

**OPENING REMARKS BY HON. DAVID E. MRANGO, JUDGE  
INCHARGE, HIGH COURT OF TANZANIA, SUMBAWANGA ZONE, AT  
THE OFFICIAL OPENING OF A TRAINING WORKSHOP ON  
CAPACITY BUILDING TO JUVENILE COURT OFFICIALS AND  
STAKEHOLDERS.**

**HELD AT OPEN UNIVERSITY OF TANZANIA PREMISES,  
SUMBAWANGA BRANCH FROM 18<sup>TH</sup> – 22<sup>ND</sup> NOVEMBER 2019**

**Honourable Coordinator, Ms. Fatuma Mgomba, of Institute of  
Judicial Administration,**

**Honourable Trainers, Ms. Nyigulila Mwaseba, Ms. Tundonde  
Mwihomeka and Ms. Victoria Nongwa.**

**Learned State Attorneys, Prosecutors and advocates,**

**Social Welfare Officers,**

**Invited Guests,**

**Ladies and Gentlemen,**

Good Morning.

I would like to begin my opening remark by thanking the almighty God for his endless blessings bestowed to us which enable every one of us to be here on this very special day.

A special word of thanks to the organizers for giving me this privileged opportunity to officiate this remarkable five day's workshop necessary for building capacity to Juvenile Justice officials on matters related to juvenile Justice System in Tanzania. Juvenile Justice Officials to mention include Magistrates, State Attorneys, Prosecutors, Advocates and Social Welfare Officers

**Dear Participants,**

I would like also to sincere welcome you all especially those who are for their first time to be here in Rukwa Region, Sumbawanga town in particular. Indeed I may say feel at home.

**Dear participants,**

I would like also to extend my sincere appreciation to the Institute of Judicial Administration Lushoto and its team for its tireless initiative in organizing these workshops as part of the Judiciary Strategic Plan 2015 – 2020 to build career capacity and their partnership with special project funded and implemented by the United Nations Children’s Fund (UNICEF) through their technical and financial assistance aiming at strengthening Juvenile Justice System in Tanzania by imparting skills, and knowledge to officials working with child Justice System necessary to the administering of the Law of the Child Act, No. 21 of 2009.

**Dear participants,**

we are aware that its almost 30 years since the adoption of the Convention on the Rights of the Child Rights Convention (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC) which have seen

remarkable progress in ensuring that children's issues are an integral part of development initiative in Tanzania particularly after Tanzania has ratified the UNCRC and ACRWC.

**Dear participants,**

Child protection is getting recognition in Tanzania. The Law of the Child, No 21 of 2009, was enacted among other things to put emphasis on the best interest of a child as a principle in all actions concerning a child. Section 4 (2) of the Act, provides that, I quote:

The best interest of a child shall be the primary consideration in all actions concerning a child whether undertaken by public or private social welfare institutions, courts or administrative bodies.

There are several initiatives by the government to strengthen child protection, based on the Law of the Child Act, No. 21 of 2009 which laid down the framework for a national child protection system. To mention a few, a series of legal measures have been adopted by the Tanzanian government including criminalizing attempt to marry school-going children under 18 as well as any person who impregnates a primary school or a secondary school girl. The recent case by the Court of Appeal of Tanzania,

**Attorney General vs. Rebeca Gyumi, Civil Appeal No. 204 of 2017,**

at Dar es salaam, which upheld High Court decision by declaring sections 13 and 17 of the Law of Marriage Act unconstitutional for setting different minimum ages for marriage for boys and girls aimed at child protection in respect to fundamental constitutional rights demonstrates this initiatives and development in this area. In addition, section 97 (2) of the Law of the Child, empowers the chief justice, by notice in the Gazette to designate any premises used by a primary court to be a Juvenile Court. And through Government Notice No. 314 of 2016 and Government Notice No. 158 Hon. Chief Justice designated a total of 236 Juvenile Courts country wide so as to afford access to justice to the juvenile.

**Dear participants,**

The Law of the Child Act (2009) defines a child to mean a person below the age of eighteen years.

The law provides legal, institutional framework for a child who is in conflict with law in order to protect his/her rights when prosecuted before a Juvenile Court. The said law among other purposes is enacted by the parliament is to protect and maintain the welfare of a child in Tanzania.

This law replaced the Children and Young Persons Ordinance, Cap 13 of 1937 which was not in line with the new development in the international and regional instruments regarding child rights protection.

**Dear participants,**

With this five day's workshop training opportunity, I believe you participants will be able to grasp knowledge, skills necessary to interpret the Law of the Child, 2009, The Juvenile Court (Procedure) Rules (GN. No. 182 of 2016) and the regulations made as well to enforce the Juvenile Justice System in Tanzania context. The training will provide opportunity for you participants to learn and understand the roles of each official working in the legal regime of juvenile justice system such as Resident Magistrates, Social Welfare Officers, Lawyers, Media, and Police

Again, in addition this five days training will provide forum for you to discuss the experiences/challenges you have been encountered before in the handling of the Child Justice System and to learn the way forward to strengthen and administer the Justice System in this area where many of us I know is a new area which poses challenges in the administering the juvenile law.

The recent inspection done by the Judiciary of Tanzania on Juvenile Courts in Dar es Salaam, Kibaha and Bagamoyo from 25 – 27 September, 2019 revealed some challenges which are ought to be solved through trainings like this one. Some of the magistrates impose custodial sentences contrary to what the law requires. Others use Criminal Procedure Code instead of GN. No. 182 of 2016, which provides procedural rules and administration of the Juvenile Courts.

**Dear participants,**

It is my hope that every one of you will consider this training useful to his/her career and discussions and interactions among yourselves as well from the competent trainers will explore interesting experiences. At the end we expect each one of you to apply skills obtained effectively in carrying out your duties in the enforcement of the Law of the Child and administration of juvenile system as a whole.

**Dear participants,**

Lastly, I am encouraging each of you after this training do not hesitate to share what you have learnt to other colleagues who have not been able to attend this training due to limited number available so that the experiences

and skills you obtained can have wide impact in the community in promoting and understanding of juvenile justice system in Tanzania and strengthening its effectiveness in handling juvenile cases.

**Dear participants,**

With these few remarks I have shared with you, I now have a pleasure to declare this training as officially opened.

**Asanteni Sana kwa kunisikiliza.**

**D. E. MRANGO**  
**JUDGE IN - CHARGE**  
**HIGH COURT OF TANZANIA,**  
**SUMBAWANGA ZONE**