have constituted a special case of labour migration for over half a century. The proportion of 'strangers' in Buganda is entirely atypical of conditions as a whole in Uganda.

The distribution of some of the principal non-Baganda tribes in the Kibuga, Municipality and Greater Kampala is shown in Tables VII (a), (b) and (c) respectively (pp.14-16). They are referred to here to give an idea of the diversity of the non-Baganda population; analyses of some of the patterns of migration are given elsewhere.⁵

It is not out of place to conclude this section by considering briefly the sex and age structure of the European and Asian populations of the Municipality, the only area of Greater Kampala for which figures are at present available (Table VIII, p.17).

Note that the Municipality and Protectorate figures diverge only slightly, while the male-female proportions are more nearly equal. Both populations derive from cultures which are urban to a far greater extent than the African. The European's occupations in Uganda hardly differ between town and country, while the Asian's occupations are almost exclusively urban in character. Greater Kampala is not, for either of these populations, a milieu entailing the sex and age distortions (with all that this implies for family and community life) encountered in the case of the Africans. Moreover the figures in Table VIII should, certainly in the case of the Europeans and probably in the case of the Asians also, be related properly to those of their country of origin; but this is outside the scope of this survey.

3. Southall, A.W. and P.C.W.Gutkind, op.cit. Part II, pp.19-91.

4. Analysed by Powesland in Richards, A.I. (ed.), op.cit., Chap.II

5. Richards, A.I. (ed.), op.cit. pp.11-12, 14-15, 17-18, 20-21, 23-24, 26-27, 29-30, 32-33, 35-36, 38-39, 41-42, 44-45, 47-48, 50-51, 53-54, 56-57, 59-60, 62-63, 65-66, 68-69, 71-72, 74-75, 77-78, 80-81, 83-84, 86-87, 89-90, 92-93, 95-96, 98-99, 101-102, 104-105, 107-108, 110-111, 113-114, 116-117, 119-120, 122-123, 125-126, 128-129, 131-132, 134-135, 137-138, 140-141, 143-144, 146-147, 149-150, 152-153, 155-156, 158-159, 161-162, 164-165, 167-168, 170-171, 173-174, 176-177, 179-180, 182-183, 185-186, 188-189, 191-192, 194-195, 197-198, 200-201, 203-204, 206-207, 209-210, 212-213, 215-216, 218-219, 221-222, 224-225, 227-228, 230-231, 233-234, 236-237, 239-240, 242-243, 245-246, 248-249, 251-252, 254-255, 257-258, 260-261, 263-264, 266-267, 269-270, 272-273, 275-276, 278-279, 281-282, 284-285, 287-288, 290-291, 293-294, 296-297, 299-300, 302-303, 305-306, 308-309, 311-312, 314-315, 317-318, 320-321, 323-324, 326-327, 329-330, 332-333, 335-336, 338-339, 341-342, 344-345, 347-348, 350-351, 353-354, 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1015-1016, 1018-1019, 1021-1022, 1024-1025, 1027-1028, 1030-1031, 1033-1034, 1036-1037, 1039-1040, 1042-1043, 1045-1046, 1048-1049, 1051-1052, 1054-1055, 1057-1058, 1060-1061, 1063-1064, 1066-1067, 1069-1070, 1072-1073, 1075-1076, 1078-1079, 1081-1082, 1084-1085, 1087-1088, 1090-1091, 1093-1094, 1096-1097, 1099-1100, 1102-1103, 1105-1106, 1108-1109, 1111-1112, 1114-1115, 1117-1118, 1120-1121, 1123-1124, 1126-1127, 1129-1130, 1132-1133, 1135-1136, 1138-1139, 1141-1142, 1144-1145, 1147-1148, 1150-1151, 1153-1154, 1156-1157, 1159-1160, 1162-1163, 1165-1166, 1168-1169, 1171-1172, 1174-1175, 1177-1178, 1180-1181, 1183-1184, 1186-1187, 1189-1190, 1192-1193, 1195-1196, 1198-1199, 1200-1201, 1203-1204, 1206-1207, 1209-1210, 1212-1213, 1215-1216, 1218-1219, 1221-1222, 1224-1225, 1227-1228, 1230-1231, 1233-1234, 1236-1237, 1239-1240, 1242-1243, 1245-1246, 1248-1249, 1251-1252, 1254-1255, 1257-1258, 1260-1261, 1263-1264, 1266-1267, 1269-1270, 1272-1273, 1275-1276, 1278-1279, 1281-1282, 1284-1285, 1287-1288, 1290-1291, 1293-1294, 1296-1297, 1299-1300, 1302-1303, 1305-1306, 1308-1309, 1311-1312, 1314-1315, 1317-1318, 1320-1321, 1323-1324, 1326-1327, 1329-1330, 1332-1333, 1335-1336, 1338-1339, 1341-1342, 1344-1345, 1347-1348, 1350-1351, 1353-1354, 1356-1357, 1359-1360, 1362-1363, 1365-1366, 1368-1369, 1371-1372, 1374-1375, 1377-1378, 1380-1381, 1383-1384, 1386-1387, 1389-1390, 1392-1393, 1395-1396, 1398-1399, 1401-1402, 1404-1405, 1407-1408, 1410-1411, 1413-1414, 1416-1417, 1419-1420, 1422-1423, 1425-1426, 1428-1429, 1431-1432, 1434-1435, 1437-1438, 1440-1441, 1443-1444, 1446-1447, 1449-1450, 1452-1453, 1455-1456, 1458-1459, 1461-1462, 1464-1465, 1467-1468, 1470-1471, 1473-1474, 1476-1477, 1479-1480, 1482-1483, 1485-1486, 1488-1489, 1491-1492, 1494-1495, 1497-1498, 1500-1501, 1503-1504, 1506-1507, 1509-1510, 1512-1513, 1515-1516, 1518-1519, 1521-1522, 1524-1525, 1527-1528, 1530-1531, 1533-1534, 1536-1537, 1539-1540, 1542-1543, 1545-1546, 1548-1549, 1551-1552, 1554-1555, 1557-1558, 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3195-3196, 3198-3199, 3201-3202, 3204-3205, 3207-3208, 3210-3211, 3213-3214, 3216-3217, 3219-3220, 3222-3223, 3225-3226, 3228-3229, 3231-3232, 3234-3235, 3237-3238, 3240-3241, 3243-3244, 3246-3247, 3249-3250, 3252-3253, 3255-3256, 3258-3259, 3261-3262, 3264-3265, 3267-3268

TABLE I
GREATER KAMPALA - POPULATION BY MAIN ETHNIC GROUPS
1959 AND 1948 CENSUSES

	1 9 5 9				1 9 4 8			
	Africans	Euro-peans	Asians ¹ etc	Total	Africans	Euro-peans	Asians etc	Total
Total administrative parishes of the Kibuga; (14 in 1959; 21 in 1948)	52350	356	6875	59581	29803	200 ²	3500 ²	33503
Namirembe (Township 1959; "Hospital 1948)	323	4	425	752	393	see ²	see ²	393
Institutions enumerated in Municipality 1959, but in Kibuga 1948 (railway, hospital, police, educational establishments)		see	below		4342	see ²	see ²	4342
A. TOTALS KIBUGA	52673	360	7300	60333	34538	200	3500	38238
Municipality (by areas below, 1959; unspecified, 1948)								
Makerere-Wandegeya	1199	3	391	1593				
Mulago	2881	50	7	2938				
Old Kampala	2097	24	4487	6608				
Central Area	455	304	3126	3885				
Commercial Area	357	29	5516	5902				
Nakasero	1408	903	1847	4158				
Nsambya	1748	5	606	2359				
Kololo	1705	1548	544	3797				
Kira Road	511	10	2816	3337				
Industrial Area	1435	3	67	1505				
Katali-Naguru	3705	--	--	3705				
Nakawa-Kiswa - Bugolobi	3339	60	10	3409				
Nsambya Police Lines	2077	8	13	2098				
Makerere College	1129	232	70	1431				
B. TOTALS MUNICIPALITY	24046	3179	19500	46725	11905	1297	10824	24026
C. TOTALS GREATER KAMPALA (A + B)	76719	3539	26800	107058	46443	1497	14324	62264

1. 'Asians, etc.' includes Indians, Goans, Pakistani, Arabs, Somali, "Mixed" and "Not specified".
2. These figures are maxima, being estimates calculated by proportion from the population of Mengo District, in which there are other concentrations of Europeans and Asians etc., notably at Entebbe.

TABLE IIGREATER KAMPALA - ETHNIC PERCENTAGES OF THE TOTAL POPULATION

		<u>Africans</u>	<u>Europeans</u>	<u>Asians</u>	<u>Total</u>
Kibuga	1959	87.30	0.60	12.10	100
	1948	90.32	0.52	9.15	100
Municipality					
	1959	51.5	6.8	41.73	100
	1948	49.55	5.4	45.05	100
Greater Kampala					
	1959	71.66	3.30	25.03	100
	1948	74.60	2.40	23.00	100

TABLE IIIGREATER KAMPALA - PERCENTAGE INCREASE OF TOTAL POPULATION BY
ETHNIC GROUPS (1948 - 1959)

	<u>Africans</u>	<u>Europeans</u>	<u>Asians</u>	<u>Total</u>
	% increase	% increase	% increase	% increase
Kibuga	52.5	80.0	108.6	57.8
Municipality	102.0	145.0	80.15	94.5
Greater Kampala	65.20	136.4	87.1	71.94

TABLE IV

GREATER KAMPALA - AFRICAN POPULATION PROPORTIONS BY AGE GROUPS
(1959 CENSUS)

	%	%	%
	under 16	16 - 45	over 45
<u>KIBUGA</u> administrative parishes (listed by title of chief)			
Mumyuka	32.1	58.3	9.6
Sabaddu	36.8	52.0	11.1
Sabagabo	33.5	58.0	8.4
Sabawali	30.3	60.5	9.1
Musale	30.3	58.3	11.4
Mutuba I	36.7	51.9	11.4
" II	38.9	52.2	8.8
" III	31.7	59.1	9.2
" IV	26.4	64.1	9.5
" V	32.2	52.5	15.3
" VI	27.4	65.9	6.7
" VII	27.8	62.9	9.3
" VIII	36.9	49.3	13.8
" IX	36.7	50.6	12.7
Namirembe Township	25.0	35.0	40.0
TOTAL KIBUGA	31.8	57.9	10.3
<u>MUNICIPALITY</u>			
Makerere-Wandegeya	22.3	71.4	6.3
Mulago	17.5	73.7	8.7
Old Kampala	27.7	64.7	7.6
Central Area	5.9	87.7	6.4
Commercial Area	3.6	89.0	7.3
Nakasero	10.7	85.0	4.2
Nsambya	40.6	56.8	2.6
Kololo	14.8	82.5	2.7
Kira Road	15.9	82.4	1.6
Industrial Area	23.6	71.9	4.5
Katali-Naguru	34.4	58.5	7.0
Nakawa-Kiswa-Bugolobi	32.0	62.7	5.2
Nsambya Police Lines	37.9	61.0	1.1
Makerere College	12.2	87.6	0.2
TOTAL MUNICIPALITY	25.8	69.0	5.1
TOTAL GREATER KAMPALA	29.9	61.5	8.6
UGANDA PROTECTORATE (est.)	43.5	43.7	12.8

TABLE V

GREATER KAMPALA - PROPORTIONS OF MALES AND FEMALES
IN 16 - 45 AGE GROUPS - AFRICANS

		A F R I C A N S	
		16 - 45	16 - 45
		M %	F %
<u>KIBUGA - Administrative</u>			
parishes			
Mumyuka		62.3	37.7
Sabaddu		56.8	43.2
Sabagabo		55.2	44.8
Sabawali		61.2	38.8
Musale		65.7	34.3
Mutuba I		55.2	44.8
"	II	52.5	47.5
"	III	60.6	39.4
"	IV	65.7	34.3
"	V	55.9	44.1
"	VI	71.8	28.2
"	VII	48.3	51.7
"	VIII	59.9	40.1
"	IX	52.7	47.3
Namirembe Township		57.5	42.5
TOTAL KIBUGA		60.6	39.4
<u>MUNICIPALITY</u>			
Makerere-Wandegeya		71.7	28.3
Mulago		49.4	50.6
Old Kampala		72.0	28.0
Central Area		86.0	14.0
Commercial Area		93.4	6.6
Nakasero		73.9	26.1
Nsambya		67.6	32.4
Kololo		72.5	27.5
Kira Road		81.5	18.5
Industrial Area		80.3	19.7
Katali-Naguru		66.5	33.5
Nakawa-Kiswa-Bugolobi		71.9	28.1
Nsambya Police Lines		64.4	35.6
Makerere		83.0	17.0
TOTAL MUNICIPALITY		69.9	30.1
TOTAL GREATER KAMPALA		63.8	36.2
<u>PROTECTORATE</u>		48.9	51.1

TABLE VIIGREATER KAMPALA - TRIBAL COMPOSITIONA - KIBUGA

Tribe	No.	% of total	Males %	Females %
Ganda	32946	62.5	49.6	50.4
Toro	3486	6.6	69.8	30.2
Luo	2095	4.0	69.1	30.9
Ruanda	1962	3.7	72.4	27.6
Ankole	1671	3.2	82.8	17.2
Kenya n.s.	1337	2.5	69.3	30.7
Nyoro	1301	2.5	60.6	39.4
Tanganyika n.s.	1287	2.4	68.0	32.0
Kiga	1172	2.2	83.5	16.5
Congo	617	1.2	77.3	22.7
Acholi	581	1.1	60.0	40.0
Iteso	539	1.0	73.3	26.7
Soga	534	1.0	57.7	42.3
Sudan n.s.	495	.9	70.3	29.7
Samia	442	.8	70.4	29.6
Lugbara	348	.7	76.4	23.6
Other	1860	3.7	68.9	31.1
Total	52673	100.0	57.6	42.4

B - MUNICIPALITY

Tribe	No.	% of total	Males %	Females %
Ganda	4518	18.8	49.3	50.7
Luo	3450	14.3	68.4	31.6
Toro	2346	9.8	71.1	28.9
Acholi	1499	6.2	67.0	33.0
Kenya n.s.	1481	6.2	71.5	28.5
Sudan n.s.	988	4.1	64.0	36.0
Tanganyika n.s.	876	3.6	78.0	22.0
Ruanda	867	3.6	72.0	28.0
Ankole	821	3.4	75.4	24.6
Kiga	810	3.4	83.1	16.9
Teso	782	3.3	63.6	37.4
Samia	628	2.6	66.1	33.9
Nyoro	619	2.6	61.4	38.6
Lugbara	566	2.4	68.6	31.4
Soga	475	2.0	55.6	44.4
Congo	209	.9	76.0	24.0
Others	3121	12.9	67.3	32.7
Total	24056	100.0	65.5	34.5

C - GREATER KAMPALA

Tribe	Total	% of African Population	Males	Females	Males Females	
					%	%
Ganda	37464	48.8	18557	18907	49.5	50.5
Toro	5832	7.6	4101	1731	70.3	29.7
Luo	5544	7.2	3807	1737	68.7	31.3
Ruanda	2829	3.7	2044	785	72.3	27.7
Kenya n.s.	2818	3.7	1986	832	70.5	29.5
Ankole	2492	3.2	2003	489	80.4	19.6
Tanganyika n.s.	2163	2.8	1558	605	72.0	28.0
Acholi	2080	2.7	1355	725	65.1	34.9
Kiga	1982	2.6	1652	330	83.4	16.6
Nyoro	1920	2.5	1169	751	60.9	39.1
Sudan n.s.	1483	1.9	981	502	66.1	33.9
Teso	1321	1.7	892	429	67.5	32.7
Samia	1070	1.4	726	344	67.9	32.1
Soga	1009	1.3	572	437	56.7	43.3
Lugbara	914	1.2	654	260	71.6	28.4
Cong	826	1.1	636	190	77.0	23.0
Other	4982	6.5	3383	1599	67.9	32.1
Total	76729		46076	30653	60.0	40.0

TABLE VIIIEUROPEANS AND ASIANS, ETC.A - Proportions of Populations by age groups

		% under 16	% 16 - 45	% over 45
Europeans	Municipality	27.8	55.8	16.4
	Protectorate	26.2	57.3	16.5
Asians	Municipality	47.3	44.1	8.6
	Protectorate	48.7	41.9	9.4

B - Male and Female Proportions in 16 - 45 age group

		% 16-45 Male	% 16-45 Female
Europeans	Municipality	47.9	52.1
	Protectorate	51.9	48.1
Asians	Municipality	51.0	49.0
	Protectorate	51.8	48.2

III Economic Factors

A. Trends 1956 - 60

The detailed analysis of economic changes in Kampala itself for the period 1956-60 is outside the scope of this survey. But if the general position of the Uganda economy is briefly sketched, it may be assumed that these conditions are reflected in its chief town. Kampala is the main market for the principal export crops of the country, and is its principal entrepot. It is the main commercial centre from which much of the internal trade of the country radiates. It has the most sizable labour force and is the main magnet for migrant labour apart from agricultural labour. In turn its environs in Buganda are the main area to which agricultural labour comes. While some large industrial enterprises (Kilembe copper mines, Tororo cement works, Jinja brewery and textile mills) are located elsewhere, nevertheless the consumption and distribution of their products are largely arbitrated at Kampala, which itself has a concentration of light industry.

Some of the important aspects of the Uganda economy for 1956-60, and their repercussions on Kampala, are summarised in Table IX (p.23) and explained briefly in the notes which accompany it (p. 24).

The main economy trend of these years is that the first three constitute a post-war boom which started in the Korean war years. The principal beneficiaries of this boom were the cotton and coffee growers. But while the years 1956-58 show a growth in the gross return to growers of these crops, their role has been a fluctuating and uncertain one. In Uganda this has been enhanced by the fact that both crops are largely peasant produced. The permanent crop, coffee, demands some skill and application, and under these conditions, is likely to fall off in quality in response to price. The seasonal crop, cotton, is likely to respond in an analogous way by variations in acreage, and moreover is particularly influenced, in Uganda, by the vagaries of the weather.

On the public finance side, the period under review was dominated by a capital development plan whose distinctive feature was the high proportion of funds devoted to social services.¹ The favourable trade balance of the boom years resulted in substantial revenues which were again largely devoted to capital expenditure. A feature of the period 1956-60 is the increase of recurrent expenditure consequent upon the earlier stress on capital expenditure. Moreover the years 1959-60 represent part of the pre-Independence period in which these commitments develop still further.² The last year of the period is marked by the Congo crisis and the temporary set-back in trade which this implied for its neighbour Uganda.

These developments are most closely reflected, in Kampala, in the figures on employment, buildings and enterprises in which the numbers, value and rate of increase respectively, decline

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1. See Elkan, W., "The Economic Development of Uganda", Oxford University Press, London, 1961, pp.50-54.
 2. Elkan, W., op.cit., pp.55-56.

after 1958. But the most important event in and around Kampala in the period, and one which we shall see reacting on the incidence of crime, is the boycott of non-African trade which started in February-March 1959, and continued until the beginning of the Congo crisis in June-July 1960.

B. The Boycott

Both in cause and effect, the boycott was a complex of political, social and economic factors of which only the barest outline can be given here.

Politically it was the instrument by which the newly-founded Uganda National Movement (UNM) hoped drastically to hasten independence for Uganda, which in early 1959 was progressing slowly through the stages of party formation and preliminary constitutional proposals. Specifically, it was thought that a forthcoming Government Constitutional Committee would propose wide safeguards (including reserved parliamentary seats) for the immigrant communities; and that this would grant, from the African point of view, a disastrous measure of power to the Asian community. Also the UNM represented a new factor in Buganda society, which from before the establishment of the Protectorate in 1903 had been a prey to politics and religious rivalries. There is evidence that the boycott itself entailed an upsurge of the Buganda Muslim element, which was at once less educated, less politically organised and more active in trade than its Protestant or Catholic rivals.

Socially, the boycott was intended to foster a specifically African and especially Ganda self-awareness. While dealing an economic and political blow to the Asians, the boycott included special items of prohibition such as those on bottled beer and cigarettes which may be interpreted as social interdictions of considerable unifying force. Conversely there were spontaneous traditional manifestations such as the wearing of bark-cloth ties.

Economically, the boycott occurred at a significant point in the post-boom period. Before about 1956 there was a marked expansion of retail trading all over the country, and in this the African share had been notable. With the levelling off of the boom, the general competition in retail trading became more noticeable, and, now, the African-Asian competition even more so.

The aims of the boycott, stated at one of the largest political meetings ever held in Kampala were:-

- to show the British that Uganda was ripe for self-government
- to remove Asians from the villages and to bring trade into the hands of Africans
- to force the Asians into the towns where they would be subjected to further pressure
- to increase the operations of the (African-owned) taxis at the expense of the (mainly Asian-owned) buses.⁴

Africans were enjoined not to enter into relations with non-Africans, especially Asians, for the purpose of buying goods,

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3. I am indebted to Miss Nancy Klatt, my research assistant, for her analysis of the 'Uganda Argus' reports of the boycott.
 4. Uganda Argus, 2nd March 1959, reporting the "Sacred Tree" meeting at Nakivubo, Kampala on 28th February.

selling crops, riding on buses, consuming beer (and later soft drinks and cigarettes). Although in the early stages support of the boycott was pledged from other areas of the country, it was in the event restricted to Buganda, and the various offences in the course of it were largely committed by Baganda.

The political aspects of the boycott need concern us no further, except to note that it was fairly soon denounced by the two major political parties; that the UNM and two of its successor-movements were proscribed and their leaders imprisoned; and that anti-boycott laws were eventually passed by Legislative Council.

The economic effects of the boycott are best noted month by month:-

- March 1959
- An Asian fancy goods dealer reports, one month after the boycott has begun, that his turnover is 20% lower.
 - The Uganda Bars Association attempts to get a cancellation of the ban on bottled beer, but is refused by the UNM. The Association forecasts cuts in beer production and in the force of 2000-odd African bar attendants.
 - A meeting of African traders is held to discuss ways and means of eliminating Asian middlemen.
- April 1959
- The Director of Trade reports that the boycott is cutting out importers, and that African traders are bound to suffer.
 - The boycott is extended to soft drinks and cigarettes.
 - 150 Africans, jobless as a result of the boycott, petition the King of Buganda to attempt to stop the boycott.
 - Government revenue from the breweries reported down from £30,000 to £15,000.
 - Kampala and District Bus Services announces a lay-off of 176 employees; 70% decrease in numbers of passengers.
 - Taxis, including an increasing number of pirates, flourish.
 - "Internal trade has been noticeably dull, particularly in Buganda."
- May 1959
- An editorial on the economics of the boycott states that trade has slackened in Uganda. Prices are higher, there are more unemployed, less money is in circulation, the government is receiving less revenue. Social services will suffer, cash crop production will be likely to slacken, taxes might increase.
 - Finance Minister warns Buganda that its Protectorate grants might have to be cut.
 - Movement for voluntary contributions from Baganda to offset this mooted.
 - UNM proscribed; Buganda declared a Disturbed Area; United Freedom Movement (UFM) party started as successor to UNM.

5. From Uganda Argus, unless in inverted commas when the statement is taken from the Barclays Bank Review for the ensuing month. Brackets denote important political events in the boycott.

- July 1959
- 10,000 (3,500 in Kampala) jobless as a result of boycott since March.
 - £400,000 drop in revenue reported.
 - Protectorate government announces £225,000 cut in grants to Buganda.
 - /UFM proscribed: succeeded by Uganda Freedom Union./
- August 1959
- "Stocks of piece goods have been allowed to run down, and although merchants are indenting this is on a reduced scale."
- September 1959
- Farmers are prevented from sending supplies of matoke (banana staple food) to Kampala.
 - Protectorate and Buganda governments bring in matoke.
- October 1959
- Matoke distribution normal.
 - /Protectorate government seeks powers from Legislative Council to punish those who encourage a boycott likely to upset the economic life of the country, or its law and order./
- Novmeber 1959
- /Anti-boycott bill passed with amendments./
 - "There was a slight improvement in dull trading conditions which have prevailed for the last ten months as a result of the boycott."
- December 1959
- "In spite of the fall in value of net imports during the first eight months of 1959, import duty during the same period showed an increasedue to the new duties imposed earlier in the year."
- January 1960
- Bus services improve after an 85% cut and a lay-off of 260 workers. 80 employees back at work and 60% of buses running.
- February 1960
- Labour Department reports that 10,023 jobs lost as a result of the boycott (5772 in Kampala retail trade).
- April 1960
- Bicycle traders reported to be hard hit; five wholesalers closed, imports of bicycles down 40%.
 - East African Tourist Association reports adverse effects of boycott on bookings - 100 cancellations for June, July and August tours.
- July 1960
- Parliamentary Secretary to the Ministry of Commerce and Industry states in London that the boycott is ending: bars are opening and business getting back to normal.
 - Trading returns show business slowly returning to February 1959 level. But Asian trade has not appreciably bettered.
- August 1960
- Trade experiences a down turn, but Congo and other causes blamed, rather than boycott.
 - Asian traders beginning to return.

The political consequences of the boycott need not concern us here, although they are an intriguing aspect of Uganda politics at this moment. The economic consequences of the boycott were that the rechannelling of retail trade into African hands was successful, but only partially and temporarily. There was a fall-off in all retail trade, African and Asian, and it was doubtless the lack or inflexibility of African capital which prevented it from laying the groundwork for superseding the Asian grasp of this field. Fears about the loss of valuable revenue appear

not to have been realised, due to increased duties. There was a notable increase in unemployment, not all of it temporary as in the case of the bus employees. While the boycott itself was carried out mainly by Baganda (and perhaps the boycott has lessons about the purchasing power of this people) the unemployment which resulted from it almost certainly fell on non-Baganda to a greater extent, and this must have been as true of the countryside as of Kampala itself.

But the most important result of the boycott lay in the social field, due to the wave of crime which it brought in its train and which persisted for some time after trade conditions had returned to normal. This will be described and analysed in subsequent sections.

U G A N D A			K A M P A L A						REMARKS
Revenue expenditure £ million	Visible balance of trade £ million	Principal cash crops prices to grower £ million	Employees (June enumeration)	Cost of living indices Dec. 1951 = 100	Retail price indices Dec. 1956 = 100	Cost of private building completed £1000	Enterprises enumerated		
21.6	+13.4	cotton 12.5	31,992	June 134 Dec. 132	June 107 Dec. 100	127	456	New copper, textiles, brewing and cement industries	
23.0		coffee 6.2							
23.7	+17.9	cotton 13.0	38,023	June 135 Dec. 135	June 98 Dec. 93	100	1046	Severe drought	
24.0		coffee 10.8							
22.4	+19.4	cotton 12.7	36,635	June 136 Dec. 136	June 102 Dec. 100	138	1230	Falling coffee and cotton prices	
25.5		coffee 14.8							
24.1	+17.7	cotton 11.7	29,766	June 138 Dec. 137	June 102 Dec. 98	87	1301	Boycott of non-African trade	
25.7		coffee 15.4						23.	
21.9	+16.9	cotton 10.5	30,191	June 138 Dec. 138	June 93 Dec. 94	69	1405	Congo and internal politics cause capital outflow	
24.9		coffee 29.0							
1	2	3	4	5	6	7	8	9	

Notes on Table IX Some Economic Trends 1956-60, Uganda and Kampala

Column 1	East African Statistical Department Quarterly Economic and Statistical Bulletin, Section H.
Column 2	East African Statistical Department Quarterly Economic and Statistical Bulletin, Section C.
Column 3	Department of Agriculture, Uganda Protectorate, Annual Reports. Cotton and coffee are the two major cash crops in a predominantly agricultural economy.
Column 4	East African Statistical Department, Uganda Unit, Enumeration of Employees. Before 1958 the enumeration is restricted to enterprises (including public services) of five or more employees; after 1958 it extends to enterprises of all sizes. Domestic service and peasant agriculture are not included. 'Kampala' here means 'Municipality'.
Column 5	East African Statistical Department Quarterly Economic and Statistical Bulletin, Section F; based on a Nairobi cost of living index 1947, with suitable local amendments.
Column 6	East African Statistical Department Quarterly Economic and Statistical Bulletin, Section F. This column measures the effect of price changes on the average expenditure pattern of African unskilled workers in Kampala. The index is calculated monthly from prices ruling in ten (Greater) Kampala markets.
Column 7	East African Statistical Department Quarterly Economic and Statistical Bulletin, Section K.
Column 8	East African Statistical Department, Uganda Unit, Enumeration of Employees. (See 4 above.)
Column 9	Overseas Survey, Barclays Bank D.C.O. Remarks are taken from the opening paragraphs of the yearly summary.

IV. Crime

A. The Courts

In Uganda, as in many countries, a man is not guilty of a crime until he is convicted by the courts. A brief description of the court system of Uganda, and its method of classifying and dealing with crime, is essential if the figures on the incidence of crime, with which this section concludes, are to be understood properly. In Uganda the courts are of two kinds, Protectorate courts and African courts.¹

1. Protectorate Courts

The High Court was established by Order in Council under the Foreign Jurisdiction Act (1890). This court has unrestricted jurisdiction throughout the Protectorate, although certain matters have been reserved by treaty to the Buganda courts. The High Court consists of a Chief Justice and five puisne judges. There is no jury system, but in criminal proceedings the High Court sits with two assessors, prominent African elders, to whose advice attention is paid particularly on questions of fact involving African custom.

Subordinate courts presided over by magistrates, have wider powers in criminal matters than their counterparts in the United Kingdom, to which for historical reasons they may be compared. They are precluded only from trying treason and related offences, murder, manslaughter and rape, which are dealt with by the High Court on committal. It should be noted that the greatest proportion of criminal proceedings tried by the High Court are for murder and manslaughter. Subordinate courts try all other offences in the Penal Code, but the magistrates (or officers of the Administration holding magisterial powers,) are restricted in the sentences they may impose by their magisterial class. The decisions of subordinate courts are supervised by the High Court by revision, transfer or retrial. Sentences are supervised by confirmation. In addition, there is a permanent Court of Appeal for Eastern Africa.

For the purposes of this survey, the main characteristics of this court system are that, in spite of a variety of supervisory powers exercised by the higher court, the magistrates have wide powers; this has been commented upon by the Court of Appeal for Eastern Africa. Associated with this is the fact that punishments and sentences are relatively severe. Some of the consequences of this will be seen below in the consideration of the numerical relation between police cases, court proceedings and convictions (p.36sq). Certainly part of this severity derives historically from the Indian models upon which the Penal Code is based (see p.26). While the Protectorate courts are country-wide and transfers of the magistrates common, there is little national public opinion on crime, and as yet neither the kind of Press or readership which would foster it. In these circumstances, it might be argued that the latitude and severity of the magistrates' courts serve an important deterrent function, but this cannot be demonstrated fully here.

1. I am indebted to R.W. Cannon, Deputy Registrar of the High Court of Uganda, for much of this summary of the Uganda court system, in a paper (ms.) presented to the African Conference on the Rule of Law.

The Protectorate court system carried out the provisions of the Penal Code, which was, in the early days of the Protectorate, based upon the British Penal Code then in force in India.²

The Penal Code divides crimes into the nine major sections listed below with examples of the specific offences falling within them:-

- I Offences against public order - treason, mutiny, sedition, unlawful association and assembly, rioting, etc.
- II Offences against the administration of lawful authority - corruption, abuse of office, prejudicing the administration of justice, certain types of fraud
- III Offences injurious to the public in general - offences against the practice of religion, offences against morality (rape, abduction, unnatural acts), bigamy, nuisances and offences against health and convenience, defamation.
- IV Offences against the person - murder, manslaughter; assault, kidnapping, etc.
- V Offences relating to property - theft, robbery, burglary, housebreaking, receiving, certain types of fraud.
- VI Malicious injuries to property - arson, wrecking, injuring livestock, destroying crops, etc.
- VII Forging, coining, counterfeiting
- VIII Corrupt practices
- IX Attempts and conspiracies

The material on crime statistics which follows was not taken from the judicial files, but from police records; it is therefore convenient to detail crimes by the police classification of the crimes in the Penal Code. The police have six major classes of crime:-

- A. Penal Code I and II - Against Order and Lawful Authority
- B. Penal Code III - Injurious to the Public
- C. Penal Code IV - Against the Person
- D. Penal Code V and VI - Against Property
- E. Penal Code VII-IX - Miscellaneous
- F. Other Laws - These include offences under the statutory ordinances in force from time to time (traffic, trading, liquor, arms, game, dangerous drugs, etc.)

Within these main categories, and sometimes across them the police have frequently regrouped offences in accordance with their own reporting system and with the frequency of the offence. While a description using the main categories does not suffer unduly from these administrative changes, they bedevil a more detailed grouping of offences committed.

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- 2. Its most recent amendment and consolidation is to be found in the Laws of Uganda 1951, Chapter 22 (pp. 201-315).
 - 3. My thanks are due to Miss Nancy Klatt, my research assistant, for adjusting the totals of crimes committed in each detailed section into a unified form.

2. African Courts

These courts operate under the Native Courts Ordinance, and in Buganda under the Buganda Courts Ordinance. They administer customary law subject to restrictions specified in their warrants, and in criminal proceedings they have jurisdiction where the accused is an African. They may also be authorised to administer ordinances.⁴ In some respects customary law concurs broadly with the Western notions introduced and enforced under the Penal Code. In others, customary law crimes may not be considered as such by the Protectorate judiciary; or conversely, civil cases may more logically be considered crimes in Western eyes.⁵ The proposals for unification of the court system, and hence of its criminal code, have been mentioned above (p.4). Meanwhile we should again note the percolation of Western definitions and procedures into the African courts.

This practical problem extends into the field of crime statistics. In those presented below, only offences under the Penal Code are considered, since a digression into the correspondence of Ganda criminal law and that of the Code is beyond the scope of this survey. But it will also be seen that the Protectorate police themselves submit cases to the African courts in Kampala under certain circumstances, and these appear in their reports. We cannot be sure that these cases are dealt with under the Code, but nor can we be sure that they are dealt with under customary law. It may well be that an amalgam of procedure and of criteria is being used. There are some revealing statistical findings on this point (see below).

In summary, then, the court system in which the incidence of crime discussed below is determined is one in which relatively severe sentences and punishments are provided. This, as we shall see, partly conditions the number of proceedings initiated and also may be acting as a deterrent. In addition there are more crimes in Greater Kampala than are shown, if we make our definition of crime wider than that detailed in the Penal Code so as to include definitions under the Ganda customary system; but this has not been done. Lastly, a number of cases go to the courts which deal with them differently from the Protectorate courts, and this affects both the number of cases submitted and the convictions secured.

B. Crime Statistics

In the tables which come at the end of this section, we start with the warranted assumption that a man is not a criminal until proved so and sentenced as such by the courts. It is those tables dealing with "Convictions" which properly demonstrate the incidence of crime. But the police are the main agency through which "Proceedings" are initiated⁶ and it is partly their presentation of cases which affects the number of "Convictions" in relation to "Defendants". In turn it is through the activities and investigations of the uniformed branch, the Special Branch, and the Criminal Investigation Department that police "cases" (which may or may not come before the courts) are prepared.

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4. The Kibuga Court in Kampala is a good example of an African court which, because of its urban situation, has extended jurisdiction in ordinance proceedings.
 5. Examples from Buganda are given in Haydon, E.S. "Law and Justice in Buganda", Butterworth, London, 1960, Chapter 17.
 6. The Director of Public Prosecutions also initiates a very small proportion of proceedings.

Then again, it is partly the readiness of the public to report incidents or assist in their investigation which determines the number of police "cases" arising. Only after these interdependent layers have been stripped away do we arrive at the notion of the criminal propensity of the population, with the social, economic and psychological factors this may be seen to involve. Even this is not an independent factor, for the police and the courts are part of the social structure and may, in themselves, serve as a deterrent to some degree. With this background in mind we consider the statistical material on convictions, defendants, court proceedings and police cases.

Convictions

Table X (p. 33) shows the total convictions in each year, 1956 - 60, from which convictions for ordinance offences are then subtracted, leaving the total Penal Code convictions⁷ in the Greater Kampala area. This table is intended to demonstrate the high proportion, usually about two-thirds of the total, of the convictions under ordinances, of which, in Kampala the Traffic Ordinance is prominent. Police reports frequently mention the disproportionate amount of time and energy this kind of case takes up in a hilly, urban area in which a relatively untutored populace manoeuvres its frequently malfunctioning vehicles. It is interesting to note that in 1959, the main boycott period, the proportion of ordinance convictions decreased markedly; the police and the courts were at that time occupied with a different set of offences, classified directly under the Penal Code. In the tables which follow, this distinction between Penal Code and ordinance offences will be drawn wherever possible, in order to appreciate the incidence of crime proper as opposed to offences which are in large measure technical however reprehensible.

Table XI (p. 34) shows convictions according to the police classification of offences in Greater Kampala for the years 1956-60. These are broken down according to the court (Protectorate or African) in which they were secured. They are then related, as percentages, both to the total convictions for the year, and to convictions under the Penal Code. Finally, for the census year of 1959, the convictions per thousand head of total population are shown.

It is possible from this table to suggest the order in which Penal Code offences fall, in terms of convictions. Once the ordinance offences are set aside, the first place falls immediately to D. Offences against Property, followed by C. Offences against the Person, B. Offences injurious to the Public, A. Offences against Order and Lawful Authority and E. Miscellaneous; and this order holds for all except 1956. The clear preponderance of Category D suggests a hypothesis of 'economic crime' which is certainly borne out by general conditions in Kampala. Whether this is a propensity of the migrant labourer, who in both his legitimate and criminal activities might be said to be 'raiding the city', remains to be proved. That this may not be entirely true is suggested by the fact that the percentage of convictions for crimes against property in fact fall off in the boycott year, while offences injurious to the public and offences against the person rise; however many 'D' convictions were carried over into 1960.

7. including such cases as are passed to the African courts by the Protectorate police. In subsequent tables this proviso will be assumed.

We have mentioned the latitude of the magistrates' courts and inferred that police preparation of cases has to do with the proportion of convictions. Table XII (p. 35) shows the percentage of defendants who are convicted before the Protectorate and African courts in Greater Kampala, with a column to show the joint result. Note first that the Protectorate and African courts are nowhere comparable, and that the Protectorate court convictions are mostly at least double those in the African courts. There may be many reasons for this, but the most pertinent is that those cases which the police send to African courts are likely to be those which they realise will not secure convictions in Protectorate courts; it seems likely that they are no more successful in the African courts. We do not know how cases put before them by the Protectorate police fare procedurally in the African courts, and also we cannot compare this rate of convictions with that obtained in customary law proceedings. There are wide variations within each crime classification, and from year to year, so that assuming an even administration of justice (although not necessarily of punishment) by the magistrates, it would appear that police preparation is of great importance in securing convictions. This is borne out by the relatively low proportion of convictions in offences against the person, which, as we shall see, are difficult to substantiate. A starting point here is that the lowest proportion of convictions in ordinance cases is secured in Protectorate courts while this ranks highest in the African courts.

Before turning to the numerical relation between court proceedings and police cases, it is necessary to insert an ancillary table (Table XIII, p. 36) which simply points out that a number of defendants may be involved in a single court proceeding. This would be more adequately expressed with reference to court files but this has not been possible.

Now we turn to the data on court proceedings, which are summarised in Table XIV (p. 36). Note again the high percentage of ordinance proceedings, and their steady growth through the period, with the startling exception of the boycott year. The Penal code proceedings also show an increase through the period with an upward leap in the boycott year and its successor.

The same data are considered in more detail in Table XV (p. 37) which considers total proceedings and those under the Penal Code by class of offence. The main point of interest here is that the percentage of convictions for offences against the person (Table XI, p. 34) is much lower than the percentage of proceedings initiated for this kind of offence. This is matched by the 'successful' prosecutions in offences against order, and offences injurious to the public, rather than by a notable change in the position of proceedings and convictions in offences relating to property.

We turn now to the material which relates original police cases to the institution of court proceedings. Table XVI (p. 38) again distinguishes between ordinance and Penal Code cases. Note again the lapse of ordinance cases in the boycott year. Table XVII (p. 39) re-presents this material in more detail.

Tables XVIII and XIX (pp. 40 and 41) relate in summary and detail police cases to the proceedings resulting from them. It is the duty of the police to present cases for court decision and, justifiably, the police have an interest in securing conviction, and in minimising the possibilities of acquittal by reason of

lack of evidence. Their efforts in this respect are the main impact of this table. Note that they brought an unusually large proportion of cases involving offences against law and order in the boycott year, but (see Table XII, p. 35) were not rewarded by a corresponding increase in convictions. Note also that offences against the person and offences related to property appear in general to be the most difficult classes to present satisfactorily to the courts. Finally it should be noted that in spite of the numerical increase in crime indicated in the tables and in the expansion of the resources of the police (see Appendix, p. 53) the percentage of the cases they bring before the courts shows no significant upward trend in the period considered.

C. Juvenile Crime

Table XX (p. 42) summarises the convictions of juveniles (under 16) in Greater Kampala, 1956 - 60 and Table XXI (p. 43) shows these in more detail. It is not possible to enter into a classification of the relation between case proceedings and convictions in the case of juveniles, since they are separated from the general details only in the final stage. It appears from Table XXI that, in Penal Code offences, juveniles are convicted mainly for offences concerning property. There is the large proportion convicted under ordinances. Most of these appear under a heading "Unspecified offences". Those specified are the trading ordinances (relating to strict trading) and the vagrancy ordinances. Again we note the reduced convictions in 1959.

D. The Boycott

The main discontinuity in the crime data presented above arises in the boycott year, and to some extent its successor, 1960. Convictions rise sharply, Penal Code proceedings likewise, and so do the police cases from which these arise. It is therefore necessary to give the details of these events in the field of crime, as was done in the field of economic activity (see above Section III) with which it should be compared.

- April 1959 - Two leaders of UNM pleaded not guilty to charges of threatening violence with intent to intimidate a (African) bar owner; besetting his premises; conspiring to intimidate him.
- One leader acquitted, one found guilty on one charge.
- May 1959 - Three men sentenced for criminal trespass and besetting (telling an African bar owner not to sell bottled beer, and telling his customers to stop buying it).
- (from now until April 1960 there is one column daily on convictions connected with the boycott.)
- It is reported that in the first two months of the boycott there have been 49 incidents of intimidation or assault.
- breaches of the peace by pro- and anti-boycott political parties.
- 50 prosecutions for intimidation or assault. It is thought likely that there are many more cases in which witnesses are afraid to come forward to testify.
- UNM declared unlawful.
- Buganda a disturbed area; police empowered to impose curfew, search, control movement of traffic, etc.

June 1959

- picture of slashed coffee trees - a favourite measure against those who break the boycott.
- UNM leaders arraigned (deported 15th July).
- increase in coffee tree slashing.
- a new form of intimidation - a man is photographed alighting from a boycotted bus.
- Buganda Prime Minister appeals for an end to lawlessness and violence.
- Riots in Katwe (Kampala), police use riot guns, five convictions for breach of peace.

July 1959

- UFC proscribed
- 280 boycott incidents reported to date.
- 20 people stop police car and threaten to kill driver. Editorials speak of general decline in respect for law and order.

August 1959

- King of Buganda condemns violence.
- Amendment to Penal Code. Heavier penalties for threats of violence to person or property, proscription of any society similar in manner or object to a proscribed society.

September 1959

- Widespread public outcry.
- Police announce beginning of analysis of suspected boycott offences week by week. Main classes of crime are - arson, damage to crops or livestock, threatened violence, actual crimes against the person, wrongfully supporting a designated boycott, seditious pamphleteering, breaches of the peace.

October 1959

- Chief Secretary reports that from beginning of boycott 513 cases of intimidation and violence. 444 arrests, 185 convictions (169 are Baganda), 187 pending, 42 withdrawn, 30 acquitted.
- Kampala no longer heads the list of offences connected with boycott. Masaka (in Western Buganda) takes its place. Principal forms of intimidation are, notes fastened to doors and trees, arson, slashed trees and maimed cattle, slashed car tyres.

November 1959

- Curfews lifted.

December 1959

- Police report for 1959 states "There was an abnormal increase in crime during the year. This may have been due to the effects of the trade boycott which itself gave direct rise to a large number of offences. The disturbed economic conditions stemming from the boycott resulted in some unemployment, the extent of which is impossible to determine...there are believed to be many people in the larger towns...who live a satisfying life by their wiles or by engaging in serious crime. The police have been compelled to devote much attention to the security situation and the consequent curtailment of preventive and detective services has given the criminals too free a rein. The police force cannot effectively stem the rising crime wave without much greater help from the community."
- Police report 22% increase in crime in Kampala in 1959.
- Wave of arson, threats and murder of Asians.
- Asian leaders express concern over active phase of boycott against Asians.

January 1960February 1960March 1960

- April 1960 - beginning of phase of bombs left in public places and especially in Asian shops and mosques.
- Capital crime tally of the boycott reported 43 murders, 48 attempted murders.
- Public bodies (e.g. Buganda Parliament) express concern that boycott had increased crime in general.
- May 1960 - Editorials stress this point.
- July 1960 - Police report 1002 boycott offences (20 per week) since 24th April 1959.
- Also report 5 per week since 24th April 1960.
- and in week of 27th July report no boycott offences.
- October 1960- Penal code amendments to be repealed at end of year.

There are several points to be noted about the crime wave resulting from the boycott. Much of the intimidation and threats which were a major part of it are very difficult to detect and prosecute. Offences against the person and against property rose steeply, but (as was seen in the tables in this section) are again difficult to prosecute. Offences connected with the boycott fall into several phases. First is the 'political' phase when breaches of the peace and the like were in evidence. Next comes the phase of intimidation and offences against the person and property. This phase involved mainly Africans, and included Baganda, and represents the attempt of this community to discipline itself by violence (or threats of violence) so that the essentially non-violent action of boycotting Asian trade can be carried out successfully. It is only when the economic aspect of the boycott is diminishing that the final phase of active violence against Asians themselves takes place. It is paradoxical that crime can be in a sense a form of social control. But we should note finally that these events themselves unleashed a crime wave which was not necessarily connected, in the commission, with the boycott itself.

The characteristics of this picture of crime 1956-60 may be summarised as follows: There is first of all the exceptional year of 1959 (the boycott) which extends into 1960 both as an event and in the records of convictions. While the police force is a relatively flexible one (for example, policemen on duty in Kampala may be transferred anywhere in the country at short notice, and vice versa) a crisis of this kind strains the police resources so that an event like the boycott tends to result in an increase of crime of all kinds. It appears that police cases are well prepared for court proceedings since a low proportion of them come before the courts, while there is a high proportion of convictions, at least in the Protectorate courts. But there is a reverse aspect of this, in that two classes of crime, those against persons and property appear to be difficult to substantiate and at the same time prosecute. Even in normal times it is to be expected that public assistance will be of a low order in a country like Uganda, while in an emergency like the boycott it becomes minimal. There is usually a preoccupation with ordinance offences, to which much less attention is paid in an emergency, and this appears to be true of juvenile crime also. Finally there is the suggestion that economic crime is prominent in the urban area of Kampala. All these features, together with the incidence of crime in relation to population require to be documented in comparison with other countries.

TABLE X

GREATER KAMPALA - SUMMARY OF CONVICTIONS UNDER
PENAL CODE AND ORDINANCE CONVICTIONS 1956 - 60

Year	Total Convictions	Ordinance Convictions	% Ordinance Convictions	Total Penal Code Convictions
1956	4614	3145	68.2	1469
1957	3997	2596	64.9	1401
1958	4114	2534	61.5	1580
1959	3123	1295	41.5	1828
1960	5817	3580	61.5	2237

TABLE XI

34.

GREATER KAMPALA - DETAILS OF CONVICTIONS 1956 - 60

Section Classi- fication	Year	Convictions		Total	% of total convictions for year	% of Penal Code offences for year [A - E]	A - F Per 1000 total Popu- lation 1959 only
		Protec- torate courts	African courts				
A (P.C. I & II)	56	107	8	115	2.5	7.8	
	57	53	4	57	1.4	4.1	
	58	79	11	90	2.2	5.7	
	59	124	8	132	4.2	7.2	1.23
	60	99	12	111	2.0	5.0	
B (P.C. III)	56	69	27	96	2.1	6.5	
	57	74	34	108	2.7	7.7	
	58	107	17	124	3.0	7.8	
	59	131	22	153	4.9	8.4	1.43
	60	177	28	205	3.5	9.2	
C (P.C. IV)	56	81	67	148	3.2	10.1	
	57	73	174	247	6.2	17.6	
	58	95	128	223	5.4	14.1	
	59	168	132	300	9.6	16.4	2.80
	60	138	109	247	4.2	11.0	
D (P.C. V & VI)	56	891	176	1067	23.1	72.6	
	57	693	255	948	23.7	67.7	
	58	896	195	1091	26.5	69.1	
	59	972	227	1199	38.4	65.6	11.21
	60	1349	265	1614	27.7	72.2	
E (P.C. VII- IX)	56	43	Nil	43	.9	2.9	
	57	40	1	41	1.0	2.9	
	58	51	1	52	1.3	3.3	
	59	42	2	44	1.4	2.4	.41
	60	60	Nil	60	1.0	2.7	
F ordi- nance offences	56	3099	46	3145	68.2		
	57	2507	89	2596	64.9		
	58	2480	54	2534	61.6		
	59	1254	41	1295	41.5		12.10
	60	3540	40	3580	61.5		

TABLE XII

GREATER KAMPALA - PERCENTAGE OF DEFENDANTS CONVICTED IN PROTECTORATE AND AFRICAN COURTS, BY CLASS OF OFFENCE, 1956-60

Classification	Year	Protectorate Courts			African Courts			Total		
		Def.	Conv.	% Conv.	Def.	Conv.	% Conv.	Def.	Conv.	% Conv.
A (P.C. I & II)	56	126	107	84.9	30	8	26.6	156	115	73.7
	57	70	53	75.7	33	4	12.0	103	57	55.3
	58	96	79	82.2	23	11	47.8	119	90	75.6
	59	164	124	75.6	26	8	30.8	190	132	69.5
	60	124	99	79.9	45	12	26.7	169	111	65.7
B (P.C. III)	56	76	69	90.8	76	27	35.5	152	96	63.1
	57	127	74	58.3	106	34	32.0	233	108	46.4
	58	170	107	62.9	42	17	40.5	212	124	58.5
	59	188	131	69.6	78	22	28.2	266	153	57.5
	60	250	177	70.8	92	28	30.4	342	205	59.9
C (P.C. IV)	56	134	81	60.5	506	67	13.2	640	148	23.1
	57	140	73	52.1	639	174	27.2	779	247	31.7
	58	134	95	70.9	429	128	29.8	563	223	39.6
	59	258	168	65.1	522	132	25.2	780	300	39.2
	60	208	138	66.3	558	109	19.5	766	247	32.2
D (P.C. V & VI)	56	1111	891	80.2	757	176	23.2	1868	1067	57.1
	57	981	693	70.6	985	255	25.9	1966	948	48.2
	58	1181	896	75.9	641	195	30.4	1822	1091	59.9
	59	1354	972	71.8	865	227	26.2	2219	1199	54.0
	60	1670	1349	80.8	802	265	33.0	2472	1614	65.3
E (P.C. VII-IX)	56	47	43	91.5	3	Nil	Nil	50	43	86.0
	57	65	40	61.5	8	1	12.5	73	41	56.2
	58	66	51	77.3	3	1	33.3	69	52	75.4
	59	56	42	75.0	7	2	28.5	63	44	69.9
	60	69	60	86.9	1	Nil	Nil	70	60	85.7
F Ordinance Offences	56	4982	3099	62.2	134	46	34.3	5116	3145	61.5
	57	4678	2507	53.6	250	89	35.6	4928	2596	52.7
	58	6229	2480	39.8	121	54	44.6	6350	2534	39.9
	59	1867	1254	67.2	134	41	30.6	2001	1295	64.7
	60	4718	3540	75.0	145	40	27.6	4863	3580	73.6

TABLE XIII

GREATER KAMPALA - MULTIPLE DEFENDANTS, BY CLASSES
OF OFFENCE 1956 - 60

Classification	Average no. of defendants per court proceeding 1956-60		
	Protec. courts	African courts	All courts
A	1.5	1.4	1.3
B	1.4	1.4	1.4
C	1.3	1.3	1.3
D	1.2	1.2	1.2
E	1.2	1.1	1.2
F	0.9	1.4	0.9

TABLE XIV

GREATER KAMPALA - SUMMARY OF COURT PROCEEDINGS
UNDER PENAL CODE AND ORDINANCES 1956 - 60

Year	Total Proceedings	Ordinance Proceedings	% Ordinance Proceedings	Total Penal Code Proceedings	% Penal Code Proceedings
1956	7062	4785	67.8	2277	32.2
1957	7265	4825	66.4	2440	33.6
1958	8378	6161	73.5	2217	26.5
1959	4740	1925	40.6	2815	59.4
1960	12605	9279	73.6	3326	26.4

TABLE XV

GREATER KAMPALA - DETAILS OF COURT PROCEEDINGS 1956 - 60

Classi- fication	Year	Proceedings		% of total Proceedings for year	% of Penal Code Pro- ceedings for year <u>A-E</u>	Per 1000 head of population 1959 only
		Prot. courts	Afri. courts			
A (P.C. I & II)	56	97	20	117	1.7	5.1
	57	46	23	69	.9	2.8
	58	81	14	95	1.1	4.3
	59	122	18	140	3.0	5.0
	60	115	36	151	1.2	4.5
B (P.C.III)	56	68	51	119	1.7	5.2
	57	88	75	163	2.2	6.7
	58	103	38	141	1.7	6.4
	59	150	54	204	4.3	7.2
	60	172	61	233	1.8	7.0
C (P.C.IV)	56	109	375	484	6.6	21.3
	57	90	510	600	8.3	24.6
	58	89	344	433	5.2	19.5
	59	199	373	572	12.1	20.3
	60	162	490	652	5.17	19.6
D (P.C.V & VI)	56	894	621	1515	21.5	66.5
	57	774	781	1555	21.4	63.7
	58	969	531	1500	17.9	67.7
	59	1145	691	1836	38.7	65.2
	60	1444	778	2222	17.6	66.8
E (P.C. VII - IX)	56	39	3	42	.6	1.8
	57	47	6	53	.7	2.2
	58	46	2	48	.6	2.2
	59	57	6	63	1.3	2.2
	60	65	3	68	.5	2.0
F Ordinance offences	56	4683	102	4785	67.8	
	57	4638	182	4825	66.4	
	58	6060	101	6161	73.5	
	59	1850	75	1925	40.6	
	60	9169	110	9279	73.6	

TABLE XVIGREATER KAMPALA - SUMMARY OF POLICE CASES
1956-60

Year	Total Cases	Ordinance Cases	% Ordinance Cases	Total Penal Code Cases	% Penal Code Cases
1956	22994	12485	54.3	10509	45.7
1957	19671	9056	46.0	10615	54.0
1958	20543	10358	50.4	10185	49.6
1959	15411	2734	17.7	12677	82.3
1960	29781	16137	54.2	13644	45.8

TABLE XVII

GREATER KAMPALA - DETAILS OF POLICE CASES 1956-60

Classi- fication	Year	Cases	% of total cases for year	% of Penal Code cases for year [A - E]	Per 1000 head total population 1959 only
A (P.C. I & II)	56	204	.9	1.9	
	57	181	.9	1.7	
	58	171	.8	1.7	
	59	298	1.9	2.4	2.8
	60	314	1.0	2.3	
B (P.C.III)	56	253	1.1	2.4	
	57	392	2.0	3.7	
	58	431	2.1	4.2	
	59	459	2.9	3.6	4.3
	60	476	1.6	3.5	
C (P.C.IV)	56	2304	10.0	21.9	
	57	2338	11.9	22.0	
	58	1948	9.5	19.1	
	59	2368	15.4	18.7	22.1
	60	2437	8.2	17.9	
D (P.C.V & VI)	56	7676	33.4	73.0	
	57	7598	38.6	71.6	
	58	7539	36.7	74.0	
	59	9444	61.3	74.5	88.3
	60	10328	34.7	75.7	
E (P.C. VII-IX)	56	72	.3	0.7	
	57	106	.5	1.0	
	58	96	.5	0.9	
	59	108	.7	0.9	1.0
	60	89	.3	0.7	
F Ordinance offences	56	12485	54.3		
	57	9056	46.0		
	58	10358	50.4		
	59	2734	17.7		25.6
	60	16137	54.2		

TABLE XVIII

GREATER KAMPALA - SUMMARY OF POLICE CASES RESULTING
IN COURT PROCEEDINGS 1956 - 60

Year	Total Police Cases [A-F]	Total Court Proceedings [A-F]	% of Police Cases resulting in Court Proceedings [A-F]	Total Police Cases, Penal Code [A-E]	Total Court Proceedings [A-E]	% of Police Cases, Penal Code resulting in court Proceedings
1956	22994	7062	30.7	10509	2277	21.7
1957	19671	7265	36.9	10615	2440	23.0
1958	20543	8378	40.8	10185	2217	21.8
1959	15411	4840	31.4	12677	2915	23.0
1960	29781	12605	42.3	13644	3326	24.4

TABLE XIX

GREATER KAMPALA - DETAILS OF POLICE CASES RESULTING
IN COURT PROCEEDINGS 1956 - 60

Classification	Year	Total Police cases	Total Court Proceedings	% of Police cases Resulting in court Proceedings <u>[A-F]</u>
A	56	204	117	57.3
	57	181	69	38.1
(P.C. I & II)	58	171	95	55.6
	59	298	240	80.5
	60	314	151	48.0
B	56	253	119	47.0
	57	392	163	41.6
(P.C. III)	58	431	141	32.7
	59	459	204	44.4
	60	476	233	48.9
C	56	2304	484	21.0
	57	2338	600	25.7
(P.C. IV)	58	1948	433	22.2
	59	2368	572	24.1
	60	2437	652	26.8
D	56	7676	1515	19.7
	57	7598	1555	20.5
(P.C. V & VI)	58	7539	1500	19.9
	59	9444	1836	19.4
	60	10328	2222	21.5
E	56	72	42	58.3
	57	106	53	50.0
(P.C. VII - IX)	58	96	48	50.0
	59	108	63	58.3
	60	89	68	76.4
F	56	12485	4785	38.3
	57	9056	4825	53.3
Ordinance	58	10358	6161	59.5
offences	59	2734	1925	70.4
	60	16137	9279	57.5

TABLE XX

GREATER KAMPALA - JUVENILE CONVICTIONS 1956-60
(PROTECTORATE COURTS ONLY)

Year	Total Convictions	Ordinance Convictions	% Ordinance Convictions	Total P.C. Convictions	% P.C. Convictions	% of all Convictions
1956	69	37	53.6	32	46.4	1.5
1957	56	37	66.1	19	33.9	1.4
1958	49	27	55.1	22	44.9	1.2
1959	40	24	60.0	16	40.0	1.3
1960	66	45	68.2	21	31.8	1.1

TABLE XXI

GREATER KAMPALA - JUVENILE CONVICTIONS 1956-60
(PROTECTORATE COURTS ONLY)

Classification	Year	Imprisonment		Corporal Punishment		Fines		Probation Order		Total for yr.	Under Trading Ordinance	Vagrants
		Male	Female	Male	Female	Male	Female	Male	Female			
A (P.C. I & II)	56	3						2		5		
	57	1								1		
	58	5						5		10		
	59											
	60											
B (P.C. III)	56											
	57											
	58											
	59							1		1		
	60			1				1		2		
C (P.C. IV)	56											
	57											
	58					1				1		
	59					1				1		
	60											
D (P.C. V & VI)	56	2						22	1	25		
	57	3						15		18		
	58	4						7		11		
	59	5						9		14		
	60							18		18		
E (P.C. VII-IX)	56							2		2		
	57											
	58											
	59											
	60	1								1		
F Ordinance offences	56	5						13	19	27	6	4
	57	2						35		30	5	2
	58	1				2		22	2	25	2	
	59	4	2					18		16	4	4
	60	2				2		38	3	43	2	

V Society and Crime

In this section two aspects only will be considered. First there is a short analysis of the proportions of crime by tribes. Since the police data on tribal origins of suspects and convicts occurs at a primary level, in the case dockets, it has been found impossible to use this material. Instead Prisons Department returns of entries into prison are used. There follows a sketch of the distribution of crime in the various districts of Greater Kampala. This will by no means be an attempt at an ecological distribution, for no detailed work has been done in this field in Kampala.¹ Also, in the field of crime, the Police Districts are constituted with an eye to convenience, and, as will be seen, are somewhat heterogeneous ecologically.

A. Ethnic Composition and Crime

Table XXII (p. 49) sets out, by principal tribes of Uganda, the numbers of male and female convicts entering prisons² in Kampala for offences under the Penal Code in 1959. Therefore the table shows the relation of serious crime to ethnic composition if 'serious' connotes imprisonment. This limitation is imposed by the fact that police reports do not themselves give tribal origins. These figures are then related to the known population, by tribe, of Kampala in the census year.

First note, quite briefly the low incidence of the European and Asian committals in this table. Second, the police dictum that 'if all migrants were taken away from Kampala crime would decrease appreciably' would appear to be borne out by this table. A number of tribes with strongly 'migrant' features, such as a high proportion of males to females in Kampala, also show high incidences of imprisonment- for example the Ankole, the Tanganyika tribes, the Congo/Ruanda tribes, the Samia and the Alur. There are some exceptions, for example the Nyoro. Unfortunately due to different enumerations of tribes in the census and the Prisons Department, some tribes important in both respects, for example the Kiga and Lugbara, cannot be properly compared.

Let us make a comparison between two tribes with contrasting features. The Banyankole migrants who live in the Western Province of Uganda, have striking migratory characteristics. They are composed, as in many Inter-Lacustrine states, of two elements, the Bahima pastoralists, and the Bairu agriculturalists. While the former are to be found in many districts of Uganda as herdsmen working for others, they fall into the category of migrant labourers only marginally, since they work for subsistence and not wages. They will not be considered here. The Bairu engage in agricultural labour for Baganda as well as in town. Those in agricultural labour tend to fit their work for wages to the demands of agriculture in the home areas, often returning twice a year. In spite of this fluctuation they are often retained by the same Muganda farmer for many years. Town labour has a different pattern. It is used in default of agricultural work, which the Banyankole much prefer. While the evidence is

-
1. An ecological survey of part of Wandegaya and Old Kampala is being carried out by the Geography Department, Makerere College, and I am grateful to Mr. Paul Temple for placing his material at my disposal. But since this cannot be compared with other areas, its use will have to await a further publication.
 2. Excluding Rural Prisons.
 3. I carried out field work in Ankole in 1957-58.

not clear on this point, it would not be true to say that the Ankole town worker is the landless man, for while there is overcrowding in some areas of Ankole, the traditional methods of obtaining land have been modified to modern conditions. The crucial point is that Ankole are predominantly 'target workers' for bride wealth, which is of an inflationary character. They are parsimonious about earnings, and do not overload themselves with 'spoils' on returning to the country. We do not know from the statistics what specific offences the Ankole prisoners were committed for, but it is to be expected that they are to a large extent economic criminals. Just as the Baganda offences in the boycott can be interpreted as a form of social control, so, runs the hypothesis, would Ankole crime fit with the economic demands of a still-cohesive rural structure.

The Acholi on the other hand can be described more shortly. They are not a prominent element in agricultural employment, being employed mainly in construction work. But they also engage in military service as askaris and watchmen, - and in the police, where they were, in 1959, the biggest single tribal element (15.32%).

B. Ecological Distribution

Greater Kampala is divided into Police Districts, which do not coincide with the census districts. There are six⁴ of these - Central, Jinja Road, Katwe, Kira Road, Old Kampala and Wandegeya. All of these were functioning in 1956-60, but some had at that time only been a few years in operation.

The census areas which each of these Police Districts comprises are set out below:-

<u>Central:</u>	Nakasero, Commercial Area, Central Area, Nsambya, part of Old Kampala, part of the Industrial Area, Mutuba VI and the Nsambya Police Lines.
<u>Jinja Road:</u>	Kololo, part of the Industrial Area, Nakawa etc., Katali etc.
<u>Katwe:</u>	Part of the Industrial Area, Mutuba VII, Musale, Mutuba I, Sabagabo, Sabaddu, part of Mutuba VIII, part of Mutuba II, Sabawali.
<u>Kira Road:</u>	Kira Road, part of Mutuba IV.
<u>Old Kampala:</u>	Part of Old Kampala, part of Mutuba III, Namirembe, part of Mutuba VIII, Mutuba IX, part of Mutuba V, part of Mutuba II.
<u>Wandegeya:</u>	Part of Mutuba V, Mumyuka, Makerere College, Wandegeya, Mulago, part of Mutuba IV.

The 1959 population of each of these Police Districts, calculated by proportion in the case of partial census areas represented, is set out in Table XXIII (p. 50).

The characteristics of each of these areas may be summarised:

Central: This area straddles the centre of the town, and extends to the first hill to the north east, Nakasero. It comprises a residential suburb, the shops, bazaars, cinemas and public buildings of the central area and the stores and godowns of the

4. A seventh station, Kawempe, adjoins Greater Kampala but has been omitted from this survey.

commercial area. It extends south westward to Old Kampala, a predominantly Asian residential area and south eastward to include part of the industrial area and the African Muslim area lying around Kibuli mosque. Residentially, the area is superficially Asian, although it will be seen that there is a large population of Africans mostly in their employment. Crowded and bustling by day, this area is quiet by night when offices and shops are closed, except in the Kibuli area which has the aspect of a rural village.

Jinja Road: Apart from a small section of the industrial area, this area is predominantly residential, although divided into two contrasting halves. One consists of the high status, low density, residences of Kololo Hill (mostly European), the other the government estates at Nakawa, Katali, etc. inhabited largely by Africans. The Asian element is correspondingly low, fringing the extension of Kira Road which divides the halves.

Katwe: Apart from a small portion of the industrial area, this Police District lies in the Kibuga. It includes Kisenyi⁵ and the whole southern area of Greater Kampala, and has the biggest population (largely African) of any of the Police Districts. While the southern parts of the District may be characterised as peri-urban, the northern section includes an Asian area and the Nakivubo stadium with its environs. This area, with Katwe itself, is a centre for political meetings. Also a bus park and taxicab centre at which a large proportion of immigrants are likely to arrive, lies in this part, which always has an air of intense commercial and other activity, and is one of the 'trouble spots' for many kinds of offences.

Kira Road: This small Police District lies on the northern boundary of Greater Kampala and is superficially an Asian area.

Old Kampala: This is a wedge-shaped District whose point comes almost to the centre of the town, where it joins the Katwe area around Nakivubo stadium, while the broad edge lies out to the western boundary of the Kibuga. Old Kampala, Namirembe and Mutuba III have sizeable Asian populations, while the outlying areas are almost rural. No major road bisects the area, but its northern and southern boundaries are the roads to Masaka and Hoima.

Wandegeya: This is a diverse area comprising two large institutions, Makerere College and Mulago Hospital which lie on either side of the principal road exit from Kampala to the north. The Kibuga areas are peripheral to these, and lie on the far slopes of the hills on which the college and the hospital are located. This is a densely populated area, of which the Wandegeya section has a reputation as a receiving area for stolen goods.

Table XXIV (p. 51) shows for Penal Code cases only the proportions of police cases in each class reported in each Police District. Table XXV (p. 52) repeats this information in terms of convictions.

Table XXIV is a measure of two factors simultaneously, which cannot be separated. Assuming an equal efficiency of the police in each district, it would tend to show the propensity for crime in each area. But since this cannot be assumed, the

table may also be interpreted as a measure of police efficiency, assuming an equal propensity to crime.

Table XXV, while giving the convictions in each area and thus the prevalence of crime in formal terms may also be used, in comparing it with Table XXIV, to show, to some extent, the efficiency of the police in bringing suspected criminals to book.

It must also be remembered that these tables do not show where criminals live, but (with an exception noted below) where they commit their crimes. It is well known that some of the offences against property in Kampala are committed by motorised burglars and thieves from out of town. Similarly, there have also been periods when motorised gangs operating from Greater Kampala have been in the habit of going out into the countryside to commit burglary and robbery, where premises are less secure and the takings (often in cash from crop receipts) well worth while. Motorised crime is a perennial problem, and to some extent, explains the police attention to traffic, referred to earlier, when a simple inspection of a vehicle reveals housebreaking gear, the carriage of which is itself an offence. The criminal role of taxi drivers, seen in the description of the boycott, is also very pertinent here.

Finally, it should be remembered that the Central Police Station is not strictly comparable with the others, since it receives emergency calls for police, and itself operates its own police cars which may operate in all the other Districts.

With these provisos in mind, let us consider the relation of the District to types of incident (Table XXIV). Classes A and B (against Public Order and Lawful Authority) are seen to be more prominent in the Central Area, and this is almost certain to be due to this station's superior jurisdiction. There are, however, 'high-spots' in the Jinja Road and Old Kampala area: both of these include areas where public disturbances, due for example to political meetings, may take place - the area between Naguru and Kahawa estates, and the Nakivubo stadium area.

Class C (crimes against the Person) we might expect to find predominating in residential areas, particularly in overcrowded ones. Kira Road, with its relatively isolated Asian population seems to bear this out negatively; Jinja Road and Katwe, both populous although in different ways, have high proportions; Central shows a marked rise in the last two years.

Class D (crimes against Property) is markedly preponderant in the Central area, although some of this may be due to reports from outside its own proper area. Kira Road seems also true to type, with its well-secured and often guarded Asian premises. Otherwise the findings seem somewhat puzzling. Katwe seems to have a particularly high proportion, but we have to remember that police investigations often lead to the homes of thieves or receivers; this is a class of crime where a certain proportion of offences come to light at the residence of the culprit. If this is the case, Wandegaya seems to belie its reputation, but we should note also that considerable proportions of its population live in large, well-secured institutions.

Class E, miscellaneous crime (forgery, coining, counterfeiting, etc.) seems to fall fittingly into the Central area with its commercial and industrial elements, but there is such variability in the commission and apprehension of these types of crime that little can be said on the basis of this table.

The principal interest of Table XXV lies in its comparison

with Table XXIV. The increase or decrease in the proportions of convictions and cases gives an indication of both the thoroughness of the police in presenting their cases and at the same time an idea of public support of the police. We might expect this to vary both from District to District and from class to class of crime.

Some examples will clarify the point. Central Police Station consistently secures a higher proportion of convictions for crimes against order and lawful authority than does, say, Wandegaya, for the same offence (compare lines A in Central and Wandegaya, Tables XXIV and XXV). While this is patent, it is not so easy to show that, for example, the Central Police Station has been able to commit more policemen, or more skilled policemen, to this kind of crime; or whether the population of Wandegaya is less willing to supply evidence than that in the centre of town. One suspects that the latter is more likely than the former.

But there are other factors at work. After 1956 Katwe shows a rise in proportion of convictions to cases in crimes against the person which are, in such a crowded and diverse area, very difficult to bring to book. Jinja Road District, on the other hand, shows a marked fall in this relationship, although it consists of, comparatively, much more stable and less crowded populations of all races. It can hardly be that the police devote more time to dealing with this offence in its commission, and the scales are weighted against it in detection in Katwe, compared with Jinja Road. Can it be that in this respect the Katwe population is of greater assistance to the police?

Finally we are able to note some trends (Table XXV). Up to 1959, for example, Kira Road area has an increasing proportion of convictions for crimes against the person; while from 1957 Central has a decreasing proportion of convictions for crimes injurious to the public.

These and other inferences from this kind of data require much more detailed analysis, both of the action of the police in their different districts in Kampala, and also of the populace itself. The net provided by the statistics we have had perforce to use is a very coarse one when it comes to elucidating in any detail the connection between crime and social conditions. But it is doubtful if sociological analysis would get us much nearer the heart of the problem. This, at one level, would require an intensive analysis, over a suitable period of time of the police in the District it serves. Participant observation would make the investigator either a policeman or a criminal, either of which he might find invidious. The alternative is a detailed examination of the socio-economic status of convicts in the special circumstances surrounding the commission of their offence; and this survey has served to raise this topic and method as a future research project in the East African Institute of Social Research.

TABLE XXII

GREATER KAMPALA - ETHNIC COMPOSITION AND CRIME
(PENAL CODE OFFENCES ONLY)

1959

Tribe	Males Admitted to Kampala Prisons 1959	Females Admitted to Kampala Prisons 1959	Total Admitted to Kampala Prisons 1959	Males per 1000	Females per 1000	Total per 1000
Ganda	1078	35	1113	57.9	1.9	29.3
Kenya (inc. Luo	333	2	335	57.4	.8	39.9
Toro	276	2	278	67.3	1.2	47.9
Ankole	180	4	184	72.0	8.0	73.6
Tanganyika	132	3	135	82.5	5.0	61.4
Acholi	45	3	48	32.1	4.3	24.0
Nyoro	109	4	113	90.8	5.0	59.4
Sudan	43	-	43	43.0	-	28.6
Teso	49	2	51	54.4	5.0	39.2
Samia	54	-	54	77.1	-	54.0
Soga	38	3	41	63.3	7.5	41.0
Congo/Ruanda	266	1	267	98.5	1.0	72.2
Alur*	57	-	57	190.0	-	114.0
Gishu*	38	5	43	126.7	25.0	86.0
Gwere*	9	-	9	90.0	-	45.0
Lango*	26	5	31	52.0	25.0	44.3
* tribes under 700 in Kampala						
Karamojong	1	1	2	37.5	2.3	27.7
Sebei	2	-	2			
Zanzibar	1	-	1			
Nyasaland	2	-	2			
Ethiopia	-	-	-			
Nubian	11	2	13			
Dama	2	-	2	37.5	2.3	27.7
Others	195	2	197			
Europeans	3	-	3	.9	-	0.9
Asians, etc.	34	-	34	1.2	-	1.2

TABLE XXIII
GREATER KAMPALA - POPULATION BY POLICE DISTRICTS

1959

Police District	Africans	Europeans	Asians, etc.	Total
Central	11339	1274	1334	25987
Jinja Road	9227	1608	577	11412
Katwe	29038	164	3701	32903
Kira Road	2631	18	2960	5609
Old Kampala	11596	141	5375	17112
Wandegeya	13158	334	814	14306

TABLE XXIV

GREATER KAMPALA - POLICE CASES (PENAL CODE) BY
POLICE DISTRICTS 1956 - 60

Police District	Class of Offence	% of Greater Kampala Penal Code Cases				
		1956	1957	1958	1959	1960
Central	A	39.2	35.3	32.4	34.6	39.9
	B	32.4	29.2	31.0	37.0	30.5
	C	14.6	12.0	13.4	22.3	20.5
	D	37.2	33.8	34.3	38.6	37.6
	E	59.6	67.4	57.4	70.5	64.0
Jinja Road	A	23.7	25.4	10.1	20.7	22.5
	B	21.5	10.5	7.2	10.5	15.4
	C	20.5	20.7	21.7	22.1	21.2
	D	14.9	13.8	15.9	15.2	15.8
	E	12.3	17.4	10.6	17.1	13.9
Katwe	A	15.5	3.5	18.2	16.5	7.0
	B	13.4	12.4	8.4	6.5	9.4
	C	23.8	20.7	18.4	18.0	16.8
	D	18.1	17.1	16.2	14.3	13.5
	E	10.5	4.3	15.9	0.9	4.7
Kira Road	A	8.2	11.0	18.2	4.9	2.0
	B	6.5	6.9	5.5	5.3	5.8
	C	10.8	8.1	10.5	9.7	8.6
	D	6.8	6.8	7.0	6.6	6.3
	E	1.8	2.2	2.1	-	1.2
Old Kampala	A	6.7	12.1	11.5	16.2	15.7
	B	20.2	37.2	41.8	31.4	24.8
	C	15.2	18.1	15.5	12.2	17.0
	D	16.2	19.6	17.6	17.3	18.4
	E	12.3	5.4	9.6	9.5	8.1
Wandegeya	A	6.7	12.7	9.5	7.1	12.8
	B	6.1	3.9	6.2	9.4	14.1
	C	15.1	20.3	20.4	15.7	15.9
	D	6.8	8.7	8.9	7.9	8.3
	E	3.5	3.3	4.3	1.9	8.1

TABLE XXV

GREATER KAMPALA - POLICE CONVICTIONS (PENAL CODE)
BY POLICE DISTRICTS 1956 - 60

Police District	Class of Offence	% of Greater Kampala Penal Code Convictions				
		1956	1957	1958	1959	1960
Central	A	43.4	56.0	36.0	45.0	47.1
	B	45.4	53.3	45.8	42.7	36.0
	C	21.1	28.9	23.7	29.9	23.5
	D	50.3	43.9	39.7	48.4	48.0
	E	55.0	66.7	48.0	83.6	67.2
Jinja Road	A	25.7	14.0	9.3	10.0	22.1
	B	7.2	2.2	10.2	7.3	15.2
	C	7.7	10.7	13.2	9.4	5.9
	D	9.9	11.9	16.0	10.7	11.4
	E	15.0	23.1	11.5	9.3	19.0
Katwe	A	17.7	6.0	18.7	25.8	8.7
	B	11.3	13.0	5.9	8.7	7.8
	C	35.9	19.8	31.6	24.0	23.6
	D	14.1	12.6	17.0	13.7	15.5
	E	10.0	5.1	30.8	2.3	3.4
Kira Road	A	5.3	8.0	18.7	3.3	3.8
	B	9.3	5.4	1.7	2.0	2.0
	C	2.1	6.6	9.9	17.4	8.4
	D	6.4	3.1	5.4	6.7	4.7
	E	-	-	1.9	-	1.7
Old Kampala	A	6.2	16.0	9.3	10.8	8.7
	B	21.6	22.8	21.2	26.7	26.8
	C	16.2	17.4	15.1	9.7	20.2
	D	14.2	17.1	16.2	12.0	13.8
	E	15.0	2.6	3.8	4.7	3.4
Wandegeya	A	1.8	-	8.0	5.0	9.6
	B	5.2	3.3	15.3	12.7	12.1
	C	16.9	16.5	6.6	9.7	8.4
	D	5.1	11.3	5.7	8.4	6.5
	E	5.0	2.6	3.8	-	5.2

APPENDIX

PROTECTORATE POLICE FORUM

	FINANCE		ESTABLISHMENT AND STRENGTH								DISMISSALS
	Total Estimated Expenditure ¹ £	% of Protectorate Govt Total est. ex.	Establishment Officers	Strength Officers 31/12	Establishment Inspectors	Strength Inspectors 31/12	Establishment Other ² Ranks	Strength Other Ranks ² 31/12	Total Strength ²	Total Strength % increase or decrease over previous year ²	Other Ranks dismissed for misconduct or on criminal conviction
1956	1,061,890	5.9	196	179	135	120	3530	3150	3449	-	136
1957	1,199,939	6.0	217	184	148	128	3697	3520	3832	11.1	127
1958	1,296,886	6.3	230	197	166	128	3724	3805	4130	7.8	107
1959	1,358,050	6.6	236	208	177	164	3978	3933	4305	4.2	97
1960	1,455,148	7.0	261	239	226	165	4611	4471	4875	13.2	107

1. Calculated for the calendar year from fiscal year (July - June) estimates.

2. Uniform branch, Special branch and Criminal Investigation Department, signals and recruits, but excluding Band and Fire Service.

