

TANZANIA / JUDGMENT

19830920 TZHC Arusha

COURT
TZHCDECIDED
20 September 1983

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4 IN THE HIGH COURT OF TANZANIA AT ARUSHA. CRIMINAL APPEAL NO. 65 OF 1979 (FROM THE DECISION OF THE DISTRICT COURT OF ROO AT ROO IN CRIMINAL APPEAL NO. 45 OF 1979) LLth1-4I 1BDALK11 AND OTHERSI,..APPELLANT V DISUS TH1 Rta- UI3LICRsPoDENT JUDGMENT . 3.0B.30U,A AG JUDGE. The appellants in this appeal were charged with offences contrary to the Immigration Act, 1972 in Rontho District Court Criminal Case No 45 of 1979 and Criminal Case . 47 of 1979. Each was charged with one count of an offence under 5.5. 10(i) and 26(1) of the Immigration Act 1972 and one count under 55, 19, 19 and 36 of the same Act. They were each sentenced to 12 months imprisonment on the first count and 6 months imprisonment on the second count. They all pleaded guilty to the charges and their appeals against conviction have no merit. On the question of sentence, Mr. Mt.ingele state attorney, conceded that the sentences were very severe. I would agree. The trial court appears to have imposed the sentences he did because of the war in Uganda prevailing in 1979. There was no evidence to even suggest that the appellants were linked to the Uganda problem. They were of Somali origin. The trial court also did not consider that they were first offenders and had pleaded guilty to the charge. However they have all served their sentences, a long time ago and I do not see how any variation in the sentence will benefit them. I accordingly dismiss the appeal in its entirety. 3.C.D'(i) G.JUDGE 2006

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