



THE JUDICIARY OF TANZANIA



JUDICIARY LED REFORMS

TOWARDS CITIZEN-CENTRIC JUDICIARY MODERNIZATION AND JUSTICE SERVICE DELIVERY

TLS AGM- AICC, 5TH APRIL, 2019

Building Strong Institution

*“Do not fix people, use people to fix system
and ultimately the system will work for the
citizen ”*

Anonymous

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INTRODUCTION

JUDICIARY OF TANZANIA

VISION: “Timely, quality and Accessible Justice for All”

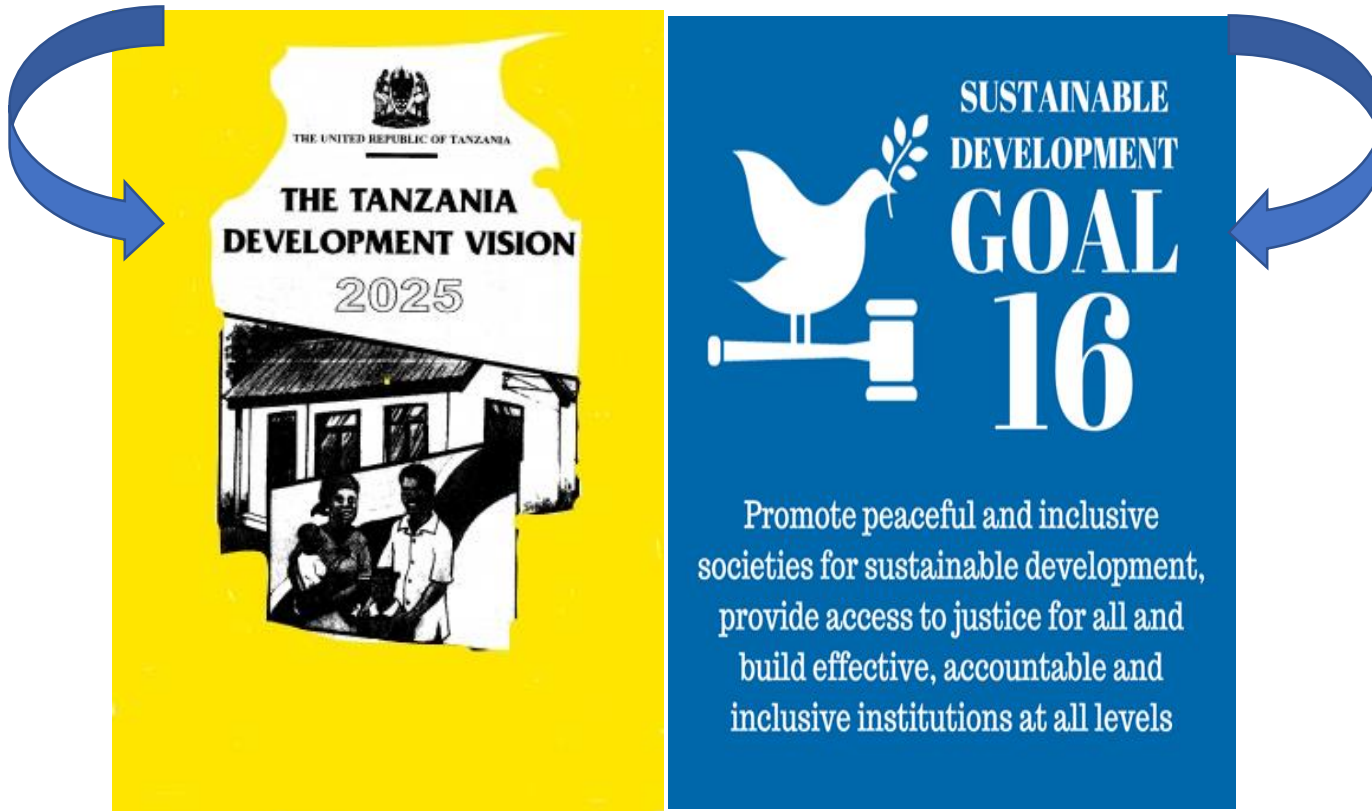
MISSION: Administer Justice to all through timely provision of quality, fair, transparent and impartial decisions.

The Tanzania’s Development Vision (2025) envisaged a nation with;

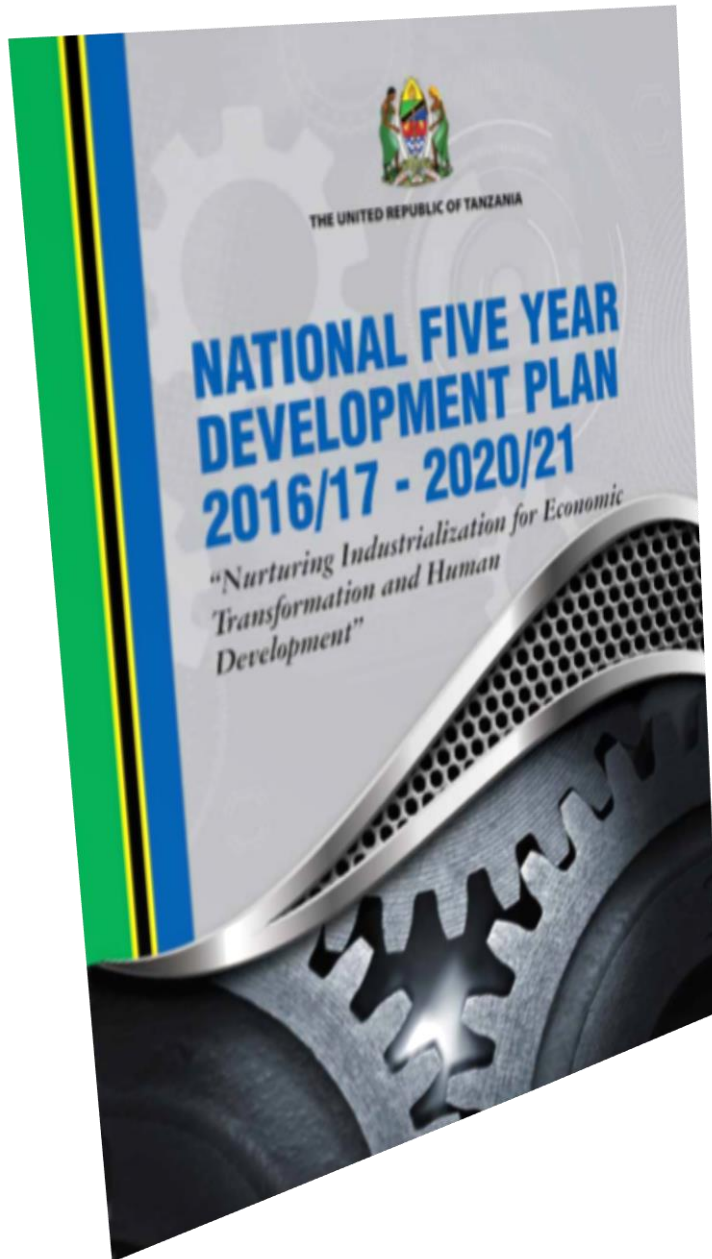
- High quality livelihood.
- **Peace, stability and national unity.**
- **Good governance,**
- A competitive economy capable of producing sustainable growth and shared benefits.

Key issues;

The Vision 2025 recognizes calls for reform to all systems in public sector, civil society, media, parliament law enforcement institutions and others to restructure and transform by adopting strategies to build integrity by promoting accountability and transparency.

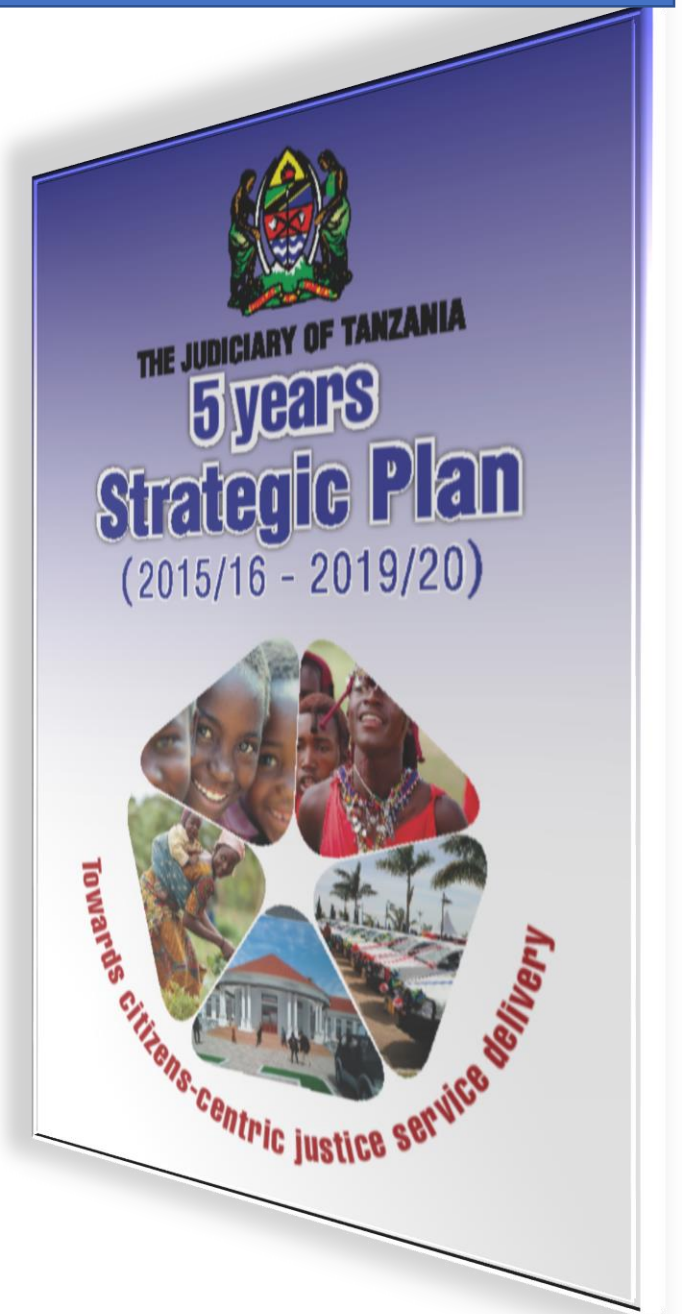


FOSTERING SOCIAL AND ECONOMIC DEVELOPMENT



The Focus

Good governance and peace, stability
and national unity,
Growth and Reduction of Poverty
(MKUKUTA II) which identified gender
equality and women’s empowerment
and ultimately translating into medium
income economy
(Middle income Country)



Why Judiciary led reforms

- JoT, acknowledge the need for reforms/ transformation/ improvement/change (A sense of urgency)
- JoT, well established with clear organisation structure and strong leadership & management
- JoT, set clear vision, mission and strategic direction towards the needful reforms.
 - Communicating the vision of change
 - Empowering employees for broad-based action
 - Generating short term wins

Challenges addressed by Reforms

- Insufficient and uneven distribution of court services- shortage of court buildings
- Delays and case backlog
- Procedural difficulties in case processes
 - Technological development renders some rules and procedure obsolete
 - Emerging issues need new /amendment of rules
- Inadequate correct and sufficient case data
- Lack of accountability-Absence of known number of cases to be disposed of by each judge/magistrate
- Address Public complaints
- Strengthening court and individual performance of Judicial officers
- Skill development

Areas of focus

- Enhancing Competency and Professionalism of Judicial and administrative staff.
- Improving Court Infrastructure and Accessibility of justice services physical & Virtual infrastructures.
- Deployment of innovative justice accessibility- mobile court, video conferencing, e-filing
- Fostering Ethics and Judicial conduct.
- Leverage ICT in Case Management system and Court business processes, Records and Data Management
- Increasing case clearance and disposal capacity and eliminating case backlog
- Reinforcing Performance Management of Courts and Judicial officers
- Increasing access to public information and building public trust/confidence.

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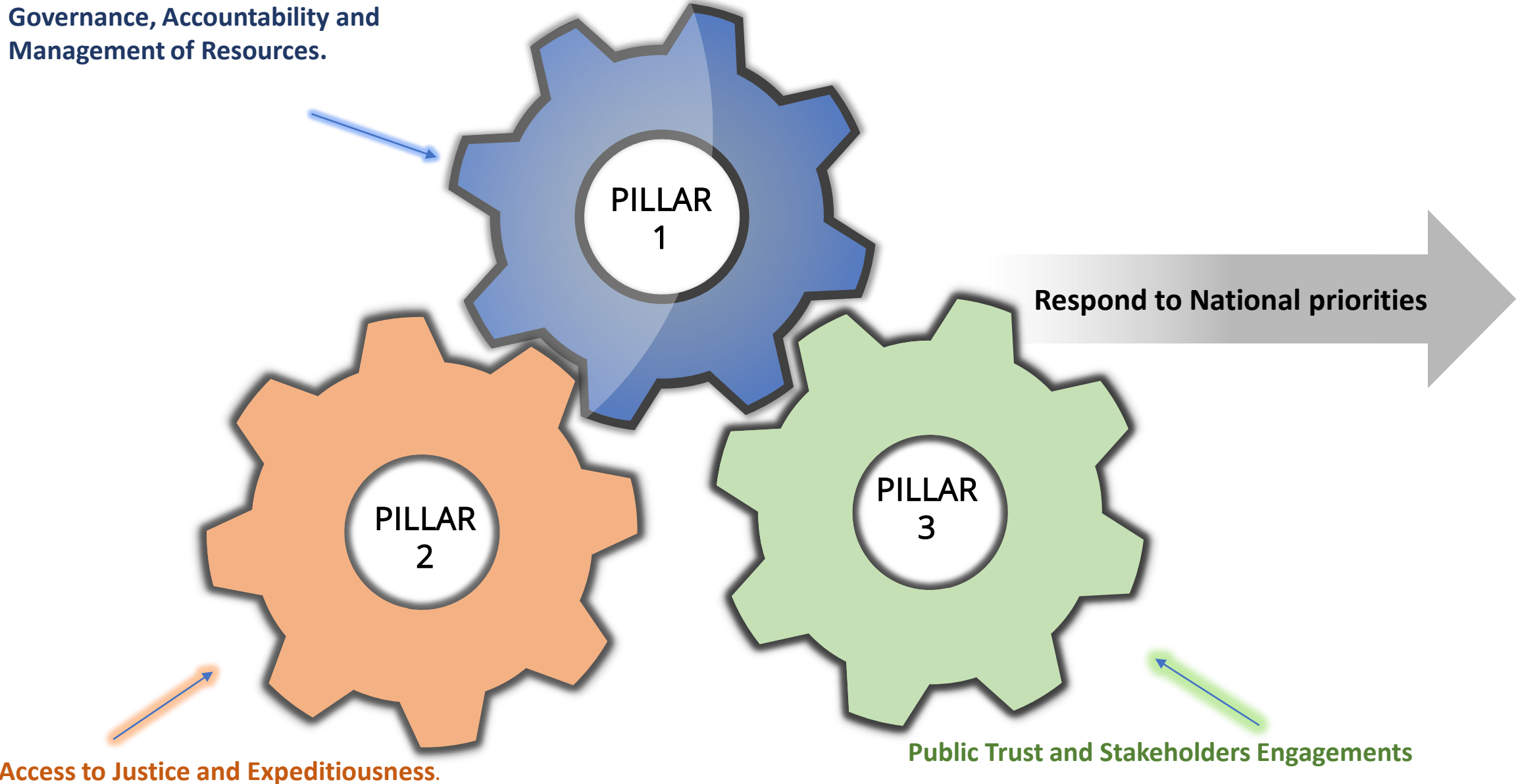
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Challenges and Way Forward



OVERVIEW OF THE JUDICIARY STRATEGIC PLAN 2015/16 -2019/20

Governance, Accountability and Management of Resources.

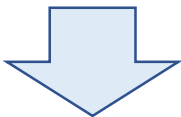


PILLAR: 1

Governance, Accountability and Management of Resources.

STRATEGIC OBJECTIVES

- 1. To establish effective leadership and institutional management.
- 2. To Strengthen performance and results oriented management and accountability.
- 3. To increase efficiency in Judiciary business process and enhance use of ICT.
- 4. To enhance financial management and increase resource base.
- 5. To have staff entitlement and other recurrent expenses paid on time.
- 6. To enhance jurisprudence and skills of judiciary and non judiciary officers



KEY RESULT AREAS

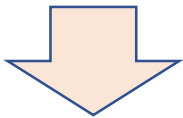
- 1. Organization transformation
- 2. Quality Judicial Decisions

PILLAR: 2

Access to Justice and Expeditiousness.

STRATEGIC OBJECTIVES

- 1. To develop processes and system to accelerate case disposal
- 2. To improve timeliness and reliability of records and information in the Judiciary.
- 3. To improve capacity for inspection and supervision.
- 4. To improve physical and virtual infrastructure in both rural and urban areas.
- 5. To increase Access to Justice for ~~Vulnerable and disadvantaged~~ groups.



KEY RESULT AREAS

- 1. Efficient and Effective Case Management System
- 2. Effective Judicial Supervision and Inspection
- 3. Equitable Access to Justice for all

PILLAR: 3

Public Trust and Stakeholders Engagements

STRATEGIC OBJECTIVES

- 1. Improve public confidence and image of the Judiciary.
- 2. To increase client satisfaction levels.
- 3. Re brand the Judiciary to project positive image and reputation.
- 4. To improve ethical behavior of employees in the Judiciary.
- 5. To improve Judiciary internal and externals stakeholders
- 6. To promote stakeholder dialogue, collaboration and partnership.



KEY RESULT AREAS

- 1. Increase Public and Stakeholders Trust
- 2. Ethical and Value - Based Judiciary
- 3. Improved Inter – Institutional Coordination and Cooperation

BORROWING INTERNATIONAL EXPERIENCE AND PRACTICE BRN METHODOLOGY FOR EFFECTIVE DELIVERY.

- BRN is the **Big Results Now** methodology.
- It consists of 3 main Principles,

1. Prioritisation

- Focusing on the 20% of things that will deliver 80% of the results at specified period of time

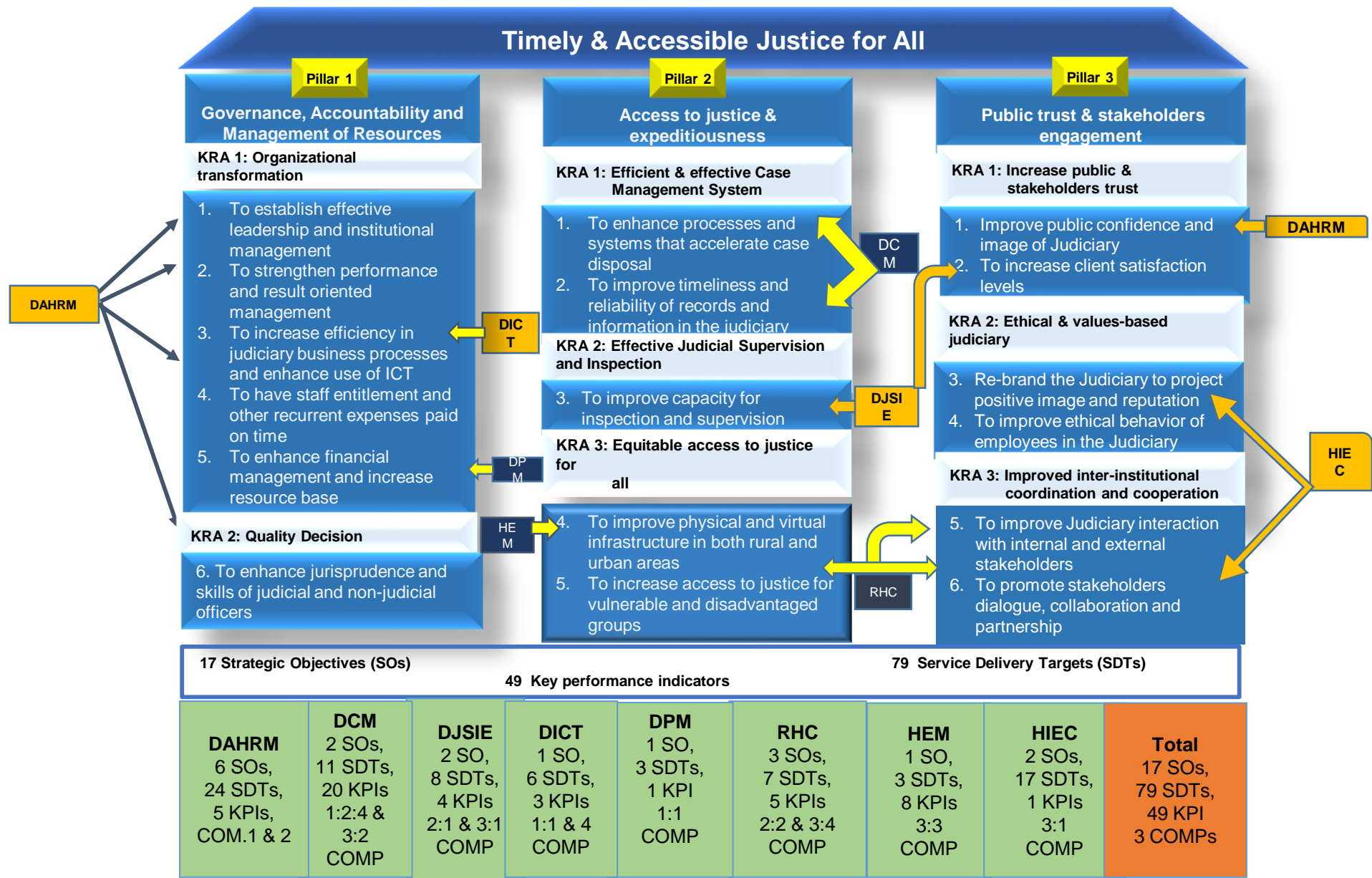
2. Discipline of Action

- Creating an action plan that lists the detailed activities that are required to be undertaken

3. Accountability

- Making individuals responsible and accountable for delivering the results required and feedback

JSP IMPLEMENTATION ARRANGEMENT



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Challenges and Way Forward



- Review of Laws, rules and procedures hindering acceleration of case disposals.
- The Law the Child Act (Designation Juvenile Courts) Notes, 2019
 - Judicature and Application Laws(Practice and Procedure in Cases Involving Vulnerable Groups)Rules, 2019
 - The Judicature and Application Laws Act (Cap. 358) The High Court (Commercial Division) Procedure (Amendment) Rules, 2019

Reform Process

- Increase court infrastructures with modern technology
 - multiple justice services from different stakeholders (Integrated justice centres)
- Deployment of innovative justice accessibility
 - Establishment of mobile court services
 - offer justice services in remote areas
 - Busy centers to serve time and costs
 - Use of Video conferencing facilities



Reform process

Construction and renovation of court buildings



- **Expeditious case disposal**
 - 📁 CoA and HC - 24 months
 - 📁 RM and DC - 12 months
 - 📁 PC - 6 months
- **Setting benchmarks for performance Management:**
- High Court Judges - 220, Resident Magistrate and District Court - 250 and Primary Court 260;
 - Up to 2013 performance measurement in Tanzania was implemented in fragments by filling in confidential reports which covered the lower bench only
 - It never involved measurement of performance of each judicial officer in terms of quantity, quality and timeliness in execution of court business
- **Control of quality-** Counting gives scores depending on the type decision rendered. Judgment carries more weight while orders carries the least score.

- *Reduction of case backlog*
 - High Court- the number of cases which were more than 10 yrs were 978 in 2012, Dec 2018 was 0
 - Primary Courts had 616 which were 2+yrs – Dec 2018 0

- Reviving of case management committees both in criminal and civil cases
- Introduction of pre and post session meeting
- Reconciling of court annual calendar
- Establishing of the reform team ,rules committee etc
- Improving sharing of information –Media forum, Law week and Law day events , participation in National festivals through exhibition eg. Trade Fair exhibition etc.
- Building capacity of staff
- Automation of all judiciary services including comprehensive case management system, e-library services and e-law reports- in progress

- Signing of Memorandum of Understanding with major stakeholders
 - eg DLHT, MOCLA, CMA
- Improving records management
- Enhancing of inspection and supervision of courts
- Enhancing ICT usage
- Conducting court users survey
- Enhance use of ADR
- Building capacity of staff

- Improving complaints system



JAMHURI YA MUUNGANO WA TANZANIA



MAHAKAMA

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Blogs: TanzaniaJudiciary.blogspot.com
Tovuti: www.judiciary.go.tz

TANGAZO KWA WANANCHI WOTE

MAONI, MAPENDEKEZO NA MALALAMIKO DHIDI YA VITENDO VISIVYO VYA UADILIFU NA RUSHWA

USHIRIKI WA WANANCHI NA WADAU

MAPAMBANO DHIDI YA VITENDO VYA KUOMBA RUSHWA, UKOSEFU WA MAADILI NA UTOAJI WA LUGHA ZISIZOZINGATIA STAHA NA UADILIFU YATAFANIKIWA TU ENDAPO; WANANCHI NA WADAU WATAOA TAARIFA ZA KWELI ZA MATUKIO YA KWELI YA WATUMISHI WA MAHAKAMA WANAOFANYA VITENDO HIVYO ILI HATUA STAHIKI ZICHUKULIWE DHIDI YA UKWELI HUO.

MPANGO MKAKATI

MPANGO MKAKATI WA MAHAKAMA WA MIAKA 5 (2015-2020) UMELENGA KUWAFIKIA WANANCHI WOTE ILI WAWAZE KUTOA **PONGEZI KWA MATENDO MAZURI; AMA MAONI, MAPENDEKEZO NA MALALAMIKO** DHIDI YA VITENDO VISIVYO NA MAADILI KWA KUTUMIA NAMBA ZA SIMU NA ANWANI ZILIZOONYESHWA HAPA CHINI.

RUSHWA NA UKOSEFU WA MAADILI

ENDAPO UNAHISI UNAOMBWA RUSHWA, UNASUMBULIWA AMA KUNA UKIUKWAJI WA MAADILI KINYUME NA UTARATIBU; BILA KUSITA TOA TAARIFA KWA UJUMBE MFUPI WA MANENO, WHATSAPP AMA SIMU KWA MAHAKAMA NA/ AMA TAKUKURU NA WENYEVITI WA KAMATI ZA MAADILI KWENYE NAMBA ZA SIMU HUSIKA NA HATUA STAHIKI ZITACHUKULIWA MARA MOJA. AIDHA, UNaweza FIKA NA KUONANA NA MKUU WA DAWATI LA MALALAMIKO AU MKUU WA ENEO HILO.

RUSHWA NI DHAMBI, RUSHWA NI ADUI WA HAKI NA HUDUDIMIZA TAIFA. USISHAWISHI, USITOE WALA USIPOKEE RUSHWA

MAHAKAMA MAKAO MAKUU	
Makao Makuu	0744 000790
Mahakama Kuu, Masjala Kuu	0744 000780
Idara ya Ukaguzi na Maadili (WhatsApp na sms)	0752 500400

TAKUKURU (PCCB) MAKAO MAKUU	
Simu ya bure	113
Makao Makuu	022- 2150043
Makao Makuu	022- 2150044
Makao Makuu	022- 2150045
Makao Makuu	022- 2150046

MKOA WA DAR ES SALAAM		TAKUKURU (PCCB) DAR ES SALAAM		KAMATI ZA MAADILI	
Mahakama Kuu Kande ya Dar es Salaam	0744000740	Takukuru Dar Es Salaam	022-2150043	Tume ya Utumishi wa Mahakama	0745000200
Mahakama ya Hakimu Mkaazi Kikuu	0744000601	Takukuru Dar Es Salaam	022-2150044	Mkuu wa Mkoa wa Dar es Salaam	0746000272
Mahakama ya Wilaya Kinondoni	0744000602	Takukuru Wilaya ya Kinondoni	022-2170852	Mkuu wa Wilaya ya Kinondoni	0746000306
Mahakama ya Wilaya Ilala	0744000603	Takukuru Wilaya ya Ilala	022-2861080	Mkuu wa Wilaya ya Ilala	0746000307
Mahakama ya Wilaya Tembeke	0744000604	Takukuru Wilaya ya Tembeke	022-2860633	Mkuu wa Wilaya ya Tembeke	0746000308
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Court performance-2018

- Court of Appeal and High Court

- 1. Case Workload

COURTS	PREV. PENDING,20 17	FILED	DECIDED	PENDING CASES	NO.JDGS/PA NELS	WORK LOAD	AVERAGE CASE LOAD PER JUDGE
CoA	2,933	1,499	1,184	3,248	4	4,432	1,108
HC	19,187	18,304	17,044	20,447	66	37,491	568

- 2. Breakdown of cases by age

COURT	0- 2 yrs	2+ - 4yrs	5 -10yrs	10+ yrs	Total cases by age	Backlog	%Backlog
CoA	2,519	650	69	10	3,248	729	22
HC	18,587	1,760	100	-	20,447	1,860	9

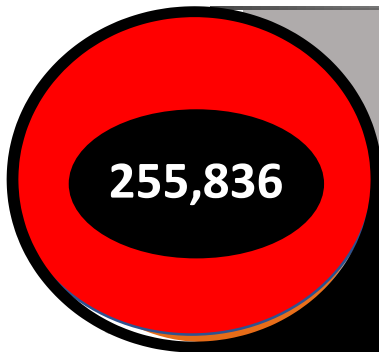
Court performance-2018

1. Workload

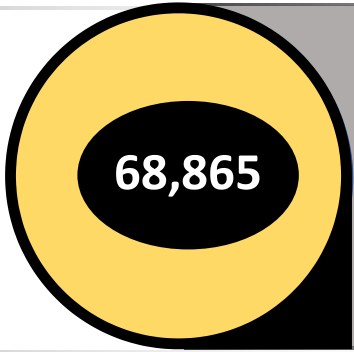
COURTS	PREV. PENDING,2017	FILED	DECIDED	PENDING CASES	MGSTS	WORK LOAD	AVERAGE CASE LOAD PER MAGISTRATE
RM COURTS	10,337	16,520	16,898	9,920	69	26,857	389
DM COURTS	17,713	45,539	44,168	19,341	169	63,252	374
PRIMARY COURTS	15,055	177,614	176,542	16,127	904	192,669	213

2. Breakdown of cases by Age

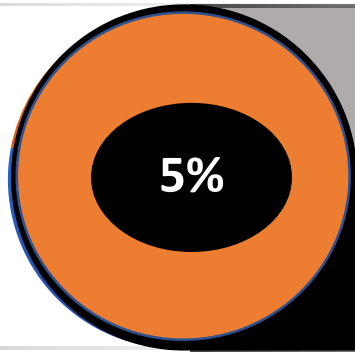
COURT	0-12 MONTHS	13-24 MONTHS	25-48 MONTHS	5-10 YEARS	ABOVE 10 YEARS	Total Pending cases	Backlog	%Backlog
RMs	8,073	1,822	502	58	6	10,461	541	5
DC	17,539	1,864	275	21	-	19,741	296	2
PC		0-6 MONTHS		PENDING 7-12 MONTHS		PENDING 13-24 MONTHS	Total Pending Cases	
		16067		8		1	16127	



Decided cases
296 avg CAT
258 Avg HC



Pending cases



Backlog cases

COMMULATIVE CASE STATISTICS JAN - DEC 2018

COURTS	PREV. PENDING	FILED	DECIDED	PENDING CASES	WORK LOAD	AVERAGE CASE LOAD PER JUDGE/MAGI STRATE	BACKLOG	% OF BACKLOG
CoA	2933	1499	1184	3248	4432	1108	729	22
HC and ZONES	14,382	12,964	12,208	15,138	27,346	547	1,641	11
COMMERCIAL COURT	607	568	712	463	1,175	392	63	14
LAND COURT	2,692	1,575	1,691	2,576	4,267	711	128	5
LABOR COURT	1,495	3,115	2,354	2,256	4,610	1,153	28	1
CECC	11	82	79	14	93	47	-	-
Sub Total	19,187	18,304	17,044	20,447	37,491	568	1,860	9
RM COURTS	10,337	16,520	16,898	9,920	26,857	389	541	5
DM COURTS	17,713	45,539	44,168	19,341	63,252	374	296	2
Sub Total	28,050	62,059	61,066	29,043	90,109	379	837	5
PRIMARY COURTS	15,055	177,614	176,542	16,127	192,669	213	9	0
TOTAL	65,225	259,476	255,836	68,865	324,701	268	3,435	5

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Reengineering business processes and enhance use of ICT systems

- JSDS II – e-case management system that allows
 - E-filing
 - Case registration
 - Case assignment
 - Push sms notification
 - E-payment of court fees
- TAMS- management of Advocates

- TANZLII- website for dissemination of legal documents including Court decisions

www.judiciary.go.tz

- JMAP-System for mapping physical addresses, economic activities, communication infrastructure, location and distance of each court

<http://jmap.judiciary.go.tz>

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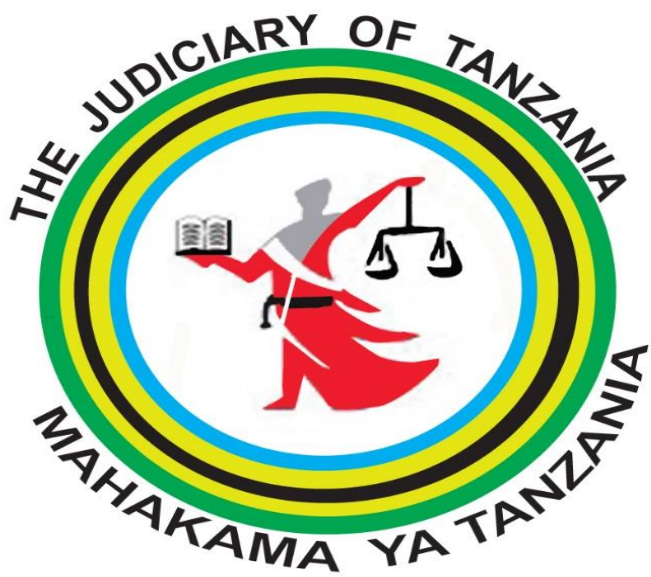


6: CHALLENGES AND WAY FORWARD

- Reform is a process
- Open for constructive criticism
- For any concern, inputs ,suggestions or support
- Send sms or whatApp on 0752 500400
- Email helpdesk@judiciary.go.tz

 @ theTanzaniaJudiciary
 @judiciarytz

 tanzaniajudiciary.blogspot.com
 Tovuti: www.judiciary.go.tz



**ASANTENI KWA KUSIKILIZA
PAMOJA TUNABORESHA HUDUMA**