

**THE UNITED REPUBLIC OF TANZANIA**



**JUDICIARY OF TANZANIA**



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**COMPREHENSIVE  
PERFORMANCE REPORT  
OF THE JUDICIAL FUNCTIONS - 2022**

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**Published by:**

The Judiciary of Tanzania,

26 Kivukoni Road,

P.O. Box 9004 – 11409 Dar es Salaam

Tel: +255 212 431 2 Fax: +255- 22-27724

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Published in Dar es Salaam - Tanzania



## Preface



Happy New Year 2023 to all!

I am delighted, once again, to share with you what the Judiciary of Tanzania (JoT) has been doing for the past 12 months through this annual report. The report presents what the Judiciary has achieved in the administration of justice throughout 2022.

The report presents the performance of the Judiciary on its judicial functions to inform our justice stakeholders and the public on what we did in delivering our constitutional mandate. It reveals a remarkable increase in the clearance and disposal rate; a decrease in the workload per panel, judge, and magistrate; and a decrease of the average time taken from filing to the determination of the case.

In enhancing access to justice, the Judiciary established a new sub registry of the high court in Manyara region. Also the Judiciary operationalized 14 district courts. The operationalized courts brought justice closer to the people; and, indeed, has had a positive impact on the clearance rate. We cherish the Judiciary staff's collective efforts and our stakeholders' constructive engagements in these achievements.

As we continue to record remarkable achievements to our Strategic Plan 2020/2021 - 2024/2025, we are more confident of achieving our vision of "timely and accessible justice for all". We hope that the public and other justice stakeholders can track the key result indicators and draw their conclusions on the performance of the Judiciary in respect of the judicial functions.

The preparation of this report was made possible through the dedicated efforts of various people to whom I am grateful and indebted to and I will mention a few. I wish to express my utmost gratitude to the management of the Judiciary of Tanzania, in particular the Chief Justice, His Lordship Prof. Ibrahim H. Juma; the Jaji Kiongozi, His Lordship Mustapher M. Siyani; and the Chief Court Administrator, Prof. Elisante O. Gabriel, for their instructions, directives, guidance, and facilitation which enabled the preparation of this report.

I also thank all my fellow employees of the Judiciary who timely offered their feedback when consulted. With their enormous contribution and assistance, this report was completed. However, this report could not have been possible without the dedication and commitment of the preparation team. The team included Hon. Dr. Angelo K. Rumisha, Hon. Desdery K. Kamugisha, Hon. Romuli M. Mbuya, Hon. Joseph E. Fovo, Hon. Elimo D. Massawe, Hon. Kinabo J. Minja, Hon. Gadiel E. Mariki, Hon. Moses B. Ndelwa, Hon. Richard E. Kabate, Dr Rajabu A. Chipila, Mr. Wales G. Mhilu, Ms. Stella M. Matulile, Mr. Mcharo E. Mwangi, and Mr. Clarence J. Mhoja.

I humbly present the Comprehensive Performance Report of the Judicial Functions for 2022.

Thank you!



**Wilbert Martin Chuma**  
**Chief Registrar**



## Executive Summary

The Judiciary derives its mandate to dispense justice from the people through the Constitution. The Judiciary, like any other public institution, is accountable to the people. Since people need to know what their Judiciary is doing, it is necessary to present the annual performance report of the judicial functions. The report presents to the people the judicial functions that the Judiciary of Tanzania performed in the year 2022. For the smooth flow and proper organisation of ideas, this report is presented in eight chapters.

Chapter One presents an overview of the report and the Judiciary. It briefly explains the court system in Tanzania and its establishments and hierarchy; and the Judiciary leadership. It also shows the appointments, promotions, retirements, and obituaries of the judicial officers who passed away during the year under appraisal. Also, the Judiciary strategic plan is briefly presented for the purpose of introducing to the readers of the report the strategies we have put in place to improve justice delivery.

Our collective efforts focus on improving transparency, efficiency, and access to justice services as provided in the Judiciary Strategic Plan 2020/2021 - 2024/2025. Chapter Two presents analytical statistics related to performance indicators such as case backlog, clearance rate, disposal rate and time taken from filing to the disposal of a case. It highlights the benefits and importance of using magistrates with extended jurisdiction in decreasing case backlog in the High Court. It also presents the disposal rate and workload per judge and magistrate.

The chapter also presents matters related to improving access to justice to our people, such as the operationalization of new courts, improvement and enhancement of court infrastructures, mobile courts services, and simplifying rules of procedure.

Capacity building is an integral part of ensuring sustainable judicial reforms. Chapter three presents what the Judiciary has been able to achieve in 2022 regarding capacity building and enhancement of legal jurisprudence to its staff and strategic stakeholders. This chapter also presents ground-breaking decisions that were delivered by the Court of Appeal and the High Court as part of jurisprudence development.

Chapter Four expounds on the efforts undertaken by the Judiciary to strengthen and enhance public trust in the judiciary. It also explains the importance of supervision, inspection, and monitoring and evaluation of judicial functions in ensuring the quality of services rendered to the public. It also describes the Judiciary's efforts towards enhancing judicial values and ethics to ensure adherence to the Code of Conduct for Judicial Officers. The chapter also presents awareness programs conducted through various media and the initiatives made to enhance feedback mechanisms.

Applying information and communication technologies (ICT) in the administration of justice in Tanzania is essential in improving justice delivery. Investment in ICT has eased and enhanced access to judicial services by the public. Chapter Five presents remarkable investment in ICT undertaken by the Judiciary. It also gives an insight into how access to our court services has been simplified through e-justice.

Stakeholders' engagement is one of the pillars of our strategic plan. Chapter Six shares different strategies adopted in effectively engaging our strategic stakeholders in the execution of judicial functions. Matters related to stakeholders' forums, enrolment admission and management of advocates, and those related to licensing and discipline of the court brokers and process servers are covered in this chapter.

The year 2022 was memorable as we were privileged to witness colourful events and occasions. We began the year by celebrating our traditional Law Week and Law Day to mark the beginning of court businesses. Chapter Seven presents the remarkable events which occurred in the year under review. Chapter Eight is a conclusion and it provides a summary of matters presented in the report.



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## Abbreviations

CMJA	- Common Wealth Judges' and Magistrates' Association
CoA	- Court of Appeal
COVID-19	- Coronavirus Disease 2019
DC	- District Court
EAMJA	- East African Magistrates' and Judges' Association
ELRA	- Employment and Labour Relations Act
GN	- Government Notice
HC	- High Court
Hon.	- Honourable
ICT	- Information and Communication Technology
IJA	- Institute of Judicial Administration
IJC	- Integrated Justice Centre
IP	- Intellectual Property
ITV	- Independent Television
JMAP	- Judiciary Mapping
JMAT	- Judges' and Magistrates' Association of Tanzania
JoT	- Judiciary of Tanzania
MoU	- Memorandum of Understanding
PC	- Primary Court
RM	- Resident Magistrate

- SMS - Short Messaging Service
- SRM - Senior Resident Magistrate
- TanzLII - Tanzania Legal Information Institute
- TBC - Tanzania Broadcasting Corporation
- TRAA - Tanzania Revenue Authority Act
- TZ - Tanzania
- TZCA - Tanzania Court of Appeal
- TZHC - Tanzania High Court
- UNESCO - United Nations Educational, Scientific and Cultural Organization
- WCCJ - World Conference on Constitutional Justice
- WIPO - World Intellectual Property Organization -



## CHAPTER ONE

# THE JUDICIARY OF TANZANIA

## 1.1 Introduction

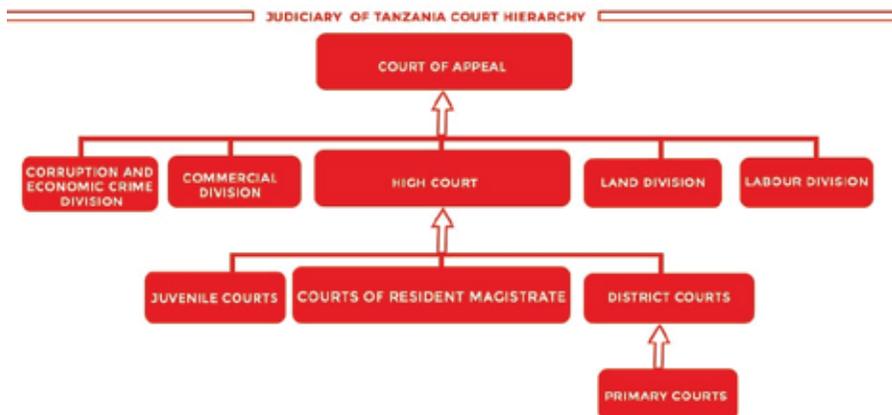
This chapter provides an overview of the Judiciary. It outlines roles and organization structure, which includes the leadership and the court levels, which are Court of Appeal (CoA), the High Court (HC), the Courts of Resident Magistrates, the District Courts (DCs), and the Primary Courts (PCs). The chapter also highlights the judiciary strategic plan; and judicial appointments, promotions, retirements, and obituaries.

## 1.2 Roles and the Organization Structure

The Judiciary, one of the three organs of the state, together with the Executive and the Legislature, is mandated to dispense justice. It is an independent organ with the final authority in the interpretation of laws and administering justice. It is comprised of the Court of Appeal (CoA), the High Court (HC), the Courts of Resident Magistrates, the District Courts (DCs), and the Primary Courts (PCs).

There are other quasi-judicial bodies, although not part of the formal court hierarchy, also adjudicate disputes. Such are the Ward Tribunals, the District Land and Housing Tribunals, the Tax Revenue Appeals Board, the Tax Revenue Appeals Tribunal, the Fair Competition Tribunal, and the Commission for Mediation and Arbitration, which deal with Labour matters.

The hierarchical court structure of the Judiciary of Tanzania can be presented in diagram as here under:



## Judiciary Leadership

### The Chief Justice



Hon. Prof. Ibrahim Hamisi Juma

He is the head of the Judiciary of Tanzania and the Court of Appeal. He is responsible for overseeing the courts' performance including giving of direction and supervision over the courts' sittings and assignments of the judicial and administrative duties.

### JUSTICES OF THE COURT OF APPEAL - 2022

	NAME	COMMENT
	<b>Hon. Prof. Ibrahim Hamisi Juma</b>	<b>Chief Justice</b>
1.	Hon. Augustine Gherabast Mwarija	Sitting Justice
2.	Hon. Stella Ester Augustine Mugasha	Sitting Justice
3.	Hon. Shabani Ali Lila	Sitting Justice
4.	Hon. Rehema Kiwanga Mkuye	Sitting Justice

**JUSTICES OF THE COURT OF APPEAL - 2022**

	<b>NAME</b>	<b>COMMENT</b>
5.	Hon. Sivangilwa Sikalalilwa Mwangesi	Justice of Appeal
6.	Hon. Dr. Gerald Alex Mbonimpa Ndika	Sitting Justice
7.	Hon. Jackobs Cuthom Mwambegele	Justice of Appeal
8.	Hon. Ferdinand Leons Katipwa Wambali	Sitting Justice
9.	Hon. Mwanaisha Athuman Kwariko	Sitting Justice
10.	Hon. Winifrida Beatrice Korosso	Sitting Justice
11.	Hon. Barke Mbaraka Sehel	Sitting Justice
12.	Hon. Lugano Josiah Samson Mwandambo	Sitting Justice
13.	Hon. Dr. Mary Caroline Levira	Sitting Justice
14.	Hon. Ignas Paul Kitusi	Sitting Justice
15.	Hon. Rehema Kerefu Sameji	Sitting Justice
16.	Hon. Zephryne Nyalugenda Galeba	Sitting Justice
17.	Hon. Patricia Saleh Fikirini	Sitting Justice
18.	Hon. Pantrine Muliisa Kente	Sitting Justice
19.	Hon. Lilian Leonard Mashaka	Sitting Justice
20.	Hon. Dr. Paul Faustine Kihwelu	Sitting Justice
21.	Hon. Lucia Gamuya Kairo	Sitting Justice
22.	Hon. Issa John Maige	Sitting Justice
23.	Hon. Abraham Makofi Mwampashi	Sitting Justice
24.	Hon. Omar Othman Makungu	Sitting Justice
25.	Hon. Sam Mpaya Rumanyika	Sitting Justice

## Jaji kiongozi



HON. MUSTAPHER MOHAMED SIYANI  
The Jaji Kiongozi

He is the head of the High Court of Tanzania. Also, the Constitution recognises the Jaji Kiongozi as the special assistant to the Chief Justice in the performance of functions and exercise of the powers of the High Court and the courts subordinate to it.

<b>JUDGES OF THE HIGH COURT - 2022</b>		
<b>No</b>	<b>NAME</b>	<b>COMMENT</b>
	<b>Hon. Mustapher Mohamed Siyani</b>	<b>Jaji Kiongozi</b>
1.	Hon. Imani Daudi Aboud	Judge
2.	Hon. Amiri Rajab Mruma	Sitting Judge
3.	Hon. Zainabu Goronya Muruke	Sitting Judge
4.	Hon. Sekela Cyril Moshi	Sitting Judge
5.	Hon. Moses Gunga Mzuna	Sitting Judge
6.	Hon. Dr John Harold Utamwa	Sitting Judge
7.	Hon. Beatrice Rodah Mutungi	Retired on 15 <sup>th</sup> August 2022
8.	Hon. John Samweli Mgetta	Retired on 8 <sup>st</sup> October 2022
9.	Hon. Latifa Alhinai Mansoor	Siting Judge
10.	Hon. Edson James Mkasimongwa	Retired on 1 <sup>th</sup> April 2022
11.	Hon. Mohamed Rashid Gwae	Siting Judge
12.	Hon. Firmin Nyanda Matogolo	Retired on 28 <sup>th</sup> September 2022
13.	Hon. Leila Edith Mgonya	Sitting Judge
14.	Hon. Rose Ally Ebrahimu	Sitting Judge

## JUDGES OF THE HIGH COURT - 2022

	NAME	COMMENT <sup>15</sup> .
15.	Hon. Dr. Modesta Opiyo Makopolo	Sitting Judge
16.	Hon. Amour Said Khamis	Sitting Judge
17.	Hon. Salma Mussa Maghimbi	Sitting Judge
18.	Hon. Lameck Michael Mlacha	Sitting Judge
19.	Hon. Wilfred Peter Dyansonbera	Sitting Judge
20.	Hon. Isaya Arufani Kweka	Sitting Judge
21.	Hon. Victoria Lyimo Makani	Sitting Judge
22.	Hon. Dr. Masoud Shaaban Benhaji	Sitting Judge
23.	Hon. Dr. Adam Juma Mambi	Sitting Judge
24.	Hon. George Mcheche Masaju	Sitting Judge
25.	Hon. Gerson John Mdemu	Sitting Judge
26.	Hon. Ilvin Claud Mugeta	Sitting Judge
27.	Hon. Elinaza Benjamin Luvanda	Sitting Judge
28.	Hon. Dr. Yose Juseph Mlyambina	Sitting Judge
29.	Hon. Immaculata Kajetan Banzi	Sitting Judge
30.	Hon. Paul Joel Ngwembe	Sitting Judge
31.	Hon. Agnes Zephania Mgeyekwa	Sitting Judge
32.	Hon. Stephen Murimi Magoiga	Sitting Judge
33.	Hon. Thadeo Marko Mwenempazi	Sitting Judge
34.	Hon. Butamo Kasuka Philip	Sitting Judge
35.	Hon. John Rugelema Kahyoza	Sitting Judge
36.	Hon. Susan Bernard Mkapa	Retired on 23 <sup>rd</sup> April 2022
37.	Hon. Fahamu Hamidu Mtulya	Sitting Judge
38.	Hon. Cyprian Phocus Mkeha	Sitting Judge

## JUDGES OF THE HIGH COURT - 2022

No	NAME	COMMENT
39.	Hon. Wilbard Richard Mashauri	Retired on 22nd January 2022
40.	Hon. Dunstan Beda Ndunguru	Sitting Judge
41.	Hon. Seif Mwishehe Kulita	Sitting Judge
42.	Hon. Upendo Elly Madeha	Sitting Judge
43.	Hon. Yohane Bokobora Masara	Sitting Judge
44.	Hon. Mustafa Kambona Ismail	Sitting Judge
45.	Hon. Athumani Matuma Kirati	Sitting Judge
46.	Hon. Dr. Ntemi Nihilwa Kilekamajenga	Sitting Judge
47.	Hon. Dr. Juliana Laurent Masabo	Sitting Judge
48.	Hon. Dr. Lilian Mihayo Mongella	Sitting Judge
49.	Hon. Elizabeth Yoeza Mkwizu	Sitting Judge
50.	Hon. Joachim Charles Tiganga	Sitting Judge
51.	Hon. Augustine Karichuba Rwizile	Sitting Judge
52.	Hon. Fredrick Kapela Manyanda	Sitting Judge
53.	Hon. Dr. Deo John Nangela	Sitting Judge
54.	Hon. Angela Anthony Bahati	Sitting Judge
55.	Hon. Edwin Elias Kakolaki	Sitting Judge
56.	Hon. Kassim Ngukah Robert	Sitting Judge
57.	Hon. Angaza Ernest Mwipopo	Sitting Judge
58.	Hon. Ephery Sedekia Kisanya	Sitting Judge
59.	Hon. Dr. Zainabu Diwa Mango	Sitting Judge
60.	Hon. Said Mashaka Kalunde	Sitting Judge
61.	Hon. Katarina Tengia Revocati Mteule	Sitting Judge
62.	Hon. Biswalo Eutropius Kachele Mganga	Sitting Judge

## JUDGES OF THE HIGH COURT - 2022

	NAME	COMMENT
63.	Hon. Zahra Abdallah Maruma	Sitting Judge
64.	Hon. Devotha Christopher Kamuzora	Sitting Judge
65.	Hon. Messe John Chaba	Sitting Judge
66.	Hon. Frank Habibu Mahimbali	Sitting Judge
67.	Hon. Safina Henry Simfukwe	Sitting Judge
68.	Hon. Nyigulila Robert Mwaseba	Sitting Judge
69.	Hon. John Francis Nkwabi	Sitting Judge
70.	Hon. James Mutakyahwa Karayemaha	Sitting Judge
71.	Hon. David Patrick Ngunyale	Sitting Judge
72.	Hon. Emmanuel Loitare Ngigwana	Sitting Judge
73.	Hon. Ayoub Yusuf Mwenda	Sitting Judge
74.	Hon. Lilian Jonas Itemba	Sitting Judge
75.	Hon. Awamu Ahmada Mbagwa	Sitting Judge
76.	Hon. Abdi Shaaban Kagomba	Sitting Judge
77.	Hon. Arafa Mpinga Msafiri	Sitting Judge
78.	Hon. Dr. Ukena John Agatho	Sitting Judge
79.	Hon. Dr. Theodora Nemboyao Mwenegoha	Sitting Judge
80.	Hon. Dr. Eliamani Isaya Laltaika	Sitting Judge
81.	Hon. Mwanabaraka Salehe Mnyukwa	Sitting Judge
82.	Hon. Kevin David Mhina	Sitting Judge
83.	Hon. Gabriel Pascal Malata	Sitting Judge
84.	Hon. Happiness Philemon Ndesamburo	Sitting Judge
85.	Hon. Ruth Betwel Massam	Sitting Judge
86.	Hon. Andrian Philbert Kilimi	Sitting Judge

## JUDGES OF THE HIGH COURT - 2022

	NAME	COMMENT
87.	Hon. Godfrey Ntemi Isaya	Sitting Judge
88.	Hon. Obadiah Festo Bwegoge	Sitting Judge
89.	Hon. Victoria Mlonganile Nongwa	Sitting Judge
90.	Hon. Gladys Nancy Barthy	Sitting Judge
91.	Hon. Dr. Fatma Rashid Khalfan	Sitting Judge
92.	Hon. Asina Abdillah Omari	Sitting Judge
93.	Hon. Hamidu Rajabu Mwanga	Sitting Judge
94.	Hon. Marlin Leonce Komba	Sitting Judge
95.	Hon. Monica Peter Otaru	Sitting Judge
96.	Hon. Kamana Stanley Kamana	Sitting Judge
97.	Hon. Lusungu Hemed Hongoli	Sitting Judge
98.	Hon. Suleiman Haji Hassan	Sitting Judge
99.	Hon. Dr. Mwajuma Juma Kadilu	Sitting Judge
100.	Hon. Dr. Cleoplace Kassenene Kakiziba Morris	Sitting Judge
101.	Hon. Aisha Zumo Bade	Sitting Judge
102.	Hon. Musa Kassim Pomo	Sitting Judge
103.	Hon. Abubakar Amin Mrisha	Sitting Judge

## The Chief Registrar and The Chief Court Administrator



**HON. WILBERT MARTIN CHUMA**

The Chief Registrar

Section 28 (1) of the Judiciary Administration Act, 2021 entrusts to the Chief Registrar responsibility to facilitate and supervise the performance of judicial functions, coordinate judicial matters, provide a link between the Judiciary and the Commission on appointment, promotion and disciplinary matters of judicial officers, and to communicate to the government on matters relating to judicial profession, or any matter of the Government concern. The Chief Registrar reports to the Chief Justice



**PROF. ELISANTE OLE GABRIEL**

The Chief Court Administrator

The Chief Court Administrator derives his mandate from section 7 (5) of the Judiciary Administration Act, 2021. He is the Chief Executive Officer responsible for day-to-day administration of the judicial services and operation of the Judiciary fund. He is responsible to the Chief Justice.

### 1.4 The Judiciary Strategic Plan

The Judiciary Strategic Plan 2020/21 – 2024/25 is the second plan since the Judiciary embarked on reforms aimed at improving justice service delivery. The Plan is structured to achieve the Judiciary vision that is “timely and accessible justice for all”; and its mission “(to) administer justice to all through timely provision of quality, fair, transparent and impartial decisions”. The broader goal of the Plan is to achieve “citizen-centric justice service delivery”. Two of the three strategic pillars of the Judiciary Strategic Plan namely “access to justice and expeditiousness” and “public trust and stakeholders’ engagement” are designed to meet the vision, mission and the broader goal of the Plan.

Commitment and dedication of JoT to make its Plan a reality is manifested by its various key performance indicators directed to reduce the average time taken from filing a case to its final determination and raising the percentage of public satisfaction on the Judiciary services to 78% in 2022. Other equally crucial targets include raising the number of beneficiaries of mobile court services, reducing the percentage of case backlog, raising case disposal rate, and increasing the number of court brokers (enforcement agents).

## 1.5 Judicial Appointments, Promotions, Retirements and Vacancies

### 1.5.1 Judicial Appointments

#### 1.5.1.1 Judges of the High Court

In 2022, twenty-two judges of the High Court were appointed. The appointments increased the number of the High Court judges to 100 by August 2022. The newly appointed judges are presented in the **Table 1.1** below.

**Table No. 1.1: Appointed Judges of the High Court in the year 2022**



**Hon. Kevin David Mhina**  
Before his appointment,  
he was the Registrar of the CoA.



**Hon. Gabriel Pascal Malata**  
Before his appointment, he was  
the Solicitor General.

Table No. 1.1: Appointed Judges of the High Court in the year 2022



**Hon. Happiness Philemon  
Ndesamburo**

Before her appointment, she was the Senior Deputy Registrar of the CoA.



**Hon. Ruth Betwel Massam**

Before her appointment, she was the Deputy Registrar of the HC of Tanzania.



**Hon. Adrian Philbert Kilimi**

Before his appointment, he was the Deputy Registrar of the HC of Tanzania and the Personal Assistant to the Chief Justice.



**Hon. Godfrey Ntemi Isaya**

Before his appointment, he was the Deputy Registrar of the HC of Tanzania.



**Hon. Obadia Festo Bwegoge**

Before his appointment, he was the Deputy Registrar of HC of Tanzania and Personal Assistant to the Jaji Kiongozi.



**Hon. Victoria Mlonganile Nongwa**

Before her appointment, she was the Deputy Registrar of the HC of Tanzania.

Table No. 1.1: Appointed Judges of the High Court in the year 2022



**Hon. Gladys Nancy Barthy**  
Before her appointment, she was the Deputy Registrar of the HC of Tanzania.



**Hon. Dr. Fatma Rashid Khalfan**  
Before her appointment, she was the Commissioner of the Commission of Human Rights and Good Governance.



**Hon. Asina Abdillah Omari**  
Before her appointment, she was the Commissioner of the National Electoral Commission.



**Hon. Hamidu Rajabu Mwangi**  
Before his appointment, he was the Director at the National Electoral Commission.



**Hon. Marlin Leonce Komba**  
Before her appointment, she was the Director of Legal Services in the Ministry of Home Affairs.



**Hon. Monica Peter Otaru**  
Before her appointment, she was the Assistant Director at the Office of the Attorney General.

Table No. 1.1: Appointed Judges of the High Court in the year 2022



**Hon. Kamana Stanley Kamana**

Before his appointment, he was the Director of Legal Services in the Ministry of Minerals.



**Hon. Lusungu Hemed Hongoli**

Before his appointment, he was the Deputy Secretary at the Law Reform Commission.



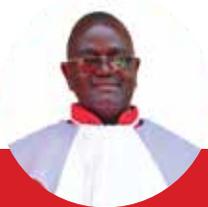
**Hon. Suleiman Haji Hassan**

Before his appointment, he was the Public Prosecutor in Zanzibar.



**Hon. Dr Mwachuma Kadilu Juma**

Before her appointment, she was the Assistant Lecturer at Mzumbe University.



**Hon. Dr. Cleoplace Kassenene Kakiziba Morris**

Before his appointment, he was the Lecturer at the University of Dar es Salaam.



**Hon. Aisha Zumo Bade**

Before her appointment, she was the Advocate of the HC of Tanzania.

Table No. 1.1: Appointed Judges of the High Court in the year 2022



**Hon. Musa Kassim Pomo**

Before his appointment, he was the Advocate of the HC of Tanzania.



**Hon. Abubakar Amin Mrisha**

Before his appointment, he was the Assistant Director of Case Management in Office of the Solicitor General.

## 1.2 Registrars, Deputy Registrars, Resident Magistrate In-charges

Within the period under review, Hon. Sylvester Joseph Kainda and Hon. Emmanuel Gasper Mrangu were appointed the registrar of the Court of Appeal and Senior Deputy Registrar of the Court of Appeal respectively. Further, two resident magistrates in-charge of the regions were appointed and other 19 resident magistrates were appointed to the post of district resident magistrate in-charge.

## 1.3 Promotions and New Employments

During the year 2022, a total of 416 resident magistrates were promoted to different grades and 48 resident magistrates were employed.

## 1.4 Retirements and Transfer of Employments

In the year 2022, a total of 24 judicial officers retired from the judicial service, amongst, six were judges of the High Court, one deputy registrar, and 17 were magistrates of various grades and posts. During the same period, six magistrates of different grades and ranks were transferred to other government institutions.

## 1.5. In Memoriam

We deeply remember our dearly departed colleagues and we thank them and their families for serving with distinction and honour the people of this great nation. May their souls rest in eternal peace.



**The late Hon.  
Ally Thabit Ramadhani**

The late Hon. Ally Thabit Ramadhani born on 16<sup>th</sup> August 1984 was employed by the Judiciary of Tanzania on 15<sup>th</sup> April 2009 as the primary court magistrate, the position he served until his death on 01<sup>st</sup> February 2022. The late Hon. Ramadhani served at different stations, the last one being the Primary Court of Mbarali District in Madibira.

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**The late Hon.  
Benjamin Jackson  
Mwakasonda**

The late Hon. Benjamin Jackson Mwakasonda was serving as the Primary Court Magistrate at the Primary Court of Ilala District at Kariakoo when he passed away on 26<sup>th</sup> August 2022. The late Mwakasonda was born on 26<sup>th</sup> October 1976 and was employed by the Judiciary on 01<sup>st</sup> June 2005 as primary court magistrate.

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**The late Hon.  
Nassoro Akbar Salehe**

The late Hon. Nassoro Akbar was born on 08<sup>th</sup> August 1968 and joined the Judiciary on 27<sup>th</sup> June 2012 as a resident magistrate II. He was promoted to the position of resident magistrate I and later senior resident magistrate on 01<sup>st</sup> April 2018 and 15<sup>th</sup> June 2022 respectively. Hon. Salehe served at different stations. By the time he passed away on 04<sup>th</sup> November 2022, he was serving at the Sengerema District Court.



**The late Hon.  
Maiko Kisula Loyan**

The late Hon. Maiko Kisula Loyani born on 11<sup>th</sup> June 1991. he was employed by the Judiciary on 18<sup>th</sup> February 2021 as a resident magistrate II. He served in this position at the Primary Court of Kalambo District at Kasanga until he passed away on 26<sup>th</sup> November 2022.



**The late Hon.  
Tumaini John Kiyeyeu**

The late Hon. Tumaini John Kiyeyeu born on 25<sup>th</sup> June 1984, was employed by the Judiciary on 15<sup>th</sup> April 2009 as a primary court magistrate, the position she served until her death on 06<sup>th</sup> December 2022. On her death, she was serving at the Primary Court of Bukoba District at Kolekero.



**The late Hon. Agnes Pius Barasobian**

Hon. Agnes Pius Barasobian passed away on 08<sup>th</sup> December 2022. Born on 16<sup>th</sup> August 1987, she was employed by the Judiciary on 27 June 2012 as a resident magistrate II. She was promoted to resident magistrate I and later to senior resident magistrate on 01<sup>st</sup> April 2018 and 15<sup>th</sup> June 2022 respectively. Hon. Barasobian served at different stations and positions including a Primary Court Magistrate In-charge of the Primary Court of Ilala District at Ilala, the position she served until her death.

## CHAPTER TWO

### ADMINISTRATION OF JUSTICE

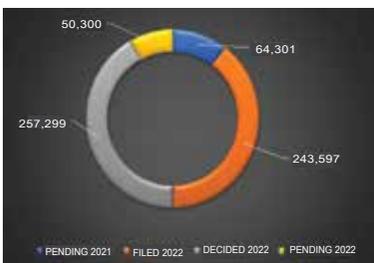
#### 2.1 Introduction

Justice delivery constitutes the core function of the Judiciary. This year, the Judiciary recorded fundamental achievements in discharging this constitutional mandate. This chapter shares a success story on the tremendous disposal rate, clearance rate, backlog reduction, and other milestones that were recorded in justice delivery.

#### 2.2 Case Statistics

A Sum of 64,001 cases were pending at the closure of the year 2021. Between January and December 2022, a total of 243,597 cases were filed; and 257,299 cases, equivalent to 106% of all filed cases, were decided. The Judiciary closed the year 2022 with 50,300 cases in its docket. This year, filed cases have increased by 3% compared to the year 2021. The increase in filing rate has been triggered by the use of electronic filing system and operationalization of new courts, which had an impact of bringing court services closer to the people and reducing the costs of litigation.

**Figure 2.1: Filed, Decided and Pending Cases at All Court Levels in 2022**



Statistics also show that, in 2022 more cases were disposed of than those filed. Further, decided cases increased by 10% compared to 2021. This was attributed by, among other factors, the appointment of two

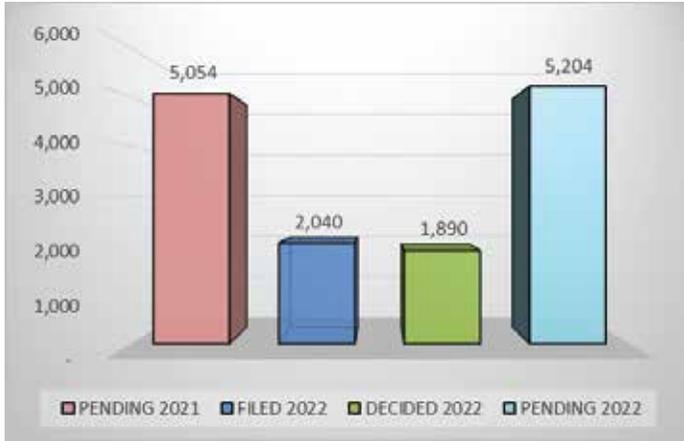
CoA judges as we approached the end of 2021; the appointment of 22 HC judges; and the recruitment of 48 magistrates in 2022.

Statistics reveal that primary courts continued to serve most of the population seeking justice in our courts. This year, 68% of all cases filed countrywide were registered in primary courts. Equally, primary courts decided 66% of all cases decided at all court levels, making them the courts with the highest number of determined cases. The number of cases filed, decided, and pending across all court levels is shown in Table 2.1 below.

**Table 2.1: Number of Cases Filed, Decided, and Pending at All Court Levels**

Court	Pending 2021	Filed 2022	Decided 2022	Pending 2022	% of Filed Cases	% of Decided Cases
CoA	5,054	2,040	1,890	5,204	1	1
HC Registries	11,641	15,977	16,454	11,164	7	6
Commercial Court	613	684	1,009	288	0	0
Land Court	1,562	2,111	2,808	865	1	1
Labour Court	1,568	1,570	2,726	412	1	1
CECC	26	29	29	26	0	0
Courts of RM	5,924	9,519	11,602	3,842	4	5
DC	17,317	45,719	48,479	14,557	19	19
Juvenile Courts	366	1,482	1,446	402	1	1
PC	19,930	164,467	170,857	13,540	68	66
Total	64,001	243,597	257,299	50,300	100	100

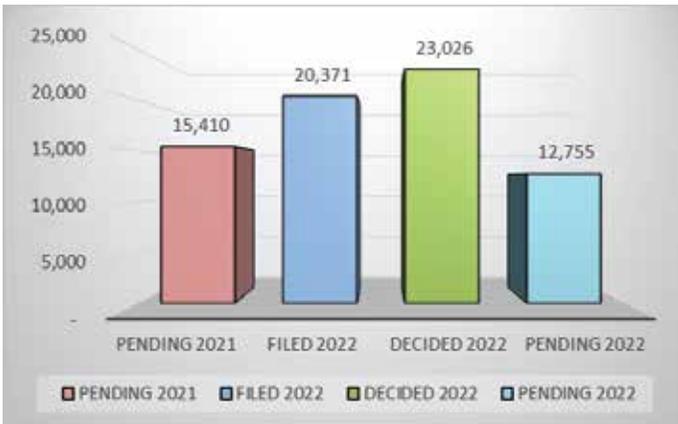
## 2.2.1 The Court of Appeal



**Figure 2.2: Filed, Decided, and Pending Cases in 2022**

The Court closed the year with **5054** cases. Between January and December 2022, a total of **2,040** cases were filed; **1,890** cases equivalent to **93%** of all filed cases decided; while **5,204** cases remained pending.

## 2.2.2 The High Court



**Figure 2.3: Filed, Decided, and Pending Cases in 2022**

**15,410** cases remained pending in the High Court at the closure of 2021. Within the period under review, **20,371** cases were filed; **23,026** cases, equivalent to **113%** of all filed cases were disposed; while **12,755** cases remained pending.

Annex I presents case statistics for the High Court Divisions and sub-registries.

### 2.2.3 The Courts of Resident Magistrates



**Figure 2.4: Filed, Decided, and Pending Cases in 2022**

A total of **5,924** cases were pending by December 2021. These courts registered **9,519** cases in 2022, of which **11,602** cases, equivalent to **122%** of all registered cases were decided. By the end of the period under review, **3,842** cases were pending.

Annex II presents case statistics for the courts of resident magistrates.

## 2.2.4 The District Courts

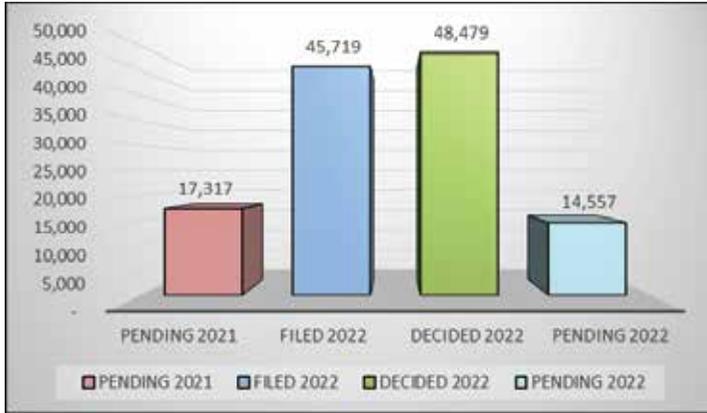


Figure 2.5: Filed, Decided, and Pending Cases in 2022

A total of **17,317** cases remained undetermined by the end of 2021 in all district courts. In 2022, a total of **45,719** cases were filed, and **48,479** cases, equivalent to **106%** of all filed cases were determined. By the end of the year, **14,557** cases were pending.

Annex III presents case statistics for all district courts.

## 2.2.5 The Juvenile Courts

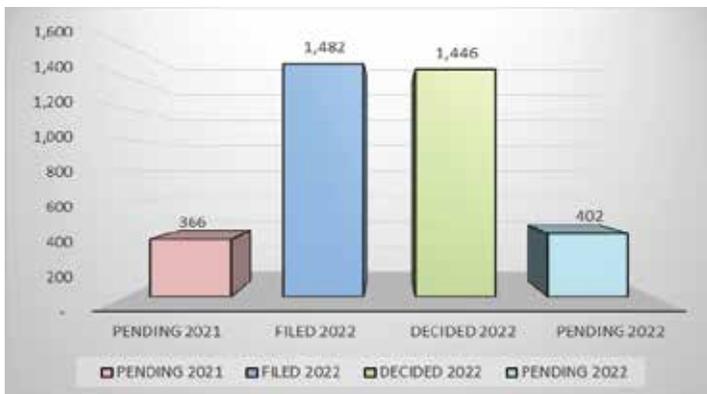
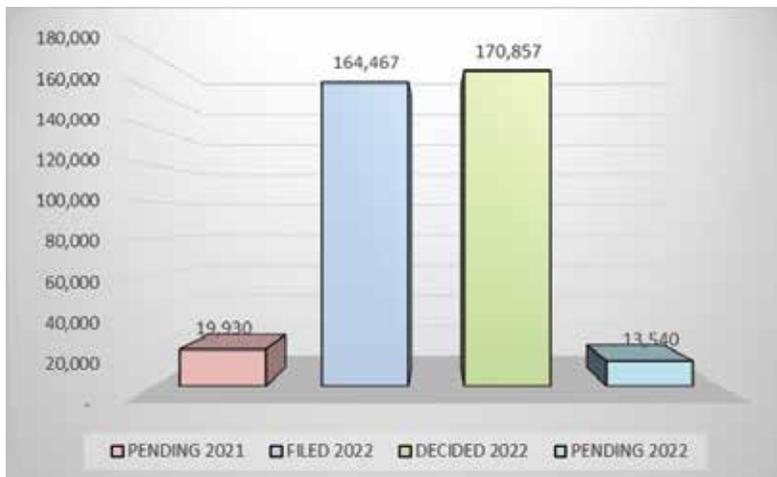


Figure 2.6: Filed, Decided, and Pending Cases in 2022

At the closure of the year 2021, a total of **366** cases were pending in all juvenile courts. In 2022, a total of 1,482 cases were filed and **1,446** cases, equivalent to **98%** of all filed cases were decided; and **402** were pending.

## 2.2.6 The Primary Courts



**Figure 2.7: Filed, Decided, and Pending cases in 2022**

A total of **19,930** cases were pending in all primary courts by December 31, 2021. In 2022, a total of **164,467** cases were filed; **170,857** cases, equivalent to **104%** of all filed cases were determined; and **13,540** were pending.

**Annex IV** presents case statistics for all primary courts.

## 2.3 Case Backlog

A case qualifies as a backlog if it remains pending for two years or more in the CoA and the HC; one year or more in the court of RM and the DC; and six months or more in the juvenile court and PC.

At the closure of 2022, backlog cases were **2,962**, equivalent to **6%** of **50,300** cases which were pending at all court levels. The overall backlog has decreased from **11%** in 2021 to **6%** in 2022. Likewise, the percentage of the backlog has decreased at each court level; the courts of RM recording the highest decrease by (**13%**), followed by the CoA (**9%**), DCs (**7%**), and HC (**5%**).

The DCs and Courts of RM contributed **61%** of the entire backlog in the Judiciary in 2021. However, at the end of the year 2022, a total of **363** backlog cases, equivalent to **20%** of 1,793 backlog cases, were those not within the jurisdiction of these courts compared to **36.3%** of similar cases in the previous year. By the end of 2022, the share of backlog cases not within the jurisdiction in the entire backlog at all court levels was **12%**; whereas during the same period in 2021, those cases constituted **23.1%** of the entire backlog. This remarkable achievement was the result of the strategic engagement with stakeholders and their reciprocal positive response.

Along with the effective engagement of stakeholders, the success in reducing the rate of backlog was attributed to the strategic backlog clearance and backstopping programs conducted; the increase in the number of judicial officers; and the effective use of ICT in the administration of justice. Other factors include close supervision and inspection; various strategies for accelerating case disposal developed and implemented by the Judiciary's committed and dedicated staff at individual courts countrywide. Table 2.2 below shows the number of backlog cases in all courts.

**Table 2.2: Backlog Analysis at All Courts in 2022**

Court	Pending Cases	Backlog	% of Backlog	% Share of Backlog
CoA	5,204	254	5	8.6
HC Registries	11,164	824	7	27.8
Commercial Court	288	36	13	1.2
Land Court	865	33	4	1.1
Labour Court	412	3	1	0.1
CECC	26	-	-	-
Courts of RM	3,842	878	23	29.6
DC	14,557	915	6	30.9
Juvenile Courts	402	-	-	-
PC	13,540	19	0	0.6
<b>Total</b>	<b>50,300</b>	<b>2,962</b>	<b>6</b>	<b>100</b>

## 2.4 Clearance Rate

The Judiciary recorded a remarkable increase in the overall clearance rate by 7%, from 99% in 2021 to 106% in 2022. The clearance rate also increased at each court level except for courts of RM. At the CoA, the achievement was 93% clearance compared to 73% in 2021. Likewise, the HC (main registry, sub-registries and divisions) was recorded a 113% clearance rate compared to 112% in the previous year. At the Courts of RM and DCs the rate was 122% and 106% compared to 130% and 98%, respectively, in the year 2022. The rise in clearance rate at the CoA was attributed -to the increase in the number of justices of appeal from 15 to 26 as we approached the end of 2021. For the HC, this was a result of the appointment of 22 judges in August 2022, which raised the number of HC judges from 78 to 100. In addition, the operationalisation of district court services in 14 districts had an impact of elevating DCs clearance rate by 9%.

**Table 2.3: Clearance Rate – 2022**

Courts	Filed	Decided	Clearance Rate
CoA	2,040	1,890	93
HC Registries	15,977	16,454	103
Commercial Court	684	1,009	148
Land Court	2,111	2,808	133
Labour Court	1,570	2,726	174
CECC	29	29	100
Courts of RM	9,519	11,602	122
DC	45,719	48,479	106
Juvenile Courts	1,482	1,446	98
PC	164,467	170,857	104
Total	243,597	257,299	106

## 2.5 Disposal Rate

The Judiciary's success in raising the case disposal rate this year is significant. The disposal rate increased at both institutional and individual court level. This year, the Judiciary recorded a disposal rate of **84%** compared to **78%** achieved in 2021. At individual court level, primary courts recorded the highest disposal rate of **93%** compared to **89%** achieved in 2021, followed by the Labour Division of the High Court with **87%** compared to **59%** achieved in 2021 while the Commercial Division of the High Court and juvenile courts ranked the 3<sup>rd</sup> with **78%** disposal rate each compared to **49%** and **70%** respectively achieved in 2021.

**Table 2.4: A comparison of Disposal Rate between 2021 & 2022**

Disposal Rate All Court level 2021				
Courts	Pending 2020	Filed 2021	Decided 2021	Disposal Rate
CoA	4,545	1,876	1,367	21
HC Registries	12,702	12,992	14,053	55
Commercial Court	590	605	582	49
Land Court	1,982	1,785	2,205	59
Labor Court	2,200	1,603	2,235	59
CECC	16	30	20	43
Courts of RM	8,509	8,563	11,148	65
DC	16,632	41,219	40,598	70
Juvenile Courts	295	940	869	70
Primary Courts	14,999	162,600	157,669	89
TOTAL	62,470	232,213	230,746	78

Disposal Rate All Court level 2022				
Courts	Pending 2021	Filed 2022	Decided 2022	Disposal Rate
CoA	5,054	2,040	1,890	27
HC Registries	11,641	15,977	16,454	60
Commercial Court	613	684	1,009	78
Land Court	1,562	2,111	2,808	76
Labor Court	1,568	1,570	2,726	87

Courts	Pending 2021	Filed 2022	Decided 2022	Disposal Rate
CECC	26	29	29	53
Courts of RM	5,924	9,519	11,602	75
DC	17,317	45,719	48,479	77
Juvenile Courts	366	1,482	1,446	78
Primary Courts	19,930	164,467	170,857	93
<b>TOTAL</b>	<b>64,001</b>	<b>243,597</b>	<b>257,299</b>	<b>84</b>

## 2.6 Workload per Judge/Magistrate

Table 2.5: Workload Analysis – 2022

Courts	Work Load	Judges/ Magistrates /Panel	Average Case Load Per Judge/ Magistrate/Panel
CoA	7,094	8	887
HC Registries	27,618	78	354
Commercial Court	1,297	4	324
Land Court	3,673	10	367
Labour Court	3,138	4	785
CECC	55	2	28
Courts of RM	15,443	80	193
DC	64,884	293	221
PC	184,397	905	204
Total	307,599	1,384	222

The CoA recorded a decrease in the workload per panel from 917 in 2021 to 887 in 2022. The decrease was attributed to an increase in the number of justices of appeal from 15 to 26 as we approached the end of 2021. The workload in the HC also decreased from 411 in 2021 to 365 in 2022. This was attributed by the appointment of 22 judges in the year 2022.

## **2.7 Time Taken from Filing to Determination of a Case**

Time is an essential aspect of case management and an indicator of court performance. Generally, in 2022 time taken dropped to an average of 95 days compared to an average of 119 days in 2021. This is a reduction of 24 days within a year. Primary courts, which serve the vast population, recorded an average of 29 days, followed by DC courts with an average of 159 days. The courts of RM and the HC recorded an average of 302 and 321 days, respectively.

The reduction in time taken was a result of JoT's deliberate efforts to improve efficiency in the justice delivery, particularly by reducing the time taken from filing to the finalising of a case. Such efforts include continued simplification of rules and reducing procedural steps, increased court supervisions and inspections, infrastructure improvement, and the application of ICT in the administration of justice.

## **2.8 Court Sessions**

### **2.8.1 The Court of Appeal**

The Court of Appeal held 34 sessions as planned, in which 2,040 cases were initially cause-listed. During those sessions, 1,890 cases, equivalent to 93% of cases initially cause-listed were disposed. This achievement was attributed to CoA innovation to increase the number of panels in some of the sessions as opposed to the ordinary single panel per session, thus increasing the number of cause-listed cases in those 34 sessions.

### **2.8.2 The High Court**

In 2022, a total of 135 criminal sessions were planned, and 100 sessions, equivalent to 74% were held, whereas a total of 696 cases were determined. Table 2.6 below shows the number of criminal sessions planned and held at the High Court sub-registries.

**Table 2.6: Criminal Sessions Planned & Held at the HC Registries**

No.	Sub-Registries	Planned Criminal Sessions	Criminal Cases Cause Listed	Criminal Sessions Held	Cases Disposed
1.	Main Registry	0	0	0	0
2.	Arusha	9	45	5	43
3.	Bukoba	16	71	9	63
4.	Dar es Salaam	7	38	3	34
5.	Dodoma	10	129	8	119
6.	Iringa	8	43	6	38
7.	Kigoma	4	19	4	18
8.	Mbeya	10	49	6	48
9.	Moshi	3	20	3	19
10.	Mtwara	2	20	2	9
11.	Mwanza	11	88	11	84
12.	Shinyanga	7	93	11	93
13.	Songea	5	41	5	29
14.	Sumbawanga	5	40	3	32
15.	Tabora	4	26	3	24
16.	Tanga	3	22	3	22
17.	CECC	31	29	18	21
	<b>Total</b>	<b>135</b>	<b>773</b>	<b>100</b>	<b>696</b>

## 2.9 Extended Jurisdiction Cases

During the period under review, **661** cases were transferred from the HC to the resident magistrates with extended jurisdiction, whereas **415** cases, equivalent to **63%** were decided; and **246** cases remained undetermined. The transfer of cases from the HC

to the resident magistrates relieve of the HC **2%** of the workload. However, the transfer increased the workload of the resident magistrates with extended jurisdiction.

## **2.10 Improving Access to Justice**

In 2022 the Judiciary continued to put into action the commitment to enhance access to justice. All the means possible were explored to ensure justice is expeditiously accessed, at low costs but with great efficiency. The progress in decreasing physical proximity to court services and simplification of rules of procedure had an impact on improving access to justice for citizens.

## **2.11 Operationalization of New Courts**

Progress was made in bringing justice closer to the people. In October 2022, a new sub-registry of the High Court in Manyara region was established thus raising the number of administrative regions enjoying the high court services to **18** out of **26**.

Also, the judiciary operationalized **14** district courts raising the number of administrative districts with this service to **134** out of **139**. District court services were operationalized in Buhigwe, Busega, Butiama, Gairo, Itilima, Kakonko, Kyerwa, Mbogwe, Misenyi, Mkinga, Rorya, Songwe, Tanganyika and Uvinza districts. Mkinga, Rorya and Misenyi administrative districts established in 2007, had no district court services for **15** years, whereas Butiama, Gairo, Mbogwe, Nyang’hwale, Kyerwa, Kakonko, Itilima, and Busega districts have started enjoying district court services **9** years after their establishment in 2013. Equally, it has taken **6** years for Tanganyika and Songwe districts to have district court services.

Before the operationalization of these courts, citizens from these administrative districts had to travel long distances to nearby districts to seek justice. At the primary court level, JoT extended primary court services in Ilala District at Chanika.

The operationalization of these courts has reduced costs and time people spent to access court services. JoT also strategically improved court services by constructing and putting in use of modern buildings in 6 new district courts. Those districts are Nyang’hwale, Kaliua, Kilombero, Mvomero, Mwanga, and Same.







Hon. Prof. Ibrahim H. Juma, Chief Justice of Tanzania inaugurating Mwanga and Same district court buildings on 14th November 2022 in Mwanga.





Inauguration of Chanika Primary Court building by His Lordship Amir Mruma, the Judge In-charge of the High Court, Dar es Salaam Zone on 1<sup>st</sup> November 2022.

## 2.12 Mobile Court Services



Education to citizens about court services before commencement of mobile court session at Chanika Station at Ilala District

The Mobile Court in session at Bunju “A” Station at Kinondoni District.



In 2022, justice-on-wheel services continued to ease the burden of costs and time of litigation to people living in remote areas and places with no court buildings. A total of **16,056** persons benefited from mobile court services. The number of beneficiaries exceeded the target of benefiting **12,000** citizens by 2022. Through these courts, **1,338** cases were finalized.

### **2.13 Review of Rules**

In 2022, various rules of procedure intended to improve access to justice, enhance transparency, and promote the use of ICT in the administration of justice were promulgated by the Chief Justice. Along with 14 rules operationalizing district court services in 14 districts, eight rules addressing strategic issues were issued as shown in Table 2.7 below.

**Table 2.7: Eight Sets of Rules Addressing Strategic Issues**

S/N	Title of the Rule	Purpose
1.	Interpretation of Laws (Use of English Language in Courts) (Circumstances and Conditions) Rules, 2022 [GN. No. 66 of 2022]	Provide conditions and limit the circumstance for the use of the English Language in courts' businesses with the view to promoting the use of Kiswahili, the language known to most of Tanzania population. This breaks the language barrier, which hinders access to justice, court records, and compromises transparency.
2.	The Civil Procedure (Approved Forms) (Amendment) Notice, 2022 [GN. No. 355 of 2022]	Prescribing a witness statement form.
3.	The Court Vacations (Revocation) Notice, 2022 [GN. No. 354 of 2022]	To revoke the Court Vacation Notice of 1979
4.	The Tanzania Court of Appeal (Amendments) Rules, 2022 [GN. No. 327 of 2022]	<ol style="list-style-type: none"><li>1. Simplification of laws by incorporating into a single law (Court of Appeal Rules) the period within which the Court of Appeal is to be on vacation.</li><li>2. To embrace application of ICT in administration of justice and expedite justice</li></ol>

		<p>delivery in the Court of Appeal by:</p> <ol style="list-style-type: none"> <li>a. allowing virtual appearance before the court; and</li> <li>b. allowing electronic recording of proceedings by extending the application of the Judicature and Application of Laws (Remote Proceedings and Electronic Recording) Rules, 2021 [GN. No. 637 of 2021] to the Court of Appeal.</li> </ol>
5.	The Court of Appeal (Sub-registries) Establishment Order, 2022 [GN. No. 520 of 2022].	To establish the Court of Appeal Sub-registry in Morogoro.
6.	The Criminal Procedure (Places of Sittings of the High Court in Exercise of Original Criminal Jurisdiction) (Designation) Notice, 2022 [GN. No. 576 of 2022]	Bringing justice closer to the people by increasing places where the High Court may sit in exercising its original criminal jurisdiction
7.	The High Court Registries (Amendment) Rules, 2022 [GN: No. 611 of 2022]	Increasing access to justice by establishing High Court Sub-registry at Manyara.
8.	The High Court (Manyara Sub-registry Establishment) Order, 2022 [GN. No. 632 of 2022]	Increasing access to justice by establishing High Court Sub-registry at Manyara.



## CHAPTER THREE

### SKILLS BUILDING AND JURISPRUDENCE DEVELOPMENT

#### 3.1 Introduction

Our courts of records continued to develop jurisprudence in the course of interpreting laws. This chapter shares the new developments and principles in law set by our courts. It also outlines activities the Judiciary undertook to enhance judicial education and training and experience sharing between our judicial officers and other judicial officers globally.

#### 3.2 Groundbreaking Principles

We are proud that the Court of Appeal and the High Court continued to strengthen and shape the legal landscaping and enhance jurisprudence in our country. Here we share court decisions that set new principles or opened up new understanding.

##### 3.2.1 Civil Cases

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CIRCUMSTANCES WHERE A LABOUR DISPUTE MAY GO STRAIGHT TO ARBITRATION WITHOUT BEING MEDIATED  
**Bulyanhulu Gold Mines Limited vs Paschary Andrew Stanny**  
(Civil Appeal 281 of 2021) [2022] TZCA 461

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The labour dispute mechanism generally requires a dispute to be mediated before it is arbitrated. In this case, however, the Court of Appeal ruled that although generally and in the normal course of labour dispute resolution legal processes, mediation is necessary under rule 4(2) of the Labour Institutions (Mediation and Arbitration Guidelines) Rules, it is not in every circumstance that mediation has dogmatically to precede arbitration.

The Court gave circumstances in which the labour dispute might skip the mediation process. The court listed two conditions namely: where a mediator does not, in thirty (30) days, complete a mediation as provided under section 86 (4) of the ELRA; and upon the dispute falling within exceptions of rule (1) and (2) of the very Mediation and Arbitration Rules.

The conditions are: the consequences of any delay in the mediation process; the prospects of settlement at mediation; the effective utilization of the Commission's resources; the interests of the parties; and the public interests generally.

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#### NOTICE ON EXISTENCE OF TAX LIABILITY BY THE COMMISSIONER GENERAL IS NOT APPEALABLE

**Commissioner General Tanzania Revenue Authority vs African Barrick Gold PLC** (Civil Appeal Case 11 of 2020) [2022] TZCA 119

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The court ruled out that under the provisions of section 16(1) and (2) of the TRAA together with section 13 and rule 7 of the Tax Revenue Appeals Board Rules, 2001 notice on existence of tax liability by the Commissioner General is not among the decisions envisaged to be appealable to the Board. The court gave two reasons for the exclusion of such an appeal. First, to enable the tax payer, before invoking the remedy of an appeal, to exhaust the available remedies of lodging an objection to the Commissioner General.

Second, to forward the matter to the Board by way of reference.

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## AN AUTOMATIC RIGHT OF APPEAL AGAINST THE MERITS OF AN EX-PARTE JUDGMENT

**Dangote Industries Limited Tanzania vs WARNERCOM T. Limited**  
(Civil Appeal 13 of 2021) [2022] TZCA 34

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In this case, the court held that while the complaint against an ex parte order may not be appealed, the appeal based on the merits of the case can be entertained on the appeal. The court noted that a party aggrieved by an ex parte judgement has two remedies: to apply to the court that passed the ex parte judgement to set it aside; or appeal against the merits of the judgement to the appellate court. Guided by section 70(2) of the CPC the Court noted that the requirement that an aggrieved party should not appeal before attempting first to set aside an ex parte judgement does not apply where the appellant is not interested to challenge the order to proceed ex parte or where the intended appellant was the plaintiff at the trial.

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## PROPER PROCEDURES OF HANDLING A GARNISHEE ORDER NISI

**Amana Bank Ltd vs Mantrac (T) Ltd & 3 Others** (Misc. Commercial Application 126 of 2022) [2022] TZHCComD 335

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In this case, the court details critical matters that a prudent banker should consider after receiving a garnishee order nisi from the court. The court noted the paradox facing the Tanzania banking and legal framework for lacking a comprehensive statutory framework governing garnishee order proceedings. It noted the need for such a framework to address issues such as what the banker should do upon receiving garnishee orders nisi.

Realising the lacuna in the legal system, the court issued directions to the prudent banker on the best practice and procedures to be embarked on upon receiving a garnishee order nisi from the court. It held that the banker should satisfy itself whether the named judgment debtor is indeed its client holding the account sought to be frozen; whether the account is in credit; if the account is in credit; whether the balance of the account suffices to cover the decretal sum as specified in the court's order; and balance of the account when the bank received the court's order.

Other issues that the prudent banker needs to address are whether the bank asserts any right to the money in the account pursuant to a right of set-off or otherwise; and if so, giving details of the grounds for that assertion, whether the right or interest of the bank to the money sought to be attached dates back to the date of the court's order or before. After satisfying itself on such issues, the court directed the banker that he has an obligation to promptly communicate to the court that issued the garnishee order nisi for it to issue further directives to the bank or parties to the case.

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**THE COURT POWER TO ORDER MAINTENANCE IS LIMITED**  
**Aziz Ally Omary vs Eshe Majid Ganzel** (Civil Appeal 18 of 2022) [2022] TZHC 14442

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The duty to maintain a spouse is recognized under the law. However, this duty does not apply to Islamic marriage, where the duty to maintain a divorcee is limited to the idat period, which is three menstruation circles or three months, for ladies who have commenced menopause, from the date of the first talaka. The law requires a Mohamedan to pay maintenance to his wife or former wife during the idat.

In this case, while the court was of the view that it is mandatory to plead the relief of maintenance of a spouse or children, it held that where maintenance is not pleaded and is consequent to a divorce decree or separation order, the court must cause the parties to adduce evidence upon which its decision would be based.

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A DISPOSITION OF THE LANDED PROPERTY OF THE DECEASED BY AN ADMINISTRATOR WHO HAS NOT REGISTERED HIMSELF AS THE OWNER OF SUCH PROPERTY IS INVALID

**Abbas Ally Athuman Bantulaki & Another vs Kelvin Victor Mahity** (Civil Appeal 385 of 2019) [2022] TZCA 509

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In this case the court was of the view that a legal representative, including the administrator of the deceased estates, is required to apply to be registered as the owner of a deceased landed property in the place of the deceased and upon being so registered he becomes vested with the mandate to exercise various powers in respect of that property including its disposition. It was the court's holding that, any disposition of the landed property of the deceased by an administrator who has not registered himself as the owner of such property is invalid and ineffectual for lack of mandate to dispose.

### 3.2.2 Criminal Cases

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A PERSON WHO IS MANDATED TO COLLECT SAMPLE FOR DNA PROFILING IN A CRIMINAL MATTER

**Shilanga Bunzali vs Republic** (Criminal Appeal 600 of 2020) [2022] TZCA 750

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In this case, the Court of Appeal was called to give directions on the legality or otherwise of DNA profiling samples that a police constable had collected. The court noted that a sampling officer mandated to collect the sample for DNA profiling is the officer appointed and gazetted by the minister. Also, the court noted that a police officer above the rank of assistant inspector or any police officer, as directed by the minister responsible for home affairs, can collect the blood sample.

However, in the case at hand, a detective police constable had collected the samples, and there was no evidence that he was directed by the responsible minister to collect the blood sample from the deceased supposedly blood for the purposes of DNA profiling. Therefore, it held that the irregular blood sample collection vitiated the Government Chemist's DNA profiling report.

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A CHARGE AT COMMITTAL STAGE IS NOT A CRIMINAL PROCESS FOR THE PURPOSE OF SECTION 4(3) OF THE CPA REQUIRING MANDATORY EXHAUSTION OF A CIVIL OR ADMINISTRATIVE REMEDY PRIOR TO INVOCATION OF CRIMINAL PROCESS.

**Director of Public Prosecution vs. Jitesh Jayantilal Ladwa & Another** (Criminal Appeal 111 of 2022) [2022] TZHC 11577

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Section 4(3) of the CPA bars invocation of the criminal process where a matter is of civil or administrative nature unless civil or administrative remedies have been exhausted. In this case, the court held that for the provision of this section to apply, the court in which such a criminal process lies must be clothed with the jurisdiction to entertain that matter. Consequently, the court ruled that, the provisions of this section are not applicable when the charge is at the committing court.

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THE COMPETENT COURT TO ENTERTAIN AN APPLICATION FOR SETTING ASIDE CONVICTION ENTERED FOLLOWING PLEA BARGAIN AGREEMENT

**Peter Michael Madeleka vs. Republic** (Misc. Crim Appl. 80 of 2021) [2022] TZHC 161

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The applicant applied to the High Court to set aside a conviction that was entered into through a plea bargaining agreement that was recorded in the court of the resident magistrate. While the High Court admitted that such an application could be brought under the provisions of section 194G (2) of the Criminal Procedure Act [Cap 20 R.E 2019] and rule 23 of the Criminal Procedure (Plea Bargaining Agreement) Rules, 2021, it gave directions where to file such an application.

It observed that a party on a plea bargaining agreement, if aggrieved by the plea bargaining outcome on the contention that the agreement had been procured involuntarily or by misrepresentation, may apply to the court that passed sentence to set aside the sentence. On the proper procedure, the High Court directed that such an application must be made by way of a chamber summons supported by an affidavit. The High Court -conceded that it is true that the High Court has unlimited jurisdiction. However, it noted that jurisdiction is a creature of statute, and the court does not assume jurisdiction based on the wishes of a party to the case.

It directed that where the court of resident magistrate entered a conviction and sentence following a plea bargain agreement, the High Court cannot be moved to set aside such an agreement. In such circumstances, the High Court directed, an application must be filed in the court of the resident magistrate.

### 3.3 Judicial Education and Training

During the year under review, JoT continued to enhance the capacity of its judicial officers. A total of **2,448** judicial officers attended various courses in which **2,410** attended short-term courses while **38** attended long-term courses. Out of **2,410** Judicial officers who attended short courses, 1930 attended virtually, while **480** attended physically.





Some of the training sessions conducted online by the Judiciary of Tanzania

### 3.4 Experience Shared with International Organizations

The Judiciary of Tanzania had an opportunity to share experience and skills with international organisations; and its employees attended various fora in enhancing justice delivery. The international organisations include the World Conference on Constitutional Justice (WCCJ), the Commonwealth Magistrates’ and Judges’ Association (CMJA), the East Africa Magistrates’ and Judges’ Association (EAMJA), the World Intellectual Property Organization (WIPO), and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

### **3.4.1 World Conference on Constitutional Justice (WCCJ)**

From 4<sup>th</sup> to 7<sup>th</sup> September 2022, three Justices of Appeal represented the Judiciary at the 5<sup>th</sup> World Conference on Constitutional Justice, a conference that unites constitutional courts, councils, and supreme courts in Africa, America, Asia and Europe. The main theme of the conference, which was held in Bali, Indonesia, was “Constitutional Justice and Peace”. Our delegates shared experience on constitutional jurisdictions and the protection of fundamental rights and equality of all people.

### **3.4.2 Common Wealth Judges and Magistrate Association (CMJA)**

CMJA is an association of judges and magistrates from Commonwealth countries. The main objective of the association is to advance the administration of justice by promoting the independence of the judiciary, enhance legal education, and prevent crime within the Commonwealth member states. The judges and magistrates of Tanzania are members of the CMJA through the Magistrates’ and Judges’ Association of Tanzania (JMAT). In 2022, judicial officers participated the triennial conference which took place in Accra, Ghana from 4<sup>th</sup>- 9<sup>th</sup> September 2022. The theme of the conference was “Access to Justice in a Modern World”.

Various pertinent issues relating to the use of modern technologies in delivery of justice were discussed during the conference. The Chief Justice, Prof. Ibrahim H. Juma presented a paper sharing the Tanzanian experience with the Commonwealth colleagues. The experience shared impacted in increasing and strengthening the use of modern technologies in the Judiciaries of the Common Wealth.

### **3.4.3 East Africa Judges & Magistrates Association (EAJMA)**

EAMJA is an organization of magistrates and judges from the East African countries. JMAT is a member of the East Africa Magistrates' Judges' Association. During the year under review, judicial officers attended the 19<sup>th</sup> EAMJA Conference held in Kigali, Rwanda from 7<sup>th</sup>– 10<sup>th</sup> November 2022. The theme of the conference was “East African Courts Efficiency in Adjudicating Emerging Cross Borders: Challenges & Strength”. The experience shared enhanced knowledge of judicial officers in matters related to cross-border issues.

### **3.4.4 World Intellectual Property Organization (WIPO)**

WIPO is the specialised United Nations agency established to promote and protect intellectual property rights across the world. The Judiciary of Tanzania and the World Intellectual Property Organization (WIPO) executed the memorandam of understanding (MoU) on 5<sup>th</sup> March 2021 with the view to strengthen the capacity of the judicial officers on intellectual property protection and attaining excellence in the delivery of justice.

The main areas of cooperation envisaged in the MoU include collaboration in judicial capacity building, developing a compendium of digest of intellectual property cases and laws, and the exchange of information and experiences on judicial decisions. Other areas are the promotion of alternative dispute resolution within the Judiciary of Tanzania, the establishment of WIPO Depository Library in the Judiciary of Tanzania Library, and conducting joint research on IP issues.

The following are the major activities undertaken in 2022 under the collaboration of the Judiciary of Tanzania and WIPO:

- i. Participation of Tanzania Judicial Officers in the 2022 WIPO Annual IP Judges' Forum. The forum took place at the Headquarters of WIPO in Geneva, Switzerland. The main theme was artificial intelligence and its role in court decisions. The forum provided a platform for judges across the globe to exchange their expertise on the most pressing issues in adjudication of IP disputes.
- ii. Participation of 70 Tanzanian judges and magistrates in the distance learning general course on intellectual property designed for judges and magistrates from 13<sup>th</sup> September 2022 to 14<sup>th</sup> November 2022. The course equipped judges and magistrates with in-depth knowledge, skills and new insights that could assist them to efficiently and professionally adjudicate IP cases.
- iii. Publication of Tanzania decisions and Judiciary of Tanzania IP Judicial Structure on the WIPO Lex Judgment Database. In 2022, the Judiciary of Tanzania was accredited to publish its IP decisions on the WIPO Lex judgment database. So far, 40 IP decisions of the High Court of Tanzania have been published.
- iv. Establishment of WIPO Depository Library in the Judiciary of Tanzania Library. In 2022, the Judiciary of Tanzania in cooperation with WIPO, established the WIPO Depository Library at the Judiciary of Tanzania Library where more than 100 publications were deposited.

### **3.4.5 United Nations Educational, Scientific and Cultural Organization (UNESCO)**

UNESCO is a specialised United Nations agency created to promote world peace and security through international cooperation in education, arts, science and culture. The Judiciary of Tanzania, through the Institute of Judicial Administration (IJA) Lushoto, signed MoU with UNESCO on the 2<sup>nd</sup> May 2022 for the purpose of strengthening the capacity of judges and magistrates in the area of standards of freedom of expression and safety of journalists, artificial Intelligence and the rule of law in the framework of human rights. The main activities undertaken in 2022 were:

- i. Training of trainers on freedom of the standards of expression and safety of journalists, artificial intelligence, and the rule of law held in September 2022, where 18 judges and resident magistrates attended.
- ii. Online training conducted from 10<sup>th</sup> - 12<sup>th</sup> October 2022 where a total of 155 participants comprising of judicial officers and UNESCO personnel participated.



## CHAPTER FOUR

### THE ENHANCEMENT OF PUBLIC TRUST

#### 4.1 Introduction

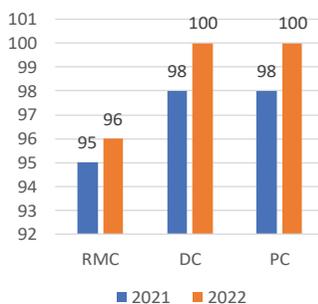
The Judiciary objectives are to provide quality services and increase trust and confidence in the public. This chapter presents measures taken by the Judiciary to achieve this objective, which include the continued monitoring and evaluation of the judicial functions; examination of quality of works and the performance of individual judicial officers in terms of performance and ethical standards; and continued provision of prompt feedback to queries, suggestions and complaints with the view to improving the quality of judicial services and enhance public trust.

#### 4.2 Supervision and Inspection of Courts

Inspection of courts is directed to assess the functioning of the courts in relation to the procedures and guidelines. The aim is to ensure the quality of judicial services. It examines the degree of compliance with the laws and procedures; and identifies challenges and provides suggestions on the most effective way of improving the service.

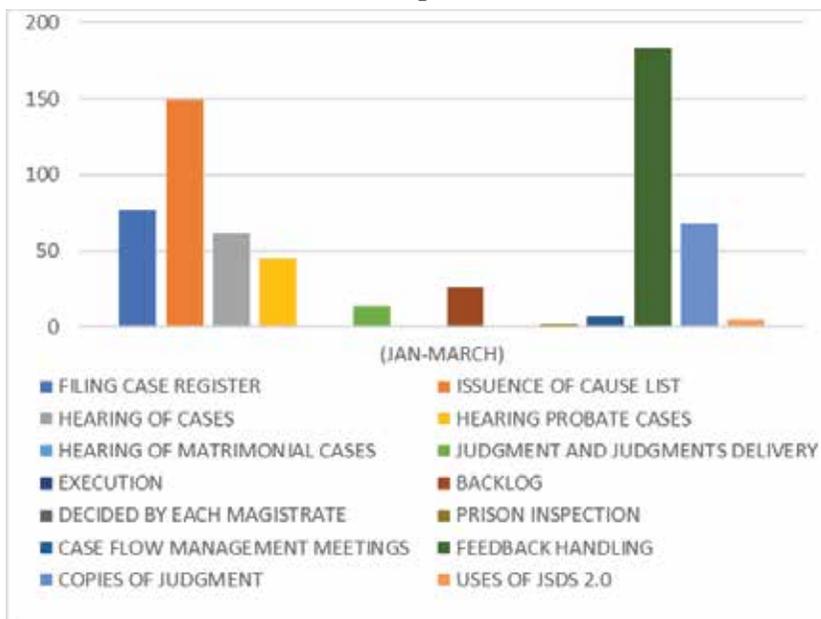
The number of courts inspected this year increased by 0.3% from 97.7% in 2021 to 98% in 2022. The high rate of inspection was attributed by, among other reasons, strengthened supervision and frequent monitoring and evaluation of the inspections conducted.

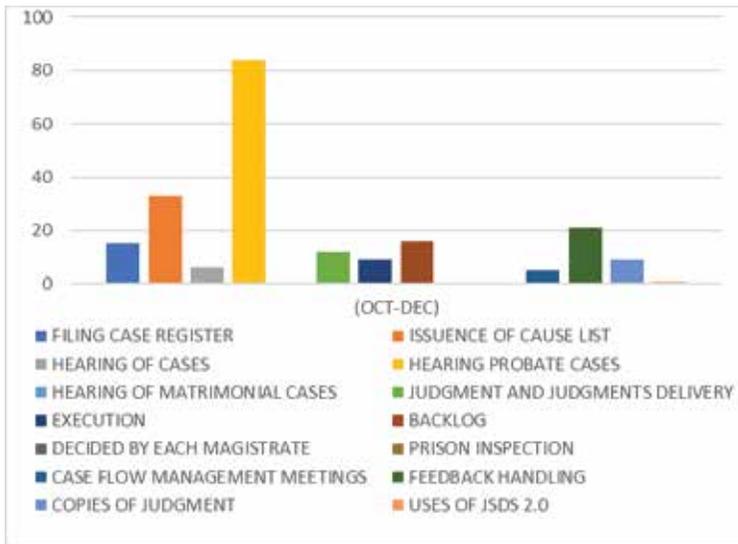
Percentage of Courts Inspected per Court Level



The key issues that were unfolded during inspections included backlog of cases at some court stations, shortage of staff, shortage of court buildings equipped with supportive facilities, and delay in execution of court decisions attributed by, among other factors, shortage of court brokers in some areas. In addressing these challenges, JoT adopted a number of measures, including strategic meetings with stakeholders to discuss effective ways of dealing with backlogs; increasing the number of court brokers and court process servers; recruitment of skilled employees; and construction of modern court buildings. The measures taken had an impact on improving the ethical conduct of judicial officers, decreasing repetitive inspection issues, queries and complaints from the public, and increasing public satisfaction.

**Figure No. 4.1** shows number of courts with repetitive issues in the first quarter of 2022 as compared to the number of courts with the similar issues in the fourth quarter in 2022.





### 4.3 Public Feedback

In 2022, JoT continued to provide access to open and responsive queries, suggestions and complaints handling processes by establishing a special call centre. The centre works 24 hours daily by receiving and handling feedback submitted through calls, SMS and emails. The public can access the centre’s services by calling the mobile number +255 (0) 752 500 400 and by an email *maoni@judiciary.go.tz*. The centre works along with already established complaint desks which were established for a similar purpose.

To put in action the commitment to increase access to justice for special and vulnerable groups and increase public awareness in legal cross-cutting issues, on 4<sup>th</sup> October 2022, the Judiciary launched a special and dedicated phone number and an email address for provision of awareness and receiving public feedback on matters related to probate and administration of estates. The number and email for that purpose are +255 (0) 739 502 401 and *ccamirathi@judiciary.go.tz*, respectively.

In the year 2022, a total of 2,752 public complaints were registered countrywide in which 1,281, equivalent to 46.5% were registered at the centre. The number of complaints recorded this year decreased by 5.8% compared to the year 2021, where 2,945 complaints were received.

**Table 4.1: Percent of handled complaint in 2022 as compared to 2021**

	Pending last year	Filed	Total	Handled	Pending	% of Handled
Year 2021	46	2,945	2,991	2,960	31	99%
Year 2022	32	2,752	2,784	2,721	63	98%

**The Figure No. 4.2:** below shows types and number of complaints received in 2021 compared to those received in 2022.

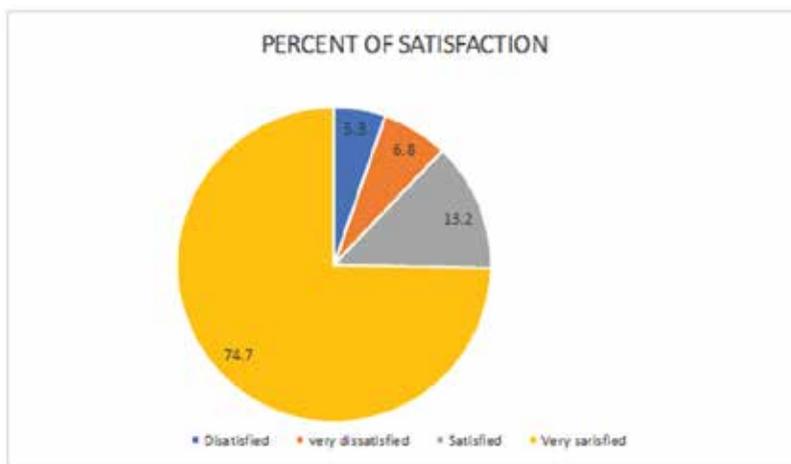


The analysis of the complaints showed that the majority of the complaints were due to the public lack of awareness of the court processes.

In addressing this, public awareness programs have been conducted through television, radio, social media, and exhibitions. During the year under review, 63 television programs commonly known as Sema na Mahakama covering court procedures and other legal issues were aired through TBC and ITV stations.

Generally, court users perceived positively the services offered by the Judiciary. The analysis of the feedback given by 659 court users reveals that 87.9% were satisfied with the services offered.

**Figure No. 4.3 shows the percent of satisfaction of court users on the court services in 2022.**



#### **4.4 Enhancement of Judicial Values and Ethics**

Judicial officers are expected to adhere to the highest standards of ethical behaviours. For that matter, monitoring their behaviours and conducts is essential in enhancing efficiency and professionalism, improving accountability, and building public trust. In ensuring that judicial officers' conducts are above reproach, 10 judicial officers were subjected to the disciplinary process in the year under review. **Three** of them had their charges

proved and they were subjected to stiff disciplinary sanctions; one was dismissed from judicial service; and the remaining two were retired on the ground of public interest. The other seven were cleared and reinstated.

The Judiciary's consistency in zero-tolerance against breach of the Code of Conduct for Judicial Officers substantially decreased the breach of the code. For example, while in the previous year, 16 judicial officers were subjected to judicial disciplinary process and 9 had their charges proved, this year, only 10 disciplinary proceedings were conducted and only three were proved.

## 4.5 Publications

In 2022 JoT issued Haki Bulletin and court decisions online. These publications were meant to enhance jurisprudence, increase access to justice, and raise public awareness.

### 4.5.1 Haki Bulletin

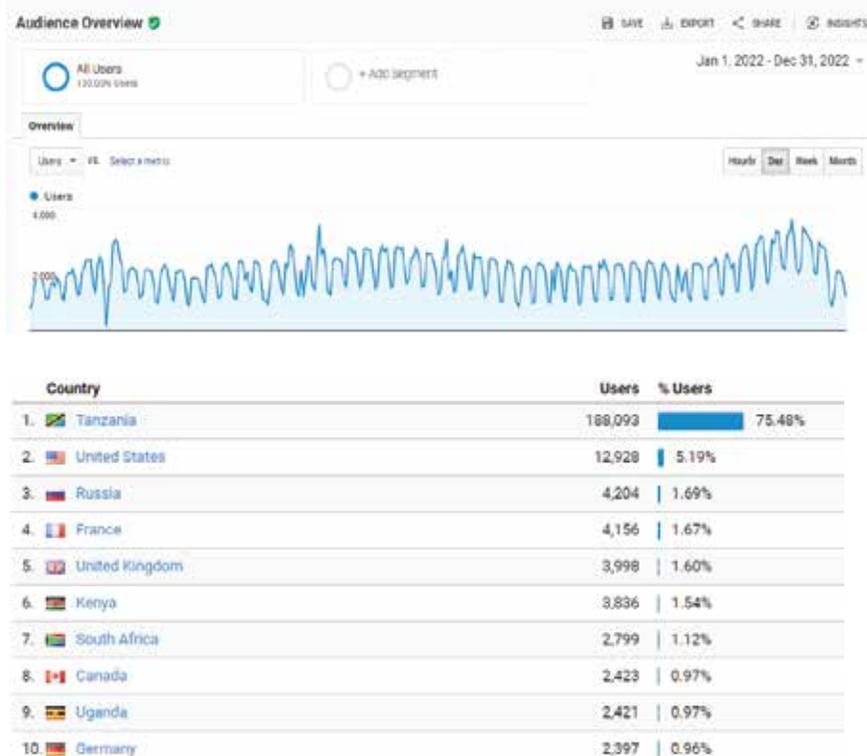


The Judiciary continued to raise awareness and provide feedback to court users and the public on various matters related to actions taken by the Judiciary to improve its services.

In 2022, three editions of Haki Bulletin with a total of 6,000 hard copies were published and circulated.

## 4.6 Online Court Decisions

JoT continued to publish the Court of Appeal and High Court decisions to TanzLII, a web-based platform established for publishing laws and decisions. The publication has not only eased the access to court decisions to the public but also served as a source of precedent and a forum for knowledge expansion to legal professionals worldwide. Frequent uploading of the decisions, which is done immediately after the delivery of the decision, has increased the public’s interest in visiting the site and continued to elevate Tanzania to the leading legal information institute in the world for four consecutive years.



## CHAPTER FIVE

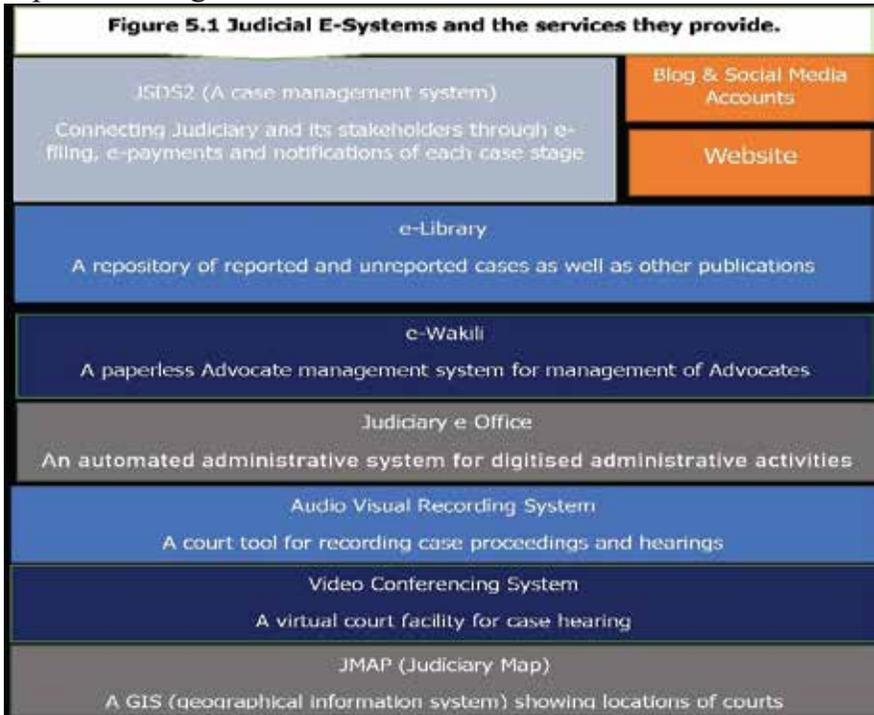
# APPLICATION OF ICT IN THE ADMINISTRATION OF JUSTICE

## 5.1 Introduction

In delivering timely and accessible justice for all, JoT continued to substitute the traditional manual ways with modern technologies in the administration of justice. This chapter shares how the Judiciary continued to apply ICT in the administration of justice and demonstrates major investments done to improve connectivity.

## 5.2 e-Systems and Services Provided

JoT continued to use various systems in dispensation of justice as depicted in Figure 5.1.



### 5.3 Case Management Systems

In 2022, JSDS2 continued to ease access to court registries by making registries accessible at the fingertips 24/7 through electronic filing. During the year, 97% of all cases filed in all courts except primary courts were electronically filed, as opposed to 83% in the year 2021.

### 5.4 Judiciary Mobile Application

The Judiciary Mobile Tz continued to be in use in 2022, where court stakeholders gave feedback and inquired about case information. The service hit 5,000 users, thus reducing congestion of court users looking for case information at court registries.

### 5.5 Virtual Court

Remote court proceedings have an impact of breaking the physical proximity barrier to justice. During the year under review, 12,243 court sessions were conducted countrywide using virtual court facilities. This reduced costs and time of litigation on the part of the Judiciary and stakeholders.



*Court proceedings through virtual court*

## 5.6 Investment in ICT

Capitalization in ICT is taken seriously. In 2022, the Judiciary made a mega investment towards e-justice as presented hereunder.

JoT has updated bandwidth for each court level with the aim of maximizing efficiency as follows:

No.	Court	Previous Bandwidth	Current Bandwidth
1.	IJCs	18 Mbps	25 Mbps
2.	High Court	6 Mbps	15 Mbps
3.	Resident Magistrate Court	2 Mbps	10 Mbps
4.	District Court	512 Kbps	6 Mbps



## CHAPTER SIX

### MATTERS RELATED TO STAKEHOLDERS

#### 6.1 Introduction

The Justice sector comprises many institutions with clearly defined functions spanning different government organs and interacting in a complex manner. For effective and efficiency justice delivery, stakeholders' engagement is of paramount importance. In 2022, the Judiciary continued to engage its stakeholders such as the National Prosecution Services, the Solicitor General, the Tanganyika Law Society, the Police Force, the Prison Service, Court Brokers and Process Servers. On the other hand, JoT continued to perform its statutory role of licencing advocates, court brokers and court process servers. The judiciary of Tanzania also continued to maintain ethics and take disciplinary measures where necessary against them for contravening the code of conduct. The main issues covered on the chapter are the roll of advocates; appointment and discipline of court brokers and process servers; case flow management committees; discipline of court brokers and process servers; and the law week and law day celebrations.

#### 6.2 The Roll of Advocates

In 2022, two admission ceremonies were held where 693 new advocates were admitted and enrolled. This raised the number of advocates enrolled from 10,749 in 2021 to 11,442 in 2022.



*Admission ceremony of advocates in Dar es Salaam, held on the 2<sup>nd</sup> December 2022*

### **6.3 Appointment and Discipline of Court Brokers and Process Servers**

Court brokers and court process servers are important for the efficient execution of court orders and the proper service of the court process. In 2022, the Court Brokers and Process Servers Appointment and Disciplinary Committee held three meetings for transacting its business. The committee licenced 24 court brokers and 24 process servers. This increased the number of court brokers from 85 in 2021 to 109 in 2022, exceeding the target of licencing 85 court brokers by 2022. Equally, the number of court process servers increased from 75 in 2021 to 99 in 2022.

### **6.4 Case Flow Management Committees**

Three routine National Case Flow Management Committee meetings, which bring together all criminal justice sector stakeholders were conducted to strategize on enhancing the disposition of cases. Members deliberated on matters affecting criminal justice in Tanzania and made important recommendations and devised strategies for criminal case backlog clearance.

The meetings had a positive impact to the extent of decreasing case backlog and the average time taken from filing to the determination of a case while increasing the disposal and clearance rate.

### **6.5 Discipline of Court Brokers and Process Servers**

The Judiciary continued to enhance the capacity of the zonal court brokers and court process servers disciplinary committees in monitoring the functions and operations of all court brokers and court process servers at the ground level. At the national level, in the year under review, one complaint against a court broker was registered and handled.

### **6.6 The Law Week and Law Day Celebrations**

The Judiciary of Tanzania fully engaged its stakeholders in the 2022 Law Week exhibitions. The exhibitions were organized at national, zonal, regional and district levels countrywide. At the national level, the exhibitions were officiated by His Excellency Dr. Hussein Mwinyi, the President of the Revolutionary Government of Zanzibar on 23<sup>rd</sup> January 2022 in Dodoma. The event was followed by exhibitions where the public was educated on diverse legal issues.

The Law Week exhibitions were concluded by the Law Day celebrations to mark the start of the court businesses for the calendar year 2022. This colourful event was officiated by Her Excellency Dr. Samia Suluhu Hassan, the President of the United Republic of Tanzania.

His Excellency Dr. Hussein Ali Mwinyi, the President of the Revolutionary Government of Zanzibar attending the opening of the Law Week Ceremony on 23<sup>rd</sup> January 2022.





His Excellency Dr. Hussein Ali Mwinyi, the President of the Revolutionary Government of Zanzibar attending the opening of the Law Week Ceremony on 23<sup>rd</sup> January 2022.



His Excellency Dr. Hussein Ali Mwinyi, the President of the Revolutionary Government of Zanzibar, hoisting the flag of the Judiciary of Tanzania on 23<sup>rd</sup> January 2022.



His Excellency Dr. Hussein Ali Mwinyi, the President of the Revolutionary Government of Zanzibar launching the Emblem of the Judiciary of Tanzania on 23<sup>rd</sup> January 2022.





Hon. Ambassador Hussein Kattanga, the Chief Secretary of Tanzania visiting a pavilion and later signing visitors' book during the Law Week exhibitions held at the Nyerere Square in Dodoma in January 2022.





Dr Aifello Sichwale, the Government Chief Medical Officer sensitising for Covid 19 vaccination during the Law Week exhibitions held at the Nyerere Square in Dodoma in January 2022.



Hon. Geophrey Mizengo Pinda, the Deputy Minister for Constitutional and Legal Affairs visiting a Judiciary pavilion during the Law at the Nyerere Square in Dodoma in January 2022.



Hon. Jumanne Sagini, the Deputy Minister for Home Affairs visiting a Judiciary pavilion during the Law Week at the Nyerere Square in Dodoma in January 2022.





Her Excellency, Dr. Samia Suluhu Hassan, the President of the United Republic of Tanzania addressing the public during the Law Day Celebrations held at the Chinangali Park in Dodoma on 2<sup>nd</sup> February 2022.



## CHAPTER SEVEN

### CELEBRATED EVENTS IN 2022



Swearing in office of Hon. Sam Mpaya Rumanyika as a Justice of Appeal on 11<sup>th</sup> January 2022.





Handing over instruments of appointment to 10 newly appointed Resident Magistrates In-charges of the Region on 14<sup>th</sup> January 2022 in Dar es Salaam.



Laying of the foundation stone of the Judiciary Headquarters at Dodoma by his Lordship Prof. Ibrahim H. Juma, the Chief Justice of Tanzania on 26<sup>th</sup> January 2022.



His Lordship Prof. Ibrahim H. Juma, the Chief Justice of Tanzania inspecting a guard of honour mounted to signify the commencement of the court business in 2022 during the Law Day Celebrations in 2022.



Launching ceremony of the Court of Appeal Journal, 2021 on the 5<sup>th</sup> April 2022 at Arusha.



Valedictory ceremony for His Lordship Judge David Mrango on 27<sup>th</sup> May 2022 at the High Court of Tanzania at Sumbawanga



World Bank Governance Practicing Manager, Nicola Smithers visiting projects implemented by JoT in June 2022 and commended JoT for the successful implementation of citizen-centric judicial reforms.



Judiciary of Tanzania participating in International Trade Fair (Saba-Saba exhibitions) 2022



Swearing in office of the newly appointed 21 Judges of the High Court on the 29<sup>th</sup> August 2022



The Judiciary of Tanzania participating on the Commonwealth Magistrates' and Judges' Association-CMJA 2022 Annual Conference held in Ghana from 4<sup>th</sup> September 2022 to 9<sup>th</sup> September 2022



His Lordship Prof. Ibrahim H. Juma, the Chief Justice of Tanzania launching the First Court of Appeal Sessions in Moshi on 19<sup>th</sup> September 2022.



His Lordship Prof. Ibrahim H. Juma, the Chief Justice of Tanzania handing over instrument of appointment to the newly appointed Resident Magistrates In-charge of Dar es Salaam Region, Hon. Ferdinand Kiwonde on 21 September 2022.



Hon. Abubakar Amin Mrisha, sworn in as a Judge of the High Court of Tanzania on 1<sup>st</sup> October 2022



Swearing in office of Hon. Sylvester Kainda as a Registrar of Court of Appeal on 01<sup>st</sup> October 2022





Swearing in office of Hon. Emmanuel Mrangu as a Senior Deputy Registrar of the Court of Appeal on 12<sup>th</sup> October 2022



His Lordship Prof. Ibrahim H. Juma, the Chief Justice of Tanzania -handing over instrument of appointment to the newly appointed Resident Magistrates In-charge of Shinyanga Region, Hon. Asha H. Mwetindwa on 19<sup>th</sup> October 2022.



Inauguration of Mwanga and Same District Courts' Buildings at Mwanga District by his Lordship Prof. Ibrahim H. Juma, the Chief Justice of Tanzania on 14<sup>th</sup> November 2022 in Mwanga.



Hon. John R. Kahyoza, the Judge In-charge of the High Court in Manyara; Hon. Joachim C. Tiganga, the Judge In-charge of the High Court of Tanzania in Arusha; and other judicial officers in photos during the handing over the High Court of Tanzania at Manyara on the 16<sup>th</sup> November 2022.



Participations of Tanzania Judicial Officers in the 2022 WIPO Annual IP Judges' Forum held in Geneva Switzerland (WIPO Headquarter) from 16<sup>th</sup> November 2022 to 18 November 2022.



His Lordship Prof. Ibrahim H. Juma, the Chief Justice of Tanzania inaugurating 18 district courts' buildings in Busega District on the 25<sup>th</sup> November 2022.



## CHAPTER EIGHT

### CONCLUSION

The report has highlighted key issues regarding the administration, performance, and monitoring and evaluation of judicial functions. It has shown the judicial appointments and their linkage to the judiciary performance. The court statistical data indicates the clearance rate, disposal rate, backlog clearance, workload per panel /judge/magistrate, the time taken from filing to the determination of the case, and court sessions in both the Court of Appeal and the High Court.

Comparison of the statistical data between the previous year 2021 and 2022 shows that the overall performance of the Judiciary in the judicial functions increased tremendously. Clearance rate increased by **7%**, from **99%** in 2021 to **106%** in 2022 while the disposal rate raised by **6%** from **78%** in 2021 to **84%** in 2022. At the Court of Appeal, the clearance rate was **93%** compared to **73%** in 2021 and at the High Court (Main Registry, Sub-registries and Divisions), the rate was **113%** in 2022 compared to **112%** in 2021. The courts of resident magistrates and district courts recorded a clearance rate of **122%** and **106%** in the year 2022 compared to **130%** and **98%**, 2021 respectively.

The raise in the clearance and disposal rate at the CoA was contributed by the increase in the number of justices of appeal from **15** to **26** in 2022. As regards to the High Court, the increase was contributed by the appointment of **22** judges in August 2022, which raised their number from **78** to **100**. On the other hand, the operationalizing of the district court services in **14** districts helped to increase the district courts' clearance and disposal rate by **9%** and **7%** respectively.

The report shows how the CoA decreased the workload per panel from **1,152** in 2021 to **887** cases in 2022. As said earlier, the decrease was attributed by the increase in the number of justices of appeal from **15** to **26**. The workload per judge in the High Court decreased from **411** in 2021 to **365** in 2022. Likewise, the decrease in the workload per judge was attributed to the appointment of **22** judges in 2022. The report also shows the decrease in the average of days spent from filing a case to its determination. The days decreased to **95** in 2022 compared to an average of **119** days in 2021. Primary courts, which serve most of the people, recorded an average of **29** days, followed by district courts with an average of **159** days. The courts of resident magistrates and the High Court recorded an average of **302** and **321** days, respectively.

In the administration of justice, it has been shown how the High Court and the Court of Appeal developed jurisprudence through landmark decisions. The report has also revealed how the courts were supervised and inspected to monitor their performance and evaluation. The report also shows strategic complaints handling systems which helped the Judiciary exude public trust. The report has shown that the public trust has been enhanced. Undoubtedly, our judicial values and ethics have been improved through court performance as revealed in the report. Through the report, we have seen the collective efforts by the Judiciary of Tanzania to increase public awareness on its core function through social media, television, radio and publications.

Due to technological advancement, the report has indicated how the Judiciary of Tanzania has embraced ICT in dispensing justice. Systems such as e-case management, which include electronic filing, electronic payments and SMS notifications, and Judiciary Mobile TZ and many others are up and running.

The report has revealed how the Judiciary continued with its endeavours to effectively engage its stakeholders in making sure justice is accessible. The report has outlined initiatives taken by the Judiciary to increase the number of advocates on the roll of advocates, court brokers, and court process servers. As it was in the previous years, events bringing the Judiciary closer to its justice stakeholders and the public at large like the Law Week and Law Day celebrations have been shown.

# Annexes

## ANNEX I - HIGH COURT DIVISIONS AND SUB-REGISTRIES CASE STATISTICS - 2022

Registry	Pending as at Dec 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Judges	Aver. Of Cases Decided	Aver of Workload per Judge	Clearance Rate	Disposal Rate
Main Registry	37	129	114	52	6	19	28	88	69
Arusha	1291	1809	1868	1,232	7	267	443	103	60
Bukoba	886	859	1228	517	4	307	436	143	70
Dar es Salaam	2906	2211	2692	2,425	9	299	569	122	53
Dodoma	809	937	1003	743	6	167	291	107	57
Iringa	384	622	554	452	3	185	335	89	55
Kigoma	163	454	386	231	2	193	309	85	63
Manyara	0	84	10	74	2	5	42	12	12
Mbeya	671	1209	1164	716	5	233	376	96	62
Morogoro	161	837	607	391	3	202	333	73	61
Moshi	337	605	531	411	3	177	314	88	56
Mtwara	328	400	435	293	2	218	364	109	60
Musoma	554	981	1007	528	3	336	512	103	66
Mwanza	943	1616	1552	1,007	7	222	366	96	61
Shinyanga	571	764	727	608	3	242	445	95	54
Songea	103	293	272	124	2	136	198	93	69

**ANNEX I - HIGH COURT DIVISIONS AND SUB-REGISTRIES CASE STATISTICS -2022**

Registry	Pending as at Dec 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Judges	Aver. Of Cases Decided	Aver of Workload per Judge	Clearance Rate	Disposal Rate
Sumbawanga	406	527	494	439	2	247	467	94	53
Tabora	449	397	476	370	3	159	282	120	56
Tanga	530	759	936	353	3	312	430	123	73
Temeke	112	484	398	198	3	133	199	82	67
Commercial	613	684	1009	288	4	252	324	148	78
Land	1562	2111	2808	865	10	281	367	133	76
Labour	1568	1570	2726	412	4	682	785	174	87
Economic and Corruption	26	29	29	26	2	15	28	100	53
<b>Sub Total</b>	<b>15,410</b>	<b>20,371</b>	<b>23,026</b>	<b>12,755</b>	<b>98</b>	<b>235</b>	<b>365</b>	<b>113</b>	<b>64</b>

**ANNEX II - COURTS OF RESIDENT MAGISTRATES CASE STATISTICS - 2022**

COURTS	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload per each Magistrate	Clearance Rate	Disposal Rate
Arusha	547	293	682	158	4	210	233	81
Bukoba	196	317	388	125	2	257	122	76
Dodoma	172	126	259	39	2	149	206	87
Geita	167	420	503	84	1	587	120	86
Iringa	305	118	378	45	2	212	320	89
Katavi	91	183	239	35	1	274	131	87
Kibaha	158	152	262	48	3	103	172	84
Kigoma	26	56	56	26	1	82	100	68
Kisutu	1,056	1,042	1,139	959	11	191	109	54
Kisutu Juvenile	85	931	824	192	2	508	89	81
Kivukoni	532	1,137	1,118	551	5	334	98	67
Lindi	16	50	48	18	1	66	96	73
Manyara	214	161	300	75	2	187	186	80
Mbeya	261	145	341	65	3	135	235	84
Morogoro	354	414	673	95	3	256	163	88

**ANNEX II - COURTS OF RESIDENT MAGISTRATES CASE STATISTICS - 2022**

COURTS	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload per each Magistrate	Clearance Rate	Disposal Rate
Moshi	142	230	272	100	3	124	118	73
Mtwara	71	268	261	78	2	170	97	77
Musoma	145	389	383	151	6	89	98	72
Mwanza	224	485	617	92	2	355	127	87
Njombe	114	77	126	65	1	191	164	66
Shinyanga	146	119	230	35	1	265	193	87
Simiyu	34	47	67	14	1	81	143	83
Singida	141	207	274	74	5	70	132	79
Sokoine	93	1,163	979	277	3	419	84	78
Songea	40	73	94	19	2	57	129	83
Songwe	57	101	127	31	1	158	126	80
Sumbawanga	98	123	168	53	2	111	137	76
Tabora	253	218	324	147	4	118	149	69
Tanga	178	474	470	182	4	163	99	72
<b>Total</b>	<b>5,924</b>	<b>9,519</b>	<b>11,602</b>	<b>3,842</b>	<b>80</b>	<b>193.04</b>	<b>122</b>	<b>75</b>

**ANNEX III - DISTRICT COURTS CASE STATISTICS - 2022**

DISTRICT	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload Magistrate	Clearance Rate	Disposal Rate
Arumeru	164	245	330	79	3	136	135	81
Arusha	165	674	595	244	4	210	88	71
Babati	208	358	446	120	2	283	125	79
Bagamoyo	443	853	998	298	4	324	117	77
Bahi	67	147	154	60	2	107	105	72
Bariadi	227	451	534	144	2	339	118	79
Biharamulo	174	371	419	126	2	273	113	77
Buhigwe	-	28	15	13	1	28	54	54
Bukoba	180	388	458	110	2	284	118	81
Bukombe	197	547	589	155	2	372	108	79
Bunda	235	464	555	144	2	350	120	79
Busega	-	15	4	11	1	15	27	27
Butiama	-	16	2	14	1	16	13	13
Chato	61	215	254	22	2	138	118	92
Chemba	-	138	71	67	2	69	51	51
Chunya	161	410	468	103	2	286	114	82
Dodoma	448	1,397	1,483	362	3	615	106	80
Gairo	-	7	5	2	1	7	71	71
Geita	189	638	678	149	2	414	106	82

**ANNEX III - DISTRICT COURTS CASE STATISTICS - 2022**

DISTRICT	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload Magistrate	Clearance Rate	Disposal Rate
Hai	172	287	359	100	2	230	125	78
Hanang'	130	286	310	106	2	208	108	75
Handeni	233	472	451	254	3	235	96	64
Igunga	113	203	232	84	2	158	114	73
Ilala	718	1,652	1,509	861	10	237	91	64
Ileje	13	78	81	10	2	46	104	89
Ilemela	120	445	403	162	4	141	91	71
Iramba	97	282	330	49	2	190	117	87
Iringa	237	424	526	135	3	220	124	80
Itilima	-	19	2	17	1	19	11	11
Kahama	262	785	847	200	4	262	108	81
Kakonko	-	30	11	19	1	30	37	37
Kalambo	46	171	185	32	1	217	108	85
Kaliua	99	314	261	152	1	413	83	63
Karagwe	163	526	538	151	2	345	102	78
Karatu	121	366	388	99	3	162	106	80
Kasulu	225	627	656	196	2	426	105	77
Kibaha	86	357	390	53	2	222	109	88
Kibiti	54	161	127	88	2	108	79	59
Kibondo	103	530	523	110	3	211	99	83
Kigamboni	109	296	287	118	3	135	97	71

**ANNEX III - DISTRICT COURTS CASE STATISTICS - 2022**

DISTRICT	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload Magistrate	Clearance Rate	Disposal Rate
Kigoma	100	397	377	120	3	166	95	76
Kilindi	97	192	227	62	1	289	118	79
Kilolo	45	140	159	26	2	93	114	86
Kilombero	246	440	565	121	4	172	128	82
Kilosa	210	722	786	146	2	466	109	84
Kilwa	102	235	277	60	2	169	118	82
Kinondoni	795	1,997	1,755	1,037	3	931	88	63
Kisarawe	64	139	132	71	3	68	95	65
Kishapu	140	286	352	74	1	426	123	83
Kondoa	67	154	147	74	1	221	96	67
Kongwa	115	314	353	76	6	72	112	82
Korogwe	42	205	205	42	2	124	100	83
Kwimba	80	199	236	43	2	140	119	85
Kyela	107	305	349	63	3	137	114	85
Kyerwa	-	39	7	32	1	39	18	18
Lindi	28	153	153	28	2	91	100	85
Liwale	45	146	155	36	2	96	106	81
Longido	155	195	310	40	2	175	159	89

**ANNEX III - DISTRICT COURTS CASE STATISTICS - 2022**

DISTRICT	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload Magistrate	Clearance Rate	Disposal Rate
Ludewa	36	59	79	16	1	95	135	84
Lushoto	48	207	205	50	3	85	99	80
Mafia	49	114	126	37	2	82	111	77
Magu	56	265	242	79	2	161	91	75
Makete	23	77	86	14	1	100	112	86
Malinyi	42	72	111	3	1	114	154	97
Manyoni	311	480	666	125	3	264	139	84
Masaki	104	392	339	157	3	165	86	68
Maswa	89	198	228	59	1	287	115	79
Mbarali	138	597	597	138	2	368	100	81
Mbeya	253	709	723	239	3	321	102	75
Mbinga	84	233	266	51	3	106	114	84
Mbogwe	-	28	13	15	1	28	46	46
Mbozi	87	233	245	75	2	160	105	76
Mbulu	64	188	189	63	2	126	101	75
Meatu	48	166	159	55	1	214	96	74
Misenyi	-	19	3	16	1	19	16	16

**ANNEX III - DISTRICT COURTS CASE STATISTICS - 2022**

DISTRICT	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload Magistrate	Clearance Rate	Disposal Rate
Misungwi	67	251	256	62	2	159	102	81
Mkinga	-	6	-	6	1	6	-	-
Mkuranga	209	766	683	292	3	325	89	70
Mlele	84	216	260	40	1	300	120	87
Momba	173	444	472	145	2	309	106	77
Monduli	54	98	123	29	2	76	126	81
Morogoro	302	907	874	335	3	403	96	72
Moshi	441	778	959	260	3	406	123	79
Mpanda	151	415	535	31	1	566	129	95
Mpwapwa	122	325	319	128	1	447	98	71
Mtwara	71	274	250	95	1	345	91	73
Mufindi	94	200	252	42	3	98	126	86
Muheza	75	231	260	46	1	306	113	85
Muleba	216	478	539	155	2	347	113	78
Musoma	214	491	611	94	2	353	124	87
Mvomero	105	175	254	26	2	140	145	91
Mwanga	127	249	323	53	3	125	130	86
Nachingwea	62	231	241	52	2	147	104	82
Namtumbo	100	155	236	19	2	128	152	93

**ANNEX III - DISTRICT COURTS CASE STATISTICS - 2022**

DISTRICT	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload Magistrate	Clearance Rate	Disposal Rate
Manyumbu	29	260	261	28	2	145	100	90
Newala	54	179	170	63	1	233	95	73
Ngara	98	324	330	92	2	211	102	78
Ngorongoro	25	67	79	13	1	92	118	86
Njombe	78	233	215	96	2	156	92	69
Nkasi	106	317	289	134	1	423	91	68
Nyamagana	363	876	1,026	213	5	248	117	83
Nyang'wale	-	64	36	28	1	64	56	56
Nyasa	23	67	79	11	1	90	118	88
Nzega	65	239	220	84	5	61	92	72
Pangani	22	106	105	23	2	64	99	82
Rombo	147	243	335	55	3	130	138	86
Rorya	-	16	13	3	1	16	81	81
Ruangwa	28	180	152	56	2	104	84	73
Rufiji	136	313	309	140	2	225	99	69
Rungwe	69	288	297	60	1	357	103	83
Same	71	308	314	65	2	190	102	83
Sengerema	86	441	424	103	2	264	96	80

**ANNEX III - DISTRICT COURTS CASE STATISTICS - 2022**

DISTRICT	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload Magistrate	Clearance Rate	Disposal Rate
Serengeti	313	454	527	240	3	256	116	69
Shinyanga	149	350	407	92	2	250	116	82
Siha	104	188	229	63	2	146	122	78
Simanjiro	145	267	288	124	2	206	108	70
Singida	129	445	408	166	2	287	92	71
Songea	153	338	436	55	2	246	129	89
Songwe	-	13	5	8	1	13	38	38
Sumbawanga	160	393	438	115	2	277	111	79
Tabora	134	267	253	148	3	134	95	63
Tandahimba	22	209	180	51	1	231	86	78
Tanga Mjini	178	406	458	126	2	292	113	78
Tanganyika	-	31	10	21	1	31	32	32

**ANNEX III - DISTRICT COURTS CASE STATISTICS - 2022**

DISTRICT	Pending as at December 2021	Filed Jan-Dec 2022	Decided Jan-Dec 2022	Pending Dec 2022	Number of Magistrates	Workload Magistrate	Clearance Rate	Disposal Rate
Tarime	387	645	775	257	3	344	120	75
Temeke Osc	477	2,086	1,915	648	9	285	92	75
Temeke	603	1,163	1,268	498	4	442	109	72
Tunduru	188	262	383	67	2	225	146	85
Ukerewe	27	179	173	33	2	103	97	84
Ulanga	93	139	187	45	2	116	135	81
Urambo	90	207	213	84	4	74	103	72
Uvinza	-	43	1	42	1	43	2	2
Uyui	76	157	162	71	1	233	103	70
Wangingómbe	24	69	81	12	1	93	117	87
<b>Grand Total</b>	<b>17,317</b>	<b>45,719</b>	<b>48,479</b>	<b>14,557</b>	<b>296</b>	<b>213</b>	<b>106</b>	<b>77</b>

**ANNEX IV - PRIMARY COURTS CASE STATISTICS - 2022**

ZONE	DISTRICT	pending as at Dec 2021	Filed Jan - Dec 2022	Decided		Pending Dec 2022	Number of Magistrates	Workload per each Magistrate	Clearance rate	Disposal Rate
				Jan - Dec 2022	Dec 2022					
ARUSHA	ARUMERU	310	2673	2841	142	7	426	106	95	
	ARUSHA	461	4666	4599	528	9	570	99	90	
	BABATI	154	1822	1915	61	12	165	105	97	
	HANANG'	150	1207	1231	126	4	339	102	91	
	KARATU	182	792	806	168	4	244	102	83	
	KITETO	68	469	511	26	2	269	109	95	
	LONGIDO	12	288	260	40	2	150	90	87	
	MBULU	69	1634	1640	63	7	243	100	96	
	MONDULI	50	639	643	46	5	138	101	93	
	NGORONGORO	54	444	468	30	5	100	105	94	
SIMANJIRO	59	585	611	33	5	129	104	95		
	<b>Sub Total</b>	<b>1569</b>	<b>15219</b>	<b>15525</b>	<b>1263</b>	<b>62</b>	<b>271</b>	<b>102</b>	<b>92</b>	
BUKOBA	BIHARAMULO	56	789	757	88	4	211	96	90	
	BUKOBA	307	3133	3242	198	11	313	103	94	
	KARAGWE	263	2017	2133	147	6	380	106	94	
	MULEBA	247	1538	1613	172	5	357	105	90	
	NGARA	38	702	672	68	5	148	96	91	
	<b>Sub Total</b>	<b>911</b>	<b>8179</b>	<b>8417</b>	<b>673</b>	<b>31</b>	<b>293</b>	<b>103</b>	<b>93</b>	

**ANNEX IV - PRIMARY COURTS CASE STATISTICS - 2022**

ZONE	DISTRICT	pending as at Dec 2021	Filed Jan - Dec 2022	Decided Jan - Dec 2022	Pending Dec 2022	Number of Magistrates	Workload per each Magistrate	Clearance rate	Disposal Rate
<b>DAR ES SALAAM</b>	BAGAMOYO	184	2230	2326	<b>88</b>	18	134	104	96
	KIBAHA	43	1429	1465	<b>7</b>	13	113	103	100
	KIBITI	66	389	407	<b>48</b>	2	228	105	89
	KISARAWA	20	417	414	<b>23</b>	6	73	99	95
	MAFIA	24	216	219	<b>21</b>	2	120	101	91
	MKURANGA	17	688	670	<b>35</b>	5	141	97	95
	RUFUJI	23	343	335	<b>31</b>	4	92	98	92
	<b>Sub Total</b>	<b>377</b>	<b>5712</b>	<b>5836</b>	<b>253</b>	<b>50</b>	<b>122</b>	<b>102</b>	<b>96</b>
	Ilala	1678	5,634	6,411	<b>901</b>	20	366	114	88
	Kigamboni	110	891	909	<b>92</b>	3	334	102	91
<b>MOROGORO</b>	Kinondoni	1425	7,966	7,965	<b>1,426</b>	24	391	100	85
	Temeke	610	2,477	2,391	<b>696</b>	8	386	97	77
	Temeke OSC	1212	3290	3702	<b>800</b>	6	750	113	82
	<b>Sub Total</b>	<b>5035</b>	<b>20,258</b>	<b>21,378</b>	<b>3,915</b>	<b>61</b>	<b>415</b>	<b>106</b>	<b>85</b>
	GAIRO		103	45	<b>58</b>	3	34	44	44
	KILOMBERO	342	1951	2092	<b>201</b>	6	382	107	91
	KILOSA	379	2740	2892	<b>227</b>	13	240	106	93
	MAHENGE	56	529	576	<b>9</b>	6	98	109	98
	MALINYI	0	377	362	<b>15</b>	2	189	96	96
	MOROGORO	786	2903	3622	<b>67</b>	21	176	125	98
MVOMERO	0	1352	1352	<b>0</b>	8	169	100	100	
<b>Sub Total</b>	<b>1563</b>	<b>9955</b>	<b>10941</b>	<b>577</b>	<b>59</b>	<b>195</b>	<b>110</b>	<b>95</b>	

ANNEX IV - PRIMARY COURTS CASE STATISTICS - 2022										
ZONE	DISTRICT	pending as at Dec 2021	Filed Jan - Dec 2022	Decided Jan - Dec 2022	Pending Dec 2022	Number of Magistrates	Workload per each Magistrate	Clearance rate	Disposal Rate	
<b>DODOMA</b>	IRAMBA D COURT	4	2420	2422	2	12	202	100	100	
	MANYONI D COURT	159	737	837	59	9	100	114	93	
	SINGIDA D COURT	141	2358	2339	160	12	208	99	94	
	<b>Sub Total</b>	<b>304</b>	<b>5515</b>	<b>5598</b>	<b>221</b>	<b>33</b>	<b>176</b>	<b>102</b>	<b>96</b>	
	Bahi Dc	18	490	474	34	4	127	97	93	
	Chemba Dc		612	561	51	4	153	92	92	
	Dodoma Dc	661	4027	4249	439	22	213	106	91	
	Kondoa Dc	105	864	874	95	5	194	101	90	
	Kongwa Dc	64	961	922	103	4	256	96	90	
	Mpwapwa Dc	28	721	715	34	4	187	99	95	
	<b>Sub Total</b>	<b>876</b>	<b>7675</b>	<b>7795</b>	<b>756</b>	<b>43</b>	<b>199</b>	<b>102</b>	<b>91</b>	
<b>IRINGA</b>	IRINGA	210	2373	2383	200	10	258	100	92	
	KILOLO	44	617	616	45	3	220	100	93	
	LUDEWA	25	432	424	33	4	114	98	93	
	MAKETE	18	308	321	5	6	54	104	98	
	MUFINDI	110	890	978	22	10	100	110	98	
	NJOMBE	130	1341	1400	71	8	184	104	95	
	WANG'INGOMBE	13	321	328	6	4	84	102	98	
	<b>Sub Total</b>	<b>550</b>	<b>6282</b>	<b>6450</b>	<b>382</b>	<b>45</b>	<b>152</b>	<b>103</b>	<b>94</b>	

**ANNEX IV - PRIMARY COURTS CASE STATISTICS - 2022**

ZONE	DISTRICT	pending as at Dec 2021	Filed Jan - Dec 2022	Decided Jan - Dec 2022	Pending Dec 2022	Number of Magistrates	Workload per each Magistrate	Clearance rate	Disposal Rate
<b>MOSHI</b>	HAI	18	539	467	90	4	139	87	84
	MOSHI	202	3192	3044	350	21	162	95	90
	MWANGA	15	260	258	17	6	46	99	94
	ROMBO	175	944	1012	107	6	187	107	90
	SAME	38	667	691	14	6	118	104	98
	SIHA	5	231	208	28	3	79	90	88
	<b>Sub Total</b>	<b>453</b>	<b>5833</b>	<b>5680</b>	<b>606</b>	<b>46</b>	<b>137</b>	<b>97</b>	<b>90</b>
<b>MBEYA</b>	CHUNYA	45	768	783	30	5	163	102	96
	ILEJE	13	351	354	10	2	182	101	97
	KYELA	97	1074	1064	107	6	195	99	91
	MBARALI	59	1228	1235	52	5	257	101	96
	MBEYA	516	3520	3696	340	16	252	105	92
	MBOZI	50	2165	2124	91	6	369	98	96
	MOMBA	84	824	854	54	3	303	104	94
	RUNGWE	146	1022	1082	86	9	130	106	93
	SONGWE		731	724	7	3	244	99	99
	<b>Sub Total</b>	<b>1010</b>	<b>11683</b>	<b>11916</b>	<b>777</b>	<b>55</b>	<b>231</b>	<b>102</b>	<b>94</b>

ANNEX IV - PRIMARY COURTS CASE STATISTICS - 2022										
ZONE	DISTRICT	pending as at Dec 2021	Filed Jan - Dec 2022	Decided Jan - Dec 2022	Pending Dec 2022	Number of Magistrates	Workload per each Magistrate	Clearance rate	Disposal Rate	
MTWARA	KILWA	35	566	569	32	10	60	101	95	
	LINDI	1	1014	1015	0	9	113	100	100	
	LIWALE	34	309	293	50	2	172	95	85	
	NACHINGWEA	33	575	557	51	5	122	97	92	
	RUANGWA	0	783	747	36	5	157	95	95	
	<b>Sub Total</b>	<b>103</b>	<b>3247</b>	<b>3181</b>	<b>169</b>	<b>31</b>	<b>108</b>	<b>98</b>	<b>95</b>	
	MASASI	75	1180	1164	91	8	157	99	93	
	MTWARA MJINI	39	792	782	49	8	104	99	94	
	NANYUMBU	25	316	304	37	3	114	96	89	
	NEWALA	76	632	622	86	5	142	98	88	
MUSOMA	TANDAHIMBA	44	369	372	41	4	103	101	90	
	<b>Sub Total</b>	<b>259</b>	<b>3289</b>	<b>3244</b>	<b>304</b>	<b>28</b>	<b>127</b>	<b>99</b>	<b>91</b>	
	M/W/Bunda	85	1781	1784	82	8	233	100	96	
	M/W/Butiama		148	91	57	4	37	61	61	
	M/W/Musoma	142	2979	3012	109	9	347	101	97	
	M/W/Rorya		221	93	128	4	55	42	42	
	M/W/Serengeti	14	1027	1013	28	6	174	99	97	
	M/W/Tarime	376	4574	4769	181	9	550	104	96	
	<b>Sub Total</b>	<b>617</b>	<b>10730</b>	<b>10762</b>	<b>585</b>	<b>40</b>	<b>284</b>	<b>100</b>	<b>95</b>	

**ANNEX IV - PRIMARY COURTS CASE STATISTICS - 2022**

ZONE	DISTRICT	Pending as at Dec 2021	Filed Jan - Dec 2022	Decided Jan - Dec 2022	Pending Dec 2022	Number of Magistrates	Workload per each Magistrate	Clearance rate	Disposal Rate
<b>MWANZA</b>	BUKOMBE	160	1256	1388	<b>28</b>	3	472	111	98
	CHATO	101	1743	1840	<b>4</b>	6	307	106	100
	GEITA	206	3031	3121	<b>116</b>	13	249	103	96
	MBOGWE		190	139	<b>51</b>	2	95	73	73
	NYANG'WALE		403	364	<b>39</b>	2	202	90	90
	<b>Sub Total</b>	<b>467</b>	<b>6623</b>	<b>6852</b>	<b>238</b>	<b>26</b>	<b>273</b>	<b>103</b>	<b>97</b>
	ILEMELA	307	1837	2049	<b>95</b>	4	536	112	96
	KWIMBA	78	738	816	<b>0</b>	6	136	111	100
	MAGU	95	1619	1587	<b>127</b>	7	245	98	93
	MISUNGWI	110	720	793	<b>37</b>	7	119	110	96
<b>SONGEEA</b>	NYAMAGANA	297	4060	4199	<b>158</b>	4	5	103	96
	SENGEREMA	73	1654	1726	<b>1</b>	13	133	104	100
	UKEREWE	149	725	855	<b>19</b>	6	146	118	98
	<b>Sub Total</b>	<b>1109</b>	<b>11353</b>	<b>12025</b>	<b>437</b>	<b>47</b>	<b>265</b>	<b>106</b>	<b>96</b>
	Mbinga D.C.	125	1324	1300	<b>149</b>	11	132	98	90
	Namtumbo DC	78	419	426	<b>71</b>	5	99	102	86
	Nyasa D.C	7	181	188	<b>0</b>	2	94	104	100
	Songea D.C.	130	2045	2130	<b>45</b>	13	167	104	98
	Tunduru D.C.	59	482	486	<b>55</b>	7	77	101	90
	<b>Sub Total</b>	<b>399</b>	<b>4451</b>	<b>4530</b>	<b>320</b>	<b>38</b>	<b>128</b>	<b>102</b>	<b>93</b>

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ZONE	DISTRICT	pending as at Dec 2021	Filed Jan - Dec 2022	Decided Jan - Dec 2022	Pending Dec 2022	Number of Magistrates	Workload per each Magistrate	Clearance rate	Disposal Rate
<b>SUMBAWANGA</b>	Kalambo	18	123	133	8	3	47	108	94
	MLELE	61	104	139	26	4	41	134	84
	Mpanda	242	423	484	181	7	95	114	73
	NKASI	53	725	758	20	6	130	105	97
	SUMBAWANGA	146	1093	1092	147	13	95	100	88
	TANGANYIKA		688	653	35	4	172	95	95
	<b>Sub Total</b>	<b>520</b>	<b>3156</b>	<b>3259</b>	<b>417</b>	<b>33</b>	<b>111</b>	<b>103</b>	<b>89</b>
<b>TABORA</b>	Igunga	53	875	890	38	10	93	102	96
	Kaliua	0	299	251	48	5	60	84	84
	Nzega	38	1133	1149	22	8	146	101	98
	Tabora_w	129	1958	1930	157	8	261	99	92
	Urambo	0	1048	962	86	2	524	92	92
	Uyui	4	293	264	33	4	74	90	89
	<b>Sub Total</b>	<b>224</b>	<b>5606</b>	<b>5446</b>	<b>384</b>	<b>37</b>	<b>158</b>	<b>97</b>	<b>93</b>
<b>KIGOMA</b>	Buhigwe	0	34	34	0	2	17	100	100
	Kakonko	0	25	25	0	1	25	100	100
	Kasulu	0	1086	1086	0	4	272	100	100
	Kibondo	0	603	603	0	4	151	100	100
	Kigoma	0	1466	1466	0	5	293	100	100
	Uvinza	0	125	125	0	4	31	100	100
	<b>Sub Total</b>	<b>0</b>	<b>3339</b>	<b>3339</b>	<b>0</b>	<b>20</b>	<b>167</b>	<b>100</b>	<b>100</b>

**ANNEX IV - PRIMARY COURTS CASE STATISTICS - 2022**

DISTRICT	pending as at Dec 2021	Filed Jan - Dec 2022	Decided Jan - Dec 2022	Pending Dec 2022	Number of Magistrates	per each Magistrate	Clearance rate	Disposal Rate	
<b>SHINYANGA</b>	BARIADI	2509	2835	65	8	363	113	98	
	BUSEGA	252	206	46	7	36	82	82	
	ITILIMA	0	199	144	3	66	72	72	
	KAHAMA	0	2684	2640	44	15	179	98	
	KISHAPU	87	775	847	15	14	62	109	
	MASWA	50	651	695	6	14	50	107	
	MEATU	25	838	862	1	6	144	103	
	SHINYANGA_W	116	1770	1786	100	17	111	101	
	<b>Sub Total</b>	<b>669</b>	<b>9678</b>	<b>10015</b>	<b>332</b>	<b>84</b>	<b>123</b>	<b>103</b>	<b>97</b>
	<b>TANGA</b>	1719	302	1937	84	7	289	641	96
<b>TANGA</b>	KILINDI	587	76	634	29	4	166	834	
	KOROGWE	96	1303	1369	30	4	350	105	
	LUSHOTO	1	786	763	24	6	131	97	
	MJINI TANGA	141	2272	2052	361	6	402	90	
	MKINGA		135	106	29	2	68	79	
	MUHEZA	107	1344	1349	102	4	363	100	
	PANGANI	33	466	458	41	3	166	98	
	<b>Sub Total</b>	<b>2684</b>	<b>6684</b>	<b>8668</b>	<b>700</b>	<b>36</b>	<b>260</b>	<b>130</b>	<b>93</b>
	<b>GRAND TOTAL</b>	<b>19,930</b>	<b>164,467</b>	<b>170,857</b>	<b>13,540</b>	<b>905</b>	<b>204</b>	<b>104</b>	<b>93</b>