



THE UNITED REPUBLIC OF TANZANIA
JUDICIARY OF TANZANIA



COMPREHENSIVE PERFORMANCE REPORT OF THE JUDICIAL FUNCTIONS 2020





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JUDICIARY



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REPORT OF THE JUDICIAL
FUNCTIONS - 2020**

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Foreword

Section 28(1) (c) of the Judiciary Administration Act, 2011 requires the Chief Registrar of the Judiciary to synchronise, synthesise and produce an annual comprehensive performance report of the judicial functions. In compliance with this legal requirement, this report is produced for the year 2020. In this report, we have shown several measures taken to ensure the effective administration of justice. The report presents judicial activities that were carried out by the Judiciary in the fulfilment of its constitutional mandate of dispensing justice. It shows improvements and challenges that our courts have experienced in exercising their constitutional mandate.

The year 2020 had various challenges that affected the delivery of justice. The most serious was the outbreak of the Covid-19 pandemic. Despite the pandemic, our courts remained operational. Coming to a standstill was not our option, leveraging on ICT, our courts remained in service of our people throughout the year.

This report captures the progress and efforts put in place by our courts in bringing court services closer to the people. Among others, the use of mobile court services remains an innovation that has had an impact on the delivery of justice to the unprivileged groups within our communities. As well, the report shows how the leverage on ICT in particular e-filing, e-payment, e-publication and virtual court, among others, have revolutionised justice delivery and reduced the old physical contact with people.

The report further, shows how accessibility to court records has been eased. Records are now easily retrievable from registries and archives, and parties receive their records immediately and, in any way, not more than 21 days after delivery of a decision. Equipping registries with electronic devices such as printers and laptops and ensuring every Judicial Officer is supplied with a laptop facilitated courts in delivering orders, rulings and judgements on the same date of pronouncement.

The positive impact of stakeholders engagement through various platforms and committees cannot be overemphasised. The report shows how various forums such as the Case Flow Management and Bench Bar Management Committees have been useful in enhancing justice delivery.

The average workload per judicial officer remains high. To curb the situation, a number of measures have been taken. Reallocation, transfer of Magistrates, supervisions and inspections have contributed to the increase of clearance rate in the Magistrates' Courts and reduce timelines of cases in courts. However, the situation is critical in the Court of Appeal while it remains challenging in the High Court despite using Magistrates with extended jurisdiction. We hope our continued engagements with the relevant Higher authorities will lead to judicial empowerment in these courts. Notwithstanding, we remain committed to our constitutional mandate by ensuring justice is timely dispensed to the people.

It is a great honour and privilege to present the 2020 Comprehensive Report of Judicial Functions. We remain optimistic that the report will be a reflection of the past and radar that guides our course.

Wilbert M. Chuma

Chief Registrar

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Acknowledgements

The Annual Comprehensive Performance Report of the Judicial Functions is an important document not only for the Judiciary but for the country in general. It covers every aspect of judicial functions in the administration of justice. Its preparation was thus engaging and time-consuming.

I extend my utmost gratitude to the Management of the Judiciary of Tanzania in particular the honourable Chief Justice, Jaji Kiongozi, Chief Court Administrator and the Chief Registrar for their directives, support and facilitation which enabled the completion of this report. Resources that were put at our disposal, guidance and directives enriched this report.

I thank my colleagues and fellow employees of the Judiciary who were ready for consultations. Every time they were consulted for certain statistics or clarification, they responded in time. Without their assistance, this work would have been tiresome and cumbersome.

I recognise that this report could not have been possible if not for the tireless and dedicated commitment by a team appointed by the Chief Registrar. The committed members of the team comprised of Hon. Emmanuel Mrangu, Hon. Angelo Rumisha, Hon. Devotha Kamuzora, Hon. Kinabo Minja, Hon. Maira Kasonde and Mr. Essaba Machumu.

In the same spirit, I thank my colleagues from the Case Management Division who provided the team with an able secretariat. Every time the secretariat was assigned a duty it was carried out promptly and effectively. I cannot desist the temptations to mention them; Hon. Debora John, Hon. Simon Swai, and Mr. Mcharo Mwanga.

Desdery K. Kamugisha

Director

Case Management



Executive Summary

Section 28(1)(c) of the Judiciary Administration Act, 2011 requires the Chief Registrar to report annually on the performance of the judicial functions. Since judicial functions entail dispensation of justice, the core function of the Judiciary, the report presents judicial functions that were carried out by the Judiciary of Tanzania for the year 2020. It analyses court statistics focusing on performance indicators in respect of each court level. For a convenient flow and a proper presentation of issues, the report is organised in Six chapters.

Chapter One introduces the report and the Judiciary in general. It provides in a nutshell the establishment of courts and the hierarchy of the Judiciary. The chapter winds up by showing appointments, promotions, retirements, vacancies of judicial officers and obituaries during the period under review.

The core function of the Judiciary is the administration of justice. This component is discussed in Chapter Two. Various case statistics are presented and analysed. Performance indicators such as backlog, clearance rate, average time taken from filing to determination of case, disposal rate workload per Judge/Magistrate and Case Backlog are presented in a simplified manner. Administration of justice goes hand in hand with other related issues. In this chapter issues related to record management, execution of decrees and enforcement of criminal orders are presented. The chapter also lists the Rules, Orders and Guidelines promulgated and published respectively, during the year under review.

The use of ICT in the administration of justice has become a necessity. Realising the importance of use of ICT in the administration of justice, the Judiciary has invested immensely in the field. Chapter Three presents an insight on how ICT has been employed in the administration of justice. It shows development of ICT in courts and its use in justice delivery. The increase in the application of ICT has been witnessed in areas of e-filing, video & teleconference, audio-visual recording, e-payment, e-notification, e-publication and e-reports to mention a few.

Monitoring compliance with laws and procedures on one hand and enhancing jurisprudence and skills of judicial officers through trainings on the other are important aspects in improving performance. Also, regular trainings, constant supervision and inspection, effective complaint handling and monitoring of ethical conducts of judicial officers have proved to enhance justice delivery and increase public trust and confidence. Chapter Four details judicial supervision, inspection and trainings undertaken by the Judiciary during the period under review. It also gives a reflection on complaints handled, performance evaluation and disciplinary measures taken.

Stakeholders engagement is an indispensable aspect of the administration of justice. Realising the importance of stakeholders, the judiciary engages them widely to enhance justice delivery. It is in this context that, the Chief Justice established Committees that incorporate civil and criminal justice stakeholders. Chapter Five focuses on the engagements between the Judiciary and stakeholders. It also presents matters related to enrolment of Advocates, licensing of Court Brokers and Process Servers and their disciplinary issues.

Conclusions are made in chapter six which gives a brief summary of the most important issues discussed. The report concludes that, generally there has been improvement in trends of justice delivery in 2020 as compared to 2019 and 2015 when the baselines were set. The major areas observed include, rise in clearance rate, disposal rate and reduction of timeline from filing to determination of case. It reveals that the Judiciary would have performed better only for challenges that were beyond the reach of the Judiciary.



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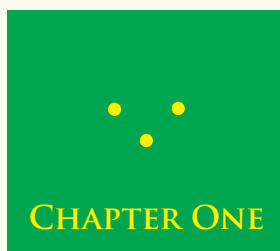
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Abbreviations

AV	-	Audio-Visual
CECC	-	Corruption and Economic Crimes Division of the High Court
CMA	-	Commission for Mediation and Arbitration
CoA	-	Court of Appeal
DC	-	District Court
DCs	-	District Courts
GePG	-	Government Electronic Payment Gateways
GN.	-	Government Notice
HC	-	High Court
ICT	-	Information and Communication Technology
JoT	-	Judiciary of Tanzania
JSC	-	Judicial Service Commission
MGSTS	-	Magistrates
PC	-	Primary Court
PCs	-	Primary Courts
PI	-	Preliminary Inquiry

R. E	-	Revised Edition
RM	-	Resident Magistrate
RM's	-	Resident Magistrates
SMS	-	Short Message Service
TanzLII	-	Tanzania Legal Information Institute



Establishment of Courts

1.0 Introduction

Tanzania, like other democratic states, is founded on democratic principles which ensures, among other things, independence of the Judiciary. The Judiciary as one of the three pillars of the state is mandated to dispense justice. Under Article 107A (1) of the Constitution of United Republic of Tanzania, 1977 the Judiciary is the final authority in the dispensation of justice.

To effectively deliver on its mandate, the Judiciary has its own court structure established either by the Constitution or other legislations. Within that backdrop, the Judiciary of Tanzania is comprised of the Court of Appeal (CoA), the High Court (HC), the Courts of Resident Magistrate, the District Courts (DCs) and the Primary Courts (PCs).

Besides these formal courts, there are quasi-judicial bodies which, although do not form part of the formal court hierarchy, they as well adjudicate disputes. Such tribunals are specialised in determining specific disputes. These are, the Ward Tribunals, District Land and Housing Tribunals, the Tax Revenue Appeals Board, the Tax Revenue Appeals Tribunal, the Fair Competition Tribunal to mention a few. These tribunals do not form part of this report.

1.1 Judiciary Leadership

1.1.1 The Chief Justice

The Chief Justice is appointed by the President. He is the head of Judiciary and the CoA. He is also the chairman of the Judicial Service Commission.

1.1.2 The Jaji Kiongozi

The Jaji Kiongozi is appointed by the President after consultation with Judicial Service Commission. He is the head of the High Court and the special assistant to the Chief Justice in the performance of functions and exercise of the powers of the High Court and courts subordinate to it.

1.1.3 The Chief Registrar

Chief Registrar is appointed by the President upon the recommendation by the Judicial Service Commission (JSC). He is responsible to the Chief Justice for the effective performance of the judicial functions.

1.1.4 The Chief Court Administrator

Chief Court Administrator is appointed by the President on the recommendation of the JSC. He is the head of the general administration of the judicial service and is responsible to JSC. He is also responsible to the Chief Justice for the day-to-day administration of the judicial service and for the implementation of the resolutions of JSC in respect of the service.

Annexure I to this report presents in details the JoT organisation structure.

1.2 Establishment of Courts

1.2.1 The Court of Appeal

The Court of Appeal is established under Article 117(1) of the Constitution. It was established in 1979 to replace the then East African Court of Appeal after the collapse of the then East African Community. This is the Highest Court in Tanzania and is headed by the Chief Justice.

The Court entertains appeals from the High Court of Tanzania and the High Court of Zanzibar, except for constitutional issues arising from the interpretation of the Constitution of Zanzibar and matters arising from the Kadhi Court. Also, the CoA hears appeals from the Tax Revenue Appeals Tribunal, Fair Competition Tribunal and the Resident Magistrates with extended jurisdiction.

1.2.2 The High Court

The High Court is established under Article 108(1) of the Constitution. It was established on July 22, 1920 under article 17 of the Tanganyika Order in Council, 1920 and became operational on January 3, 1921. It is worth noting that in 2021, the High Court celebrates its centennial jubilee. The court is headed by the Jaji Kiongozi.”

The HC enjoys unlimited criminal and civil original jurisdiction. It also hears appeals from the Courts of Resident Magistrate the District Courts, and the District Land and Housing Tribunals. Further, the HC has revisional and supervisory powers over subordinate courts, tribunals, and administrative and quasi-judicial bodies.

For effective and efficient administration of justice, the Chief Justice may establish a High Court District Registry or a Division. Along with the High Court Main Registry, there are 16 District Registries, four Divisions and one Mediation Centre.

1.2.2.1 The Commercial Division of the High Court (the Commercial Court)

The Division was established by the Chief Justice under Rule 5A of the High Court Registries Rules, GN. No. 141 of 1999. The object of its establishment is to adjudicate disputes of a commercial significance expeditiously. Currently, the Commercial Court has its main registry in Dar Es Salaam and sub-registries in Arusha and Mwanza.

1.2.2.2 The Land Division of the High Court (the Land Court)

The Division was established by the Chief Justice vide GN. No. 63 of 2001. This Division was vested with exclusive jurisdiction to hear all disputes concerning land. However, following the amendment of the

Land Disputes Courts, Act in 2013 the High Court District Registries enjoy equal jurisdiction with the Land Division in land matters. Also, like any other High Court, it hears appeals arising from the District Land and Housing Tribunals.

1.2.2.3 The High Court Labour Division (the Labour Court)

The Division was established under section 50 of the Labour Institutions Act, 2004. It exercises jurisdiction over all labour disputes. Further, it has revisional jurisdiction over the Commission for Mediation and Arbitration (CMA). As well, the Division also executes awards of the CMA.

Before April 30, 2018, the Labour Division enjoyed exclusive jurisdiction in Labour Matters. However, through the Labour Division (Judges and Deputy Registrars Designation) Notice of April 30, 2018, the Chief Justice in exercising his powers under section 50 of the Labour Institutions Act, designated all Judges and Deputy Registrars as Officers of the Labour Court to preside over matters in the Labour Division. This designation did not extend to Dar Es Salaam Zone.

1.2.2.4 The Corruption and Economic Crimes Division of the High Court

This Division was established under section 7 of the Written Law (Miscellaneous Amendments) Act, 2016. The Court enjoys jurisdiction to try corruption and economic crimes.

1.2.2.5 The High Court Mediation Centre

The Centre was established in 2015 in Dar es Salaam by the Chief Justice. Its primary duty is to conduct court annexed mediation on civil and land matters filed in the High court land division and Dar es Salaam district registry.

1.2.3 The Court of Resident Magistrate

The Court is established by an order of the Chief Justice under section 5 (1) of the Magistrates' Courts Act [CAP 11 R.E 2019]. It exercises jurisdiction over the area specified by the Order establishing it. It has original jurisdiction in both civil and criminal matters. Currently, there are 29 Courts of Resident Magistrate.

1.2.4 The District Court

The Court is established under section 4(1) of the Magistrates' Courts Act, [CAP 11 R.E 2019]. It exercises jurisdiction within the district of its establishment or as may be extended by the Chief Justice. In addition to its original jurisdiction, it has both appellate and revisional jurisdiction over the Primary Court. Currently, there are 117 District Courts.

1.2.5 The Juvenile Court

The Court is established under section 97 of the Law of Child Act, [CAP 13 R.E 2019] for the purpose of hearing and determining matters where a child is either in contact or in conflict with the Law.

1.2.6 The Primary Court

The Court is established under section 3(1) of the Magistrates' Courts Act, [CAP 11 R.E 2019]. It exercises jurisdiction within the district of its establishment. The PC has appellate and revisional jurisdiction over Ward Tribunals. Currently, there are 960 Primary Court.

1.2.7 Mobile Court Services

For the purposes of bringing services closer to the people, the JoT has established mobile court services. The service was officially launched by the President of the United Republic of Tanzania on February 6, 2019. The launching followed the Chief Justice's Circular No. 1 of 2019 for separate case registers and returns for cases to be determined through special vehicles. Currently, mobile court services are provided in Dar Es Salaam and Mwanza.

1.3 Judicial Appointments, Promotions, Retirements and Vacancies

1.3.1 Appointments and Promotions

Within the period under review, three Deputy Registrars were appointed by the President to Chief Registrar, Registrar of the Court of Appeal and Registrar of the High Court respectively. Two Directors were appointed by Judicial Service Commission to head Divisions of Case Management and Judicial Supervision, Inspection and Ethics.

A total of 41 magistrates were employed. Also, eight magistrates were appointed to the positions of the District Resident Magistrate in charge. Six District Resident Magistrates in charge were appointed to positions of the Resident Magistrate in charge of the region.

1.3.2 Retirements and Transfers of Employment

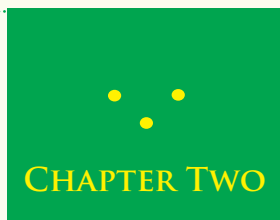
One Justice of Appeal, five Judges of the High Court and 27 Magistrates of various ranks retired from the Judicial Service. Six Judicial Officers were transferred to other government ministries and departments.

1.3.3 Obituaries

During the period under review, the Judiciary lost eight Judicial Officers; a Justice of Appeal, a Judge of the High Court and six Magistrates of various ranks.

1.3.4 Vacancies

The position of the Senior Deputy Registrar of the Court of Appeal is vacant. Within the Case Management Division, there are three vacant positions of Assistant Directors. Further, there exist two vacant positions of Assistant Directors under the Division of Judicial Supervision Inspection and Ethics.



Administration of Justice

2.0 Introduction

Administration of justice is the principal function of the JoT. As explained earlier, Article 107A (1) of the Constitution provides in an unequivocal term that the Judiciary shall be the final authority in the dispensation of justice. In delivering decisions, the Constitution mandates the courts to observe certain principles as articulated under Article 107A (2). These principles are; impartiality to all without due regards to ones social or economic status, not to delay dispensation of justice without reasonable ground, to award reasonable compensation to victims for wrongdoing committed by other persons, to promote and enhance dispute resolution among persons involved in the disputes and dispensation of justice without being tied up with technicalities. Guided by its mission, vision, core values and the Judiciary Strategic Plan, 2015/16-2019/20, the Judiciary has continued to discharge its constitutional obligation.

This chapter provides a detailed account of how justice was administered for the period under review. The chapter provides information related to case statistics, clearance rate, workload, court sessions, record management, execution of decrees and enforcement of criminal orders. It also provides the status of case backlog at all court levels and the efforts and measures that were employed to reduce case backlog.

2.1 Case Statistics

A total of **66,873** cases were pending at the close of the year 2019. Between January and December 2020, a total of **238,766** cases were filed and **243,464** cases equivalent to 102% of all filed cases were decided. December 31, 2020 a total of **62,175** cases remained pending at all court levels.

The table 1 below shows cases that remained pending in 2019, filed in 2020, decided in 2020, pending in 2020, the number of Judges/Magistrates and clearance rate in respect of each court level.

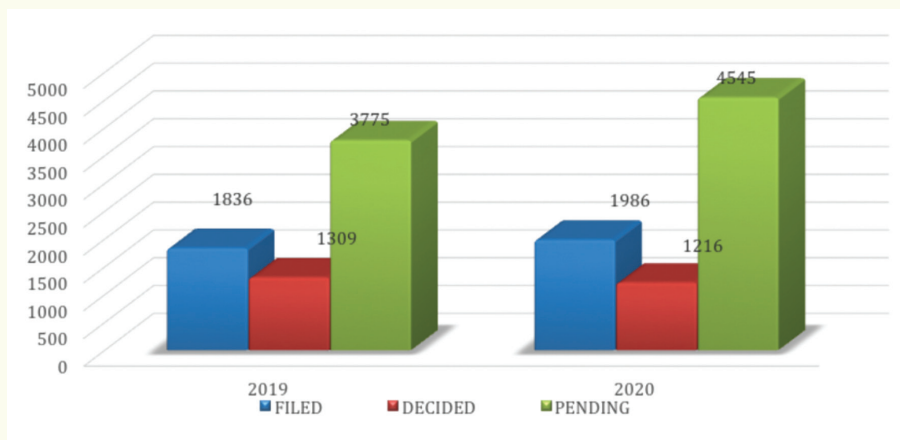
Table 1. CASE STATISTICS ALL COURTS							
MONTH	COURTS	PREVIOUS PENDING	FILED	DECIDED	PENDING CASES	NO. JDGS/ MGSTS/ PANELS	CLEARANCE RATE
Jan - Dec 2020	CoA	3,775	1,986	1,216	4,545	5	61
	HC REGISTRIES	13,731	13,690	14,719	12,702	53	108
	COMMERCIAL COURT	489	618	517	590	4	84
	LAND COURT	1,892	2,046	1,956	1,982	7	96
	LABOUR COURT	2,796	1,949	2,545	2,200	4	131
	CECC	14	11	9	16	3	82
	COURTS OF RM	9,887	13,177	14,555	8,509	86	110
	DISTRICT COURTS	18,427	41,394	43,189	16,632	366	104
	PRIMARY COURTS	15,862	163,895	164,758	14,999	705	101
	TOTAL	66,873	238,766	243,464	62,175	1,233	102

The statistics indicate that in 2020 many cases were disposed off than those which were filed. However, the CoA, CECC, Commercial Court and Land Court disposed of lesser cases than filed, which means these courts are creating backlog at the rate of 39%, 18%, 16% and 4% respectively.

2.1.1 The Court of Appeal

A total of **3,775** cases were pending by the end of the year 2019. Between January and December 2020, a total of **1,986** cases were filed and **1,216** cases equivalent to 61% of all filed cases were decided. At December 31, 2020, a total of **4,545** cases remained pending.

The chart below shows the trend of filed, decided and pending cases in the CoA.



The statistics above reveal that pending cases in the CoA have increased at the rate of 20% between 2019 and 2020. While cases filled in 2020 increased at the rate of 8% compared to 2019, the case disposed off in 2020 fell below the cases disposed in 2019 at the rate of 7%. This implies that the CoA is likely to experience more backlog cases.

Many factors that can explain this trend. While in 2019 there were 20 Justices of Appeal constituting six possible panels, at the end of 2020 the number of Justices of Appeal had fallen to 15 who could only constitute five possible panels. Equally, more cases were filed in 2020 than in 2019.

2.1.2 The High Court Registries

A total of **13,731** cases were pending in the Main Registry and all District Registries at the end of the year 2019. Between January and December 2020, a total of **13,690** cases were filed in the Registries and **14,719** cases equivalent to 108 % of all filed cases were decided. At December 31, 2020, a total of **12,702** cases remained pending.

Dar es Salaam District Registry recorded the highest number of filed cases which stood at 14% of all cases in the Registries. On the other hand, Songea District Registry recorded the lowest number of filed cases at 2% of all cases. The other three District Registries that recorded the highest cases are Mwanza (14%), Arusha (11%) and Musoma (7%).

Table 2 below shows case statistics in respect of each High Court Registry

HIGH COURT REGISTRIES CASE STATISTICS - 2020								
Registry	Pending as at Dec 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Jan-Dec 2020	Number of Judges	Aver. Of Cases Decided	Aver of Work-load per Judge	Clearance Rate
Main Registry	53	86	112	27	3	37	46	130
Dar es salaam	3,291	1,792	2,091	2,992	9	232	565	117
Mwanza	1,309	1,644	2,022	931	5	404	591	123
Arusha	1,575	1,596	1,573	1,598	4	393	793	99
Musoma	371	1,097	1,040	428	3	347	489	95
Dodoma	994	1,068	1,103	959	3	368	687	103
Mbeya	1,084	1,030	1,253	861	4	313	529	122
Bukoba	1,324	947	1,044	1,227	4	261	568	110
Shinyanga	868	675	938	605	3	313	514	139
Tanga	594	607	543	658	2	272	601	89
Iringa	511	538	536	513	3	179	350	100
Mtwara	326	517	386	457	3	129	281	75
Tabora	513	470	432	551	2	216	492	92
Kigoma	111	455	439	127	2	220	283	96
Sumbawanga	157	455	329	283	2	165	306	72
Moshi	487	448	573	362	2	287	468	128
Songea	163	265	305	123	2	153	214	115
Sub Total	13,731	13,690	14,719	12,702	56	227	490	108

2.1.3 High Court Divisions

A total of **5,191** cases were pending in all Divisions at the close of the year 2019. Between January and December 2020, a total of **4,624** cases were filed in the Divisions and **5,027** cases equivalent to 109 % of all filed cases were decided. At December 31, 2020, a total of **4,788** cases remained pending.

The table 3 below shows cases that remained pending in 2019, filed in 2020, decided in 2020, pending in 2020, number of judges, workload, and clearance rate in respect of all Divisions.

TABLE 2. HIGH COURT DIVISIONS CASE STATISTICS 2020							
DIVISION	PENDING AS AT DEC 2019	FILED JAN- DEC 2020	DECIDED JAN-DEC 2020	PENDING JAN-DEC 2020	NUMBER OF JUDGES	AVER OF WORKLOAD PER JUDGE	CLEARA- NCE RATE
COMMER- CIAL	489	618	517	590	4	277	84
LAND	1,892	2,046	1,956	1,982	7	563	96
LABOUR	2,796	1,949	2,545	2,200	4	1,186	131
CECC	14	11	9	16	3	8	82
SUB TOTAL	5,191	4,624	5,027	4,788	18	545	109

The statistics in the High Court Registries and Division indicate an increase in decided cases and a decrease in pending cases. Two factors can conveniently explain the trend; one, the transfer of cases to Magistrates with extended jurisdiction and two, the decrease in the rate of filed cases compared to the year 2019.

2.1.4 The Courts of Resident Magistrate

A total of **9,887** cases were pending in all Courts of Resident Magistrate at the close of the year 2019. Between January and December 2020, a total of **13,177** cases were filed and **14,555** cases equivalent to 110% of all filed cases were decided. At December 31, 2020, a total of **8,509** cases remained pending.

The Court of Resident Magistrate of Kivukoni recorded the highest number of filed cases which equivalent to 18% of all cases filed in Courts of Resident Magistrate. On the other hand, the Court of Resident Magistrate of Simiyu recorded the lowest number of filed cases at 0% of all cases. The other three Courts of Resident Magistrate that filed more cases are Arusha (7%), Dar Es Salaam at Kisutu (7%) and Mbeya (7%).

Annexure II to this report shows cases that remained pending in 2019, filed in 2020, decided in 2020, pending in 2020, number of Magistrates and clearance rate in respect of each Court of Resident Magistrate.

2.1.5 The District Courts

A total of **18,427** were pending in all District Courts at the end of the year 2019. Between January and December 2020, a total of **41,394** cases were filed and **43,189** cases equivalent to 104% of all filed cases were decided. At December 31, 2020, **16,632** cases remained pending.

Ilala District Court recorded the highest number of filed cases equivalent to 7% of all cases in all District Courts. Uyui District Court recorded the lowest number of filed cases equivalent to 0% of all cases. The other three District Courts that recorded many cases are Temeke (3%), Bagamoyo (2%) and Nyamagana (2%).

Annexure III to this report shows cases that remained pending in 2019, filed in 2020, decided in 2020, pending in 2020, number of Magistrates and clearance rate in respect of all District Courts.

2.1.6 The Juvenile Courts

A total of 637 cases were pending in all Juvenile Courts at the close of the year 2019. Between January and December 2020, a total of 871 cases were filed and 807 cases equivalent to 93% of all filed cases were decided. At December 31, 2020, a total of 701 cases remained pending.

2.1.7 The Primary Courts

A total of **15,862** cases were pending in all Primary Courts at the close of the year 2019. Between January and December 2020, a total of **163,895** cases were filed and **164,758** cases equivalent to 101% of all filed cases

were decided. At December 31, 2020, a total of **14,999** cases remained pending.

Comparatively, Primary Courts received 69% of cases that were filed and decided 68% of cases that were decided at all court levels. At the end of 2020, 24% of all cases that remained pending were before the Primary Courts.

Annexure IV to this report shows cases that remained pending in 2019, filed in 2020, decided in 2020, pending in 2020, number of Magistrates and clearance rate in respect of all Primary Courts.

2.1.8 The Mobile Court Services

A total of three cases were pending at the close of the year 2019. Between January and December 2020, a total of **820** cases were filed and **778** cases equivalent to 95% of all filed cases were decided. At December 31, 2020 a total of **45** cases remained pending.

2.2 Case Backlog

Case backlog means cases that remain undecided after expiration of two years in the CoA and the HC, one year in the Court of Resident Magistrate and the District Court and Six months in the Primary Court.

At the end of 2020, a total of **9,399** cases out of **62,175** cases which were pending were backlog. Backlog cases were equivalent to 15% of all pending cases at all court levels.

Table 4 below shows backlog cases as at December 31, 2020 at all court levels.

Table 4. BACKLOG ANALYSIS ALL COURTS 2020				
COURTS	PENDING CASES	BACKLOG	% OF BACKLOG	% SHARE OF BACKLOG
CoA	4,545	1,055	23	11
HC REGISTRIES	12,702	1,779	14	19
COMMERCIAL COURT	590	120	20	1
LAND COURT	1,982	347	18	4
LABOUR COURT	2,200	172	8	2

Table 4. BACKLOG ANALYSIS ALL COURTS 2020				
COURTS	PENDING CASES	BACKLOG	% OF BACKLOG	% SHARE OF BACKLOG
CECC	16	-	-	-
COURTS OF RM	8,509	2,862	34	30
DISTRICT COURTS	16,632	3,035	18	32
PRIMARY COURTS	14,999	29	0	0
TOTAL	62,175	9,399	15	100

The statistics above indicate that DCs has a high number of backlog cases followed by RM court and the HC Registries. The PCs have backlog cases equivalent to 0%. Reasons for recurrence of backlog differs from one court level to the other. The details in respect of each court level are provided below.

2.2.1 The Court of Appeal

At the end of the year under review, a total number of **1,055** cases out of **4,545** cases which were pending were backlog equivalent to 23% of all pending cases. The CoA shares 11% of all backlog cases in the Judiciary.

Backlog in the CoA has increased from **386** in 2019 to **1,055** cases in 2020 an increase of 173%. Two main factors attributed to the increase. In 2019 there were **20** Justices of Appeal constituting six panels. In 2020 the number of Justices of Appeal dropped to **15** constituting five panels. Justices of Appeal hear cases in panels and each panel disposes of an average of **220** cases per year. The decrease in panels in the CoA lowered the clearance rate and thus increasing the backlog.

The second reason is the increase of filed cases from **1,836** in 2019 to **1,986** in 2020 which is equivalent to an increase of 8%. With the existing number of Justices of Appeal, it will take four years to clear all pending cases before the CoA assuming that the number of Justices of Appeal remains constant and no other cases are filed.

2.2.2 The High Court Registries

At the end of 2020, a total of **1,779** out of **12,702** cases which were pending in the HC equivalent to 14% were backlog. The HC Registries share 19% of all backlog cases in the Judiciary.

The backlog has decreased from **2,032** in 2019 to **1,779** cases in 2020 representing a decrease of 12.5%.

2.2.3 High Court Divisions

In the HC Divisions, **639** out of **4,788** cases which were pending at the end of the year 2020 were backlog equivalent to 13% of all pending cases. The HC Divisions shares 7% of all backlog cases in the Judiciary.

The decrease in the number of Judges of the HC Registries and Divisions from 80 in 2019 to **71** in 2020 increased the average workload per judge from **475** in 2019 to **524** in 2020 thus the increase of backlog in the HC by 1%.

2.2.4 The Courts of Resident Magistrate

Backlog in the Courts of RM increased from **2,221** cases in 2019 to **2,862** cases in 2020. Backlog cases in the year under review constituted 34% of all pending cases in the Courts of RM being an increase of 14% compared to 2019. The Courts of RM share 30% of all backlog cases in the Judiciary.

Out of **2,862** backlog cases, **1,152** which is equivalent to 40% of backlog cases in the Courts of RM are cases not triable by these courts.

2.2.5 The District Courts

Like in the Courts of RM, backlog in the DCs increased in the period under review. While in 2019 backlog in DCs stood at 9% in 2020 increased to 18%. Backlog in the DCs is 32% of all backlog cases in the Judiciary.

Out of **3,035** backlog cases, **1,671** which is equivalent to 55% of backlog cases in the DCs are cases not triable by these courts.

Backlog cases that are not triable by Courts of RM and DCs constitute 30% of all backlog cases in the Judiciary.

2.2.6 The Primary Courts

Although PCs received 69% of all filed cases in the Judiciary in 2020, they recorded **29** backlog cases out of **14,999** cases that were pending in the PCs. This is equivalent to 0% of all pending cases in the Judiciary.

2.3 Clearance Rate

Clearance rate refers to a ratio of decided cases to filed cases in a particular period. The rate assists to assess the capacity of the court in dealing with its workload.

The overall clearance rate for the period under review is 102% which is an increase of 2% compared to the previous year which was 100%. The CoA recorded a rate of 61% compared to 71% of the previous year. Likewise, the HC Registries achieved 108% equal to that of the previous year. The HC Divisions recorded 109% which is a rise of 11% compared to 98%% of the previous year.

The Courts of RM and DCs recorded a clearance rate of 110% and 104% respectively compared to 92% and 100% of the previous year. The PCs recorded the rate of 101% compared to 100% of the previous year.

Table 5 below indicates the clearance rate at all court levels for the year 2019 and 2020.

Table 5. CLEARANCE RATE AT ALL COURT LEVELS 2019 - 2020		
COURTS	CLEARANCE RATE-2019	CLEARANCE RATE-2020
CoA	71%	61
HC REGISTRIES	108%	107
COMMERCIAL COURT	94%	84
LAND COURT	133%	96
LABOUR COURT	77%	131

Table 5. CLEARANCE RATE AT ALL COURT LEVELS 2019 - 2020		
COURTS	CLEARANCE RATE-2019	CLEARANCE RATE-2020
CECC	100%	82
COURTS OF RM	92%	110
DISTRICT COURTS	100%	104
PRIMARY COURTS	100%	101
ALL COURTS	100%	102%

2.4 Workload per Judge/Magistrate

Workload per Judge/Magistrate refers to pending cases plus subsequently filed cases in relation to a number of Judges/Magistrate during the period of review.

The CoA recorded a sharp increase in the workload per panel from **847** in 2019 to **1,152** in 2020. The increase is attributed by the decrease in the number of Justices of Appeal from 20 in 2019 to 15 in 2020. Also, there has been an increase in the number of filed cases from **1,836** in 2019 to **1,986** in 2020. The table below indicates the workload per court level.

Conversely, workload per magistrate in the DCs has fallen to **163** in 2020 from **199** in 2019.

Table 6 below shows workload per Judge/Magistrate as at December 31, 2020, at all court levels.

Table 6. WORKLOAD AT ALL COURT LEVELS-2020			
COURTS	NO. JUDGES/ MGSTS/ PANELS	WORKLOAD 2020	AVERAGE CASE LOAD PER JUDGE/ MAGISTRATE
CoA	5	5,761	1,152
HC REGISTRIES	53	27,421	517
COMMERCIAL COURT	4	1,107	277
LAND COURT	7	3,938	563
LABOUR COURT	4	4,745	1,186
CECC	3	25	8
COURTS OF RM	86	23,064	268
DISTRICT COURTS	366	59,821	163
PRIMARY COURTS	705	179,757	255
TOTAL	1,233	305,586	248

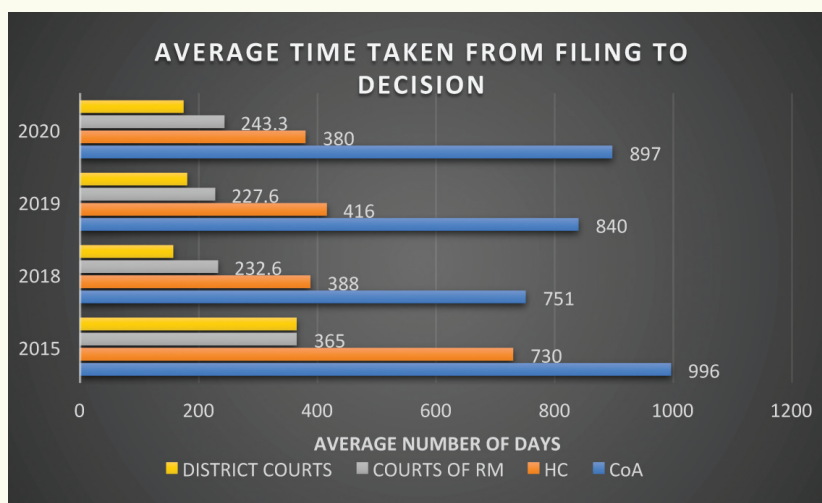
2.5 Time Taken from Filing to Determination of a Case

Time is an important aspect in case management and an indicator of court performance. Since 2015 JoT committed itself to reduce the time taken from filing to the determination of a case from 515 days to 380 by 2020. By 2020, time taken had generally dropped to an average of 246

days which is a reduction of 269 days compared to 2015. Factors that have contributed to reduction in time taken are amendments of Laws and Rules to reduce procedural steps, increased court supervisions and inspections, promotion of Magistrates from Primary Courts to DCs to reduce workload, infrastructure improvement and application of ICT in the administration of justice.

In 2020, time taken in the CoA stands to an average of **897** days while in the HC is **380** days. Likewise, in the Courts of RM time taken is **243** and DCs is **174**.

The Chart below shows the trend in the average number of days taken from filing of a case to determination.



2.6 Court sessions

2.6.1 The Court of Appeal

In 2020 the CoA planned **32** court sessions and **31** sessions were held as scheduled. In those sessions, **1,376** cases were cause listed and **1,216** cases equivalent to 88% were determined.

2.6.2 The High Court District Registries

During the year 2020, a total of **133** criminal sessions were planned but only **118** sessions equivalent to 88% were conducted. For the sessions held, a total of **741** cases were determined.

Table 7 below indicates the number of criminal sessions planned and held at the High Court District Registries.

Table 7. CRIMINAL SESSIONS PLANNED & HELD AT THE HC REGISTRIES			
HC REGISTRY	PLANNED CRIMINAL SESSIONS	CRIMINAL SESSIONS HELD	CASES DISPOSED
SUMBAWANGA	2	2	11
BUKOBA	12	12	108
KIGOMA	6	6	52
SONGEA	10	2	9
TABORA	5	3	14
IRINGA	7	4	31
MBEYA	5	5	31
DODOMA	4	3	
MOSHI	3	3	21
TANGA	3	3	25
MTWARA	0	0	0
ARUSHA	15	15	58
DAR ES SALAAM	9	11	82
MUSOMA	8	8	49
MWANZA	40	37	220
SHINYANGA	4	4	30
TOTAL	133	118	741

2.7 Extended Jurisdiction Cases

During the period under review, a total of **1,923** cases were transferred from the HC to the Resident Magistrates with extended jurisdiction. **1,598** (83%) cases were decided while **325** remained pending.

Indeed, the transfer of cases from the HC to the Resident Magistrates relived the workload of the HC by 7%. However, the transfer increased the workload of the Resident Magistrates with extended jurisdiction.

2.8 Records Management

As a measure of decongesting archives, improving the management of records and easing retrieval of court records, JoT continued with the exercise of sorting, listing, systematic parking in special archive boxes and relocating court records to the National Archives in Dodoma. During the period under review, **54,215** case files were sorted, listed and parked in special **2,431** archive boxes. Out of **54,215** case files parked, **16,136** case files parked in **608** boxes were shifted to the National Archives in Dodoma. JoT has also built an archive at the High Court Tanga District Registry. 21 shelves and three cabinets have been fixed thereto.

Table 8 below shows case files which were sorted, listed and parked in special archive boxes and those relocated to the National Archives in Dodoma.

S/N	NAME OF THE DISTRICT REGISRY	NUMBER OF FILES SYSTEMATIC PARKED	NUMBER OF FILES RELOCATED TO DODOMA
1.	SONGEA	4,079	4,048
2.	MTWARA	6,488	5,706
3.	SUMBAWANGA	2,976	-
4.	MOSHI	10,597	-
5.	IRINGA	3,544	-
6.	MBEYA	6,906	-
7.	SHINYANGA	5,107	-
8.	BUKOBWA	4,810	-
9.	TABORA	9,708	6,382
	TOTAL	54,215	16,136

2.9 Execution of Decree and Enforcement of Criminal Orders

In 2020, there were a total of **4,895** applications for execution of decrees in the HC, Courts of RM and DC. **1,632** decrees (33%) worth Tshs **14,770,390,225** were determined, while **3,263** applications remained undetermined.

During the period under review, a total of **19,949** accused persons were convicted in the HC, Courts of RM and DCs. A total of **6,721** convicts equivalent to 34% were sentenced to custodial sentences and **13,228** which is equivalent to 66% were sentenced to non-custodial sentences namely; fine, community service, conditional discharge and corporal punishment among others.

2.10 Improving Access to Justice

2.10.1 Operationalising New Courts

JoT in realising its obligation to make justice accessible by reducing costs of litigation it has continued to bring justice closer to the people. In that regard, during the year under review, the CoA established sub-registries in Musoma, Kigoma and Shinyanga. DCs in Kilindi District, Malinyi District, Uyui District, Kaliua District; and PCs in Mkunya – Newala, Msanzi - Kalambo were operationalised.

2.10.2 New Rules and Regulations

To reduce procedural steps, increase access to justice and impart knowledge to judicial staff and stakeholders, during the period under review, four subsidiary legislations were promulgated by the Chief Justice and two of them were translated into Kiswahili. JoT also facilitated the Office of Attorney General to review 63 most commonly used Principal Legislations. The JoT also published four Guidelines.

Annexure V to this report shows the list of the most commonly used Principal Legislations, Rules and Guidelines that were published in 2020.



Application of ICT in the Administration of Justice

3.0 Introduction

In 2020 the JoT continued to improve infrastructure and increase emphasis on the use of the ICT to improve court efficiency and modernise justice administration. This is done with the view to reducing costs of litigations and enhancing timely access to justice.

This chapter covers development attained by the JoT in the area of use of ICT in the administration of justice. In particular e-filing, e-payment, e-notification, e-decisions, e-publication, e-reports, video and teleconferencing.

3.1 E-Filing

In 2018 the Chief Justice made the Judicature and Application of Laws (Electronic Filing) Rules GN. No. 148 of 2018 that regulates e-filing. With these rules in place, Advocates and litigants alike can access court registries and lodge their cases electronically. This service has revolutionised administration of justice and reduced face to face contact between litigants and court employees. Moreso, court registries have become transparent and accessible 24/7.

For the period under review, a total number of **14,422** cases were filed electronically.

Table 9 Shows number of e-filings from January to December, 2020 at all court level.

Court Level	Submitted	Approved	Admitted	Bill Pending	Registered	Rejected	Returned	Total
Court of Appeal	24	1	7	6	0	4	20	62
High Court	656	684	775	1,192	4,706	901	559	9,473
Resident Magistrate Courts	27	43	33	426	607	131	59	1,326
District Court	87	153	276	773	1,860	278	128	3,555
Primary Court	6	0	0	0	0	0	0	6
TOTAL	800	881	1,091	2,397	7,173	1,314	766	14,422

3.2 Video and Teleconference

Up to mid-2020, the Judiciary had circulated Video conferencing facilities to the Court of Appeal, all High Court Registries, Divisions and all Regional Prisons. By the end of 2020, the JoT supplied Laptops that support video conference technology to all Magistrates. With the current status of ICT equipment and facilities, cases can be heard through video conferencing countrywide.

Table 10 below shows equipment procured for conducting video conference to the selected courts

No.	ITEM	DESCRIPTION	QUANTITY
1.	Laptop	6BP33EA-HP 250GB, Core i3,4GB RAM, 15.6"	31
2.	Laptop to Magistrates	Window 10 Pro AMD Ryzen 5 PRO Processor Core 7, Hard Disk 250 SSD, RAM 8 GB, Display 14.4" 3500U w/Radeon Vega Mobile Gfx 2.10 GHz	1348

No.	ITEM	DESCRIPTION	QUANTITY
3.	Printer	HP LJ Pro M404dn	16
4.	Smart TV	Samsung 55RU7100	33
5.	HDMI Cable	20m	38
6.	Camera	Logitech webcam camera C270	30

Table 11 below shows distributions of Video Conference Facilities in respect of High Court Registries and Prisons.

Na.	High Court and Prison	Laptop	Printer	Smart TV	HDMI Cable	Camera
1.	Musoma	2	1	2	2	2
2.	Shinyanga	2	1	2	2	2
3.	Arusha	2	1	2	2	2
4.	Sumbawanga	2	1	2	2	2
5.	Bukoba	1	1	1	1	1
6.	Mwanza	2	1	2	2	2
7.	Tanga	2	1	2	2	2
8.	Tabora	2	1	2	2	2
9.	Kigoma	2	1	2	2	2
10.	Moshi	2	1	2	2	2
11.	Dodoma	2	1	2	2	2
12.	Iringa	2	1	2	2	2
13.	Mbeya	1	1	1	1	1
14.	Mtwara	2	1	2	2	2
15.	Songea	2	1	2	2	2
16.	Ukonga	2	0	2	2	2
	TOTAL	30	15	30	30	30

From January to December, 2020 the total number of **14,641** court proceedings were conducted by way of video and teleconference. This has saved Tsh. 2,750,092,736 on part of the Court, Prison Services, Advocates, litigants and other stakeholders.

3.3 Audial – Visual Recording

Audio-visual recording technology was introduced in 2019 whereby picture in video form and voice are captured in high-quality recordings and stored electronically in a searchable database. The implementation of the Audio/Video Recording System was intended to supplement and ultimately replace the existing manual base system whereby Judges and Magistrates take proceedings by handwriting.

In 2020 the use of Audio Visual has rapidly increased after three (3) sets of such facilities transferred to the High Court Tanga. Currently, there exist 12 sets of Audio-Visual recording facilities.

Table 12 below shows the status of Audio-visual recording facilities and the number of proceedings that were recorded from January 1, 2020 to December 31, 2020.

High Court Registry/Division	Number of AV Facilities	No. of Proceedings recorded
HC-Commercial	8	142
HC- Labour	3	0
HC- Land	2	10
HC -Tanga	3	74
Total	16	226

The left picture below shows Audio-Visual recording gadgets and the right one shows the court in a session recorded by the facilities.



3.4 E-Payment

The integration of JSDS 2.0 with the Government Electronic Payment Gateway - GePG has made it easier for court users to pay fees in an easy way at their fingertips. This service has reduced the bureaucracy and done away with the requirement of working hours.

3.5 E-Notification

For the period under review, JSDS 2.0 has continued to provide SMS notifications to court users upon admission of a case, fee assessment, scheduling and re-scheduling of a case and other updates related to case management. The use of the system has enhanced transparency in court and public trust and confidence.

3.6 E-Publication

In order to enhance transparency and accessibility of court decisions, the JoT has continued to make the online publication of the decisions of the court of record immediately after their delivery. To harness the usefulness of the approach various platforms have continued to be used during the period under review. Among others, TanzLII has remained the leading platform in court publications. From January to December 2020 a total of **6,605** decisions were uploaded to TanzLII. The publication was accessed by **2, 637, 869** viewers.

The record shows the increase of TanzLII users among professionals. Citizens also access and read court judgements that relate to them or a legal problem they are experiencing. It is a very useful and helpful site for legal and non-legal practitioners in and outside our jurisdiction.

3.7 E-Reports

In order to strengthen court supervision, the court traditionally files various reports or returns. Previously these reports and returns were filed manually. With the introduction of JSDS 2.0, most manual reports and returns have been abandoned. For the period under review, JSDS 2.0 has been a major depository of reports and returns. Currently, JSDS 2.0 generates 40 case-related reports. The reports have continued to inform the Judiciary Leadership in various decisions pertaining to court administration.



Judicial Supervision and Inspection

4.0 Introduction

In discharging its constitutional mandate, the Judiciary conducts inspection of services delivered by courts. The Supervision and Inspection Manual 2016 requires courts inspection to be conducted on quarterly bases. The objective is to ensure compliance with laws, directives from judicially leadership and best practices in the administration of justice. The Judiciary also offers training to its judicial officers in accordance with its Training Implementation Plan with the view to enhancing jurisprudence and their skills. The calumny of the above enviably leads to the improvement of judicial services and the enhancement of public trust and confidence in the administration of justice.”

4.1 Inspections Conducted

During the period under review, inspections were conducted. The average number of courts that were inspected dropped from 96.8% in 2019 to 67.9% in 2020. The reason for the decrease in the average of courts inspected in 2020 is that inspections were not conducted sufficiently in the first and second quarter due to the outbreak of Corona Viruses Disease (Covid-19) which was at the peak during that period.

Table 13 below shows the number of courts inspected per each quarter in 2020.

Table 13. Number of courts inspected per each quarter in 2020												
COURT/ QUARTER	COURT OF RM			DISTRICT COURT			PRIMARY COURT			TOTAL		
	NUMBER OF COURTS	INSPEC- TED	%	NUMBER OF COURTS	INSPEC- TED	%	NUMBER OF COU- RTS	INSPEC- TED	%	NUMBER OF COURTS	INSPEC- TED	%
1ST QUARTER	29	9	31	115	39	34	875	293	33	1019	341	33
2ND QUARTER	29	15	52	114	68	60	879	494	56	1022	577	56
3RD QUARTER	29	25	86	117	111	95	881	801	91	1027	937	91
4TH QUARTER	29	19	66	119	111	93	883	806	91	1031	936	91

4.1.1 Inspection Outcomes

Inspections revealed several issues including; incompleteness and incorrectness of case register information; delays in determination of cases; non or late issuance and supply of cause list, copies of judgement and proceedings. Other issues include non-compliance with the laws, circulars and practices in handling probate cases, recording court proceedings, handling complaints, judgement writing and sentencing. Equally, inspections revealed a shortage of skilled staff and court buildings.

4.1.2 Measures Taken

In response to the challenges revealed during inspections, multiple measures were taken. They include; training of judicial officers in handling economic offences, sentencing and juvenile justice. Other measures include hearing of cases through video conference, supply of computers to all RMs to facilitate the easy supply of copies of judgment, and construction and rehabilitation of courts buildings equipped with modern facilities.

Following the above interventions, service delivery within the period under review improved significantly. Rate of complaints lodged decreased. The number of complaints on issues related to case hearing dropped from **1,384** in 2019 to **1,052** by 2020. The case clearance rate in the Courts of RMs and DCs rose compared to 2019.

4.2 JOPRAS

Continuous monthly assessments of magistrates were conducted for the period under review. As the result of performance evaluation of Magistrates through JOPRAS, three magistrates were appointed to the positions of the District Resident Magistrate in charge. Five District Magistrates in charge were appointed to position of the Resident Magistrate in charge of the region and 20 magistrates were promoted in various ranks.

The system also informed the decisions of judiciary leadership in the distribution of human resources. Monitoring performance helped the leadership in identifying strengths and weaknesses as well as special needs for training and closer supervision.

4.3 Complaints Handling and Public Feedback

Complaint handling and management is one of the important areas that the Judiciary uses for public feedback. This assists the leadership in the proper management of its functions by identification of risk areas and fixing appropriate control systems to ensure efficient and effective judicial services delivery. Currently, complaints are managed according to the Complaints Handling Manual-2016.

At the end of 2019, a total of **101** complaints remained pending. For the period under review, **2,799** complaints were recorded countrywide. This is less than the number of complaints that were received in 2019 which stood at **3,834**. Out of the complaints recorded, **2,854** were handled which is equivalent to 98% of all complaints.

4.4 Disciplinary Measures

Access to justice was hand in hand with public trust and confidence. Recognising this, the JSC issued the Code of Conduct for Judicial Officers, 2020 GN. No. 1001 of 2020. The Code among others provides for conducts that are not permissible for Judicial Officers.

Measures have been taken to deal with acts against the Code of Conduct for judicial officers. The JoT has continued with its zero-tolerance policy on unethical conducts. For the period under review, a total of nine Magistrates were dismissed from the Judicial Service, nine as well reprimanded and one Deputy Registrar was demoted for the breach of the Code.

4.5 Training

During the period under review 472 judicial officers attended short-term training on diverse issues. Further, between January and December 2020, 61 judicial officers were attending long term-course in various discipline. Table 14 and 15 below show the short- and long-term courses respectively attended by Judicial officer during the period under review.

Table 14: Number of Judicial Officers who attended short term-course in 2020 and the courses they attended.

Sn.	Name of Course	Date	Number of Judicial Officers Involved
1.	Workshop on Promoting Bilateral Judicial Relations	20-23/01/2020	2
2.	The WIPO Intellectual Property Judges Forum	13-15/11/2019	1
3.	Training on Handling Juvenile Cases	20-24/01/2020	11
4.	Training on Judicial Ethics	17-18/06/2020	32
5.	Training on Effective Handling of Election Petitions and Related Cases	Between 17/08 and 14/10/2020	368
6.	Capacity Building to Juvenile Justice Frontline Workers to Enhance Justice for Child Victim of Sexual violence.	21-25/9/2020	31
7.	Induction Course for Resident Magistrates	29/11/2020-04/12/2020	20
8.	The WIPO Intellectual Property Judge Forum	17/11/2020-20/11/2020	7
	TOTAL		472

Table 15: Number Judicial Officers who were attending long-term courses between January to December 2020 and the courses they were attending.

Sn.	Course	Number of Judicial Officers
1.	Doctor of philosophy (PHD)	2
2.	Master's degree	5
3.	Post graduate diploma in Law (Law School)	36
4.	Bachelor Degree	18
	Total	61



Matters Related to Advocates, Court Brokers, Process Servers and Stakeholders

5.0 Introduction

In administering justice, the Judiciary works hand in hand with other stakeholders. Advocates, court brokers, process servers are among key stakeholders to that regard. In the period under review, the Judiciary has continued to perform its functions in enrolling Advocates, licensing Court Brokers and Process Servers and engaged other stakeholders in deliberations of issues pertaining to the administration of justice.

5.1 Advocates

5.1.1 The Roll and Admission of Advocates

In the year 2020, two admission ceremonies were conducted where **767** Advocates were enrolled. The first ceremony was on 10/07/2020 and was conducted by way of video conference where **601** were enrolled whilst at the second ceremony which was conducted on 21/12/2020 a total of **166** Advocates were enrolled.

By 31st December 2020, Tanzania had enrolled **10,128** Advocate in which **7,892** are practising, **1,096** are Non-practising, **259** were deferred, **310** suspended their practising certificate and one is practising as a non-profit Advocate. **267** Advocates are deceased and the status of **303** is unknown.

5.1.2 Disciplinary Measures

During the period under review, **31** complaints against advocates were lodged with the Advocates Committee. Seven complaints equivalent to 23% were upheld and the remaining were dismissed. One Advocate had her name removed from the roll, three Advocates were suspended for a period ranging from three years to five years and three were reprimanded.

5.2 Court Brokers and Process Servers

During the year under review, four meetings were held for purpose of interviewing and licencing Court Brokers and Process Servers. In these meetings **14** Court Brokers and **19** Process Servers were licenced. This has made a total of **72** and **71** licenced Court Brokers and Process Servers respectively. Until the end of 2020 three regions namely Singida, Mtwara and Songwe had neither a court broker nor a process server.

Annexure VI to this report shows the list of Court Brokers and Process Servers and their areas of licence.

5.3 Disciplinary measures

During the period under review, three complaints against Court Brokers and Process Servers were received by the Court Brokers and Process Servers Appointment and Disciplinary Committee and one complaint was upheld. One Court Broker's licence was provisionally suspended pending determination of his disciplinary proceedings.

5.4 Case Flow Management Committees

The committee was established by the Chief Justice vide Circular No.2 of 1987. The circular establishes committees at all court levels drawing membership from criminal justice stakeholders. The committees meet quarterly to deliberate on issues affecting the administration of criminal justice in Tanzania.

Between January and December 2020, the committees held their meetings as scheduled. At the national level, three meetings were held and made resolutions meant to improve the administration of criminal justice.

Resolutions made include; filing of criminal cases after completion of the investigation, Prison Services to issue prisoners' receipts in accordance with the law, strengthen corporation among criminal justice stakeholders and strengthen the application of ICT in case hearing.

5.5 Bench Bar Case Management Committees

The Chief Justice Circular No.5 of 2018, establishes Bench Bar Case Management Committees at National, High Court Registries and Division, Courts of Resident Magistrate and District Courts levels. The Committees act as a forum where civil justice stakeholders converge to deliberate on issues pertaining to the administration of civil justice in Tanzania.

During the period under review, committees subordinate to the National Committee held their meetings as per the circular. The National Committee convened, for the first time, on December 16, 2020.

The National Committee passed fundamental resolutions related to the administration of civil justice in Tanzania, including; review of probate laws, restructuring the composition of the National Committee to incorporate all major civil justice stakeholders, improving case management system, all court to prioritise disposition of applications to avoid obstruction of main cases among others.



Conclusion

This report reviews the performance of judicial functions for the year 2020. It is a reflection of what has been done by the Judiciary in justice delivery. Key Judicial performance indicators are extensively presented showing the extent of justice delivery at each court level. It reveals that justice delivery is a combination of various issues such as capacity building, use of ICT in the administration of justice, dissemination of working tools, recruitment and continuous involvement of stakeholders.

The report reveals that generally there has been improvements in the trends of justice delivery. Using a comparative approach, the report shows positive changes compared to the state of justice delivery in 2019 or 2015 when baselines were set. A rise in clearance rate, disposal rate and reduction of time taken from filing to the determination of a case are the key areas that have recorded improvements. For instance, the report reveals that time taken has been reduced, in most of the courts, below the expected benchmark.

The desired achievements however have not been realised in areas of backlog reduction. The report shows the rise in backlog attributed to the fall of the number of Justices of Appeal and Judges of the HC. Additionally, the report reveals that despite the fact that the CoA held its scheduled sessions, the number of filed cases keeps raising compare to the year 2019. The report suggests that had the number of Justices of Appeal and Judges of the High Court been proportional to the work, there would have been a better performance in the area.

The trend of the backlog in the Courts of RM and DCs exhibits adverse contribution of cases in which such courts lack jurisdiction. The report suggests

that the impact would not have been the same if these cases were filed within courts competent to try them. Understandably, the National Case Flow Management Committee resolved that cases be filed after investigations, notably, the report suggests a different phenomenon. The percentage of the backlog in the Courts of RM and DCs, the report shows, is contributed largely by cases which such courts lack jurisdiction to try. In the circumstances, the report suggests a comprehensive assessment of the pros and cons of committal proceedings as a necessary means of curbing the rise of the backlog in subordinate courts.

The report further reveals that the use of RMs with extended jurisdiction has considerably helped the reduction of workload in the HC. It reveals that the RMs with extended jurisdiction have continued to be employed and cases were transferred from HC. However, it reveals the increase of workload to the Magistrates, who are already burdened. This means that while the HC is relieved, the workload is relocated to another court. The impact would have been different if the HC had been empowered.

Access to justice is an important issue in a democratic state. The report reveals that the judiciary has increased access to justice by operationalising new courts, both DCs and PCs. This notwithstanding, the report suggests that there exist other administrative areas where people still travel long distances in pursuit of justice. Administration of justice will be better served if these people have court services near them.

Furthermore, the report shows that there has been a reduction of the average number of days that a case takes to be determined which has been influenced, among others, new Laws, Rules, Regulations and strengthening inspections and supervisions. The report suggests that, if all relevant laws that prolong procedural steps are reviewed to shorten the procedure, there would be more improvements. Moreso, the report suggests that close supervision remains indispensable.

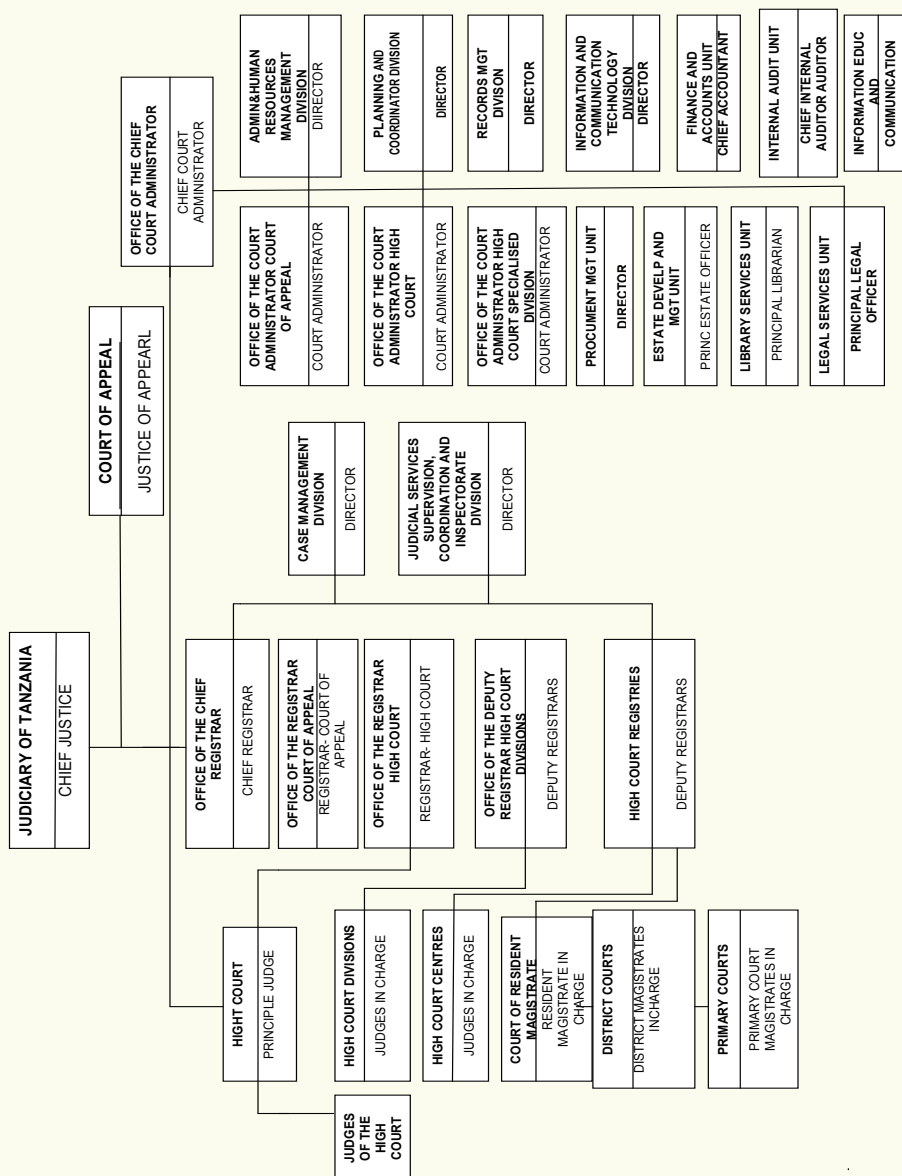
The use of ICT in the administration of justice has been remarkable in 2020. The report reveals how the application of ICT contributes to the enhancement of access to justice. It suggests its continuous deployment in case management and administration of justice on the part of the Judiciary and other stakeholders.

Stakeholders engagement remains an important aspect of the administration of justice. Equally, increase in number of Advocates, Court Brokers and Process Servers has a positive impact on the services delivered by the courts. The report

reveals increase engagement of stakeholders, enrolment of Advocates and licensing of court brokers and process servers. The report suggests strengthening of efforts in these areas.

ANNEXURES

ANNEXURE I: JoT ORGANIZATION STRUCTURE



ANNEXURE II - COURTS OF RESIDENT MAGISTRATE CASE STATISTICS - 2020							
COURTS	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload per each Magistrate	Clearance Rate
Kivukoni	1320	2354	2668	1006	8	459	113
Arusha	1244	981	1137	1088	6	371	116
Mbeya	322	979	861	440	4	325	88
Kisutu	1185	854	852	1187	7	291	100
Bukoba	473	792	812	453	4	316	103
Geita	242	622	565	299	2	432	91
Kisutu Juvenile	173	614	647	140	1	787	105
Musoma	294	608	726	176	3	301	119
Sokoine	57	601	532	126	2	329	89
Morogoro	626	494	538	582	2	560	109
Kibaha	176	474	467	183	2	325	99
Shinyanga	403	436	487	352	2	420	112
Mwanza	510	420	637	293	4	233	152

ANNEXURE II - COURTS OF RESIDENT MAGISTRATE CASE STATISTICS - 2020							
COURTS	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload per each Magistrate	Clearance Rate
Iringa	291	392	420	263	2	342	107
Njombe	220	347	364	203	2	284	105
Tabora	217	333	292	258	3	183	88
Songwe	166	317	282	201	2	242	89
Dodoma	550	218	563	205	3	256	258
Mtwara	86	200	235	51	4	72	118
Moshi	239	172	151	260	3	137	88
Tanga	164	155	150	169	3	106	97
Manyara	175	138	199	114	1	313	144
Katavi	126	129	169	86	3	85	131
Singida	432	119	414	137	4	138	348
Sumbawanga	68	113	103	78	2	91	91
Kigoma	13	92	82	23	2	53	89

ANNEXURE II - COURTS OF RESIDENT MAGISTRATE CASE STATISTICS - 2020							
COURTS	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload per each Magistrate	Clearance Rate
Songea	35	77	64	48	3	37	83
Lindi	23	59	52	30	2	41	88
Simiyu	45	46	41	50	1	91	89
Mbeya Juvenile	12	41	45	8	1	53	110
Total	9,887	13,177	14,555	8,509	87	265	110

ANNEXURE III - DISTRICT COURTS CASE STATISTICS - 2020							
COURT	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload Magistrate	Clearance Rate
Ilala	1,456	2,764	3,114	1,106	18	234	113
Temeke	1,039	1,333	1,655	717	12	198	124
Bagamoyo	328	1,026	896	458	3	451	87
Nyamagana	75	986	772	289	7	152	78
Dodoma	90	942	665	367	8	129	71
Moshi	41	901	527	415	9	105	58
Kahama	418	828	967	279	2	623	117
Kilombero	526	807	895	438	4	333	111
Musoma	56	797	573	280	5	171	72
Sumbawanga	28	719	578	169	5	149	80
Tarime	574	719	815	478	3	431	113
Kilosa	404	688	858	234	3	364	125
Babati	35	678	428	285	3	238	63
Karagwe	240	661	687	214	4	225	104

ANNEXURE III - DISTRICT COURTS CASE STATISTICS - 2020							
COURT	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload Magistrate	Clearance Rate
Serengeti	378	636	720	294	3	338	113
Bukombe	217	613	617	213	2	415	101
Kinondoni	255	594	634	215	14	61	107
Kasulu	229	558	631	156	3	262	113
Tanga mjini	28	553	337	244	7	83	61
Mbarali	178	526	546	158	4	176	104
Songea	25	491	312	204	5	103	64
Muleba	223	489	583	129	3	237	119
Tunduru	213	481	505	189	2	347	105
Kibondo	101	477	470	108	2	289	99
Bariadi	359	465	503	321	3	275	108
Biharamulo	269	461	544	186	4	183	118
Bunda	301	453	540	214	4	189	119

ANNEXURE III - DISTRICT COURTS CASE STATISTICS - 2020							
COURT	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload Magistrate	Clearance Rate
Mkuranga	165	453	449	169	3	206	99
Mpanda	14	453	342	125	5	93	75
Singida	35	436	252	219	4	118	58
Chato	203	424	516	111	3	209	122
Ngara	138	420	440	118	2	279	105
Sengerema	145	398	471	72	3	181	118
Mufindi	210	384	384	210	3	198	100
Magu	256	377	543	90	2	317	144
Handeni	316	372	436	252	2	344	117
Kigoma	119	368	397	90	4	122	108
Kyela	209	367	406	170	2	288	111
Ilemela	110	366	368	108	3	159	101
Momba	216	366	436	146	2	291	119

ANNEXURE III - DISTRICT COURTS CASE STATISTICS - 2020							
COURT	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload Magistrate	Clearance Rate
Mbinga	111	358	332	137	3	156	93
Hai	362	355	559	158	2	359	157
Tabora	158	354	388	124	7	73	110
Karatu	201	353	431	123	2	277	122
Chunya	102	348	299	151	2	225	86
Igunga	188	340	332	196	2	264	98
Rombo	319	333	466	186	3	217	140
Urambo	306	331	454	183	4	159	137
Kongwa	138	330	365	103	2	234	111
Mpwapwa	227	320	372	175	2	274	116
Iramba	139	315	361	93	2	227	115
Manyoni	513	315	464	364	3	276	147
Kishapu	159	298	350	107	1	457	117
Misungwi	67	290	290	67	2	179	100

ANNEXURE III - DISTRICT COURTS CASE STATISTICS - 2020							
COURT	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload Magistrate	Clearance Rate
Ulunga	224	290	395	119	3	171	136
Nzega	153	289	334	108	4	111	116
Same	186	283	321	148	2	235	113
Masasi	90	280	281	89	2	185	100
Rungwe	99	280	299	80	2	190	107
Nkasi	121	276	278	119	2	199	101
Nachingwea	85	269	303	51	2	177	113
Kigamboni	192	266	330	128	8	57	124
Morogoro	55	253	203	105	2	154	80
Mvomero	74	253	230	97	2	164	91
Korogwe	226	250	358	118	2	238	143
Mwanga	176	246	243	179	2	211	99
Lushoto	37	239	246	30	2	138	103

ANNEXURE III - DISTRICT COURTS CASE STATISTICS - 2020							
COURT	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload Magistrate	Clearance Rate
Mtwara	72	235	219	88	5	61	93
Hanang'	54	231	193	92	1	285	84
Kilwa	112	230	267	75	2	171	116
Geita	174	228	341	61	5	80	150
Rufiji	156	227	277	106	2	192	122
Mbeya	64	218	216	66	7	40	99
Bukoba	82	216	228	70	5	60	106
Kondoa	152	216	296	72	3	123	137
Ruangwa	55	215	209	61	1	270	97
Maswa	101	213	236	78	2	157	111
Lindi	62	211	230	43	3	91	109
Kilolo	86	209	226	69	2	148	108
Muheza	99	207	236	70	3	102	114

ANNEXURE III - DISTRICT COURTS CASE STATISTICS - 2020							
COURT	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload Magistrate	Clearance Rate
Liwale	55	204	214	45	2	130	105
Ukerewe	48	199	204	43	2	124	103
Kwimba	192	188	285	95	2	190	152
Kilindi	0	181	117	64	1	181	65
Kalambo	58	173	199	32	2	116	115
Mlele	152	173	244	81	2	163	141
Longido	125	172	135	162	1	297	78
Arusha	82	166	192	56	5	50	116
Meatu	67	165	188	44	3	77	114
Siha	75	164	168	71	2	120	102
Simanjoro	83	164	146	101	2	124	89
Bahi	85	162	178	69	2	124	110
Shinyanga	46	162	154	54	3	69	95

ANNEXURE III - DISTRICT COURTS CASE STATISTICS - 2020							
COURT	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload Magistrate	Clearance Rate
Kisarawe	54	160	138	76	2	107	86
Newala	89	155	189	55	2	122	122
Namtumbo	161	154	209	106	2	158	136
Arumeru	56	149	149	56	2	103	100
Mbulu	104	144	174	74	2	124	121
Kibaha	12	130	123	19	4	36	95
Tandahimba	34	128	136	26	2	81	106
Mafia	27	113	124	16	2	70	110
Ludewa	76	112	146	42	1	188	130
Nanyumbu	39	104	110	33	2	72	106
Ngorongoro	63	101	123	41	2	82	122
Monduli	58	100	109	49	2	79	109
Pangani	56	100	109	47	2	78	109

ANNEXURE III - DISTRICT COURTS CASE STATISTICS - 2020							
COURT	Pending as at December 2019	Filed Jan-Dec 2020	Decided Jan-Dec 2020	Pending Dec 2020	Number of Magistrates	Workload Magistrate	Clearance Rate
Kibiti	0	97	58	39	3	32	60
Makere	25	89	90	24	2	57	101
Malinyi	0	79	37	42	1	79	47
Ileje	38	78	104	12	2	58	133
Mbozi	54	65	98	21	2	60	151
Njombe	24	64	56	32	3	29	88
Kaliua	0	59	15	44	1	59	25
Iringa	21	45	52	14	2	33	116
Kiteto	164	44	116	92	2	104	263
Nyasa	5	40	30	15	1	45	75
Uyui	0	11	0	11	1	11	0
GRAND TOTAL	18,427	41,394	43,189	16,632	369	162	104

ANNEXURE IV - PRIMARY COURTS CASE STATISTICS - 2020								
ZONE	DISTRICT	Pending as at Dec 2019	Filed Jan - Dec 2020	Decided Jan - Dec 2020	Pending Dec 2020	Number of Magistra- tes	Workload per each Magistrate	Clear- ance rate
ARUSHA	Arumeru	345	2380	2397	328	10	273	101
	Arusha	394	3554	3554	394	6	658	100
	Babati	149	1381	1402	128	7	219	102
	Hanang'	84	792	774	102	5	175	98
	Karatu	42	804	761	85	6	141	95
	Kiteto	0	403	373	30	2	202	93
	Longido	29	162	165	26	1	191	102
	Mbulu	71	242	216	97	3	104	89
	Monduli	54	482	475	61	2	268	99
	Ngorongoro	30	391	367	54	2	211	94
	Simanjiro	28	477	483	22	5	101	101
	Sub Total	1226	11068	10967	1327	49	251	99
BUKOBA	Biharamulo	86	563	543	106	3	216	96
	Bukoba	447	3474	3551	370	17	231	102
	Karagwe	228	2290	2212	306	11	229	97
	Muleba	161	1923	1893	191	8	261	98
	Ngara	80	1432	1416	96	4	378	99
	Sub Total	1002	9682	9615	1069	43	248	99

ANNEXURE IV - PRIMARY COURTS CASE STATISTICS - 2020								
ZONE	DISTRICT	Pending as at Dec 2019	Filed Jan - Dec 2020	Decided Jan - Dec 2020	Pending Dec 2020	Number of Magistra- tes	Workload per each Magistrate	Clear- ance rate
DAR ES SALAAM	Bagamoyo	185	2234	2279	140	21	115	102
	Kibaha	26	1880	1874	32	14	136	100
	Kibiti	24	246	221	49	3	90	0
	Kisarawe	29	499	504	24	9	59	101
	Mafia	3	205	196	12	3	69	96
	Mkuranga	60	291	338	13	3	117	116
	Rufiji	101	427	477	51	6	88	112
	Kilombero	140	1881	1765	256	8	253	94
	Kilosa	141	3390	3333	198	15	235	98
	Mahenge	85	671	730	26	4	189	109
	Malinyi	0	260	203	57	1	260	78
	Morogoro	30	3245	3275	0	18	182	101
	Mvomero	0	1456	1456	0	6	243	100
	Ilala	933	9349	8278	2004	16	643	89
	Kigamboni	50	1081	1018	113	4	283	94
Kinondoni	2868	9174	10350	1692	24	502	113	
Temeke	664	2893	2921	636	9	395	101	
	Sub Total	5339	39182	39218	5303	164	271	100

ANNEXURE IV - PRIMARY COURTS CASE STATISTICS - 2020								
ZONE	DISTRICT	Pending as at Dec 2019	Filed Jan - Dec 2020	Decided Jan - Dec 2020	Pending Dec 2020	Number of Magistra- tes	Workload per each Magistrate	Clear- ance rate
DODO- MA	Iramba	30	1282	1312	0	5	262	102
	Manyoni	123	958	961	120	8	135	100
	Singida	269	2815	2870	214	8	386	102
	Bahi	41	399	402	38	3	147	101
	Dodoma	542	5539	5475	606	15	405	99
	Kondoa	132	1105	1131	106	7	177	102
	Kongwa	49	855	828	76	5	181	97
	Mpwapwa	37	732	754	15	3	256	103
	Sub Total	1223	13685	13733	1175	54	276	100
IRINGA	Iringa	239	2298	2307	230	8	317	100
	Kilolo	41	509	500	50	4	138	98
	Ludewa	23	286	301	8	2	155	105
	Makete	20	262	267	15	2	141	102
	Mufindi	80	945	935	90	6	171	99
	Njombe	136	1748	1704	180	10	188	97
	Sub Total	539	6048	6014	573	32	206	99

ANNEXURE IV - PRIMARY COURTS CASE STATISTICS - 2020								
ZONE	DISTRICT	Pending as at Dec 2019	Filed Jan - Dec 2020	Decided Jan - Dec 2020	Pending Dec 2020	Number of Magistra- tes	Workload per each Magistrate	Cleara- nce rate
MOSHI	Hai	61	491	542	10	3	184	110
	Moshi	136	3268	3308	96	18	189	101
	Mwanga	16	342	342	16	2	179	100
	Rombo	0	1092	1092	0	4	273	100
	Same	10	603	573	40	1	613	95
	Siha	29	254	283	0	1	283	111
	Sub Total	252	6050	6140	162	29	217	101
	Chunya	57	797	826	28	3	285	104
MBEYA	Ileje	18	270	279	9	2	144	103
	Kyela	72	1116	1166	22	7	170	104
	Mbarali	10	1429	1386	53	8	180	97
	Mbeya	310	3151	3053	408	10	346	97
	Mbozi	163	1565	1602	126	6	288	102
	Momba	127	903	968	62	3	343	107
	Rungwe	0	1182	1106	76	4	296	94
	Sub Total	757	10413	10386	784	43	260	100

ANNEXURE IV - PRIMARY COURT'S CASE STATISTICS - 2020								
ZONE	DISTRICT	Pending as at Dec 2019	Filed Jan - Dec 2020	Decided Jan - Dec 2020	Pending Dec 2020	Number of Magistrates	Workload per each Magistrate	Clearance rate
MT-WARA	Kilwa	58	553	575	36	7	87	104
	Lindi	54	923	928	49	10	98	101
	Liwale	65	198	218	45	2	132	110
	Nachingwea	36	502	485	53	4	135	97
	Ruangwa	26	497	487	36	4	131	98
	Masasi	118	895	908	105	5	203	101
	Mtwara Mjini	35	521	499	57	5	111	96
	Nanyumbu	5	337	291	51	2	171	86
	Newala	99	627	614	112	4	182	98
	Tandahimba	61	322	296	87	3	128	92
MUSOMA	Sub total	557	5375	5301	631	46	129	99
	Bunda	194	1151	1175	170	6	224	102
	Musoma	267	2602	2570	299	7	410	99
	Serengeti	67	909	939	37	6	163	103
	Tarime	352	4133	4151	334	8	561	100
	Sub Total	880	8795	8835	840	27	358	100

ANNEXURE IV - PRIMARY COURTS CASE STATISTICS - 2020								
ZONE	DISTRICT	Pending as at Dec 2019	Filed Jan - Dec 2020	Decided Jan - Dec 2020	Pending Dec 2020	Number of Magistra- tes	Workload per each Magistrate	Clear- ance rate
MWAN- ZA	Bukombe	97	1883	1897	83	8	248	101
	Chato	2	1096	1060	38	5	220	97
	Geita	426	3619	3868	177	9	449	107
	Ilemela	103	1457	1368	192	7	223	94
	Kwimba	0	832	778	54	4	208	94
	Magu	166	1368	1444	90	5	307	106
	Misungwi	64	621	588	97	3	228	95
	Nyamagana	358	4191	4325	224	5	5	103
	Sengerema	36	1321	1317	40	8	170	100
	Ukerewe	97	674	663	108	3	257	98
	Sub Total	1349	17062	17308	1103	57	323	101
	Mbinga	73	1514	1538	49	7	227	102
SONGEA	Namtumbo	54	448	463	39	2	251	103
	Nyasa	2	298	300	0	2	150	101
	Songea	210	2274	2430	54	6	414	107
	Tunduru	74	781	784	71	5	171	100
	Sub Total	413	5315	5515	213	22	260	104

ANNEXURE IV - PRIMARY COURTS CASE STATISTICS - 2020								
ZONE	DISTRICT	Pending as at Dec 2019	Filed Jan - Dec 2020	Decided Jan - Dec 2020	Pending Dec 2020	Number of Magistra- tes	Workload per each Magistrate	Clear- ance rate
SUM- BAWA- NGA	Kalambo	36	350	370	16	3	129	106
	Mlele	59	462	506	15	2	261	110
	Mpanda	320	2231	2323	228	6	425	104
	Nkasi	111	703	801	13	6	136	114
	Sumbawanga	202	2373	2475	100	9	286	104
	Sub Total	728	6119	6475	372	26	263	106
TABORA	Igunga	31	673	685	19	9	78	102
	Kaliua	0	79	78	1	0	#DIV/0!	0
	Nzega	31	1125	1151	5	9	128	102
	Tabora	68	1497	1529	36	11	142	102
	Urambo	15	1143	1127	31	6	193	99
	Uyui	13	134	140	7	1	147	104
	Sub Total	158	4651	4710	99	36	134	101
KIGOMA	Kasulu	0	1235	1235	0	6	206	100
	Kibondo	0	652	652	0	6	109	100
	Kigoma	0	1438	1438	0	5	288	100
	Sub Total	0	3325	3325	0	17	196	100

ANNEXURE IV - PRIMARY COURTS CASE STATISTICS - 2020								
ZONE	DISTRICT	Pending as at Dec 2019	Filed Jan - Dec 2020	Decided Jan - Dec 2020	Pending Dec 2020	Number of Magistra- tes	Workload per each Magistrate	Cleara- nce rate
SHIN- YANGA	Bariadi	364	3033	3132	265	15	226	103
	Kahama	119	2167	2171	115	13	176	100
	Kishapu	54	784	787	51	9	93	100
	Maswa	61	523	545	39	9	65	104
	Meatu	21	912	908	25	7	133	100
	Shinyanga	173	1335	1328	180	12	126	99
	Sub Total	792	8754	8871	675	65	147	101
TANGA	Handeni	224	1435	1578	81	6	277	110
	Kilindi	0	602	517	85	4	151	86
	Korogwe	61	1212	1168	105	5	255	96
	Lushoto	34	1025	1029	30	2	530	100
	Tanga	205	1849	1964	90	5	411	106
	Muheza	96	983	1049	30	7	154	107
	Pangani	27	1265	1040	252	3	431	82
	Sub Total	647	8371	8345	673	32	282	100
	GRAND TOTAL	15862	163895	164758	14999	742	242	101

ANNEXURE V - MOST COMMONLY USED PRINCIPAL LEGISLATIONS, RULES AND GUIDELINES		
NO.	TITLE	CAP
1.	The Interpretation of Laws	1
2.	The Basic Rights and Duties Enforcement Act	3
3.	The Reciprocal Enforcement of Foreign Judgements Act	8
4.	The Magistrates' Courts Act	11
5.	The Government Proceedings Act	5
6.	The Evidence Act	6
7.	The Notaries Public and Commissioners for Oaths Act	12
8.	The Law of the Child Act	13
9.	The Arbitration Act	15
10	The Penal Code	16
11.	The Corporal Punishment Act	17
12.	The Criminal Procedure Act	20
13.	The Legal Aid Act	21
14.	The Inquests Act	24
15.	The Bankruptcy Act	25

ANNEXURE V - MOST COMMONLY USED PRINCIPAL LEGISLATIONS, RULES AND GUIDELINES		
NO.	TITLE	CAP
16.	The Law of Marriage Act	29
17.	The Civil Procedure Code	33
18.	The Oaths and Statutory Declarations Act	34
19.	The Gaming Act	41
20.	The Vocational Education and Training Act	82
21.	The Foreign Vehicles Transit Charges Act	84
22.	The Law of Limitation Act	89
23.	The Control and Enforcement Act	95
24.	The Public Private Partnership Act	103
25.	The National Examinations Council of Tanzania Act	107
26.	The land Act	113
27.	The Village Land Act	114
28.	The Land Acquisition Act	118
29.	The Mining Act	123

ANNEXURE V - MOST COMMONLY USED PRINCIPAL LEGISLATIONS, RULES AND GUIDELINES		
NO.	TITLE	CAP
30.	The Motor Vehicles (Tax on Registration and Transfer) Act	124
31.	The Appellate Jurisdiction Act	141
32.	The Excise (Management and Tariff) Act	147
33.	The Value Added Tax Act	148
34.	The Stamp Duty Act	189
35.	The Economic and Organised Crime Control Act	200
36.	The Land Disputes Courts Act	216
37.	The Road and Fuels Tolls Act	220
38.	The Proceeds of Crime Act	256
39.	The Port Service Charge Act	264
40.	The Office of the Attorney General (Discharge of Duties) Act	268
41.	The Local Government Authorities (Rating) Act	289
42.	The Local Government Finance Act	290
43.	The Public Service Act	298
44.	The Labour Institutions Act	300

ANNEXURE V - MOST COMMONLY USED PRINCIPAL LEGISLATIONS, RULES AND GUIDELINES		
NO.	TITLE	CAP
45.	The Law Reform (Fatal Accidents and Miscellaneous Provisions) Act	310
46.	The Oil and Gas Revenues Management Act	328
47.	The Prevention and Combating of Corruption Act	329
48.	The Income Tax Act	332
49.	The Land Registration Act	334
50.	The Advocates Act	341
51.	The Law of Contract Act	345
52.	The Statistics Act	351
53.	The Judicature and Application of Laws Act	358
54.	The Airport Service Charge Act	365
55.	The Employment and Labour Relations Act	366
56.	The Extradition Act	368
57.	The Tanzania Revenue Authority Act	399
58.	The Customs (Management and Tariffs) Act	403
59.	The Tax Revenue Appeals Act	408

ANNEXURE V - MOST COMMONLY USED PRINCIPAL LEGISLATIONS, RULES AND GUIDELINES		
NO.	TITLE	CAP
60.	The Anti-Money Laundering Act	423
61.	The National Prosecutions Service Act	430
62.	The Tax Administration Act	438
63.	The Political Parties Act	258
RULES		
1.	The National Elections (Election Petitions) Rules, 2020 GN. No. 782 of 2020	
2.	The Local Authorities (Election Petitions) Rules, 2020 GN. No. 783 of 2020	
3.	The Code of Conduct and Ethics for Judicial Officers, 2020 GN. No. 1001 of 2020	
GUIDELINES		
1.	The Exhibit Management Guidelines	
2.	The Execution Guidelines	
3.	Bail Guidelines	
4.	The Court User Guide Manual	

ANNEXURE VI - COURT BROKERS AND PROCESS SERVERS DISTRIBUTION NATIONWISE					
S/N	HIGH COURT ZONE	S/N	REGION	COURT BROKER	PROCESS SERVER
1	ARUSHA	1	ARUSHA	4	3
		2	MANYARA	1	0
2	BUKOB	3	KAGER	4	2
3	DAR ES SALAAM	4	DAR ES SALAAM	26	31
		5	PWANI	2	1
		6	MOROGORO	2	4
4	DODOMA	7	DODOMA	4	1
		8	SINGIDA	0	0
5	IRINGA	9	IRINGA	1	1
		10	NJOMBE	1	0
6	KIGOMA	11	KIGOMA	1	1
7	MBEYA	12	MBEYA	4	7
		13	SONGWE	0	0
8	MOSHI	14	KILIMANJARO	2	1
9	MTWARA	15	MTWARA	0	0

ANNEXURE VI - COURT BROKERS AND PROCESS SERVERS DISTRIBUTION NATIONAWISE					
S/N	HIGH COURT 'ZONE	S/N	REGION	COURT BROKER	PROCESS SERVER
		16	LINDI	1	1
10	MWANZA	17	MWANZA	5	6
		18	GEITA	1	0
11	MUSOMA	19	MARA	3	4
12	SHINYANGA	20	SHINYANGA	2	1
		21	SIMUYU	1	1
13	SONGEA	22	RUVUMA	1	1
14	SUMBAWANGA	23	RUKWA	1	1
		24	KATAVI	1	0
15	TABORA	25	TABORA	1	1
16	TANGA	26	TANGA	3	3
	TOTAL			72	71

