

**EQUAL OPPORTUNITIES COMMISSION UGANDA**

**2026 NATIONAL INTER-UNIVERSITY  
EQUAL OPPORTUNITIES MOOT  
COURT COMPETITION**

**IN THE EQUAL OPPORTUNITIES COMMISSION OF UGANDA  
HOLDEN AT KAMPALA**

**EOC/CR/501/2026 (CONSOLIDATED)**

**NAMULI FAITH (a minor, suing through her mother and next friend, NAMULI GRACE)  
AND KATO RONALD (suing through his guardian, KATO EMMANUEL) & AKELLO  
MERCY**

*versus*

**BUKOOLA PROGRESSIVE SECONDARY SCHOOL, THE BOARD OF  
GOVERNORS, BUKOOLA PROGRESSIVE SECONDARY SCHOOL, WAFULA  
ROBERT (Deputy Head Teacher), ATTORNEY GENERAL OF UGANDA**



## STATEMENT OF FACTS

1. Bukoola Progressive Secondary School (“BPSS” or “the School”) is a private secondary school licensed under the Education (Pre-Primary, Primary and Post-Primary) Act, situated in Mpigi District, offering both day and boarding classes to candidates for the Uganda Certificate of Education and the Uganda Advanced Certificate of Education. The School is governed by a Board of Governors and administered on a day-to-day basis by a Head Teacher and a Deputy Head Teacher.
2. In 2021, following the high pregnancy rates arising from the COVID-19 induced lockdowns, the Board of Governors adopted a Guidance and Discipline Policy for the School. Clause 14 of that policy provides that “any female candidate found to be pregnant during the course of her studies shall be automatically discontinued from the school roll, without further inquiry, in order to safeguard the moral standing of the institution.”
3. Namuli Faith, a Senior Six candidate at BPSS, was sexually assaulted in February 2026 while returning home from evening preparatory classes. The assault was reported to Mpigi Central Police Station, where investigations remain ongoing but no suspects have been arrested yet. As a result of the assault, Namuli Faith became pregnant.
4. On learning of the pregnancy in April 2026, the Deputy Head Teacher, Mr Wafula Robert, invoked clause 14 of the Guidance and Discipline Policy and expelled Namuli with immediate effect. Despite the School Policy requiring that discontinuation decisions be made by the Board on the Disciplinary Committee’s recommendation, the Disciplinary Committee was not convened. Namuli was unilaterally dismissed by the Deputy Head Teacher. The expulsion threatens to deprive her of the opportunity to sit the November 2026 sitting of the Uganda Advanced Certificate of Education examinations.

5. On the same day, Mr Wafula posted a message in “BPSS Parents Forum 2026”, the School's official parents' WhatsApp group of some four hundred members, stating that Namuli had been “removed from the school for falling pregnant, as a lesson to other girls who might be tempted to follow her example,” and identifying her by her full name and class stream. He (Wafula) now claims that inaccurate rumours about Namuli were already circulating in the parents' group before the post, and he says he posted to correct them.
6. Kato Ronald is a Senior Five candidate at BPSS who has used a wheelchair since a road traffic accident in 2022. The examination rooms allocated to Senior Five candidates are located on the second floor of the School's main academic block, a building without a ramp or lift. Kato's guardian has written to the School administration on three occasions since his admission requesting a ground floor sitting or another reasonable arrangement for the end of term mock examinations. No arrangement was made.
7. During the mock examinations in June 2026, Kato was carried up two flights of stairs by fellow students on each of seven examination days. On the fifth day he was dropped by the students carrying him and sustained an injury to his wrist, which was later treated at Mukono General Hospital.
8. When Kato's guardian raised the matter with the Board of Governors, the Board replied in writing that the School “has no legal obligation to alter its infrastructure for the convenience of one student, who has the option of going to other schools” and observed that a 2021 inspection report of the Ministry of Education and Sports had not flagged the absence of a ramp as a compliance failure.
9. Since 1990, the Government of Uganda and public universities have implemented an affirmative-action measure under which every qualifying female applicant receives an additional 1.5 points for purposes of public-university admission. The measure was introduced to redress the historical underrepresentation of women in higher education.

10. For the 2026/2027 academic year, the Ministry of Education and Sports, allocated the limited places under the National Merit Government Sponsorship Scheme according to candidates' combined admissions weights. Every qualifying female applicant received the additional 1.5 points. No further adjustment was made within the National Merit category on account of the location or resources of the candidate's former school, or whether that school was disadvantaged.
11. Akello Mercy, aged eighteen, completed her Uganda Advanced Certificate of Education at a rural government-aided day school in Lamwo District. Her parents depend principally on subsistence farming. The school had no functioning library or internet facilities, had only one inadequately equipped science laboratory, and had been without a substantive Physics teacher for two school terms. Akello travelled approximately fourteen kilometres to and from school each day and could not afford private holiday tuition.
12. Akello applied for admission to a public university under government sponsorship. Her combined admissions weight was 44.0 points before the female affirmative-action addition and 45.5 points after the additional 1.5 points had been applied. The cut-off point for her first-choice programme was 46.0 points. She was offered admission under private sponsorship but could not take up the place because her family could not afford the tuition and functional fees.
13. The last female candidate admitted to the same programme under government sponsorship had obtained a combined weight of 44.6 points before receiving the additional 1.5 points. She had attended a private boarding school in Kampala whose annual charges exceeded UGX 9,000,000 and which maintained specialist teachers, laboratories, a library, internet facilities and compulsory holiday revision programmes.
14. The parties agree that awarding 1.5 points to every female candidate does not ordinarily alter the ranking of female candidates relative to one another. Akello nevertheless contends that the scheme treats women as a homogeneous group and fails to recognise that gender disadvantage may intersect with poverty, rural residence and attendance at a disadvantaged school.

15. Studies by the Ministry, development partners and NGOs have found that female participation in public universities had increased considerably since the introduction of the measure. They have also found that 67 per cent of the female beneficiaries of national-merit government sponsorship in the sample studied had attended twenty schools situated in Kampala and Wakiso, while 11 per cent had attended rural government-aided day schools. They further found that women remained underrepresented in STEM courses.
16. Akello petitioned the Ministry for reconsideration of her application. She requested that the admissions framework be reviewed to account for intersecting disadvantage and that her application be reconsidered under the revised framework.
17. The Ministry rejected the petition. They maintained that the measure remained necessary because gender inequalities persisted, particularly in science and technology programmes; that national-merit sponsorship was legitimately based on objectively ascertainable academic performance; and that the district quota, disability, sports and student-loan schemes addressed other forms of disadvantage. They further contended that household means testing would be costly, susceptible to manipulation and inconsistent with predictability in university admissions.
18. On 2<sup>nd</sup> August 2026, Eleutheria Human Rights Initiative Uganda lodged a complaint on behalf of Namuli Faith and Kato Ronald against the first three respondents. On 4 August 2026, Akello Mercy lodged a separate complaint against the Attorney General. On 8 August 2026, the Commission consolidated the complaints because they raised related questions concerning discrimination, affirmative action and equal access to education.
19. The respondents dispute the competence of the Commission to entertain the complaint at all. They contend that that BPSS is a private institution regulated under the Education Act, and therefore the relationship between each complainant and the School arises from a private admission agreement in contract, and that any grievance ought properly to have been pursued before the High Court by way of judicial review or ordinary civil suit.
20. Without prejudice to that objection, the respondents further contend that clause 14 of the Guidance and Discipline Policy is directed at conduct rather than status and falls

within the School's legitimate disciplinary authority; that the WhatsApp publication was a routine and protected exercise of the School's duty to inform parents; and that the layout of the academic block is a matter of infrastructure planning outside the Commission's remedial competence, particularly given the absence of any adverse finding by the Ministry's own inspectors.

21. The complainants seek declarations that the expulsion of Namuli Faith and the publication concerning her were discriminatory and unlawful; an order for her reinstatement and facilitation to sit examinations; a declaration that the failure to accommodate Kato Ronald's disability was discriminatory; orders directing the School to amend clause 14 of its Guidance and Discipline Policy and to install a ramp or make an equivalent alternative arrangement for candidates with mobility impairments; and such further or other relief as the Commission considers just.

***NOTE: Please note that these facts are fictional and any similarities to any person or circumstances are purely coincidental, non-intentional and circumstantial and have been made up for the purposes of this competition.***

## **ISSUES FOR DETERMINATION**

- a) *Whether the complaint discloses a matter within the mandate and jurisdiction of the Equal Opportunities Commission, notwithstanding that Bukoola Progressive Secondary School is a private institution and that the respondents contend the proper forum is the High Court.*
- b) *Whether the expulsion of Namuli Faith on the ground of her pregnancy, pursuant to clause 14 of the Guidance and Discipline Policy, constituted discrimination on the ground of sex and a violation of her right to education, contrary to articles 21, 30, 33 and 34 of the Constitution and the Equal Opportunities Commission Act.*
- c) *Whether the failure of Bukoola Progressive Secondary School to provide Kato Ronald with reasonable accommodation for his physical disability during examinations amounted to discrimination on the ground of disability.*

- d) *Whether the publication naming Namuli Faith and describing the circumstances of her expulsion in the BPSS Parents Forum WhatsApp group amounted to stigmatisation and a violation of her dignity, and whether it may be justified as a legitimate exercise of the school's freedom of expression.*
- e) *Whether the design and operation of the National Merit Government Sponsorship Scheme, in awarding a uniform additional 1.5 points to female applicants while otherwise relying on examination-based merit without separate consideration of socioeconomic disadvantage or attendance at disadvantaged schools, constitutes indirect and intersectional discrimination against rural female applicants*



## INSTRUCTIONS

1. Each team must consist of two (2) students. Team members shall be drawn from universities accredited to teach law across the country.
2. Each team shall submit two separate memorials: one on behalf of the Complainants and one on behalf of the Respondents.
3. The required order of contents shall be as follows;
  - a) Cover page, showing the competition, side represented and university.
  - b) Table of contents.
  - c) Index of authorities, divided into cases and decisions, legislation, treaties and other materials.
  - d) Detailed arguments.
  - e) Prayers for relief, not exceeding one page and directed to remedies the Equal Opportunities Commission may lawfully grant or facilitate.
4. The memorials should be a maximum of 20 pages for each brief.
5. Memorials should be in Times New Roman, Font size 12, 1.5 spacing for the body and Times New Roman, Font size 10, 1.0 spacing for the footnotes
6. Body paragraphs shall be justified. Headings may be left-aligned.
7. Citations shall follow the Oxford University Standard for Citation of Legal Authorities, OSCOLA, 5th edition.
8. Submission of written memorials for both sides shall be by email: [nasser.abdul@eoc.go.ug](mailto:nasser.abdul@eoc.go.ug)
9. The submission deadline for 8 above is noted in the timetable below.

## TIMETABLE

| Date and time                 | Milestone                           | Requirement                                                                    |
|-------------------------------|-------------------------------------|--------------------------------------------------------------------------------|
| 19 <sup>th</sup> August, 2026 | Release of problem and instructions | The moot record and the instructions are issued to participating institutions. |

| Date and time                                      | Milestone                        | Requirement                                                                                                     |
|----------------------------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 28 <sup>th</sup> August, 2026,<br>17:00 (Deadline) | Questions for clarification      | Each team may submit one consolidated, numbered set of concise questions through its institutional contact.     |
| 01 <sup>st</sup> September<br>2026, 17:00          | Clarifications and<br>corrigenda | The Secretariat circulates one authoritative response to all teams.                                             |
| 02 <sup>nd</sup> September<br>2026, 17:00          | Registration and team<br>codes   | Final team registration and confirmation of the anonymous team code.                                            |
| 18 <sup>th</sup> September,<br>2026, 17:00         | Both memorials due               | The Complainants' and Respondents' memorials are due simultaneously.                                            |
| 19 <sup>th</sup> September,<br>2026, 12:00         | Technical compliance<br>notice   | The Secretariat may notify a team of a corrupt file or other purely technical defect.                           |
| 20 <sup>th</sup> September<br>2026, 12:00          | Invited technical<br>correction  | Only a team expressly invited by the Secretariat may replace a corrupt file. Substantive editing is prohibited. |
| 21 <sup>st</sup> September<br>2026, 17:00          | Memorial circulation             | Anonymised memorials are circulated to markers, benches and opposing teams as applicable.                       |
| 23 <sup>rd</sup> September<br>2026                 | Preliminary oral rounds          | Each team appears once for each side, subject to the final draw.                                                |
| 24 <sup>th</sup> September<br>2026                 | Knockout rounds and final        | Semi-finals and final, subject to participation numbers.                                                        |

For any inquiry or clarification:

Email: [nasser.abdul@eoc.go.ug](mailto:nasser.abdul@eoc.go.ug) or Call: +256 772 882 662 or +256 752 009 213.