



**TANGANYIKA LAW
SOCIETY**



**GOVERNING COUNCIL
ANNUAL REPORT 2018-2019**

April 2019

The top half of the cover features a photograph of classical stone columns and architectural details against a clear blue sky. The text is overlaid on this image.

GOVERNING COUNCIL ANNUAL REPORT 2018-2019

April 2019

Contents

Introduction	iii
Message from the President	vii
From CEO Desk	xiii
PART ONE	1
Section One: Governing Council Deliberations, Resolutions and Directives for Impelmentation.....	1
Section Two: Statutory Committeess	26
Report by a Representative of the Tanganyika Law Society to the Advocates Committee Presented at the Annual General Meeting of the TLS held in Arusha Tanzania on 6 th April 2019.....	28
Section Three: TLS committees	32
Section Four: tls chapters	38
PART TWO:	40
Implementation of the Stragic Plan 2014 – 2019	40
Strategic Objective 2: To Promote Access to Justice and Rule of Law	81
Strategic Objective 3: To Facilitate Knowledge Creation while Promoting ICT and Publicity of TLS.....	89
Strategic Objective 4: To Facilitate Service Delivery and Institutional Development of TLS	92

INTRODUCTION

This annual report presents a list of accomplishments for the Governing Council of Tanganyika Law Society during the reporting period 2018 – 2019

Highlights of 2018 – 2019 accomplishments

- Held a roundtable meeting with actors in the administration of justice including the Principle judge, the DPP, and other high ranking officials from criminal justice institutions and addressed the need for DPP to adhere to the National Prosecution Service. Participants addressed and passed a resolution that all parties involved in the criminal justice systems should adhere to the National Prosecution Service Act
- Facilitated national dialogue on the implication of the Political Parties Bill (now Political Parties Act) on the democracy and political freedom in Tanzania. The Dialogue was attended by more than 400 participants from cadres like academia, political parties, civil society, legal practitioners, development partners and the public at large.
- Engaged other stakeholder to safeguard the rule of law by influencing the legal and regulatory framework. This can be see through the work of the press statements from TLS Governing Council we issued to protest abuse of power by authorities, the work Constitution and Legal Affairs Committee of Tanganyika Law Society which had played a key role in engaging the Parliamentary Constitutional and Legal Affairs Committee regarding TLS position through commentary on various bills, regulations and rules. Use of court-centric advocacy to protect rule of law e.g. the filing of 2 new strategic litigation cases at the High Court of Tanzania.

- Provided legal aid service to over 4000 indigent to ensure that they access justice. We went further to providing court representation to 361 indigent. All these cases were attended during the reporting period of 2018/2019
- Increased level of member engagement with members through various platforms. For instance, the president held one conference call with Chapter leader to share experiences and challenges regarding matters concerning members' welfare, chapter strengthening and the administration of justice. The president also has had an open door policy for members with concerns about the affairs of TLS.
- Ensured that we develop professional carrier of our members through provision of quality CLE programme, and exchange programmes with sister bar associations. For example, in June 2018 a team of 7 young lawyers attended a one month programme in China through partnership programme between TLS and China Law Society.
- We defended the rights of our members to practice their professional obligation without fear of maltreatment from authorities, in particular, members who were detained by order from regional commissioners while on duty to serve their clients.
- We were able to provide an oversight on the construction of the Wakili House which is now nearing its completion.
- We reached out to the public through legal awareness programmes to strengthen public knowledge about their legal and human rights as protected by the constitution of Tanzania. During Legal Aid Week alone, we organized 12 media programmes and reached out to more than 6 million Tanzanians

Deceased Advocates

Below is the list of our departed colleagues during the reporting period under review.

S/N	Name	Date of Death	Roll No.
1	Late Advocate Herbert H.H. Nyange	22 nd Jan 2018	495
2	Late Justice (Rtd) Louis Raymond Chua	18 th March 2018	835
3	Late Advocate Yassin Membar	20 th March 2018	1281
4	Late Professor L.X. Mbunda	29 th April 2018	468
5	Late Advocate Mario Mbilinyi	29 th April 2018	1752
6	Late Advocate Agipitus Nguma	1 st May 2018	371
7	Late Advocate Esther Castory	20 th May 2018	4121
8	Late Advocate Evarist H. Mbuya	1 st June 2018	365
9	Late Advocate Moses Simba Mkwesela	9 th July 2018	2007
10	Late Advocate Walter W. Ngonyani	12 th July 2018	4861
11	Late Advocate Pendo Marsha Shamte	27 th September 2018	2105
12	Late Advocate Martin Depores Matunda	5 th November 2018	852
13	Late Advocate Alhaji Mohammedali Gulam Hussein Pardhan	6 th November 2018	224

19	Late Justice (Rtd) Stephen Ernest Ntashima Ihema	12 th December 2018	1499
20	Late Advocate Msafiri Abdallah Mlanzi	15 th January 2019	551
21	Late Advocate Hamid Ali Saidi Mbwezeleni,	17 th January 2019	1626
22	Late Advocate Delphiner Joseph Kimbori	26 th January 2019.	1006
23	Late Advocate Shukuru Mlwafu	17 th March 2019	5098

May their souls rest in eternal piece.

Message from the President

Members of the Tanganyika Law Society, on behalf of the Governing Council, I am pleased to present to you the Governing Council Report for the year 2018-2019, which provides a comprehensive description of achievements, challenges and lessons we have learned during the reporting period.

Colleagues, permit me to start with the main reason for this meeting. The TLS accounts for the year 2018. The era of financial shenanigans has come to an end. The external auditors have given us an unqualified audited financial report. Your Society has received unqualified reports two years consecutively. This was possible due to the number of brave decisions made by the Governing Council before your present Council and the continuation of financial management under my leadership. We commenced our tenure by taking cognizance of the deficit for the year 2017 and cut unnecessary expenses, strengthened financial management systems and improved the independence and oversight mandate of the audit committee.

Despite the progress made to cut costs and empower the audit committee, the Society is still running at a deficit. The financial audit report shows a deficit of TZS 367 million for the year ended December 2018. Although this year's deficit is reduced compared to the year ending December 2017, our auditors are concerned that further reduction of members' subscription fees does not bode well for the financial well-being of our Society. As I report to you, the Society's total deficit for the years 2017 and 2018 is TZS 767 million.

The obvious reason for this deficit is the decision to lower members' subscription fees without a thorough analysis of the needs of the members and the commercial cost of meeting these needs effectively. Members' fees has been a controversial matter in our Society and as a President who has served her term and who is not seeking another term, I have the luxury of being a position to grab this bull by the

horns and give you, my colleagues frank advice without fearing the repercussions of your anger at the ballot box. It is imperative that any decision we make on members' fees should be evidence-based and in no way should it impair the operations of the TLS.

I ask you to read the auditor's report on this matter and pay particularly attention to their concern that as a members' society, 75% of our income should come from members. However, as we stand the percentage of our income from members' subscriptions is falling below the 75% threshold and consequently the Society's tax status as a non-taxable members' society is at grave risk. If we continue to rely on external funds for more than 25% of our income, we shall lose our tax exempt status and we shall be required to file tax returns as a matter of law and pay income tax. It would be a tragedy for our Society to lose its tax free status as any profits we make in the future will be subject to income tax.

Last year, the AGM resolved to engage the Director of Public Prosecutions on the abuse of prosecutorial powers. Unfortunately, all my attempts to engage with him were rebuffed by a silent wall. However, it is my belief that there is not only one route to solving a problem. Following the DPP's silence, I took it upon myself to take all available opportunities to advocate and inform the general public of the TLS's concern of the abuse of prosecutorial powers. I attended as many radio, television, and newspaper interviews, attending and participating in round table meetings some of which took place at ungodly hours of the morning, and used these occasions to raise the Society's concern without fear. I am pleased to inform you that these efforts have borne fruit. Last week, I was invited by the Judiciary to a stakeholders' meeting on the criminal justice system. I am pleased to inform you that all parties present resolved to adhere to the fundamental principles set out in the National Prosecution Service Act, which requires prosecutions to be conducted in the interest of justice. I ask that the TLS does not give up educating and advocating for the rule of law, as resolutions can so easily be forgotten if those responsible for implementing them are not constantly reminded of

their obligations.

I have learnt an important lesson from what I consider to be a success in this matter albeit a success that needs constant monitoring, namely: there are many ways to skin a cat and engagement does not necessarily require an invitation to a cup of tea from the person whose behavior you wish to change. One should expect resistance from the person you are seeking behavioral changes particularly when the behavior is so entrenched that the person responsible for it fails to see the negative impact it has on the society at large. So to all those who have said the DPP refused to see me because I am confrontational, I wish to say, could it be possible that he refused to see me because he had no intention of changing his behavior and it was so much easier to blame me? Anyway, as I say goodbye to you, I wish to restate that we finally have a resolution from all stakeholders in the criminal justice system requiring the DPP to adhere to his obligations under the National Prosecutions Act. It is for us to ensure that he does so, so that only those people whose cases have been fully investigated are charged for a criminal offence. Anything less than that is unacceptable in a democratic law abiding country and only undermines the rule of law.

I am proud to share with you the development of the Wakili House construction. The Governing Council ensured that it implemented the resolution reached by the 2017 Annual General Meeting for the once-to-go LAAC contribution. I am most proud of the fact that we did not have to threaten any member with de-registration to achieve the goals set by the AGM and I can assure you that it was a Policy of the Governing Council to ensure that we did not lose a single member as a result of the once-to-go LAAC contribution. I have been taught another lesson here too, namely DEMOCRACY WORKS. When individuals decide for themselves compliance rates are much higher than when individuals are dictated to. We implemented this resolution, and you complied as a result we raised more than TZS 500 million. The money raised was used to fund the completion of the Wakili House. By June this year, the building will be ready for

use. Seeing is believing, they say! In that regard we have a video documentary on the construction stage reached this far.

I congratulate members for their LAAC contribution and their commitment towards the welfare of TLS. I urge you to keep up this spirit of volunteerism on matters involving the Law Society. You have fulfilled your financial obligations and you are discharged for good conduct. However, in order to encourage the spirit of ownership in the TLS, the Governing Council has resolved to keep the LAAC account open and fund it by seeking once-to-go contributions from every new member of the Society of TZS 200,000 for the purpose of future projects. Waikiki House should only be the beginning. As a Society we should continue to press for our wealth by investing in our society.

In just one year of my term we have made progress to make services to members more accessible. We spent a considerable amount of time cleaning up the members' database to ensure that we have accurate information of our members. The "Wakili Database" serves that purpose. We now know who paid subscription fee and who did not. In this technological age, the Wakili Database is permitting transparency so that we can weed out "Vishoka" pretending to be advocates. The Wakili Database has the following features: it allows Advocates to pay TLS fees online without physically visiting TLS offices; it allows Advocates to view CLE points and seminars they have attended; it allows Advocates to be registered based on Chapter affiliation; it allows Advocates who have not attained the required CLE points to apply for exemption or carry over online so as to meet the Practicing Certificate renewal deadlines; it allows Advocates to view previous debts and allow online repayment of dues; it allows Advocates to obtain or generate financial reports in the respective year; it allows Secretariat to have particulars that will be used for Health Insurance and other services; it allows the Secretariat to have DATF details as contained in DATF Form No. 1; it provides members' updated details, reports and status anytime needed for different purposes.

With respect to your resolution relating to a universal health insurance, we have worked tirelessly negotiating with health insurance providers. You will be presented with the list of health insurance providers for you to review and in the interest of transparency we will ask you to vote for your preferred health provider on an online platform. As this is a universal health insurance I am going to ask you to allow us to keep the online voting platform open for a few days so that members who are not present can vote.

During the HAGM, we advised you on a communication and advocacy strategy for the TLS which you helpfully adopted. As you recall, we believed that advocacy should occur when we identify a potential problem and before the problem takes root as this would assist the TLS's burden of constantly putting out fires. We commenced our communication strategy by organizing a Symposium on the Amendment of the Political Parties' Act, which was attended by over 500 people including members of political parties across the political spectrum. We educated and we advocated. We may have not been successful in changing the outcome as the amendment was passed but we empowered the people directly affected by the amendment through education to have the confidence to fight for their rights thus relieving us of the burden.

After taking thorough advice, the Lissu Council resolved to settle the case between an employee and the TLS, Emilia Siwingwa v. TLS which had been pending for over 6 years. This Governing Council completed the out of court settlement whose sum was unanimously accepted by the Council when the matter was on the table for discussion. The settlement was grounded on independent advice that TLS had a losing case as it had failed to follow termination procedures. As we all know, failure to follow procedure is the downfall of many an employer.

I believe that the TLS is inextricably linked with the Judiciary. In an adversarial system, the Court cannot work without advocates. In fact, I would like to pass on to you the Principal Judge of the High Court's gratitude to the Bar for assisting the Judiciary in concluding

the case backlog through the BRN project. During my meeting with the Judiciary and Stakeholders of the Justice system, the Judiciary provided us with impressive statistical achievements. I wanted us all to be aware of these achievements as we played a huge part in these successes. The Judiciary has accepted a slot at the Conference to address us on their achievements and challenges. I would like to see this relationship continue and I would like the Judiciary to have access to us every year. I hope this tradition will be continued by the Governing Council as it will assist us to forge the necessary relationship of trust between the Bar and the Bench.

Last but not least, I have spent a considerable time as President of the TLS, promoting the rule of law in this country. Unfortunately, there are members who do not see the relationship between the rule of law and our WELFARE as advocates. As I bid my farewell, I will address this issue. Every single advocate who has been arrested during my presidency, was arrested in contravention of the law and every single advocate had the assistance of the TLS. If we fail to make the link between our welfare and the rule of law, then we do not deserve to be members of this noble profession.

To those who ask, why did I not continue, I want to end with advice from my mother. As a teenager she insisted on teaching me etiquette. One of her mantras was to consistently remind me never to be the first person to arrive at a party, lest the host thinks I am desperate, and never to be the last person to leave a party, lest the host gets tired of me.

So before you get tired of me. Kwaherini. Serving you and representing you as President of the Tanganyika Law Society was an honor. Thank you.

Fatma A. A. Karume
President
Tanganyika Law Society

From CEO Desk

After successful implementation of TLS Strategic Plan 2014 – 2019, we are now close to the end of its implementation. As the CEO, I have been privileged to lead the implementation of TLS strategic plan at the Secretariat level during the last four years. With support from our members and in collaboration with our stakeholders we continued to deliver on our statutory mandate.

In 2018 alone, we were able to successfully complete many high profile initiatives outlined in our Strategic Plan. For instance, we have successfully achieved to improve members' access to TLS services through technology, committees, newsletters, and chapter devolution; just to mention but a few. Currently, there are 13 TLS Chapters across Tanzania mainland providing services to more than 2000 members living outside the city of Dar es Salaam, TLS stakeholders and the general public. In 2018, 2 new chapters i.e. Morogoro and Ruvuma were established with the blessings from the Governing Council.

As I reflect on the year 2018, the Wakili House comes to mind as one of TLS most strategic initiatives. It's a remarkable mileage on how the development of Wakili House has progressed. For less than a year and a half, the construction is almost complete. This development would have not been possible without TLS member's commitment towards the development of their Society. In particular, the resolution made by members on once to go LAAC contribution during 2018 AGM. Without that resolution and members commitment to abide with the resolution, the progress of Wakili House would have been very slow.

Over the last year, the Governing Council successfully established a strong institutional reform. In a process, TLS consulted organizational development experts to advise on TLS Organizational Structure to meet the current demands. After thorough review of TLS Organogram, the experts proposed the re-structuring TLS Organogram. The implementation of experts' proposal was put into action in January 2018 by having all the positions filled.

Strides were made on investment as well. TLS bought land in Dodoma, Mbeya and Mtwara. Our business development department is currently working on the long-term investment strategy that will guide TLS investment operations for not less than next five years.

We have scaled up TLS intervention on access to justice and the rule of law through the provision of legal services support to the needy. Last year alone, over 4000 indigent accessed TLS pro bono legal services. TLS is not only focusing on civil cases but also extending its arms to criminal cases to enhance the criminal justice system.

Our participation on law reform has been outstanding. We advocate for law reform through constructive engagement with the law makers. We have good cooperation with the Constitution and Legal Affairs Committee of the Parliament of Tanzania. We are committed to the continued cooperation and constructive engagement with all stakeholders in law making process. However, when TLS is dissatisfied with certain laws and their enforcement, it uses court-centric advocacy to contribute to the law reform process strategic litigation avenue.

We managed to accomplish all these due to the contributions from you members. Your dedication to the welfare of the TLS and passion for a Society where Justice is Upheld made it possible to put down the TLS marker in the hearts of many. I take this opportunity to appreciate your service to TLS. In addition, I would like to extend my heartfelt appreciation to the Governing Council, committee members and chapter leaders for their guidance to the Secretariat to ensure that we comply with the law of the land and deliver quality services.

Lastly, I want to use this opportunity to extend my gratitude to my colleague at the Secretariat. They are highly skilled and have the best interest of TLS welfare at their hearts.

Kaleb Gamaya

Chief Executive Officer
Tanganyika Law Society.

PART ONE

SECTION ONE: GOVERNING COUNCIL DELIBERATIONS, RESOLUTIONS AND DIRECTIVES FOR IMPELMENTATION

For transparency purposes, the Governing Council shares a number of resolutions and directives issued for implementation. The resolutions are in a matrix form for easy reading.

S/N	Issues	Resolution	Action Taken
1.	Elections Regulations	Circulate the legal opinion to members together with other documents related. Such documents included Elections Regulations, 2018 as approved by the Council, Gazetted Elections Regulations GN No 116 of 2018, explanation letter from the Attorney General, Opinion from the joint Committee (drafting committee and constitution and legal affairs committee), and case laws relating to this matter.	The legal opinion together with all documents were circulated to members via email and through Convene App.
2.	Associate membership	Directed to work on admission of associate members such as law firms and or legal companies.	Call for admission of associate members was issued to all members.

3.	Biometric Registration	Directed to come up with the means of having in place a biometric system for registrations during the AGMs and CLEs.	The Secretariat is working on a mechanism that will enable procurement of biometric machines which will require members to input their bio data first thus delaying its use.
4.	TLS's conduct of annual and semi-annual meetings	Directed to work out the proper way of doing registration during the 2018 AGM while making sure that the Society is having in place the biometric system of registration during the TLS General meetings.	The Secretariat is collecting information from members so as to input into the bio data system for the meetings and other things in future.
5.	Registration deadlines	Directed to prepare a proposal on how to set a deadline for registration and payment for attending AGMs and CLEs including gala dinner.	An advert for deadline of registration has been introduced and has already been circulated to members. Late registrations will be charged a moderate penalty fee.
6.	2018 HAGM at the AICC in Arusha	Approved the first proposed theme with some changes. The approved theme was " <i>Upholding the Independence of the Bar: Completing the LAAC Project and Initiating Long term Investments.</i> "	The theme was published in the newspapers, TLS newsletters, and circulated to all members.

7.	HAGM Guest of Honour	Resolved further that Guest of Honour for both dinner and HAGM meeting should be persons with business mind such as the likes of Mr. Karimjee, Mr. Ali Mufuruki and Dr. Reginald Mengi.	The Governing Council has been able to secure the commitment of Mr. Ali Mufuruki.
8.	Information Management System	Resolved and directed that TLS Information Management System should be put in place to facilitate the adoption of ICT in TLS's business. Directed to engage the ICT Company and come up with the MOU on what will be our duties, responsibilities and entitlements.	The members' services dept. is reconciling these initiatives to provide a starting point for the company that will has to be engaged. GPITG is a company that is expected to take matters forward from here. MoU has been drawn and shared already. Further engagement will follow the results of this reconciliation.
9.	Online payment	<i>Directed</i> to introduce a system of online payment for CLE materials as another source of income and think about reducing CLEs fees for members who will be physically attending seminars and sell the seminar materials online to raise income in respect of a particular seminar.	The online payment system for all TLS's payment is in practice The payment for online materials yet to be introduced.

S/N	Issues	Resolution	Action Taken
10.	<p>TLS Laws and Policies</p>	<p>Directed to review the Council Charter and recirculate to the Council members via emails for reading and then to submit the same in the next Council meeting for Council members' signature.</p> <p>Resolved that Council members should either send their updated CVs to the Secretary via email or should submit their CV during the next meeting.</p>	<p>The Council Charter was reviewed, adopted by members of the Governing Council and all members signed the document with their CVs filed on an individual Council Member file.</p>

11.	LAAC Project	<p>Resolved that;</p> <ol style="list-style-type: none"> i. Notice should be sent out to members to encourage them to pay TZS. 400,000 as LAAC fees. ii. Notice should indicate the staggering process that members with 2 years of practice and below to pay by 2 installments while members above 2 years should pay by single installment. iii. Management should contact DATF trustees discussing on the possibility of obtaining a loan from it pending members' LAAC contributions. iv. In the event that there is a low turnout of members in payment of the amount required, members of the Governing Council will make an executive decision to borrow so as to ensure construction of the building continues. 	<p>A Notice was sent via emails, personal letters to law firms, and direct phone calls to inform members on the decision following the decision of the AGM.</p> <p>Currently, though at a slow pace, members of paying their LAAC Contribution through a "Once to Go Campaign" and the list of members who have already finished or are on their way to finish will be shared to all members.</p>
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12.		<p>Resolved that TLS should also fundraise for LAAC including organizing fundraising events as well as making phone calls to our partners asking for their support. The Society members need to be proud of taking part in building their society's building.</p>	<p>The first fundraising dinner will be held during the HAGM dinner.</p>
13	Finalisation of the LAAC Project	<p>Construction of the LAAC Building is at the finishing stage. Already, the Contractor is going on with skimming, laying tiles, and grass works.</p>	<p>It is expected that the Secretariat will relocate back in the new structure next year.</p>
14	Fundraising Dinner-HAGM Gala Dinner	<p>As part of raising funds for the LAAC structure, it was resolved that the first fundraising dinner will be held during the HAGM.</p> <p>During that function, members will be allowed to come with their partners but they shall pay for their partners who will be attending the fundraising dinner.</p>	<p>This will happen on the 15th September 2018 and the processes are underway to make the Gala Dinner a success.</p>

15	Securing of more land for investment	Resolved to secure more land for investment purposes so as to relieve members, in the future, from subscriptions and contributions burden	Already the process has started and lands have been secured in Dodoma, Mtwara and Mbeya. The process is ongoing and the Chapter leaders are planning to secure more land for investment.
16	DATF LAAC Loan	Resolved to negotiate and secure a considerable interest loan from DATF trustees to facilitate construction process.	A TZS 400,000,000= loan has been secured and will be repaid at the end of December 2019 with an interest rate of 10% per annum.
17.	AGM Resolutions	It was resolved to take the Elections Regulations GN 116 of 2018 to the TLS drafting Committee for re-enactment.	The Elections Regulations GN 116 of 2018 was presented to the respective committees as resolved for review and the results will be tabled through Matters Arising during the HAGM.

18.	<p>TLS duty to protect members and members of the public against public liberty</p>	<p>Resolved to protect TLS members and members of the public against violation of their liberty as per TLS objectives contained under Section 4 (d) and (e) of the TLS Act.</p>	<p>TLS has on several occasions protected its members and members of the general public against unlawful arrests, prosecutions, misstatement, unlawful conduct such as torture and killings through issuance of public statements, court representation, engagement meetings, and round table discussions, with the state agencies such as the police, the National Prosecution Services (NPS), on one hand and filing of strategic litigation, issuance of legal briefs and legal opinion to relevant authorities on the other.</p>
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S/N	Issues	Resolution	Action Taken
19.	Establishment of Ruvuma and Morogoro Chapters	Resolved to establish Ruvuma and Morogoro Chapters Directed to inform Ruvuma and Morogoro chapter members and all members regarding establishment of Ruvuma and Morogoro Chapters	The Governing Council established two Chapters adding to the existing Chapters. These are Ruvuma and Morogoro Chapters
20.	Health insurance cover for members	Directed to finalise processes for securing health insurance company for TLS Members.	A proposal on the health insurance provider will be tabled before the HAGM for deliberations and decision.
21.	TLS-Police Accord	In one of the courtesy visits to the police it was agreed that TLS and Police should establish an understanding in the form of an "Accord", "MoU" or "Pact" so as to facilitate smooth working partnership in the cause of justice delivery.	Draft of a joint accord between TLS and Police is in the development process. The accord will set down basic requirements that will be adhered by advocates and police when visiting police stations or whenever advocates interact with police.

22.	Establishment of a TLS-Police Forum	In addition to the above, TLS is seeking for a possibility of establishing a Police-TLS Forum where issues of mutual interests and conflicting interests will be discussed.	A working session will be organised to bring the parties together to set the forum's framework before its adoption.
23.	Representation of TLS Members who are detained in detention facilities pending trials.	As it was resolved by the 2018 AGM that TLS should take a lead to join hands with other engaged advocates to offer court representations to its members who are in detention facilities pending trials on various counts through its Constitution and Legal Affairs Committee	<p>The Committee was accordingly informed and joined hands to support engaged advocates to represent Mr. Mwale, Dr. Tenga, Mr. Massawe and other members who get apprehended on several counts.</p> <p>In addition, members of the committee took part in an appeal filed by Mr. Mwale at the Court of Appeal but the said appeal was struck out due the defects in it. An application for extension of time to file a new notice of appeal has been filed. And on a similar note a matter has been filed to challenge the powers of the DPP on bail issues.</p>

24.	TLS Governing Council Courtesy Visits	Directed to secure appointments for the Governing Council's courtesy visits to various government and to Judicial officer	The Governing Council has so far managed to visit the following offices as part of the courtesy visits to various government and to Judicial officer: the Judiciary (C.J, Judiciary Registrar and Principal Judge), the Police (IGP), and the Parliament
25.	Renewal of Practising Certificates	Directed to submit the defaulters' list to the Council together with a proposal on how the defaulting members should pay their debts.	List of defaulters has been prepared. Once the Governing Council approves for circulation, the same will be shared with the members and presented to the Chief Justice for further steps. The real number of defaulting members stands at 1,662.
26.	Revenue Collections from Defaulting members	Directed to collect TLS revenue from defaulting members	The current revenue collection from defaulters stands at TZS 38,469,000= from 52 members who paid their dues.

27.	Money Laundering Practice Notice/Guidelines	Directed to appoint a team of experts who will prepare practice notice/guidelines on Money Laundering for its members.	<p>The team of experts was appointed to prepare “The Money Laundering Practice Notice/Guideline”. The experts immediately started to draft notice/guideline.</p> <p>As such, the team of experts has prepared a CLE Session which will be held on the 14th September 2018 at the AICC during the pre-HAGM CLE.</p> <p>Further to the CLE session the team will prepare a curriculum which will be part of future CLEs and it will be linked to all TLS members’ email and TLS’s website for their attention and action.</p>
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28.	<p>TLS (Miscellaneous Amendment) Bill</p>	<p>Resolved to advocate for changes on the TLS (Miscellaneous Amendment) Bill by engaging all TLS members and consolidating comments through the TLS Relevant Committee and team of expert who in turn will present before relevant authorities and the Permanent Parliamentary Standing Committee for Constitutional and Legal Affairs.</p>	<p>The TLS Constitutional and Legal Affairs Committee partnered with the Drafting Committee to review the Bill together with other bill.</p> <p>In addition, a team of senior experts was appointed to support the analysis and presentation before relevant authorities and the Permanent Parliamentary Standing Committee on Constitutional and Legal Affairs Committee.</p> <p>Finally, the committee and the team of experts presented TLS's position on the Bills before relevant authorities in Dar es Salaam and Dodoma and the Parliamentary Committees in Dodoma.</p>
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29.	Training/Capacity building on Online BRELA Company Registration to TLS Members	Directed to work hand in hand with BRELA so as to facilitate training/capacity building to advocates on online registration of companies.	<p>Already 2 trainings on online companies' registration have been conducted in Dar es Salaam.</p> <p>A-two day CLE seminar, during the PRE-HAGM CLE, will be conducted in Arusha and will take place on 13th-14th September 2018.</p>
30.	Training capacity building on TRA Compliance	Resolved to assist members on a clear understanding of lawyers/ advocates compliance of their tax obligations.	<p>A CLE Seminar which will take place during the pre-HAGM CLE at the AICC on the 12th September 2018 has been arranged in collaboration with the TRA.</p>
31.	TLS Participation in SADC LA Meeting in Maputo-Mozambique	Resolved to participate at the SADC LA Meeting in Maputo	<p>The Council appointed Mr. Jeremiah Mtobesya, Ms. Magdalena Sylister, Ms. Aisha Sinda and Mr. Jebra Kambole to attend the SADC LA AGM and Election. Madam Fatma Karume and Jeremiah Mtobesya were elected to the position of SADC Councilors during the meeting</p>

32.	Court Meetings	Pre-Session	Informed that Court Pre-session in Dar es Salaam Chapter should also be attended by the Dar es Salaam Chapter Convener as per Judiciary directives	Currently, DAR Chapter leaders are now attending the pre-session meetings at the Judiciary.
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S/N	Issue	Resolution	Action Taken
33.	Voting during the Council meeting	Resolved that any matter that requires voting during the Council meeting should be recorded in a matrix form showing who voted for what. Further resolved that once minority members present require reasons for not supporting or for supporting a particular matter and wish their views to be recorded, the Secretary should record the same accordingly.	implemented

34.	Preparation and circulation of draft minutes to the Council	Directed preparation and circulation of minutes of the Council Meeting within 10 working days after the end of a particular Council Meeting.	Implemented
35.	Rewarding policy for TLS Staff	Resolved that rewarding policy should be tabled in the Council meeting for approval.	To be tabled in the Council meeting for approval.
36.	Convene App.	Resolved and directed that members should be taught about Convener App early so that by HAGM they will be able to use the App. Directed the Secretariat to allocate at least 5 minutes, during the HAGM, to explain to the members on how to use the Convene App.	We did not have the Convene App service so there was no need to train members on this. The Administrators of the App were not reachable via email to undertake negotiations of securing their services

37.	Information Management System	Directed the Secretariat to proceed with installation of the Internal Information Management system from the GPITG Co. but the company should be told to establish a system that can interlink with other systems from other stakeholders such as judiciary system and the government.	MoU was sent to the Consultants for signing. After thorough consultation with their lawyer, they asked to discuss our requirements first before signing them. Discussions were done in early October 2018.
38.	Aquilina's case	Directed the Secretariat to communicate with the DPP and request him to order Inquest under S. 18 of the Inquest Act.	The Secretariat wrote a letter to the DPP with the report attached but there has been no response. The matter has been tabled to the Constitution and Legal Affairs Committee to guide the Council and Secretariat how best to institute and ignite the coroner inquest process.

39.	Miscellaneous Amendment Bill	Resolved to advocate on TLS position in respect of TLS Bill should commence immediately and that TLS should advocate for "one independent Bench and One Independent Bar".	2 committees which are TLS Constitutional Committee and Expert team to prepare TLS Position on the Bill taking into account members comments. The TLS position was presented before the Parliamentary constitution Committee. However, the same was not considered
40.	Progress reports on members Subscription fees and CLE Compliance	Directed the Secretariat to submit in the next Council meeting the updates on subscription fees and CLE compliance for the year 2018 together with report on members' status on ethical issues.	Reports was submitted
41.	Progress reports on Modularized CLE	Directed that modularized seminars should immediately be implemented.	The CLE Committee is yet to approve the rolling out of the Law Firm Management Module as they requested for some information on that module which has already been provided

42.	Progress reports on DMAC	<p>Directed the Secretariat to negotiate with TPSF on the sharing structure of DMAC.</p> <p>Directed the Secretariat to report back to the Council on the negotiations with the TPSF on the shareholding with the TLS on DMAC</p>	<p>Negotiations with TPSF went well. TPSF proposed further that we include TIC and TCCIA. All these institutions had interest of setting up an arbitration centre. When we join hands we shall be have a competitive advantage.</p> <p>However before negotiations were finalised, a communication was received from the Ministry that the Arbitration Bill is at its final stages, perhaps it would be ideal to wait for the Act to go through before advancing further.</p>
43.	Progress reports on Acquisition of TLS Land in Arusha, Dodoma and other chapters	Directed to prepare report on land acquisition in chapters	Informed that land have been acquired in Dodoma, Mbeya and Mtwara
44.	Audit Committee Participation	Directed that the CEO should be present in all audit committee meetings and that the CEO has already been directed to be present during the audit committee meeting.	Implemented

47.	Creation of Trust	<p>Resolved that LAAC project should be put under Trust.</p> <p>Directed that Trust documents should be submitted to the Council in the next council meeting for approval.</p>	Trust document were drafted.
48.	To receive Draft ICT Policy and Fundraising Strategy	<p>Resolved that Council members should submit to the Secretariat their comments on the draft ICT and Fundraising Policies within 2 weeks and the secretary will then incorporate their comments in the said documents and table the final draft for approval in the next council meeting</p>	The Policies were sent to Council but no comment was received. However, the draft ICT policy was sent to the ICT consultant to work on it.
49.	Advocacy Strategy	<p>Resolved that TLS advocacy approach should focus more on issuance of legal briefs and organizing debates on issues of rule of law and other matters touching law</p>	Implemented. The Secretariat is currently working on reducing the presentation into a policy document for further action.

50.	Updates on Emilia Sivingwa's labour dispute case	Resolved to apologise to Emilia and ask for out of court negotiations.	Dispute resolved out of court
51.	Health Insurance	Directed the Secretariat to make sure find the best health insurance solution for members	Secretariat tabled a report
52.	Establishment of Morogoro Chapter	Directed Secretariat to inform members of Morogoro Chapter to proceed to elect their Chapter leaders and further to inform the whole membership on the establishment of Morogoro Chapter immediately.	Done. Chapter leaders were elected and are functional

S/N	Issue	Resolution	Action Taken
53.	Report on DATF money deposited at Bank M	Agreed and resolved that DATF should be informed to prepare a brief progress report on DATF fund and Secretariat should make a time slot in the HAGM Programme for them to present their report during the HAGM.	Done.
54.	Communication of Council resolutions to members	<p>Agreed and resolved that Council should be giving feedback to members on resolutions they have made during the council meeting immediately after the council meeting.</p> <p>Directed the Secretariat to send to members a brief report showing council resolutions, which have been allowed by the council to go to members, within 5 days after the Governing Council meeting was held.</p>	Implemented in accordance with S. 28, and 29 of the TLS Act.

S/N	Issue	Resolution	Action Taken
55.	Money Laundering cases facing advocates	<p>Proposed, in respect of Council's efforts to meet the DPP and the AG that a committee of senior council should be formed to meet with the DPP to discuss the matter particularly on money laundering and arrests of advocates to this respect.</p> <p>Resolved that Council should form the Committee of senior advocates to meet the DPP.</p> <p>Resolved that Society needs to educate advocates and members of the public on the matter of extortion Vis-à-vis plea-bargaining so as not to fall into this trap of injustice and agreed that members should not let their voices be silenced of what is going on currently in the Country.</p> <p>Resolved further that the judiciary must be informed of the extortion taking place in the name of plea-bargaining.</p> <p>Resolved again that Council should do more engagement with the government officials, with emphasis to the Minister of the constitution and legal affairs, AG and DPP, to advocate on issues of arrest of advocates, abuse of power and non-adherence to the rule of law</p>	<p>Council to appoint the team during the meeting.</p> <p>Every incidence of extortion has been keenly followed and incidences are monitored</p>

56.	LAAC Contributions	<p>With respect to LAAC contributions for construction, to leave the Council to decide on the best method to collect and sensitize members to contribute for LAAC construction.</p>	Implemented
57.	Members with disabilities.	<p>Resolved that the Society must be inclusive of all members and that a budget will be allocated to support inclusivity of members with disability such as procuring facilities that will cater for the needs of members with special needs, braille material, sign language interpreters, among others.</p>	Noted.
		<p>Resolved further that this matter must be brought to the attention of the judiciary so as to ensure that the judiciary is part of the move towards ensuring a more inclusive environment for members with disabilities.</p>	To be discussed with Judiciary during courtesy visit

SECTION TWO: STATUTORY COMMITTEES

THE REPORT OF THE REPRESENTATIVE OF TANGANYIKA LAW SOCIETY IN THE COUNCIL OF LEGAL EDUCATION

Dear Colleagues,

This is a brief report of the **TLS** representatives in the **CLE** on the **CLE** activities carried out between September 2018 to April 2019.

In the period under review, the **CLE** conducted the following activities:

1. Administrative Meetings

- 1.1. During the period herein mentioned, the **CLE** held an administrative meeting as follows:
 - Arusha on 27 to 29 September 2018;
 - Arusha on 5 to 9 November 2018;
 - Dodoma on 19 to 23 November 2018; and
 - Dar es Salaam on 11 December 2018

- 1.2. In the said meetings, the **CLE** among other things:
 - reviewed the Jordan University College proposed curriculum;
 - reviewed the Ruaha Catholic University proposed curriculum;
 - developed inspection manual;
 - reviewed the final report for operationalization of the permanent secretariat of the CLE
 - reviewed and discussed the candidates who passed the examinations of the Law School of Tanzania. The review of the list of the graduates of the Law School of Tanzania sought to establish their suitability for admission into bar.

2. Interviews

- 2.1 Between September 2018 to April 2019, 703 petitioners were summoned for the bar interview.

3. Admission Ceremony

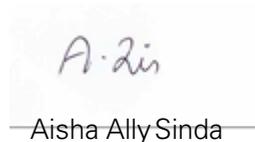
- 3.1 In the period under review, there was only one admission ceremony which was on 14 December 2018. In the ceremony 909 advocates were admitted.

We thank you for listening.

Submitted by:



Colman Ngalo, Esq.



Aisha Ally Sinda

**REPORT BY A REPRESENTATIVE OF THE TANGANYIKA LAW SOCIETY
TO THE ADVOCATES COMMITTEE PRESENTED AT THE ANNUAL
GENERAL MEETING OF THE TLS HELD IN ARUSHA
TANZANIA ON 6th APRIL 2019**

a) Introduction

Learned Colleagues, the Advocates Committee is a Quasi-Judicial Body or Tribunal established under Section 4 of the Advocates Act [CAP 341 RE 2002] (the Act). Its composition is one Judge, the Attorney General (AG) or the Deputy Attorney General (DAG) or the Director of Public Prosecutions (DPP) and one Practicing Advocate. The quorum for the Committee to transact business is two members, one of whom must be the AG or the DAG or the DPP and the decision of the Committee is that of the majority and in case of equality of votes, the Chairman has a casting vote. The Chairman to preside over the Sessions of the Committee is a member who is a Judge of the High Court.

b) Jurisdiction of the Committee

The Committee has Jurisdiction to hear three types of matters which are;

- 1) An Application by an Advocate to have his or her own name removed from the Roll of Advocates.
- 2) An Application by any person to remove an Advocate's name from the Roll of Advocates and
- 3) To hear allegations of misconducts made against Advocates.

c) The Modus Operandi

The convener of the Committee Sessions is Honorable the Attorney General in terms of section 5 of the Act. Normally, the Committee holds sessions of two weeks in every quarter. The seat of the Committee has all the time been in Dar es Salaam and proceedings before it are by law held in camera.

d) The Report = ea

This Report covers matters that were concluded between September 12, 2018 (the date of the last Report) and February 12, 2019 the date of this Report.

e) Matters that have Been Completed During the period the following matters were closed;

- (i) Application No. 14 of 2016: Stanley Mwabulambo Versus Ambrose Malamsha, Advocate:

In this matter, the complaint of the Applicant was based on the facts that Mr. Malamsha was instructed by one Arthur Mwaitenda to sell 16 plots of land in Tegeta on his behalf and remit proceeds of sale to him. It transpired that after 4 years of instructions the Client passed away. After the death of the owner of the Plots, Stanley Mwabulambo, the Applicant in this matter, as an administrator of the estate of the late Mr. Mwaitenda came up requiring Mr. Malamsha to account for the proceeds of sale of the plots. Mr. Malamsha's defense was that the account for the assignment had been made, and proceeds remitted to the deceased himself during his lifetime and that all available reports and contracts of sale for plots were delivered to the Applicant.

After fully hearing the matter, the Committee dismissed the Application for lack of merits on 6th December 2018.

- (ii) Application No. 6 of 2017: Stanbic Bank Tanzania Limited Versus Paul Kibuuka, Advocate:

The complaint in this matter was, among others, that Mr. Paul Kibuuka had committed Professional Negligence to the extent that some bank cases of Financial Significance were dismissed for want of appearance of the Advocate and the latter did not even bother to apply to set aside ex parte orders passed against the Applicant Bank following his nonappearance. The defence of the Advocate in the main was that, all the time that he was not in attendance; he notified the bank of his absence.

The matter took a different turn when retired Justice Frederick

Werema, Advocate appearing for the Respondent raised a 2 SSS YF

Preliminary Objection against Mr. Dillip Kesaria, Advocate and other lawyers in his law firm that they were conflicted because they took over the matters that Mr. Kibuuka was handling for the bank and at the same time they were prosecuting Mr. Kibuuka in the Committee. Mr. Werema's view was that, this was illegal.

When the Committee was composing the ruling on the contending positions of parties on the above objection, it noted that the Affidavit of Mr. Johnson Kakiziba, a Bank officer, which affidavit supported the Application, had been attested by Mr. Stanslaus B. Ishengoma, who had all along been appearing for the bank and also operating from Kesaria and Company Advocates. Because of this new development we did not continue to prepare the ruling.

When the matter came up for Ruling on 6th December 2018, the Committee informed the parties of the above revelation and requested Mr. Ishengoma and Mr. Werema to address it on whether the Application was legally before the Committee in view of Section 7 of the Notaries Public and Commissioners for Oaths Act Cap 12.

After hearing the parties, it was noted that the Application was incompetent before the Committee and the same was struck out with no orders as to costs.

(iii) Application No. 22 of 2018: Deogratias Chembe Mathias Kithama Versus Mathias Budodi, Advocate

This matter was presented by Mr. Deogratias Chembe Mathias Kithama, a 75 year old man against the above Advocate. A Kiswahili affidavit presented was wanting both in form and in substance. It could not mount a Professional Misconduct matter against the Advocate, upon consultation with the Chairperson; the Application was rejected by the Secretary on 6th December 2018, in terms of Rule 7(1) of the Advocates (Disciplinary and Other Proceedings) Rules GN 120 of 2018.

(f) Conclusion

Madam President and dear Colleagues, as I conclude, quite unusual, allow me to say something about myself. Up to 27th January

2019, I have been a full time legal practitioner at the Bar since December 15, 2000 the day of my admission. During that period, by Grace of God, I have been privileged to serve the Society in various capacities including, Council Membership, Dar es Salaam Chapter Vice Chairmanship, participation in various TLS managed projects as well as serving in various Committees of the Society. The latest privilege that the membership blessed me with, is that of serving as a Representative of the Society to the Advocates Committee. Members, I assumed this role after I was elected unanimously by yourselves in my absence during the AGM that was convened in Dodoma in the first quarter of the year 2014.

Bestowing on me the mandate to represent you in the Advocates Committee has been an honor I have no ability to adequately reciprocate in respect of each of you. It has been quite a priceless privilege to me. As I am unable to thank you materially, I request that you accept my sincere gratitude and know that I am most humbled before you and that I respectfully hold you in high esteem in return for the trust you have had in me for the well wishes, continued trust and cooperation for four consecutive annual terms without any signs indicating your desire to remove me from office. To me, that is the highest respect I could receive from Members.

As you might all know I am vacating this office by Operation of Law for having been appointed Judge of the High Court on 27th January 2019. That means that this is the last Report I am honored to present to you from the Advocates Committee. Finally, pardon me for taking your precious time on this conclusion which looks personal, but necessary in the circumstances.

God Bless you All and Thank you Very Much
Zephrine N. Galeba Judge
(Former Member of the Advocates Committee) Arusha, Tanzania
April 6, 2019
eS — —

SECTION THREE: TLS COMMITTEES

As per section 17 of TLS Act, the Governing Council of TLS has powers to form committees and appoint members of the same. The committees support strategic objectives of the Governing Council through provision of expert opinion to the Council on what should be TLS policy direction on many issues such as; governance, rule of law and access to justice. Currently, TLS has 17 committees established by the Governing Council as they are listed below;

(i) Continuing Legal Education Committee

This Committee oversees the development and implementation of TLS CLE programme. It is responsible for preparation and rolling out of CLE calendar, topics selection, presenters and the allocation of CLE points. Members of this committee are Asina Omari, Dr. Alex Nguluma, Dr. Saudin Mwakaje, Josephine Makanza, Dr. Frederick Ringo, Dr. James Jesse, Alkareem Hasham, Aderickson Njunwa.

Key activities implemented by this committee in last year include; rolling out the CLE calendar, accreditation of CLE seminars to 8 institutions, monitoring the implementation of CLE regulations, and evaluation of members' satisfaction with the quality of CLE programme. .

(ii) Ethics Committee

This Committee is responsible for matters affecting professional conduct and ethical obligation of TLS members. During the reporting period the Ethics Committee conducted several awareness programmes to advocates and the public at large on the rules of professional conduct and etiquette of Tanganyika Law Society. The awareness programmes included media sessions and CLE seminars. The Committee also held several hearing sessions of advocates misconduct complaints received from members of the public. Members of the committee are; Capt. Ibrahim Bendera, Ali Jamal, Dr. Eventius Mugyabuso, Geneviva Kato, Judge Engela Kilewo (rtd), Saidi Mwema, Francis Stolla, Hezron Mwankenja,

(iii) Wakili House Committee

This Committee main duty is to oversee the development of Wakili House construction to its completion. This committee comprise of all members form the Governing Council members plus Charles Rwechungura and Godwin Ngwilimi. During the reporting period the Committee held several ordinary and extra-ordinary meetings to deliberate and review the progress of Wakili House construction.

(iv) Nomination Committee

The Nominations Committee is responsible for enforcing TLS election regulations. It has the power to vet and nominate candidates vying for various positions of TLS leadership at chapter level and Governing Council level. Member of the committee are Tom Nyanduga, Judge, Frederick Werema (rtd), Capt. Ibrahim Bendera, Kalolo Bundala, Modest Akida.

(v) Members Welfare Committee

This Committee supports welfare programmes of TLS members. It is also responsible for oversight and advice on matter affecting welfare of TLS members. The committee is made up of seven members. These are; Sisty Massawe, Ali Jamal, Modest Akida, Dr. Julius Lugaziya, Froidius Mutungi, Leonard Kyaruzi, Wema Kakomanga. Last year the committee held 4 quarterly meetings to deliberate and resolve on the welfare issues of TLS members.

(vi) Research and Publications Committee

This Committee provides quality oversight of all TLS publications including peer review of Tanzania Lawyer Journal. The committee ensures that all write ups received from members for publication are critically reviewed and it makes recommendations about the quality and content of those write ups before publications. Members of the committee are; Prof. Cyriacus Binamungu, Prof. Alex Makulilo, Paren Borhara, John Ubena, Denis Maringo, Vedasto Audax Kaendaguza, Raphael Kamuli, Tasco Luambano. During the reporting period the Committee was very instrumental in the publication of Tanzania Lawyer Journal and TLS Law Report.

(vii) Constitution and Legal Affairs Committee

This Committee carries out invaluable work to keep under their watch matters relating to human rights, rule of law and access to justice in Tanzania. Without this committee TLS contribution towards challenging oppressive law through strategic litigation would have been very minimal. Members of the committee are; Paul Kaunda, Stephen A. Mwakibolwa, Mpale Mpoki, Daimu Halfan, John Seka, Alex Mgongolwa, Elizabeth Mhagama, Harold Sungusia, Juvenalis Motete.

On behalf of TLS, the Committee filed 2 Strategic litigation cases in 2018, they reviewed TLS Legal Aid Policy to ensure that it is aligned with the requirements of the Legal Aid Act and regulations, and provided oversight on the activities implemented by TLS Legal Assistance Unit.

(viii) Junior Lawyers Professional Development Committee

This Committee serves the aims at supporting lifelong learning and professional development appetite of young lawyers. It is also a platform to assist young lawyers to advance their career in legal practice. The committee comprises the following members; Mwanaidi Maajar, Nakazael Tenga, Noel Shio, Peter Kibatata, Doreen Tesha, Emmanuel Mwakyembe, George Zachayo Mollel, Sendodo Jones Issack. The Committee was responsible for organizing 2 forums for young lawyers that were held in Arusha during 2018 AGM and HAGM.

(ix) Regional and International Affairs Committee

This Committee provides oversight and advice on cross border legal practice. In addition, the committee is responsible for updating members of the law society on emerging issues or concerns at international level affecting legal practice in Tanzania. The committee has 7 members. These are; Godwin Beatus Ngongi, Diana Matondane, Humphrey Mtuy, William Mwisijo, Jacqueline Kapinga, Beatus Malima, Abdallah Mwinyi. The committee 2 times in 2018 to discuss matters related to cross-border legal practice.

(x) Drafting Committee

The Drafting Committee mandated with drafting powers of all TLS regulations and policies. It is composed of five members. These are; Harold Sungusia, Deusdedit Simbakalia, Francis Stolla, Kheri Mbiro, Zephrine Galeba, Aisha Zumo, Cecilia Assey. The Committee played a key role in the amendment of TLS election regulations (GN 116 of 2016) as per AGM directives. The amended regulations were tabled for noting during 2018 HALG but they are yet to be gazzeted. The Committee was also responsible for drafting General Meeting regulations.

(xi) Gender and HIV/AIDS Committee

This committee serves a forum for discussion of gender and HIV related issues within TLS. The committee provides oversight of the welfare of TLS members living with HIV/AIDS. Members of the committee are; Advera Nsiima Kamuzora, Hassan S. Ruhwanya, Robert J. Shirima, Charles Sungusia, Fortunata Kitokesya, Gloria Kalabamu, Angela George. The Committee held 4 meetings during the quarter under review as part of monitoring mechanism for the implementation of committee work plan on gender and HIV/AIDS issues.

(xii) Advocates Remuneration and Regulatory Committee

This Committee is mandated with the enforcement of Advocates Remuneration Order, 2015. The committee is composed of seven member namely; Edson Mkisi, Casmir Nkuba, Amne Kagasheki, Ayoub Mtafya, Angela Mndolwa, Godfrey B. Taisamo, Iddi Kamazima. The Committee held one (1) meeting last year to review Remuneration Order (2015). In addition, they prepared a work plan that included formulation of CLE topics on Advocates Remuneration Order of 2015.

(xiii) Advocates and Lawyers with Disability Committee

This committee solely provides oversight and advice for the advancement and welfare of TLS members with disability. The committee has seven members. These are Gideon Mandesi, Novatus Rukwago, Peres Seneto Parpai, Daniel Lema, Dr. Ndumisary Swai, Rose Ndemeleje, Mwesigwa Muhingo. The Committee held four (4) sessions during the quarter under review. The committee also

reviewed several TLS tools including Secretariat Office, Human Resource Policy, Chapter Regulations and Election regulations to assess the extent to which these tools are friendly to people with disability. After thorough review the Committee made recommendations its recommendations to the Governing Council. Other activities implemented by the Committee include preparation of a forum for members with disability to be held in Arusha during 2019 AGM. Also, the Committee began a process to identify member with disability at Chapter level.

(xiv) Investment Committee

Investment committee is mandated by the Governing Council to plan and develop TLS investment priorities and the investment strategy. The committee has five members, these are; Magesa Magabe, Mystica Mapunda Ngongi, Mary Mniwasa, Godwin Ngwilimi, Hussein Mtembwa

(xv) Awards Committee

This committee oversees awards presented by TLS to its individual members to recognize their outstanding contribution in the development of legal practice in Tanzania. The committee also guides and leads the nomination and selection of award recipients. The following are members of this committee; Mwanaidi Maajar, Prof. Josephat Kanywanyi, Lemmy Barthelomew, Freddy Kalonga, Galati Silwani, Fulgence Massawe

(xvi) The Editorial Board of the Tanganyika Law Society Law Report

The editorial board comprises members of excellent academic track record and expertise in the legal profession. It was formed by TLS Research and Publications Committee to provide oversight of the publication of TLS Law Report. The Board is responsible for making editorial decisions of cases collected by TLS Secretariat that are intended to be published in the Law Report. The Board is formed by the following members; Prof. Cyriacus Binamungu, Prof. Cris Peter Maina, Prof. Hamoud Majamba, Dr. Wilbert Kapinga, John Ubena, Frank Marindo, Matojo Cossota, Denis Maringo.

(xvii) Audit Committee

The audit committee is an independent committee mandated with oversight role of TLS finance practices. All members of this committee are either qualified auditors or have a range of experience in finance and banking. Members of the committee are; Nicholus Duhia, Casmir Nkuba, Rwekamwa Rweikiza, and Fredrick Msumali. During the reporting period the Committee received and reviewed 4 internal audits reports and recommended actions to be taken to improve management of TLS finances. In addition, the Audit Committee developed the Tanganyika Law Society Annual budget for the financial year 2019 and presented the same to the Governing Council for approval. Also the committee received annual external audit report (2018). The report will be presented to the AGM.

(xviii) Executive Committee (ExCom)

The Executive Committee comprise of the President, Vice President, and Honourary Treasurer. The ExCom meets more frequently than the Governing Council and has the mandate to make certain decisions on behalf of the Governing Council and ensure that these decisions are carried out. Because it meets more frequently, ExCom is able to provide oversight of the implementation of Governing Council priorities.

SECTION FOUR: TLS CHAPTERS

Chapters are umbrella organs of Tanganyika Law Society established by the Governing Council. The Chapters were established as part of the Governing Council devolution initiative that was meant to provide members at chapter level more voice on issues affecting their interests and welfare at chapter level. Chapter operations are guided by Chapter Regulations (2017). At present, there are 13 Chapters. Below is the list of TLS Chapters and its leaders;

SN	CHAPTER	CHAPTER CONVENOR	VICE CHAPTER CONVENOR	TREASURER
1	Dar Es Salaam	Angelista Nashon	Reuben Simwanza	Runyoro Adolf
2	Tanga	Egbert Colonel Mujungu	Atranus Method	Linda Eliud Lugano
3	Mbeya	Joyce Kasebwa	Jackson Ngonyani	Lucy Kessy
4	Tabora	Musa Kassim	Theresia Fabian	Flavia Francis
5	Mwanza	Lenin Njau	Kassim Gilla	Msafiri Henga
6	Arusha	Elibariki Maeda	George Njooka	Neema Mtayangulwa
7	Moshi	David Shilatu	Patrick Paul	Faygrace Sadalah

8	Dodoma	Mary J. Munissi	Joseph M. Matimbwi	Josephine M. Paul
9	Mtwara	Stephen L. Lekey	Rose Reginald Ndemereje	Alex Msalenge
10	Iringa	Barnabas Pascal Nyalusi	Emmanuel Baruti	Chance Luoga
11	Kagera	Aaron Karolo Kabunga	None	Theresia Bujiku
12	Morogoro	Godfrey Mwansoho	Khadija Shaaban	Aziz Mahenge
13	Ruvuma	Edson Mbogoro	Mwombeki	Vincent Kasale

PART TWO:

IMPLEMENTATION OF THE STRATEGIC PLAN 2014 – 2019

Strategic Objective 1: To Deliver Membership Development Services and Ensure Compliance

1.1. Continuing Legal Education (CLE)

The Continuing Legal Education (CLE) underwent major reforms by hiring permanent staff that is responsible for coordinating CLE. The CLE officer serves as the secretary to CLE Committee that is mandated to accredit seminars from different institutions and individuals.

1.2. Preparation of CLE Calendar

The CLE Committee approved different Seminars for the year 2018. It approved ordinary Annual Calendar for CLE where by 38 Seminars were approved that included Pre-AGM and HAGM CLE topics, Annual General Meeting Conference topics and accredited seminars that were offered by stakeholders. The CLE Committee also approved 2 admission seminars which were held in July admission and December admission ceremonies. Each of these admission seminars were run for two days.

1.3. Coordination of CLE based on chapters

In 2018 the number of seminars conducted in different chapters increased compared to the previous year. This is a positive trend as TLS now is able to bring seminars close to its members especially those who are not residing in Dar es Salaam. The following table summarizes the number of Seminars that were hosted and conducted at Chapter level.

No	DATE	CHAPTER	TOPIC	ATTEN- DANCE
1	2/2/208	IRINGA	Probation And Commission Services In Tanzania	17
2	3/3/2018	IRINGA	Role of Defense Counsel During Investigation	25
3	16/3/2018	DODOMA	The incorporation of the principles of international Law of permanent Sovereignty over Natural Wealth and Resources in Tanzania.	15
4	16/3/2018	KILIMANJARO	Tax Appeals procedures	28
5	23/3/2018	MTWARA	The practical techniques in Cross Examination	20
6	24/3/2018	MWANZA	Essentials for the admissibility of electronic evidence in Litigation	43
7	18/5/2018	MBEYA	Procedures for Pursuing Labor Matters from CMA to the High Court	44
8	19 /5/2018	TANGA	The roles of Advocates in Advising and facilitating foreign Clients in application for work Permits, Residence License and National IDs in Tanzania	9
9	24/5/2018	KAGERA	Filing a Competent Petition for Divorce in Tanzania Mainland	20
10	26/6/2018	DAR	Mining landscape and the legal framework in Tanzania.	11

11	26/5/2018	MWANZA	Filing a Competent Petition for Divorce in Tanzania Mainland	19
12	9/6/2018	TABORA	Regulatory Law and Practice: The Work of Regulatory Agencies Vs. The Practice Law	32
13	14/7/2018	MBEYA	Procedures of Appeal and Revision from the High Court to the Court of Appeal	44
14	14/7/2018	DODOMA	Highlights on Common Unethical Practices by Advocates in Tanzania Mainland.	30
15	14/7/2018	DAR	Highlight on the use of BRELA Online Registration System for Company Registration and Trade and Services Mark Registration.	207
16	17/8/2018	MTWARA	From Preliminary Hearing, through Trial to Judgement and Sentencing: judicial Hints	26
17	17/8/2018	ARUSHA	Professional Negligence and Legal Practice	21
18	24/8/2018	KILIMANJARO	Legal Framework on Public Procurement: Advocates role in Dispute Resolution	33
19	25/8/2018	TABORA	The Role of Committal Proceeding and Preliminary Hearing in Promoting fair criminal Trials before High Court of Tanzania	30

20	31/8/2018	IRINGA	Tax Dispute Resolution: Role of Advocates	30
21	08/9/2018	KAGERA	Tax compliance by Law Firms	31
22	20/10/2018	MBEYA	The use of scientific evidence (forensic evidence) and the authentication of digital evidence in court.	59
24	02/11/2018	MTWARA	Current Changes on Mining Laws and Anticipated Changes in Gemstone Mining.	22
25	16/11/2018	DAR ES SALAAM	Current Development in Arbitration Law in Tanzania	147
26	17/11/2018	DAR ES SALAAM	Current Changes on Mining Laws and Anticipated Changes in Gemstone Mining.	99
27	17/11/2018	IRINGA	Legal framework in Public Procurement Process In Tanzania: A practical Guide	46
28	4/12/2018	DAR ES SALAAM	Legal framework in Public Procurement Process In Tanzania: A practical Guide	63
29	7/12/2018	MOROGORO	Admissibility of Electronic Evidence	28
30	8/12/2018	MOROGORO	Spousal Consent In Commercial Requirement in Business Transaction: an examination in Law and Practice Matters.	28

31	23/11/2018	DAR ES SALAAM	Practical Aspects on New Immigration Procedures, online Visa, electronic Permits and Passports in Tanzania	228
32	30/11/2018	DA ES SALAAM	Practical Guide to Admissibility of Electronic Evidence	92
33	19/11/2018	DAR ES SALAAM	Highlight on the use of BRELA Online Registration System for Company Registration and Trade and Services Mark Registration.	290
34	28/12/2018	DAR ES SALAAM	Highlight on the use of BRELA Online Registration System for Trade and Services Mark Registration.	176
35	29/12/2018	DAR ES SALAAM	Regulation of Electronic Signature and the Law	164
36	24/11/2018	ARUSHA	Environmental Impact Assessment: Procedure, Practice and Challenges.	39
37	27/11/2018	MWANZA	Environmental Impact Assessment: Procedure, Practice and Challenges.	61
38	30/11/2018	MOROGORO	Environmental Impact Assessment: Procedure, Practice and Challenges.	30

1.3.1. PRE-AGM Seminars 2018

The AGM 2018 was preceded by series of CLE seminars which were covered within five days prior to the AGM. The number of advocates attended Pre-AGM seminars was 637 as summarized in the table below.

1	9/4/2018	ARUSHA	Corporate Transaction	121
2	10-11/4/2018	ARUSHA	Introduction to insurance law, principles and practice and the practical considerations in insurance dispute resolution	77
3	11-12/4/2018	ARUSHA	Understanding the new natural resource laws in Tanzania	107
4	12/4/2018	ARUSHA	International Arbitration of Investment Dispute	225
5	12/4/2018	ARUSHA	Tax Dispute Resolution	107

Along with ordinary Pre-AGM seminars, Law Firms Forum, Women Lawyers Forum and Young Lawyers forum conducted their seminars as well.

1.3.4. Pre HAGM-September, 2018

Equally during Half Annual General Meeting held in September, 2018 was preceded by CLE seminars of which 871 Advocates attended as summarized in the table below.

1	10/9/2018	ARUSHA	A practical Guide to admissibility of Electronic Evidence	89
2	11/9/2018	ARUSHA	1. Practical aspects of Electronic filing System. 2. Highlights of the new Court of Appeal procedures. 3. An overview of the 5 years Strategic Plan (2015/16-2019/20) of the Judiciary of Tanzania.	88
3	12/9/2018	ARUSHA	Tax Compliance in Legal Practice: New developments in Tax laws and Practice.	134
4	13-14/9/2018	ARUSHA	Highlight on the use of BRELA Online Registration System for Company Registration and Trade and Services Mark Registration.	277
5	14/9/2018	ARUSHA	Training on Anti-Money Laundering and Counter terrorist financing.	283

Therefore in 2018 Annual General Meeting was attended by 2146 members and Half Annual General Meeting was attended by 2195 members.

1.3.5. Compulsory CLE Seminars

Two compulsory CLE seminars were held in 2018. These seminars were specifically prepared for two days for the newly admitted Advocates. The compulsory admission seminar aimed at impacting knowledge of the Tanganyika Law Society for new advocates so

as to get knowledge on their rights and obligations as advocates. As such, the seminars impacts knowledge on advocates, systems that are used by members, induction as to ethical issues in legal practice, common challenges in legal practice and ABCs on how to run and start a law firm. Therefore for July Admission the compulsory seminar was attended by 485 members and December admission was attended by 804.

1.3.6. Accredited seminars

The CLE Regulations gives mandate to the Committee to accredit individuals and institutions to provide CLE Seminars. The institutions accredited for 2018 were able to accommodate 1755 members who attended various seminars. However the only challenge is that most Accredited CLE seminars are held in Dar es Salaam. TLS is planning for the 2019 allocation or accrediting institutions and or providers in other chapters apart from Dar es Salaam.

S/N	DATE	CHAPTER	ATTENDANCE	NAME OF THE ACCREDITED INSTITUTION.
1	24/2/2018	DAR	12	Maritime Law Association of Tanzania Ltd
2	03/03/2018	DAR	11	Maritime Law Association of Tanzania Ltd
3	24/3/2018	DAR	3	Maritime Law Association of Tanzania Ltd
4	28/4/2018	DAR	14	Maritime Law Association of Tanzania Ltd
5	12/5/2018	DAR	12	Maritime Law Association of Tanzania Ltd
6	26/5/2018	DAR	108	TAWLA AGM
7	30/6/2018	DAR	35	Maritime Law Association of Tanzania Ltd

8	21/7/2018	DAR	32	Maritime Law Association of Tanzania Ltd
9	26/7/2018	DAR	42	African Law Technology Institute
10	14/8/208	DAR	35	Maritime Law Association of Tanzania Ltd
11	25/8/2018	DAR	6	Maritime Law Association of Tanzania Ltd
12	27/9/2018	DAR	11	Maritime Law Association of Tanzania Ltd
13	6/10/2018	DAR	37	Maritime Law Association of Tanzania Ltd
14	27/10/2018	DAR	99	Maritime Law Association of Tanzania Ltd
15	6/11/2018	DAR	59	ELEM Presentations
16	30/10/2018	DAR	129	ELEM Presentations
17	8/11/2018	DAR	105	ELEM Presentations
18	13/11/2018	DAR	106	ELEM Presentation
19	23/11/2018	DAR	57	ELEM Presentation
20	29/11/2018	DAR	65	ELEM Presentation
21	4/12/2018	DAR	59	ELEM Presentation
22	15/11/2018	DAR	50	EALS
23	25/10/2018	ARUSHA	22	PALU

24	8/12/2018	DAR	75	Maritime Law Association of Tanzania Ltd
25	15/11/2018	DAR	92	Maritime Law Association of Tanzania Ltd
26	3-5/10/2018	DAR	34	Tanzania Human Rights Defenders Coalition
27	14/12/2018	DAR	60	Tznic
28	15/12/2018	DAR	101	ELEM Presentation
29	27/9/2018	DAR	72	African Law and Technology Institute
30	8/11/2018	DAR	29	African Law and Technology Institute
31	1/12/2018	DAR	70	African Law and Technology Institute
32	27/11/2018	DAR	50	Maritime Law Association of Tanzania Ltd
32	10/11/2018	DAR	64	Maritime Law Association of Tanzania Ltd

1.3.7. Free CLE Seminars

The Society continued to engage its members in different activities. Through engagement of members in TLS activities, members were able to attend Legal Aid Week, Law Day, Sabasaba and CSOs week. Other activities that members were able to attend included provision of Legal Aid at chapter levels, meetings with government agencies such as Tanzania Revenue Authority at Karimjee hall in Dar es Salaam to discuss on Tax Compliance in Legal Practice. As such, engagement of members in the activities listed above enabled members to acquire free CLE points.

In summary as for the year 2018 the number of Advocates who earned points through such activities were as follows;

Event	Number of Advocates
Law day	779
Legal Aid week	722
Saba Saba week	20
CSOs week in Dodoma	13
Pro bono cases (legal aid)	73
Bill Analysis (Proposed amendment of the Advocates Act)	502
Capacity building for Human Rights lawyers (THRDC and TLS)	34
Chapters Election	975

1.4. CLE points compliance

The law requires that every Advocate who wishes to renew the Practicing Certificate needs to attain 10 CLE points annually. In special circumstances CLE Committee is mandated to waive the requirement and allow a carryover in the following year upon production of evidence and reasons for failure to attain 10 points as required by the law. In that manner, members are normally awarded points for the CLE attended. The points awarded ranges from 1 CLE point onwards depending on timeline, material work for presentation and learning, theme and importance of the seminar to members. Normally after approval of the attendance followed by proper bank reconciliation in cases of paid CLEs members are awarded points by uploading them to the system.

Therefore, from January to December, 2018, 4565 member's accounts were updated on the CLE points earned. 2773 which is 60.74% members have complied to CLE regulations by attaining a total number of 10 CLE points. For those who have failed to attain 10 points as required will carry over for the year 2019, in sense that any point earned in 2019 will be uploaded in the year 2018 as a matter of compliance. Members with 0 CLE points which accounts for about

36.71% most of them are non-practicing members and those in public service are exempted from CLE seminars requirements.

CLE Points Attendance Report Year 2018		
All attended Members 4565		
Category	Number	Percentage
Members with CLE points above 10	2773	60.74
Members with CLE points between 9-6	1223	26.79
Members with CLE points between 5-1	584	12.79
Members with CLE points 0	2648	36.71

1.5. **Ethics and Compliance desk**

The Ethics and Compliance desk handles complaints from the public on matters of ethics to TLS members. Also the desk is dealing with unqualified practices and non-compliant advocates. The Ethics and Compliance desk from January to December 2018 accomplished the following works:

1.5.1. **Complaints handling**

The Ethics Committee of the Society is mandated to enforce and ensure compliance with Professional Ethics and Standards. The Committee in discharging its functions receives complaints from clients that are determined on merit. During the year 2018 the following summary of complaints lodged and current status is produced for reference.

- The Secretariat registered 61 complaints in 2018.
- The Committee determined 32 cases which were finalized.
- The Secretariat referred 10 cases to the Advocates Committee.
- Currently only 19 cases are pending determination.

Comparatively in 2018 the number of complaints registered has gone down to 61 cases compared to 76 cases registered in 2017 which shows an improvement in compliance of ethics issues. The nature of complaints received is summarized as follows;

No.	NAME OF PARTIES	NATURE OF COMPLAINT	STATUS
1.	AYUBU ALLY MGUNYA AGAINST FREDRICK JONATHAN	The advocate is alleged to have failed to institute the complainant's case notwithstanding being paid fees	Closed
2.	MUNIR DAYA AGAINST ADVOCATE ELPHANCE RWEHABURA	The advocate is alleged to have failed to institute the complainant's case notwithstanding being paid fees	On pleading stage
3.	CONSOLATA PETER MLANGO AGAINST ADVOCATE THOMAS E.A RWEBANGIRA	The complainant alleges several acts of misconduct against the Advocate	Advocate has been directed to file the defence
4.	SAIDI RAMADHANI REPRESENTING (WALIOKUWA WAFANYAKAZI MRADI WA BARABARA YA KIBITI) AGAINST ADVOCATE JETHO TURYAMWASIGA	The complainant alleges that the advocate failed to institute a case as instructed	Closed
5.	ALOYCE KINYONGA AGAINST ADVOCATE HEKIMA MWASIPU	The advocate is alleged to have failed to institute complainant's case notwithstanding being paid fees	The matter has been directed to Advocate Committee

6.	TULO YOHANA AGAINST ADVOCATE ERICK NICHOLAUS	The complainant alleges to have advanced fees to the advocate who declined to pursue client matter	Closed
7.	MH. MLILO AGAINST ADVOCATE LEONARD DEUS NGOYE	The complainant claims TSH. 450,000 against the Advocate	The committee direct the complaint to file the case to the court as the matter is civil court and to file another complaint on profession misconducts if any
8.	MASOUD IDD SHOMARI AGAINST ADVOCATE ABUBAKAR SALIM	The complainant alleges that the advocate failed to institute a case as instructed	Closed
9.	MIRIAM HANSON MWANGOLE AGAINST AHMED SAID EL – MAAMRY	The advocate is alleged to have failed to institute the complainant’s case notwithstanding being paid fees	Closed
10.	MIRIAM HANSON MWANGOLE AGAINST ADVOCATE STANFORD MBAGANE	The advocate is alleged to have failed to institute complainant’s case notwithstanding being paid fees	Closed
11.	HASHIM SHABANI AGAINST ADVOCATE RICHARD AMBROSE GIRAY	The complainant alleges to have advanced fees of TSH. 800,000 to the advocate who declined to pursue client matter	Closed

12.	FANUEL HAULE AGAINST ADVOCATE BARAKA MBWILO	The advocate is alleged to have expropriated TZ 12MILION being claimant settlement award	Advocate has already file the defence, awaiting for the date of hearing
13.	SIMON MARTIN MGAYA AGAINST ADVOCATE SARAPHIUS MDAMU	The complainant alleges to have advanced fees of TSH. 3,200,000 to advocate who declined to pursue client matter	Closed
14.	HAMAD R. CHILALA AGAINST ADVOCATE HASSAN KILULE	The complainant alleges to have advanced fees of TSH. 500,000 to the advocate who declined to pursue client matter	Closed
15.	MGENI RAJABU JUMA AGAINST ADVOCATE MOHAMED MKALI	The complainant alleges to have advanced fees of TSH. 1,500,000 to the advocate who declined to pursue client matter	The matter has been referred to Advocate Committee
16.	JENNIFER MUGENI AGAINST ADVOCATE JOSEPH RUTABINGWA	Complainant alleges several issues of misconduct against the Advocate	Advocate has already file the defence, Awaiting for the date of hearing
17.	MAYALLA STEPHANO BUKWELLES AGAINST ADVOCATE RESPICIUS DIDAS	The complainant alleges that the advocate failed to pursue a case as instructed hence the case was dismissed	Closed
18.	GETRUDE GEORGE NYAKI AGAINST ADVOCATE SIMBAPIUS KIPENGELE	Complainant alleges several acts of misconduct against the Advocate	Closed

19.	C.L.S BENNE AGAINST ADVOCATE WEMA KAKOMANGA	The complainant alleges to have advanced fees of TSH. 5,000,000 to the advocate who declined to pursue client matter. The case was dismissed for non-appearance and never gives report or file to the client.	Closed
20.	ISSA KABADO MARTIN AGAINST OBEDIODOM S. CHANJARIKA	Complainant alleges several acts of misconduct against the Advocate	Closed
21.	MZAIRE ALLY BARUGIZE AGAINST DANIEL HAULE NGUDUNGI	Complainant alleges an over deduction of fees from the decree amount of TSH. 15,000,000	Closed
22.	GRACE FREDY RUGWANA AGANST ADVOCATE STANFORD MBEGANE	Complainant alleges several acts of misconduct against the Advocate	Advocate has been directed to file the defence
23.	DR. MBOYI PROSPER AGAINST ADVOCATE MOHAMED MANYANGA	Complainant alleges several acts of misconduct against the Advocate	Advocate has already file the defence, awaiting for the date of hearing
24.	EVOD PETER NDUMWA AGAINST ADVOCATE FRANK MILANZI	The complainant alleges to have advanced fees of TSH. 500,000 to the advocate who declined to pursue client matter	Advocate has already file the defence, awaiting for the date of hearing

25.	RAJAB ATHUMANI AGAINST ADVOCATE MTUMWA KIONDO	Complainant alleges several acts misconduct against the Advocate	Closed
26.	HAWANA SWALEHE AGAINST ADVOCATE JOB CHACHA KERARIO	Complaint that advocate does not pick her calls and therefore requesting TLS to find him	The matter has been referred to Advocate Committee
27.	ARNOLD E. MANGESHO AGAINST ADVOCATE PETER JONATHAN	Complainant alleges several acts of misconduct against the Advocate	On pleading stage
28.	ARIF ABDALLAH LARDHI AGAINST ADVOCATE PHILIPO	The complainant alleges to have advanced fees of TSH. 600,000 to the advocate who declined to pursue client matter	Closed
29.	ADINANI MBARAKA AGAINST ADVOCATE JIMMY OBED	The complainant alleges to have advanced fees of TSH. 1,517,000 to the advocate who declined to pursue client matter	Closed
30.	MARGARETH REUBEN MOREMI AGAINST ADVOCATE SAMWEL SHADRACK	The complainant alleges to have advanced fees of TSH. 600,000 to the advocate who declined to pursue client matter	On hearing stage

31.	HAMID ALLY SALIM AGAINST ADVOCATE JULIUS SABUNI	The complainant alleges to have advanced fees of TSH. 3,500,000 to the advocate who declined to pursue client matter	On hearing stage
32.	MWANAHAWA SAIDI AGAINST WEMA KAKOMANGA	The complainant alleges to have advanced fees of TSH. 400,000 to the advocate who declined to pursue client matter	The matter has been referred to Advocate Committee
33.	NYAKI KIMASAKI AGAINST ACLEY FRANK CHAULA	The complainant alleges to have advanced fees of TSH. 2,500,000 to the advocate who declined to pursue client matter	Closed
34.	ARISTIDES HIPOLYTE AGAINST ADVOCATE MOHAMED MKALI	Complainant alleges several acts of misconduct against the Advocate	Closed
35.	HUSSEIN MUSSA AGAINST ADVOCATE DEINIOL MSEMWA	The complaint alleges to have advanced fees of to TSH. 1,500,000 the advocate who declined to pursue client matter and the advocate has refused to return documents relating to his case	Closed
36.	LINUS KISWAGA AGAINST ADVOCATE EDSON RWECHUNGURA	The advocate is alleged to have failed to institute claimant case notwithstanding being paid fees TSH. 650,000	Closed

37.	MGENI RAJABU AGAINST MOHAMED MKALI	The complainant alleges that the advocate failed to institute a case as instructed	On hearing stage
38.	EVARIST SILVESTAR MASSAWE AGAINST ELIKUNDA GEORGE KIPOKO	Complainant alleges that the advocate has refused to return documents relating to his case	On hearing stage
39.	VICKY D. MTEFU AGAINST ADVOCATE MOHAMED MKALI	The advocate is alleged to have failed to institute claimant case notwithstanding being paid fees TSH. 650,000	The matter has been referred to Advocate Committee
40.	MWANAHAWA SAIDI AGAINST ADVOCATE WEMA KAKOMANGA	The advocate is alleged to have failed to institute claimant case notwithstanding being paid fees TSH. 400,000	The matter has been referred to Advocate Committee
41.	LEO SIMBA MWENE AGAINST ADVOCATE RICHARD GIRAY	The advocate is alleged to have failed to institute claimant case notwithstanding being paid fees TSH. 1,600,000	Closed
42.	HABEL M. CHILEMA (KANISA LA KRISTO) AGAINST ADVOCATE NGASSA GANJA	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees TSH. 2,000,000	Closed

43.	KHAMISI SINDILA AGAINST ADVOCATE ANNEY SEMU	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees TSH. 3,000,000	Closed
44.	RICHARD MWAZABA (MWENYEKITI WA BODI YA SHULE YA SEKONDARI YA WILIMA) AGAINST ADVOCATE DICKSON PIUS NDUNGURU	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees TSH. 2,047,000	On pleading stage
45.	MOSHI ERNEST AGAINST ADVOCATE OKARE EMESU	Complainant alleges that the advocate has refused to return documents relating to his case	Closed
46.	ERNEST BERNARD MKOLELA AGAINST HEKIMA MWASIPU	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees TSH. 700,000	The matter has been referred to Advocate Committee
47.	ABDUL KHALIMA A. MHAKE AGAINST ABUBAKAR SALIM	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees TSH. 600,000	On hearing stage

48.	ABDUL MAGUNO AGAINST ADVOCATE MASUMBUKO LAMWAI	Complainant alleges that the advocate has refused to return documents relating to his case	Closed
49.	PETER SAUL NDOSA AGAINST ADVOCATE FRANK KUSILA	Complaint alleges several acts of misconduct against the Advocate	On hearing stage
50.	AMBONISYE NSAJIWA (MENEJA – KIBAHA HOUSING CO- OPERATIVE SOCIETY Ltd.) AGAINST ADVOCATE MOHAMED MAGATI	The complainant alleges that the advocate failed to institute a case as instructed	Closed
51.	HUSSEIN BAKARI AGAINST MOHAMED MKALI	The complainant alleges that the advocate failed to institute a case as instructed	The matter has been referred to Advocate Committee
52.	LAZARO GERVAS MATUNDA AGAINST MOHAMED A. MKALI	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees TSH. 4,400,000	The matter has been referred to Advocate Committee

53.	ASHISHI GOYAL (MANAGING DIRECTOR MOGAS TANZANIA LIMITED) AGAINST ADVOCATE PAUL KIBUUKA	Complaint alleges several acts of misconduct against the Advocate	Closed
54.	ANTAR OMARY KANGETA AGAINST IDDY NDABONA	The complainant alleges that the advocate failed to institute a case as instructed	On hearing stage
55.	FREDY REMMY S. CHICHARO AGAINST WILLIAM ERNEST	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees TSH. 3,000,000	Advocate has been directed to file deffence
56.	CLAUDIA A. MLOLELI AGAINST MUSA ALLY LIKULILE	The complainant alleges that the advocate failed to institute a case as instructed	Closed
57.	PETER SEVERINE MTISI AGAINST ADVOCATE TAHER MUCCADAM	Complaint alleges several acts of misconduct against the Advocate	Closed
58.	GEORGE E. NTALIMA AGAINST ADVOCATE WEMA KAKOMANGA	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees TSH. 600,000	The matter has been referred to Advocate Committee

59.	ABDALLAH KIPONDA AGAINST ADVOCATE BRYASON SHAYO AND ADVOCATE ISSA MRINDOKO	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees	Closed
60.	KAWEDI ELISANTE NGOWO AGAINST ADVOCATE KARLO PAULO	Complainant alleges several act of misconduct against the Advocate	On hearing stage
61.	SAKINA GEORGE AND 4 OTHERS AGAINST ADVOCATE LUGHANO KITANGALALA	The complainant alleges that the advocate failed to institute a case as instructed notwithstanding being paid fees TSH. 3,000,000	Closed

1.5.2. **Strategy on how to defeat unqualified legal practitioners**

The ethics committee coordinated working session with justice delivery stakeholders to deliberate on strategies of dealing with unqualified legal practitioners in the country. The coordination started with a meeting with stakeholders on 19th January, 2018 to deliberate on how to curb unqualified practices. Stakeholders attending the meeting included, representatives from the High Court of Tanzania, the Advocates Committee, the TLS Ethics Committee, the Director of Public Prosecution and the Director of Criminal Investigation.

The task force to defeat unqualified legal practice was formed at national and chapters levels to perform the following functions:

- Launch of Media campaign to raise public awareness on professional conduct;
- Prepare education materials that will be disseminated to different stakeholders in public forums, court premises, legal aid centers, legal aid week etc. Such materials include brochures, posters and car seat covers and stickers with different messages such as *"Mimi ni wakili mwadilifu"*;
- SMS services to access advocates information;
- Developing a national campaign with titled *"Kamata Kishoka"* KK Movement.

1.6. **Fundraising strategies**

The concept note on access to justice was prepared and submitted to judiciary. The objective of this concept note was to improve access to justice to the society by improving service delivery of the Tanganyika Law Society. Therefore through strengthening the capacity of TLS chapters this project expected to yield positive results in justice dispensation. The concept note was accepted and approved with a total budget of one billion (1,000,000,000/=) Tanzanian shillings for the financial year 2018/2019. Once the funds are disbursed to TLS it will launch this campaign. The proposed activities under this project include;

1. To establish access to justice call center;

2. To develop public awareness campaign;
3. To prepare practice notes on the following areas; Anti-Money Laundering, Billing and Law firms taxation;
4. To fight unqualified legal practice;
5. To facilitate engagement with Advocates' Committee;
6. To conduct multi stakeholders dialogue on legal malpractice and disciplinary measures;
7. To build capacity of Chapters Ethics Committees;
8. To monitor and capacity build for young lawyers in Law Practice Management;
9. Organizational Capacity building;
10. Chapter Operations Monitoring;
11. Facilitating Bench-Bar meetings.

1.7. Public awareness TV programs

The judiciary is implementing a project on "*Elimu Kwa Umma*" through television where the public is empowered on different topics aimed at enhancing public access to justice. The TV programs are aired by Chanel Ten. From January to December members of Ethics Committee attended six (6) television shows to educate public on professions conduct.

1.8. Preparation of Practice Notice on Anti-Money Laundering

The expert team to prepare *Practice Note on Anti-Money Laundering* was formed with seven members that included Dr. Wilbert Kapinga as the Chairperson, Mr. Charles Rwechungura, Ms. Josephine Makanza, Mr. Alkarim Hasham, Mr. Shehzada Wall and Mr. Jeremiah Mtobesya. The team conducted 3 working sessions and came up with the Practice Note on Anti-Money Laundering. The Practice Notes will be published, circulated to members on emails and website for awareness. The team also conducted CLE Seminar on Anti-Money Laundering during Pre HAGM CLE Seminars.

1.9. Advocate Remunerations and Regulations.

The Advocate Regulations and Remuneration Committee prepared CLE topics with concept notes and on Advocate Remunerations

issues and submitted to CLE Committee. These topics will be included to the 2019 CLE Calendar and Members of the Committee will be the presenters during the said seminars and award CLE points.

1.10. Chapter Coordination and Members Welfare

1.10.1. Technical Support to Chapters

1.10.1.1. Preparation and Coordination of Law Week.

The Secretariat in Dar es Salaam assisted Chapters in the preparation of Law Week festivities through coordination of several meetings that took place from 28th January to 1st February 2018. TLS was involved in the supervision of activities in all its chapters. Eleven (11) Chapters participated in the 2018 Law Week commemorations nationwide. At the headquarter TLS was allocated enough space by the judiciary at Mnazi Mmoja so as to provide legal aid and showcase its work to the general public. With special interests, the Commemorations in Dodoma and Mbeya were as follows:

(a) Dodoma

The commemorations of the Law Week started on 28th January to 1st February, 2018 whereby Judges of High Court Dodoma Registry, magistrates, registrars, paralegals, political leaders, various government departments, advocates and paralegals participated in giving public education on legal matters at the Nyerere Square grounds. Legal aid services were also provided to the public. A total of 158 advocates, and 15 paralegals attended the Law Week commemorations. 25 clients were reached and offered one on one legal aid services and legal education. Out of the 25 clients, 20 were advised, 3 were given referrals and 2 were assigned advocates to make follow up on their issues. More than 50,000 people were reached through media (radio) programs. 3 Radio stations (A. fm, ABM fm & CDM fm) were engaged for the purposes of educating the public on several issues and requested to attend the Law Day Week clinics that were conducted at the Nyerere Square and High Court grounds.



(b) **Mbeya**

The Tanganyika Law Society celebrated the commemoration of the Law Week in Mbeya Chapter whereby various activities were conducted. The Commemoration began on 29th January 2018 and went for four days consecutively until the 31st January 2018. The Law Week Commemoration in Mbeya Chapter was organized by the Judiciary i.e. High Court Mbeya Registry in collaboration with other justice stakeholders including; Attorney General's Office (Mbeya), PCCB's Office, Advocates, Regional Police Commander Office, Prison and Police Gender Desk.





Students of Majengo Secondary Schools listening tentatively to Advocate Omari from TLS Mbeya Chapter during the Law Day Programs. Advocate Omari facilitated on the Law of the Child Act, particularly on the rights and responsibility of a Child. Besides him are the Magistrates of Primary Court in Mbeya

1.11. Funds disbursement to chapters

The Secretariat was able to transfer funds to run chapter activities for the year 2018. All chapters with bank accounts had received their funds timely at different rates depending on their budget and activities implemented. Thus, the table below summarizes what was disbursed to the chapters.

Processing requisition of funds to all chapters for the 1st quarter as summarized herein;

Chapter	Amount disbursed	Amount budgeted
Dar es Salaam Chapter	7,000,000	26,400,000
Kagera Chapter	2,500,000	9,100,000
Tanga Chapter	3,000,000	12,830,000
Kilimanjaro Chapter	3,000,000	11,460,000
Iringa Chapter	5,000,000	22,330,000
Mtwara Chapter	5,000,000	26,613,000
Dodoma Chapter	6,500,000	35,432,560
Arusha Chapter	7,000,000	28,813,000
Mwanza Chapter	7,000,000	26,413,000
Mbeya Chapter	7,000,000	27,613,000
Tabora Chapter	5,000,000	20,740,000
Total funds disbursed	58,000,000	247,544,560

1.12. Other technical support to chapters

- Bank accounts opening of Kilimanjaro and Tanga Chapters.
- To provide technical support for officers in charge to assist members renewal processes whereby for the year 2018 4446 members successful renewed their Practicing Certificate
- Issuing IDs to members whereby in the year 2018 about 3146 members were issued IDs.

1.13. Chapters establishment and strengthening

The Society's growth is promising. In the year 2018 TLS witnessed another remarkable progress as 3 new chapters were established. The newly established chapters are Ruvuma, Shinyanga and Morogoro. The new chapters were able to elect their conveners and immediately started implementing activities such as CLE Seminars, Bench-Bar meetings and legal aid week.

- (a) Iringa and Kilimanjaro capacity was enhanced by securing Chapter offices.
- (b) Chapter Visits to 9 chapters namely: Kilimanjaro, Iringa, Arusha, Mbeya, Mtwara, Tanga, Kagera, Mwanza and Dodoma were conducted.



Arusha Chapter Visit from the left Lindi Shamba (Chapter officer in charge), Irene Musokwa (Chapter Coordinator) Adv. Modest Akida (previous Chapter Convener, Arusha Chapter).



Mwanza Chapter Visit

Picture 1: Courtesy visit to the Resident Magistrate in Charge *Hon. Ngimilanga* who congratulated Mwanza Chapter for the great work done in providing legal aid to the community.

Picture 2: Legal Aid Client Ms. Prisca Andrea was among the legal aid clients who gave testimonials legal aid received through TLS Mwanza Chapter. All clients commended the great work done by TLS Mwanza Chapter.

- (c) TLS Secretariat organizing and attending chapter elections in 11 chapters.



1.13.1 **Members' Welfare**

- i. Drafting the Terms of Reference for the Members' Welfare Committee.
- ii. Organizing the First Meeting of the Members' Welfare Committee held on 23rd February 2018.
- iii. Conducting meeting with DATF Settlers and TLS Management.
- iv. Coordinating chapters in visitation of sick members within the chapter.

Chapter	Name	Roll No.
Dodoma	1. Justice R.J.L. Ruhumbika	362
Mwanza	1. S.R. Kahangwa	378
	2. John MhonzuNg'wigulila	866
Mbeya	1. Mushokorwa Justinian	571
	2. EliaKayange	524
	3. Robert Mwaigomole	2293

- v. Organizing the provision of special services to members: NIDA cards were issued at Dar es Salaam and Arusha chapters.
- vi. Coordinating funerals of deceased members, attending last respects and following up on the funds being disbursed to family members.

S/N	Name	Date of Death	Roll No.	Chapter	DATF disbursement
1	Late Advocate Herbert H.H. Nyange	22 nd Jan 2018	495	Dar es Salaam	No form. Awaiting appointment of administrator of estate.
2	Late Justice (Rtd) Louis Raymond Chua	18 th March 2018	835	Kilimanjaro	In process
3	Late Advocate Yassin Membar	20 th March 2018	1281	Dar es Salaam	Awaiting updates from DATF
4	Late Professor L.X. Mbunda	29 th April 2018	468	Dar es Salaam	6m disbursed
5	Late Advocate Mario Mbilinyi	29 th April 2018	1752	Dar es Salaam	6m disbursed
6	Late Advocate Agipitus Nguma	1 st May 2018	371	Dar es Salaam	6m disbursed
7	Late Advocate Esther Castory	20 th May 2018	4121	Mbeya	6m disbursed
8	Late Advocate Evarist H. Mbuya	1 st June 2018	365	Dar es Salaam	Awaiting appointment of administrator of estate.
9	Late Advocate Moses Simba Mkwesela	9 th July 2018	2007	Dar es Salaam	Awaiting appointment of administrator of estate.

10	Late Advocate Walter W. Ngonyani	12 th July 2018	4861	Mtwara	Awaiting appointment of administrator of estate.
11	Late Advocate Pendo Marsha Shamte	27 th September 2018	2105	Dar es Salaam	6m disbursed
12	Late Advocate Martin Depores Matunda	5 th November 2018	852	Dar es Salaam	3m disbursed
13	Late Advocate Alhajj Mohammedali Gulamhussein Pardhan	6 th November 2018	224	Dar es Salaam	Not in good standing



Picture: 1: Advocates carrying casket of the late Advocate Walter Ngonyani



Picture: 2: The late Advocate Esther Castory last respect at Mbeya

1.14. TLS Committees

The Advocates and Lawyers with Disability Committee now renamed Advocates with Disability Committee held 4 meetings in the year 2018. Whereas the Gender and HIV/AIDS Committee held 3 meetings.

4.3 Promoting Professional Partnership and Engagement with Stakeholders in the Administration of Justice

Chapter	Bench Bar Meeting	Courtesy Call Visits (Judiciary/Police)	Other Stakeholders
Arusha	2		EALS
Dodoma	1	1 (Registrar District Land/Housing Tribunal) 2 (Judge in Charge)	
Mwanza	1	1 (RC Office Mwanza) 1 (Judge in Charge) 1 (RM in Charge)	<ul style="list-style-type: none"> ▪ Kivulini ▪ HOLAC ▪ TAWLA
Mbeya	1	1 Prison Officer in Charge of Ruanda Prison 1 Judge in Charge	<ul style="list-style-type: none"> ▪ Regional Police Officer Gender Desk
Mtwara	2	1 (RM in Charge) 1 (National Prosecution Office)	<ul style="list-style-type: none"> ▪ 3 meetings with US Embassy Representative ▪ CMA Mtwara

1.4.1 Institutionalize TLS Governance Structures

Chapter	Chapter Meeting	Chapter Annual General Meeting	Chapter Exec. Committee	Chapter Pro Bono Committee	Chapter Ethics Committee	Chapter CLE Committee
Arusha		1	2		3	
Dodoma		1	3	1	2	1
Mwanza	1				1	
Mbeya	1		2	2		2
Mtwara			4			



Picture 3: Dodoma chapter visited the Judge in charge Dodoma High Court Hon. I.P Kitusi



Picture 4: Mbeya Chapter visit to Judge In charge Mbeya High Court Hon. Robert Makaramba, J

Members who were arrested

Chapter	Name	Roll No.	Comment
Arusha	Meinrad Menino D'Souza	1261	
Mwanza	1. Nixon Mwera M. Tugara 2. Phillipa Samson	6662 3173	Arrested by order of DC and RC Musoma
Mbeya	Boniface Mwabukusi	1571	
Kilimanjaro	Patricia Eric	1270	Arrested by order of DC
Kagera	Stella Thomas Nyaki	4063	Arrested on charges of money laundering

1.15. Other activities implemented

- ❖ Chapter Extraordinary meetings conducted in all chapters between 20th to 25th July for the purpose of compiling comments on *the Written Laws (Miscellaneous Amendment) Act No. 3 of 2018* and the *Written Laws (Miscellaneous Amendment) Act No. 2 of 2018*.
- ❖ Organizing CVE (Combatting Violence Extremism) workshops in 5 chapters namely Dar es Salaam, Mwanza, Arusha, Mtwara and Tanga. Supervision of the CVE seminars conducted in Dar es Salaam and Tanga.
- ❖ Organizing and attending the CSO Week conducted in Dodoma from 21st to 26th October 2018.
- ❖ Attending ESIA (Environmental and Social Impact Assessment) workshops conducted in Mwanza and Dodoma chapters.
- ❖ Coordination of Legal Aid Week activities in chapters and attending the event in Mwanza and Kagera chapters.

1.16. Achievements

- i. Budget allocation and disbursement of funds to TLS Chapters for the 1st quarter of financial year 2018/2019 to implement chapter activities and to cater for administrative costs for the 1st quarter. This reduced complaints to HQ and motivated chapters to coordinate CLEs in chapters.
- ii. For the first time remedial seminars were conducted in chapters; Arusha and Iringa conducted remedial seminars.
- iii. Chapter bank accounts successfully opened in Tanga and Kilimanjaro Chapters and funds disbursed into accounts.
- iv. Increased number of Chapters whereby in December 2017 there were 11 chapters and by December 2018 the number grew to 14 chapters. Establishment of new chapters has resulted in greater efficiency in service delivery.
- v. Chapter visits have created a platform for members in chapters to air their concerns and have strengthened the linkage between HQ and chapters. Chapter visits have also facilitated capacity building of chapter officers and chapter leadership in chapters. Engagement with key stakeholders such as the judiciary and

prisons in other regions has also been done during the visits.

- vi. Organization of production and distribution of members IDs in chapters conducted timely unlike in previous years whereby there were many complaints on delay of processing and distribution of IDs to members in chapters.
- vii. Devolution of chapters; increased services available to members in chapters including renewal of their practicing certificates through assistance from chapter offices.
- viii. Increased solidarity of members in chapters through organization of social gathering such as get-together events, visitation of sick members and increased mobilization of members to attend funerals of departed members. Chapters of Arusha, Mwanza and Mbeya have excelled in this activity as they also collect huge sums to assist a member who has been faced with a challenge.
- ix. Increased engagement with likeminded stakeholders and promoting professional partnership with key stakeholders in the administration of justice within chapters through mobilization of bench bar meetings and courtesy call visits by chapter leaders and chapter officers in charge.
- x. Progress made on personal profiling of members in both hard copy and online through the newly launched TLS online system. New membership form created that has been uploaded to the new system and completed hard copies have also been submitted by members. This new data system will further facilitate in the processing of a suitable health insurance scheme for members and will act as back up of information that is required to process DATF benefits to beneficiaries of deceased members.
- xi. Progress made in securing a health insurance scheme for members. Data of members who are interested to join the scheme has been compiled and negotiations with health insurance providers are underway.
- xii. Strengthening of the Committee for Advocates with Disability and progress made in raising awareness on the needs of members with disabilities through resolutions of meetings of the Governing Council and Half Annual General Meeting.
- xiii. Communication/linkage between Headquarters and Chapters

strengthened and matters can be quickly channeled to appropriate department through the chapter coordinator.

- xiv. Initiatives made towards the ownership of property in the chapters for building TLS offices.

Strategic Objective 2: To Promote Access to Justice and Rule of Law

2.1. Launch of Street Connected Children Legal Protection Project

In 2018 the Society in partnership with Railway Children Africa (RCA) launched a project named “Legal Assistance to Street Connected Children.” The project aims at providing legal assistance and protection to the children at risk on the streets of Mwanza and Dar es Salaam (street connected children).

The launch of the street connected children was held on 26th October 2018 at African Dreams Hotel Conference Hall, Dodoma region. The launching event was officiated by the Deputy Minister of Health, Community Development, Gender, Elderly and Children Mr. Faustine Ndugulile. A large group of stakeholders with interest on children welfare gathered to witness the launch. Stakeholders attended the launching event included the office of DPP, High Court of Tanzania, Ministry of Health – Social Welfare Department, Tanzania prison, MoCLA, and TLS representatives.

2.2. Capacity Building to Legal Aid Providers on the New Legal Aid Act (2017)

TLS collaborated with MoCLA and Law School of Tanzania to organize 2 capacity building sessions to legal aid providers from Tanzania mainland. The 2 sessions known as Training of Trainers were held in August 2018 and October 2018 respectively, aimed at familiarizing legal aid providers working with paralegals on the following

- (i) The new Legal Aid Act (2017) and its regulations (2018).
- (ii) New paralegal refresher training manual developed by Law School of Tanzania in collaboration with TLS and legal Aid

Providers.

The August session was held for 5 days had 20 participants. They were all lawyers. In the October session, which also was held for 5 days, there were 36 participants. Out of 36 participants, 12 participants were lawyers and 24 were non-lawyers. Both sessions were held in Dodoma region. After the completion of the 5 days training, participants were officially recognized by the office of the registrar of Legal Aid Providers as trainers of existing paralegals.

2.3. Juvenile Justice Training to Law Enforcers in Mbeya

In April 2018 TLS conducted 2 training sessions for sensitization and capacity building of law enforcement agents with the mandate to protect the welfare of children in conflict with the law. The training targeted law enforcement agents in Mbeya Region and were attended by 62 participants (31 participants during session 1 and another 31 participants in session 2). Participants included magistrates, social welfare officers, police, prison officers, and officers from retention and rehabilitation centers. The training aimed at improving the protection of children in conflict with the law by strengthening Mbeya region law enforcement officers understanding with juvenile justice system. The training was funded by UNICEF Tanzania through the project called “Children in Conflict with the Law”

2.4. Refresher Training to Child Supporters in Mbeya

In each quarter of the year 2018 TLS organized a one day refresher training session to 25 child supporters in Mbeya region to enhance their understanding of the rights of the child and the entire juvenile justice systems in Tanzania.

Child supporters are volunteers under TLS/UNICEF partnership in Mbeya region. They act as para- social workers to support and assist the welfare of children held in Police stations. They perform numerous activities including;

- Monitoring the treatment of children in conflict with the law held in police stations
- Sharing information with parents/guardians of children arrested by police and reasons for the arrest

- Facilitating bail processing for the arrested children.

2.5. Justice Sector Stakeholders Engagement

In 2018 TLS participated in several engagement initiatives in the administration of justice as shown below;

- Engaging with Judiciary and DPP office in case-flow management to facilitate speedy hearing of criminal sessions
- Engaging with the Parliament Standing Committee–Constitution and Legal Affairs to provide inputs in the parliamentary bills
- Engaging with Legal Services Facility to strengthen justice sector actors collaboration and information sharing
- Engaging with MocLA and Law School of Tanzania to facilitate the implementation of the Legal Aid Act (2017) and regulations (2018)
- Engaging with Global Road Safety Partnership to advocate for the reform of Road Traffic Act (1973)

2.6. Roundtable Meetings with Access to Justice Stakeholders in Tanzania

In 2018 TLS held a series of roundtable meetings that aimed at strengthening collaboration between TLS and like-minded justice sector actors and stimulate discussion on number of challenges in the administration of justice in Tanzania. Below is the list of roundtable meetings held by TLS;

- 1 Roundtable meeting with members of parliament on open contracting and beneficial ownership in the extractive industry. The roundtable meeting was held on May 27, 2018
- On 4th September 2018 the TLS and SIRD Tanzania Office conducted annual leadership round table discussions with local government leaders in Geita. The roundtable meeting was organized as an avenue for discussion with local government leaders on areas of law review, existing issues arising within their communities from activities undertaken by extractive industries and general areas for capacity building communities

affected by the activities of extractive industry companies will need.

- Held 4 roundtable meetings with LSF to review the relevance of paralegal project implemented by TLS and funded by LSF. The 4 roundtable meetings resulted into agreement that given that the mandate to monitor quality of paralegal trainings are now vested with the Law School of Tanzania, TLS should re-allocate LSF funded project resources towards strengthening collaboration among actors in the justice sector. In addition, the project funds were re-allocated to strengthen TLS chapters to play a leading role in the implementation of Legal Aid Act (2017) and its regulations of 2018. The new project is now titled “Justice Sector Actors Collaboration Strengthening.’
- Held 3 roundtable meetings with Railway Children Africa (2meetings were held in Dar es Salaam and 1 in Mwanza) to discuss and allocate resources on matters of juvenile justice for street connected children
- Held 2 roundtable meetings with UNICEF – Tanzania on the sustainability of the juvenile justice project funded by UNICEF in Mbeya

2.7. Supporting the Marginalized to Access Justice

Last year TLS achieved significant milestones in supporting the indigent and marginalized to access justice. Key milestones attained include;

- Provision of pro bono legal aid services to 4357men and women in Tanzania mainland. This number does not include those who were assigned advocates for court representation.
- Provided court representation to 373 indigents who could not afford the service of an advocate by themselves
- 40 advocates assigned doc briefs by Chief Justice to provide the indigent with court representation in criminal justice sessions. The 40 indigent supported were from the following High Court Registry; Mwanza, Iringa, Dodoma, Mbeya, Mtwara and Arusha.

- Trained 28 advocates and 26 non-advocates so that they could work with legal aid providers in 25 regions of Tanzania mainland to train paralegals.
- Disseminated 2000 user-friendly legal awareness booklets aiming at promoting public legal education.
- Organized 26 media programmes to raise public awareness on their legal and human rights.
- Collaborated with Law School of Tanzania, MoCLA and Tanzania Network of Legal Aid Provider to develop paralegals refresher course training manual.
- Issued at least 3 press statements to express TLS position on matters related to the infringement of people's rights that are on the rise in Tanzania. Some of the few press statements issued include; statement unlawful detention of advocate Meinrad D'Souza, press statement on public debate relating to contested cashew nuts export levy paid by cashew nuts producers, and press statement on political statements from political leaders regarding the treatment of prisoners.

2.8. TLS Participation in Legal Aid Week Celebration

Legal Aid Week is a week-long event coordinated by the Ministry of Constitution and Legal Affairs where members of the public are invited to obtain on-the-spot pro bono legal aid services from Legal Aid Providers. Originally, TLS has been coordinating the event since 2007. However, after the enactment of the Legal Aid Act (2017) MoCLA through the office of registrar of legal aid provider took over coordinating activities of the Legal Aid Week celebrations. However, TLS participation on legal aid week activities has remained active than ever. In 2018, TLS registered 367 advocates who provided on-the-spot pro bono legal aid support to 2903 in 13 TLS chapters. On the same event, advocates visited prisons and retention homes to provide legal aid services. In addition, TLS reached out to the public through 12 media houses to raise awareness about people's legal and human rights.



Figure 1 Some advocates after pro bono legal aid services to inmates at Ruanda prison in Mbeya



Figure 2 Advocates after legal aid services to inmates at Chumvi prison in Mtwara during Legal Aid Week celebrations, November 2018



Figure 3. Arusha Chapter advocates posing in a group photo with Retention Home Officer outside the retention home facility during Legal Aid Week Celebrations in November 2018

2.9. TLS Involvement in Strategic Litigation

TLS frequently uses strategic litigation for court-centric advocacy approach aimed at achieving judicial intervention on the interpretation of certain provisions of law TLS deems them as unconstitutional. These initiatives by TLS are meant to defend the rule of law, protect human rights, and ensure that those with power are also accountable for their unconstitutional and illegal practices.

Due to increasing arbitrary arrest of civilians by orders from district and regional commissioners, in 2018 TLS supported a case filed by one of its member at the High Court of Tanzania challenging the powers of district commissioners particularly on matters of arrest orders. In addition, TLS supported a client (by giving him court representation) who used court space to file another strategic

litigation case to challenge the power of the Attorney General in the law making process; in particular, for the role he played in amending TLS election regulations of 2018.

2.10. TLS Participation in CSO Week

The CSO week is a national gathering for Civil Society Organizations from Tanzania Mainland and Zanzibar to connect, and debate matters of shared interest. From 22nd – 26th October, 2018 TLS participated in a Civil Society Week that was held at African Dreams Hotel in Dodoma. The event brought together over 300 civil society organizations from across Tanzania to deliberate on matters of national interest. The CSO week also was a useful platform for CSOs to let their activities known by the general public, members of parliament and government leaders through exhibition events. During CSO week showcased

2.11. National Forum on Extractive Industry

From 24th – 26th April, 2018 TLS hosted 52 stakeholders such as ministry officials working on the extractive industry, parliamentarians, civil society organizations, mining companies and other extractive industry key players in a National Forum on the extractive industry. The forum brought together these stakeholders to connect and debate on the following;

- Best practices related to gender sensitivity, transparency and accountability in the extractive sector
- Key challenges and opportunities to maximize benefits and reduce harms, in particular to women and girls affected by the extractive industry in Tanzania; and,
- Analyze the governance structures of the extractive industry in Tanzania, and provide recommendations for the formulation of effective gender sensitive legal and policy reform.

The forum debate focused on the following topics;

- (i) The Political Economy of Tanzania's extractive industry: The Changing Legal Trends
- (ii) Women's Engagement/Inclusion in the Extractive Industry
- (iii) Environmental Protection: Minimizing Harm in the Extractive Industry

- (iv) Community Engagement and Conflict Resolution
- (v) Land Acquisition, Relocation, Resettlement and Compensation
- (vi) Tanganyika Law Society Role in the Natural Resource Management in Tanzania

Generally the forum presentations and discussions resulted in the outlining of the five main themes on the Extractives Industry as experienced in Tanzania and what practices to implement going forward to improve the overall situation on the following:

- o Environmental Impact and Regulations
- o Land Rights
- o Revenue Sharing
- o Community Engagement
- o Global Mining Industry and Extractives in Tanzania

The National Forum is part of the initiatives funded by the Canadian Bar Association aimed at increasing sustainable economic growth in Tanzania, Kenya and Uganda under the project titled “Supporting Inclusive Resource Development in East Africa.”

Strategic Objective 3: To Facilitate Knowledge Creation while Promoting ICT and Publicity of TLS

3.1. Public Relations

The unit was constituted for the first time in 2018 and become fully functional in April 2018. In the year under review TLS concentrated its public relation strategies on media relations, social media, corporate publications, corporate branding, programmes support and promotion of TLS governance. Considerable mileage has been achieved despite limited funds availed for the unit.

3.1.1. Social Media

In the year under review, TLS reactivated its social media accounts in the following platforms: Twitter, Facebook, Instagram and LinkedIn.

This aimed at promoting the influence of TLS in Rule of Law, Good governance and access to justice interventions.

There were considerable achievements beyond the set targets. For example TLS was able to increase its Tweeter follows from hardly 400 followers in April 2018 to 13,000+ in Dec 2018 with CSO week tweets from TLS account making a record 11.5M retweets. The same goes for Facebook account where followers were increased from barely 800 followers to 11,000 followers. More or less same achievement was recorded in LinkedIn and Instagram accounts. TLS employed social medial influencers and live streaming services as strategy to earn more followers and viewership.

3.1.2. **Corporate Publications**

In the year under review Public Relations Unit was able to publish and release to members five online newsletters were via emails, website and social media. The newsletters provided a monthly summary of activities and events that involve the Law Society. The newsletter has been well received by the members. Wakili Directory is another publication that was being prepared in 2018. Between August 2018 and Dec 2018 the unit was able to review and solicit address and contact for more than 4000 Advocates. Lastly is the 2018 Calendar that was published in January 2018.

3.1.3. **Branding**

This is among the key tasks of 2018 strategy. TLS was determined to revitalize its brand and corporate activities with marginal budget. To achieve the first task was to harmonise the use of TLS Logos and colors. Secondly was to design and print many promotional materials to increase TLS visibility on events. As such, different types of banners were produced including tear drop, roll up and wall banners, CLE seminars artworks, slides for video display among others. Online branding was also worked upon which impacted positively on social media and other online publications.

3.1.4. **Programmes Support:**

Considerable mileage and visibility was obtained in several TLS events in the year 2018 through the promotional work done by Public

Relations Unit. These include AGM, HAGM, Sabasaba, CSO weeks, Legal Aid Week Celebrations, CLEs and Forums prepared by TLS. Promotional work was also extended to National celebrations like Sabasaba which TLS played an active role.

3.2. Publication and Dissemination of the Law Report

TLS Law Report is a flagship publication of Tanganyika Law Society that contains a series of landmark cases decided by High Court of Tanzania and the Court of Appeal. In 2018 TLS published 1000 copies Law Reports. The target groups for these reports include individual lawyers, law firms, academic institutions, ministries, members of judiciary and other practitioners interested in the development of legal jurisprudence. The reports are still being sold by TLS at market price.

3.3. Publication and Dissemination of Tanzania Lawyer Journal

Tanzania Lawyer Journal is a widely read journal within legal fraternity in Tanzania. Published by Tanganyika Law Society, the journal is disseminated to members of the legal fraternity twice a year as part of TLS initiative to contribute to professional growth of its members and support them remain relevant to the new development in legal practice be it in Tanzania or at a global stage.

In 2018 TLS published 4000 copies of Tanzania Lawyer Journal. Out of the copies published, 2000 were published during 2018 AGM and other 2000 were published during 2018 HAGM. All copies were disseminated to members of TLS.

Strategic Objective 4: To Facilitate Service Delivery and Institutional Development of TLS

4.1. TLS Performance Management System

Performance management at TLS begins with performance planning. During Annual work plan TLS priorities are clearly defined and linked with TLS long vision and objectives. After planning process staff through consultation with their supervisors signs performance agreements with measurable key performance indicators. Further, as stipulated in their contracts all staff members are subjected to performance appraisal (Annual and by annual) based on their signed performance agreement. In 2018 all 36 staff had performance agreements signed and were appraised.

4.2. Strengthening TLS Human Resource Capacity

As part of initiatives aimed at increasing work productivity through skills development TLS conducted a series of training for its staff in 2018. A total of 5 staff skills development sessions were organized as shown below

- (i) Training on self-diagnosis and understanding of organization's capacity needs;
- (ii) Trainings/orientation on the TLS Human Resource Policy and Manual of 2017;
- (iii) Training on proper minute taking;
- (iv) Training on project planning and project cycle management;
- (v) Training on team building.

The training had the following effect on staff;

- Increased awareness of the staff on the history of the Tanganyika Law Society since its establishment;
- Staffs were able to identify organisation cultures (good and bad culture) and decided to work to improve for the better;
- Staffs were able to reflect on their capacity gaps and this knowledge will be used to prepare a staff capacity building strategy;
- Increased understand of TLS Secretariat on the HR Manual;
- Increased capacity on project planning and management.

4.3. Adopting Corporate Practice Culture by Developing Policies and Guidelines

Several policies designed to improve staff performance and services to members, and stakeholders were developed in 2018. The policies developed include; ICT policy, staff training and capacity development policy.

4.4. Improving TLS Human Resource information system

TLS human resource information system is a database for reporting, reconciliation, and providing records of staff. The system has experienced improvement of recently due to regular update of staff information, regular review and monitoring of staff files and training to Human Resource Department staff on the information systems. The system contains information such as hiring documents, job performance documents, disciplinary issues documents and other employment related documents

4.4.1. Staff Profile

As of now TLS has a total of 36 staff and volunteer members (20 female and 16 male) among them 1 member is a volunteer, 6 staff (Managerial staff) has contracts for specified period and 29 has permanent contracts.

The said staff members are stationed in six TLS offices as indicated in the table below.

SN	WORK STATION	NO.OF STAFF	SEX	
			M	F
1	Head office	26	11	15
2	TLS Mbeya office	5	3	2
3	TLS Dodoma office	2	1	1
4	TLS Mtwara Office	1		1
5	TLS Arusha office	1		1
6	TLS Mwanza Office	1	1	
TOTAL		36	16	20

4.5. Re-alignment of TLS Functional/Staff Structure

From time to time the organizations have to review their staffing structure and find out whether they are contributing in productivity or not. In 2017 TLS hired a consultant to help the review of the staffing structure including reporting relationship and management control. Endorsed by the Governing Council, the consultant report was used to re-structure the staffing and reporting relationship within TLS Secretariat. 12 staff were re-aligned to new positions, while 5 job positions were created. Other staff remained with their existing job positions.

4.6. Supporting TLS Staff and Volunteers Economic Welfare

The Society had to find possibilities to enable employees to get loans from financial institutions. In doing so TLS conducted discussions with CRBD bank, Standard Chartered bank, NMB and FNB. As a result the Society managed to sign an MOU with CRDB to enable employees to secure loan from the Bank. The Society has continued to provide all support to staff including providing necessary documents to enable them to get loan from financial institutions.

Results

- A signed MOU (for staff loan scheme) between TLS and CRDB thus employees can secure loan to CRDB at an interest of 17% per annum on place
- 10 Staff applied for loan to CRDB, and out of them 8 staff were granted
- 1 Staff applied to FNB and granted

4.7. Settle one Labour case against TLS which was Pending before the CMA

The Governing Council of the Tanganyika law Society with an interest of bringing this case to a speedy and just conclusion passed a resolution that the Secretariat should initiate a process in attempt to settle the dispute out of the CMA where it has been pending since June 2012. On implementing the Council's resolution, the Secretariat gathered important documents in relation to the case, established a legal opinion in relation to the matter, conducted several negotiation

meetings with the Applicant's Advocate and reached a consensus where a settlement offer was prepared and submitted to the Applicant. The deed of settlement was prepared and ready for signing to close the matter.

4.8. Fundraising

Fundraising Portfolio was required to deliver on developing policy documents, raise the portfolio with regards to corporate sponsorship and grant making institution and an improved recognition to sponsors and partners.

A draft of fundraising Policy was completed in May, approved by Management in July and tabled before the Council in October. It awaits final Council approval. A strategy for 2018 fundraising was prepared and adopted by the management and implemented.

Corporate sponsorship had a considerable success. TLS was able to obtain more than 20 individual corporate sponsors raising funds for the General Meeting about TZS 152M (reflected in the audited accounts). There were also in kind contributions with value of more than TZS 250M. These were largely achieved through subsidized rates for air travels for members, hotel services for TLS members, software applications for meetings, drinks from Mabibo Company and Pepsi Company among others.

Fundraising was also done for the Wakili House Construction whereby more than 172M was raised from TLS members and their firms and about 8M raised from Service providers working with TLS.

Another key aspect of fundraising portfolio for 2018 was funds raised from grant making institutions. In this area TLS was able to write and submit 13 funding proposals to different grant making institutions in 2018.

These projects are summarized below:

- a. **A project on Legal Representation of Street Children in Dar es Salaam and Mwanza:**
 - Amount TZS 50M
 - Funded by DFid and subcontracted through Railway Children Africa (RCA)

- Project begun in June 2018 (now in implementation)
- b. **Upholding Fundamental Freedoms, Good Governance and Rule of Law in Tanzania:**
- Amount is TZS USD 200,000.
 - Proposal re-submitted in August 2018.
 - Development partner– OSIEA.
 - Project contract concluded in December 2018 and it is now in operation.
- c. **Countering Violent Extremism: Building People’s Awareness of Citizens Rights relating to Policing:**
- Amount TZS 170M.
 - Partners – Commonwealth Human Rights Initiative (CHRI) based in India, and Commission for Human Rights and Good Governance (CHRAGG).
 - Proposal submitted in April 2018 and resubmitted in July 2018 after working on the comments by funders.
 - Development partner involved – Commonwealth CVE Unit.
 - Expected start date not determined.
 - Stage: Approved by the partner but waiting for approval from the Ministry of Foreign Affairs to carry out the project.
- d. **Promotion of Ethics in the Legal Profession:**
- Amount TZS 3 billion.
 - Partners – Judiciary of Tanzania.
 - Development partner – World Bank through Judiciary of Tanzania.
 - Proposal resubmitted in October 2018.
 - Expected Start date not yet determined.
 - Stage: Evaluation.
- e. **Evaluation of Public Confidence in the Courts:**
- Amount TZS 200M.
 - Partners – Judiciary of Tanzania.

- Funders – World Bank through Judiciary of Tanzania.
 - Expected Start date not yet determined.
 - Stage: Evaluation.
- f. **Strengthening Access to Inherited Property by Women and Children:**
- Amount TZS 100M.
 - Partners – Judiciary of Tanzania.
 - Development partner – World Bank through Judiciary of Tanzania.
 - Proposal resubmitted in September 2018.
 - Expected Start date – waiting for direction from the Judiciary.
 - Stage: Approved but waiting for a go ahead from Judiciary.
- g. **Strengthening Collaborations in the Justice Sector**
- Revised Project.
 - Amount: TZS 770M.
 - Development partner: Legal Services Facility.
 - Submission: July 2018.
 - Start date: September 1st 2018.
 - Stage: Now in Implementation.
- h. **Advocacy Campaign in Policy and Laws Making Processes:**
- Revised Project.
 - Amount: TZS 64M.
 - Development partner: Foundation for Civil Society.
 - Submission: July 2018.
 - Start: July 2018.
 - Stage: Now in implementation.
- i. **Advocacy for Road Safety Legislative Change and Enforcement:**
- Expected amount TZS 200M – 220M.
 - Supported by Global Road Safety Partnership (GRSP) based in

Switzerland.

- Submission date: July 2018.
 - Expected Start December 2018.
 - Stage: Concept note approved in August, Full proposal approved in September 2018, it is now in the negotiation stage.
- j. **Provision of Legal Aid in Criminal Justice System in Tanzania**
- Requested Amount TZS 50M.
 - Development partner: UNDP Tanzania.
 - Submission date: September 2018.
 - Stage: approved in December 2018, contract signed in February 2019.
 - Start date: Expected to be April 2019.
- k. **Data Driven Advocacy**
- Call released in October with a deadline of 30th October 2018.
 - Maximum funding amount TZS 127M.
 - Development partner: PACT International & Freedom House.
 - Stage: Funding application not successfully

4.9 Investment

In the year 2018 the TLS concentrated on the acquisition of land its chapters. Request for land allocation was done in the following Chapters: Dodoma, Arusha, Mtwara, Mbeya and Mwanza. The request was successfully in Dodoma, Mbeya, and Mtwara. However TLS decided to pay for Dodoma as a priority area for land acquisition whereby TLS has been granted 5000sq.m within Dodoma Municipality.



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