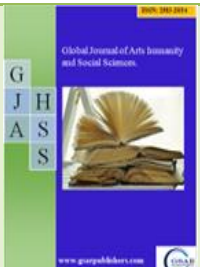


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LEGAL AND PRACTICAL CHALLENGES OF REMOTE COURT HEARINGS IN RELATION TO THE RIGHT TO ADEQUATE DEFENCE IN TANZANIA'S CRIMINAL JUSTICE SYSTEM

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Abstract

The use of remote court hearings has become a significant development in Tanzania's criminal justice system, particularly following the COVID-19 pandemic. Although remote hearings enhance efficiency, reduce costs, and facilitate access to justice, their application in criminal cases raises concerns regarding the accused person's right to an adequate defence. This article critically examines the legal and practical challenges of remote court hearings in Tanzania and their impact on the right to an adequate defence. It analyzes the relevant legal framework, considers comparative experiences, and proposes reforms aimed at ensuring that technological innovation does not undermine the right to a fair trial.

Keywords: Remote court hearings, right to adequate defence, fair trial, criminal justice.

INTRODUCTION

The administration of criminal justice requires balancing the state's interest in combating crime with the protection of the fundamental rights of the accused person's.ⁱ One of the most critical safeguards in this process is the right to a fair hearing and an adequate defence. Traditionally, criminal cases have been conducted with the physical presence of the accused persons, defence attorneys, witnesses, prosecutor, and judicial officer in the courtroom.ⁱⁱ However, technological advancements have introduced new methods allowing court proceedings to take place without requiring all participants to be physically present in the same courtroom. The use of remote court hearings proved crucial during the COVID-19 pandemic, a time when courts needed to continue administering justice while minimizing physical interaction.ⁱⁱⁱ Although initially adopted to maintain court operations during the pandemic, remote hearings have continued as part of the modernization and improvement of Tanzania's justice system.^{iv} Their continued use has created both opportunities and concerns, particularly in criminal cases where the consequences of an unfair trial can include the deprivation of liberty.^v

For the purposes of this article, remote court hearings refer to judicial hearings where one or more participants join from a location other than the physical courtroom through electronic communication technologies, such as video or telephone conferencing.^{vi} The right to an adequate defence, on the other hand, refers to an accused person's entitlement to a genuine and effective opportunity to defend themselves against a criminal charge, this includes the opportunity to obtain legal representation, communicate with counsel, challenge prosecution evidence, cross-examine witnesses, and present a defence.^{vii}

Under remote court hearings, the fundamental concern is that while remote hearings can enhance judicial efficiency, technological and procedural limitations may hinder the accused person's ability to participate effectively in criminal proceedings. Difficulties relating to internet connectivity, confidential communication with advocates, witness examination, access to evidence, and meaningful participation can compromise the exercise of an adequate defence.^{viii} Consequently, this article examines in depth the legal and practical challenges of remote court hearings in relation to the right to an adequate defence within Tanzania's criminal justice system. It starts with background, analyzes the



applicable legal framework, identifies challenges associated with remote proceedings, considers selected comparative experiences, and proposes measures to strengthen the protection of the right to an adequate defence.

BACKGROUND

Historically, court proceedings in Tanzania have relied heavily on physical appearances before the court. Accused persons were required to appear before judicial officers, while witnesses, defence attorneys, and prosecutors participated physically in the proceedings.^{ix} Although this traditional system facilitates direct interaction between the court and participants, it present logistical challenges, particularly when accused persons are detained in correctional facilities far from the court, or when witnesses and other participants must travel long distances, and delays.^x Prior to the COVID-19 pandemic, the Tanzanian Judiciary had already begun integrating Information and Communication Technology (ICT) into the administration of justice as part of broader efforts to enhance efficiency and access to justice.^{xi} These developments included the use of electronic systems and audio-visual technology. However, the COVID-19 pandemic accelerated the adoption of remote methods because physical court attendance was difficult and, in some instances, unsafe. Video conferencing and teleconferencing became vital tools for maintaining court operations while minimizing physical interaction among court users even after the Coronavirus pandemic ends.^{xii}

The pandemic experience demonstrated the potential of remote technology to facilitate criminal proceedings, particularly in circumstances involving accused persons held in correctional facilities. It reduced the need for physical transportation of prisoners and enabled courts to connect with participants located in different places.^{xiii} The Judiciary subsequently continued to develop virtual court facilities beyond the immediate period of the pandemic by transforming what had initially been an emergency response into an increasingly established component of judicial administration. The legal development was further strengthened by the enactment of the Judicature and Application of Laws (Remote Proceedings and Electronic Recording) Rules, 2021, which provide for remote proceedings and electronic recording before the high court and subordinate courts, including criminal proceedings.^{xiv} The Rules provide a legal basis for the use of electronic means in judicial proceedings, but the continuing use of remote hearings therefore raises an important question as to whether the existing legal and institutional framework adequately protects the accused person's right to adequate defence when criminal proceedings are conducted remotely.

LEGAL FRAMEWORK GOVERNING REMOTE COURT HEARINGS AND THE RIGHT TO ADEQUATE DEFENCE IN TANZANIA

A. The Constitution of the United Republic of Tanzania, 1977

The Constitution of the United Republic of Tanzania is the fundamental legal instrument safeguarding the right to a fair hearing. Article 13(1) guarantees equality before the law and equal protection of the law, while Article 13(6) (a) guarantees a fair hearing for any person whose rights or obligations are being determined by a court or other body. The Constitution does not mandate that hearings take place solely through physical attendance. However, any method employed by the court must adhere to constitutional requirements of fairness. Consequently, remote proceedings must preserve the essence of the accused person's right to participate and present a defence.^{xv}

B. The Criminal Procedure Act, Cap. 20 R.E 2023

The Criminal Procedure Act, is the principal legislation which provides for the procedure to be followed in the investigation of crimes and the conduct of criminal trials and for other related purposes. This is the main source of criminal procedure, which is more detailed and exact, it governs matters such as the conduct of trials, the presentation of evidence, the examination and cross-examination of witnesses, and the legal representation of the accused person. These safeguards remain crucial when proceedings are conducted remotely. For instance the Act, authorizes the court at any stage of the proceedings, upon an ex parte application by the Director of Public Prosecutions (DPP) to order a witness testimony to be given through video conferencing in accordance with the provision of the Evidence Act and to issue witness protection orders as the court may consider appropriate for the security of a witness.^{xvi} Also, section 248 guarantees the accused persons right, after the prosecution has closed its case, to present a defence by giving evidence whether or not on oath or affirmation, on his own behalf and to call witness in his defence.^{xvii} Therefore, the use of technology should facilitate the exercise of procedural rights rather than create obstacles to their effective enjoyment.

C. The Evidence Act, Cap. 6 R.E 2023

The Evidence Act provides the primary framework governing the admissibility and evaluation of evidence in Tanzania. The Act recognizes the admissibility of electronic evidence, particularly under section 70, which establishes that "electronic evidence is admissible in any court proceedings" but determining its evidentiary weight is to be determined in accordance with the Electronic Transactions Act, including requirements regarding the reliability, integrity, and authenticity of electronic records. Its importance in remote proceedings arises particularly when witnesses testify through electronic or audio-visual means and when documentary or electronic evidence is presented remotely. The application of rules of evidence in an online environment must ensure that the defence retains a meaningful opportunity to challenge the prosecution's evidence.^{xviii}

D. The Judicature and Application of Laws (Remote Proceedings and Electronic Recording) Rules, 2021

The Judicature and Application of Laws (Remote Proceedings and Electronic Recording) Rules, 2021, establish the primary legal framework governing remote court proceedings. These rules apply to cases before the high court and subordinate courts, including criminal cases, and provide for the use of video conferencing,

teleconferencing, and other approved electronic means. They also regulate matters related to electronic communication and the recording of proceedings. While establishing a legal basis for remote hearings, questions remain as to whether the safeguards provided are sufficiently detailed to address the specific requirements for an adequate defence in criminal cases.^{xxix}

THE RIGHT TO ADEQUATE DEFENCE IN TANZANIA'S CRIMINAL JUSTICE SYSTEM

The right to adequate defence is a crucial component of the broader right to a fair trial. An accused person must be afforded a meaningful opportunity to understand the charge, prepare a defence, obtain legal assistance, communicate with counsel, challenge prosecution evidence, cross-examine witnesses, and present evidence on their own behalf. Thus, the right is substantive rather than merely formal.^{xx} In the context of remote hearings, the mere existence of an online connection between the accused and the court is insufficient. An important factor to consider is whether the accused can participate meaningfully in the case and communicate effectively with their advocate.

CURRENT LEGAL AND PRACTICAL CHALLENGES FACING REMOTE COURT HEARINGS IN TANZANIA

A. LEGAL CHALLENGES

A.1. Lack of Specific Legal Safeguards to Ensure an Adequate Defence

Tanzania has a legal framework for conducting remote proceedings through the Judicature and Application of Laws (Remote Proceedings and Electronic Recording) Rules, 2021. These rules apply to civil and criminal cases before the high court and subordinate courts, outlining the circumstances under which remote proceedings may be ordered. However, the existence of a legal framework for remote proceedings does not mean that the specific requirements for an adequate defence have been fully addressed. A major legal gap is the absence of comprehensive safeguards to determine when remote participation is appropriate in a criminal case, when physical presence should be prioritized, and what procedure should be followed if remote participation prejudices the accused. This creates room for inconsistent judicial approaches and places heavy reliance on the discretion of individual judicial officers.^{xxi} Therefore, a more robust system should explicitly link the decision to conduct remote proceedings with the accused's constitutional right to a fair trial.

A.2. Tension between Remote Proceedings and the Constitutional Right to a Fair Hearing

The Constitution protects the right to a fair hearing, yet this constitutional guarantee was framed primarily around the general requirements of court proceedings rather than the specific challenges posed by digital participation.^{xxii} Consequently, a legal issue arises as to whether a hearing remains constitutionally fair when a defendant is virtually present but unable to see, hear, understand, or effectively participate in the proceedings. In other

words, online presence should not automatically be equated with meaningful participation. Where technological conditions significantly impede a defendant's ability to follow the proceedings or instruct counsel, proceeding with the hearing may raise questions regarding constitutional compliance.^{xxiii}

A.3. Inadequate Protection of Confidential Lawyer-Client Communication

An adequate defence requires effective communication between the accused and their advocate. Remote proceedings create specific legal difficulties because the accused may be participating from prison or another remote location while the advocate is elsewhere.^{xxiv} The existing system requires robust safeguards to ensure that the accused can communicate privately with their lawyer both before and during the trial. Without such confidentiality, the accused may technically have legal representation but lack the practical ability to provide instructions or seek immediate legal advice.^{xxv} Thus, the issue is not merely the right to counsel, but the right to effective legal assistance.

A.4. Legal Uncertainty Regarding Cross-Examination and Remote Testimony

Cross-examination is crucial to the defence because it allows the accused person to challenge the credibility and reliability of prosecution witnesses.^{xxvi} Remote testimony can give rise to problems where the accused or advocate cannot properly observe the witness, where communication is delayed, or where technical disruptions occur. The legal challenge lies in determining whether evidence obtained under conditions that adversely affect cross-examination can satisfy the requirements of a fair trial. Consequently, Tanzania requires clearer regulations regarding the threshold of technical interference that necessitates an adjournment, the retaking of testimony, or the suspension of remote hearings.

A.5. Lack of Clear Criteria for Discontinuing Remote Hearings

The 2021 Rules provide a legal basis for remote proceedings, but a sound system also requires clear safeguards for situations where remote participation is unsuitable. A criminal case might begin successfully through video conference but subsequently become ineffective due to connectivity issues, the inability to communicate privately with counsel, or difficulties in presenting evidence. Therefore, the law should establish conditions requiring the judicial officer to suspend or discontinue remote hearing proceedings. This would prevent efficiency from becoming the overriding priority at the expense of an adequate defence.^{xxvii}

B. PRACTICAL CHALLENGES

B.1. Unreliable Internet Connectivity and Electricity Supply

The first practical challenge concerns the reliability of the technological infrastructure required for remote hearings. A remote criminal hearing relies on a stable internet connection, electricity, functional cameras and microphones, and adequate technical support. When the connection fails repeatedly, participants may miss parts of the evidence or submissions. This is particularly

problematic during hearings because even a short interruption can cause the defence to miss a crucial part of a witness's testimony.^{xxviii}

B.2. Inadequate Equipment in Correctional Facilities

A major practical difficulty relates to the equipment available to accused persons participating remotely from correctional facilities. The effectiveness of a virtual hearing depends not only on the courtroom setup but also on the quality of the remote location. Where the accused lacks a suitable room, equipment, privacy, or technical support, mere access to video conferencing may not translate into meaningful participation.^{xxix}

B.3. Difficulty in Communicating Privately with Advocates

Obviously, the physical separation between the accused persons and their advocate can make quick consultations difficult. During an in-person hearing, an advocate can consult directly with the accused person. In a remote hearing, there must be a technological mechanism allowing the two to communicate privately without other participants overhearing the conversation. Where such equipment is unavailable or unreliable, the accused may be unable to instruct counsel regarding developments occurring during the hearing.^{xxx}

B.4. Difficulty in Examining Witnesses and Exhibits

Remote hearings can also make it difficult for the defence to examine physical exhibits and properly question witnesses. The problem is particularly severe where credibility depends to some extent on demeanor, or where physical evidence requires close inspection. Poor image quality, camera positioning, and disruptions can compromise the quality of the defence's examination of evidence.^{xxxi}

B.5. Digital Literacy and Unequal Access to Technology

Not all accused persons possess the same ability to understand or use digital technology. Individuals with limited digital literacy or disabilities may face greater difficulty participating in remote proceedings. Consequently, the introduction of technology without corresponding support systems can create disparities between accused persons who can effectively navigate digital proceedings and those who cannot.^{xxxii}

B.6. Limited Technical Support

Remote hearings require technical personnel capable of immediately resolving connectivity, hardware, and software issues. Where technical support is inadequate, court proceedings may be frequently interrupted. This can contribute to adjournments and delays, problems that remote proceedings are intended to mitigate.^{xxxiii}

BEST PRACTICES FROM OTHER JURISDICTIONS

A. United Kingdom

The United Kingdom offers a highly significant example, by having developed a structured approach to remote participation in criminal proceedings rather than treating all hearings as suitable for

virtual attendance. The current approach recognizes that remote participation can enhance access to justice and the efficient use of court resources, while also identifying circumstances where in-person attendance is generally required. In July 2026, the Lady Chief Justice issued new legal guidance regarding live links in criminal courts, scheduled to take effect from October 1, 2026. The guidance establishes a national framework intended to promote the consistent use of remote participation while maintaining judicial discretion in the interests of justice.^{xxxiv}

This is significant for Tanzania because it demonstrates that a remote hearing system should not merely ask whether the technology is available, it must also consider whether remote participation is appropriate for the specific case and consistent with effective participation. Consequently, Tanzania could develop a similar classification of cases, distinguishing between hearings suitable for remote participation and those where the physical presence of the accused should generally be required. The UK system also highlights the importance of technical support, its criminal courts utilize a video platform that accommodates both video-enabled hearings where the case remains centered in the courtroom and fully remote video hearings where participants join from off-site locations. Professional users are provided with procedures for joining hearings, sharing documents, and accessing technical support where issues arise.^{xxxv} So, the lesson for Tanzania is that, legal authorization for remote hearings must be accompanied by the institutional infrastructure necessary to ensure their effective operation.

B. India

India offers a highly valuable comparative example, as its courts established comprehensive rules for video conferencing following the rapid expansion of virtual proceedings. For instance, the High Court of Delhi Rules for Video Conferencing for Courts 2020, explicitly recognizes video conferencing as a form of judicial proceeding and mandates that the standard legal and procedural safeguards applicable to in-person hearings remain in effect. The Rules also require the court to satisfy itself that remote participants can clearly see and hear the court proceedings and that the court can see and hear them. Crucially, Indian Rules include safeguards specifically related to criminal justice, where an accused person is examined remotely, the Rules mandates verification of the accused's location, while proceedings such as initial judicial or police remands conducted through video conferencing are subject to restrictions and exceptional circumstances. The Rules also require precautions to ensure that the accused or witness is not subjected to coercion, threats, or undue influence.^{xxxvi}

This is directly relevant to Tanzania because it demonstrates how legislation can go beyond merely authorizing video conferencing to establish specific procedural safeguards for the accused person. India has also developed model rules at the national level through the Supreme Court's E-Committee. These developments highlight a key principle for Tanzania that remote hearings must be underpinned by comprehensive procedural rules addressing identity verification, technical standards, recording, evidence, privacy, and participant protection.^{xxxvii}



C. South Africa

South Africa is significant because its constitutional framework places great emphasis on the protection of fair trial rights and the rights of the accused persons. Its experience underscores the importance of treating remote participation as a procedural mechanism that must remain consistent with constitutional guarantees, rather than merely a technological substitute for conventional criminal proceedings.^{xxxviii} The South African experience is particularly relevant to Tanzania because both jurisdictions operate within constitutional frameworks where the right to a fair hearing is fundamental to the criminal justice system. The key lesson Tanzania can draw from the South African approach is that, the impact of remote proceedings on the accused must be carefully considered, rather than assuming that technological participation automatically satisfies fair trial requirements. Where remote participation interferes with communication with counsel, comprehension of the proceedings, or effective participation, the court should have the authority to mandate physical attendance or otherwise modify the procedure.

COMPARATIVE LESSONS FOR TANZANIA

Comparative experience demonstrates that successful remote criminal proceedings require more than just the implementation of video conferencing technology. The UK illustrates the value of categorizing hearings and providing judicial guidance on when remote participation is appropriate.^{xxxix} India highlights the importance of detailed procedural safeguards, including participant verification, technical standards, and protections against coercion.^{xi} South Africa underscores the necessity of placing constitutional rights to a fair trial at the center of decisions regarding remote participation.^{xii} For Tanzania, the overarching lesson is that remote proceedings should be governed by a right-based and case-sensitive framework that prioritizes fairness and is sensitive to the specific context of the case. The court must consider the nature and gravity of the offence, stage of the proceedings, complexity of the evidence, and availability of confidential communication with counsel, technological conditions, and the potential impact on the accused persons. Where these conditions cannot be adequately guaranteed, physical attendance should remain the preferred mode of hearing.

CONCLUSION AND RECOMMENDATIONS

By concluding, remote court hearings have become a significant part of Tanzania's criminal justice system. Their development was accelerated by COVID-19 and subsequently supported by a legal framework governing remote proceedings. Although remote hearings can reduce costs, delays, and logistical difficulties, their application in criminal cases presents major legal and practical challenges regarding an accused person's right to adequate defence. Therefore, the primary concern is not whether Tanzania should utilize technology in the administration of justice, but rather how technology can be employed without undermining the constitutional and procedural safeguards afforded to the accused person. Experiences from the UK, India, and South Africa

demonstrate that remote proceedings can function effectively when supported by clear legal protections, judicial oversight, adequate infrastructure, and robust safeguards for communication between the accused and their counsel. Consequently, Tanzania should transition from a framework that merely permits remote proceedings to one that actively manages their impact on the right to a fair trial. Legal reforms, confidential lawyer-client communication, minimum technological standards, well-equipped facilities, specialized training, and effective remedies will strengthen the protection of the right to adequate defence. In this way, remote justice can serve as a means to enhance the efficiency and accessibility of Tanzania's criminal justice system without compromising the fundamental rights of the accused persons.

RECOMMENDATIONS

A. Legal Reform

The legislature should review the existing legal framework governing remote proceedings and establish specific safeguards for criminal cases. The law should clearly specify the factors a judge or magistrate must consider before ordering a remote hearing, including the gravity of the offence, stage of the proceedings, nature of the evidence, availability of legal representation, technological conditions, and the potential for prejudice to the accused. The law should also define the circumstances under which physical attendance should generally be required. This will reduce uncertainty and ensure that similar cases are handled consistently across different courts.

B. Establishment of the Right to Confidential Remote Consultation

Courts, in collaboration with correctional authorities, should establish secure facilities enabling accused persons to communicate privately with their advocates before and during remote hearings. The system could incorporate a separate secure communication channel or a virtual private room accessible only to the accused and advocate. This recommendation is particularly significant because the Indian system demonstrates that private consultation can be explicitly integrated into video conferencing rules.

C. Minimum Technological Standards

The Judiciary should establish minimum technical standards for remote criminal hearings. Every participating court and correctional facility must be equipped with reliable internet access, electricity backup, suitable cameras and microphones, adequate screens, document-sharing tools, and technical support. A remote hearing should not proceed if technical conditions are so poor that the accused cannot see, hear, or participate effectively. This would transform technology from a potential source of grievance into an effective instrument of justice.

D. Protection during Examination and Cross-Examination

The Rules should explicitly require judicial officer to interrupt or adjourn proceedings if technical issues compromise the examination or cross-examination of a witness. Where a portion of the evidence is lost due to a technical failure, the affected part should be repeated where necessary. This ensures that

technological convenience does not compromise the accused's ability to challenge the prosecution's evidence.

E. Strengthening Correctional Facility Infrastructure

The government should establish well-equipped remote hearing rooms within correctional institutions. These rooms must provide adequate privacy and reliable connectivity, staffed by trained personnel capable of assisting with technical issues without interfering with confidential communications between the accused and their counsel. This is crucial, as many remote criminal proceedings involve accused persons who are in custody.

F. Training for Judicial and Criminal Justice Actors

Judges, magistrates, lawyers, prosecutors, prison officers, and technical personnel should receive specialized training regarding remote criminal proceedings. This training should cover not only the technical operation of video conferencing but also the right to a fair trial, confidentiality, and witness examination, handling of exhibits, and the identification of situations where remote proceedings might prejudice the accused person.

G. Special Protection for Vulnerable Accused Persons

The Judiciary should implement additional safeguards for accused persons with disabilities, communication difficulties, limited digital literacy, or other conditions affecting their participation. Remote proceedings must provide access to interpreters, sign language experts, special educators, or other forms of assistance where necessary. India's regulations on video conferencing, for instance, explicitly provide for the inclusion of interpreters, sign language experts, and special educators when required.

H. Effective Remedies for Prejudice

Finally, the law should provide clear remedies for instances where remote proceedings compromise the adequacy of the defence. Depending on the severity of the issue, the court should have the authority to adjourn the proceedings, repeat affected testimony, restore the opportunity for cross-examination, or order that subsequent proceedings be conducted in person. This is crucial because justice without effective remedies risks remaining merely theoretical.

END NOTES

ⁱ OSTAVCIUC Dinu, (2022), *ensuring the right to defense in the criminal process*, Dunarea de Jos: University of Galati, *International Scientific Journal*, No.2 P.46- 59.

ⁱⁱ <https://en.wikipedia.org> accessed on August 2026.

ⁱⁱⁱ <https://www.linkedin.com> accessed on August 2026.

^{iv} The Judiciary of Tanzania, (2023), *Comprehensive Performance Report of the Judicial Functions*; Dar es Salaam – Tanzania: Judiciary of Tanzania. P.7- 64.

^vBYROM Natalie, (2019), *digital justice: HMCTS data strategy and delivering access to justice*. Report and recommendation's; London: The Legal Education Foundation. P.6-39.

^{vi} <https://www.womenslaw.org> accessed on August 2026.

^{vii} MAHONEY Mark, (2024), *the Right to Present a Defense*,

Niagara Street, Buffalo: New York 14216. P.16-36.

^{viii} WAZAMBI Fundikila & LUGENDO Victoria, (2021), *Tanzania Human Rights Report: Calls for Reform of Criminal Justice System to Safeguard Human Rights*; Dar es Salaam: LHRC. P 120 - 127. .

^{ix} <https://en.wikipedia.org> accessed on August 2026.

^x MAGALLA Asherry & MPELUMBE Dunford, (2016), *Criminal Justice system in Tanzania: challenges and solutions*; Dar es Salaam- Tanzania. P. 1-17.

^{xi} The Judiciary of Tanzania, (2023), *Comprehensive Performance Report of the Judicial Functions*; Dar es Salaam – Tanzania; Judiciary of Tanzania. P.7- 64.

^{xii} Ibid.

^{xiii} GN. NO. 637 of 2021.

^{xiv} Rule 2 of GN. NO. 637 of 2021.

^{xv} The Constitution of the United Republic of Tanzania, 1977.

^{xvi} Section 194 of Cap. 20 R.E 2023.

^{xvii} Cap. 20 R.E 2023.

^{xviii} Cap. 6 R.E 2023.

^{xix} GN. NO. 637 of 2021.

^{xx} MAHONEY Mark, (2024), *the Right to Present a Defense*, Niagara Street, Buffalo: New York 14216. P.16-36.

^{xxi} GN. NO. 637 of 2021.

^{xxii} Article 13(6) (a) of the Constitution of the United Republic of Tanzania, 1977.

^{xxiii} The Constitution of the United Republic of Tanzania, 1977.

^{xxiv} Rule 10 (g) of GN. NO. 637 of 2021.

^{xxv} GN. NO. 637 of 2021.

^{xxvi} Section 153 up to Section 176 of Cap. 6 R.E 2023.

^{xxvii} GN. NO. 637 of 2021.

^{xxviii} The Judiciary of Tanzania, (2023), *Comprehensive Performance Report of the Judicial Functions*; Dar es Salaam Tanzania: Judiciary of Tanzania. P.7- 64.

^{xxix} HASSAN Said, (2024), *Adoption and use of digital court records on E-justice services delivery at the judiciary of Tanzania-Mbeya Zonal High Court (JoT-MZHC)*, Journal of Public Sector Management. Vol 8, No.1. P. 44-57.

^{xxx} WAZAMBI Fundikila & LUGENDO Victoria, (2021), *Tanzania Human Rights Report: Calls for Reform of Criminal Justice System to Safeguard Human Rights*; Dar es Salaam: LHRC. P 120 - 127.

^{xxxi} Ibid.

^{xxxii} Ibid.

^{xxxiii} HASSAN Said, (2024), *Adoption and use of digital court records on E-justice services delivery at the judiciary of Tanzania-Mbeya Zonal High Court (JoT-MZHC)*, Journal of Public Sector Management. Vol 8, No.1. P. 44-57.

^{xxxiv} Lady Chief Justice of England and Wales, *Statutory Guidance on Live Links in Criminal Courts* (6 July 2026).

^{xxxv} Ibid.

^{xxxvi} High Court of Delhi Rules for Video Conferencing for Courts, 2020, framed under Article 225 and Article 227 of the Constitution of India and Section 7 of the Delhi High Court

Act, 1966.

^{xxxvii} In Re: Guidelines for Court Functioning Through Video Conferencing during Covid-19 Pandemic, (2020) 5 SCC 455.

^{xxxviii} Section 35(3) of the Constitution of the Republic of South Africa, 1996.

^{xxxix} Lady Chief Justice of England and Wales, *Statutory Guidance on Live Links in Criminal Courts* (6 July 2026).

^{xl} High Court of Delhi Rules for Video Conferencing for Courts, 2020, framed under Article 225 and Article 227 of the Constitution of India and Section 7 of the Delhi High Court Act, 1966.

^{xli} Section 35(3) of the Constitution of the Republic of South Africa, 1996.