

**OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS  
ZANZIBAR**

**ANNUAL PROSECUTION REPORT**

**2022 - 2023**



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## FOREWARD

This Annual Prosecution Report covers the period of 2022/2023 year. The report aims was to providing a detailed account of the activities, successes, challenges, of the DPP office over the past year, ensuring transparency in its operations. Also to evaluating the effectiveness of the prosecution process by analyzing statistics related to cases prosecuted, conviction rates, and types of crimes prosecuted and identifying trends in crime and prosecution, which helps in setting priorities and strategies for the coming year, ensuring that resources are allocated efficiently. Annual Prosecution Report prepared in order to inform the public and other stakeholders about the work of the DPP office, including achievements and ongoing challenges, to build trust and confidence in the justice system. Moreover, it provides data and insights that can inform policy changes or the development of new initiatives to improve the effectiveness of the criminal justice system. Furthermore, to encouraging collaboration between various criminal justice institutions by highlighting areas that requires joint efforts, such as law enforcement, courts, and social services.

Overall, an annual prosecution report is a critical tool for DPP Office for ensuring that a criminal institution operates effectively, transparently, and in alignment with its strategic objectives. It serves as a benchmark for evaluating the performance of the prosecution office against previous years or other similar institutions, fostering continuous improvement. These report helps in justifying the need for additional resources or reallocating existing ones based on the analysis of the workload and challenges faced by the prosecution office.

Generally, the report can be used to advocate for legislative or policy changes by presenting evidence-based recommendations to lawmakers and policymakers. The report can highlight the effectiveness of victim support initiatives, leading to enhanced services for victims of crime, particularly in sensitive cases like sexual offenses.

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*Director of Public Prosecutions*

## **Acknowledgments**

The preparation of this Annual Prosecution Report has been a collaborative effort, and we would like to express our sincere gratitude to all those who contributed to its successful completion.

First and foremost, we would like to extend our heartfelt thanks to the dedicated team within the Office of the Director of Public Prosecutions. Their tireless efforts in compiling data, analyzing cases, and providing insightful contributions have been invaluable.

We also wish to acknowledge the support and cooperation of our development partners, whose ongoing collaboration has greatly enhanced our capacity to fulfill our responsibilities. Their assistance in capacity building, particularly in cases involving the abuse of women and children, has been instrumental in achieving the successes highlighted in this report.

A special note of thanks goes to the members of the special Committee to combat sexual offenses, established in 2022. The collective efforts of the DPP's Office, the Chief Mufti Office, the Ministry of Education, the Department of Social Welfare, and religious leaders have been crucial in addressing sexual offenses at the grassroots level.

Finally, we are grateful to all the stakeholders, including the judiciary, law enforcement agencies, and civil society organizations, who have supported our mission to uphold justice and protect the vulnerable members of our society.

This report is a testament to the commitment and collaboration of everyone involved, and we look forward to continuing our work together to ensure a just and safe society for all.

## **Executive Summary**

The Annual Prosecution Report for 2022/23 presents a comprehensive overview of the activities, achievements, and challenges faced by the Office of the Director of Public Prosecutions (ODPP) over the past year. This report encapsulates our unwavering commitment to upholding justice, particularly in cases that affect the most vulnerable members of our society.

In 2022, the ODPP has made significant strides in advancing the prosecution of criminal cases across Zanzibar. Through strategic partnerships and the dedication of our prosecutorial teams, we have not only improved the efficiency and effectiveness of our operations but have also enhanced our capacity to address complex cases, particularly those involving sexual offenses and the abuse of women and children.

A key highlight of the year was the ongoing implementation of the strategy developed in 2022 to combat sexual offenses. The formation of a special Committee involving various institutions and stakeholders has been pivotal in addressing these offenses at the grassroots level. The Committee's efforts, supported by the DPP's Office, the Chief Mufti Office, the Ministry of Education, the Department of Social Welfare, and religious leaders, have laid a strong foundation for reducing the incidence of sexual offenses in our society.

Our work has also been marked by significant successes in the prosecution of cases involving child victims. The ODPP has worked diligently to ensure that these cases are handled with the utmost care and that justice is served. Humanitarian visits and close collaboration with victims and their families have been integral to securing favorable outcomes in these cases.

In addition to our prosecutorial work, the ODPP has continued to play a central role in capacity building for prosecutors, ensuring that our team is well-equipped to handle the increasing complexity of cases. This has been made possible through the strong relationships we have built with development partners, who have provided invaluable support and resources.

Despite these achievements, we recognize the challenges that remain. The report outlines the areas where further efforts are needed, including enhancing inter-agency cooperation, increasing public awareness of legal rights and processes, and addressing resource constraints that impact our ability to deliver justice effectively.

Looking ahead, the ODPP is committed to building on the successes of the past year while addressing the challenges that lie ahead. We will continue to strengthen our partnerships, and uphold the rule of law to ensure that justice is accessible to all members of our society.

This report serves not only as a reflection of our work over the past year but also as a roadmap for the future. We are confident that with continued dedication and collaboration, we will achieve our mission of delivering justice and safeguarding the rights of the people of Zanzibar.

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## GENERAL ABBREVIATION

DPP	Director of Public Prosecutions
DDPP	Deputy Director of Public Prosecutions
DoA	Department of Administration
HoD	Head of Department
ICT	Information Communications Technology
M & E	Monitoring and Evaluation
MTEF	Medium Term Expenditure Framework
MKUZA	Mkakati wa Kukuza na Kupunguza Umasikini Zanzibar
NGO	Non – Governmental Organization
PTC	Prosecutions Training Centre
SWOT	Strength, Weaknesses, Opportunities and Threats
UNDP	United Nations Development Programme
UNODC	United Nations Office of Drugs and Crimes
ZAECA	Zanzibar Anti - Economic and Corruption Attorney

## **EXECUTIVE SUMMARY**

This Strategic Plan is a guide to the operations of the Office of the Director of Public Prosecutions for the next five years (2022 – 2027). The Plan aims at helping the Office strategically in its operational activities by adapting itself effectively to any changes. It is expected that it will enable the Office to effectively discharge its mandate, efficiently increase its performance, transparently fulfil the expectations of criminal justice stakeholders and suits its programmes and activities to the Government development plans.

The mandate of the Office is to institute and undertake prosecutions of criminal matters and all other aspects incidental thereto. In discharging its prosecutorial powers, the Office has to respect the public interest, the interests of the administration of justice and the need to prevent and avoid abuse of the legal process. In that process, it is imperative for the Office to provide efficient, impartial and effective services independently and fairly.

This Plan is the product of a participatory process involving the staff of the Office of DPP and various criminal justice stakeholders. A broad consultations and research were undertaken to realise the needs, challenges and ways to overcome them. The consultations and research have been beneficial in the development and production of this Plan.

The Plan recognizes that this Office has to function in a situation influenced by external and internal legal and socioeconomic factors, which directly and indirectly, have effects on its mundane operations. To achieve the objectives the Plan, to a large extent, depends on how the Office improves its' internal strengths, exploits the existing opportunities, manages weaknesses, while controlling those factors that pose a threat to accomplish the planned programmes and activities.



## **CHAPTER ONE INTRODUCTION**

### **1. General Overview**

Issuing the Annual Prosecution Report is a legal requirement under Section 17(d) of the Office of the Director of Public Prosecutions Act No. 2 of 2010. This provision allows the Director of Public Prosecutions to make prosecutorial decisions transparent, thereby maintaining public confidence in the exercise of such decisions. Specifically, the Director of Public Prosecutions must issue an Annual Prosecution Report, which details various aspects of prosecution activities for the respective year, including the rationale behind decisions made in cases of public interest.

Therefore, the Annual Prosecution Report of 2022 provides detail of prosecutorial activities, strategic objectives, achievement, and challenges and planned for the future.

### **1.1 Historical Background**

In term of section 56A of Constitution of Zanzibar 1984, all prosecutions are under the control and superintendence of the Director of Public Prosecutions (DPP). This was a result of the 8<sup>th</sup> Constitutional Amendment of the Zanzibar Constitution of 1984. Prior the establishment of this Office, criminal prosecutions was handled by the Attorney General's Chambers at the High Court and Court of Appeal levels, while the Police Force managed prosecutions at the subordinate court level.

The powers of DPP are regulated by several pieces of legislation. They include the Office of the Director of Public Prosecutions Act No. 2 of 2010 and the Criminal Procedure Act No. 7 of 2018. Under sections 9 to 15 of the Act No.2 of 2010, the DPP has powers to appoint Public

Prosecutors, delegate the powers, develop the prosecution policies and guidelines, coordinate investigation and permit private prosecutions. On the other hand, section 101 of the Criminal Procedure Act, No. 7 of 2018 gives DPP powers to enter the *Nolle Prosequi* (decide not to proceed with prosecution).

## **1.2 Mandate**

The mandate of the DPP's Office is to institute and prosecute all criminal matters before any Court except Martial Courts in Zanzibar.

## **1.3 Mission**

A fair, just, and independent Public Prosecution services that support National peace, stability and economic development.

## **1.4 Vision**

To provide on behalf of the People and the Revolutionary Government of Zanzibar prosecution services that is impartial, efficient and effective.

## **1.5 Function of the Director of Public Prosecutions**

The DPP is the sole authority vested with the power and responsibility to exercise control over the prosecution of all criminal matters except the institution of a court- martial. Section 56 A of Zanzibar Constitutions 1984 provide for the functions of DPP as follow:-

### **Functions**

The Office of the DPP has the following functions:

- i. Instituting and prosecuting criminal cases for offences before all courts except Court- Martial
- ii. Taking over any prosecution originally instituted or conducted by any person

- iii. Withdrawing any criminal case filed by any person or authority before any court
- iv. Providing appropriate support and advice to victims of crime and witnesses of criminal cases in collaboration with other government agencies
- v. Providing legal advice to the investigation authorities
- vi. Promoting, sponsoring and encouraging studies, public dialogue and other activities for the purpose of improving administration of criminal justice in general and prosecution services in particular
- vii. Conducting training on any aspect of public law and criminal justice in particular
- viii. Providing technical advice to the Government of Zanzibar on policy and law relating to administration of criminal justice
- ix. Doing all things that are necessary to be done for the purpose of performing DPP's functions including coordination of criminal investigations and
- x. Conducting any other activity incidental or related to its main function.

## **1.6 Core values**

- **Impartiality**

The prosecution is not a vengeful mission; it is rather a mission to present the truth before the court of law as known by the witnesses

- **Independence**

The 1984 Zanzibar Constitution guarantees the independence of the prosecution authority. It is the duty of the prosecutors to uphold the independence by being honest

- **Fairness**

The prosecution should never be turned into persecution. It should never be used to achieve any other end except the end of justice.

- **Effectiveness**

Being timely, cooperative, and pursuing each prosecution with necessary zeal to meet the end of justice.

- **Efficiency**

Use of resources be prudent and for the intended purpose

- **Integrity**

The personal character of officers working in the DPP's Office during and after office hours should reflect the judicious nature of the prosecution office.

## **1.7 Clarion Call**

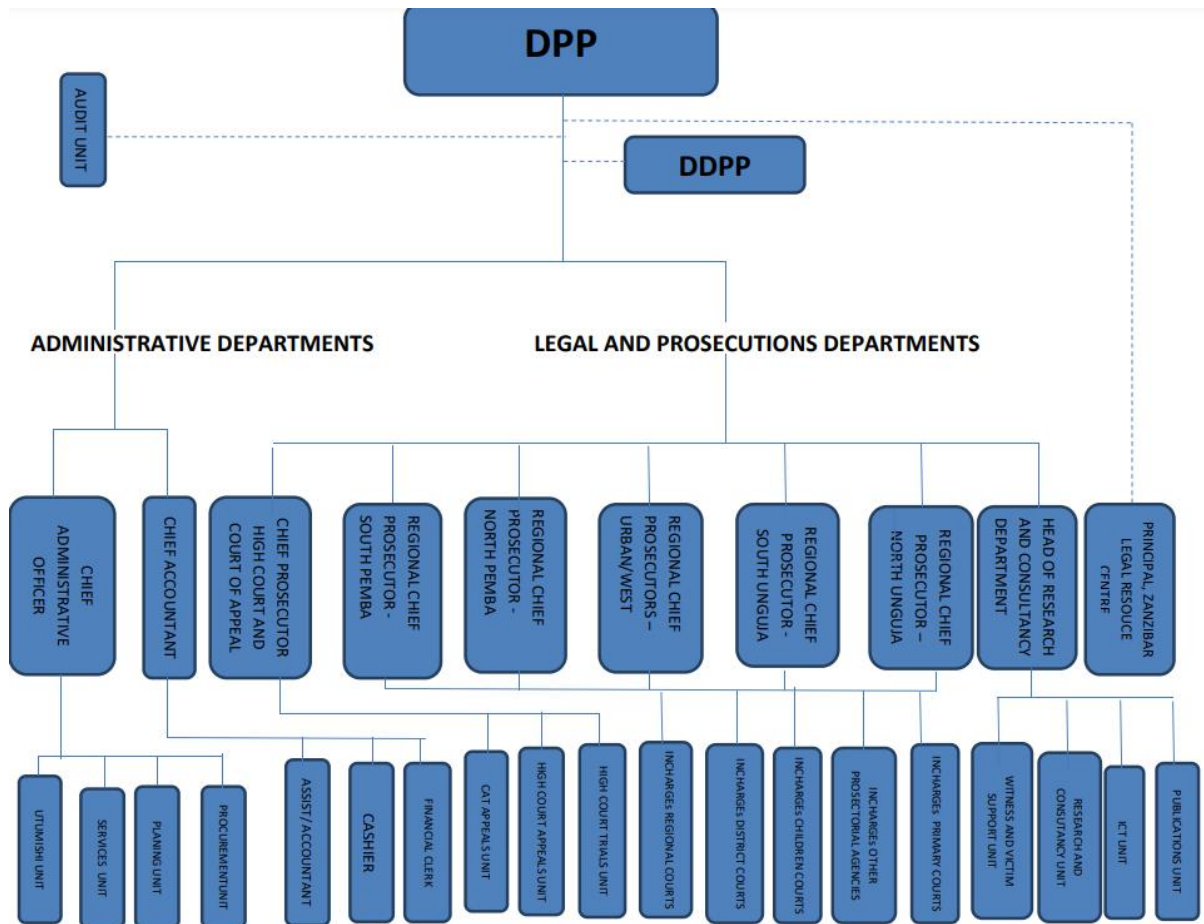
**“Hakuna Hatia Bila ya Ushahidi, Usidharau, Usikatae kutoa Ushahidi”**

## **1.8 Organizational Structure**

Currently, the office is headed by the Director of Prosecutions assisted by the Deputy Director of Prosecutions and has a total of eight (8) Departments and fourteen (14) divisions. In addition, the Office has a Law Training and Research Center (Zanzibar Law Resource Centre) established under section 22(2)(d) of the Office of the Director of Public Prosecutions Law No. 2 of 2010 which is independent. The current structure of its division is as follows:-

1. Department of Prosecution, Western Region;
2. Department of Prosecution South Unguja Region;
3. Department of Prosecution North Unguja Region;
4. Department of Prosecution South Pemba Region;
5. Department of Prosecution North Pemba Region;
6. Department of Research and Consultancies
7. Department of Prosecution, High Court and Court of Appeal Tanzania;
8. Department of Administration
  - i. Accounting Division
  - ii. Internal Audit Unit
  - iii. Procurement Division
  - iv. Information and Communication Technology Division

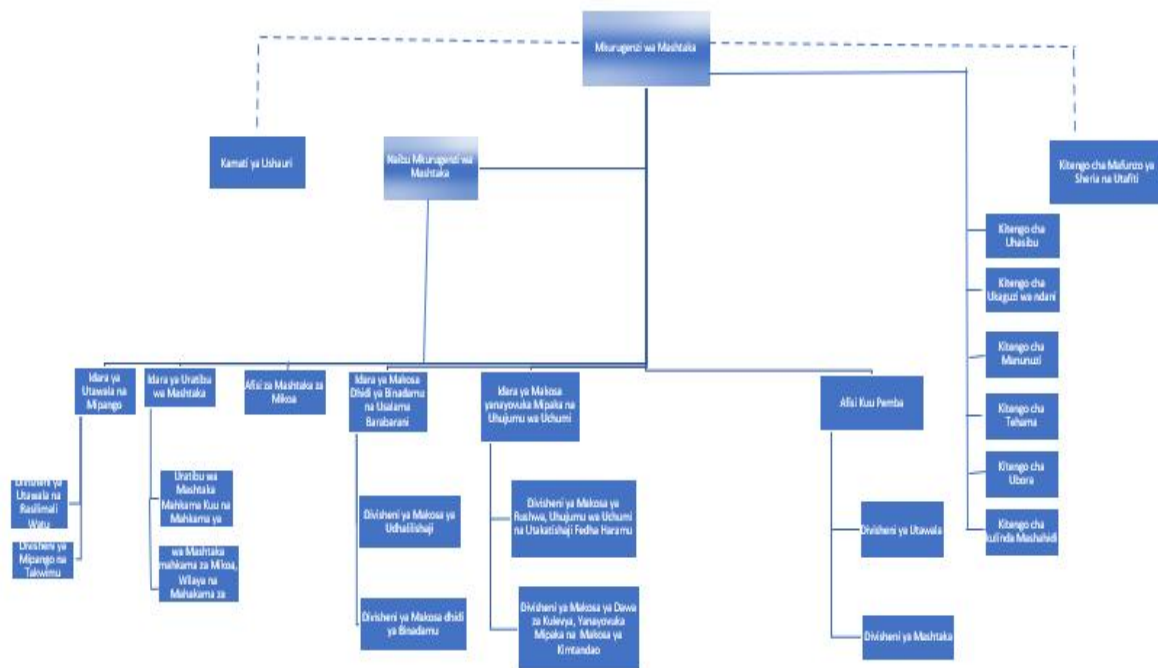
### CURRENT ORGANIZATION STRUCTURE



One of the remarkable activities that the Office carried out in 2022 is the formulation of the new structure of the Office. The idea behind thinking the new structure is to modernize prosecutions by shifting from traditional to modern approach of prosecutorial works. Under the traditional prosecution approach, the prosecutor was supposed to prosecute all kinds of criminal cases investigated by different investigation agencies. In the modern approach, there is specialization of prosecution. The prosecutor is required to deal with specialized cases of the department under which he is falling. This new approach is intended to increase efficiency and accountability of the Office.

### PROPOSED ORGANIZATIONAL STRUCTURE OF THE DPP’S OFFICE

The Office now has a following organization structure as presented in its original Swahili version:



In the above proposed new structure, there are:

- (a) Department of Public Service and Planning;
- (b) Department of Prosecution Coordination;
- (c) Department of Conventional and Related Crimes;
- (d) Department of Trans-national and Economic Crimes; and
- (e) Department for Coordination of Pemba Head Office.

Each department is further divided into divisions to facilitate exercise of departmental functions. Apart from departments and divisions, there are regional prosecution offices that are dealing with prosecution works at regional and district levels. Until the end of the year 2022, the new organization structure of the Office is in the process of decision making at governmental level.



The Director of Public Prosecutions, with the Heads of Departments, Regions, Units, Divisions and other staffs, on September 29, 2022, at the DPP Office, Miembeni, after being appointed.

## **1.9 DPP INSTRUMENTAL TOOLS**

In discharge its duties the office of Director of Public Prosecutions is governed by the difference instrumental tools among them are:-

- The Zanzibar Constitution 1984
- Office of Director of Public Prosecutions Act, No. 2 of 2010
- Criminal Procedure Act No.7 2018
- Penal Act No. 6 2018
- Prosecution Manual 2015
- Prosecution Manual on dealing with Children Cases 2015
- Code of Conduct and Ethics for Prosecutors 2011
- Standard Operational Procedure 2011
- The Prosecutors (Disciplinary Committee Rules,2011
- The Office of the Director of Public Prosecutions Strategic Plan 2022

#### **1.10 The Consultative Committee**

The Consultative Committee has been established under Section 23(1) of the Office of Director of Public Prosecutions Act, Act No. 2 of 2010 and for the time being, a Committee constitutes the following members:

- a) Chairman who has been appointed by the Minister
- b) Judge of High Court recommendation by the Chief Justice appointed by the Minister;
- c) Director of Public Prosecutions
- d) Commissioner of Offenders Educational Centre
- e) Deputy Director of Criminal Investigation

- f) Registrar of High Court
- g) Chief government chemist
- h) Chief Medical Officer
- i) Representative of the Zanzibar Law Society
- j) Three other members appointed under by the Minister to represent organizations or institutions having interest in the prosecution service or criminal justice general, currently presented by
  - The Director General of the Anti – Corruption and Economic Crimes Authority
  - The Commissioner General of Drugs Control and Enforcement Authority

### **Functions of the Committee**

According to section 23 (8) of the Act, the Committee shall have the following functions:

1. To review the administration of Criminal Justice in general and conduct of prosecution in particular;
2. To develop and oversee standards of performance to be met by each institution involved in the administration of Criminal Justice;
3. To deliberate on problems facing the administration of Criminal Justice and advise the government through the Minister, on interventions required to remove or minimize those problems;
4. To issue directives, not inconsistent with constitutional independence of the judiciary and other institutions on measures to be taken to minimize delays and backlog of cases;
5. To do any other thing incidental to the above functions

## **CHAPTER TWO**

### **ZANZIBAR LAW RESOURCE CENTRE**

#### **2.1 Introduction**

Zanzibar Law Resource Centre (ZLRC) is an independent entity under the Office of Director of Public Prosecutions. The Centre is established under regulation 3 (1) of the Regulations for establishment of Zanzibar Law Resource Centre of 2020. The functions of ZLRC as per regulation 5 (1) of the Regulations include:

- a) To provide legal education to the public;
- b) To run long term legal training according to national standards and conduct examinations accordingly;
- c) Capacity building to public prosecutors and other criminal justice stakeholders;
- d) Conducting or participating in legal researches or projects; and
- e) To provide training for having competent prosecutors featured by high Prosecutorial skills.

Zanzibar Law Resource Centre (ZLRC) has an Administrative Council establish under the section 7(1) and consists of the following members;

- a) The Director of Public Prosecutions- Chairperson;
- b) The Deputy Director of Public Prosecutions- Vice Chairperson;
- c) The Principal – member;
- d) A representative from prosecution service- member;
- e) A representative from the Bar
- f) A representative from Bench
- g) A representative from higher learning institutions available in Zanzibar member;

- h) A representative from civil service; member and
- i) A president of the ZLRC Students Organization- member

Administrative Council of Center has general control and management of the center.

## **2.2 Students Admitted for Long Term Courses in 2022**

For the year 2022, a total of 155 students were admitted for long term courses which are certificate and diploma in laws in the two intakes, March and October. For March intake, 27 students were admitted for certificate level while 36 were admitted for diploma. The October intake admitted 49 students for certificate level and 43 students for diploma.

## **2.3 Examination Sessions Organized in 2022**

ZLRC organized two examination sessions in the year 2022. The first session took place in January 2022 while the second in July. In the January session, 84 certificate students did examinations where by 71 students passed in the first sitting while 13 repeated examinations following supplementary and they succeeded to clear. Also 95 diploma students did examinations in such session where 94 students passed in the first sitting and 1 student repeated examination in one subject following supplementary but she succeeded to clear it.

In the July session, 41 certificate students did examinations where 37 passed in the first sitting while 4 students repeated examination and cleared following supplementary. Furthermore, 113 diploma students did examinations where 112 students passed in the first sitting while one student repeated examination and cleared following supplementary in one subject.

## **2.4 Students Graduated in 2022**

For the year 2022, a total of 113 students graduated whereby 81 graduated at the level of certificate and 32 at diploma level. They were awarded their respective National Technical Awards on 8<sup>th</sup> October, 2022 during the sixth graduation ceremonies.

## **2.5 Short Course Programs**

The Centre conducted three short course programs in the year 2022. They are:

- (a) Delegated Prosecution which involved seventeen participants;
- (b) Legislative Drafting that involved eight participants; and
- (c) Procurement Laws in which nine participants participated.

The participants for Legislative Drafting and Procurement Laws were from both private and public institutions. The fee for each participant was 1,000,000 Tanzania Shillings for Delegated Legislation and Legislative Drafting and 800,000 for Procurement Laws.

## **2.6 Capacity Building for Public Prosecutors and other Staff**

ZLRC organized two training programs in 2022 for capacity building to the staff of the Office of Director of Public Prosecutions. They are:

- (a) Training on Narcotic Drugs Laws where all State Attorneys of the Office working in Unguja participated.
- (b) Training on Computer Uses and Application. Five members from administration side participated in the program.



ZLRC organized two-day training on proper investigation and prosecution techniques for Economic Crime and Drug-related Offenses for prosecutors and investigators from ZAECA and ZDCEA

## **2.7 ZLRC Successes in 2022**

The following were notable successes in 2022:

- (a) Increase of admitted students for long term courses something that indicates public confidence to the Centre.
- (b) Conducting short term courses of higher demands to the general public.
- (c) Facilitating collective understanding of narcotic drugs laws to public prosecutors for promoting prosecutorial services in such area.
- (d) Doing legal research on the effect of punishment to children offenders currently provided for under Zanzibar laws in order to advise the Government on such aspect.

## **2.8 ZLRC Challenges in 2022**

The Centre faced several challenges in 2022 including the following:

- (a) Shortage of spaces for accommodating students of long term courses;
- (b) Low turnout in the short term programs; and
- (c) Incomplete payments to both long and short term Centre clients.

## **2.9 ZLRC Prospects**

The Centre has the following prospects for the 2023 and the coming future at large:

- (a) To finalize the process of building Centre premises to solve the problem of shortage of space for accommodating students;
- (b) Putting in place payment policies to long term students as well as participants of short term programs; and
- (c) Publishing Center short term programs widely to encourage participation from members of the public.

## **CHAPTER THREE STRATEGIC OBJECTIVES**

### **3.1 Introduction**

The major reform that the DPP office will be transformed is the enhancing of specialization in the prosecution matters. This specialized will require the Prosecutors to engaged in the specific Criminal Cases. According to the strategic Plan of the DPP office among the priority aspect is to develop professionalism to the Prosecutors in terms of Specialization.

### **3.2 To Establish and Enhance Specialized Prosecutions**

The Office of the Director of Public Prosecutions (DPP) has implemented various measures to enhance the effectiveness of specialized prosecutions. To ensure efficiency and focus, the prosecution functions have been divided into specialized departments. These departments include:

1. **Corruption and Transnational Organized Crimes Department:** This department handles cases related to corruption, anti-money laundering, cybercrime, and drug abuse.
2. **Conventional Crimes Department:** This department is responsible for prosecuting offenses against persons, property crimes, sexual offenses, and traffic violations.

### **3.3 To improve the capacity of DPP Office to discharge its Constitutional Mandate**

In 2022, the Office implemented a comprehensive staff training plan, encompassing both long-term and short-term courses. Presently, two prosecutors are pursuing their LLM degrees at Zanzibar University, while approximately 2,000 staff members have successfully completed short courses in administration and law.

In addition to these educational advancements, the Office has significantly upgraded its infrastructure. Modern tools such as computers, photocopiers, printers, Sophos security systems,

and CCTV cameras have been acquired to enhance service delivery. Furthermore, staff remuneration has been improved, with lower-income employees now receiving a salary of 600,000.

### **3.4 To formulate Policies, Guidelines and Review Legal Framework for Public**

#### **Prosecutors**

##### **3.4.1 Policy on Victim Support and Witness Protection**

The Office of the Director of Public Prosecutions developed the Victims and Witnesses Policy to ensure that the rights and needs of victims and witnesses are respected and protected throughout the legal process. By providing clear guidelines on their treatment, the policy fosters trust in the justice system, encourages cooperation, and ensures that testimonies are given in a safe and supportive environment. This approach contributes to more accurate and reliable evidence, which is crucial for fair and just outcomes in legal proceedings. Ultimately, the policy upholds the integrity of the justice system, ensuring that justice is not only done but also seen to be done. Moreover, the Victims and Witnesses Policy is a vital tool designed to enhance the participation of victims and witnesses in criminal justice processes. By promoting their active involvement, the policy advances their roles and responsibilities, thereby expediting judicial proceedings. It also creates opportunities for stakeholders within the criminal justice system to engage more effectively in addressing and managing emerging challenges.

##### **3.4.2 Guideline on Victim Support and Witness Protection**

Pursuant to Section 5(1) and (2) of the Office of the Director of Public Prosecutions Act No. 2/2010, the Director of Public Prosecutions established the Human Rights, Victim, and Witness Support Unit, which is responsible for supervising matters related to human rights, and the protection of victims and witnesses. To effectively carry out its mandate, the Office developed guidelines to ensure the smooth and efficient delivery of services to victims and witnesses of

crime. These guidelines are designed to outline the rights and duties of victims and witnesses, as well as the responsibilities of criminal justice system stakeholders and other service providers who interact directly with them. The purpose of these guidelines is to protect the rights of victims and witnesses. Additionally, the guidelines assist the Human Rights, Victim, and Witness Support Unit in safeguarding and supporting victims of crime by providing counseling, offering relevant information about their cases, notifying witnesses when they are required to appear in court, and ensuring the safety of victims.

### **3.4.3 Plea Bargaining Guidelines for Prosecutors**

The Office developed Plea Bargaining Guidelines to address the challenges associated with the plea bargaining process. These Guidelines will operate internally, covering aspects such as the individuals authorized to represent the Director of Public Prosecutions (DPP) in plea bargaining, the types of cases eligible for plea bargaining, the stages at which plea bargaining may occur, and the various options available within the plea bargaining framework. The implementation of these Guidelines is expected to expedite the resolution of criminal cases by reducing the need for lengthy trials.

## **3.5 To stream line the process and procedure of DPP Office**

### **3.5.1 Case Management System**

The Office of the Director of Public Prosecutions developed an electronic case management system designed to handle criminal cases, investigations, complaints, and claims from victims, witnesses, and the public. This modern system centralizes case requests into a database, allowing responsible personnel to view and respond efficiently. The introduction of the case management system aims to streamline operations, enhance collaboration and communication, improve data management, increase efficiency, and ultimately, improve client outcomes.

### **3.5.2 Case File Management and disposal system**

The Office of the Director of Public Prosecutions has introduced the E-File system to automate case workflows and processes, manage a substantial amount of victim and witness information, and enhance case resolution, thereby improving community satisfaction. The E-File system is now operational across all branches of the Office, ensuring that every prosecutor receives and manages case files through the system according to their instructions. Training was provided to prosecutors and staff to familiarize them with the system and support their duties. The Office continues to refine the system to integrate seamlessly with other criminal justice institutions, including the Police, the courts, ZAECA, and ZDCEA, to ensure accurate and consistent data across these entities and facilitate greater access to justice.

### **3.5.3 Advanced records Management**

The Revolutionary Government of Zanzibar has established an E-Office System to enhance the efficiency of government document management. Under this system, all documents submitted to the office must be entered into the system before processing. As a government institution, the Office of the Director of Public Prosecutions has begun implementing this system and has provided training to its staff on its use. To further improve operations, the Office has equipped its staff with essential tools, including computers, scanners, and printers, ensuring they can effectively work with the system.

### **3.6 To Toughen the Office Partnership with Criminal Justice Stakeholders**

Internally, the Office of the Director of Public Prosecutions is working closely with all law enforcement agencies through strong cooperation and relationships. Key partners in this collaboration include the Judiciary, Police, Zanzibar Anti-Corruption and Economic Crimes Authority, Zanzibar Drug Control and Enforcement Authority, Chief Chemist, College of Offenders, Immigration Authorities, and various.

### **3.6.1 Partnership with Judiciary**

The DPP's office is responsible for prosecuting criminal cases on behalf of the state. This involves presenting evidence, arguing cases, and ensuring that legal proceedings are conducted fairly. Essentially, the DPP initiates and manages criminal prosecutions, while the Judiciary conducts trials and delivers verdicts. Within a Legal Framework, the Judiciary interprets and applies the law during trials, while the DPP's office ensures that prosecutions are carried out according to legal standards and principles. This collaboration ensures that cases are handled within the bounds of the law and that justice is served. There are daily interactions between DPP office and Judiciary, Prosecutors from the DPP's office regularly appear in court to present cases, cross-examine witnesses, and make legal arguments. Judges in the Judiciary oversee these proceedings, make rulings on legal matters, and ultimately decide the outcome of cases based on the evidence and arguments presented. Finally, the Judiciary and the DPP's office work together to uphold the principles of justice, while the DPP's office is tasked with representing the public interest and seeking appropriate legal outcomes, the Judiciary ensures that trials are conducted fairly, impartially, and in accordance with the law.

### **3.6.2 The DPP Office in Partnership with ZAECA**

The partnership between the Office of the Director of Public Prosecutions (DPP) and the Zanzibar Anti-Corruption and Economic Crimes Authority (ZAECA) focuses on addressing and prosecuting corruption and economic crimes. ZAECA investigates and refers cases involving corruption and economic offenses to the DPP. The DPP then handles the prosecution of these cases through specialized units dedicated to economic crimes and corruption. Both agencies collaborate through joint meetings and discussions to ensure thorough case review and the

presentation of robust evidence in court, aiming for effective legal outcomes and the enhancement of justice.

### **3.6.3 The DPP Office in Partnership with ZDCEA**

The Zanzibar Drug Control and Combating Authority, in partnership with the Office of the Director of Public Prosecutions (DPP), play a crucial role in preventing and combating illegal drug use in Zanzibar. The Authority works closely with other criminal justice institutions, including the police, to tackle drug trafficking and abuse. The DPP prosecutes drug-related cases in regional courts, the High Court, and the Courts of Appeal. Additionally, ongoing training sessions involving the Zanzibar Drug Control and Combating Authority, the Zanzibar Anti-Corruption and Economic Crimes Authority (ZAECA), the police, and the DPP aim to enhance both prosecution and investigation capabilities, thereby strengthening the criminal justice system in Zanzibar.

### **3.6.4 The DPP Office in Partnership with Police Force**

The police are responsible for investigating criminal activities, gathering evidence, and making arrests. Once an investigation is completed, the police submit their findings and evidence to the DPP. The DPP then reviews this information to decide whether to prosecute the case and represents the state in court. The DPP relies on the police to provide thorough and accurate investigations. This includes collecting evidence, interviewing witnesses, and preparing case files. Effective collaboration ensures that the DPP has all the necessary information to build a strong case for prosecution. The DPP and police work closely together to coordinate their efforts in high-profile or complex cases. Both the DPP and police engage in joint training sessions to enhance their skills and knowledge. These training sessions aim to improve investigative techniques, legal understanding, and overall efficiency in handling cases. The DPP provides

feedback to the police on the quality of investigations and evidence submitted. This feedback helps the police improve their practices and ensures that future cases are handled more effectively.



**Meeting between DPP Management and Criminal Justice Stakeholders at Pemba Island.**

### **3.6.5 The DPP Office in Partnership with Offender's Education Centre**

Prisons are responsible for the custody and security of individuals who have been convicted and sentenced by the courts. The DPP's role in this partnership is to ensure that the legal process is followed correctly and that sentences are properly enforced. The DPP may work with prison authorities to manage cases where there are issues related to sentencing, such as requests for sentence adjustments or appeals. The prison system provides information on the implementation of sentences and the status of inmates, which can be crucial for the DPP in handling cases and responding to legal challenges. There are regular communications between the DPP and prison authorities to ensure that legal orders are carried out, including the transfer of inmates or compliance with court decisions. This coordination helps to address any legal issues that may

arise during the incarceration period. The partnership between the DPP and the prison system involves collaboration to ensure that legal sentences are enforced, cases are managed effectively, and rehabilitation efforts are supported.



DPP Management visited the Tungamaa and Kangagani Offender's Education Centre in Pemba, 03, April 2022

### **3.6.6 The DPP Office in Partnership with Immigration Force**

The DPP has the authority to delegate prosecution responsibilities to other institutions. The Immigration Military Force has been granted the power by the DPP to represent and prosecute all cases related to immigration in court on behalf of the DPP. The DPP Office and Immigration Force partnership has allows for collaborative investigations into immigration-related crimes, such as human trafficking, smuggling of migrants, illegal entry, document fraud, and other transnational offenses. The DPP provides legal advice and guidance to the Immigration Force which helps in build strong cases that can withstand scrutiny in court. Despite that, the DPP office often collaborates with the Immigration Force in training programs focused on legal procedures, evidence handling, and prosecutorial standards. This enhances the skills of immigration officers and improves their understanding of legal requirements during the

investigation and prosecution process. This partnership between the DPP and Immigration Force is vital in promoting effective legal action against immigration offenses, supporting victims, and maintaining the integrity of national borders and the justice system.

### **3.6.7 The DPP Office in Partnership with Ministry of Health**

The partnership between the Office of the Director of Public Prosecutions (DPP) and Mnazi Mmoja Hospital is a collaborative effort aimed at improving the handling and prosecution of criminal cases. This partnership is crucial because the DPP relies on the hospital for essential medical and forensic evidence, which is often critical in building strong legal cases against perpetrators. Hospital conducts medical examinations of victims, providing detailed medical reports and collecting forensic evidence, such as DNA samples. These examinations are crucial for substantiating claims in court. Doctors from Hospital frequently serve as expert witnesses in court, providing professional testimony based on their medical evaluations. Their expertise helps to validate the evidence presented by the prosecution, strengthening the case against offenders. Furthermore, ongoing meetings between the DPP and the doctors ensure effective coordination, sharing of information, and continuous improvement of processes. This collaborative approach helps to address challenges quickly and ensures a united front in the fight against crime in Zanzibar.

### **3.6.8 The relationship between DPP Office with Chief Government Chemist**

The Chief Government Chemist is responsible for conducting forensic tests and analyses of evidence collected during criminal investigations. This can include drug testing, DNA analysis, toxicology reports, and other scientific examinations. The DPP relies on these forensic results to build a strong case for prosecution. Accurate and timely forensic analysis is essential for establishing facts, proving charges, and securing convictions. The DPP works closely with the

Chief Government Chemist to ensure that evidence is properly collected, handled, and analyzed. This collaboration ensures that the forensic evidence presented in court is reliable and admissible. The Chief Government Chemist may be called upon to testify in court as an expert witness. Their role is to explain the forensic evidence and its implications to the court, helping judges and juries understand complex scientific information. Both the DPP and the Chief Government Chemist work together to ensure that forensic practices meet high standards of quality and accuracy. This includes adhering to proper procedures for evidence handling and maintaining the integrity of forensic analysis.

### **Case Flow Management Meetings**

Case Flow Management Meeting is a gathering that involves stakeholders in the criminal justice system, including the Court, the Director of Public Prosecutions (DPP), the Chief Government Chemist, the Police, ZCDEA, and ZAECA. This meeting occurs every three months with the purpose of discussing the entire operational system of handling cases. The Court organizes these meetings, and the Office of the Director of Public Prosecutions participates as they are the overall overseer of the criminal justice system in Zanzibar. These meetings are highly productive as they facilitate discussions on various matters related to criminal justice and the case management system, as well as addressing challenges faced by institutions involved in criminal justice administration and finding solutions to those challenges. Various resolutions are reached, and every stakeholder in the meeting is required to implement these resolutions and report on their progress in the subsequent meeting.

### **3.6.9 The DPP Office in Partnership with NGOs**

The Office of the Director of Public Prosecutions collaborates with government institutions, private entities, and non-governmental organizations to strengthen the criminal justice system

and ensure that citizens receive their rights. Non-governmental organizations, such as the Zanzibar Law Society, the Women Lawyers Association, and TAMWA, play a crucial role in educating citizens about their legal rights and supporting the justice system. These organizations have significantly contributed to enhancing the criminal justice framework in Zanzibar and have served as valuable partners for law enforcement agencies, including the Office of the Director of Public Prosecutions. Their presence helps identify challenges within the criminal justice system, which are then addressed by the relevant authorities to improve justice delivery.

### **3.6.10 The DPP Office in Partnership with Development Partners**

Development partners are instrumental to the operations of the Office of the Director of Public Prosecutions, offering support in numerous ways, including staff education and training, provision of essential office equipment like computers, printers, and photocopiers, assistance with transportation needs, and facilitation of office activities such as community awareness programs. The Office collaborates with key partners, including UNDP, UN Women, and FCDO, among others. Their contributions are vital to the successful implementation of the Office's programs and initiatives, enhancing its capacity to serve the public effectively.

## **3.7 Office Current Projects**

### **1. Serious Organize Crimes (SOC) Project**

The Office of the Director of Public Prosecutions (DPP) Zanzibar, with support from the UK Government and the EU Delegation in Tanzania, is enhancing the Revolutionary Government of Zanzibar's ability to address complex international crimes occurring on the islands. The project includes several key initiatives:

- **Establishment of the Transnational Organized Crime Task Force (TOC-TF):** A specialized law enforcement unit responsible for collecting, analyzing, and disseminating intelligence, and investigating serious and organized crimes.
- **Office Refurbishment:** Renovating the TOC-TF office in Kidimni and relocating TOC-TF members from the DPP office to the new premises.
- **Training:** Providing specialized training for TOC-TF personnel.
- **Facility Upgrades:** Equipping the TOC-TF office with necessary ICT equipment and furniture to support its operations.

These initiatives are designed to strengthen the capacity of Zanzibar’s law enforcement to combat transnational organized crime effectively.



The Minister (PO) Constitution, Law, Public Service, and Good Governance, Hon. Mwalim Haroun Ali Suleiman, handing over operational documents of the Transnational Organized Crime Task Force on 07/07/2022."

## **1. Economic Crime Investigations Centre (URT ECIC) Project**

The Economic Crime Investigations Centre project focuses on combating illicit financial flows (IFFs) and supports the Building Sustainable Anti-Corruption Action in Tanzania initiative. The project is designed to bolster the Revolutionary Government of Zanzibar's ability to address international aspects of organized crime, including money laundering, terrorist financing, and complex transnational criminal activities operating within and from the islands.

Under the supervision of the Office of the Director of Public Prosecutions (DPP) Zanzibar, the project has achieved several key milestones:

- **Establishment:** Set up the Economic Crime Investigations Centre in Zanzibar.
- **Personnel Selection:** Appointed members from law enforcement agencies to the Centre.
- **Training:** Provided specialized training to enhance the skills of these members.
- **Guidelines Development:** Created internal guidelines for effective intelligence management.
- **Investigations and Prosecutions:** Conducted financial investigations into serious organized crimes, money laundering, and terrorist financing, and prosecuted related cases.
- **Asset Management:** Initiated applications for the restraint and confiscation of illicit assets.

These activities are aimed at improving the Centre's operational effectiveness and advancing the fight against economic and financial crimes.

## **2. Legal Empowerment and Access to Justice Program (LEAP)**

The Promoting Legal Empowerment and Access to Justice Program (LEAP) is dedicated to enhancing access to justice, upholding the rule of law, and applying human rights by strengthening Zanzibar's justice institutions. The program aims to improve the effectiveness and accountability of justice services and to empower the public by increasing service provision, public knowledge sharing, and engagement. LEAP's primary goal is to enhance access to and the effectiveness of justice services in Zanzibar by bolstering the capacity of the justice sector and strengthening its legal framework. Under the support of the United Nations Development Program (UNDP), the Office of the Director of Public Prosecutions (DPP) has implemented several key activities through LEAP. These include:

- **Training:** Building the capacity, knowledge, and practical skills of prosecutors in Unguja and Pemba to handle criminal cases effectively.
- **Specialized Training:** Providing training for prosecutors and investigators on handling Sexual and Gender-Based Violence (SGBV) cases.
- **Policy Development:** Developing policies and guidelines for victim and witness protection.
- **Community Outreach:** Supporting programs to increase public awareness enhance the ability to report crimes, and collaborate with the DPP in providing evidence for SGBV cases.
- **Infrastructure Support:** Equipping the DPP Office and its victims and witnesses' protection unit with facilities and equipment to expedite and manage prosecutions more effectively.

These efforts are designed to improve the overall effectiveness of the justice system in Zanzibar and to better serve the needs of its citizens.



Training for Prosecutors on Issues of Sexual Abuse at the Madinatul-Bahar Hotel Hall. 29/3/2022



SSA Huda from the Office of the Director of Public Prosecutions presenting reports on Sexual Cases 29/3/2022

### 3. UN-Women Project

The Office of the Director of Public Prosecutions (DPP) Zanzibar, with support from UN Women, is implementing the National Plan of Action to End Violence against Women and Children 2017-2022 in Zanzibar. This initiative focuses on enhancing the capacity of the DPP's National Protection Unit to expedite and effectively manage prosecutions involving women and child survivors of violence.

Key activities under this plan include:

- **Facility and Equipment Provision:** Supplying the Witness and Victims Protection Unit with necessary facilities and equipment.
- **Capacity Building:** Enhancing the skills and knowledge of staff within the Witness and Victims Protection Unit on issues related to Sexual and Gender-Based Violence (SGBV).
- **Community Outreach:** Conducting programs to increase public awareness and reporting capabilities, and fostering collaboration with the DPP to provide evidence in SGBV cases involving women and children.

These efforts aim to improve the effectiveness of prosecutions and support survivors through better resources and community engagement.

## **CHAPTER FOUR**

### **FILES HANDLING AND PROSECUTIONS SERVICES DELIVERY**

#### **4.1 Introduction**

This part presents key aspects of prosecutorial works. It covers investigation files that informed prosecutorial decisions, overview of criminal cases prosecuted in various courts throughout the year and Information on public complaints received and addressed by the Office.

#### 4.2 Files Handling

As the initial phase of prosecutorial work, the Office reviews investigation files submitted by investigative agencies to make prosecutorial decisions. In 2022, the Office received a total of 4,363 files from three agencies: the Police Force, the Zanzibar Anti-Corruption and Economic Crimes Authority, and the Zanzibar Drugs Control and Enforcement Authority. The analysis of these files is detailed in the table below:

<b>MONTH</b>	<b>POLICE</b>	<b>ZAECA</b>	<b>ZDCEA</b>	<b>TOTAL</b>
January	258	4	5	267
February	359	5	4	368
March	333	6	26	365
April	335	4	15	354
May	333	7	42	382
June	389	6	18	413
July	307	5	37	349
August	369	15	29	413

September	264	10	15	289
October	337	12	38	387
November	282	11	47	340
December	287	10	39	336
<b>TOTAL</b>	<b>3,953</b>	<b>95</b>	<b>315</b>	<b>4,363</b>

Analyzing the statistics, it is observed that the Police Force submitted the largest number of files, followed by the Zanzibar Drugs Control and Enforcement Authority (ZDCEA), with the Zanzibar Anti-Corruption and Economic Crimes Authority (ZAECA) submitting the fewest. Of the total 4,363 files received. The Police Force submitted 3,953 files, which accounts for 91% of the total. The ZDCEA submitted 95 files related to narcotic drugs, representing 7.21% and ZAECA contributed files on corruption and economic crimes, constituting 2.17% of the total.

#### 4.3 Prosecutorial Decisions

As outlined in the aforementioned legislation, a prosecutorial decision involves determining whether a case should be brought before the court, whether further investigation is required, or whether the file should be closed if the evidence is insufficient to establish the case. The prosecutorial decisions made for the year were as follows:

- (i) 3,669 files were decided to be instituted before the courts;
- (ii) 469 files were directed to be further investigated; and
- (iii) 225 files decided to be closed.

The data indicates that 84% of the files were filed with the court, 12% were directed for further investigation, and 6% were closed. This suggests that the investigation process is generally effective, as the majority of files meet the evidential requirements at the time of prosecutorial decisions.

#### **4.4 Institution of Criminal Proceedings**

The Office initiated criminal proceedings before the High Court of Zanzibar in both Unguja and Pemba registries. Additionally, it filed and managed criminal cases in regional and district courts across Zanzibar. The number of cases varied by court, depending on the crime rates for specific offenses and the geographical area.

##### **4.4.1 Cases Instituted before High Court of Zanzibar**

The Office initiated 151 cases before the High Court, with 131 cases in Unguja and 20 in Pemba Island. These cases included offenses such as murder, manslaughter, kidnapping, corruption and economic crimes, as well as narcotic drug-related offenses. In 2022, narcotic drug cases constituted the majority, representing approximately 69% of all cases filed before the High Court for adjudication.

##### **4.4.2 Cases Instituted before Regional Courts**

At regional level, the Office instituted 1,191 cases. These cases were filed in the following courts: Urban West Region Courts in Vuga, North Region Courts in Mahonda and South Region Courts in Mwera for Unguja Island. On the side of Pemba Island, it is the South Region Court in Chake Chake and North Region Court in Wete.

##### **4.4.3 Cases Instituted before District Courts**

The Office instituted 688 cases at district courts level. The district courts before which cases were instituted are those of Urban, West A, West B, North A, North B, South and Central Districts for Unguja Island. On the other hand, Mkoani, Chake Chake, Wete and Micheweni districts in Pemba Island.

#### **4.4.4 Cases Completely Prosecuted**

In the respective year, the Office completed the prosecution of 921 cases, which means these cases were pursued through to judgment. Of these, 523 cases resulted in convictions, while 398 ended in acquittals. Although the number of acquittals is lower compared to convictions, the overall success rate is favorable, though it indicates a need for continued effort and improvement.

#### **4.4.5 Prosecution of Appeals.**

The Office prosecuted criminal appeals before the Court of Appeal of Tanzania, the High Court of Zanzibar, and regional courts. A total of 75 appeals were handled during the year, with five before the Court of Appeal, 62 before the High Court, and eight before regional courts. Of these appeals, the Office secured victories in 40 cases and lost 35. A key takeaway from these appeals is the identification of gaps in both adjudication and prosecution at the trial court level, highlighting the need for corrective actions to address these issues.

#### **4.4.6 Handling of Complaints**

In the year 2022, the Office received a total of 102 complaints across Unguja and Pemba. Of these, 29 complaints were received by the Pemba Office, while the remaining 73 were received

by the Unguja Office. The complaints primarily concerned prosecutorial decisions, the status of investigations, dissatisfaction with judicial decisions in specific cases, and issues with case development during the trial process. All 102 complaints were fully addressed and resolved.

#### **4.5 High Profile Cases**

In 2022, the Office of the Director of Public Prosecutions handled several high-profile cases that garnered public attention:

1. **Zanzibar Revenue Board (ZRB) Case:** This economic crime case involves five former employees of the ZRB (now Zanzibar Revenue Authority, ZRA). The case stems from unlawful interference with the payment system, resulting in revenue losses for the government. The case is currently in progress before the High Court of Zanzibar.
2. **Khator's Case:** This murder case involves the accused, Khator, who is alleged to have murdered his wife. The case drew public attention when, after a six-month delay with no hearings, the High Court granted Khator bail. The prosecution has completed its presentation of evidence, and the case is now in the defense stage.
3. **Sabah Mbarak Mbarouk Case:** This narcotic drugs case involves drug trafficking, where the accused attempted to traffic narcotic drugs from Zanzibar to India. She was arrested at Aman Abeid Karume International Airport, and her case is currently pending before the High Court of Zanzibar at the hearing stage.

## **CHAPTER FIVE ANNUAL SUCCESSES AND CHALLENGES OF THE DPP'S OFFICE**

### **5.0 Introduction**

The year 2022 marks a historic milestone for the Office of the Director of Public Prosecutions (DPP) in Zanzibar, as it celebrates two decades since the office was constitutionally established in 2002. This anniversary provides a valuable opportunity to assess the current state of the Office in comparison to its inception twenty years ago. It is an ideal moment to reflect on the successes and challenges faced by the DPP throughout the year 2022.

## 5.1 Annual Successes

For the year 2022, the Office registered the following successes, among others:

### 5.1.1 Giving Prosecutorial Decisions in 4363 Investigation Files

In 2022, the Office continued to fulfill its prosecutorial responsibilities as mandated by the Director of Public Prosecutions Act No. 2 of 2010. The Office received a total of 4,363 investigation files, including 95 from the Zanzibar Anti-Corruption and Economic Crimes Authority (ZAECA), 3,953 from the Police Force, and 315 from the Zanzibar Drugs Control and Enforcement Authority (ZDCEA). Each file was addressed in a timely manner, with decisions made on whether to proceed with court action, request further investigation, or close the file based on the evidence available.

### 5.1.2 Prosecuting 921 Criminal Cases Completely

Throughout the year, 2,030 cases were instituted before the High Court of Zanzibar, as well as regional and district courts in both Unguja and Pemba Islands. Of these, 921 cases were fully prosecuted, resulting in 523 convictions and 398 acquittals. This means that 57% of prosecuted cases ended in conviction, while 43% resulted in acquittals, reflecting a notable level of prosecutorial success.

### 5.1.3 Prosecuting Appeals before the Court of Appeal of Tanzania

In May and June 2022, the Court of Appeal of Tanzania held sessions in Zanzibar. The Office handled six appeals before the Court, of which five were fully heard and one was adjourned due to the appellant's absence. Out of the five heard appeals, the DPP was the appellant in one and the respondent in four. The outcomes were as follows: three appeals were allowed, one was struck out, and the remaining appeal was withdrawn by the DPP due to the absence of respondents. This session reinforced the importance of proper prosecution at the trial stages to ensure successful outcomes.

### 5.1.4 Handling 107 Criminal Justice Complaints from the General Public

In 2022, the Office received 107 public complaints related to various aspects of the criminal justice system. These complaints addressed issues with investigations, prosecutions, and trials, where complainants, victims, their relatives, or accused individuals were dissatisfied with decisions made. The Office handled these complaints by conducting effective follow-ups, reviewing prosecutorial decisions, and initiating appeals when necessary. As a result, the complainants' concerns were addressed, leading to their satisfaction with the outcomes.

### 5.1.5 Conceptualizing Alternative Strategy to Fight Against Sexual Offences in Zanzibar

In response to the increasing incidence of sexual offenses in Zanzibar, the Office developed a proactive strategy in 2022 to address these crimes through prevention as well as prosecution. The plan involves establishing a special Committee dedicated to combating sexual offenses. This Committee will include representatives from the DPP's Office, the Chief Mufti Office, the Ministry of Education, the Department of Social Welfare, and religious leaders. Following initial preparations, the Committee is scheduled to be launched in 2023 and will focus on tackling sexual offenses at the grassroots level, aiming to reduce such crimes within Zanzibar society.

#### 5.1.6 Participating in the International Events Relating to Criminal Justice

The Office participated in two separate events in Kenya to exchange experiences and strategies for addressing money laundering, a serious economic crime in today's world. These events enhanced the Office's understanding of the nature and characteristics of money laundering and highlighted the need for improved institutional and legislative frameworks to effectively combat this offense.

#### 5.1.7 Capacity Building through Exposure Visits

With support from the Basel Institute of Governance, the Office participated in an exposure visit to the United Kingdom and Jersey to gain insights into the investigation, prosecution, and adjudication of economic crimes. This visit provided the Office with valuable knowledge on establishing and operationalizing specialized prosecution units, aimed at increasing efficiency, particularly in handling economic crimes.

## **5.2 Challenges**

In spite of the significant successes in the year 2022, the Office encountered some challenges including the following:

### **5.2.1 Shortage of Manpower**

The Office is faced by short of manpower in both prosecution and administrative cadres. The establishment of special magistrates dealing with sexual offence cases and narcotic drug cases has signified the need of having more prosecutors who will prosecute cases before such magistrates. Shifting of High Court from Vuga to Tunguu pressurizes the need of more prosecutors who will prosecute cases in the High Court exclusively contrary to traditional position. On the other hand, the Office is in need of drivers, statisticians and typists. There are high hopes of solving this challenge in the near future as all of such demanded staff is included in the nominal roll and the government is contemplated to employ them accordingly.

### **5.2.1 Infrastructural Constraints**

The Office is characterized by shortage of office spaces for its staff to stay comfortably to exercise their responsibilities. Offices at regional levels and even Headquarters are not sufficient in both Unguja and Pemba. Efforts are however being made to secure financial resources from the Government to extend office infrastructures. The year witnessed healthy plans to expand the head office building by constructing another floor in the prosecution block.

### **5.2.2 Limited Financial Allocations**

The budget allocated to the Office by the Central Government is limited as it does not solve the problems of the Office completely. The fund released monthly is also insufficient to meet Office demands. The Office appreciates governmental effort to increase the budget and release more fund for successful operation of the Office. The Office also under governmental support and directives has been engaging into several projects in order to secure necessary resources for its development.

## **CHAPTER SIX**

### **PLANNING THE FUTURE**

#### **6.1 Introduction:**

This Chapter deals with the Planning the Future of the Office of the Director of Public Prosecutions Zanzibar in order to improve quality and quantity of the Prosecution Services and Communication towards other Criminal Justice System stakeholders, community and the Government. The targeted areas for the future plan are Digitalization of the Office and to associate the Office with regional and international Associations.

The chapter also deals with the strategic plan of the Office on the area which are intended to facilitate and shaping the prosecutions, infrastructure, and construction of the new Office building at the regional level.

#### **6.2 Rationale of Planning the Future**

The importance of the Office of the Director of Public Prosecutions Zanzibar having the plan for the future are as follows:

- i) To comply with the policy requirements and directives of the Government to transform its Institution and service delivery into digitalization.
- ii) To comply with the Office of the Director of Public Prosecutions' prospective strategic plan of 2022-2027.
- iii) To align with the Global development of the Science and technology.
- iv) To meet the required standard procedure of the Office of the Director of Public Prosecutions Zanzibar.

- v) To facilitate the availability and accessibility of the service of the Office of the Director of Public Prosecutions Zanzibar.
- vi) To have Office infrastructure this is easily accessible, user friendly and inclusive.

### **6.3 Key Areas of Future Plan:**

Key Areas of Future Plan for the Office of the Director of Public Prosecutions Zanzibar are:

- a) Digitalization (e-library, e-office and file tracking)
- b) Association of the Office with the Regional and International Associations.

#### **6.3.1 Digitalization**

Digitization is the process of changing from analog to digital form, also known as digital enablement. Said another way, digitization takes an analog process and changes it to a digital form without any different-in-kind changes to the process itself.

Generally speaking; Digitization means the process of shifting or moving from analog to digital domain. Therefore it is the future plan of the Revolutionary Government of Zanzibar and the Office of the Director of Public Prosecution Zanzibar to digitalize its Public Service Delivery.

This has prompted the Office to start digitalizing three main key areas such as:-

- i) File tracking
- ii) E-library, and
- iii) E-office.

##### **6.3.1.1 File Tracking System (FTS)**

This is a web based application which helps in tracking the movement of files and receipts. The application enables the users to maintain a consistent watch over the movement of various

important documents in the process of decision-making. It was felt that a system is required to monitor the movement of Files and Receipts at different levels in the decision making process.

The Office intends to use this system in such a manner that the DPP can view the movement of the files and documents and ultimately take appropriate and expedient decisions. This can be achieved by putting rigorous efforts while designing of the database for the application.

#### **6.3.1.2 E-library.**

The Office of the Director of Public Prosecution planned to achieve digitalization on this area. It is crucial of having an ordered collection of varied electronic documents, equipped with a navigation and search tool. It can be a website where various texts are gradually accumulated and media files, each of which is self-sufficient and at any time can be accessible by the reader. The Office currently uses the old modality of library service and most documents available are in hard copies, insufficiency of books related to criminal justice system

#### **6.3.1.3 E-Office**

The introduction of e-office in the Office of the Director of Public Prosecutions will improve the accuracy and efficiency of its works and thereby improve the level of service provided. Also this endeavor will help to lower costs and drastically reducing the consumption of paper.

Currently, many documents are still being printed out and circulated on paper. The Offices' goal of wanting to adopt the e-office is the elimination of paper and converting most or all office communications to electronic form.

### **6.3.2 Associations of the Office with Regional and International Associations**

At the Regional level, the Office of the Director of Public Prosecution has the plan to join with the East Africa Association of Prosecutors (EAAP). The East Africa Association of Prosecutors (EAAP) is an organization of national prosecution authorities (corporate membership) that was established in 2010 with the founding members being national prosecution authorities of the East Africa Community (EAC), whose members were Burundi, Kenya, Rwanda, Tanzania and Uganda. The association later incorporated South Sudan when it became a Republic and a member of the EAC.

At the International level, the Office of the Director of Public Prosecution has the plan to join with the following associations: International Association of Prosecutors (IAP), Global Prosecutors E-Crime Network, and Forum for, International Criminal Justice, Counter Terrorism Prosecutors Network, Network of Anti-Corruption Prosecutors, Trafficking In Persons Platform, Prosecuting Conflict-related Sexual Violence Network.

#### **The importance of Joining Regional and International Association:**

- i) To improve and Influence the Office in shaping the future of prosecutors worldwide.
- ii) To enable access to up-to-date publication, precedents, information about developments in the field of criminal law and any other related materials.
- iii) To provide access to the expert forums.
- iv) Empowering and regulating this wonderful profession.
- v) To get opportunity to participate in the Prosecutors Exchange Programme (PEP).
- vi) To get opportunity to publish and distribute articles for global prosecutors.

- vii) To access different publications including Human Rights Manual for Prosecutors and Good Practice Guides.

## **6.4 Strategic Plan**

To identify the key areas of action the Office as a part of the digital transformation, first it needs to create the right foundation by coming up with a digitalization strategy, taking into account the three main pillars of the digitalization process: innovation, processes and technologies. The definition of electronic office is not precise, and it might be either:

- The introduction of individual computers running office software application such as word processors, or
- The interconnection of office computers using a Local Area Network (LAN), or
- The centralization of office functions via collaborative software (i.e., groupware), which was later superseded in many contexts by web applications.

### **6.4.1 Strategic analysis and setting targets**

First, senior management of the Office in collaboration with middle management is in the initial stage to come up with a digital vision and agenda, which include looking for new technologies and digital development patterns to explore their potential for the Office.

### **6.4.2 Operationalizing the digitalization strategy**

Once the Office has developed its digital vision, set an agenda and analyzed its digital maturity, it can move on to identifying the know-how and expertise it may need and use the findings to identify innovations in the form of new services, for example. Here, it is important to bring IT,

and other departments of the Office together so as to take into account the needs of all of Offices' departments and divisions.

### **6.4.3 Implementing the digitalization strategy**

The third step will be to implement the strategy that has been developed, develop its own digital roadmap and a portfolio and set priorities. This step will involve communication with senior management to coordinate specific digital projects with the development of the Office as a whole. Once this step has been completed, the Office will be in the middle of digital transformation.

## **6.4 Lessons Learnt**

From the prosecutorial situation in 2022, there are some lessons that are learnt by the Office and the entire criminal justice stakeholders. Among the lessons are:

- 1) Investigation of criminal cases should always be in compliance with the law.
- 2) Capacity building is very important to key actors of criminal justice.
- 3) There must be cooperation between investigation and prosecution sides for successful administration of criminal justice.
- 4) Formulation of criminal justice laws should be careful and considerable to ensure that the implementation of such laws is not problematic. The laws should reflect practical simplicity.
- 5) New techniques are needed in order to handle victims and witnesses properly.

## **6.5 Conclusion**

Concluding generally, the situation of prosecution for the year 2022 is at medium level. Successes and challenges are highly competing. This attracts the need of new strategies in the coming year in order to ensure more successes. When prosecution services are strengthened, there will be peace, stability and economic development in the society. Strengthening prosecution service is an Office target in the coming year.