

General Data Dissemination Project (GDDS II)

The World Bank

REPORT

Technical Assistance to the Central Bureau of Statistics in Tanzania

Second mission

Justice and Security Module

21 March – 3 April 2009

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**JUS_TAN_15/04/09_REP_LEWIS: GDDS MODULE ON JUSTICE AND SECURITY:
REPORT ON SECOND EXPERT VISIT TO TANZANIA: (VERSION 1.0)**

My second visit took place from 21 March to 3 April 2009 and followed closely the first October 2008 visit. It both deepened and widened my evidence base about the current situation in Tanzania, about plans for future statistical and IT development, as well as enabling me to understand better both the shorter and the longer term needs of the justice agencies. I was also impressed by the progress made in the period between my two visits. This report suggests both short and longer term ideas and gives some priorities for the next two or three years. It should be read in conjunction with the report on the first visit, to which I refer from time to time.

1. PREPARATIONS FOR VISIT

The Terms of reference¹ for the visit were sent in advance with a suggested schedule. I am grateful for the very positive response to these and for the arrangements put in place to make my visit a success. I am particularly grateful to the Director General of the Bureau of Statistics, Mrs Chuwe and her staff, to Mr Stambuli, of the Tanzania Police, Chair of the Justice and Security Statistics Committee, and to Mr Essaba Machumu from the Judiciary, for their support.

Mr Stambuli met with me on the Sunday of my arrival to discuss and reschedule the plans for the fortnight and the logistics for the visit out of Dar Es Salaam to see the working of the Justice and Security agencies in a different region of Tanzania. He was particularly helpful to me during the whole of my visit and made sure that I met both the most senior and the most relevant officers during my visit. All senior officials expressed a need for better statistics for policy and operational use but found themselves short of resources to develop these.

Despite the very short time since my previous visit I was very pleased to see that good progress had been made in several areas to take into account the recommendations made in my first report. These developments are noted on page XX of this report. [NB notes of final meeting]

As well as the visit to Arusha, my understanding of the situation in Tanzania was deepened by visits to the Legal Services Review Commission and to the Dar Es Salaam Municipal Offices who have carried out victimisation surveys for various cities in Tanzania. These visits enabled me to update my understanding of crime and justice situation in Tanzania:

- Recorded Crime itself has maintained a fairly even trend between 2002 and 2008 although crime rates vary considerably through the country.
- Several victim surveys have produced alternative crime measures, which confirm that many crimes go unreported to the police, as well as giving measures of confidence in the police.
- The number of law enforcement officers: police, magistrates, prison and probation staff is low related to the work involved, leading to delays in justice.
- Sentence lengths seem high although little data is available. In a high number of cases the decisions seem to be overturned on appeal, although again no proper statistics are available. The length of time on remand in prison before trial is long by international standards.
- There is low use of community punishments as an alternative to prison.

¹ Lewis, C.G. *Technical assistance on Justice and Security Statistics to Tanzania, Central Bureau of Statistics /Ministry of Justice: Terms of Reference (TOR) for second visit of statistical expert*, February 2009.

2. SUMMARY

As in my first visit I found some positive developments in Justice and Crime Statistics.(See Annex A for notes of my meetings and persons met.) Many senior officials and managers have positive attitudes towards statistics and recognize the need for good data for planning, resource allocation and public openness. However, there is much to do. Data collection is still based on paper records: computers are very little used: very little is published: and there is little value added through statistical analysis of policy. Reform of the crime and justice process and its contribution to the anti-poverty programme will remain very slow until statistics are more available across the justice agencies and people have become experienced in using them.

This process will take a long time: a good start has been made through proposed improvements in the ICT infrastructure, through the GDDS programme and the World Bank/NBS statistical capacity building programme. However, sustained effort is needed through at least the next 10 years along a broad front of initiatives.

- a. **Through heightened statistical awareness among those who influence policy change.** This will involve greater use of statistics in policy papers, publications, ministerial speeches, parliamentary answers and debates, as well a significant step forward in statistical analysis of existing data.
- b. **Through improved recording and collection of data available through administrative systems.** This will be achieved partly through improved ICT systems but not solely through better ICT: There is a wealth of material already recorded in police stations, courts and prisons that could be sampled quite readily to produce new analyses essential to better policy analysis and structural reform.
- c. **Through wider use of survey methods to produce data** This will involve continued support of victim surveys to show how much crime is suffered by households, tourists and businesses, as well as new survey initiatives to discover how the police, courts and prisons are working through collecting data from offenders, victims and law enforcement officers.

There are various elements which will be essential in keeping this development on track:

- a. A fair allocation of the World Bank money for statistical capacity building to be used to improve Crime and Justice statistics collection, analysis and presentation.
- b. Proper use of the two statistical committees already set up and any others that might be set up in the future, in particular to producing statistics that cut across different law enforcement agencies.
- c. A fair allocation of ICT resources delivered to police, courts and prisons to statistical output from the ICT systems now being planned.
- d. A continued study of the way other countries are developing their justice systems, including their statistical structures, so that best practice can be imported to Tanzania
- d. Better statistical training: for law enforcement staff who record information: statistical staff at District, Regional and Headquarters level, and policy staff who need to be better aware of the power of figures to influence and change.
- e. There is a need to share good practice in both ICT and statistical development, between agencies, including the development of software that can be modified for use in different agencies.

3. PRIORITIES

I followed the priorities set out in the TOR:

Priority Topic	Aspects of topic	Notes
1 – General	Position of the NBS Working of Statistical Committee Common Classifications General aspects of publication Household surveys Publication of material in English Priorities when GDDS is over Greater use of statistics for policy and operational development Working with other countries	Two meetings with the NBS and Statistical Committee. Meeting with Safer Cities Tanzania to discuss victim surveys Discussions about statistical capacity building Review of draft publications Discussions about use of Statistics for resource allocation and with the Law Sector reform programme
2 - Police Statistics	Extending crime statistics unit to Police statistics Unit Publication of material Data quality New areas of data to be collected	Visit to police stations, district and regional offices and with the Police IT advisers.
3 – Courts/Prosecution	Publication of data for courts Data collection instruments for prosecution statistics Collection of courts output data	Discussions with the chair of the new Judicial Statistics Committee: Visits to High Court and Resident Magistrates' Court.
4 - Dealing with offenders	Progress on IT systems Publication of prisons statistics Collection of material on probation and community penalties	Discussions with prison HQ and visit to prison.. Not possible to visit ministry to discuss probation issues.

I have updated from my first report the priorities that I feel need to be addressed:

Table 2 Priorities that need to be addressed:
<p>a. Statistics of case-loads are all sent in on paper. Lack of hardware and software mean that the statistics cannot be processed efficiently.</p> <p>b. There is a concentration on 100% counts of workloads, rather than prioritizing, within existing resources, statistics are could be more valuable to policy analysis.</p> <p>c. There are few properly designed data collection instruments.</p> <p>d. There are no mechanisms to check the completeness and accuracy of data.</p> <p>e. Statistical publications need to be gradually improved year on year, according to check list of good qualities (Annex B)</p> <p>f. Statistics from different agencies and from victim surveys need to be compared, both as a check on their quality and to enhance their use for operational and policy development.</p> <p>g. There is a need to develop statistics on outcomes as a valuable addition to policy development. This could be done by sampling record books in advance of ICT developments.</p> <p>h. Both the statistics committee and the judicial statistics committee should push forward statistics/ICT developments and the sharing of data. (see sections 4.2 and 4.6 below.)</p> <p>i. NBS need to determine a fair allocation of the statistical capacity building fund for justice and crime statistics</p> <p>j. Agencies need to plan for more computers, in regional offices, districts, stations, courts and prisons</p> <p>k. The Law Sector Reform programme needs to pay more attention to information needs for the justice and crime area.</p> <p>l. External sources of data and analysis, such as universities and Safer Cities Tanzania, should be brought in to discussions on how to develop justice and crime statistics.</p>

4. FINDINGS FOR EACH AGENCY

I have updated my findings and conclusions from the first report, under headings for each agency.

4.1 All agencies

Table 3 Findings that apply to all agencies

- Agencies should ensure they regularly join discussions about statistical needs and infrastructure through the criminal statistics committee. (for more detail see section 4.2)
- Agencies should approach NBS about possible funding for statistics hardware, software, training and publication from the forthcoming statistical capacity building fund agreed between NBS and the World Bank.
- Agencies should from time to time conduct a study of their senior officials and external agencies to discover the needs for statistics on crime and justice that are not at present being met. The Statistics Committee should then discuss how these needs can be best met and how to prioritize existing resources and report back to senior officers. As part of this process, agencies should encourage senior officers to make more use of statistics in planning operations and policies, including using data from other agencies.
- All agencies should improve their publications on a continuing basis, using the procedures set out in Annex B.
- All agencies should develop performance indicators to extend the value of statistics by relating them to figures of eg. population, employment, resources and those of other agencies (eg. police per 100,000 population: cases solved by police: cases heard within 6 months of arrest: criminal reconvicted within 2 years of leaving prison: success rates for probation programmes: public confidence measures).
- Agencies should all consider whether sampling techniques could be used to answer specific queries. This would require some statistical training for one or two officers and assistance from the NBS
- The Statistics Committee and agencies should read Annex C of this report to see new uses of statistics are possible.
- Agencies should follow the good practice of publishing data on their web sites following the examples to be found on web sites of several foreign countries: (see list at Annex D)

4.2 Statistics Committee

Table 4 Findings for the J&S Statistics Committee

- The committee should gradually increase its profile, so that, together with the work of the NBS, the statistical awareness in the J&S area is increased. The following ideas could be part of this raising of the profile.
- The Committee should widen its membership, to include external agencies such as Safer Cities Tanzania, Legal Sector reform group and local universities.
- The Statistics Committee should prepare a joint presentation to be presented at the Mombasa workshop in June 2009, listing the main changes due to the GDDS project, including those now being planned.
- The committee should meet on a regular basis; at least three times a year and all members should be encouraged to attend each meeting.
- Standing items on each agenda should include:
 - Reports from each agency on developments in infrastructure, including new members of staff, improved training, new analysis software, etc.
 - Reports of progress from each agency on statistics collected
 - Reports of progress on new analyses and publications
 - Reports of progress on how ICT developments have improved statistics

- The committee should, perhaps every three years, conduct a survey of senior managers and external agencies, to see what statistics would be useful for policy development but which are not available. Following this survey, a plan should be devised on how such needs could be met, either by investing new resources or by reprioritizing existing resources
- The committee should, from time to time, produce a list of codes being used by the various agencies of the justice and crime area, so that differences can be discovered and codes harmonized where possible.
- From time to time, a senior official, at Judge or Commissioner level, should be invited to address the statistics committee on his views as to the need for better statistics.
- Once a year, the committee should ask one of its members to produce a paper, commenting on the web sites of one other country that produces relevant J&S statistics (eg. UK, Japan, Netherlands, USA, Kenya, Mauritius, South Africa) to see what lessons can be learned from the way statistics on J&S in such countries are developing. Following this a study visit could be considered, in particular to other countries in East and South Africa to learn from their progress.
- Summaries of the notes of statistical committee meetings should be produced on the NBS web site and comments invited.

4.3 Police

Table 4 Findings for the Police

- Senior officials should be asked regularly what extra statistics they would need to carry out their tasks more efficiently.
- Some of these needs can be met by sampling of records kept at districts/regions could be carried out to improve data available on serious offences and their investigation. This can be done without any new computers.
- Other needs can be met by special surveys: eg of police staff, to discover how police use their time, or of courts staff, to find out if different information is needed from the police to process cases more efficiently.
- The annual statistics report should also be produced in English. NBS should be approached to see how they can assist with funding publication from the statistical capacity building grant.
- Data collection forms should be designed and instructions issued so that all stations, districts and regions work in the same way.
- More computers are needed for data capture and document management, at regions and districts and the main police stations forces
- Once computers are in place, the current methods of capturing statistics by radio and fax should be replaced by networked computers.
- The results from victimisation surveys produced by safer Cities Tanzania should be considered and published alongside the police recorded statistics.
- Similarly the results on confidence in the police from the Safer Cities surveys should be considered and summarized for senior managers and for publication.
- There should be local visits to check the data. Eventually all data should be entered locally and use made of it locally as well as at HQ. This will require more local training of staff in statistical awareness and techniques.
- Now that the new Access DB for serious crime has been developed, this should be used to enter data from 2009 onwards. This will mean that more complex analyses of crime statistics can be produced. IT advice and training on the use of this databases should be improved.
- More analysis of data should be carried out: eg with the help of the NBS and universities.
- More data should be shared with other criminal justice agencies.
- Police would benefit from a study visit to other neighboring jurisdictions

4.4 Director of Public Prosecutions

My thoughts for the DPP area are based upon discussions with Judges and other agencies as I was not able to visit the Ministry or a State Attorney's office.

Table 5 Findings for the Director of Public Prosecutions (DPP)

- A survey should be carried out in the DPP's Office and of State Attorneys of what statistics would be useful for them to carry out their tasks more effectively.
- The new data collection instruments designed for the DPP should be piloted as soon as possible. Once they are working they should be introduced in all State Attorney's offices.
- These instruments should use the same statistical classifications as used by other agencies: eg for offence, age, sex, area of country, etc.
- DPP data should be compared with police prosecution data and judicial data
- New performance measures for State Attorneys need to be developed: eg length of time taken to come to a decision on the charge: percentage of charges prosecuted successfully.
- Data is needed on the number of State Attorneys by region: the number of districts/courts not covered by State Attorneys because of shortages (in Arusha only two districts were covered.)
- When data is available DPP statistics should be published annually.
- There is a need to develop statistical awareness among State Attorneys.
- There is also a need to recruit more qualified statistical staff and to train existing staff in data collection methods and uses of statistics.
- The Ministry should learn from the Access database that has been introduced for the Police serious crimes, as the same methodology could readily be used for the new data being collected. A useful bespoke programme for the DPP could be devised, eg by Police IT staff on loan, in around two weeks.
- It will be important to review the working of the civilianization of the prosecution service once enough statistics are available to do this: probably in a couple of years time.

4.5 Judiciary

Table 6 Findings for the Judiciary

- Current Plans to check courts data should be completed and then the 2007 data published.
- The NBS should be approached to see if they can assist with funding the publication and improved quality of the annual publication.
- Sampling techniques should be used to collect data from the primary courts.
- The NBS should be approached to see whether, from time to time, information on local use of primary courts should be added to their agricultural panel survey.
- More data on court outcomes should be collected, as these would be of great use for all agencies (see Section 5 of this paper) New data collection instruments should be designed for this and piloted in a small number of courts
- The statistics section should have 3 or 4 new computers to improve their ability to process, analyse and publish statistics.
- Data on court delays is needed. This would require new data collection instruments, which should be piloted in the courts known to have long delays and the results published.
- When computers are available to the courts and regions, priority should be given to making sure software is available to produce statistics from them.
- In the next visit, the expert should discuss the progress on IT hardware and software and the future collection of Statistics data using computers with the head of IT in the Judiciary.

4.6 Judiciary Statistics Committee

The Chair of this committee, Judge Kijage asked me for ideas about priorities for his committee and how to increase the statistical awareness of members of that committee. I include such suggestions in table 7.

Table 7 Findings for the Judiciary Statistics Committee

- The committee first needs to determine what the need for statistics from the courts is, firstly from Judiciary staff such as judges, resident magistrates and registrars.
- But also the courts are a central part of the justice system and need to know the demands for statistics from other agencies such as the Police, State Attorneys, Prisons, Probation offices and the equivalent agencies on the civil, family and commercial side of the courts' work.
- The committee needs sufficient resources to carry out its duties effectively. This essentially means a small dedicated budget for the occasional study visit/consultancy by local universities or elsewhere. It also means that the other duties of the members of the committee, including the chairman, may need to be slightly curtailed.
- Current statistics systems are entirely paper-based. The ICT system now being planned will eventually make it easier to collect statistics from courts computers. However, in the meantime some statistical needs can be met by sampling existing court record books. This is particularly important in measuring the outcomes of court cases, as mentioned below.
- The Judiciary should publish their statistics annually with the first two publications being catching up on what is missing. If this is not possible, then annual reports should be at least shared with senior officers from NBS, Judiciary, Police, prosecution, prisons and probation.
- The Judiciary should gradually improve the content of their annual publication, using a procedure similar to that noted in Annex B.
- Current statistics concentrate on workload. This is important for many questions, including resource planning. However, it misses the courts output side: i.e. statistics on the cumulative effect of courts results for criminal, civil, commercial, labour and other cases. This data is needed not only to consider the effective working of the courts but for the police, probation and prisons to understand whether their interactions with the courts are also working well.
- In particular output data is needed to answer questions such as whether the appeals system is working well: whether the remand system is effective: whether the civilianization of the prosecution service has really made a difference, and whether there would be value in changing the types of cases that are heard by the different levels of courts or by giving more case-ending powers to the police or to State Attorneys. They could also assist in answering whether specific Acts of Parliament where sentencing is specified, have been drawn up well and are working effectively.
- That research was needed in addition to statistics: eg by asking lawyers, judges, magistrates, the public, victims, etc what they thought of current procedures and what improvements would better serves their needs.
- Close contact should be maintained with the work of Mr. Stambuli's committee for Justice and Crime Statistics: with the NBS who are resource people for statistical analysis and a potential source of funds for statistical capacity Building; and with the Law Sector Reform programme who are also potential sources of funds and important players in raising the awareness of the importance of statistics.
- The committee should learn from other countries. This can be done in at least three ways: a) examining web sites of published statistics and research institutes: a list of such web sites is available at Annex BB b) visiting local countries where problems and levels of statistical

development are similar. c) making visits to developed countries such as the UK, US, Japan, Australia, and the Netherlands.

4.7 Probation

I was not able to update my understanding of the probation area and so my comments are essentially the same as before.

Table 8 Findings for Probation Services (repeated from first expert visit)

Young people

- New data collection instruments and a common system for maintaining personnel records should be developed for offenders passing through Remand Homes and Approved schools.
- Data on the actions of courts towards young people needs to be obtained from the new court statistics system so that the demand for probation services could be estimated and those courts not using remand homes could be targeted for better training of magistrates.
- A short annual report should be made available to the press and placed on a web site so that the public is aware of the situation regarding young people.
- The future projections of young persons' population should be examined from time to time in co-operation with the NBS.

4.8 Prisons

Table 9 Findings for Prisons Statistics

- The Prison Service plans for IT development are the best way forward in the long run and resources should be made available to make sure that these happen as soon as possible.
- However, some progress can be made with improving statistics independently of IT development
- Prison service should publish their statistics in an annual report, as in the past, and/or place the statistics on their web site. This should not only include counts of the number of prisoners but the length of time they have been on remand, the length of their sentence and the number of appeals. This is because currently, prisons are the only place where this data is available.
- Prison service should approach NBS to see if there is the cost of publication and software procurement can be met from the statistical capacity building fund from the World Bank.
- In advance of new ICT systems, sampling of prison record books should be carried out to throw light on how the sentencing, appeals and remand systems are working. Such studies would require dedicated resources, including input from the Law Sector reform programme on what aspects of these systems need to be measured.
- Prison service should make forecasts of future prisons numbers, using data from the police, courts and the NBS. Simple models can be used to start with and improved as time goes on.
- Prison service should consider discussing their statistical problems with neighboring jurisdictions such as Kenya and Mauritius that have similar problems.
- Sample surveys of prisoners should be conducted to see the extent to which poverty measures such as unemployment, lack of education and poor health are related to prison numbers.

4.8 Reform programme

Table 10 Findings for the Legal Sector reform programme

- LSRP should give high priority to the importance of Statistics as a necessary baseline for their work in reforming the justice system, and, if they consider this is the case, they should press for more resources to be made available to improve the statistical infrastructure.
- LSRP should keep in close touch with the Justice and Security Statistics Committee, chaired by Mr Stambuli from the Police Service and the Judiciary Committee chaired by Judge Kijage, from the D'Slaam High Court., in their capacity as users of statistics
- LSRP should consider following the work of their Kenyan equivalent, the GJLOS programme, in conducting a review of administrative sources of data on Justice and Crime, issues. I have given a copy of the GJLOS report to them.
- LSRP should consider the use of statistics for forecasting the future and for deciding on the use of statistics for resource allocation. In particular they need to consider whether there would be value in changing the types of cases that are heard by the different levels of courts or by giving more case-ending powers to the police or to State Attorneys
- LSRP should give priority to the need for statistics to measure outputs from the courts to answer important questions such as whether the appeals system is working well: whether the remand system is effective: whether the civilianization of the prosecution service has really made a difference.
- LSRP should ensure that sufficient statistics are available, mainly but not entirely from courts records, to monitor whether specific Acts of Parliament where sentencing is specified, such as the Minimum Sentences Act have been drawn up well and are working effectively.

4.9 National Bureau of Statistics

Table 11 Findings for Tanzania National Bureau of Statistics

- NBS should be encouraged to use the funds from the statistical capacity building programme agreed with the World Bank to include crime and justice statistics: in particular to assist with printing and quality of statistical publications and in the greater availability of statistical training and software for statistical units.
- NBS and agencies should gradually improve the quality of statistical publications on crime and justice through the use of guidelines such as those in Annex B.
- NBS should enhance their web site to enable government agencies to include more data on J & S statistics.
- NBS should continue to increase their input to crime and justice statistics by making staff resources available for analysis.
- NBS should attend/receive papers from the criminal statistics committee and maintain good contacts with the new Judicial Statistics Committee, chaired by Judge Kaijage
- NBS should have a long term aim to make forecasts of future crime, police/crime ratios, prison numbers, courts workload and delays in the justice process.
- NBS and justice agencies should use Annex VV of this report as a list of ways in which Tanzania could learn from the ways in which other countries have used statistics to add value to the way that the justice system is run and reformed.

6. DELIVERABLES PRIOR AND DURING VISIT

Publications:

Web Sites

National Bureau of Statistics, Tanzania. www.nbs.go.tz

Tanzanian police force www.police.go.tz (Kiswahili only)

Tanzanian Ministry of Home Affairs <http://www.moha.go.tz/links.html> for prisons service, and Community Service Secretariat

7. OTHER DONOR PROGRAMMES

I discussed the general position of Justice and Crime Statistics in Tanzania with Hans Hoogeveen, Senior Economist of the World Bank. We also discussed the statistical capacity building programme agreed between the WB and the NBS, which is likely to be delivered from July 2009 for 12 months and be extended for 3 or more years. (See note of meeting at Annex A.) Although GDDS programme finishes in June 2009, the continued existence of this capacity building fund means that the World Bank will continue to be involved with justice and crime statistics.

8. FINAL WORKSHOP ON GDDS PHASE II: MOMBASA, JUNE 2009

The final GDDS workshop on Justice and security statistics will be held in Mombasa from 22-24 June 2009. Representatives from Tanzania will be invited, along with representatives from Kenya, Mauritius, Seychelles and the World Bank. The success of the programme will be discussed along with plans for the future.

9. TRAVEL, ACCOMMODATION AND SAFETY

Travel was quite satisfactorily, including the transfer at Nairobi and the hotel courtesy coach from the airport at Dar Es Salaam. The police, courts and prisons were extremely helpful in supplying transport around Dar Es Salaam and arranging the logistics of the visit to Arusha to see the police, courts and prisons situation there. Transport in Arusha was kindly provided by prisons and police services. All services contributed to the costs of the Arusha visit. Accommodation arrangements were fine, with the hotels occupying a good central position for access to government offices, etc.

10 ON CONTRACTING

No problems worth noting. Any details will be taken up when claiming fees and expenses.

11 FINAL REFLECTIONS

Tanzania public administration is looking for better ways of delivering services to the public in a much more efficient way. This has various drivers including recent strong economic performance a strong reform programme and good support from the donor community. It is acknowledged that the Justice and Law area is much in need of reform and a Law Sector reform Programme has been set up. It is important that this programme acknowledges that good statistics to be an important part of how to deliver this new reformed system. This means that it is essential to continue a long term programme to improve Justice and Crime Statistics gradually over the next decade.

Chris Lewis, GDDS J&S Module Statistical Expert and Module Manager, April 2009

ANNEX A: AGENDA OF VISITS:

1. Mr Ahmed Stambuli, Sunday 22nd.

This re-scheduled the planned visit for the fortnight according to people's availability:

Mon 23 rd	Judiciary, including meeting with Chief Justice and DG of NBS. J & S Statistics Committee meeting at BNS.
Tue 24 th	Judiciary IT systems and Statistics
Wed 25 th	Police Statistics and IT sections
Thur 26 th	World Bank (Hans Hougeveen) Safer Cities, Tanzania
Fri 27 th	Legal Sector Reform Programme
Sat, 28 th	Report writing
Sun, 29 th	Fly to Arusha
Mon, 30 th	Police HQ, District HQ: Police Stations
Tues, 31 st	Judge in Charge: High Court: Resident Magistrates. Court
Wed, Apr 1	Prisons Regional HQ: Arusha Central prison
Thur, 2 nd	Dar S'laam: Judge i/c High Court & Chair Statistics Committee
Fri, 3 rd	Final meeting NBS and Statistics Committee

2. Preparatory meeting with Mr Essaba Machumu

Mr Machumu had been on a study visit to Australia and India, where he saw the way that courts statistics are produced in Melbourne. Phase I of the Tanzanian courts computer development was now underway, with Judges getting lap-tops and various more important courts getting computers. Within a couple of weeks, verbatim records of court proceedings would be transcribed as matter of routine and judges would be able to draw down this transcript for their summing up. There would be a case recording system at the High Court, Commercial Court, Land court and Labour court. Judges had been trained in the use of computers and in their potential.

He said that Phase II was now in procurement and this would deliver some computers to Resident Magistrates Courts. He implied that there was enough money in the budget to purchase all that was needed and that the hardware had already been agreed.

He said an internal committee had been set up to progress courts statistics, chaired by the Judge in charge of the Dar High Court, Hon Justice Kaijuge, who had previously been in charge of statistics and IT as a resident magistrate. This committee would include Mr Machumu and Mr Kasailo, as well as two registrars as users and an NBS member. He also said that he had asked for 5 more staff to work on courts statistics.

3. Meeting with the Chief Justice, Monday 23rd March

The Honorable Chief Justice, Mr Augustino S L Ramadhani.
Mr Ignis Kitosi, Private Secretary to the Chief Justice
Mr Mwangesi, Senior Registrar, Court of Appeal, Tanzania

Mr Essaba Machumu, head of IT
Mr Issa Kasilio, Court Statistics.
Mrs Chuwe, DG National Bureau of Statistics,
Mrs R Maru. Director of Operations, NBS
Mr W Mvingera, Director of Field Operations, NBS

Mrs Chuwe said that NBS had been tasked to draw together a statistical plan for 21 areas of government, including Justice and Security. For courts, this plan included a performance indicator for the courts: the percentage of cases that were outstanding after three years. NBS and the Judiciary had conducted a sample survey which gave an initial result of 14%.

The DG also said that NBS was keen to publish more data, in both English and KiSwahili and to improve the content of statistical web sites. NBS was also working with the Police and the DPP to improve their statistics. Summing up the challenges still facing the NBS on Justice and Security she mentioned harmonization and the need for more statisticians, IT staff, IT equipment and software.

The Chief Justice agreed that more statistics were: eg. he needed data to support his plan for a High Court in each of the 21 regions of Tanzania and 2 judges for each court room. He also supported more publication and encouraged the statistical exercise. He had set up was a new judiciary statistics committee under the senior High Court Judge in Dar Es Salaam to push forward statistics and he ask his staff to co-operate with the NBS, and the NBS to ensure the courts service was on the right track. He also encouraged more awareness training for the usefulness of statistics in the courts process.

The DG went on to say that, following agreement with the World Bank and others they were expecting to be funded shortly for a statistical capacity building programme ,that would enable them to go ahead with as many publications as possible and to begin harmonizing different data systems, as part of their PPA. This would include more work on J & S, including the performance indicator on delays already mentioned. The Senior Registrar also agreed to co-operate.

4. Meeting of members of the Justice and Security Statistics Committee held at the Tanzanian National Bureau of Statistics, Monday 23 March

Machumu Essaba, Head of IT, Judiciary, 075270142
Kasailo Issa, Head of Statistics, Judiciary, 0756 646204
Marco Kilumbo, Prisons Statistics, 0784 718675
Prof Chris Lewis, GDDS Statistics Expert Justice and Security
Ahmed Mackbel, National Bureau of Statistics, 0713 334355 (Chair of meeting)
William Matee, National Bureau of Statistics, 0754 516662
Andulile R Mwaisaka, Planning Division, Ministry of Constitution and Justice (0784 443489: 0715 796480) (GDDS Co-ordinator, Justice and Security)
Ahmed Stambuli, ACP, Tanzanian Police Service, 075 312854 (Chair J & S Statistics Committee.)

Professor Lewis said he was very glad to be back in Tanzania and very encouraged to hear of the progress that had been made in 5 months since his first visit. He would like to do three things during his visit, which would last two weeks until 3 April.

- a) To hear from each agency what recent progress had been made and what plans had been put into operation.
- b) To visit Arusha to see for himself what were the particular concerns and problems with those collecting and using statistics in another region of Tanzania.
- c) To give advice on what continued work would be useful in taking forward J&S Statistics, including greater use in policy development and workload management.

Mr Mwaisaka, gave a brief summary of statistical developments and each agency then gave more detail..

Mr Mackbel explained how the NBS had been tasked by the Chief Secretary to draw together statistics in the 21 areas of Tanzanian governance. This included better data collection, publication, and use of statistics, including answering Parliamentary Questions. Resources were better than before and NBS was now able to get more involved in Justice and Security statistics. He regarded himself as a ‘resource person’ for J & S agencies to assist with developing the analysis of Justice and Security Statistics and improving their publications. However, resources were still limited and NBS would not be able to assist in every request.

In discussion, it was pointed out that following agreement with the World Bank NBS would be funded initially for one year and later for three years, as part of their PPA. This would enable them to play a bigger part in the questions of statistical publications, harmonization and the collection of performance indicators in the area of Justice and Security. Publication would include placing data on web sites and translation into Ki-Swahili for those working in the area to be able to read the data accurately.

Mr Mackbel went on to talk about the Poverty Reduction programme, which had been running for five years and had included in it some statistics performance measures including one or more for Justice and Security. He felt that it now needed to be monitored and all agencies should think of some ways in which poverty could be linked with Justice and security indicators and on analyses that could be done to link poverty with changes in these indicators.

Mr Andulile Mwaisaka explained that until recently there had been no data collection in the area of the Director of Public Prosecutions. This was partly because of the shortage of resources resulting in the DPP having to delegate prosecutions in many areas to a number of different agencies, including the police. However, he was very grateful to Mr Stambuli whose staff had assisted him in drawing up data collection instruments which he was planning to use across all these agencies to collect information on cases prosecuted.

Mr Kilumbo explained that they were still looking to fund the prison software necessary for development, but that they were designing harmonised instruments at various levels.

Mr Stambuli said that the way that the prisons had developed IT systems was a good example to all justice agencies.

Mr Stambuli said that the police were now developing their IT system for crime statistics and he would like Prof Lewis to meet the IT experts later in the week. He would also arrange a meeting with Safer Cities Tanzania (Anna Mtani, Safer Cities Dar Es Salaam, P.O. Box 9084, Tanzania. 255 (22) 2130959) who have conducted 3 household victimization surveys in Dar Es Salaam, Arusha and other big towns over the last 6 years.

- a) Crime in Dar Es Salaam: Results from a city victim survey and in depth interviews on violence against women, 2000
- b) Victimization in Tanzania: results from household surveys in Arusha, Dar Es Salaam, and Mtwara, 2003
- c) Crime in Dar Es Salaam: Results from household victims surveys in Dar Es Salaam, 2001

These victimization surveys gave a good deal of information for all justice agencies, including lessons for policy development. They were well worth reading and available on the web site of the Safer Cities Agency

<http://www.unhabitat.org/content.asp?cid=4610&catid=375&typeid=13&subMenuId=0>

He also would try to arrange a meeting with the East African Statistical Training Institute, based in Dar Es Salaam, which he felt could play a larger part in training statistical staff in Tanzania itself.

Mr Essaba did not go into detail, as he had met with Prof Lewis and The Chief Justice earlier in the day and would speak at length the next day. Mr Stambuli again said that IT developments in the judiciary had a lot to teach other agencies such as the Police.

The meeting agreed that:

- a) Professor Lewis would visit the Judiciary on Tuesday and the Police on Wednesday.
- b) Dates for the visits to the prison department and to the DPP's department were not certain, but these would be likely later in this first week.
- c) A visit to Arusha could best be planned to travel on Sunday with Monday to Wednesday being the main days of the visit. Regional officers could be sent a copy of the notes of this meeting to inform them of the visit, along with the proposed programme of the visit. The purpose of the visit would be to:
 - i. Meet regional officers in Justice and security especially those concerned with statistics data collection and use
 - ii. See at first hand what different circumstance existed in another region of Tanzania
 - iii. Be able to make recommendations about data collection and analysis that were more appropriate to what actually happened in the field.

Professor Lewis congratulated the meeting on the progress that had been made and informed the meeting that a final workshop to discuss progress in all countries on GDDS Justice and security would be held in Mombasa from 22-24 June 2009. He was worried about the little importance given to probation policy and statistics, as many countries were able to reduce expenditure on justice and security by having the probation area supervise people who would otherwise be in prison, especially younger people.

1. Meetings with the Judiciary, March 24 , 2009

a. Mr Essaba Machumu, ICT Manager

Mr Machumu explained the ICT plan. He said that he would send on various documents that we had discussed once they had been finalised.

The plan for the new ICT system for Tanzanian Courts had started formally in 2008 with a report of a consultant recommending that computers be introduced in all courts except at primary Court level. This meant the Court of Appeal in D'Salaam: the Commercial, Land and Labour Courts in D'Salaam: the High Court in D'Salaam and 12 other Zones: and the Resident Magistrates Courts. There was, as yet, no plan for introducing ICT to Primary Courts, where in some cases facilities for computers were lacking.

The particular aspects that ICT would cover are courts administration: case listing: accounts: case recording and transcription: case outcomes: management: statistics: legal issues: judgements, especially of the higher courts. There were various Phases: the implementation of Phase I was now close to completion and Phase II would start in the summer. Statistics would be obtained from the Case Management Systems (CMS) that were now being procured for Phase II.

Phase I involved the higher courts (CAT, Land Court, Commercial Court, Labour Court) The main delivery at present was the recording of cases to digital form, for instant transcription, to avoid judges having to record the court process. Tanzanian Law, as British Law, insists that evidence has to be repeated in court.

Phase II will involve statistics. These will be produced from a Case Management System. (CMS) The consultant recommended that a team visit India and Australia (Melbourne) to see CMS working. Having done this, they decided to buy this CMS and customize it for their own use: it seems to be mainly parameter driven so that they can change lists of court, or areas, of criminal codes, of disposals and outcomes to make sure these reflect Tanzanian law. It should also thus be easier to amend once the new system is in place. However, Mr Essaba felt it might not be as flexible as needed since he was concerned that those who had customized it would not easily be able to modify things for new requests(eg for tables). It was ORACLE based, and those using it abroad spoke highly of its usefulness. The budget was available for this delivery of hardware, much of which had already arrived, and software. The whole thing could well be running by the year 2012, although there was a big training plan in process and recruitment of new technicians and transcribers. The first (CAT) recording was due to start in April 2009.

b. Court of Appeal Tanzanian

The new ICT for recording and transcription has been well integrated into the ergonomics of the court room and the transcribing room was close by. When servers for the other courts were ready they would be housed in a new building, also close by, although this building could be delayed. Cases should be much shorter and the interaction of the new ICT and the Judiciary would be monitored on a daily basis until all was working well and accepted.

c. Training and Statistics Unit

Resident Magistrate Misumi (amirtemeke@yahoo.co.uk: 0717347888)
Mr Issa Kasailo
Staff members as last time. (see First report)

Mr Misumi was new in post and keen to develop the role that he had been given, particularly in statistics and training. The following changes had been made since my last visit only 5 months ago:

- a. It had been decided to publish court statistics for the first time since 1993.
- b. A composite volume had been drafted for 1993-2007. This could be published within weeks. Its format was similar to that of the Police annual report, although it would be in English. The content was mainly tables of work loads and cases pending, with little on results of cases. A volume for the two years 2007-2009 would then be published later in the 2009 followed by annual volumes from then on.
- c. The Unit had co-operated with the legal sector Reform programme (Juvenalis Motete) to collect data on delays in courts: the indicator to be monitored was 'cases still pending after 3 years'. This was done on a sample basis for all High Court Zones: from all Resident magistrates' courts areas and from Primary Courts. Only the results from the High Court were known and this showed 14% of cases were still pending after 3 years.
- d. New data collection forms had been designed to obtain better data quality returns from courts. These would be six-monthly returns of workload, cases pending, etc.
- e. The new ICT when working would enable much more complex statistics to be obtained from the CMS, but no specific planning had yet been carried out. I mentioned that this source of data would eventually lead to an increased demand for statistics, from not only the Judiciary but from Parliament, the Police and the Prisons.
- f. There was now some co-operation with the NBS. They had been asked to i) assist with sampling from Primary Courts ii) advise on what useful statistical packages would be appropriate: CSPRO 3.3 had been recommended and this was now being sought.
- j. The Judiciary was now interested in collecting data on the working of the Sexual Offences Act 1998 which had not been well drafted and was causing problems for the courts, administrators and lawyers. Statistics were needed of the number of cases of which type were prosecuted under this, and other acts.
- k. Specialised statistical training would be needed for using CSPRO and for carrying out sampling exercises, as well as in report writing.

- l. As the work of the statistics unit had expanded there was also a need for more resources, perhaps at least on extra Statistical Officer.
- m. Accommodation also needed to be improved and expanded.
- n. Approaches had been made to the Legal Sector reform programme for extra funding for the Judiciary Statistical area, but this had not yet been decided.

6. Meeting with Legal Sector Reform Programme (LSRP), 1.00 March 27

Juvenalis Motete, Chief Executive, jmotete@yahoo.com,
Emmanuel H Mayeji, Principal Economist (Monitoring and Evaluation Specialist)
e_mayeji@yahoo.com , Essaba Machumu, Ahmed Stambuli, Issa Kasailo

The main aims of the LSRP were to improve Tanzanian Law and Practice, especially with regard to the following:

- i. Improve the National legal Framework
- ii. Access to Justice for all, especially the disadvantaged
- iii. Human Rights and administrative justice
- iv. Knowledge and skills of professionals
- v. Improve capacity
- vi. Co-ordinate, Manage, Monitor and Evaluate the sector programme

The programme was funded until 2012 and hoped to achieve its aims by then. However, there had been limited progress on monitoring and evaluation, although Mr Mayeji had recently been appointed and was very keen to develop this area. They were thinking of developing an integrated Management Information System that covered all areas. However, funding was limited for this area of monitoring and they were hampered by the existing sources of data being mainly paper based and current ICT systems only recently being developed.

LSRP clearly needed support in obtaining more funds for their proposals, as many of the suggestions they were making involved new thinking not easily accepted by those who had the money, especially the development partners, who needed some more convincing about specific projects.

I agreed to pass on my previous report and information from other countries that could assist them with their programme. I suggested they conduct a review of what data and ICT systems existed already, on the lines of the report of GJLOS in Kenya that had been produced in 2007. I would send them a copy.

I agreed to send them a draft copy of my report in the next couple of weeks to see if they had any comments about recommendations that would be helpful to them.

7. Meeting with Police IT section, March 25

Inspector Kennedy Msukwa demonstrated the new system that he had recently devised.

It was based upon the recommendations of the GDDS IT consultant Mr Etienne De Fortier, at the Mauritius workshop in March 2003. It had been constructed using the standard Microsoft package, available on all modern PCs. It was not the most sophisticated of packages but it had the following advantages:

- i. It was very easy to create. It had taken him, an in-House police officer and member of the HQ IT team, only 2 weeks to create the system.
- ii. It was easy to use, having been absorbed with ease by the experienced data entry officer already in the statistics Unit.
- iii. It had been used over a few months as a prototype, for the staff to gain experience of both entering data to databases and in retrieving data by using the standard tables and lists that Inspector Msukwa had created.
- iv. It was easy to amend, using the same methodology as had been used to create it: some flexibility had already been included in that new suspect nationalities new police stations, etc could be inserted by the data entry officer. Other new aspects would need more complex additions but these could be effected by Inspector Msukwa: eg he said that my idea of including the value of money stolen in theft cases could readily be added.

Mr Stambuli said that, following its creation and experimentation, the unit would be entering all 2009 data relating to January 2009 onwards. This would start some time in April, and would take a few months to catch up to live data which would then continue to be added. The data entry officer was content to accept this new way of proceeding and valued the use of new technology that was being given her.

Inspector Msukwa pointed out that data entry could just as easily be at regional level, once computers and networks had been installed.

It was clear that Inspector Msukwa really wanted to develop the system into a ORACLE database, with a much more powerful set of analysis tools. However, in my view there was no immediate need to do this, as it would involve a sophistication that was unnecessary at present, if only because the staff of the statistics unit are not trained in sophisticated statistical packages yet. Some time was needed to use this ACCESS database in a live fashion and to find out whether the current set of analysis tools are sufficient and what extra training or new skills from new recruits are needed in the statistics units.

Inspector Msukwa also mentioned that a second more sophisticated database was also being developed in which data on the individual criminal/suspect was sent in to a Criminal records Unit situated near to the statistics unit. Although not recognised by the Tanzanian Police, this other database also has statistical uses (See my note at Annex ??) and once it is populated with live data, then the statistics unit, assisted by the NSB, should access what new analyses of criminal activity and criminal careers would be useful for understanding how criminality develops and helping with both crime prevention and police investigation.

8. Meeting with the Police Statistics section, March 25th

Mr Stambuli said that his team had now produced the first draft of the 2008 crime statistics and it would soon be ready to go to the printers. He was unsure of the availability of finance for the printing and/or for the translation of the volume into English. I mentioned the PPA money that the World Bank and the NBS had agreed for the three years from April 2009. I did not know what machinery the NBS had devised for agreeing to expenditure but suggested that he approached the Director General at NBS, Mrs Chuwe, to see if she would release some money for either purpose. It certainly fitted in with what she had told the Chief Justice on Monday, in my presence as part of her plan to make more statistics available in both Ki-Swahili and English.

Mr Stambuli said that the total statistics were little changed from 2007, although some of the different categories had risen or fallen.

He mentioned that his staff had addressed a workshop of the DPP to discuss statistics and helped Mr Andulile to design new data collection forms. Once these forms had been used for some time and the DPP and his agents had become familiar with them, I suggested that Mr Andulile visited the Police Unit to see the ACCESS database in force. To design such a database for the DPP would only take a couple of weeks, if someone such as Inspector Msukwa could be sent on loan to DPP for the time.

9. Meeting with the Police and Judiciary March 26th

We discussed the two day visit to Arusha, and decided to fly direct to Arusha and hold as many meetings as could be fitted in, with the regional police and courts.

1. Meeting with the Prisons Statistics Service, March 26th

Mr Zawadi said that he was hoping to tender for the Case Management System in June and it could be ready within six months of the tender being awarded.

He said that some small changes and improvements had been made to the statistical data collection instruments during the last few months.

On publication he intended to produce an annual report, covering the last four years, since the last report was produced. However, he was uncertain about the finance for printing the annual report. I again mentioned the possibility of using the PDD money that the DG of the NBS had agreed with the World Bank for publishing and other statistical issues.

I also mentioned the idea of Mr Mackbel from the NBS to conduct a survey of prisoners to see what effect poverty might have had on their background. He seemed very interested in this idea of a small scale sample survey of prisoners: perhaps up to a 1,000 prisoners in maybe 4 establishments could be interviewed.

11. Meeting with Safer Cities Dar Es Salaam, 11.00 March 27th

Anna Mtani, Safer Cities Co-ordinator, D'Salaam.

Anna works for the DES council. Local authorities in Tanzania have different powers from in England and this comes out in the way they interact with justice and security. Ever since 1982 they have had duties to combat crime in their areas, as well as the powers to do so. This issues has been quiescent from time to time as political and resources issues dominated, but is very strong now. Anna's post is part of the D'Salaam council's way of responding to crime in D'Salaam.

Stakeholder analyses

From time to time less formal discussions are held with local people in the form of focus groups about what crimes they experience in their area. This enables a wider set of measures of where crime is concentrated and which crime worry people most.

Victimization Surveys

In order to find out what is the extent of the 'need' to respond to crime in Dar, the group has conducted crime surveys in the form of victimisation surveys of households. This has been done with both financial and technical help from a wide range of people and groups: external people involved are UN Habitat, UNODC (Anna Alvazzi del Frate) who assist with money for surveys and are to publish the 2008 survey along with other African countries carried out at the same time, ICPC (Margaret Shaw) from Canada who helped them to get going, ISS South Africa (Antoinette Louw), researchers from Ireland: internal ones are local universities, BNS, Police and other cities. All results are published on their web site.

<http://www.unhabitat.org/content.asp?cid=4610&catid=375&typeid=13&subMenuId=0>.

They are particularly interested in young people and crimes against women.

Their three main surveys so far have been:

1. Crime in Dar Es Salaam, Results of a City Victim Survey, 2001
2. Victimisation in Tanzania, Surveys in Arusha, Dar Es Salaam and Mtwara, 2004
3. 2008 Victim Survey (not yet published): data from 5 cities: Arusha, Dodoma, Mbeya, Moshi and Tanga.

Each of these gives a wealth of data from questions to around 1,000 people in each city. Not only is victimisation covered but also interaction with the law enforcement agencies and people's opinions about them. Although available to all, the surveys are not well known among the law enforcement agencies and clearly should be studied in more detail. They could also be looked at in connection with the police statistics to make estimates of what is the 'real extent of crime in Tanzania'.

Actions in response to the crime situation

We did not fully go into this, but actions include:

1. Situational responses, including improving street lighting and widening streets, in order to make a safer infrastructure for people to go about their daily lives.
2. Working with local SunguSungu, (Neighbourhood Watch) voluntary gatherings of citizens to improve the environment and make people more aware of the need for crime prevention
3. Working with law enforcement agencies, especially in giving special training to police community officers.
4. Publicising the issues found in their surveys: eg widespread petty corruption in the local police.
5. Working with authorities in other cities to set up similar agencies

Ward Tribunals

A specific Tanzanian initiative is the system of Ward Tribunals, which exist, as long as resources are available, in all areas of Tanzania. Working under the Ward Executive Office, a paid official, these are local community courts, set, in law, below the primary ('Magistrates' Courts) and with restricted powers. However, such Tribunals deal with many occurrences of antisocial behaviour that in other countries could well come to court, as well as minor trading issues such as dealing without a licence and some land disputes.

They are basically voluntary. They are composed of 6 local citizens who are elected with a chair from within them, and a paid secretary, paid by the local council, who sees that proper procedures are followed. There is clearly a sense of due process, although it is not clear how extensive this is, and whether evidence is subject to the same strict issues as in a higher court. Good records are kept and occasional statistics are produced but none seem to have ever been published or put together for the whole of the country. So it is not known how extensive is the work of such Tribunals. Their court of appeal is the primary Court, although nothing is known about how extensive this is used and whether appeals are successful. The whole is defined under an Act dealing with Ward Tribunals.

They do not seem to have been evaluated, or understood in statistical or cost-effectiveness terms, although some resident magistrates are quoted as saying that 'we could no do without them'. Most people seem to know of them, however, despite a bit of a rocky history. Having been set up in Nyerere's time, they fell into disuse because they were taken over by political cliques and ran short of resources. However, a reform programme at the start of the 21st century restored them to full working with some funding in the form of a secretary. Clearly in research terms, an evaluation of them is needed, to see the extent to which they are accepted by the people, and the extent to which they enable primary Courts to concentrate on more serious work. They are also a good idea in their own right for jurisdictions (such the UK) which do not have any such way of dealing with antisocial behaviour except in the full magistrates' courts.

General

The general message from the victimisation surveys is that around 60% of crime is not reported to the police. This is a similar figure to mother countries and should not over concern the authorities. However, it can be used to estimate the total amount of crime the police would have to deal with if all crimes were reported.

Anna would be keen for a question on crime to be included in the next Tanzanian census to be held in 2012. She claims, with enthusiasm that this would give an excellent basis for working out where the hotspots of crime were and where resources needed to be deployed.

Anna was in Nairobi for a workshop earlier this week, at which AHSI (African Human Security Initiative) presented their Country report on Tanzania. She was very critical of it, although it got a good Press. The big criticism is that the report was not very well done. It contains much speculation and few statistics. It seemed to be based only on Dar Es Salaam anyway. The Police Statistics in it are probably correct but have been obtained from a third source and not from Mt Stambuli who had never heard of AHSI. No victimisation results have been included in the report. It is all secondary data and no new material, All in all a very poor paper and giving a bad name to crime analysis for Tanzania.

There will be great advantage in Anna Mtani being associated with the statistics committee chaired by Mr Stambuli, either in attending meetings, which would be best, or in receiving papers and commenting on discussions. She had a wide range of contacts, both nationally and internationally. She attended the Addis Ababa meeting on statistics last December, which Naigee Guillaume and Robert Buluma also attended.

Address for correspondence: **Anna Mtani**, Safer Cities Dar es Salaam, P.O. Box 9084, Dar es Salaam, Tanzania. Voice: 255 (22) 2130959; fax: 255 (22) 2130961. ...

12. Meeting with World Bank March 26th

Hans Hoovegeen told me that NBS had agreed to set aside money under their Project Preparation Advance to facilitate the publication of statistics by the sectors, including Justice and Security Statistics. Procedures to finalise this would probably take two or three months. Following that NBS will be funded by the World Bank under a statistical capacity building programme that will give them \$2m in the first year. This could be increased to \$30m. in succeeding years if all is well. The money would be available for all areas of statistics, including justice and security. There is no decision on how much might be spent on any one area, but the feeling is that the NBS itself will be spending a lot of its own infrastructure. However, the likelihood is that money could be available for justice and security for such things as:

- i. Publication, ie printing of annual reports and other statistical reports

- ii. Peer review of such reports, preferably, according to Hans through a scoring procedure. As a single peer review could cost only a days work, this could be complex to organise unless an institute, or university got a contract for several types of annual review, to minimize the cost of setting up the contract.
- iii. Translation of reports into English or into KiSwahili.
- iv. Carrying out of small scale surveys or review of statistics.

Hans felt that many of these things were low-hanging fruit for the NBS to spend money on without doing a lot of work. The contact in the NBS was Mahimbo Philimond (0784667045) as well as our link man Ahmed Mackbel, whom Hans said was very good but overstretched. Mahimbo was the link man for publication.

A possible scoring system is at Annex B.

Meetings in Arusha

13. Meeting at Police HQ

Mr Matel Basilio, Regional Police Commander (Arusha)
Mr Leonard, RCSO
Mrs Bagora, Community Relations Officer
Mr Stambuli, ACP

Police are trying to reduce crime by co-operating with the local people in Crime Prevention Campaigns. These vary from local target hardening to education of people into a different way of behaving: for example, various personal crimes such as Rape and female circumcision are not regarded as crimes by many of the native inhabitants of the Arusha Region such as the Masai. A good deal of work in education local communities is carried out and where this has been done well, then a reduction in crime has been seen. There is a crime problem with young people who come to Arusha without work and with foreign illegal immigrants from Ethiopia and Somaliland, as well as South Africa, who come without any papers and often have no employment and have to resort to crime to survive. Such people are usually deported once they are caught, resources permitting

All crimes are recorded in the standard police record books and summaries sent along the chain. Ward tribunals exist in Arusha and do a good job but need developing. There is no safer Cities programme in Arusha as such. No mention was made of the various surveys of crime that have been carried out by safer Cities Tanzania in Arusha.

14. Meeting at Arusha main Police Station

Mr Meela, OIC

I saw how the crimes are maintained in record books, along with other events that are reported to the police but which do not turn out to be a crime (missing persons, strange behaviour). At the end of the day, all crimes that are serious enough to be followed up are sent to the district HQ, in this case in the same building. They are divided into crimes that

have to be investigated by the CID and those that can be investigated by uniform officers. Separate record books are kept for different types of crime. I saw how crimes are reported in the busy station counter, and can be heard by all. If there are some sensitive issues, such as crimes involving women or children, then these are reported in a separate room for privacy. There are no medical facilities though and the facilities in general are very basic.

Meeting at District level

Everything is kept in record books, and the information recorded as well as possible, with additional information being added later. Whenever a case file is moved or something added, this is also recorded, so that it should be possible to fine out where any file is at any one time.

- a. The Report is made to the police
- b. The Report is recorded in a record book: there are various such books depending on the type of crime
- c. The District CID is sent the case files for the more serious cases
- d. Reports are then made to the regional HQ
- e. The regional HQ sends the information to DES in the form of both daily reports of cases and monthly returns of summaries
- f. Cases that are for prosecution are sent to the State Attorney's office under the new procedures started in 2008. Everyone said that the way this is working is too early to tell.
- g. The CID keeps records of everything that it passes on.

Meeting at regional level

The region keeps records of various types of cases and people:

- a. Serious criminals which it then passes on to the CID at DES, which maintains a data base
- b. Registers of the traditional healers ('with doctors') practising in the area.
- c. A parallel register of traditional healers who are registered to practise in the area.
- d. A register of albinos (people with discoloration of the skin and other medical problems) who are sometimes targeted for violence because of outmoded beliefs.
- e. A register of companies who may need to have their employees investigated for criminal activity (Certificates of morality)
- f. A register of people who have been fingerprinted
- g. A register of criminal who are on the run.

Apart from the daily summaries and monthly returns of crimes, n other statistics are maintained.

There seemed to me to be various possible reasons for errors in statistics:

- a. Not recording things because they are not reported to the police: Safer |Cities data gives an estimate of 60% for this, as stated by those reporting to their surveys. However, estimates need to be made comparing total crimes reported in a town against what the Safer Cities surveys report, to see if the 60% is credible.
- b. The report is not recorded in the record book. I am sure this happens sometimes but very rarely I would think, as the police officer records everything, even if it is not a crime.
- c. A report is classified as a non-crime, when in fact it is a crime. This is unlikely
- d. A report is classified as a crime, when in fact it is a non-crime. This is more likely and may not be corrected later. Impossible to know how much this might occur without sitting in and observing the officers' work, which could itself change behaviour.
- e. Errors in transcription when copying to another report book. This is going to happen sometimes, but will be small, as usually the whole report is copied.
- f. Information not sent to the next level for various reasons: eg Radio not working. This is going to happen from time to time, especially in more remote communities. No idea how often.
- g. Changes to the characteristics of the report which come in later and do not get transmitted. This is going to happen more. There are good procedures of recording this in the initial book, but not always to pass the new information up the line. Eg. there seems not to be a routine way of changing a report that has already been sent to DES: such as a robbery turning out to be a misreporting.

The cost of recording is very high. There are no civilians: all are police officers who could be doing other work if they were not recording crime. There could be around 400-500 police officers recording crime throughout Tanzania. If the process were streamlined and computerised, then there could be a saving of some perhaps 80% of such officers, which should be offset against any cost of the new process (IT equipment and training.) A survey should be conducted of the number of police officers compiling records and statistics to check this figure and give the potential for savings.

There would be different savings depending on where the IT equipment was first installed:

- a. PCs at regions would save some people at DES and a few at Regional level.
- b. PCs at Districts would save some people at regional level and some at district level
- c. PCs at station would save most people, those at stations and those at districts.

All record books could be put onto EXCEL files without any new software needed. That is probably the best way to do things to get familiarity with computers. A dedicated IT system for police management information could clearly be created but this would be quite expensive and difficult to plan for. It would be better to install some basic hardware in each station and get the people involved with using

computers and well trained. Only then would it become clearer what would be the most sensible police management information system. One imposed on the current structure would simply be a waste of money.

The hardware costs would be predictable. Perhaps one computer in each police station, one at each district and 2 or 3 at each region would enable a good deal of progress to be made. Open source software currently available on all modern computers in the form of MICROSOFT WORD, EXCEL, ACCESS, etc. should suffice for perhaps 5 years until people had become familiar with using computers and could see the potential for their further development of software. Once police become familiar with EXCEL, an internal ACCESS based solution could be created, rather than use a expensive consultant driven system.

The Police IT system in HQ would need to check that this analysis is correct. I expect there will be other studies of the use of computers in police stations, and, when these take place, the need for statistics and good record-keeping should be included in the drawing up of user requirements, and the statistics unit kept in touch with what is going on.

However, this is all about data collection. At the same time the Police need to make more investment in the use of data: examples of this are:

1. Relating crime to population
2. Relating crime to other variables
3. Fully analysing the Safer Cities data in line with actual police data to see what can be learned from the two sources
4. Calculating rates of police success in solving crime by doing some local studies of what actually happens for different types of cases.
5. Looking at the effect of changes to see how they have been working: eg how has the civilianisation of the prosecution system worked. How has the community policing work in Arusha had an effect on reducing crime in native communities such as the Masai.

Meeting with the Courts, March 31

Various meetings were held on the same extended site and I visited the registries in the Resident magistrates' court.

Mr Mmita, Judge in Charge
Mr Francis Mutungi, District Registrar
Mr George Herbert, Resident Magistrate
Mrs Rhamadhani, Chief Registry Officer

I discussed the problems facing the courts as well as the statistics record keeping. In nearly all cases the statistics which the court produced could help inform the problems

and point to solutions but these statistics were not available. The main problems seemed to be:

- a. The extensive case load facing the courts in Arusha:
- b. The shortage of resources leading to courts taking a very long time to come to a conclusions
- c. The way that the Case review Committee in the region was unable to make a significant reduction in the number of cases that were delayed.
- d. New initiatives that were brought in that were not adequately resources or training given for: eg the National Prosecution Service or the civilianisation of prosecution that was brought in last year.
- e. Constraints within the Law itself: The lack of significant alternatives to prison in criminal cases.
- f. The lack of legal assistance for suspects.
- g. The Minimum Sentences Act that took away from Judges any ability to match sentences to what actually the evidence proved.
- h. The appeal process, which requires that the suspect remains in jail for a long time, even when his conviction is to be eventually quashed.
- i. The 'habeas corpus' provisions of the law lead to the charge being made at too early a stage and sometimes the wrong charge is made. Also because of delays in court, the suspect has to appear in court for remand on a frequent basis leading to high costs for the prison.
- j. With no effective process for coping with cases which have long delays, suspects remain in prison for long periods: often up to four years or more.
- k. The appeal process does not allow for the suspect to be released while he is waiting for his case to be heard.

All records are kept on paper and procedures followed precisely. There are some typewriters used for court correspondence purposes but no computers at all, although staff would like to have them. Few would be trained at present to use them. A large number of staff are engaged on record keeping and statistics, perhaps 15-20 in Arusha High Court and Resident magistrates' courts. These could be reduced considerably if the records were all kept on computers.

Phase II of the courts IT process will enable all records to be kept on computers and statistics kept electronically and send directly down to the Region and HQ. However, statistical thinking needs to be developed and this will need training in knowing what data to ask the computer. There should be much more concentration on the outputs of the court (decisions of cases in Criminal matters, Civil, labour, Family, Land, commercial)

Just asking the computers to produce the current statistics would be only a first step. There is so much more potential for computers to produce better and many more statistics about court delays and outputs, information which is needed not only from the courts but also by the police, politicians, prison and probation services.

In fact the range of statistics sent to the centre is less than it was. A summary of each case gets sent from the Resident Magistrates court and the High Court but this is not analysed

to anything like its full potential by the training and statistics section in Dar Es Salaam because they have so much to do they concentrate on court workload.

Meeting with the Prison department HQ, April 1

I paid a courtesy call on the head of the regional prison administration. He told me that the main problems were ones stemming from shortages of resources when set against the numbers of prisoners that courts had asked them to deal with. Of the three prisons in the area, Arusha Central prison was about 100% overcrowded with 1650 persons for about half the capacity. His problems started with security, as there were no technical aids, such as cameras, or recording equipment to help with surveillance and his guards had to manually watch everything all the time. This meant he had to use more people on security than he would wish to if he had some perimeter cameras. Although records were kept well, the problems of delivering prisoners to court at the right time, giving them work experience and releasing them on the right day, were made worse by the poor facilities for keeping records, which were all paper based, with the usual errors that occur when there are checks built in apart from the accuracy of the record keepers.

Visit to Arusha Central Prison, April 1

Arusha has around 1650 prisoners, of which around 50 are female in a special wing. It is severely overcrowded. Record keeping is very comprehensive, but facilities are poor, with everything done on paper, in poor over crowded office space. The main characteristic of the record keeping is to follow procedures, basically, recording as much as can be recorded in various files, and making some statistical returns to Regional HGQ which are checked in a rudimentary way and then passed on to DES prison HQ. However, even these tables are mainly updated from the previous month, which means that errors tend to get perpetuated and made worse, with no occasional check against any complete register.

The essence of record keeping is to follow procedures and this is done well. However, There is no recognition of the patterns of crime, remand, periods, delay in court appearances, effectiveness of the appeals system or needs of the medical officers, which could be gained from the books in which records are kept. This is because officers are not trained to recognise statistical patterns and their importance. The cost of record keeping is quite extensive with large numbers of people, all prison officers, engaged in making sure that records are kept and procedures followed. There are no computers and a small number of computers, perhaps a couple for each prison would enable a number of officers to be redeployed to other duties, such as security. However, priorities are such that any extra resources would probably be not put into IT and statistics but into security and inmate handling.

Current plans for a prison case management system to hold records of prisoners are well advanced and would be introduced, in 2010, once resources were obtained and the tendering process completed.

15. Meeting with the Chair of the Judiciary Statistics Committee, April 2

Judge S Kaijage, Judge in Charge, Dar Es Salaam High Court and Chair of the Judiciary Statistics Committee (semmykaijage@yahoo.com), Mr Essaba Machumu

I explained my visit to the judge and summarised the findings that I would be putting in my report. I stressed the following:

- a. That his committee was very important to the future of judicial statistics in Tanzania but he had a difficult and time-consuming job to do.
- b. That the IT system being planned by Mr Essaba was a very useful one once the resources had been agreed to implement both Phases of the project
- c. Those current Statistics systems were entirely paper, based and difficult to extract data from.
- d. That he should link with the work of Mr Stambuli's committee for Justice and security Statistics
- e. That the Judiciary should restart publishing their annual report (Judge Kaijage had been head of the training and statistics division when the last 1993 publication was made.
- f. That statistics had great potential for assisting with answering the problems that the Judiciary was faced with.
- g. That Judicial Statistics were central to the work of the justice system as a whole and all other areas (Police, Prosecutions, Prisons and the Probation area) needed to have a chance to see his statistics and set out their needs for their own purposes.
- h. That current statistics concentrated on the workload of the courts which was important but entirely missed the output side, where the output of the courts in criminal, civil, commercial, labour and other decisions of the court needed to be understood in order to see whether the Judicial system was working well.
- i. That the working of current laws and institutions could only be measured by having good evidence in the form of statistics.
- j. That research was needed in addition to statistics: eg by asking lawyers, judges, magistrates, the public, victims, etc what they thought of current procedures and what improvements would better serve their needs.

Judge Kaijage said that his committee was a new one and had not yet held its first meeting. It needed assistance in deciding on:

- a. Terms of reference and work procedures
- b. How it should approach its work
- c. How to raise statistical awareness of all stakeholders in the judiciary, politicians, and other law enforcement areas
- d. How to go about the capacity building that was necessary in statistical sections within the Judiciary.
- e. The extent to which foreign experience should be investigated and used to set plans for future data collection and analysis.

I said that I would be covering these points in my report, which I would send to him for comment before it is finalised.

16. Meeting with the Bureau of National Statistics and J&S Statistics Committee, April 3, 2009

Mrs Chuwe, Director General, NBS
Mrs Maro, NBS
Mr Mwingeru, NBS
Mr Mackucca, NBS
Mr Zawadi, Prison Department
Mrs Stambuli, Police Service
Mr Essaba Machumu, Judiciary

Prof Lewis reported that Tanzania had made considerable progress since the Port Louis Workshop in March 2008 and his first visit in October 2008.

- i) The Committee on Justice and security had been set up
- ii) NBS had taken a more proactive role and is now beginning to work more closely with justice and law enforcement
- iii) The Judiciary had set up a separate statistics committee
- iv) Police have published 2007 statistics and produced the draft of the 2008 statistics
- v) The prosecution service have created new data collection instruments that they were now trying out.
- vi) Courts have produced their composite 1993-2007 report ready for publication.
- vii) Prisons had produced their 2003-7 composite report.
- viii) Both courts and prisons had drawn up a management information system: with different time scales this was now going out to tender and would be implemented in the near future, making the production of statistics more straightforward
- ix) NBS and the LSRP have devised a sampling system for estimating courts' delays.
- x) Safer Cities Tanzania has produced results of several victim surveys which also gave public confidence measures.
- xi) The NBS and the World Bank have agreed a statistical capacity building programme for the next year, and, if successful, for the 3 following years.

He felt that the priority should be now be given to:

1. Pressing ahead with publication
2. Make sure that ICT development goes ahead as fast as possible and statistical modules within ICT systems are given priority

3. More effort should be given to the analysis of data, not just data collection
4. New sampling techniques should be devised: eg by looking at existing records in a sample of police stations, courts or prisons.
5. Looking at the Safer Cities victim data and the police crime data side by side to see what could be learned from this.
6. Start producing short reports commenting on how various aspects of the justice system are working: for example:
 - a) What is the success of the civilianization of the prosecution service
 - b) What is actually causing the delays in the courts are any regions doing better than others
 - c) How effective is the Minimum sentences Act
 - d) Is there scope for improving the remand System and the Appeals system?
 - e) Could more probation orders be used?
 - f) Is the act making sentences more severe for offences against women working effectively?

He also felt it was important to continue to speak routinely with each other through close working together: to make good early use of the World Bank statistical capacity building grant, as there were several straightforward pieces of work that needed funding and the World Bank would be keen to see this done. Finally, he suggested that close attention be paid to what other neighboring countries were doing in Justice and Security Statistics: especially Kenya, Mauritius and Seychelles, using their web sites as much as possible.

Mrs Chuwe was worried about bureaucracy getting in the way of progress with the statistical capacity building grant. She felt that ICT would have an important call on the money, including statistical software. Mr Stambuli wondered whether police data IT needs could be met from this fund. Mr Zawadi also stressed ICT development and said that concentration on publishing statistics would not succeed until the ICT infrastructure was in place. Mrs Chuwe also felt that NBS was not working much more closely with policy makers and often inserted statistics in ministers' speeches in a way that had not happened before. She saw NBS as more and more the bridge between technicians and policy-makers and would like the GDDS report to stress this.

Meetings not able to be held

Ministry of Constitutional Affairs and Justice

I was not able to visit the Ministry of Constitutional affairs and Justice this time although my first report details a very productive meeting with the Director of Public Prosecutions. I was also not able to visit any office of the State Attorney's. However, from discussions with other members of the law enforcement agencies, the following areas of work seem to be need to be developed:

1. Stats Attourney Offices need to have good recording system of how many cases come to them, and how these are dealt with according to law:
 - a. Returned to the police for more investigation
 - b. Case dropped for various reasons: eg lack of evidence that would convince a judge/magistrate: no public interest in prosecuting a case, for various reasons: person too old or too ill: foreign person now left the country.
 - c. Case charged and prosecuted in court: with the result of the court case:
2. Systems for recording these data need to be devised that use computers as much as possible. This would involve a small number of computers perhaps one at each State Attorney's office.
3. Common software, such as MICROSOFT should be used as much as possible until familiarisation with computers has happened.
4. The DPP's office needs to have more statistical staff to investigate particular patterns of charging and more complex issues.

Ministry of Health (Probation Department)

I was not able to visit the probation department, although they sit on the Statistics Committee chaired by Mr Stambuli. However, it is clear from my first visit that few statistics are kept and that probation and community sentencing is not a very high priority in Tanzania.

East African Statistical Training Institute

Many police officers are sent to this institute for training. However, the institute, which is located in Dar Es Salaam, is used more by people from other East African Countries rather than Tanzania. I would have liked to see what courses are on offer, what potential they have for developing bespoke courses for the sort of people who will need to be retrained and recruited in the next few years as computers are installed in courts, prisons and police stations.

Annex B TANZANIAN JUSTICE AND SECURITY STATISTICS

PROCEDURE FOR CONTINUOUS IMPROVMENT OF TANZANIAN ANNUAL REPORT ON STATISTICS OF JUSTICE AND SECURITY

Tanzanian Justice and Security statistics have made very good progress during the Phase II of the GDDS. Police, Judiciary and Prisons have all produced draft reports which, funding issues aside should be produced during 2009. However, it is important that such annual reports continue to be produced and gradually improve their content, on a year by year basis.

Ideally, it would be useful for these reports to be reviewed externally, by a university, foreign statistics institute or statistical consultant. However, if this is not possible, then the table below is a possible 'scoring system' which could be used, either internally or externally to see the extent to which the annual reports are improving. Other factors could be added for local use.

Question to be answered	Information to answer the question	Score given (0= no progress: 10= question satisfied)
In each case the score is the extent to which the statistical authorities have been able to develop the annual report according to the criteria stated		
1. It is produced within three months of the end of the year		
2. It has included the recommendations of the last external or internal review		
3. Its readership is known		
4. The views of the readership on its content and presentation have been sought		
5. The collected views have been acted upon		
6. The report contains trend data over at least 5 years		
7. The tables in the report are harmonised with regard to: i. Geographical area ii. Age group of victims iii. Age group of criminals iv. Type of		

<p>v. offence/incident Outcome of criminal trial</p> <p>vi. Time delays</p> <p>vii. Other categories</p>		
<p>8. The tables in the report relate J&S data to data from other J&S agencies</p>		
<p>9. The tables in the report relate J&S data to data from other social areas such as demography, health, employment, poverty, etc</p>		
<p>10. The tables have low rates of missing data</p>		
<p>11. The report includes commentary on trends and differences by region, etc</p>		
<p>12. The report includes explanatory text to set the context for changes in the figures: eg new laws , classifications used, new data collection arrangements, new law enforcement institutions</p>		
<p>13. The report contains a glossary of terms to assist the readers</p>		
<p>14. The report is produced in both English and KiSwahili</p>		

Annex C

Good practice in using statistics for policy and operational use in Justice and Security

1 This Annex lists some good practice in using statistics across all the justice agencies. This is taken from my experience, both in Europe and in some other countries. Many of these examples could be of use to Tanzania although some will be more long term than others. In all cases more detail is available on what I have in mind, often on web sites (see Annex VV) or I could supply more information if needed. I start with some ideas for future co-operation between agencies in both statistics and research, which should be part of the agenda for the J&S statistics committee, the Judicial Statistics Committee and the developing work of the NBS.

Table C1 Ten ideas for better Statistical and Research Co-operation across Justice agencies which should be discussed by the Statistics Committee

1. Routine discussions should take place between justice agencies with a view to improving collaboration between them
2. Harmonized definitions, classifications and counting rules should be developed across all departments. The police definition is usually the basis for such classifications, especially with regard to offences. Where geographical areas are concerned the common classification is probably already in place.
3. The J&S statistics committee should discuss the situation where some data will be useful for more than one agency and should be collected by the agency that can do so most easily, even if they have less use for such data than other agencies do.
4. The committee should discuss areas where statistics and research that inform policy issues that cut across departments should be addressed jointly. I give several examples of these in this section where I feel statistics and research could make a very useful contribution
5. The committee can discuss where efficiency gains can be made from common practices: eg. shared equipment in rural areas, etc: common training: common development and usage of statistical IT packages.
6. The committee should discuss the best way of linking different agencies, both nationally, regionally and all offices. The likelihood is that all offices of the police, courts, probation, and prisons should be linked by Internet, so that daily close co-operation can be maintained, both administratively and statistically, with access to each others data bases: the use of common identification numbers for offenders so that data can be cross-referred, and past history of offenders researched.
7. This committee could also develop a common policy towards research, including co-operation with the NBS
8. Routine statistics should be shared between the justice agencies on a regular basis.
9. The committee should encourage agencies to publish their material on an annual basis.
10. The committee would be able to advise where resources for better statistics and research could be best used.

2 During my visits I found many areas where statistics and research could help in solving the problems faced by the Tanzanian Justice system. I recommend that priority be given to developing statistics and research in areas where the expenditure would give best value for money in illuminating, costing and evaluating the likely solutions of particular problems with which the Tanzanian Justice system is faced. Examples are given in Tables C2 to C7 below

Table C2 Areas where Statistics can assist: What affects crime?

1. Effect of age distribution and future changes (See Annex XX for brief discussion)
2. Why have crimes risen so much in 2007?
3. What are the trends in different types of crime?
4. What is the effect of unemployment?
5. What is the effect of poverty on crime?
6. What is the effect of drug addiction on crime?
7. Variation across country: Province, urban, rural.
8. How does the lack of CJ resources affect crime?
9. Make predictions of future crime levels, especially looking at growing numbers of young men over the next few years

Police Discretion

Table C3: Areas where Statistics can assist: Should police discretion be extended

1. Police usually have some discretion in Traffic cases giving warnings for first offences
2. Local Officers have some discretion in crime cases. Little is known about how often and in what circumstances this is exercised, or the extent to which more use would be publicly acceptable. Similar discretion in the British Police Force lead to much diversion from the justice system in the 1970s and 1980s, leading to a great saving of money within the CJS. If fewer people came to court in the first place then magistrates would not have to send so many on remand, which leads to extra expenditure in a high remand population. Many people kept in prison on remand then get acquitted. This is also a waste of money.

The Charging Process

Table C4 Areas where statistics can assist : Charging

1. Research and statistics could examine what other countries in Africa and Europe do.
2. In Germany many offences sent to a special non-criminal agency who will fine people. This reduces work on the courts
3. In the Netherlands the Prosecutor can give a fine for small crimes, saving the courts work
4. In England the prosecutor decides whether to charge or issue a warning/caution, similar to the civilianization process in Tanzania. However, in about a half of cases, the prosecutor ends the case in a different way: eg by telling the police to issue a caution: or by dropping the case on evidence grounds judging that the case is unlikely to lead to a conviction in court.
5. In Scotland the Prosecutor (Procurator Fiscal) can drop charges in the public interest or refer to non-CJ agency (especially for young people)
6. In Japan the prosecutor is a very powerful agency of the justice system and has extensive powers to examine victims and witnesses and presses for cases to be ended in ways avoiding the use of the courts. If a Japanese prosecutor sends a case to court, then 99.9% of such cases lead to a conviction.
7. Economic analysis could predict how much could be saved by changes to procedures.

The Remand process

Table C5 Areas where Statistics can assist: Remand

1. High remand population leads to wastage of resources:
2. Prison costs in feeding prisoners most of whom do not get a prison sentence
3. Prison costs in extra population due to remand period not counting against sentence (this would require a change in the law)
4. Transport costs in taking cases to court, especially for capital cases that take a long time to finalize.
5. Long remand periods when prison service not able to start rehabilitation and prisoners get no chance to work or gain skills
6. How many prisoners on remand have legal understanding or resources, which leads to the appeal process not working properly
7. What would be the effect of new laws: eg limiting the time a prisoner can be held on remand in prison awaiting trial

The Sentencing Process

Table C6 Areas where Statistics can assist : Sentencing

1. Are sentences effective? What is reconviction rate?
2. Money can be saved by reducing sentences. Statistics can estimate this.
3. Sentences could be similar to those in other countries. Research could assist.
4. Sentencing guidelines could be issued for magistrates and judges
5. Remand time served could count against sentence to save prison numbers.
6. Do specific laws work: eg sentencing for sexual offences?
7. What would be the effect of new laws? eg extending the maximum sentence, or forcing judges to give a minimum sentence.

Access to Legal Services

Table C7 Areas where Statistics can assist : Legal Aid & Compensation

1. If more offenders aided legally, perhaps through donor money to start with, then this could pay for itself by reducing the costs of the CJS.
2. Legal aid could be available on arrest as in some countries (eg England)
3. Legal aid could be available when remanded in custody (eg in England depending on ability to pay.) or could be given to allow appeals to be made.
4. Should there be compensation to victims injured in crimes.
5. Should extra resources be made available in prison for access to legal services: eg to improve access to the appeal process.

Managing Offenders

Table C7 Uses of statistics in Managing offenders

1. Statistics could assist in the needs for prisons to teach literacy, IT skills, machine skills
2. They could be used to assist in using psychological/medical methods to change criminal behaviour: for example with regard to sex offending or drug taking: crimes committed in anger or crimes committed with firearms

Restructuring of CJ Agencies as part of the reform process

Table C8: Areas where Statistics can assist: Structuring of CJ agencies:

1. Many countries are carrying out re-structuring of their CJ agencies so that justice can be delivered more cost-effectively. A statistics and research group can look into what has worked in other countries and avoid mistakes.
2. Many countries use probation to a much greater extent than Tanzania, saving costs of prison places and enabling the offenders to repay society with work for their community..
3. Many countries, including Tanzania, have spent money in ensuring that their prosecution system can be fully separate from the police. This saves money by having cases better prepared for the court and having fewer remand prisoners. The experience of other countries can be looked at: eg the introduction of the Crown Prosecution Service in England in 1986.
4. Some countries have set up a system for legal assistance for those who cannot pay. This could be examined.
5. Other countries have introduced compensation for victims of crime.
6. In some countries victims are allowed to give a statement in court as to their views on sentencing, etc.

Annex D

Examples of statistical and research work from other countries that would be useful for examination by the Justice and Security Statistics committee and by the Judiciary Statistics Committee

1. Countries whose systems are worth examining

England and Wales: Size and political organization of country is comparable with Tanzania's CJ system being mainly based on E&W. Structures are similar, although EW has developed a more complex approach to justice issues, where there are many more ways of dealing with cases of crime than in Tanzania. Statistics and research have been used extensively for planning for many years. However, computers are widespread and lessons to be learned by Tanzania will not be fully applicable until several more years of IT and statistics development.

Netherlands: Size and political organization similar to Tanzania. Structures are similar but with extensive powers to the prosecuting arm to end cases. Good statistics and research groups and good uses made of their output. Most researchers will speak good English. As with EW, extensive use of computers means that many lessons will; not yet be fully applicable to the Tanzanian situation.

South Africa: Size, political situation and problems of crime and justice similar to Tanzania. Structures are similar but uses of computers somewhat more extensive, although lessons can be learned more straightforwardly than from EW or Netherlands. Good Police statistics but not so well organized in other areas.

Kenya: Size, structures and extent of computerization almost identical to Tanzania, but ways of coping with justice problems different. Given the ease of visiting Kenya, more can be learned from the situation there. The way that the World Bank statistical capacity building programme STATCAP has worked in Kenya should be examined by the NBS. In the Kenya Judiciary, progress has been made in introducing computers to the courts, without, as yet, providing the opportunity for good statistics to be produced. The Kenya Judiciary has no statistics committee but has set up an important planning department with professional staff. The Kenyan law Reform programme GJLOS, has been working for 5 years and has produced much useful material.

Mauritius: Very small jurisdiction (1.3 million) but has most of the same problems as Tanzania and is making good headway in statistics and research collection and publication. Computers are now being introduced to some extent. The Mauritius Central Statistical Office is at the centre of developments.

Seychelles: Even smaller than Mauritius, and although good progress is being made, this island jurisdiction is so small and has its own unique problems that little can be learned that is directly applicable to Tanzania.

Japan: Single jurisdiction, perhaps three times the size of Tanzania, with very strong law enforcement agencies, especially the prosecution authority. Also informal social control is very strong keeping crime low. Good use of statistics and research, some of which is in English.

India, Australia, United States of America: These three countries have federal justice systems which vary enormously in detail: lessons have to be learned at State level rather than at country level, although in each country the best statistics are often compiled at country level. The USA makes extensive use of computers and ICT lessons would not be easy for Tanzania to absorb. The experience of some Indian States (eg Tamil Nadu) or Australian States (eg New South Wales) would be more directly applicable to Tanzania, as has been shown following some recent visits by the Tanzanian Judiciary.

2. Statistics that are worth examining:

England and Wales: very good statistics but based on good IT systems for many years: The web site www.homeoffice.gov.uk/rds gives good police figures. The web site www.cps.gov.uk shows the workload of the prosecution service, CPS.

The web site of the Ministry of Justice gives good details of court workload, outcomes, delays and effectiveness in statistics and research (see <http://www.justice.gov.uk/publications/statistics-by-topic.htm> for all their statistics and <http://www.justice.gov.uk/publications/research.htm>) for their research reports which add value to statistics by special data collections and analysis.)

Statistics on court workload, broadly comparable with the courts statistics volume currently being drafted in Tanzania are published each year in a lot of detail for all types of court and can be found on: <http://www.justice.gov.uk/publications/docs/judicial-court-stats-2007-full.pdf>.

This Ministry collects data on sentencing and publishes this every 3 months: see <http://www.justice.gov.uk/publications/sentencingquarterly.htm>, showing the importance given to statistics on the output of the criminal courts.

This Ministry also collects data on offenders, especially those in prison and on probation and this is published on <http://www.justice.gov.uk/publications/prisonandprobation.htm>. Forecasts of future prison numbers are made on a regular basis up to 7 years ahead: see <http://www.justice.gov.uk/publications/prisonpopulation.htm>.

A good deal of value is added to the basic statistics by sophisticated statistical analysis: for example the effectiveness of the treatment of offenders is monitored by the use of measures of reconviction two years after leaving prison (see <http://www.justice.gov.uk/publications/reoffendingofadults.htm>

Netherlands: A similar set of good statistics and research is available on the web site of the Dutch WODC statistics and research department (see the web site

<http://www.onderzoekinformatie.nl/en/oi/nod/organisatie/ORG1237021/> for an extensive list of their publications in English and how to access these. Good figures on all justice areas, including victim surveys, where the Dutch are at the forefront of modern research.

South Africa: Good annual police statistics are published by the Police Service:

<http://www.saps.gov.za/statistics/reports/crimestats/2008/docs/introduction2008.pdf>

In a similar way to Tanzania, statistics from victim surveys give an alternate measure of crime: eg see the victim survey report on

<http://www.statssa.gov.za/publications/VictimsOfCrime/VictimsOfCrime1997.pdf>

A good set of research reports on current aspects of the South African Justice system, using government statistics, is published by the Independent Institute of Strategic Studies:

For a recent examples of reports on current issues at:

http://www.iss.co.za/index.php?link_id=3&slink_id=7103&link_type=12&slink_type=12&tmpl_id=3

Kenya: Police Statistics are routinely published on the web site of the police service. See

<http://www.kenyapolice.go.ke/resources/CRIME%20STATISTICS%202007.pdf> for the

figures for 2004 to 2007. Some summary figures for other areas of criminal justice are published by the Kenya National Bureau of Statistics. www.cbs.go.ke

Mauritius: Police and other justice statistics are published on the web site of the Central

Statistical Office: see <http://www.gov.mu/portal/goc/cso/ei759/crime.pdf> for a good

composite document produced as a result of the GDDS programme covering victimisation surveys, police recorded crime, courts and prisons data.

Japan: Good police statistics, including outcomes of court proceedings and prison

numbers can be found on the web site of the National Police Agency of Japan in English.

The 2005 white paper on crime can be found at the web site

http://hakusyo1.moj.go.jp/en/53/nfm/n_53_1_1_0_0_0.html No Prosecution statistics are routinely published in English, although some research papers can be made available if required.

3. Value of Study visits

Although study visits can be very useful in appreciating how statistics are produced, they will be much more successful if a detailed study is made in advance of the visit, of the various statistics that are published on existing web sites, or paper documents that could be sent in advance. The references in section 2 of this annex give a good summary of what is available from the several of the most likely countries that experts from Tanzania would be likely to visit. The comments in section 1 of this annex also give an ideas of where I feel most benefit could be gained.

It should be recognized that statisticians and researchers in developed countries nowadays publish a vast amount of statistics and research. Therefore, they will expect such material to have been consulted and to some extent absorbed by those who make a study visit.

Therefore, in advance of any study visit, a contact in the central office of statistics, or the

statistics group within the Ministry of Justice or the police department of the country to be visited should be approached to advise on the most appropriate publications to examine first. Having looked at what is published; the visitor will need to put together a series of questions in advance and sent to those who will be visited. Such questions should be concerned with:

- The statistical and ICT infrastructure on which the collection is based.
- Which organization collects the statistics?
- What training and instructions, counting rules, etc are available for those supplying the data?
- What are the mechanisms for ensuring good data quality, completeness and timeliness?
- What statistical analysis adds value to the basic statistics collected: eg performance indicators: research based on the raw data?
- What are the arrangements for publication?
- How independent are the statisticians from political interference, censoring of statistics?
- What statistics are available on request but not routinely published?
- What other institutions or research groups exist that also publish commentary on the statistics?
- What committees exist to discuss statistics or ICT development across the justice system?