

A child's liberty should not depend on a fuel tank

EDITOR: In my work with children in conflict with the law, I have come to appreciate that justice is often delayed by factors far removed from the courtroom. Sometimes, it is not a legal argument, lack of evidence, or absence of a judicial officer that



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keeps a child on remand. It is the absence of transport. Children held in remand homes must be taken to court for the hearing of their cases. Eventually, they must also be reunited with their families and communities. Yet across Uganda, transportation remains an overlooked challenge within the juvenile justice system.

The consequences are significant. When a child misses a court appearance because there is no vehicle or fuel, the case is adjourned and the child's stay in custody is prolonged. For that child, a missed trip can mean more time away from school, family and community.

The Uganda Human Rights Commission has previously reported that some remand homes lacked vehicles to transport children to court, while others struggled with fuel shortages. In some cases, institutions were forced to borrow vehicles from other government agencies. This suggests that the problem is not isolated but systemic. The question is: Who is accountable when a child misses court because there is no transport? The court may be ready to hear the matter. The remand home may lack fuel. Other institutions may point to resource constraints. Yet the child remains on remand. In practice, responsibility can become everyone's and no one's at the same time. At a time when public resources are stretched, the answer may not simply be buying more vehicles. Government already operates transport systems across different justice sector institutions. There may be opportunities for better co-ordination and sharing of existing resources to ensure that children can access courts and reintegration services without unnecessary delays.

More fundamentally, we should ask why children must travel long distances for routine court appearances in the first place. Efforts by the Judiciary to conduct court sittings closer to remand homes have shown that there are practical alternatives. Expanding such approaches would reduce costs, improve efficiency and bring justice closer to the children it is meant to serve.

Diversion programmes also have a role to play. Every child diverted from unnecessary detention is one less child whose access to justice depends on the availability of transport.

A child should remain in custody only when the law requires it, not because a vehicle is unavailable. A child's liberty should depend on the facts of their case and the decisions of the court, not on whether there is fuel in a tank.

The writer is a lawyer, child protection advocate